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Andrew Dismore, MP
Chair, JCHR
House of Commons
7 Millbank
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- 5 JAN 2009

Dear Mr. Dismore,

MONITORING THE GOVERNMENT'S RESPONSE TO HUMAN RIGHTS JUDGMENTS: S AND MARPER V UNITED KINGDOM (APP.NO 30562/04 AND 30566/04)

Thank you for your letter of 9 December on the implementation of the judgment of the European Court of Human Rights in the case of S and Marper which was given on 4 December.

Technological developments and, in particular, the use of DNA in investigations has been one of the breakthroughs for modern policing in which we have led the world. It has contributed to convictions for serious crimes and also to the exoneration of the innocent. However, I am conscious that we need to ensure that our policy enjoys public confidence. We need also, of course, to implement the judgment of the ECtHR. As you may be aware, I announced on 16 December at the Intellect trade association that we will consult via a White Paper on Forensics next year on bringing greater flexibility and fairness into the system, using a differentiated approach to the retention of samples, DNA profiles and fingerprints.

You will be aware that implementation of ECtHR's judgments are overseen by the Committee of Ministers. I am informed that the first substantive consideration of the Government's response will be at the June meeting for which papers will be circulated in early/mid April. We will send plans for implementation to the JCHR when we send them to the Committee of Ministers.

PP. Jacqui Smith

*(Approved by the Home Secretary
and signed in her absence)*