

Discussion Outcomes

ESRC Research ‘Seminar series on genetics, technology, security and justice. Crossing, contesting and comparing boundaries’

Seminar 5: Securitisation and forensic genetics

24 March 2017, The Great Hall, Sutherland Building, Northumbria University, Newcastle upon Tyne, NE1 8ST, UK

This was the fifth and penultimate event in our ESRC Seminar series. It focused on forensic genetics and related technologies in the context of securitization and surveillance. The seminar aimed to expand the conventional perspective on forensic genetics by focusing attention on pro-active/pre-emptive security measures, exploring how practices and institutions may differ between investigative and surveillance uses of forensic genetics technologies.

The audience for the talks included representatives of policing and law organizations, and academic researchers. Speakers came from the UK, Germany and Mexico.

Some of the key themes that emerged in the course of the day are outlined below.

Discussion outcomes

1. The expansion of technologies.

As this seminar was consciously focused on areas (securitization and surveillance) that may not be immediately associated with forensic genetics and related technologies, it was perhaps not surprising that one key theme was the way in which technologies expand into areas of practice for which they were not originally developed or planned. This ‘mission creep’ raises a number of issues beyond the technical. For example, there may be strong pressures for legislation to be revised to accommodate a novel use of a forensic technology, especially if (as often happens) it is in the context of a particular event or case, such that the pressure is for a rapid, and possibly inadequately thought-through, response.

Issues raised here include those of public trust and professional/regulatory accountability: for instance, frameworks to protect confidentiality (and give public reassurance) that were designed for the criminal justice setting may not be appropriate to the security setting. There are also questions of technical overconfidence and overreach as technologies develop, and as their use migrates into other domains.

2. The role of the media.

Several presentations highlighted the role of the media in shaping public, policy and professional views on the use of forensic genetics and related technologies. A number of examples of high profile cases that in some way changed the climate of opinion were given. It has long been recognized that both news media and entertainment play significant roles in the dissemination of knowledge about technologies and technological capacities. It has also been acknowledged that the information disseminated can be oversimplified, lack nuance, and (especially in the case of popular fictional portrayals of forensic technologies) raise public expectations unrealistically. Increasing emphasis is also being given to the expanding role of contemporary social media, which shares some of the problems of conventional media, but also introduce concerns about the way in which the speed and intensity of communication via social media can effectively bypass a more balanced societal debate on complex questions of ethics and law.

3. Forensic genetics operating in a variety of contexts and domains.

At the outset of this seminar, it was recognized that forensic genetics and related technologies are now operating in a variety of different contexts beyond the more familiar criminal justice and humanitarian domains. The presentations in the seminar reinforced the message about the distinctive political cultures and agendas of the criminal versus security/surveillance domains, and related agencies, and opened up some areas in which these need to be further examined. However, there was also a lot of discussion about the epistemic clashes that occur between different professional and regulatory domains, and equally between different social and cultural environments, and the highly specialised versus the everyday world of family relatedness. The important point was made that forensic genetic and related technologies are now part of complex social processes, that inevitably involve more than one context, and therefore inevitably generate tensions as, for example, a piece of forensic genetic information is variously understood, handled, communicated or confined within a series of different social sites.

4. Knowledge, meaning, and identity.

As with other seminars in this series, bringing together forensic and social scientists, together with those focused on practice or policy aspects, meant that the role of forensic genetics in providing reliable knowledge about human identity was discussed through a range of disciplinary lenses. Forensic genetic science and practice has a view on the precise nature of the knowledge about identity that genetic information provides, that is often significantly different from the way in which the same information is understood by social science against a rather different

set of concepts of social identity and self-identity (and these also differ from lay understandings as well). Many presentations touched on the differential hermeneutics of genetic information, and the discussion raised the question of whether these are necessarily incommensurable – and if not, how they might be (better) reconciled. Although it had not been the focus of the presentations, the discussion frequently came back to the question of whether there is a lack of nuance in how we (as a society, and in our different disciplines and professions) generate meaning out of genetic information; if so, if that is an ethical, social or political problem; and if it is a problem, what kinds of research, training, or processes are needed to address it.

5. Temporality

Temporality emerged in the presentations and discussions as a significant cross-cutting theme. The high predominance of social media means that news of incidents of forensic significance may travel very quickly, but potentially before facts have been fully established. Media also risks portraying inaccurate versions of events and technology, but which still might compel governments to act hastily. Political contexts may also change suddenly over time, which could impact upon the policy contexts surrounding forensic technology. The temporal dimensions of forensic technologies are also evident in the distinction between the reconstructive technologies and practices of criminal investigation, and the proactive, anticipatory technologies and practices of surveillance. Temporality also presents itself as an important theme in Disaster Victim identification, in terms of how the materiality of the body and the memory of an individual may be entangled and/or distinguished.