

LegCo Panel on Security

**Statistics in relation to Taking of Body Samples
for investigation of crimes**

Purpose

This paper is to provide Members with statistics for the period from January to June 2002 in relation to the implementation of the Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Ordinance 2000 (the Ordinance). The Ordinance empowers authorized law enforcement officers to take body samples from suspects for the investigation of crimes under specified conditions.

Background

2. At the meetings of the then Bills Committee on the Dangerous Drugs, Independent Commission Against Corruption and Police Force (Amendment) Bill 1999 held in June 2000, Members requested the Administration to provide to the LegCo Panel on Security (Panel) statistics on samples taken under the Ordinance.

3. The Ordinance came into operation on 1 July 2001. The first set of statistics covering the period from 1 July 2001 to 31 December 2001 was provided to the Panel in January 2002.

Statistics for the Period from January to June 2002

4. The following statistics covering the period from 1 January 2002 to 30 June 2002 are attached –

- (a) general statistics on the number of samples taken;
- (b) intimate samples taken from suspects by types of samples;
- (c) non-intimate samples taken from suspects by types of samples;
and
- (d) serious arrestable offences for which samples were taken from suspects.

5. Under the Ordinance, a DNA database storing DNA information derived from samples taken from persons convicted of serious arrestable offence and from non-intimate samples given by volunteers will be set up. As at 30 June 2002, DNA information derived from 926 samples taken from persons convicted of serious arrestable offences and 307 samples from volunteers has been stored in the DNA database. Such information will be used for comparison with DNA information derived from crime scenes to help the detection of serious crimes.

Security Bureau

30 July 2002

Statistics regarding
the Implementation of the DNA Ordinance
(January to June 2002)

<i>Items</i>	<i>No. of Samples Taken</i>		
	<i>Jul-Dec 2001</i>	<i>Jan-Jun 2002</i>	<i>% change</i>
1. Intimate samples taken from suspects (s.59A)	42	5	-88.1%
2. Non-intimate samples taken from suspects (s.59C)			
(a) with consent	532	771	+44.9%
(b) without consent	3	26	+766.7%
(c) total	535	797	+49.0%
3. Total number of samples taken from suspects (item 1 + item 2)	577	802	+39.0%
4. Non-intimate samples taken from convicted persons (s.59E)	57	865	+1417.5%
5. Non-intimate samples taken from volunteers (s.59F)			
(a) volunteers who are detainees	0	0	-
(b) other volunteers	198	122	-38.4%
(c) total	198	122	-38.4%

Intimate Samples Taken From Suspects
by types of samples

<i>Types of Intimate Sample</i>	<i>No. of Samples Taken</i>		
	<i>Jul-Dec 2001</i>	<i>Jan-Jun 2002</i>	<i>% change</i>
Blood	14 (33.3%)	2 (40%)	-85.7%
Semen	1 (2.4%)	0 (0%)	-100%
Other tissue fluid	0 (0%)	0 (0%)	-
Urine	10 (23.8%)	2 (40%)	-80%
Hair other than head hair	5 (11.9%)	0 (0%)	-100%
Dental impression	0 (0%)	0 (0%)	-
Swab taken from a private part of a person's body or from a person's body orifice other than the mouth	12 (28.6%)	1 (20%)	-91.7%
<i>Total</i>	42 (100%)	5 (100%)	-88.1%

Non-intimate Samples Taken From Suspects
by types of samples

<i>Types of Non-intimate Sample</i>	<i>No. of Samples Taken</i>		
	<i>Jul-Dec 2001</i>	<i>Jan-Jun 2002</i>	<i>% change</i>
Swab from a person's mouth (i.e. buccal swab)	534 (99.8%)	796 (99.9%)	+49.1%
Sample from a nail or from under a nail	0 (0%)	1 (0.1%)	-
Swab taken from any part, other than a private part, of a person's body (excluding buccal swab)	0 (0%)	0 (0%)	-
Saliva	1 (0.2%)	0 (0%)	+100%
An impression of any part of a person's body (other than private part, the face and identifying particulars described in s.59(6) of the Police Force Ordinance)	0 (0%)	0 (0%)	-
<i>Total</i>	535 (100%)	797 (100%)	+49.0%

**Serious Arrestable Offences for which
Samples were taken from Suspects**

<i>Category of Serious Arrestable Offences</i>	<i>No. of Samples Taken for the offence</i>		
	<i>Jul-Dec 2001</i>	<i>Jan-Jun 2002</i>	<i>% change</i>
Sexual Offences (rape, indecent assault, unlawful sexual intercourse with a girl under 16)*	104 (18.0%)	100 (12.5%)	-3.8%
Robbery, Burglary and related Offences (robbery, burglary, handling stolen goods, theft of vehicle)*	222 (38.5%)	306 (38.1%)	+37.8%
Murder, Manslaughter and Related Offences (murder)*	42 (7.3%)	57 (7.1%)	+35.7%
Serious Assaults and other offences against the person (wounding)*	80 (13.9%)	108 (13.5%)	+35%
Corruption Offences *	0 (0%)	0 (0%)	-
Others (affray, kidnap, dangerous drugs offences)*	129 (22.3%)	231 (28.8%)	+79.1%
<i>Total</i>	577 (100%)	802 (100%)	+39.0%

* Offences in brackets are the specific offences under each category of serious arrestable offences for which samples were taken from suspects in the past 6 months.