



NATIONAL DNA DATA BANK ADVISORY COMMITTEE



ANNUAL REPORT
2018/2019

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INTRODUCTION

This report contains updates and topics of interest that have been reviewed and discussed by members of the National DNA Data Bank (NDDDB) Advisory Committee over the past year. In 2018, members of the Advisory Committee met in Ottawa for their scheduled bi-annual meetings. They were provided updates on the operations and performance of the NDDDB, including statistical data, ongoing activities, initiatives and challenges. The Advisory Committee also had presentations from the Canadian Scientific Working Group on DNA Analysis Methods (Can SWGDAM), Public Safety Canada, and the Department of Justice on initiatives and research in their respective areas that impact the NDDDB, as well as potential legislative amendments that have the potential to enhance the effectiveness of the NDDDB.

Throughout the year, the Advisory Committee focused their discussions on the National Missing Persons DNA program (NMPDP), which became operational in March 2018 following the passage of legislation, regulations, and the development of operational policy related to missing persons and unidentified human remains. Committee members examined the ethical challenges, privacy, and consent issues in genetics, which have been the subject of debate as it relates to missing persons and their families. Evolving technology related to DNA (e.g. Rapid DNA, Next Generation Sequencing) provided the Committee with insight into current application and future use of the science as it relates to public safety.

Another continuous, key focus of the Advisory Committee relates to *familial searching* in Canada within the context of searches in the NDDDB. This issue has been a matter of interest to the committee for several years and is one that they will continue to actively profile and support. Not to be confused with familial searching, the Advisory Committee is directing its expertise on the topic *genetic genealogy* in Canada. Committee members recognize its potential use and major advantage for case investigations but also understand associated issues regarding privacy and personal information that will impact how the new information is protected.

The preliminary and follow-up review of Bill C-75 “*An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*” was another area of considerable discussion for the committee in 2018/19. Additionally, the Committee constantly reviews approaches to enhance the use of DNA in promoting public safety, which resulted in a formal recommendation to collect DNA from all individuals convicted of a designated offence.

Key issues and highlights stemming from different presentations and their potential impact on the NDDDB were other areas of interest for the Advisory Committee and are further elaborated in this report.



ABOUT

THE NATIONAL DNA DATA BANK

The National DNA Data Bank (NDDB) was established pursuant to the *DNA Identification Act (DNAIA)* and commenced operations in June 2000 under the stewardship of the Royal Canadian Mounted Police (RCMP) on behalf of the Government of Canada.

The NDDB has historically been comprised of two indices:

- ▶ The Convicted Offenders Index (COI) is an electronic index that has been developed from DNA profiles collected from offenders convicted of designated primary and secondary offences identified in Section 487.04 of the *Criminal Code*, which includes certain offences in the *Controlled Drugs and Substances Act*.
- ▶ The Crime Scene Index (CSI) is a separate electronic index composed of DNA profiles developed by Canada's operational forensic laboratories from crime scene investigations of the same designated offences addressed in the *Criminal Code*.

The NDDB assists law enforcement agencies in solving crimes by:

- ▶ Linking crimes together where there are no suspects (CSI to CSI match)
- ▶ Helping to identify suspects (CSI to COI match and/or CSI to CSI match)
- ▶ Eliminating/exonerating suspects (no match between crime scene DNA (CSI) and COI profile in the NDDB)
- ▶ Determining whether a serial offender is involved

New indices

In March 2018, legislative amendments to the *DNA Identification Act* and the *DNA Identification Regulations* came into force, which created new humanitarian indices within the NDDB that extend its services to investigations involving missing persons and unidentified human remains. The DNAIA was amended to include three new humanitarian DNA indices:

- ▶ The Missing Persons Index (MPI)
- ▶ The Relatives of Missing Persons Index (RMI)
- ▶ The Human Remains Index (HRI)

As well, two additional DNA indices were created to strengthen support that is provided to criminal investigations and investigations involving missing persons or human remains:

- ▶ The Victims Index (VI)
- ▶ The Voluntary Donors Index (VDI)

New program

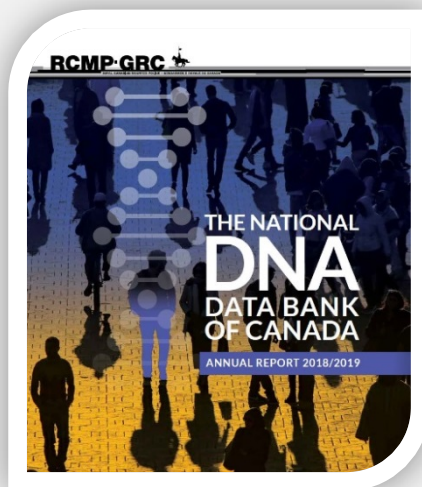
The new legislation supports investigations of missing persons and unidentified human remains through the creation of a DNA-based missing persons program, known as the National Missing Persons DNA Program (NMPDP). The NMPDP represents a collaboration of the RCMP National Centre for Missing Persons and Unidentified Remains (NCMPUR) as well as the scientific, technical and forensic expertise of the NDDB for DNA analysis and reporting. Legislation and Regulations governing the NMPDP are designed to protect Canadians' privacy interests through safeguards that aim to ensure that DNA profiles contained in the NDDB are used only for their intended purpose.

2018/2019 NDDB Annual Report¹

As of March 31, 2019, the NDDB contained 543,955 DNA profiles which includes 384,488 in the Convicted Offender Index, 159,448 in the Crime Scene Index and 19 in the Victims Index.

The overall growth in both offender and forensic hits since the NDDB's creation has contributed significantly to public safety over the years. In the 2018/19 fiscal year, there were 6,583 offender hits (Convicted Offender to Crime Scene) and 708 forensic hits (Crime Scene to Crime Scene) for a total of 7,291 hit associations made by the NDDB to police investigations. This data does not reflect or capture the number of suspects that were eliminated, or police investigations refocused when no match took place.

A summary of the 2018/2019 NDDB Annual Report is available online.



THE NDDB ADVISORY COMMITTEE

The National DNA Data Bank Advisory Committee was created pursuant to the DNA Data Bank Advisory Committee Regulations; P.C. 2000-635 May 4, 2000 and functions as an independent body to assist the Commissioner of the RCMP in ensuring the NDDB operates in compliance with legislation and regulations. The Advisory Committee's role is also to provide the NDDB with strategic guidance and direction concerning scientific advancements, matters of law, legislative changes, privacy issues, and ethical practices.

Since its inception, the Advisory Committee has closely monitored the operations of the NDDB, provided guidance, and advanced recommendations to enhance the effectiveness and efficiency of the NDDB. Last year, the introduction of new indices to the NDDB and development of the NMPDP was closely followed by the Advisory Committee. Prior to new legislation being introduced, the Advisory Committee thoroughly examined the potential humanitarian, scientific, privacy and law enforcement principles (including legal, ethical, governance and policy issues) relating to the creation of the Program. The

¹ A full PDF copy of the NDDB report can be requested by email at NDDB-BNDG@rcmp-grc.gc.ca

Advisory Committee was therefore pleased when on October 23, 2014 amendments to the *DNA Identification Act* (DNAIA) were tabled in Parliament in Bill C-43, *Economic Action Plan Act*, No. 2.

Members of the NDDB Advisory Committee, 2018/2019

There has been a significant evolution in the membership of the Advisory Committee. Four of the eight committee positions became vacant due to the conclusion of 5-year appointments of some members. It is important to acknowledge and thank Garry Loeppky (Chairperson), Gisele Cote-Harper (Vice Chairperson), Dr. William Davidson and Patricia Kosseim for their tremendous contributions during their appointments. Mme. Cote-Harper and Dr. Davidson are charter members and have ably served the Advisory Committee since its existence in 2000. The dedication and commitment of each of the departing members leaves behind a legacy upon which all future efforts are possible.

With half of the Advisory Committee being new, considerable attention was paid to providing introductions and historical contextual information relative to many of the ongoing NDDB activities.

Brendan Heffernan* (retired C/Supt, RCMP)
Chairperson, as of July 2018

As a former senior executive leader of the RCMP's Forensic Sciences & Identification Services, Brendan Heffernan devoted over 33 years of service to Canadians. Starting as general duty uniformed officer, he went on to become a major crime investigator and police executive. He has maintained a growing number of partners in the private and public sector, including professional stakeholder relations with Toronto Police Service, the Canadian Forces Military Police and the Royal Canadian Mounted Police. Mr. Heffernan provides both valuable "front line" police experience and an understanding of forensic evidence practices.

Kasia Krzymien*
Senior Strategic Policy and Research Analyst
Office of the Privacy Commissioner

Ms. Krzymien has extensive experience in providing policy advice on a wide range of public and private sector privacy issues, including surveillance, biometrics and online services. Prior to joining the Office of the Privacy Commissioner in 2000, she held a variety of positions in the public service.

Dr. Michael Szego*
Director, Centre for Clinical Ethics, Unity Health Toronto

As an expert in the field of clinical ethics, Dr. Szego has led a number of research studies and published several peer-reviewed journal articles. He is the ethics lead on the Personal Genome Project Canada as well as a participant in the project. He has experience in clinical ethics consultations, policy development, research ethics review, research, and teaching. Dr. Szego is an assistant professor and a member of the Joint Centre for Bioethics both at the University of Toronto.

Sue O'Sullivan*, B.A., O.O.M

Ms. O'Sullivan retired from over 30 years in policing as the Deputy Chief of Ottawa Police. During that time she was an advocate for victims of crime and promoted the need for safe and healthy communities. Ms. O'Sullivan comes to the Advisory Committee following two terms as Canada's Federal Ombudsman for Victims of Crime. In 2006, her Excellency the Governor General of Canada appointed her an Officer of the Order of Merit of the Police Forces.

Dr. Frederick Bieber

Associate Professor of Pathology, Harvard University, Boston, Massachusetts

Dr. Bieber is a medical geneticist and specialist in bio-medical ethics. His extensive background in genetics research has led to serve on numerous DNA forensic committees setting the standard for DNA. In June 2018, Dr. Bieber was honoured by an appointment by HRH Queen Elizabeth II to the Venerable Order of St. John for his humanitarian forensic work.

Dr. Ron Fourney, O.O.M.

Director, Science and Strategic Partnerships, Forensic Science and Identification Services, RCMP

Dr. Fourney is a research scientist and a founding member of Canada's forensic DNA program. As a civilian member of the RCMP since 1988, he has been instrumental in the development of forensic DNA typing for Canada including the implementation of the National DNA Data Bank and the National Missing Persons DNA Program.

Derrill Prevett, Q.C.

Mr. Prevett has 37 years of legal experience and has prosecuted complex homicide cases where DNA was used as the sole evidence identifying the perpetrators. He was a senior prosecutor for R. v. Pickton, 2010 SCC 32, which is considered by many to be one of Canada's largest, most complex, serial murder, legal cases involving forensic DNA evidence. He has also served on national committees where he was responsible for ensuring consistent implementation of DNA legislation and making recommendations to Parliament regarding the NDDB.

Garry Loeppky, O.O.M.

Former chairperson of the NDDB Advisory Committee, appointment concluded June 30, 2018

Deputy Commissioner Loeppky served with the RCMP for 34 years. Throughout his career, he was responsible for coordinating and leading major investigations on both domestic and international levels. He worked with numerous foreign law enforcement organizations and has lectured in Europe and a number of other countries including Canada, Australia and the United States.

Gisèle Côté-Harper, O.C., Q.C.

Barrister and Emeritus Professor at the Faculty of Law, University of Laval

Former Vice-chairperson of the NDDB Advisory Committee, appointment concluded Dec 31, 2018

Madame Côté-Harper is an Order of Canada recipient recognized nationally and internationally as a legal expert on Human Rights issues and is a graduate of Harvard Law School.

Dr. William S. Davidson

Medical Genetics Specialist and Professor of Molecular Biology and Biochemistry, Simon Fraser University Former member of the Advisory Committee, appointment concluded December 31, 2018

Dr. Davidson has published widely in the area of molecular evolution, population genetics, genomics, and human genetics.

Patricia Kosseim

Senior General Counsel and Director General, Legal Services, Policy, Research and Technology Analysis Branch, Office of the Privacy Commissioner of Canada
Former member of the Advisory Committee, appointment concluded December 31, 2018

Ms. Kosseim was responsible for providing strategic legal and policy advice on privacy issues and represented the Privacy Commissioner before the courts and Parliamentary Committees.

**Joined the NDDB Advisory Committee in 2018/2019, replacing the departing committee members.*

Contributors

Invited guests and presenters at the NDDB Advisory Committee meeting on May 17-18, 2018

Royal Canadian Mounted Police	<ul style="list-style-type: none">▶ C/Supt. Philippe Thibodeau▶ Jeff Modler▶ Tamara Brittain▶ Kevin O'Shea▶ Kathy Murphy▶ Dean Hamel▶ Reama Khayat
Department of Justice	<ul style="list-style-type: none">▶ Greg Yost & Kelly Morton-Bourgon
Public Safety Canada	<ul style="list-style-type: none">▶ Evan Travers

Invited guests and presenters at the NDDB Advisory Committee meeting on October 18-19, 2018

Royal Canadian Mounted Police	<ul style="list-style-type: none">▶ Commissioner Brenda Lucki▶ D/Commr. Jennifer Strachan▶ A/Commr. Philippe Thibodeau▶ Jeff Modler▶ Kathy Murphy▶ Geneviève Menard▶ Insp. Roland Gosselin▶ Tamara Brittain▶ Cynthia Taylor
Department of Justice	<ul style="list-style-type: none">▶ Greg Yost
Public Safety Canada	<ul style="list-style-type: none">▶ Evan Travers
Office of the Privacy Commissioner	<ul style="list-style-type: none">▶ Madelaine Signur



YEAR IN REVIEW

Developments in DNA

Expertise within the Advisory Board

The science of DNA and the technology related to its use continues to evolve at an unprecedented pace. The involvement of members of the NDDB Advisory Committee in international forums, conferences, and the knowledge which they impart from their own careers ensures the Committee as a whole remains current with the evolving science and related technology.

The total expense for the meetings held in fiscal year 2018/2019 was \$20,619.49

Members have been invited to present professional papers or facilitate DNA working groups at national and international meetings or conferences and this information is shared with the NDDB AC. Committee member Dr. Frederick Bieber is a member of the United States National Commission on Forensic Science, which was created pursuant to a report by the US National Academy of Science to review forensic science practices, policies, and procedures related to the criminal justice system. Dr Michael Szego serves on the Centre for Forensic Sciences (CFS) Advisory Committee where he provides input on policy development, new initiatives affecting clients, and progress made by one of the most extensive forensic science facilities in North America in meeting its objectives. Sue O’Sullivan sits on or chairs national and international Victim’s Rights and Advocacy Boards and Working Groups. Participation in forums such as these ensures the Advisory Committee maintains a leading-edge approach with respect to international developments in DNA and its application in the field of public safety.

Canadian Scientific Working Group on DNA Analysis Methods

The Canadian Scientific Working Group on DNA Analysis Methods (Can SWGDAM) is an important resource for the Advisory Committee. Can SWGDAM is comprised of scientists from each of the three public forensic laboratories in Canada and is responsible for researching, reviewing, and providing recommendations on issues related to evolving DNA science, technology, policy and acceptance standards.

CODIS 8, Next Generation Sequencing (NGS), Rapid DNA, mixture interpretation, kinship testing, and testing new technologies by the various laboratories have been some of the priorities of Can SWGDAM to ensure the most advanced approaches in DNA testing are available in Canada. Now that the missing persons program has become operational, Can SWGDAM has also been closely engaged in discussions related to DNA profiles of missing persons and unidentified human remains, which are currently stored in the various laboratory systems to assess whether they qualify for upload to the NDDB.

Representatives from Can SWGDAM provided an update at the October 2018 meeting on emerging issues and technology enhancements of importance to the DNA community. One area of discussion and procedural development related to processes and technical requirements resulting from the addition of new indices. As a result, Can SWGDAM completed a review of the NDDB DNA Acceptance Standards and approved new standards that address the issues arising from the implementation of these indices.

CODIS 7 is a software package that stores and compares profiles and is a universally accepted tool for forensic laboratories. It was updated at all three Canadian public forensic laboratories to help improve the exchange of information between the three laboratories and the NDDB.

CODIS 8 is a next generation information sharing and profile comparison software that supports new search configurations. Using the new search features can allow for more precise targeted searching, thereby drastically reducing the number of potential matches requiring manual review by the NDDB. This will produce enhanced search results, which also reduces the administrative workload on the NDDB and could increase the number of potentially more crime scene profiles will be eligible for entry into CODIS. Immediate gains in the efficiency and accuracy of searches are expected and in the future may allow the NDDB to accept additional sample types (e.g. more complex mixtures) and/or allow for potential additional search strategies (e.g. familial searching) following legislative review and approval.

In 2018, the CFS in Toronto provided updates on rapid DNA analysis, enhancement in liquid handling systems, and the KIn CALc software for kinship analysis. CFS informed the Advisory Committee regarding their migration to the use of likelihood ratio and the introduction of probabilistic genotyping for biology casework. The NDDB Missing Persons Unit (MPU) also completed the validation of the KIn CALc software and provided a report to CFS for their implementation consideration. The NDDB MPU update also discussed their use of likelihood ratios for all reporting on NMPDP casework. While some of the topics discussed by CFS do not impact the NDDB at this time, others are considered to be areas of emerging science that will gain relevance and prominence in the field of criminal investigations and public safety over time. The Committee will continue to monitor the progress on these projects and assess the potential impact from both an efficiency and privacy perspective as it relates to the NDDB.

Training

The Advisory Committee has continually emphasized the importance for the NDDB to provide training to peace officers. This ensures that the collection of biological samples from convicted offenders is done professionally and in compliance with accepted standards and legal parameters. It also reduces submission errors which result in rejections and reduced efficiency.

National Missing Persons DNA Program

Stakeholder engagement and continued dialogue have provided exposure to advancements and changes in technology, development of policies and procedures to the National Missing Persons DNA Program (NMPDP). It is evident that significant cooperation and effort has been put forward by the NDDB and NCMPUR to achieve the intended purpose of the legislation in supporting investigations of missing persons and unidentified human remains while remaining highly sensitive to the privacy of individuals and safeguarding personal information.

Following a successful launch, the NMPDP revised their consent documentation and provided copies of the new consent forms to the Advisory Committee at the May 2018 meeting. Documents included *“Consent for a Voluntary Donor to Provide a Biological Sample”*, *“Consent for a Victim to Provide a Biological Sample”*, and *“Consent for a Relative of a Missing Person to Provide a Biological Sample”* and *“Informed Understanding for a Contributor of a Personal Effect of a Missing Person”*.

DNA profiles created as a result of the new DNA indices could not be shared internationally until new international agreements were in place. The agreements were developed to ensure the privacy and security of the new humanitarian profiles are consistent with the requirements of legislation governing those samples in Canada. The NDDB provided an update on the draft International DNA Sharing Agreements during the October 2018 Advisory Committee meeting. These agreements were accepted and implemented on March 21, 2019.

In summary, the Advisory Committee has had significant engagement with representatives from the NDDB and NCMPUR programs, the RCMP’s strategic and operational policy development, and justice representatives involved in drafting *Regulations* and supporting their operational implementation. The Advisory Committee has had the opportunity to provide input on a broad range of issues including consent, withdrawal of consent, removal of profiles, disposal of profiles, operational guidelines and the various privacy issues associated to the new indices as they become populated.

Department of Justice

Since its creation in 2000, the NDDB has been a valuable tool in enhancing public safety by helping to solve crime, protecting the safety of Canadians while respecting the privacy rights of individuals. Over the past nineteen years, several legislative amendments, primarily focused on expanding the number of offences eligible for sample collection following conviction, have taken place to increase the number of profiles in the Convicted Offender Index. A recommendation, from both the House of Commons Standing Committee on Public Safety and National Security (2009) and the Standing Senate Committee on Legal and Constitutional Affairs (2010), was to amend the law to allow for the automatic collection of DNA from any adult who had been convicted in Canada of a designated offence as defined by Section 487.04 of the *Criminal Code*. Advisory Committee representatives appeared before both Committees and were in support of the recommendation. Since that review, ongoing efforts by the NDDB to educate the judiciary, courts, the legal community and the police through training sessions, educational forums, conference presentations and information sessions have and continue to take place. Despite these

efforts, research data indicates that the number of submissions to the NDDB falls well below what criminal convictions for DNA specified offences suggest should be in the Data Bank.²

In 2018 the government introduced Bill C-75, *“An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts”*. The NDDB Advisory Committee has reviewed this Bill and believes there is a significant potential negative impact which could decrease eligible convicted offender sample submissions to the NDDB and consequentially limit the number of DNA matches in aid of criminal investigations. The main concern with Bill C-75 is the proposal to hybridize the indictable offences that are punishable by a maximum penalty of ten years or less, thus allowing the crown to proceed summarily or by indictment. This will affect numerous *Criminal Code* offences which are classified as “secondary designated offences”. Currently, upon conviction of one of these offences the crown can request that the offender provide a DNA sample for submission to the NDDB. If an offence is prosecuted summarily, the prosecutor cannot apply for a DNA Order unless the offence is a primary designated offence or a listed secondary designated offence.

The Advisory Committee has discussed this matter and recognizes that legislators need to be educated as to the negative impact that this and other proposed sections will have on the NDDB operations. The Canadian Association of Chiefs of Police (CACP) presented their position to the Canadian House of Commons Standing Committee on Justice and Human Rights. The NDDB provided assistance to the CACP in their preparations for the House of Commons Committee appearance. Facts, statistics and consequential outcomes were provided to the CACP for their awareness and consideration. Further advocating and support will be provided as Bill C-75 proceeds through the parliamentary process.

Familial Searching

Familial searching is an additional search of a law enforcement DNA database conducted after a routine search has been completed and no exact profile matches are identified during the process. The DNA found at crime scenes is compared against a convicted offender DNA databank to identify DNA that strongly resembles that of an existing profile. Simply put, investigative leads to parents, off-spring or siblings can be identified using this means of investigation.

Familial searching has been successfully utilized in a number of jurisdictions in the United States, United Kingdom, and other countries to create new investigative leads for heinous crimes where all other procedures have been exhausted.

The NDDB Advisory Committee studied, reviewed, and had numerous presentations on this issue over a ten year period and included comments on this matter in previous annual reports. Members of the Advisory Committee appeared before the Standing Senate Committee on Legal and Constitutional Affairs in 2010. The Senate Committee recommended that the Department of Justice study the matter to determine how to appropriately craft a provision that would balance the need to protect society, ensure the respect of privacy rights, and preserve the presumption of innocence as it relates to familial searching.

² *Evaluation of Public Safety Canada’s Roles in Support of DNA Analysis*, Public Safety Canada, May 2019.
<https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2019-vltn-dna-nlyss/index-en.aspx>.

In 2015, the Advisory Committee once again reviewed this matter and concluded that the value of familial searching to solve challenging, serious cases and protect Canadians outweighs the inherent risks associated to its use. The humanitarian aspect of not doing what is possible to protect the public must also be considered since the public remains at risk when violent criminals remain at large. Additionally, familial searching has been used to exonerate the innocent.

As a result, correspondence was submitted to the Commissioner of the RCMP in December 2015 recommending the value of familial searching be pursued with the Minister of Public Safety for serious, violent, and serial crimes for open cases where all other investigative avenues have been exhausted. The Advisory Committee recognizes that the current *DNA Identification Act* legislation effectively prevents familial searching as the NDDB can only report exact matches and partial matches where the profile cannot be excluded as a possible match. It would therefore be necessary to pursue legislative amendments to make it possible to report similar matches to family members.

In 2018, the RCMP commissioned the preparation of a “discussion paper” on the subject of Familial Searching. Dr. Chris Maguire, a respected external subject matter expert on this subject and a forensic scientist from the UK with over 30 years’ experience and professional links to the international forensic science community, was engaged to conduct the research and draft the paper. The RCMP asked the NDDB Advisory Committee to review the discussion paper document and offer comments based on the committee’s professional expertise. The Committee widely endorsed the document and offered specific feedback in support of ensuring that privacy protections and Charter rights be of paramount concern, that appropriate restrictions and safeguards be put in place and that legislative language needs to reflect: 1) Ethical oversight; 2) Procedural governance; and, 3) that exceptional circumstances (last resort) are required. The Committee noted that the risk of not conducting familial searching in these exceptional cases interfered with the safety of Canadians and the integrity of the Criminal Justice System. It was also pointed out that a permitted use of the NDDB Convicted Offender Index is the identification of criminals and the solving of crime; therefore, enabling DNA familial searching in the NDDB is consistent with that use.

Genetic Genealogy

Genetic genealogy refers to the use of public genealogy databases (e.g. GEDmatch) to find relatives associated with unknown DNA that is part of a criminal or humanitarian investigation. Although not yet presented as evidence in the US or Canadian court systems, as many as 40 major serious cold cases in the past year have been revisited to identify previously unknown perpetrators. The process involving commercial or publically assessable genealogical databases has the potential to link family members to ongoing investigations and distant relatives by popularized commercial direct-to-consumer genetic testing. This is a new process and is often confused with familial searching. Although familial searching has been supported and recommended by the NDDB Advisory Committee as a forensic process that will enhance the NDDB, genetic genealogy has additional challenges that must be carefully reviewed.

The Advisory Committee has identified the potential use of genetic genealogy as a major advantage for case investigations but understands more discussion is needed regarding privacy and personal information. Genetic genealogy has many considerations that attract the interest of the Advisory

Committee, end users, and the Canadian public and will be a source of major discussion in the upcoming meetings of the committee.



MOVING FORWARD

The Advisory Committee has had considerable interaction with representatives of the NDDB, individuals involved with drafting new legislative regulations, employees from NCMPUR, the RCMP Commissioner and other senior management of the RCMP over the past year. The attendance of Commissioner Lucki and Deputy Commissioner Strachan at the October Advisory Committee meeting presented an excellent opportunity wherein the Advisory Committee was able to reiterate its position on various NDDB matters. Specific reference was made to the NDDB Advisory Committee's past recommendation for the automatic collection of a DNA sample for the NDDB upon conviction of a designated offence. Additionally, the issue of Familial Searching was discussed and the Commissioner agreed it was currently very topical and that there is a degree of confusion surrounding the differences between Familial Searching and Genetic Genealogy. A formal presentation to the RCMP senior management was proposed and the Commissioner suggested the topic be included on the agenda of a future Senior Management Team (SMT) meeting. Arrangements are being made to have an SMT presentation delivered at the time of the fall 2019 NDDB AC meeting.

At the same time, the Commissioner outlined her priorities over the next 5 years which are encompassed in the Vision 150 strategy. A pillar of this vision is the modernization of operations which the NDDB AC greatly supports through the NDDB's examination of new technologies and science to benefit investigations and the pursuit of justice. The Commissioner noted her reliance on the NDDB Advisory Committee and to consider the delicate balance between technology, public interest and privacy through the various lenses they bring together.

Over the past nineteen years, the NDDB has played a critical role in solving crime and enhancing public safety in Canada. It continues to enhance its capabilities through modernization of technology and training of personnel which ensured it was prepared for the challenges of implementing the National Missing Persons DNA Program in March 2018. The Advisory Committee reiterates its confidence in the NDDB to continue to deliver a professional science program as it relates to the use of DNA for forensic and humanitarian purposes in Canada. The Committee appreciates the opportunity to review documents such as the Familial Searching Discussion Paper and the Committee acknowledges the dedication and contribution of the NDDB staff in continuing to deliver a world class DNA program as it relates to public safety.

ACKNOWLEDGEMENTS

The Committee would like to acknowledge and thank employees of the NDDB, the Department of Justice, forensic and police partners as well as other contributors to the Advisory Committee for their outstanding support and cooperation which greatly enhance deliberations and provides the basis for our discussions and recommendations.

The Committee would like to further acknowledge the significant contributions of the departing committee members. The scientific, legal, law enforcement and privacy expertise provided over the years by these members has been instrumental in the valuable work conducted by the committee. Their passion, dedication and commitment to service were evident in each member, none more so than Mme. Cote-Harper and Dr. Davidson who joined the committee in 2000 as charter members. Ms. Kossein offered strong advocacy ensuring privacy concerns were always at the forefront during discussions. As Chair, Mr. Loepky provided superior leadership and skilled executive direction to all deliberations. Their service to Canadians through their committee participation has been exemplary.



Brendan Heffernan
Chairperson
National DNA Data Bank Advisory Committee