

ANC vets to rally soldiers to vote

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GETTING soldiers to polling booths during this year's election will be the focus of an election mobilisation campaign launched yesterday by the African National Congress's (ANC's) affiliate, the Umkhonto we Sizwe Military Veterans Association.

The association's chairman, Kebby Maphatsoe, said members of the military had not yet registered to vote.

He said soldiers have generally had a low level of participation in elections.

The campaign, which is aimed at guaranteeing the ANC a two-thirds majority, would also focus on places where the party was weak, such as parts of KwaZulu-Natal, Western Cape and even North West.

The veterans would not be deterred by the outbreak of violence in the Nongoma area at the weekend, where ANC supporters were stoned and three people were shot at, allegedly by members of the Inkatha Freedom Party (IFP).

"We are preparing ourselves to go and base there and mobilise the people to join and vote (for) the ANC," Maphatsoe said.

Maphatsoe said morale in the defence force was low, something he blamed on former defence minister Mosiuoa Lekota and his deputy Mluleki George. "A defence force that is demoralised is a defence force that is a threat to its own people," said association general

DNA tests for suspects broadly welcomed

But Human Rights Commission warns proposed legislation may violate constitutional rights to privacy and dignity

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CAPE TOWN — Sweeping new powers which will allow the gathering of DNA samples from arrested people were broadly welcomed when oral submissions on the bill were presented to a parliamentary portfolio committee yesterday. But some warned that the legislation could not be implemented and that it violated the bill of rights.

The Criminal Law Forensic Procedures Amendment Bill will allow, if approved in its present form, the gathering of DNA samples from all people arrested regardless of whether prosecuted or found guilty. The samples will be stored in a national database so that evidence found at a crime scene can be measured against the records.

The bill is one of the first legislative measures to emerge from the government's review of the criminal justice system, which was famously described as dysfunctional by Deputy Justice Minister Johnny de Lange, who is guiding the review.

The bill also proposes changes to the way the police can take fingerprints and the way evidence such as bodyprints is handled. The bill will also allow the police to access the databases of the departments of home affairs and transport, both of which take fingerprints in the course of their work.

The taking of DNA samples, however, dominated the public hearings in a special ad hoc committee established to deal with the bill. The DNA Project, a public-benefit organisation, got



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Picture: SIMON MATHEBULA

proceedings under way by enthusiastically supporting the idea of expanding the DNA database for the purpose of gathering crime intelligence.

Its executive director, Vanessa Lynch, said the present pro-

visions in the Criminal Procedure Act were outdated in that only doctors were allowed to take DNA samples from blood.

She said the bill proposed great strides through its provision that police officers could

gather DNA through saliva swabs. Given SA's high crime and low conviction rates, added to its high recidivism rate, an expanded DNA database would provide a deterrence. Criminals would know that should they

offend again, their DNA profiles would be on record and they could easily be identified.

On the contention that the taking of DNA samples would be an invasion of privacy, Lynch insisted it was no more invasive

than the taking of fingerprints. Only nine markers would be used to get the DNA profile and these could not be used to reveal sensitive genetic information about the individual. She urged that the bill be adopted without any changes.

Bradley Smith of the National Prosecuting Authority (NPA) said the bill would enhance the state's ability to fight crime and was welcomed by the NPA. The expanded DNA database would help in excluding suspects and identifying perpetrators.

The bill also received enthusiastic endorsement from Business Against Crime, which said the ability of the police to access other databases was overdue.

But the bill ran into trouble with the Human Rights Commission (HRC), which warned that it potentially infringed the constitutional right to privacy and dignity. The HRC's Danzel van Zyl said that because of the information that could be gleaned from DNA, it was arguably an individual's most prized possession. Any legislation dealing with the collection and storage of DNA "must be considered with the greatest circumspection and care in the interests of the individual".

He said the taking of DNA samples from every arrested person would be setting the system up to fail — if the police "flood the system, it will create huge backlogs which will hinder criminal investigations rather than help them". He noted that last year alone more than 1.2-million arrests were made and that the police service's forensic services simply would not be able to cope.