

## 'CRISIS POINT REACHED'

# Fast-track DNA database and review act – MPs

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THE Minister of Justice, Jeff Radebe, says an announcement on steps being taken to reintroduce the sexual offences courts is to be made as soon as next month.

He was speaking yesterday to MPs, who have mooted the fast-tracking of legislation to establish a DNA database and a review of the Sexual Offences Act.

Radebe was updating the committee on justice and constitutional development on his department's plans for 2013/14, at a time when South Africa is reeling in the face of the high incidence of sexual crimes against women and children.

He said the director-general of justice had been meeting heads of other departments involved with justice, crime prevention and security to formulate programmes relating to the sexual offences courts and to counter hate crimes against the lesbian, gay, bisexual, transsexual and intersex community.

With the MPs agreeing that the incidence of sexual offences had reached "crisis point", the committee recommended that the DNA bill be prioritised and that it and the committee on police be involved.

Authorities on the subject have said that expanding the national DNA database could go a long way in helping police catch rapists and other criminals, and have expressed frus-



tration at Parliament's failure to pass such a bill.

The collection of DNA is governed by the Criminal Procedure Act of 1977, which predates DNA analysis, so there is no legal framework for DNA collection from suspects or how long their profiles may be kept on a database.

The draft bill would allow trained police to collect DNA samples from suspects and offenders and enter their DNA profile in a national database managed by the police's forensic science laboratory.

Debbie Schafer (DA) said the bill would be pointless if police were not trained to collect, process and store DNA properly.

"The DNA bill will deal only with the storage and processing of DNA," she said.

"If the police do not collect it properly, ensure it is properly labelled and the documentation properly completed when handed to different people in the system, this... often... affects convictions.

"Training and the implementation of proper procedures are crucial. The bill on its own will not solve this."

Committee chairman Luwellyn Landers (ANC) suggested that the committee review the sentencing guide-

lines of the Sexual Offences Act in the light of repeated public outcries over sex offenders being freed without "more serious sentences for rape".

John Jeffery (ANC) suggested a review of the implementation of the act, with inputs by civil society.

He said there was a need to make it known that the minimum sentence for rape was a life term unless there were "extenuating circumstances".

He said it would be useful to review whether convicted sex offenders who had been released repeated sexual crimes.

Radebe expressed concern that the department, whose budget has been cut by Finance Minister Pravin Gordhan for 2013/14, would not be able to expand the witness protection service.

MPs lamented cuts in the budget of the Special Investigating Unit (SIU).

Pressed by Schafer on the appointment of a permanent SIU head, Radebe would say only that this was "imminent".

His spokesman, Mthunzi Mhaga, said the ministry had recommended to the Presidency some time ago the names of people to head the SIU and National Prosecuting Authority.

Steve Swart (ACDP) lamented the National Treasury's reducing allocations to the SIU over the next three years, while the SA Human Rights Commission would have increasing allocations over the medium term.