

# DNA PROJECT REPORT: 2013



# OPERATION: DNA CSI



**In line with our mission to create greater forensic and crime scene awareness throughout 2013**, the DNA Project launched a dedicated website which provides up to date information about the content of our awareness workshops, when, where and who will be hosting the next workshop, a live calendar of upcoming and newsworthy events as well who to contact to schedule a free workshop with one of our trainers. A live feed from our twitter and facebook accounts ensure that information is current and that people attending our workshops are able to view themselves on our social media network as well as in our gallery. The tally of number of people trained is also updated weekly. This dedicated website has been a great success and works seamlessly with our 'main' website which is linked to Operation DNA: CSI. Please visit our new site @ <http://operation-dna-csi.weebly.com/index.html> and view our gallery to experience some of our workshops hosted this year.

The DNA Project has and will continue to offer its crime scene and DNA awareness workshops to the first on crime scene responding sector as well as to members of the criminal justice system. Our highly qualified team of trainers remain committed to The DNA Project to effect this objective into 2014. Our Annual Trainers Workshop held in Cape Town

in October 2013, brought together our team of fantastic trainers, where we brainstormed new ideas and training methodologies for next year's programme as well as reviewed current and past teaching practices. This was an invaluable opportunity for our trainers to learn from each other, as well as be updated on new developments in forensic DNA profiling and its use in criminal investigations as well as to understand more fully the provisions of the new DNA Bill. We can say with confidence that our 'DNA family' of trainers are amongst the leading experts in South Africa in forensic DNA awareness, its use in crime scene investigations and the understanding of the provisions of the new DNA Bill.

**Who did we reach?** Trainees attending our workshops in 2013 have ranged from school children, to communities to SAPS to Magistrates and Forensic Pathologists. As such as we have had to broaden the scope and content of our workshops to ensure that we cater appropriately for each audience, relative to their level of education, knowledge and experience. We also extended our workshops into other provinces this year and have conducted road shows in the Free State, Northern Cape as well as Limpopo provinces. Our new DNA CSI website has also helped create broader awareness in more remote locations. Our target for 2013 was to reach 5 000 individuals and we are delighted to report that we have exceeded this target and have reached 8 468 individuals this year!

Year	No. of Trainees who received DNA Awareness Training	Total b/f
2009-2010	1652	1652
2011	7380	9032
2012	9944	18976
2013	8468	<b>27444</b>

**Train the Trainer Programme.** We will have trained 262 new in house Trainers by the end of 2013. This translates into further awareness in the crime scene responding sector, in particular amongst paramedic and security guard trainers, as these trainers continually incorporate our crime scene and DNA awareness lessons into their own training protocols. We are currently looking to replace these full day Train the Trainer workshops with an on-line training programme. This is because it is often difficult to get a group of Trainer's together at one time for an entire day. An on line training module would reach more organisations and enable trainer's to educate themselves at their convenience. These complex 'on line' train the trainer modules will accordingly be developed in 2014 for this purpose as we phase out the Train the Trainer workshops going forward.

**DNA Awareness Materials** - In conjunction with our DNA Awareness workshops, we distribute critical DNA Awareness material to all attendees of our workshops, free of charge. All of our training materials are clearly and simply set out, brightly coloured, informative and are always well received and a highlight of the workshop. Below is an illustration of some of the items that comprise our current composite of DNA awareness materials.



# OPERATION: #DNABILL



**On the 12 November 2013** the DNA Bill, officially known as the Criminal Law (Forensic Procedures) Amendment Bill B9-2013 was approved in its final form by the National Council of Provinces (NCOP) and passed by the National Assembly. This meant that it was sent on its last journey to the President for final assent.

There was huge press interest around the passing of the DNA Bill as well as its journey through Parliament this year and the DNA Project was featured in numerous press reports, articles, radio interviews as well as television interviews and documentaries with regards to the work we have done in pushing for this legislation to be passed as well as

our opinions on various matters relating to the implementation of this Bill. To view the press coverage over this time, please visit our press page: <http://dnaproject.co.za/about-us/press>

The DNA Bill officially establishes a National Forensic DNA Database (NFDD) for the purposes of crime detection and investigation, the exoneration of convicted persons and for the identification of missing persons and unidentified human remains. The growth of South Africa's NFDD is directly linked to the implementation of this law which will allow for the inclusion of profiles onto the NFDD, as well as allowing for comparative searching between the different types of profiles. This is important because the greater the number of profiles on the database, the greater the chance of finding a match between the crime scene profile and a known profile on the database. In other words, if we increase the number of profiles on our database, we will increase the chance of finding a match and linking it to a suspect or at the very least deriving criminal intelligence therefrom. The DNA Bill with its compulsory taking of DNA samples from arrestees and convicted offenders, ensures that the database will be populated for this purpose.

Whilst currently the DNA Bill is linked to the seriousness of the initial offence for which the person was arrested or convicted, this does not necessarily predict the seriousness of subsequent offences with which the person may be associated. As a result, the current policy which only mandates the collection of samples from individuals arrested for [Schedule 8 Offences](#), runs the risk of missing numerous detections of other types of less serious offences which do not fall under schedule 8. The Parliamentary Committee however recognised this limitation but due to possible capacity demands on the Forensic Science Laboratory (FSL) in the initial phases of the implementation of the DNA Bill, it allows for this provision to be revisited after 5 years when the legislation will be reviewed.

**So whose profiles will be entered onto the NFDD and how long will those profiles remain on the NFDD?** The following table represents a

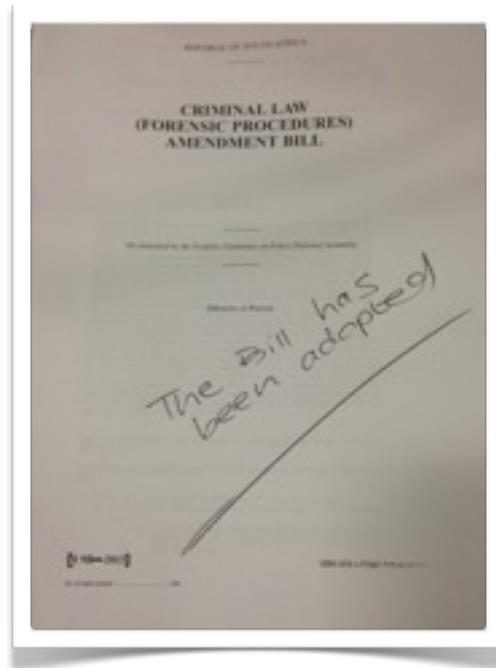
summary of the retention framework applicable to the different profiles which will be held on the NFDD:

Category	Retention Period
Convicted Offender Index	Indefinitely (Child 12 months)
Arrestee Index	Within 3 years (Child: 12 months)
Crime Scene Index	Indefinitely
Investigative Index	3 months after case finalised
Elimination Index	Indefinitely
Missing Persons & Unidentified Human Remains	When case resolved

**The integrity of the NFDD:** The DNA Bill adequately puts proper safeguards in place to ensure the integrity of the NFDD with severe penalties for any misuse of the information stored on the NFDD. Currently, no such protection exists in respect of the repository of DNA profiles held by the FSL which is yet another reason why laws regulating this area of the criminal justice system are urgently required.

**Collection of DNA Samples by Police Officials by way of a Buccal Swab:** The DNA Bill allows certain categories of specially trained police officers to collect a DNA sample from arrestees and convicted offenders through the simple process of a cheek swab. The DNA sample itself will be destroyed once the forensic DNA profile has been entered on the NFDD. This is important because the DNA sample itself contains the full

genetic make up of that person whereas the Forensic DNA profile derived therefrom is simply a unique identifier which provides no other behavioural, medical or personal information about that person other than their sex.



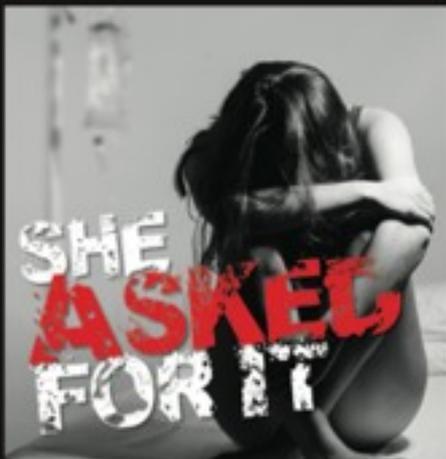
**Oversight.** The successful implementation of the DNA Bill is going to depend largely on the continuous oversight and guidance of the National Forensic Oversight Ethics Board (NFOEB) which will be established on commencement of the Bill. The Board will consist of 10 members, 5 of which will be selected from members of the public with knowledge and experience in forensic science, human rights law or ethics relating to forensic science, to be nominated by the public and appointed by the Minister of Police. The chairperson will be a retired judge or senior advocate with experience in human rights. Only 4 of its members will be selected from the State. The fact that the NFOEB will be weighted in favour of members from the public means that it is truly an oversight body which will ensure that the correct balance is maintained between the state and public interests. The responsibilities of the Board are numerous and include monitoring the implementation of the legislation, providing proposals on various improvements in the forensic DNA field, oversight of operational processes to ensure best practices and quality assurance systems are followed and the handling

of complaints. Vanessa Lynch intends to apply for a position on the NFOEB on behalf of the DNA Project.

In order for the NFDD to be effective, the quality and quantity of DNA samples delivered to the Forensic Science Laboratories for analysis must be optimised. The Bill highlights the fact that training on the preservation of forensic evidence at a crime scene needs to be addressed in South Africa. To this end, rigorous training has to be implemented amongst key sectors of the SAPS, first responding community police forums, emergency services, private security services as well as the general public. All of these sectors need to be able to assist in protecting and containing, as opposed to contaminating, a crime scene, thereby enabling trained forensic personnel to collect and retain usable DNA evidence for profiling and subsequent prosecution. The DNA Project has over the last 5 years embarked on a massive awareness campaign to help spread awareness in this regard through the implementation of crime scene awareness workshops as well as the distribution of awareness materials and via various media platforms – [these programmes will continue to be implemented nationally and are more important now than ever.](#)

At the time of writing this report, we had not yet heard if the Bill had been signed, but we are hoping that it will still be in 2013! If not in 2013, it will happen in early 2014. The moment the Bill is signed it formally becomes an Act and the provisions of the Bill commence... Then the REAL work begins, as we need to ensure that its implementation is successful and that it translates into crime resolution. After all, this is what we have been fighting for, for so long.

# MEDIA AWARENESS



**SHE ASKED FOR IT**

**SHE ASKED FOR DNA EVIDENCE TO BE COLLECTED**  
**DNA EVIDENCE CONVICTS**

DNA evidence can be obtained from a person's body or clothing. DNA is found in body fluids, such as semen or saliva, as well as blood, skin cells and hair. Report sexual assault within 48 hours to your local police station and ask for DNA evidence to be collected by a medical practitioner.

**WHAT YOU CAN DO IF YOU ARE THE FIRST TO ARRIVE AT A CRIME SCENE**

- D** • Don't touch
- N** • Note, record, observe
- A** • Assist police officers
- C** • Comfort and support victims
- S** • Secure the crime scene
- I** • Insist no-one interferes

**DNAPROJECT**  
FIGHTING CRIME WITH SCIENCE

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Change a life

**The DNA Project has generated an unprecedented amount of press and media attention in 2013.** Not only has its efforts in respect of the DNA Bill been recognised, but it has continued to publish its hard hitting advert “She Asked for it” in major national newspapers as well as magazines. This advert questions SA’s attitudes towards rape and carries a functional message both for rape survivors as well as the general public. In addition, etv provided the DNA Project with over R10, 000 000 worth of free airtime to broadcast our ‘train station video’ in the first quarter of this year, specifically around the time when the “Oscar Pistorius” bail application was broadcast, which media frenzy focused largely on the absence of sufficient crime scene awareness at the crime scene. This not only gave us prime time coverage but it also generated awareness around the importance of crime scene evidence protection and preservation in a real case scenario. Please visit our press page at <http://dnaproject.co.za/about-us/press>

# OPERATION: INTERPOL

## **7th International DNA User's Conference**

Thanks to the generous sponsorship of the [OSF-SA](#), Directors of The DNA Project, Vanessa Lynch and Carolyn Hancock were able to attend and present at this fascinating forensic DNA conference where they learnt about the latest developments in Forensic DNA, heard from other countries about the status of their DNA databases and the laws and regulations which govern their databases, observe some interesting case studies and research papers as well as hear the debates on ethical issues often raised around DNA profiling in a forensic context. Vanessa was also invited to present the provisions of the new DNA Bill in South Africa to the international forensic DNA community.



### **A word from Vanessa & Carolyn:**

“Not only did we enjoy every one of the 40 presentations from over 47 countries , but the camaraderie and friendships that were renewed and made, were very special. The Interpol Conference is unique insofar as it is a relatively small group of people passionate about their work and the advances in this

technology, who are able to mix on both a professional and social level too. Every evening we were joined by different people from different countries where we shared our stories over French food and wine, and many laughs. It was with sad hearts that we said goodbye to everyone on the last day, and to the beautiful city of Lyon, where hopefully we will be invited to participate in the next and 8th International DNA User's conference.”

# OPERATION: 2014

The promulgation of the DNA Bill in 2014 is going to bring with it a new level of awareness around the value of forensic DNA profiling in crime resolution and its use in criminal investigations in South Africa in conjunction with a National DNA Database. The effective implementation of the provisions of the DNA Bill are more than ever going to rely on forensic and DNA awareness across the board: ranging from, but not limited to, SAPS, communities, Dr's, Magistrates and Officers of the Court. Our DNA and crime scene awareness workshops remain a key objective going forward and we have been approached to work in conjunction with the FSL and SAPS to implement a joint national awareness programme around these issues and in line with the requirement of the new DNA Bill. This represents a massive breakthrough into this sector as well as shows the level of trust and confidence the FSL and SAPS have in our work and our organisation. In preparation for this commitment we have 'brainstormed' some new ideas around introducing innovative awareness strategies to achieve this in conjunction with and in addition to our current DNA awareness programmes. Vanessa Lynch will also apply for a position on the NFOEB, which if accepted, will allow her to work from the 'inside' out in order to help achieve the effective implementation of the DNA Bill in South Africa. Confirmation of this appointment will mean that we will need additional resources to help manage and achieve The DNA Project's objectives and align them with a national awareness and implementation programme.

# OPERATION: THANK YOU!

May we take this opportunity to warmly thank all of our generous sponsors and supporters who make our work possible. Your continued belief in our cause has enabled us to help make positive changes in South Africa. We hope that we have demonstrated our commitment to these values and objectives in a constructive, meaningful and effective manner.

with kind thanks from

## **The DNA Project Team**

From left to right: Jenna, David, Valerie, Carolyn, Tony, Tanya, Renate, Grant, Maya, Vanessa & Lee (Not in photo: Rhys)

