

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
CRIMTRAC

Question No. 137

Senator Ludwig asked the following question at the hearing on 31 October 2005:

Volunteer and Missing Persons entries on NCIDD

- a) With regards to the table of NCIDD records on page 21 of the annual report, how are volunteers selected or chosen for entry onto the system?
- b) Where are they sourced from?
- c) Are they permanently entered onto the system, or are they only on the system for a limited timespan (if so, what is that timespan)?
 - (i) If it was an unlimited timespan, could you indicate whether the volunteers were advised of this before they volunteered DNA records?
 - (ii) If a volunteer wished to be removed from the NCIDD, would they be allowed that?
 - (iii) What is the difference between a limited purpose volunteer, and an unlimited purpose volunteer?
 - (iv) What are the purposes that the limited purpose volunteer can be searched for?
- d) Have any additional missing persons records been entered onto the NCIDD?
- e) If a missing person is found, will their record be removed from the NCIDD?
 - (i) If not, why not?

The answer to the honourable senator's question is as follows:

- a) Jurisdictions select/choose volunteer records to be entered in the NCIDD based on the purpose for which it was collected and in accordance with the legislative requirements. There are two volunteer indexes; volunteers (limited purpose) and volunteers (unlimited purpose).
- b) A volunteer record is sourced from a person who has either consented to undergo a forensic procedure or is a child or incapable person whose parent or guardian has consented to the child or incapable person undergoing a forensic procedure. The volunteer definition slightly varies across jurisdictions. Under Commonwealth legislation a volunteer can withdraw their consent at anytime. Commonwealth legislation also requires the constable to inform the volunteer that they have a choice as to whether the information is stored on the volunteers (limited purpose) or volunteers (unlimited purpose) index.
- c) The volunteer determines the duration of their record held on the NCIDD.
 - i) CrimTrac is not in a position to answer this question as the agency is not involved in the taking of forensic procedures. Under Commonwealth legislation the constable undertaking the procedure must get agreement from the volunteer on the length of time the information is on the system and must remove it from the system after that date.
 - ii) Yes.
 - iii) A volunteer unlimited purpose record can be matched against all records within the NCIDD based on the jurisdictions matching rules contained within the matching tables. A volunteer limited purpose record can only be matched against a specific record/s (within an investigation/operation or index) based on the purpose for which it was collected.
 - iv) A person submitting a sample for inclusion in the volunteer limited person index determines what matching can take place.

- d) As at 21 November 2005 no additional missing person records have been entered into the NCIDD.
- e) This is a jurisdictional policy decision and best addressed by each jurisdiction.