

Implementation of the DNA Bill




Forensic Services

29 May 2013



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Implication / Critical Drivers	Current Status	Action Steps	Cost Est.	Indicator / Outcome	Time frames	Responsibility	
1. Policy Framework							
<p>Policy framework adopted as the basis of the proposed DNA legislation that will regulate forensic DNA related matters in SAPS {based on Study Tour and Portfolio Committee inputs - presented to Portfolio Committee during June 2012}</p>	<p>Draft Policy compiled and submitted to the Minister of Police by the Secretariat</p>	<p>1. Review and Approval of the Policy by the Minister</p>	<p>NA</p>	<p>1. Policy approved by the Minister and made available to the relevant Stakeholders.</p>	<p>Year 1</p>	<p>Secretariat to submit Policy to Minister of Police for approval</p>	
2. National Instructions and Standard Operation Procedures (SAPS and DCS)							
<p>Draft National Instructions and SOPs in line with the proposed legislation and communicated as required. {Bill requires National Instructions to be compiled and implemented within 6 months after becoming operational}</p>	<p>Compiling of draft National Instructions and SOPs in progress. These documents will be adapted / refined and aligned as and when the proposed Bill is refined / amended.</p>	<p>2.1 Align the draft National Instructions & SOPs with the Bill on an on-going basis until approval 2.2 Finalise National Instructions and SOP for implementation once the Bill has been passed.</p>	<p>NA</p>	<p>National Instructions and SOPs approved and issued for SAPS and Department of Correctional Services respectively.</p>	<p>within 6 months after legislation becomes operational</p>	<p>SAPS: Legal Support Div: Forensic Services Department of Correctional Services</p>	
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3. Forensic awareness programmes / training						
Provide Forensic awareness / Training to focus groups	Limited forensic awareness initiatives to focus groups	3.1 Identify specific areas in which forensic awareness and training is needed to ensure the successful implementation of the Bill	NA	Training gaps identified	On-going	Div: FS
	Limited dedicated personnel available to provide forensic awareness initiatives	3.2 Infrastructure established with dedicated personnel appointed to develop adequate forensic awareness strategy and initiatives	R2m for forensic awareness initiatives	Number of Interventions		Div: FS
	Current training provided includes specialised courses, Advance crime scene course and DNA evidence recovery course for crime scene examiners	3.3 Training of crime scene examiners	R20m per annum	Number of examiners trained	On-going	Div: FS
	Detective courses include modules on forensics Basic Police Learning Course contains very limited material on forensics	3.4 Review training material and provide training of Detectives and police officials	Na	Number of Detectives and officials trained wrt forensic related matter	By end of Year 1	Div: HRD Div: FS



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4. Collecting DNA reference (buccal) samples and submission to FSL for analysis						
4.1 Training to officials according to requirements of National Health Act & Regulations to collect DNA reference (buccal) samples.	Non- mandatory collecting of DNA reference samples by medical practitioners	Train officials to collect DNA reference (buccal) sample	R6m pa	Number of officials trained pa <ul style="list-style-type: none"> • Detectives • Vispol • Medical staff Correctional Facilities 	From QTR3, 2013/4 onwards	Dept of Health/NHLS Div: FS Div: DS
4.2 Forensic DNA analysis performed on collected samples (expansion of capacity to address approximate influx of 250 000 new samples)	Presently approximately 80 000 samples analysed pa	Capacity expansion: <ul style="list-style-type: none"> • Appoint 96 new DNA analysts at FSL in Feb/March 2013 • Installation and validation of new equipment for analysis of DNA samples to commensurate with influx of samples 	R125m	Number of samples analysed	On-going from Year 1	Div: FS
4.3 Align to Policy and DNA Bill wrt destruction of DNA reference samples	Presently no DNA reference samples destroyed	Implement Policy to destroy DNA reference samples New samples submitted Old samples in archive	R1m pa	Number of samples destroyed pa Number of case files containing sample according to year of registration perused and samples destroyed	From Year 1 onwards	Div TMS & SITA



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5. Establish Forensic DNA Database of South Africa

<p>5.1 DNA database aligned to Bill</p>	<p>5.1 Current casework system is used to perform comparative searches – its configuration is not aligned to Bill and is very labour intensive</p> <p>Majority of the profiles originate from persons arrested/charged in contact crimes (murder & sexual related offences)</p> <p>Investigations assisted through the forensic DNA comparative searches (ie does not include normal casework where a suspect was identified by the investigating officer):</p> <ul style="list-style-type: none"> • 900 persons of interest are linked through DNA which were not previously linked to a case and where no prior information had existed to link the person to the crime • 800 different cases pa are linked to each other through DNA evidence where no other evidence exists (15 members doing comparative searches on existing database) 	<p>5.1.1 Implement a System solution optimised for forensic DNA database comparative searches</p> <p>5.1.2 Appoint and train additional members appointed and trained (5 members in March 2013)</p>	<p>R3m pa</p>	<p>Implement System Solution</p> <p>Preventative and Corrective Maintenance, including optimising and alignment to prescripts</p> <p>Number of investigation aided through the forensic DNA database</p>	<p>{** phased implementation - minimum functionality by end of year 3 to support legislation</p>	<p>Div: TMS & SITA</p>
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Continued ...

Review and approve the current specification document (BRS) for a system solution for the forensic DNA Database

Compile a business case/ Project Initiation Document

Acquire and develop(customise /configure) the system solution according to requirements



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5. Establish Forensic DNA Database of South Africa

5.2 Expunging of forensic DNA profiles & Administrate the forensic DNA database

5.2 Presently no expunging of profiles

5.2.1. System solution for the forensic DNA database interfaces with SAPS systems through the SIBus for automated updating of Indexes and expunging forensic DNA profiles of persons in accordance with legislative prescripts
 5.2.2 Loading of SAPS officials handling/examining exhibit material & contractors/supplies/manufacturers
 5.2.3 General upkeep of the Database

Number forensic DNA profiles expunged

On operational date of Bill and provision of system solution

System solution: Div: TMS & SITA Administration of forensic DNA database: Div: Forensic Services



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5. Establish Forensic DNA Database of South Africa


<p>5.3 Secure the integrity of information on the database provided for in this Chapter by taking appropriate, reasonable technical and organisational measures to prevent :</p> <ul style="list-style-type: none"> •Loss of information •Damage to information •Unauthorised destruction of information •Unlawful access to information *Unlawful processing of information 	<p>MISS policy</p> <p>Oath of Secrecy signed by officials</p> <p>Firewalls and Physical access control</p> <p>Authorised staff only have access to systems and to authorised functions on the systems</p> <p>Back-up of data/ disaster recovery procedures</p>	<p>5.3.1 Perform risk assessment</p> <p>5.3.2 Implement additional Security measures as identified in the risk assessment</p> <p>5.3.3 Do vetting of NFDD staff</p>	<p>Included in SLA between SAPS & SITA (costs included in TMS baseline budget)`</p>	<p>Security measures reviewed and improved</p>	<p>Annually by August each year</p>	<p>Div: TMS & SITA</p> <p>Div: Forensic Services</p>
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6.Establishing of an Oversight Body/Committee						
<p>To monitor the implementation of legislation relating to:</p> <ul style="list-style-type: none"> * sample collection, forensic DNA analysis and the NFDD * make proposals on the governance and integrity of the NFDD; * monitor and make proposals on the conducting and performance of the forensic DNA analysis and the NFDD; * monitor compliance to ethical and privacy issues; * propose minimum quality standards to be implemented and maintained in performing forensic DNA analysis and operations of the NFDD; * promote public accountability and transparency with respect to performing forensic DNA analysis and operations of the NFDD; and * advise the Minister on reviewing legislation, regulations, policy and protocols concerning the NFDD 	<p>Not established, pending legislation (DNA Bill)</p>	<p>The Board shall convene its first meeting within 90 days of of the Act wrt the DNA Bill.</p>	<p>R1m</p>	<p>Oversight body established</p>	<p>On-going after establishment</p>	<p>Secretariat/Minister of Police</p>
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7. Construct a new laboratory facility for Division: Forensic Service in Gauteng						
<p>A world-class facility to host Forensic Science Laboratory, Criminal Record & Crime Scene Management, Quality Management Component, Support Services and the Office of the Divisional Commissioner.</p>	<p>The Division: Forensic Services is experiencing an acute shortage of laboratory accommodation, archiving facilities to store exhibit material and is scattered through-out Pretoria.</p>	<p>7.1 Accommodation requirements have been submitted.</p> <p>7.2 Business case including identified stand to be approved.</p> <p>7.2 Architectural plans with detail specification to be compiled and required approval by local authorities</p> <p>7.3 Bid process to appoint successful contractor.</p> <p>7.4 Built project initiated</p>	<p>SCM to provide cost</p>	<p>Adequate facilities to support a quality forensic service</p>	<p>Milestones and completion dates still in process of determination by SCM</p>	<p>Division: SCM and Department of Public Works</p>
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