



MEMORANDUM OF DEMANDS TO THE SAPS

09 August 2022

DNA MUST BE PRIORITISED TO BRING PERPETRATORS TO BOOK

In South Africa an average of 153 people are raped every day. DNA is the most critical evidence needed in the criminal justice system to help victims of sexual assault bring their perpetrators to justice.

1. Collection & storage of DNA

The proper collection and storage of DNA evidence are crucial to criminal convictions and a cornerstone of the forensic nursing practice. A dire lack of properly qualified forensic nurses to accurately collect DNA evidence, allows sexual offenders to escape conviction, in turn denying victims justice.

2. DNA testing of convicted prisoners:

Many convicts who are already sitting in jail for other crimes, who could potentially be linked to sexual assaults, may be released without their DNA samples being taken, allowing them to evade justice for other crimes committed. This is because an amendment to the DNA Act, that will make it mandatory for the DNA of all perpetrators to be tested before they are released from prison, has been gathering dust in cabinet since 2017.

3. DNA backlog:

At the last known date, the massive DNA test backlog exceeded 300 000 cases, translating into about 1.2 million samples waiting to be analysed. This backlog is delaying court cases, delays prosecution and delaying justice. Such backlogs can even lead to cases being struck off the roll due to no evidence produced in court.

The cycle of the DNA, from the collecting of samples of victims and perpetrators to the analysing of results and timeous availability of results to be able to be utilised in courts of laws, need to be prioritised in the fight against sexual assault.

In order to make DNA a priority tool in the war against sexual assault, SAPS needs to:

1. Work with the Health Department to proactively train and recruit more forensic nurses to work with victims of sexual assault and ensure that all vacancies in forensic nursing are filled with urgency and that all outstanding contracts are expedited;



Democratic Alliance
Email: info@da.org.za
www.da.org.za
P.O. Box 1475, Cape Town, 8000

2. The DNA amendment bill must be urgently brought to Parliament to prevent violent criminals who could potentially be linked to sexual assault, from being released after serving their sentence without having their DNA sampled;
3. SAPS must partner with the private sector and university laboratories to address the DNA backlog by the end of this year.