



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
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COMMITTEE REPORT

Report of the Standing Committee on Community Safety, Cultural Affairs and Sport on its oversight visit to the Forensic Science Laboratory in Plattekloof on 8 June 2021

The Standing Committee on Community Safety, Cultural Affairs and Sport having conducted an oversight visit to the Forensic Science Laboratory in Platteklouf on 8 June 2021, reports as follows:

The delegation

The delegation of the Standing Committee on Community Safety, Cultural Affairs and Sport included the following Members:

Democratic Alliance

Allen, RI (Chairperson)

Bosman, G

Mackenzie, RD

Apologies

Botha, LJ (DA)

Christians, FC (ACDP)

Kama, M (ANC)

Persons in attendance

The register for all attendees is available on request.

1. Background

The Standing Committee on Community Safety, Cultural Affairs and Sport conducted an oversight visit to the Forensic Science Laboratory (FSL) in Platteklouf on Tuesday 8 June 2021 as part of its oversight function.

The purpose of the visit was to see first-hand what the challenges were in the FSL not being able to process DNA and chemistry samples, to assess the activities of the Forensic Science Laboratory, the safety protocols that were in place, and to establish a relationship with the management of the Laboratory. The Committee wanted to get a better understanding of the reported backlog cases and its impact on the people of the Western Cape.

Upon arrival at the Laboratory, the Committee was welcomed by Brigadier Wesso, FSL Western Cape Regional Head, Brigadier Ras, FSL Acting Head, Pretoria and Brigadier Voskuil.

2. Salient points that emanated from the visit to the Forensic Science Laboratory

Brigadier Wesso proceeded to brief the Committee on the operations, staffing, performance, and challenges of the Forensic Science Laboratory. She informed the Committee that the Laboratory had a total staff compliment of 475 persons which consist of 359 Police service personnel and 119 public service officials.

It was reported that the laboratory had a total of 105 vacancies that consists of 32 vacancies for officials under the Police Service Act, 2003 (Act 75 of 2003), 22 funded vacancies for the Public Services Act, 1994 (Act 103 of 1994), 24 unfunded vacancies for officials under the Police Service Act and 27 unfunded vacancies for the Public Service Act. The Committee was informed that the high number of vacancies was due to various reasons that include the resignations and delays in filling vacancies.

During the 2020/2021 financial year, 43 employees tested positive for COVID-19, a total of 1 657 days were lost due to officials that were in quarantine and 2 789 days were lost to sick leave. In addition, during April and May 2021, 739 days were lost due to employees that were on long-term sickness.

During the visit, it was reported that the Laboratory was facing serious backlogs in the issuing of forensic reports for the analysis of DNA and Chemistry exhibits. This was seriously impacting the criminal justice process.

The backlog challenge in the Laboratory started during the 2019/2020 financial year due to the expiring of a contract that was not renewed and funding that came to an end. In 2019/20 the Biology Section within the Laboratory registered 13 891 cases, 10 681 cases were finalised and the section had 3 210 backlog cases. It was reported that between April and May 2021, 17 002 cases were registered, 2 835 were finalised and the case backlog was 14 167.

During the visit, it was reported that a total of 96 894 cases which consisted of 31 372 DNA Analyst cases and 65 522 Reference Index cases were not finalised. The Committee was informed that the reason for the backlog was due to the delays in the contract renewal for the robotic system, the non-procurement of the reagents that is used to conduct test and the lack of availability of ingredients in general. In addition, it was reported that since the contract expired, the bulk of equipment in the Biology Section was not operational.

Brigadier. Ras, FSL Acting Head, indicated that the SAPS head office in Pretoria was doing everything to assist the Forensic Science Laboratory in Platteklouf. In terms of the renewal of the contract, she indicated that unfortunately only two companies can provide laboratory services in South Africa and the majority of companies are based overseas. She also reported that the operational budget for the SAPS was increased to R250 Million in the middle of 2020, and they received their allocation and funding certificate.

The Committee was informed that the SAPS Supply Chain Management unit in Pretoria was busy with the procurement process and they are hoping that on 1 July 2021, the contract challenges would be resolved. She further reported that it was difficult to get the consumables to the country. Colonel Lamani emphasised that one part of the contract for the instrument was sorted the second part of the contract will be sorted in July 2021. He informed the Committee that Biology is complex, all instruments need to be operational at all times, if one is not working that hinders the entire operation. He further reported, that the issue of few companies in South Africa that can provide the service was also a major challenge.

It was reported that between April and May 2021, the Ballistics Section in the Western Cape registered 1 642 cases, 3 275 were finalised, and 1 487 were backlog cases. The backlog of cases was due to the Firearm Amnesty. The Committee was also informed that only few sections of the laboratory did not have a backlog. There was no backlog in the Question Documents Section, Scientific Analysis Section and Victim Identification Section

3. Challenges reported during the visit to the Forensic Science Laboratory

- 3.1 Contract Management and resourcing waste- management were reported as major challenges.
- 3.2 Shortage of consumables, the Committee was informed that they are very expensive and costs around R500 000 and without them the laboratory cannot operate.
- 3.3 Shortage of specialised PPEs for laboratory use and the storage of exhibits and samples.
- 3.4 Delays in the maintenance and servicing of equipment resulting in the high number of DNA, Chemistry, and Ballistics backlog cases in the province.

- 3.5 Inadequate storage space and no long term contract in place.
- 3.6 Shortage of CCTV cameras within the laboratory was reported as a challenge.
- 3.7 Inadequate budget for projects and overtime.
- 3.8 Organised labour in terms of the shift system agreement.
- 3.9 The COVID-19 pandemic and its impact on staff and their refusal to work the shift system was a challenge because it had an impact on service delivery.

4. Way forward in addressing the case backlog within the Forensic Science Laboratory in Platteklouf. The Management of the lab undertook to do the following:

- 4.1 Monitor the daily casework and backlog and prioritise the urgent cases.
- 4.2 Prioritise all DNA results for the NPA and IPID cases.
- 4.3 Ensure that 75% of the laboratory workforce returns to work by the end of June 2021.
- 4.4 Implement the new track and trace system for forensic evidence to ensure that the backlog in the Forensic Laboratory is dealt with the urgency it deserves.
- 4.5 Ensure that additional officials from the Provincial SAPS assist the laboratory in addressing the registration of exhibits backlog.
- 4.6 Liaise with the Divisional Forensic Services in Pretoria to ensure that all vacancies within the Forensic Science Laboratory in the Western Cape are filled.
- 4.7 Monitor the procurement processes.
- 4.8 Finalise medical surveillance and vaccination of members.
- 4.9 Ensure that there was a budget for overtime to pay officials to address the backlog in DNA, Chemistry and Ballistics within the Forensic Science Laboratory in Platteklouf.

5. Resolutions

The Committee RESOLVED to:

- 5.1 Send written questions to the Laboratory as the Committee ran out of time during the visit.
- 5.2 Schedule annual meetings with the management of the Forensic Science Laboratory and get an update on the progress made in addressing the case backlog.
- 5.3 Conduct a follow up visit to properly engage with the various sections of the Laboratory.

6. Request for Information

The Committee REQUESTED the Forensic Science Laboratory to provide it with a quarterly update on the progress made in addressing the backlog in the Laboratory by 30 September 2021.

7. Conclusion

The Committee successfully concluded its visit to the Forensic Science Laboratory in Platteklouf.



MR, RI ALLEN

**CHAIRPERSON: STANDING COMMITTEE ON COMMUNITY SAFETY, CULTURAL AFFAIRS AND SPORT
WESTERN CAPE PROVINCIAL PARLIAMENT**