

NATIONAL FORENSIC OVERSIGHT AND ETHICS BOARD

ANNUAL REPORT
2017/18







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The annual report of the National Forensic Oversight and Ethics Board describes and details the activities of the DNA Board for the period 1 April 2017 to 31 March 2018.

This report has been prepared for submission to the Executive Authority and the Parliament of South Africa in line with the requirements of the Public Finance Management Act (No 1 of 1999) and the Criminal Law (Forensic Procedures) Amendment Act (No 37 of 2013). The National Forensic Oversight and Ethics Board (DNA Board) is a statutory body mandated to provide regular oversight of processes and systems related to the use of forensic DNA as a means of strengthening criminal investigations.

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Acronyms

CAS	Case Administration System
CODIS	Combined DNA Index System
CJS	Criminal Justice System
CRIM	Criminal Record Information Management
CSPS	Civilian Secretariat for Police Service
DCS	Department of Correctional Services
DNA	Deoxyribonucleic Acid
DNA Act	Criminal Law (Forensic Procedures) Amendment Act (No. 37 of 2013)
FBI	Federal Bureau of Investigation
FDM	Forensic Database Management
FLM	Forensic Lead Management
FSL	Forensic Science Lab
ICDMS	Integrated Case Docket Management System
NFDD	National Forensic DNA Database
NRSO	National Register for Sex Offenders
SANAS	South African National Accreditation System
SAPS	South African Police Service
SCOPA	Standing Committee on Public Accounts
SITA	State Information Technology Agency
QMS	Quality Management System

Foreword by the Minister of Police



It gives me great pleasure as the Executive Authority to submit the 2017/2018 Annual Report of the National Forensic Oversight and Ethics Board (DNA Board). This report details the activities of the Board for the period 1 April 2017 to 31 March 2018, and gives an account of the key successes achieved, and challenges faced during the reporting period.

During the period under review, the DNA Board continued working towards ensuring the effective execution of its oversight mandate. Key in this regard has been the work of the sub-committees, which has played a vital role in identifying potential blockages and obstacles to the implementation of the DNA Act. Through regular engagement with the Forensic Science Services, the sub-committees were able to identify key issues hampering the effective implementation of the Act. By way of example, the Board identified worrying increases in the overall number of outstanding forensic investigative leads that should be followed-up on by provincial task teams as well as the challenges with respect to the procurement of necessary consumables for the effective operation of the DNA Act.

The growing number of outstanding investigative leads poses a significant risk to the overall objective of reducing crime, especially serial offending, and ensuring that "all people are and feel safe". In seeking to address the many difficulties faced by the provincial task teams which has hindered their potential effectiveness, the Board proposed that an amendment be made to the DNA Regulations to allow for the establishment of dedicated task teams that are properly capacitated and adequately resourced.

Focus was also be placed on finalising the amendment to the DNA Act which aims to address shortcomings related to the retrospective sampling of offenders serving a sentence for a schedule 8 offence. This amendment was necessitated following the expiry of the two-year transitional period in the Act. The continuation of the convicted offender sampling programme is essential as the convicted offender index on the National Forensic DNA Database (NFDD) provides an important link to resolving cold cases and apprehending repeat offenders. The amendment further makes provision for dealing with refusals by convicted offenders to having their buccal sample taken.

The conviction and sentencing of serial rapist Sikhangele Mki in September 2017 to 15 life terms demonstrates the importance of ensuring that all convicted offenders are sampled.

Mki had been convicted on a charge of assault with the intent to cause grievous bodily harm when his DNA sample was collected as per the DNA Act. Mki was subsequently linked to the multiple rapes following a comparative search of his resultant forensic DNA profile when loaded onto the NFDD. This, and other similar convictions further underscores the vital role played by a national forensic DNA database that is sufficiently populated and properly administered, with sufficient safeguards in place to ensure there are no breaches to the NFDD.

Through its constant engagement with the Forensic Science Service, solutions must be found to the crippling shortages of buccal, sexual assault and evidence collection sample kits at police stations, and the maintenance of critical equipment and procurement of consumables used in the processing and analysis of DNA samples.

I call on the Board to conclude its strategic planning process in order to clearly articulate and define the scope of its oversight and advisory functions within the context of the provisions of the DNA Act. It will be vital for this process to also consider the ideal organisational form and function of the board as it relates to its independence. Notwithstanding, the Board must maintain its focus on all substantive matters that will strengthen the overall implementation of the DNA Act.

I hereby formally table this report with Parliament.



B H CELE

MINISTER OF POLICE

DATE: 18 - 09 - 2018

PART A:

INTRODUCTION

1. Strategic Overview

1.1 Situational Analysis

During the period under review, the National Forensic Oversight and Ethics Board (DNA Board) maintained a strong focus on monitoring the effective functioning of the National Forensic DNA Database (NFDD). This included ensuring regular oversight of the growth of the database, and the development of the various phases of the software solution in support of the proper operations of the NFDD.

Some of the key focus areas for the 2017/18 financial year included maintaining regular engagement between the Systems Report and Gap Analysis sub-committee and the nodal point at the Forensic Science Laboratory (FSL). This proved vital for the early identification of potential challenges with respect to the administration and management of the NFDD. The Transitional Arrangements sub-committee also played a central role in identifying the need for an amendment to the Criminal Law (Forensic Procedures) Amendment Act, No.37 of 2013 (DNA Act) to allow for the continuation of the convicted offender sampling programme.

The operational stance adopted by the board was necessitated by the absence of a full-time Secretariat as required by section 15Y (2) of the DNA Act. A strong operational focus however impacted on the board's ability to continue to develop its strategic vision to help guide it towards achieving its oversight mandate. In the immediate-term, focus will be placed on facilitating a strategic planning process – the purpose of which will be to clearly articulate the board's strategic vision, and define the scope of its oversight and advisory functions within the context of the provisions of the DNA Act. It is vital that this process also considers the ideal organisational form and function of the board as it relates to its independence. The outcome of this process will be a well-crafted strategic framework and service delivery model that identifies service beneficiaries and sets out modes of delivery for achieving its strategic objectives.

1.2 Legislative Mandate

The Criminal Law (Forensic Procedures) Act, No. 37 of 2013 came into operation in January 2015, providing the appropriate legal framework for overseeing the collection, management and use of forensic DNA for criminal investigation purposes. Section 15E allows for the 'establishment, administration and maintenance of [the] National Forensic DNA Database', which among others, provides for the conducting of comparative searches. This effectively allows for the comparing of forensic DNA profiles derived from crime scene samples against forensic DNA profiles contained in the different reference indices of the NFDD for the following purposes:

- a) To serve as a criminal investigative tool in the fight against crime;
- b) To identify persons who might have been involved in the commission of offences, including those committed before the coming into operation of this Chapter;
- c) To prove the innocence or guilt of an accused person in the defence or prosecution of that person;
- d) To exonerate a person convicted of an offence; or
- e) To assist with the identification of missing persons or unidentified human remains.

The Board's statutory obligations are defined in terms of section 15Z, and include among others:

- Making proposals to the Minister on the improvement of practices regarding the overall operations of the NFDD;
- Providing oversight over processes relating to the collection, retention, storage, destruction and disposal of DNA samples, and the retention and removal of forensic DNA profiles; and
- Receiving and assessing complaints from any affected person regarding any alleged violations relating to the abuse of DNA samples and forensic DNA profiles and any security breaches in the data management system and/or processes.





PART B:

PERFORMANCE INFORMATION

2. Strategic Outcome Oriented Goals

2.1 Strategic Objectives – 2017/18

NO	STRATEGIC OBJECTIVE	ACHIEVED / NOT ACHIEVED	CHALLENGES
1	To continue the training of police officers in an effort to ensure that section 36D (1) of the DNA Act is operationalised through national representation.	Achieved	Declining stock levels of buccal sample kits. This is linked to challenges faced with the renewal of 'ever-green' contracts and ongoing investigations by Standing Committee on Public Accounts (SCOPA) with regard to previous suppliers of DNA related consumables.
2	To complete the National Forensic DNA Database software development process in conjunction with the ability to effectively perform familial searches in accordance with the DNA Act.	Partially achieved – the development of the following elements/modules of the software solution has been successfully completed: 1. Administration module 2. NFDD Index 3. DNA Lead Verification 4. Expungement module 5. Interfacing the NFDD with the new DNA system RI module 6. Forensic Lead Management Module – Partially developed	Processes have been initiated to acquire the CODIS software from the FBI, which allows for conducting familial searches. Once acquired, SITA will incorporate the CODIS software into the NFDD. This is expected to be completed during the latter part of the 2018/19 financial year.

NO	STRATEGIC OBJECTIVE	ACHIEVED / NOT ACHIEVED	CHALLENGES
3	To activate provincial task teams in ensuring that investigative leads are followed up.	Partially achieved	<p>Through regular engagement with the FSL, and based on the data provided, the Board identified potential challenges in the effective functioning of the task teams. An analysis of the data showed a significant decline in the number of forensic investigative leads being followed up.</p> <p>The Board wrote to the Minister of Police during the 3rd quarter, raising its concerns on this matter, stating its intention to meet with all provincial commissioners in order to better understand the challenges faced, and to seek ways of unlocking these. The decision to meet with the provincial commissioners was informed by the responsibility assigned to them in terms of the DNA Regulations to establish and ensure the effective functioning of the task teams.</p> <p>Feedback was only received during the last quarter of 2017/18 and as such, meetings will be scheduled during the 2018/19 financial year.</p>
4	To provide support to the Civilian Secretariat for Police Service in finalising the Amendment Bill for the continuation of the convicted offender sampling programme	Partially achieved	<p>The Amendment Bill was drafted by the Civilian Secretariat for Police Service. Consultations were held with various structures and stakeholders within the criminal justice sector.</p> <p>It is anticipated that the Bill will be presented to the JCPS Cabinet Committee during the 2nd quarter of the 2018/19 financial year.</p>
5	To facilitate alignment and synchronisation of the Sexual Offences Register with the provisions of the DNA Act	Not achieved	<p>Despite numerous requests to the Registrar for Sexual Offences, the data had not been provided. The Board, along with the FSL, will continue to request an audience with the Registrar in order to find a resolution.</p>

2.2 DNA Analysis Performance

A key indicator of the level of performance of the Biology Section of the FSL is the number of cases registered and finalised. A total of 428 051 cases were registered, with 439 276 been finalised for the period under review, representing decreases of 15% and 8% respectively when compared to the data for 2016/17. Over the same period, the total staff complement grew from 232 to 343 (47.8%).

The DNA Act specifies that forensic DNA profiles must be obtained within 30 days of receipt at the laboratory, with compelling reasons required where profiles are not obtained within the specified period. The reported figure for the average DNA analysis turn-around time and percentage for obtaining a forensic DNA profile from buccal samples from 1 April 2017 to 31 March 2018 is 34 days and 55% respectively from the date of receipt.

The following table illustrates the case finalisation targets and completion rates per case category.

Case category	Case finalisation targets	Actual percentage and number completed for 2016/17	Actual percentage and number completed for 2017/18
Routine Case Exhibits (entries)	75% completed within 28 working days	76% [9792 / 12 810]	63% [8050 / 12 811] 4th quarter
Non-routine Case Exhibits (entries)	76% completed within 75 working days	75% [579 / 809]	84% [422 / 505] 4th quarter
DNA Intelligence Case Exhibits (entries)	63% completed within 63 working days	53% [367 791 / 419 765]	94% [418 984 / 448 714]
Priority Cases (entries)	14 working days	100% [9 / 9]	100% [6 / 6]

It is anticipated that the figure for routine cases will continue to decline if urgent solutions are not found to crippling challenges related to the optimal functioning of the DNA system, exacerbated by capacity constraints faced by SITA to effectively manage the system. This will be compounded by delays encountered in the awarding of bids for the procurement of DNA consumables and the maintenance of critical equipment. Should the continuation of these issues persist without proper resolution, they will drastically effect the performance of the FSL in the coming financial year, resulting in more significant delays and consequential backlogs.

In order to address this challenge, the Biology Unit submitted a request for additional staff to support the registration, processing and analysis of DNA samples.

The table below provides an overview of the number of additional posts requested nationally versus the actual number approved.

	Number of case registration staff (level 5) posts requested	Number of posts approved for filling	Number of forensic DNA analysts (level 7) requested	Number of posts approved for filling
Biology Section Pretoria	-	-	9	9
Biology Section, FSL – Western Cape	-	-	34	11
Biology Section, KZN	-	-	5	5
Case Registration, Pretoria – Eastern Cape	13	0	-	-
Case Registration, FSL – Western Cape	58	0	-	-
Case Registration, KZN – FSL	5	0	-	-
TOTAL	76	0	48	25

2.3 Budget Allocation for DNA Analysis

The 2017/18 operational budget of the Division: Forensic Services was supplemented with earmarked Criminal Justice System funding provided by National Treasury to support the implementation of the DNA Act. Much of the specialised forensic equipment, forensic training and recurring costs such as DNA consumables, buccal, sexual assault and crime scene sample evidence collection kits, including the implementation of the transitional arrangements to take buccal samples from convicted offenders, were funded through this earmarked funding. The SAPS was informed in August 2017 that the earmarked funding must be re-scoped and may not include recurring costs (approximately R650 million) such as DNA consumables for analysis and buccal, sexual assault and crime scene sample evidence collections during the 2018/19 financial year. Addressing this will require increasing the baseline budget for the Division, and decentralising the procurement of buccal sample collection kits to provincial level.

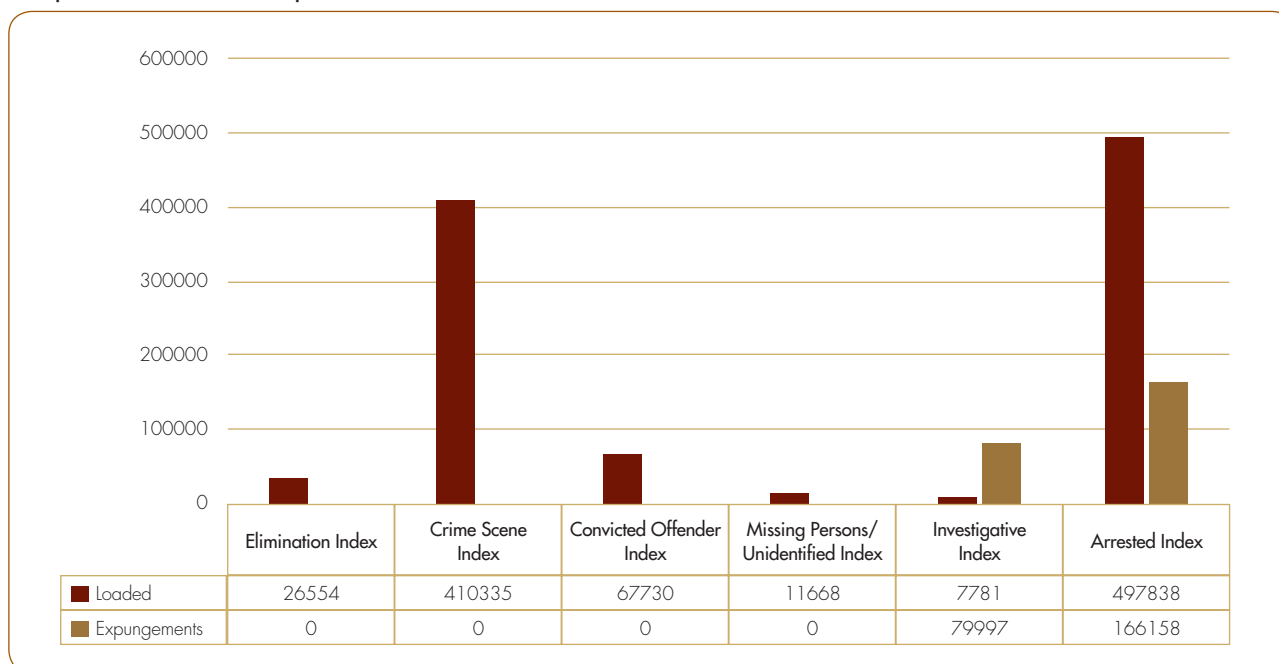
2.4 Accreditation

The Division continued its focus on ensuring the credibility of the forensic services such as the chain of custody, forensic examiner profiles and forensic methods followed in the processing of exhibits are fully substantiated through the established Quality Management System (QMS). The stringent application of internal and external quality controls further enhanced the validity of the results. The Division: Forensic Services has embarked on a phased-in approach towards the accreditation of its services despite the fact that accreditation is a best practice and not a legislative requirement. An application for accreditation of DNA evidence recovery has been submitted to the South African National Accreditation System (SANAS). It is expected that the pre-assessments will be conducted during the first quarter of the 2018/19 financial year.

2.5 The National Forensic DNA Database (NFDD)

Forensic DNA profiles from crime scene samples and buccal samples are loaded onto the various indices of the NFDD.

Graph 1: Forensic DNA profiles stored in the various indices of the NFDD:



The following progress can be reported with respect to the development of the system solution supporting the NFDD:

- Buccal Sample Registration on CAS/ICDMS and CRIM – Completed
- Capturing of DNA Buccal Number on the DCS system – Completed
- NFDD System Solution Development:
 - Administration Module – Completed
 - NFDD Index – Completed
 - DNA Lead Verification – Completed
 - Expungement Module – Completed
 - Familial Searches – Functionality will be incorporated into the system during the latter part of 2018/19
 - Communication of profiles of crime scenes to Interpol – Scheduled for development in 2019/20
 - Forensic Lead Management Module – Partially developed
 - Interfacing the NFDD with the new DNA system RI module – Completed

Processes are underway to acquire the Combined DNA Index System (CODIS) software from the Federal Bureau of Investigation (FBI), which will be incorporated into the NFDD system during the latter part of the 2018/19 financial year pending finalisation of the agreement between the FBI and SAPS. In addition, the CODIS system will enable familial searches on the NFDD as per the provisions of the DNA Act. Only once the familial searching functionality is available on the NFDD, will it necessitate the development of a familial searching policy as required by section 15M (6) of the DNA Act. Performing familial searches is further dependent on conducting DNA analysis

with at least a 21 loci kit chemistry on samples related to unidentified human remains and missing persons. Presently, direct parentage/sibling comparison of DNA samples is conducted to include or exclude identification of unidentified remains or disputed parentage.

2.6 Taking of buccal samples for prioritised Schedule 8 offences

The taking of buccal samples for schedule 8 offences by detectives in the provinces was conducted in terms of section 36D (2) of the DNA Act. Compliance rates for the reporting period are as follows:

Province	% compliance taken
Western Cape	19.1%
Eastern Cape	34%
Mpumalanga	38.5%
Northern cape	43.8%
KwaZulu-Natal	67.9%
Free State	69.6%
Limpopo	74.6%
Gauteng	80.7%
North West	88.8%
TOTAL	53.1%

Following the expiry of the two-year transitional period in January 2017, all sampling of convicted offenders came to a halt, even though not all convicted offenders of schedule 8 offences had been sampled during the two year period. A technical amendment, which aims to address the omission of an extension provision in the DNA Act in the event that the convicted offender population had not been sampled within the two year period, is required. The transitional period was intended to ensure that the South African Police Service sampled all schedule 8 convicted offenders as expeditiously as possible and not to limit the sampling in any way. The Convicted Offender Index is an essential index within the NFDD because of the link to cold cases and possible future offences after release, and is thus crucial to the overall efficacy and functionality of the database.

In response to this expiration period, the DNA Board initiated an amendment to the DNA Act in conjunction with the office of the Civilian Secretariat for Police Service. The Amendment Bill seeks to address the gap to ensure the continuation of the convicted offender programme whilst at the same time addressing the issue of refusal by convicted offenders to submit their DNA samples in accordance with the DNA Act.

2.7 Follow-up of forensic investigative leads

In terms of Regulation 9 of the supporting regulations to the DNA Act, as well as the policy on the 'Investigation and Management of Serial Rape and Serial Murder', every provincial commissioner must establish task teams, and

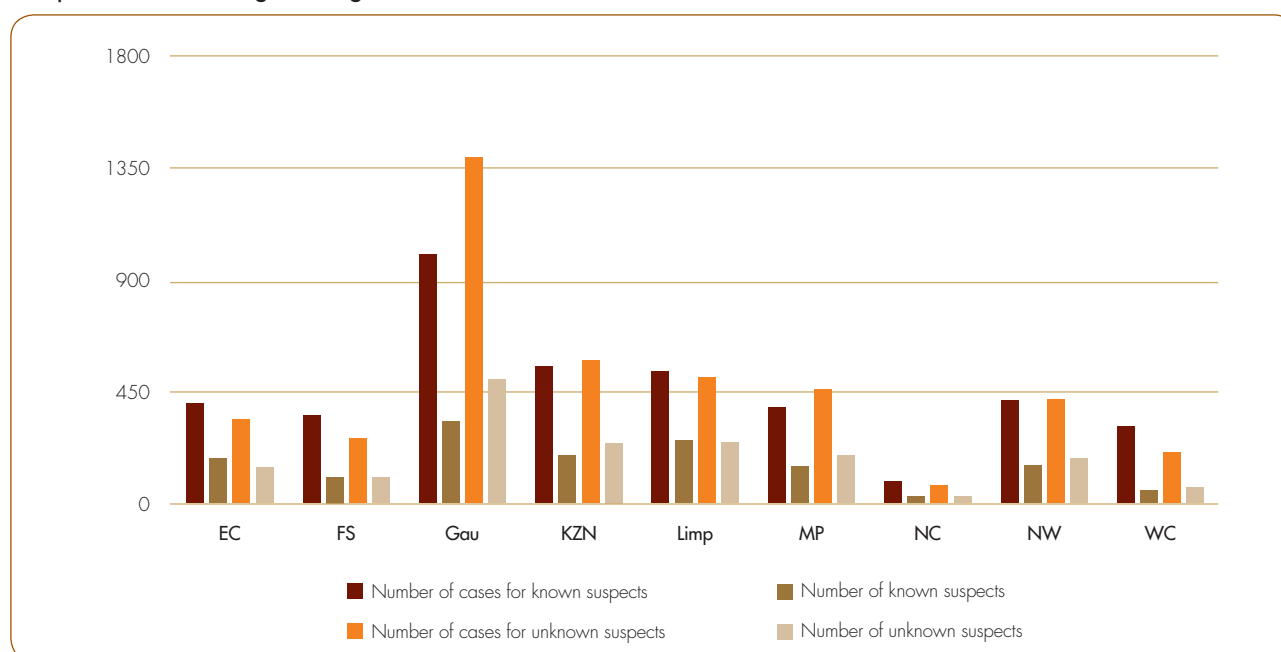
ensure that forensic investigative leads, multiple offenders and serial cases involving murder, rape, sexual assault and psychologically motivated crimes are investigated and resolved.

Forensic DNA investigative leads is the outcome of verified candidate DNA leads from the comparison search conducted on the NFDD. The number of forensic DNA investigative leads (with cases linked) as at 31 March 2018 was 24 919 and 11 991 for known and unknown suspects respectively.

The table below depicts the outstanding forensic DNA investigative leads on 31 March 2018.

OUTSTANDING FEEDBACK/FOLLOW-UP OF FORENSIC DNA INVESTIGATIVE LEADS ALL OFFENCES END 31 MARCH 2018				
	Number of cases for known suspects	Number of known suspects	Number of cases for unknown suspects	Number of unknown suspects
Eastern Cape	493	225	415	179
Free State	432	132	314	127
Gauteng	1223	404	1700	615
KwaZulu-Natal	675	245	713	304
Limpopo	649	310	617	301
Mpumalanga	474	179	565	241
Northern Cape	102	28	80	29
North West	510	189	514	216
Western Cape	377	65	243	75
TOTAL	4935	1777	5161	2087

Graph 2: Outstanding Investigative Leads:



Concerns by the Board regarding the high number of outstanding investigative leads were raised with the National Commissioner on 18 October 2017. The Board communicated its intention to visit all provinces to establish the root cause(s) of the problem and find ways of addressing them. The proper functioning of these task teams is vital to ensuring that all leads are fully investigated in order to apprehend the high number of repeat offenders. As such, the Board has identified this as a key priority for the 2018/19 financial year.

2.8 Buccal samples taken from persons whose names appear in the National Register for Sex Offenders (NRSO)

In terms of section 36D (1) (iv) of the DNA Act, buccal samples must be taken from persons whose names appear on the National Register for Sex Offenders (NRSO). The data is required to enable synchronisation and extraction of data stored in the criminal record information management system. Numerous requests to the Registrar for the information went unanswered. Efforts will be stepped up during the first quarter of the 2018/19 financial year to obtain the data.



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PART C: GOVERNANCE

3. The Board

NAME	DESIGNATION	PUBLIC SERVANT / CIVILIAN
Judge Yvonne Mokgoro	Chairperson	Retired Constitutional of the Court Judge
Ms Vanessa Lynch	Deputy Chairperson	Civilian member
Mr Alvin Rapea	Member	Public Service member: Secretary for Police Service
Ms Alida Grove	Member	Public Service member: Department of Health
Ms Thandiwe Motlonye	Member	Public Service member: Department of Correctional Services
Ms Ooshara Sewpaul	Member	Public Service member: Department of Justice and Constitutional Development
Dr Karen Ehlers	Member	Civilian member
Adv. Rams Ramashia	Member	Civilian member
Prof. Zodwa Dlamini	Member	Civilian member
Ms Benedicta Monama	Member	Civilian member

3.1 Sub-committees of the Board

SUB-COMMITTEE	OBJECTIVES
Systems Reports and Gap Analysis	<ul style="list-style-type: none"> Overseeing and monitoring the development of system notification reports; Overseeing the addition and removal of DNA profiles within the time frame determined in the DNA Act; Monitoring the destruction of DNA samples within the prescribed time frame; and Identifying challenges, instances of non-compliance and areas of improvement.
Public Relations	<ul style="list-style-type: none"> Ensuring transparency, accountability, accessibility; Promoting awareness of the Board's existing functions; Providing a Public Relations resource function within the DNA Secretariat reporting to the Public Relations Sub-Committee; and Broadening media awareness, expanding an online presence, and providing communication services from a central point.

Training	<ul style="list-style-type: none"> Monitoring national capacity for collecting sufficient samples for population of the NFDD; Monitoring the procurement of buccal sample kits for police stations and convicted offenders; Overseeing the provision of training conducted and its quality assurance over a 5-year period; and Planning, monitoring and oversight of field work and occasional inspections.
Assessment (complaints)	<ul style="list-style-type: none"> Protecting the right to privacy, as envisaged by the relevant laws; Adhering to all requisite provisions governing destruction/expungement processes; and Managing and collating the receipt of complaints and referring the latter to the DNA Secretariat for referral/upscaling to the Assessment Sub-Committee for attention.
Finance and Risk	<ul style="list-style-type: none"> Operationalising the accountable management of the DNA Board; Ensuring that the DNA Board operates within budget; and Ensuring effective DNA Secretariat reporting to the Finance and Risk Sub-Committee.
Transitional Arrangements	<ul style="list-style-type: none"> Reviewing Transitional Arrangements as provided for in the DNA Act; Monitoring the collection of DNA samples from convicted offenders; and Providing strategic input into the development of software solutions for the NFDD

3.2 Schedule of Board meetings

8 May 2017	Special meeting	DPCI Judge Boardroom	Members Judge Y Mokgoro Ms V Lynch Dr K Ehlers Ms A Grove Officials Ms T Mabitsi Mr M Rogers Ms N Xuba
7 June 2017	Board meeting	DPCI Judge Boardroom	Members Judge Y Mokgoro Ms V Lynch Prof. Z Dlamini Dr K Ehlers Adv. R Ramashia Adv. O Sewpaul Ms A Grove Ms B Monama Officials Mr T Nkojoana Mr M Rogers Ms N Xuba
7 June 2017	Systems Reports and Gap Analysis sub-committee meeting with the Division: Forensic Services	DPCI Judge Boardroom	Members Judge Y Mokgoro Ms V Lynch Prof. Z Dlamini Dr K Ehlers Adv. O Sewpaul Ms A Grove Ms B Monama Officials Mr T Nkojoana Mr M Rogers Ms N Xuba Brig. J Smith Brig. T Mulaudzi Brig P Hennop Brig R Matjeng Brig. T Mshabi Ms M Van Eeden

6 July 2017	Ms Lynch meeting with Mr Rogers	JHB	Ms V Lynch Mr M Rogers
6 September 2017	Board meeting	DPSA Boardroom	Members Ms V Lynch Dr K Ehlers Ms B Monama Ms T Motlonye Officials Mr T Nkojoana Mr. M Rogers Ms N Xuba
13 October 2017	Finance sub-committee meeting	DPCI Judge Boardroom	Ms B Monama Ms T Motlonye Mr T Nkojoana Mr M Rogers
14 November 2017	Board meeting	CSPS Boardroom	Members Judge Y Mokgoro Ms V Lynch Mr P Rapea Prof. Z Dlamini Dr K Ehlers Ms A Grove Adv. O Sewpaul Ms B Monama Officials Adv. D Bell Mr T Nkojoana Mr M Rogers Ms N Xuba Ms T Skenjana Mr M Acres

14 November 2017	Finance Sub-committee meeting	CSPS Boardroom	Members Prof. Z Dlamini Ms T Motlonye Ms B Monama Officials Mr T Nkojoana Mr M Rogers
14 November 2017	Systems Reports and Gap Analysis sub-committee meeting	CSPS Boardroom	Members Ms V Lynch Dr K Ehlers Ms A Grove Officials Mr. M Rogers Ms N Xuba Brig J Smith Mr. J Engelbrencht Brig. P Hennop
28 November 2017	Briefing to the Portfolio Committee on Police	Parliament	Members Judge Y Mokgoro Ms V Lynch Dr K Ehlers Officials Mr M Rogers Adv. D Bell
19 February 2018	Board meeting	CSPS Boardroom	Members Ms V Lynch Prof. Z Dlamini Dr K Ehlers Adv. R Ramashia Adv. O Sewpaul Ms A Grove Ms T Motlonye Officials Ms N Xuba Mr T Nkojoana Mr M Rogers

7 March 2018	Systems Reports and Gap analysis sub-committee meeting	CSPS Boardroom	Members Judge Y Mokgoro Prof. Z Dlamini Dr K Ehlers Ms A Grove Officials Mr M Rogers Brig. J Ramanjalum Brig. J Smith Col G De Wet Capt. S Motsepe
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PART D:

AUDITED ANNUAL FINANCIAL STATEMENTS

Row Labels	Current Budget	Total Expenditure	Balance at 31/03/2018
COMPENSATION OF EMPLOYEES	2,621,000.00	1,524,593.63	1,096,406.37
EMPL CONTR: BARGAIN COUNCIL (RES)	1,000.00	157,34	842.66
EMPL CONTR: MEDICAL (RES)	107,000.00	43,398.00	63,602.00
EMPL CONTR: PENSION (RES)	353,000.00	139,344.36	213,655.64
S&W: BASIC SALARY (RES)	1,700,000.00	1,071,882.80	628,117.20
S&W SERVICE BONUS (RES)	224,000.00	94,022.40	129,977.60
S&W HOUSING ALLOWANCE (RES)	57,000.00	15,084.00	41,916.00
S&W NON PENSIONABLE ALL OTH (RES)	149,000.00	139,827.13	9,172.87
S&W PERFORMANCE BONUS (RES)	30,000.00	20,877.60	9,122.40
GOODS AND SERVICES	503,000.00	497,817.33	5,182.67
ADVERT: PROMOTIONAL ITEMS	-	-	-
CATERING: DEPARTML ACTIVITIES	13,000.00	12,615.60	384.40
CNS: BUS & ADV SER: BOARD MEMBER	180,000.00	179,843.29	156.71
CNS: BUS & ADV SER: HUMAN RESOURCE	8,000.00	7,606.00	394.00
COM: AIRTIME & DATA	2,000.00	1,945.00	55.00
COM: TEL/FAX/TELEGRAP & TELEX	-	-	-
CONS: SP & OS: PRINT CARTRIDGE	-	-	-
EQP <R5000: AUDIO VISUAL EQUIP	-	-	-
EQP <R5000: BAGS	-	-	-
CONS: SP & OS: STATIONERY	4,000.00	3,360.00	640.00
F&O/EQP <R5000: OFFICE EQUIPMENT	-	-	-
F&O/EQP <R5000: OFFICE FURNITURE	-	-	-
O/P: COURIER & DELIVERY SERVS	-	-	-
SITA INFORMATION SERVS	124,000.00	124,034.33	(34.33)
SITA INTERNET SERV CHRGS	-	-	-
T&S DOM NON EMPL: ACCOMODATION	2,000.00	1,779.00	221.00
T&S DOM NON EMPL: FOOD & BEVER	1,000.00	212.00	788.00
T&S DOM NON EMPL: INCIDENTAL COST	3,000.00	2,801.00	199.00
T&S DOM: ACCOMMODATION	3,000.00	2,982.54	17.46
T&S DOM: AIR TRANSPORT	118,000.00	117,461.82	538.18
T&S DOM: CAR RENTAL	6,000.00	6,042.76	(42.76)

T&S DOM: FIXED DAILY ALLOWANCE	1,000.00	315.16	684.84
T&S DOM: FOOD & BEVER	1,000.00	290.00	710.00
T&S DOM: INCIDENTAL COST	1,000.00	546.00	454.00
T&S DOM: KM ALL (OWN TRANSPORT)	1,000.00	348.86	651.14
T&S DOM: KM ALLOWANCE SMS	8,000.00	7,956.63	43.37
T&S DOM: RAILWAY TRANSPORT	-	-	-
T&S DOM: ROAD TRANSPORT	6,000.00	6,348.00	(348.00)
T&S DOM: SPECIAL DAILY ALLOWANCE	4,000.00	4,065.76	(65.76)
T&S DOM: DOM NON EMPL: TRANSPORT	3,000.00	2,976.58	23.42
CONS SUPP. UNIFORM & CLOTHING	-	-	-
TRAIN & DEV: EMPLOYEES	14,000.00	14,287.00	(287.00)
PUR/CONST CAPITAL ASSETS	19,000.00	18,604.27	395.73
SOFTWARE & INTANGIBLE ASSETS	19,000.00	18,604.27	395.73
SOFTW & OTHER INT AS: OPER SYS SOFT	19,000.00	18,604.27	395.73
GRAND TOTAL	3,143,000.00	2,041,015.23	1,101,984.77

A cursory reading of the budget shows significant underspending in terms of compensation of employees. This is due to the vacant specialist investigator post at the level of deputy director. This post will be filled in the 2018/19 financial year. Challenges still remain in terms of the Board being able to exercise full control over its finances. By way of example, the operations of the board have been severely constrained because of the lack of adequate office accommodation. Despite this, the Board is unable to lease its own office space as no provision has been made for this in the Board's budget. It is important that clarity be provided regarding the ring-fencing of the Board's budget to ensure its ability to act independently.

4. CONCLUSION

As the DNA Board completes its third year of operation, it continues to improve on its practices and strengthen its governance structures as a means of ensuring it fulfils its oversight mandate. The sub-committees continue to play a pivotal role in ensuring that the Board executes its oversight mandate. Cooperation with the Biology Unit remains positive and has contributed immensely to the successes achieved to date. Regular engagement with the Biology Unit has ensured that blockages and challenges are timeously identified and solutions are jointly determined.

Operational effectiveness of the Board has, however, been impacted by a lack of clarity regarding its ideal organisational form, its reporting lines and its relationship with the Civilian Secretariat for Police Service. Additional constraints relate to the Board's lack of full control over its budget from the Civilian Secretariat, with no consultation regarding its needs. This impacts negatively on the Board, for instance, regarding sourcing office accommodation

when it is sharing already crowded office space with the Civilian Secretariat. The Board has raised the need for a ring-fenced budget with the Portfolio Committee on Police; and intends engaging the relevant departments to obtain more certainty in terms of its ability to independently administer its finances.

For the 2018/19 financial year, the Board will convene a strategic planning session to map out its strategic direction over the medium-term (2019-2023), and to unpack its legislative mandate to ensure more effective execution of its oversight responsibilities. This process will importantly clarify the nature of the Board (e.g. governing versus advisory), as this has implications on notions of the Board's statutory independence, and the manner in which the Board interprets and executes its oversight mandate.

The Board will also continue to work with the Civilian Secretariat for Police Service in finalising the Criminal Law (Forensic Procedures) Amendment Bill, which seeks to address the current backlog of buccal samples that still need be taken from convicted offenders, as well as the issue of refusals to have their samples taken. Furthermore, the Board will continue to emphasise the need to amend the DNA Regulations to allow for the establishment of permanent provincial task teams to ensure the proper follow-up of all forensic investigative leads. In addition, the Board will work collaboratively with SAPS to find solutions to the crippling challenges related to the procurement and supply of buccal, sexual assault and crime scene DNA evidence collection sample kits to police stations, and the maintenance of critical equipment used in the processing and analysis of DNA.

The positive working relationship with the SAPS and other stakeholders will be maintained to ensure the effectiveness of the National Forensic DNA Database as vital tool in enhancing the fight against crime.



