

From: Edwin Cameron [mailto: [REDACTED]]
Sent: Monday, 14 March 2022 12:24
To: Nicolette van Zyl-Gous < [REDACTED] >
Cc: Vick Misser < [REDACTED] >; Thembi Ngema < [REDACTED] > Lennard De Souza < [REDACTED] > Lennard De Souza < [REDACTED] >; Mosala Sello < [REDACTED] >; Emmarentia Cupido 082 < [REDACTED] >; Barbara Loots < [REDACTED] >; CLFPamendmentbill < [REDACTED] > Babalwa Mbengo < [REDACTED] >; Ntombizodwa Sibutha < [REDACTED] >
Subject: Re: comment on Criminal Law (Forensic Procedures) Amendment Bill (DNA Amendment Bill) by today

Dear Ms van Zyl-Gous

The JICS ExCo meeting this morning has concluded, and I am in a position to report that JICS supports the Bill both in principle and in its operational details.

On this, JICS notes that --

- the Bill creates a process for the NC of SAPS (or delegate) to apply to a judge or magistrate for a warrant authorising the taking of a buccal sample;
- samples are limited to Schedule 8 convictions (which include sexual offences, robbery, human trafficking and culpable homicide);
- the Bill allows "minimum force" to be used, and this is linked to "use of force" as envisaged in section 32 of the Correctional Services Act and expressly mentions section 32(6), which provides that all instances of the use of force must be reported to JICS.

Finally, JICS appreciates the care you took to solicit our response and input on this draft legislation.

Sincerely

E Cameron

Inspecting Judge