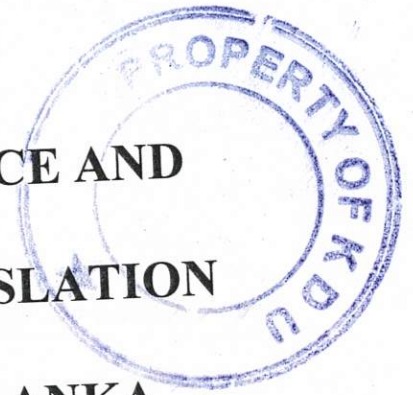


PERMANENT REFERENCE



**APPLICATION OF DNA EVIDENCE AND  
NECESSITY OF SEPARATE LEGISLATION  
FOR DNA PROFILING IN SRI LANKA**

**By**

**PUNYA KUDAKOLOWA**

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## ABSTRACT

Discovery of DNA technology has become more important in legal proceedings. At present, many jurisdictions consider DNA profiling as one of the most accurate methods of human identification. With the increasing of its significance, many developed and developing countries in the world have enacted number of legislations to regulate the use of DNA data as evidence in their legal and facts-finding proceedings. DNA technology was introduced to Sri Lanka in 1998, and since then DNA evidence is applied as expert evidence in both criminal and civil cases, where the identification of individuals is in question. However, there is no separate legislation to govern DNA profiling process and there are several inconsistencies in existing substantive and procedural laws related to application of DNA evidence in Sri Lanka. And existing legal provisions in Sri Lanka are not adequate to govern the use of these valuable genetic information. This thesis, therefore, reveals the importance of applying DNA evidence in legal proceedings and examines the difficulties arisen in adopting DNA evidence in legal proceedings. It further examines the application of DNA profiling in USA and UK and their legislative developments related to DNA profiling. Finally, researcher emphasises the necessity of incorporating separate legislation for DNA profiling in Sri Lanka and provides number of recommendations that are more useful for law enforcement authorities to take necessary measures to secure the use of these sensitive biological data.

**Keywords:** DNA profiling, Evidence, Legitimacy, Criminal, Civil.