



Wes-Kaapse Provinsiale Parlement  
Western Cape Provincial Parliament  
IPalamente yePhondo leNtshona Koloni

**STANDING COMMITTEE ON COMMUNITY SAFETY**

**REPORT OF THE STANDING COMMITTEE ON COMMUNITY SAFETY ON AN OVERSIGHT VISIT TO THE  
SOUTH AFRICAN POLICE SERVICE'S WESTERN CAPE FORENSIC SCIENCE LABORATORY, IN PLATTEKLOOF,  
CONDUCTED ON 16 AUGUST 2017**

The Standing Committee on Community Safety, having conducted an oversight visit to the South African Police Service's Western Cape Forensic Science Laboratory, in Platteklouf, on 16 August 2017, reports as follows:

### **The Delegation**

The delegation of the Standing Committee on Community Safety included the following Members:

Wenger MM (DA) (Chairperson and leader of the delegation)  
Christians FC (ACDP)  
Mitchell DG (DA)

### **The following parliamentary official accompanied the delegation:**

Mr W Matthews, Committee Co-ordinator

### **Apology**

An apology was rendered on behalf of Mr BD Kivedo (DA).

### **Background**

The Forensic Science Laboratory (FSL), based in the Western Cape, provides technologically advanced services in the area of forensic science, particularly in the analysis of physical evidence from crime scenes. The Committee resolved to visit the FSL to better understand the facility's challenges and successes given the significant role that the FSL has in criminal cases from crime scene management to the final analysis and presentation of evidence to be used in the judicial stages. The FSL provides ballistics analysis, scientific analysis and forensic drug analysis.

### **1. Introduction**

The Committee was welcomed by Maj Gen EK Ngokha, the Acting Divisional Commissioner for Forensic Services, and Brig JD Meintjies, Regional Head of the Western Cape FSL.

Hon MM Wenger provided a brief introduction on behalf of the Committee, as well as the reason for the visit.

Maj Gen Ngokha and Brig Meintjies provided brief overviews after which Brig JH Smith, of the Forensic: DNA services, presented to the Committee.

### **2. Key points from the presentation**

According to Brig Smith the Western Cape FSL is lauded as one of the top forensic science laboratories internationally. The presentation focused on the following items:

- i. The organisational structure of the Forensic Services Division, specifically in the Western Cape;
- ii. The FSL's disciplines and related functions;
- iii. The FSL's performance;
- iv. The FSL's backlog;

- v. Criminal Record Centre (CRC) and Crime Scene Management (CSM); and
- vi. The budget allocation and challenges for the 2015 to 2019 Medium Term Expenditure Framework (MTEF).

In terms of the organisational structure, the Forensic Services Division resides within SAPS' Programme 3: Detective Services. This Division is structured into Criminal Records and Crime Scene Management (CRC), Forensic Science Laboratory and Quality Management. As at 30 June 2017, the personnel establishment was registered at 7 836, nationally. Brig Smith reported that the national fixed establishment for this Division is 8 194 with an ideal establishment of 10 682 personnel. The actual staff establishment at the FSL in the Western Cape is 495. The Forensic Science and Quality Management components reside within the regional structure of the FSL, and is headed by Brig Meintjies. The CRC is part of a national structure.

In terms of the disciplines and related functions, the FSL in the Western Cape is one of four FSLs in the country. The other FSLs are based in Pretoria, Port Elizabeth and Kwazulu- Natal which has two facilities located Amanzimtoti and Prospecton. Each facility is equipped with varying functions and the Western Cape FSL is similar to the main facility in Pretoria. A new facility has been earmarked for construction, however there has been no progress in its development since 2015. The Environmental Impact Assessment has been carried out at the identified site.

The FSL's functions include forensic ballistics, forensic biology, forensic chemistry, material analysis, forensic examination of documents as well as the use of the victim identification centre. Brig Smith emphasised the careful use of designed evidence collection kits, evidence sealing bags, training on evidence collection and a track-and-trace system to log the chain of custody of evidence, and that the integrity of the forensic analysis process is maintained. He also explained the case flow process. He added that the Department of Health's Forensic Chemistry Laboratory performs tests on blood alcohol sample and toxicology tests in tissue and body fluids.

Brig Smith presented on the FSL's performance. In terms of the annual production rate, the FSL received cases for analysis and completed these analyses, between the 2010/2011 and 2016/2017 financial years, as follows:

| <b>Cases Received/ Cases Finalised</b> |                  |                  |                  |                  |                  |                  |
|--|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>2010/2011</b>                       | <b>2011/2012</b> | <b>2012/2013</b> | <b>2013/2014</b> | <b>2014/2015</b> | <b>2015/2016</b> | <b>2016/2017</b> |
| <b>R 260 826</b>                       | 320 729          | 382 219          | 308 342          | 299 995          | 356 426          | 724 854          |
| <b>F 318 665</b>                       | 323 388          | 381 299          | 318 286          | 299 744          | 320 961          | 697 730          |

\*R indicates cases received and F indicates cases finalised

From the above statistics, it is evident that the number of cases received in 2010/2011 increased significantly by 2016/2017. Despite a 178% increase in the volume of case entries in 2016/2017 compared to the 2015/2016 financial year, the completion rate in 2016/2017 was 96.2%. The average period to complete cases is 28 days for routine cases and 63 days for non-routine cases. The latter refers to cases that require more time for analysis. The staff contingent has expanded by 26.5 between 2010/2011 and 2016/2017, however, the case entry work load has resulted in an increase of hours logged for overtime.

The overtime budget does not cover the expenses for extended working hours, and rerouted project funding is being used to remunerate staff for overtime.

According to Brig Smith, there is a backlog of 3.8%, or 2 849 of 74 895 cases, for the first quarter of 2017/2018. Comparatively, the backlog in the first quarter of 2016/2017 was 8 978 cases. He also presented on the CRC and CSM. The Western Cape has 11 of the country's 91 Local Criminal Record Centres (LCRCs) and 10 of the 51 Service Points. The ratio of police stations to LCRCs is 1:14, compared to the national ratio of 1:12. Processing requests and generating previous conviction reports for court purposes has to be completed within 15 calendar days. This period has been significantly reduced from an initial 30 day period, to a 20 day period, to its current stipulation.

In terms of CSM, the response times to crimes scenes have improved from 69.9% in 2010/2011 to 97.9% in 2016/2017. Brig Smith stated that there is a need to improve capacity for CSM regarding the addition of more personnel, technology and other relevant resources at crime scenes.

Brig Smith reported that there is an insufficient baseline (operational) budget allocation to sustain interventions. Most of the recurring costs are taken from the Criminal Justice System (CJS) funding. The amount is approximately R400 000. This insufficient funding potentially affects maintenance and servicing costs of the critical laboratory equipment, which risks adverse impact on the analysis of evidence. The implementation of the Criminal Law (Forensic Procedures) Amendment Act (Act 37 of 2013) has resulted in the significant increase in the number of exhibits collected and submitted for forensic examinations. An example of where this increase has had impact is on the number of registered cases for Forensic Biology. Cases increased from 58 375 in 2015/2016 to 505 257 in 2016/2017. The finalised cases increased from 48 349 to 475 486 in the same period. This translates to a total increase of 865% in the workload whilst the staff establishment grew by 4.4%, for this area of forensics.

The key challenges therefore include, significant increases in registered cases submitted for forensic analysis, the unsustainable redirecting of funding used for overtime expenditure, a need for a larger staff establishment especially since employee burnout is more evident due to the stark case load increase in the number of registered cases. One of the key factors that lead to increased cases is the need to analyse evidence in drug related cases. Brig Smith reported that a large percentage of drug analysis cases include cases where the evidence collected is less than 1mg. The impact of the effort in the overall criminal justice system is minimal because more completed forensic cases do not necessarily equate to success in combatting the drug trade industry. These smaller cases cover 89.4% of all the cases where such material analysis is required, however, these smaller cases account for only 1.3% of all the drug related cases submitted for forensics.

#### **Tour of facilities**

Prior to the Committee doing a walk-through of some units of the FSL, the delegation was required to be swabbed for DNA, and entered into the national DNA database in order to comply with the access rules regulating the facility. These units visited included the ballistics section as well as the various units where material analysis is conducted.

### 3. Vote of thanks

Hon Christians gave the vote of thanks on behalf of the Committee and thanked Maj Gen Ngokha and his team for accommodating the Committee's visit.

A handwritten signature in black ink, appearing to read 'Ms MM Wenger', written over a circular stamp or mark.

**MS MM WENGER, MPP**

**CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY**