

NATIONAL INSTRUCTION 3 of 2020 STOCK THEFT AND ENDANGERED SPECIES

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Chapter 1: Introduction and Definitions

1. Background

The prevention, combating and investigation of stock theft, illegal hunting, importation, exportation, possession, buying and selling of endangered species specified have become one of the focal points of the Service. This National Instruction provides the relevant framework for managing, mitigating, prevention, combating and investigation of illicit activities regarding livestock and endangered species.

2. Purpose

The purpose of this National Instruction is to regulate the activities and functioning of Stock Theft and Endangered Species Units.

3. Scope of application

This National Instruction is applicable to all members of the South African Police Service.

4. Regulatory framework

This National Instruction is *inter alia* informed by the following:

- (a) Constitution of the Republic of South Africa, 1996;
- (b) Animal Identification Act, 2002 (Act No. 6 of 2002);
- (c) Animal Improvement Act, 1998 (Act No. 62 of 1998);
- (d) Animal Protection Act, 1962 (Act No. 71 of 1962);
- (e) Criminal Law (Forensic Procedures) Amendment Act, 2010 (Act No. 6 of 2010);
- (f) Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (g) Fencing Act, 1963 (Act No. 31 of 1963);
- (h) Game Theft Act, 1991 (Act No. 105 of 1991);
- (i) Marine Living Resources Act, 1998 (Act No. 18 of 1998);

- (j) Meat Safety Act, 2000 (Act No. 40 of 2000);
- (k) MOU (SOP): Cooperation between the Environmental Management Inspectorate and the South African Police Service (updated 2012);
- (l) National Environmental Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA);
- (m) National Environmental Management Act Regulations on threatened and or protected species (TOPS), 2007;
- (n) National Environmental Management Act, 1998 (Act No. 107 of 1998);
- (o) Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998);
- (p) Provincial Ordinances of Transvaal, Free State, Cape Province and Natal not repealed;
- (q) Relevant Provincial Legislation;
- (r) Relevant TBVC Acts and Ordinances still applicable in certain provinces;
- (s) South African Police Service Act, 1995 (Act No. 68 of 1995);
- (t) Stock Theft Act, 1959 (Act No. 57 of 1959);
- (u) National Instruction 8 of 2017: Property and Exhibit Management;
- (v) National Instruction 12 of 2017: Detective Service; and
- (w) National Instruction 13 of 2017: Case Docket Management.

5. Definitions

In this Instruction, unless the context otherwise indicates, –

- (a) “CAS” means the Crime Administration System (reference to CAS includes the Integrated Case Docket Management System (ICDMS) and the Crime Register (CR), where in applicable);

- (b) “*endangered species*” means any endangered species specified in Appendixes I,II or III to the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) as amended from time to time and includes any species of wild fauna and flora threatened by extinction through the commercial exploitation thereof;

- (c) “*enquiry docket*” means a Stock Theft and Endangered Species Enquiry Docket (SAPS 507); and
- (d) “*slaughter for the pot*” means the slaughtering for own domestic use (if parts of the carcass are sold or given away, this does not qualify as “*slaughter for the pot*”);
- (e) “*TOPS species*” means threatened or protected South African species list as amended from time to time as described in the National Biodiversity Act, 2004 (Act No. 10 of 2004). The TOPS list of endangered species includes the Picker Gill’s Reed frog, Cape Vulture, Cheetah, African Wild Dog (Painted Dog), Blue Crane, Riverine Rabbit, Knysna Seahorse, Golden Moles, Yellow-breasted Pipits and Oribi).

Chapter 2: Functioning and activities of Stock Theft and Endangered Species Units

6. Functioning of Stock Theft and Endangered Species Units

The Stock Theft and Endangered Species Unit function as follows:

(1) National level

- (a) The Section Head: Stock Theft and Endangered Species is accountable to the Component Head: Specific Crime Investigations for the effective and efficient functioning of all Stock Theft and Endangered Species Units.
- (b) The Section Head: Stock Theft and Endangered Species is responsible for managing the activities of the Stock Theft and Endangered Species Units, through proper planning, in accordance with the mission and priorities of the Service, and for actively implementing and exercising effective control over these activities.
- (c) The Section Head: Stock Theft and Endangered Species must –
 - (i) provide support to the Component Head: Specific Crime Investigations in performing his or her responsibilities;
 - (ii) ensure the effective investigation of any criminal conduct or behaviour in respect of hunting, catching, importation, exportation, possession, buying or selling of endangered and protected species;
 - (iii) ensure the participation of the Department of Environmental Affairs and Provincial Nature Conservation; and
 - (iv) initiate action against enterprises and individuals illegally dealing with lions, rhino horn and ivory and also against those involved in the smuggling of endangered birds, cycads, succulents and marine life.

(2) Provincial level**(a) Provincial Commander: Specific Crime Investigations**

- (i) The Provincial Commander: Specific Crime Investigations is accountable to the Deputy Provincial Commissioner: Crime Detection for the effective and efficient functioning of all Stock Theft and Endangered Species Units in the province.
- (ii) The Provincial Commander: Specific Crime Investigations is also responsible for adherence to National Policy and Standards set by the Divisional Commissioner: Detective Service for the effective investigation of stock theft and endangered species related crime.
- (iii) In addition to the generic functions and responsibilities of the Provincial Commander: Specific Crime Investigations (see National Instruction 12 of 2017), he or she must –
 - ensure the effective investigation of any criminal conduct or behaviour in respect of hunting, catching, transporting, importation, exportation, possession, buying or selling of endangered species;
 - ensure the participation of the Department of Environmental Affairs and Provincial Nature Conservation;
 - initiate action against enterprises or individuals dealing with lions, rhino horn and ivory and also against the smuggling of endangered birds, cycads, succulents and marine life; and
 - promote mutual trust with neighbouring countries by means of discussions and mutual cooperation.

(b) **Provincial Commander: Stock Theft and Endangered Species Units**

- (i) The Provincial Commander: Stock Theft and Endangered Species is accountable to the Provincial Head: Specific Crime Investigation for the effective and efficient functioning of all Stock Theft and Endangered Species Units in the province.
- (ii) The Provincial Commander: Stock theft and Endangered Species must –
- liaise and cooperate with the community by means of meetings, forums and personal contact;
 - organize forums in accordance with this Instruction;
 - represent the Provincial Head: Specific Crime Investigations at the Provincial Stock Theft Forum;
 - attend meetings of organized agriculture in the provinces. Meetings of the District Agricultural Union and Farmers' Association should only be attended if difficulties regarding stock theft occur that cannot be solved by the local unit commander;
 - assist in establishing Stock Theft Information Centres, should such a need exist;
 - regularly assist with the training and determining the training needs of new members of Stock Theft and Endangered Species Units, the Detective Service and the Visible Policing Components at station level regarding stock theft and endangered species investigations; monitor the use of scientific aids by the Stock Theft and Endangered Species Units;

- assist in establishing provincial Bio Diversity Investigation Forum;
- assist with the procurement procedures regarding the impoundment of animals as exhibits;
- ensure the effective investigation of any criminal conduct or behaviour in respect of hunting, catching, transporting, importation, exportation, possession, buying or selling of endangered species;
- ensure the participation of the Department of Environmental Affairs and Provincial Nature Conservation;
- initiate action against enterprises or individuals dealing with CITES and TOPS SPECIES and derivatives and also against those involved in the smuggling of endangered birds, cycads, succulents and marine life;
- plan and coordinate organized cross-border stock theft intelligence driven operations in co-ordination with the police agencies of the various neighbouring countries (where applicable); and
- promote mutual trust with neighbouring countries by means of discussion and mutual cooperation (where applicable).

(c) **Unit level**

- (i) The Unit Commander: Stock theft and Endangered Species is responsible for the investigation of stock theft and endangered species related crimes at station precincts which are serviced by the Unit.

- (ii) The Unit Commander: Stock theft and Endangered Species is directly accountable to the Provincial Commander: Stock Theft and Endangered Species.
- (iii) The Unit Commander: Stock Theft and Endangered Species must—
- maintain effective liaison with other stock theft and endangered species units, should there be challenges of mutual concern;
 - liaise and cooperate with the community by means of meetings, forums and personal contact;
 - organize forums in accordance with this Instruction;
 - attend meetings of organized agriculture and applicable organizations;
 - regularly assist with the training and determining the training needs of new members of Stock Theft and Endangered Species Unit, the Detective Service and the Visible Policing Components at station level regarding stock theft and endangered species investigations;
 - ensure the use of scientific aids by the Unit;
 - assist with the procurement procedures regarding the impoundment of animals and endangered species as exhibits;
 - ensure the effective investigation of any criminal conduct or behaviour in respect of hunting, catching, transporting, importation, and exportation, possession, buying or selling of endangered species.
 - ensure liaison with the Department of Environmental Affairs and Provincial Nature Conservation regarding wild life crimes; and

- initiate action against enterprises or individuals dealing with CITES and TOPS species and derivatives and also against the smuggling of endangered birds, cycads, succulents and marine life.

7. Recruitment, appointment and retention of personnel at the Stock Theft and Endangered Species Units

- (1) Members of the Stock Theft and Endangered Species Unit must be recruited from current serving members of the Detective Service.
- (2) These members must have successfully completed a detective course/ or the Resolving of Crime (ROC) learning programme.

8. Activities

- (1) Operational Activities
 - (a) The *enquiry docket* must be used for all operational activities that are not part of the investigation into existing cases.
 - (b) Every enquiry that is opened must be linked to legislation that has bearing on the investigation. The commander must make an entry in the enquiry docket's investigation diary (SAPS 5) accordingly.
 - (c) Enquiries must be registered for the following operational activities:

	ACTIVITIES	LEGISLATION
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1	Visits to and policing of: Livestock and Game Feedlots Livestock pounds Dealers in skin and hides Stock posts Community Grounds	<ul style="list-style-type: none">- Stock Theft Act, 1959 (Act No. 57 of 1959) - Animal Identification Act, 2002 (Act No. 6 of 2002) - Animal Protection Act, 1962 (Act No. 71 of 1962)
2	Butcheries Bush slaughtering	<ul style="list-style-type: none">- Stock Theft Act, 1959 (Act No. 57 of 1959) - Game Theft Act, 1991 (Act No. 105 of 1991). - Meat Safety Act, 2000 (Act No. 40 of 2000)

3	Speculators Abattoirs Tuck Shops (where meat is sold) Roadside stands Funeral parlours Pension Pay Points	– Stock Theft Act, 1959 (Act No. 57 of 1959) – Animal Identification Act, 2002 (Act No. 6 of 2002) – Meat Safety Act, 2000 (Act No. 40 of 2000) – Animal Protection Act, 1962 (Act No. 71 of 1962)
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4	<p>International Borders where stock theft and smuggling of livestock occur</p> <ul style="list-style-type: none"> - Internal farm patrols <p>Operations</p> <ul style="list-style-type: none"> - Internal farm patrols - International where stock theft and smuggling of livestock occur <p>Conduct Road blocks for the prevention of stock theft</p> <p>Import and export of animals, animal produce and genetic material</p> <p>Investigations of stock theft and endangered species crimes, at</p> <ul style="list-style-type: none"> - local, provincial and - International borders and neighbouring countries 	<ul style="list-style-type: none"> - Stock Theft Act, 1959 (Act No. 57 of 1959) - Animal Identification Act, 2002 (Act No. 6 of 2002) - Animal Improvement Act, 1998 (Act No. 62 of 1998)
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5	Stray animals	<ul style="list-style-type: none">- Stock Theft Act, 1959 (Act No. 57 of 1959) - Animal Identification Act, 2002 (Act No. 6 of 2002)
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- (d) The investigation of stock theft and endangered species cases must receive high priority and the officers and members at the Stock Theft and Endangered Species Unit must ensure that every case is investigated professionally.
- (e) Operational maps of the various areas in which services are rendered must be available at every Stock Theft and Endangered Species Unit to enable members of the Unit to do adequate operational planning.
- (f) The purpose of the Stock Theft Act, 1959 (Act No. 57 of 1959) is to control the movement of livestock and produce across the country. This means that Stock Theft and Endangered Species Units have to operate across provincial borders and service areas to successfully address the difficulties that are experienced with stock theft. It will also be necessary for joint intelligence driven operations to be held across provincial and international borders.
- (g) The Stock Theft and Endangered Species Unit must investigate all reported stock theft and endangered species related cases without any exception.

- (h) The Unit Commander: Stock Theft and Endangered Species must at all times report stock theft cases (cattle, sheep and goats) where the number of livestock stolen is 10 cattle, 20 sheep or goats and more as well as all endangered species or related cases to the ~~various~~ Provincial Stock Theft Commanders in the form of a factual report. The Provincial Head: Specific Crime Investigations must thereafter submit a copy of the factual report to the Section Head: Stock Theft and Endangered Species at Head Office.
 - (i) The Unit Commander: Stock Theft and Endangered Species must at all times, taking into account the size of the area, be well informed of all stock theft and endangered species crime activities in his or her service area. He or she must regularly meet and hold discussions with the respective Station Commander and Section Commander: Detective Services in his or her service area.
 - (j) A member must preferably not be allocated more than eight new case dockets per month, to enable him or her to perform the additional functions referred to above, taking into account the varying patterns of stock theft and endangered species crimes, weather patterns, economic pressures, unemployment, risk factors, the topography of the area, etc.
- (2) Administrative duties
- (a) The *enquiry docket* may not, under any circumstances, be used to record administrative matters such as —
 - (i) liaising and cooperating with the police forces of neighbouring countries concerning matters relating to stock theft;

- (ii) establishing and managing Stock Theft Information Centres and Provincial Bio Diversity Investigation Forums;
 - (iii) cooperating and liaising with other Government departments regarding law enforcement and the investigation of crimes in terms of relevant legislation;
 - (iv) attending and addressing:
 - Farm Watch meetings;
 - Livestock committees in residential areas;
 - Farmers' Association meetings;
 - District Agricultural Unions;
 - Headmen;
 - Tribal authorities;
 - Community Policing Forum meetings;
 - Rural Safety meetings;
 - Peace Committee meetings; and
 - Provincial Nature Conservation meetings.
 - (v) completing returns that may be required from time to time; and
 - (vi) updating of computer records that may be required from time to time.
- (b) Diaries or pocket books (SAPS 206) must be used to record the administrative matters indicated above.
- (3) Registration of activities of the Stock Theft and Endangered Species Unit
- (a) A case docket must be opened for each crime reported to the police station which relates to stock theft or endangered species. It must immediately be registered on the CAS.

- (b) Cases of stock theft and endangered species enquiries must be recorded on the CAS. If the system is offline the information must be registered in the Backup Information Registration of Offence Register (SAPS 441).
- (c) An enquiry docket must be opened for every operational task performed.
- (4) Receipt of an enquiry docket
The member who receives an *enquiry docket* for further investigation, must acknowledge receipt of the docket on the CAS.
- (5) Classification of an enquiry docket
The *enquiry docket* must be subdivided into the following divisions:
- (a) Division “A”**
- (i) In this division, the following must be filed —
- all statements;
 - information;
 - reports;
 - documentary evidence;
 - photographs; and
 - any other documents of evidential value.
- (ii) All the documents that are filed in this division must be:
- numbered in the order in which they will be filed, namely A1, A2, A3, etc.; and
 - endorsed with the name of the Stock Theft and Endangered Species Unit and the enquiry docket’s CAS number (e.g. Cullinan Stock Theft and

Endangered Species Unit CAS 20/12/2010) at the top of the documents.

(b) Division “B”

- (i) In this division, the following must be filed —
- all the correspondence relating to the investigation or enquiry, e.g. the SAPS 11;
 - correspondence from and to other police stations;
 - newspaper clippings; and
 - any other documents that do not fall under divisions A or C.
- (ii) All the documents that are filed in this division must be —
- numbered in the order in which they will be filed, namely B1, B2, B3, etc.; and
 - endorsed with the name of the Stock Theft and Endangered Species Unit and the enquiry docket’s reference number at the top of the documents.

(c) Division “C”

The provisions of National Instruction 13 of 2017 (Case Docket Management) relating to the Investigation diary (SAPS 5) is applicable to the *enquiry docket*.

(6) Closing of an enquiry docket

- (a) If an enquiry docket is closed an officer or member appointed as the Commander of the Stock Theft and Endangered Species Unit must on the front page of the enquiry docket in the space “Disposal of Enquiry” close the enquiry docket as follows:
- (i) “File”; or

- (ii) “File - Register case docket”. Mention in the remarks column that the content of the enquiry docket is transferred to a case docket. The name of the station and CAS number must also be recorded; or
 - (iii) “File - Bring Forward”. Record the date when the enquiry docket must be submitted.
- (b) The officer or appointed member as the Commander of the Stock Theft and Endangered Species Unit must write his or her signature with his or her initials and surname in print or name stamp.
- (c) If an *enquiry docket* is transferred to a case docket or if a further period of safekeeping is determined, the provisions of subparagraphs (10), (11), (12) and (13) below, must be complied with.
- (7) **Transforming of an enquiry docket into a case docket**
- (a) In all of the instances in which an *enquiry docket* is transformed or transferred into a case docket (SAPS 3 or SAPS 3M) (regardless of whether it is an existing docket or whether it will be registered as a new docket), the following procedure must be followed:

Step	Action
1	Transfer all the documents that are filed in divisions A, B and C of the <i>enquiry docket</i> to the case docket and leave certified copies of the documents in the enquiry file.
2	Renumber the transferred documents, if necessary, so that they fit into the order of the existing documents in the case docket.
3	File a certified copy of the front page of the used <i>enquiry docket</i> under division B of the case docket.

Step	Action
4	File the <i>enquiry docket</i> with the original front page and the certified copies (Step 1 above), at the Stock Theft and Endangered Species Unit of origin.

(b) If an *enquiry docket* is transformed into a case docket, the provisions of National Instruction 13 of 2017 (Case Docket Management), are applicable.

(8) **Procedure for submitting a diarised enquiry file (“bring forward system”)**

In order to ensure that an *enquiry docket* receives attention on the date that was endorsed on it, the following procedure must be followed:

Step	Action			
1	Keep 12 files that are marked from January to December in which the <i>enquiry dockets</i> are filed.			
2	Keep a register that is divided from January to December, together with the 12 files.			
3	Divide the register into the following four columns:			
	Enquiry file and Case Control Register No	Date on which the file must be submitted	Date and signature of commander	Date returned

(9) **Filing of enquiry dockets**

- (a) All concluded *enquiry dockets* must be filed at the Stock Theft and Endangered Species Unit from which they originated (see Chapter 7 of National Instruction 13 of 2017 (Case Docket Management)). The concluded *enquiry dockets* that were closed with the words "File" or "File - Registered Case Docket" and do not bear a bring forward date, must be stored in chronological order according to the month in which they were registered.
- (b) The following procedure must be followed if an *enquiry docket* bearing a date on which the file must be submitted for further attention, must be filed:

Step	Action
1	Write the following under the relevant month in the bring forward register (See par. 10 step 3): <ul style="list-style-type: none"> - Column 1 - the number of the <i>enquiry docket</i> or the case control register; and - Column 2 - the date endorsed on the <i>enquiry docket</i> on which the file must be submitted for further attention.
2	File the <i>enquiry docket</i> in the file of the month concerned
3	Draw the <i>enquiry dockets</i> each month according to the date on which they must be submitted for further attention.

Step	Action
4	Place a strip of paper in the file concerned in the place of the <i>enquiry docket</i> that was removed, indicating the following particulars: <ul style="list-style-type: none"> • the CAS number of the <i>enquiry docket</i>; • the signature of the member who removed the docket; and • the date of the removal.
5	Hand the <i>enquiry docket</i> over to the Commander of the Stock Theft and Endangered Species Unit concerned, who must acknowledge receipt of the docket by signing for it and writing the date in column 3 of the register in which the dockets are diarised.
6	Receive the <i>enquiry docket</i> for further filing and – <ul style="list-style-type: none"> • remove the strip of paper mentioned in step 4 above; and • write the date in column 4 against the entry concerned.
7	Repeat steps 1 to 6 if another date on which the file must be submitted for attention (“Bring forward date”) is endorsed on the <i>enquiry docket</i> .

(10) Disposal of an enquiry docket

An *enquiry docket* may only be disposed of three years after the month in which it was registered.

(11) Completion of the CAS and case docket

(a) In all cases of stock theft, the charge on the CAS and the case docket must be as follows:

“Stock Theft”

- (b) The administration, inspection, closing and filing of case dockets must be dealt with in accordance with National Instruction 13 of 2017 (Case Docket Management).

(12) Complaints in addition to stock theft and endangered species

- (a) In cases where cruelty towards animals occurs, a further complaint must be added to the docket in terms of the Animal Protection Act, 1962 (Act No. 71 of 1962). If the offenders cannot be found guilty on a charge of stock theft, they may be found guilty on a charge of cruelty against animals.
- (b) Additional charges in terms of the Fencing Act, 1963 (Act No. 31 of 1963) if applicable must also be added in addition to stock theft.

(13) Reporting of stray animals to the Service by the public

- (a) The following procedure must be followed when a member of the public reports the presence of unknown or stray animals to a member of the Service or at the Community Service Centre:
 - (i) The commander of the relevant Community Service Centre or the member to whom it was reported, must make an entry to this effect in the Occurrence Book and immediately request a police officer from the station to attend to the matter.
 - (ii) The details of the strange or stray animals and the Occurrence Book entry number must, as soon as possible, be reported by telephone to the office of the Stock Theft and Endangered Species Unit or the member of the Stock Theft and Endangered Species Unit on standby rendering a service in the area in which the relevant police station is situated.

- (iii) The member of the Stock Theft and Endangered Species Unit to whom the details were reported, must register an enquiry which has to be investigated if a docket has not yet been registered in respect of the strange or stray animals.
 - (iv) The rank and name of the member of the Stock Theft and Endangered Species Unit to whom the details have been reported, as well as the CAS number, must be obtained. A further Occurrence Book entry, with a cross reference to the first entry, must be made to the effect that the details have been reported. This entry must also confirm the feedback from the member attending to the matter to the relevant member of the Stock Theft and Endangered Species Unit.
- (b) The following procedure must be followed when the presence of strange or stray livestock is reported directly to a Stock Theft and Endangered Species Unit:
- (i) The member to whom it was reported must immediately contact the commander of the Community Service Centre or the member on duty at the relevant police station and requested him or her to immediately attend to the strange or stray animals.
 - (ii) The commander of the Community Service Centre or the member to whom it was reported must make an entry to this effect in the Occurrence Book. The member of the Community Service Centre dealing with the request must make a cross entry as soon as he or she receives feedback from the member who attended the matter and give feedback to the relevant member of the Stock Theft and Endangered Species Unit.

- (iii) The member of the Stock Theft and Endangered Species Unit to whom the details were reported must register an enquiry on the CAS which has to be investigated if there is no existing case docket registered in respect of the strange or stray animals.
 - (c) If stray animals are found they must be dealt with by the commander of the Community Service Centre with the provisions of the relevant Provincial legislation concerning the impounding of animals in that area (see National Instruction 8 of 2017: Property and Exhibit Management).

- (14) **Dealing with livestock, livestock produce and endangered species and derivatives as exhibits**
 - (a) The matter must be dealt with in accordance with National Instruction 13 of 2017 (Case Docket Management) and National Instruction 8 of 2017: Property and Exhibit Management).
 - (b) Animal diseases: Handling of exhibits
 - (i) The impact on the economy of the inappropriate handling of animals with diseases which are put in quarantine, is astronomical, in particular at international level.
 - (ii) In order to establish whether an area is affected by a notifiable animal disease, enquiries must be directed to the local state veterinarian.
 - (iii) Members must take great care when animals are transported, moved or impounded as exhibits. Enquiries about such cases, and all further enquiries regarding animal diseases must be directed to the local state veterinarian, who can, if necessary, assist where animals must be put in quarantine.

(15) External Stock Theft and Endangered Species Forums**(a) National Stock Theft and Endangered Species Forum**

- (i) On 1 December 1995 a National Stock Theft Forum was established in Pretoria to deal with all national issues regarding stock theft that cannot be resolved satisfactorily by the Provincial Stock Theft and Endangered Species Forum or to obtain information from the departments referred to in subparagraph (iii) below.
- (ii) A member who wishes to refer a matter to the National Stock Theft and Endangered Species Forum must submit a written request to a representative of the Service at the relevant Provincial Stock Theft and Endangered Species Forum, with the request that the matter be referred to the National Stock Theft and Endangered Species Forum.
- (iii) The following departments and institutions are represented on this Forum:
 - Department of Justice and Constitutional Development;
 - Department of Correctional Services;
 - Department of International Relations and Cooperation;
 - Department of Agriculture, Forestry and Fisheries;
 - South African National Defence Force;
 - South African Police Service;
 - Organized Agriculture;
 - National Prosecuting Authority or Directorate of Public Prosecutions;
 - various commodity organizations concerned;

- institutions that may be co-opted from time to time; and
- other persons in an advisory capacity that can advise the Forum on related matters.

(b) Provincial Stock Theft Forum

- (i) A Provincial Stock Theft and Endangered Species Forum has been established in every province to deal with all provincial issues regarding stock theft that cannot be resolved at local level. The Provincial Stock Theft and Endangered Species Forum can engage with the existing provincial agricultural structures (for example the Security Committee) as long as the organizations or parties concerned are represented and the difficulties experienced with stock theft are receiving attention.
- (ii) Senior officials at provincial level who have sufficient knowledge of stock theft, must represent the Service on the Provincial Stock Theft and Endangered Species Forum, and the most senior commander of the Stock Theft and Endangered Species Unit in the province must accompany this officer.

(c) Stock Theft Information Centres (STIC)

- (i) Purpose
 - A Stock Theft and Endangered Species Information Centre serves as a forum between the local livestock owners, the Stock Theft and Endangered Species Units and other interested organisations.
 - Stock Theft and Endangered Species Information Centres must, in conjunction with the relevant Stock

Theft and Endangered Species Units, be established at the request of livestock owners in order to give the community (livestock owners) the opportunity to make a positive contribution to effective policing of stock theft.

- The above centres must be established only with a view of addressing matters regarding stock theft, and may be managed in an informal manner.
- The Stock Theft and Endangered Species Information Centre may be part of the existing local agricultural structures (for example the Farmers Associations) as long as the relevant organizations and parties concerned are represented and the discussions must be treated as confidential.

(ii) Guidelines for establishing a Stock Theft and Endangered Species Information Centre (STIC)

- The frame of reference is the motivation of livestock owners so that they can become involved in the prevention of stock theft and tighten their own security by —
 - (aa) gathering information about stock theft, suspects and crime trends in their own environment, and the passing on of this information to identified members of the Service;
 - (bb) receiving information regarding stock theft and endangered species, suspects and crime trends in their own area from the identified members of the Service;

- (cc) assisting in the identification of livestock, which are difficult to identify;
- (dd) combatting stock theft by means of liaison between the livestock owner and the Service through crime prevention patrols and holding informative meetings;
- (ee) identifying serious crime trends in stock theft in the relevant community, identifying problem areas and areas where stock theft is suspected and initiating operational planning to combat these crimes; and
- (ff) liaise on a continuous basis with the prosecutors to identify any shortcomings in all aspects of the case to ensure a proper trial.

(iii) **Composition of role-players of a Stock Theft and Endangered Species Information Centre**

A Stock Theft and Endangered Species Information Centre comprises of the following role-players:

- (aa) Agricultural Unions or Farmers' associations;
- (bb) State Prosecutor;
- (cc) the Commander of the Stock Theft and Endangered Species Unit or the relevant investigating officer responsible for the area;
- (dd) the relevant Station Commander;
- (ee) any other person in an advisory capacity that can advise the Stock Theft and Endangered Species Information Centre on stock theft and endangered species related matters;
- (ff) any interested livestock or livestock trade institutions;

- (gg) any government department that might be co-opted from time to time; and
- (hh) any institution that might be co-opted from time to time.

(iv)

Administration

- (aa) All information received by the Stock Theft and Endangered Species Information Centre must be treated as confidential.
- (bb) Feedback must be given regularly by all the parties to the Stock Theft and Endangered Species Information Centre.
- (cc) Any problems, decisions etc, must be reported in writing to the Provincial Stock Theft and Endangered Species Unit Forum.
- (dd) Officials from an acknowledged organisation as appointed by the STIC, will be responsible to the STIC for secretarial and organisational services.
- (ee) Minutes must be kept of every meeting held by the STIC and kept safe by the committee. A copy thereof must be sent to the Provincial Stock Theft and Endangered Species Forum.
- (ff) No sensitive information regarding stock theft intelligence must be mentioned in the minutes.
- (gg) Complaints to the STIC must be handed in writing by the person making the complaint.
- (ii) Complaints dealt with during a meeting held by the STIC, must be kept on the minutes until they have been dealt with satisfactorily.

- (jj) The STIC must only deal with matters of livestock owners in the service area with regard to problems with livestock and livestock produce.

(16) Internal forums for stock theft and endangered species units

(a) Forums for Unit Commanders: Stock Theft and Endangered Species Units consist of the following:

- (i) All commanders of Stock Theft and Endangered Species Units in a province are members of the above forum.
- (ii) The objectives of this forums are to –
- discuss and exchange information on crime relating to livestock and endangered species;
 - identify problem areas;
 - plan organized operations to combat stock theft and endangered species related crime in problem areas;
 - plan organized livestock theft and endangered species crime operations within the provinces;
 - discuss relevant legislation and amendments to legislation;
 - discuss the activities of the Stock Theft and Endangered Species Units in the various areas and the province;
 - evaluate problems encountered during inspections;
 - discuss computer programmes, such as the Animal Identification System, the circulation System (livestock port) and the INKWAZI programme;
 - discuss the investigation of cases and the use of scientific aids; and

- discuss how exhibits must be dealt with.
- (iii) This discussion forum is held four times per year (once every quarter) at a central venue.
- (iv) The Section Head: Stock theft and endangered species at Head Office must attend at least two meetings per year per province (preferably one meeting every six months).
- (b) Forums consisting of Stock Theft and Endangered Species Units and neighbouring countries
- (i) The Unit Commander: Stock Theft and Endangered Species Units rendering a service in areas bordering on neighbouring countries and their counterparts in such neighbouring countries together form this forum, which must be held on a regular basis and be extended.
- (ii) At these forums, the following aspects of stock theft and endangered species matters must receive attention:
- discussing and exchanging information regarding cross-border stock theft and endangered species crimes;
 - identifying problem areas and the access routes used by stock thieves and poachers and smugglers;
 - joint planning on how to deal with problem areas;
 - launching joint stock theft and endangered species operations; and
 - discussing how exhibits should be dealt with.
- (iii) Officers and commanders must, in conjunction with the office of the Provincial Commissioner create sufficient opportunities for this forum to be held. Every possible effort must be made to assist neighbouring countries with the investigation of cases of cross-border stock theft and endangered species

- (iv) This forum must be held four times a year (once every quarter) at a central venue and be attended by members from the Stock Theft and Endangered Species Unit at Head Office on an ad hoc basis.
 - (v) The forum must be attended by a limited number of officers and members having a real interest in a forum of this kind.
 - (vi) In every instance where discussions regarding stock theft and endangered species are held with neighbouring countries, copies of all the correspondence, as well as the minutes, must be submitted to the Section Head: Stock Theft and Endangered Species at Head Office.
- (c) Forums to be held during or after provincial, national or international operations
- (i) During or after provincial, national or international operations, it is sometimes essential for the unit commanders of the various provinces, whose areas are adjacent to that of other unit commanders in which they render services, to meet in order to discuss certain aspects of crime concerning their Units.
 - (ii) If the Section Head: Stock Theft and Endangered Species at Head Office identifies a need for such a forum to be held, the matter must be discussed with the various Provincial Heads-Commanders: Specific Crime Investigation before a joint forum is arranged.
 - (iii) If a province identifies a need of this kind, it may use its discretion in organizing such a forum.
 - (iv) This forum must be held at a central venue and the forum must be attended on an *ad hoc* basis by a member of the Stock Theft and Endangered Species at Head Office.

(d) **General rules**

The following rules apply to the holding of all forums:

- (i) A senior officer at a Stock Theft and Endangered Species Unit, together with the Provincial Commander of Specific Crime investigations of each province, must arrange the above forums.
- (ii) Minutes must be kept of all meetings of the various forums. Agendas and minutes of forums must, without delay, be made available to the Section Head: Stock Theft and Endangered Species at Head Office. A permanent secretary (which may be a member or an employee who has been appointed in terms of the Public Service Act, 1994 (Proclamation No. 103 of 1994) and who is stationed at a Stock Theft and Endangered Species Unit) must preferably be designated to draw up agendas and to keep the minutes.
- (iii) The dates on which the forums will be held, must be submitted to the Section Head: Stock Theft and Endangered Species at Head Office as soon as they have been set (at least two weeks before the intended forum), to enable him or her to make the necessary arrangements to attend these forums.
- (iv) If the programme of the Provincial Commander of Specific Crime Investigations allows it, he or she will, after consultation with the Deputy Provincial Commissioner: Crime Detection, attend some of these forums.
- (v) The minutes of each forum must reach the Section Head: Stock Theft and Endangered Species at Head Office within 14 calendar days after the forum was held.

(17) Movement of recovered livestock to and from the country through designated or non-designated ports of exit and entry

- (a) The form SAPS 507(a) attached hereto must be used by members of the Stock Theft and Endangered Species Unit who police the border posts to control movement of recovered livestock to and from the country.
- (b) The various provincial commanders of the Stock Theft and Endangered Species Units must ensure that this form, which is not available as a standard item from Supply Chain Management is copied and distributed to all the Stock Theft and Endangered Species Units under their command.
- (c) The following must be done when a SAPS 507(a) is used:
 - (i) The investigating officer must complete the form in triplicate, sign it and stamp the original and copies of the form in the appropriate spaces; and
 - (ii) the member who receives the livestock in the neighbouring country must have the original and the two copies of the SAPS 507 (a).
- (d) Upon receipt of livestock at the pound, the member of the police of the neighbouring country who is present when livestock is received, must —
 - (i) fully complete the relevant section on the original and the two copies of SAPS 507 (a); and
 - (ii) stamp the documents with a date-stamp.
- (e) The police or custom official at the port of exit must —
 - (i) check and sign the original and both copies of the SAPS 507 (a);
 - (ii) print his or her initials and surname on the forms;
 - (iii) stamp the forms with the official date stamp;
 - (iv) file a copy of the SAPS 507(a); and

- (v) hand the original and the other copy of the SAPS 507(a) to the investigating officer.
 - (f) The police or custom official at the port of entry must —
 - (i) check and sign the original and the copy of the SAPS 507(a);
 - (ii) print his or her initials and surname on the forms;
 - (iii) stamp the forms with the official date stamp;
 - (iv) file the copy of the SAPS 507(a); and
 - (v) hand the original of the SAPS 507(a) back to the investigating officer.
 - (g) The investigating officer must file the original in the case docket or enquiry docket.
 - (h) The movement of Game and endangered species the necessary permits is to be issued by the Department of Environmental Affairs.
- (18) **International matters**
- (a) The Deputy Provincial Commissioner: Crime Detection must, prior to the execution of any operation, investigation or arrest in another country in writing inform the Divisional Commissioner: Detective Service of such operation, investigation or arrest. The outcome of the operation, investigation or arrest must also be reported to the Divisional Commissioner: Detective Service.
 - (b) The Divisional Commissioner: Detective Service must inform Interpol NCB, Pretoria of his or her intended official visits to any foreign country in respect of all investigations, attendance of any work session, meeting, conference or training session.

Chapter 3: Use of scientific aids in the investigation of stock theft and endangered species related offences

9. Introduction

- (1) The purpose of this Chapter is to regulate the use of scientific aids during the investigation of stock theft and endangered species cases.
- (2) Persons accused of stock theft and endangered species related offence are often acquitted in court because the investigating official did not utilize the available scientific aids during the investigation to prove the case.

10. Forensic Science Laboratory (FSL) of the Service

- (1) The Forensic Science Laboratory (FSL) of the Service is an internal institution which is able to render assistance in the following:
 - (a) **Ballistics**

Determining whether a bullet was fired by a certain firearm (e.g. during the theft of game).
 - (b) **Matching tool marks to tools**

Determining whether a tool mark was left by a certain tool, such as –

 - (i) a screw driver (eg. if a screwdriver was used to break open a kraal, store, or lock);
 - (ii) a saw (eg. if a saw was used to saw off a lock);
 - (iii) a pair of pliers (eg. if a soft wire fence was cut with a pair of pliers);
 - (iv) the loading bin of a truck (eg. if wood or pieces of wood were found at the scene of the crime containing marks possibly left by the loading bin of a certain truck).

(c) **Matching of brand marks**

Matching brand marks with branding irons to determine if the specific iron was used to brand an animal.

(c) **Disputed documents**

Determining whether a document was forged and whether certain handwriting is that of a certain person.

(d) **Matching pieces of cloth with other pieces of cloth**

Determining whether pieces of cloth left at the scene of the crime have been torn from the clothes of a suspect or other cloth in the possession of the suspect.

(e) **Paint**

Determining whether paint samples found at the scene of the crime in loading bins or on other objects originate from a certain object (eg. a vehicle).

(f) **Soil**

Determining whether soil samples found sticking to or falling from shoes or the tyres of vehicles (taking into account the colour, mineral content and particle size of the soil) originates from the scene of the crime.

(g) **Pieces of glass**

Determining whether fragments of glass found at the scene of the crime originates from a certain object (eg. a broken light of a vehicle).

(h) **Comparing biological material**

Determining whether biological material, such as bodily fluids, (blood, semen, sputum and urine) and hair originates from a certain person (individualizing). This, however, only applies to bodily fluids and hair of human beings.

(i) **Origin of blood**

Determining whether a blood sample originates from a human being or from another kind of animal.

(j) **Animal hair and feathers**

Analysing the hair and feathers of animals to determine the —

- (i) kind of animal (Boer goat, duiker, etc.) from which the hair originates. In cases of stock or game theft, hair is often found on meat, biltong, slaughtering equipment, or in or on the vehicles that were used to transport the animals; and
- (ii) type of bird (chicken, duck, goose, ostrich, wattle crane, etc.) from which the feathers originate. This is important in cases of theft of poultry and tar-and-feather incidents.

(k) **Matching animal material with other animal material**

Determining whether the following originates from a certain animal by matching it with material which also originates from that animal:

- (i) Rhino horns, ivory, pangolin scales, the horns of cattle or other animals and animal teeth;
- (ii) pieces of meat of animals which had already been slaughtered;
- (iii) the head and skin of a slaughtered animal which had already been separated from the body of the animal. The head of the animal that was cut off, is essential to complete the fitting. If the head cannot be frozen, it must be sent to the *FSL* as soon as possible before decay sets in; and
- (iv) a piece of ear of an animal which had apparently been cut off to prevent the animal from being identified by means of an ear mark.

- (2) Any biological material referred to in subparagraphs (h), (i), (j), and (k) must be frozen and be sent to the FSL on ice bricks or in small screw top containers filled with salt.

- (3) The Forensic Science Laboratory must be contacted at the contact details set out in Annexure A.

11. Facilities available

(1) Interlab Fodder Microscopic Laboratory, Stellenbosch (External)

- (a) The Interlab Fodder Microscopic Laboratory in Stellenbosch is able to assist with the microscopic investigation of the rumen content of stock and dung (paunch or stomach content), in order to determine –
 - (i) the physical composition of the rumen content (i.e. what is contained in it);
 - (ii) the composition of the fodder found in the area or on the farm where the stock had been stolen; and
 - (iii) whether the rumen content of the animal corresponds with the fodder or rumen content obtained elsewhere (eg. on the shoes of the suspect or accused).

- (b) If a rumen sample is obtained from the scene for analysis, the rumen content of the particular animal must first be well mixed. The representative samples must then be dried in the sun and be properly packed and sealed in a clean plastic container before being dispatched. Approximately 1 to 5R of rumen content is needed for analysis.

(2) The contracted laboratory (external)

- (a) The contracted laboratory is able to assist in comparing the DNA extracted from animal blood, hair or tissue samples with that of the DNA of one or more animals or samples of their blood, hair or tissue to determine —
- (i) whether a certain animal is the parent of a particular animal;
 - (ii) whether blood that was found at the scene of stock theft and meat or blood, found (for example, in the refrigerator of a suspect), originates from the same animal; and
 - (iii) the type and the sex of the animal it originated from in the case of game and poultry.
- (b) In order to complete these tests, a sample of blood, meat, hair with roots or any other tissue, however small, is needed. Although drops of dry blood are usually adequate, all meat samples must be raw. Decayed meat cannot be analysed.

(3) National Zoological Gardens of South Africa (External)

The National Zoological Gardens specialises in all other wildlife animal species.

(4) VGL Laboratory Onderstepoort (External)

The VGL Laboratory at Onderstepoort specializes in the analysis of samples relating to Rhinoceros crimes.

(5) Forensic Science Laboratory (Internal)

The Chemistry Division of the Forensic Science Laboratory in the Service is able to assist in the investigation of cases of suspected poisoning of plants and animals (including traces of poison in an aborted foetus,

whether the infertility of an animal was induced by poison), by *inter alia* performing —

- (i) post mortems on an animal;
- (ii) blood analysis;
- (iii) testing the stomach contents of an animal or the crop of a bird; and
- (iv) analysis of plant material.

(6) Contact details

Annexure A sets out the contact details of the facilities mentioned above.

12. Collecting samples for DNA analysis

- (1) The Animal DNA Collection Kit must be used to collect samples for DNA analysis at a crime scene.
- (2) The blood of a live animal must be collected in a Venoject tube with a purple top only by a registered veterinarian (contained in the DNA Crime Kit) and be kept on ice or ice bricks. The sample must as soon as possible be sent to the contracted laboratory (external).
- (3) The blood or pieces of meat (tissue) of a dead animal (the carcass of the animal) must be collected in a film container filled with salt (contained in the DNA Crime Kit) and be kept on ice or ice bricks. The sample can rapidly undergo degradation in less than one week and must therefore be removed as soon as possible to prevent any further contamination by microorganisms in the immediate vicinity and be kept on ice or ice bricks. Such samples must, if at all possible, be taken from tissue that has dried relatively swiftly, such as meat attached to the skin and which can be assumed to have dried rapidly after the animal had been slaughtered.

The blood or pieces of meat (tissue) must, as soon as possible, be sent to the contracted laboratory (external)

- (4) Fresh (unclotted) blood must be collected in a Venoject tube (in the DNA crime kit) and be kept on ice or ice bricks and be sent to the contracted laboratory (external) as soon as possible after collection.
- (5) Clotted blood must be collected in any clean container (eg, a pill bottle or plastic film container) or in a Venoject tube (in the DNA crime kit). The sample must as soon as possible be frozen and be transported in a frozen state to the contracted laboratory (external) as soon as possible after it has been frozen.
- (6) The blood of a live animal must be collected in a Venoject tube with a purple top (contained in the DNA Crime Kit) and be kept on ice or ice bricks. The sample must as soon as possible be sent to the Animal Improvement Institute: Irene on ice or ice bricks.
- (7) If blood stains are found on non-absorbent surfaces (eg plastic and metal) and absorbent material (eg clothing, shoes or cardboard), samples should be collected from both surfaces. The quantity and quality of the DNA in the different samples can only be assessed in a laboratory. As a general rule, it must be borne in mind that —
 - (a) blood stains found on non-absorbent surfaces are more likely to yield positive results; and
 - (b) blood stains found on absorbent surfaces can sometimes produce erroneous results during DNA analysis because of contamination by the likely presence of dyes and chemicals underneath the surface of the material on which they are found. Dyes and

chemicals could not only contaminate the sample, but also hamper the analysis of the sample.

- (8) If blood stains are found on an object and the object—
- (a) can be seized, the object must be seized as an exhibit. If the blood is dry, the object must be kept at room temperature and as soon as possible be sent to the Forensic Science Laboratory (FSL) If the blood is wet, the object must be frozen and transported in the frozen state to the Forensic Science Laboratory (FSL) as soon as possible after it has been frozen; or
 - (b) cannot be seized (eg where the stain is on soil, fencing material, gates or the hands of suspects), the dried blood must —
 - (i) be carefully scraped from the object into an envelope while avoiding the accidental inclusion of foreign material; or
 - (ii) the stain may be lifted by covering it with filter paper or cotton cloth and wetting it with a few drops of distilled water. The DNA is then absorbed into the paper or cotton, which must then be dried in the shade before being placed in an envelope.

In both cases the envelope must be sealed and as soon as possible be sent to the Forensic Science Laboratory (FSL).

- (9) Samples of fresh meat must consist of approximately 2 cm³ meat. The sample must be taken using a knife that was first washed in clean water before each sample is taken to prevent contamination. The meat must be placed in a screw top container filled with salt as soon as possible. The sample must as soon as possible be sent to the Forensic Science Laboratory (FSL).

- (10) Since it is not always possible to extract DNA from the skin of a slaughtered animal, all attempts must be made to obtain other samples (such as blood, pieces of meat, hair, etc.) from which DNA can more easily be extracted. If nothing but skin is available to extract DNA from, the skin sample must be taken from the skin attached to the head of the animal, since that skin is thin and close to the bone and dries out quickly. If skin and other samples can be collected but there is uncertainty as to whether it will be possible to extract DNA from the other samples (because of decay or contamination) samples of skin must also be collected. Skin samples must be placed in a plastic container filled with salt, be placed on ice bricks and as soon as possible be sent to the Forensic Science Laboratory (FSL).
- (11) If nothing but pieces of bone is available to extract DNA from, the bone sample must be placed in a plastic container, be placed on ice bricks and as soon as possible be sent to the Forensic Science Laboratory (FSL).

13. Packaging Procedures

The following procedure must be followed when exhibits are packed and sent to the relevant research institutions with a view to maintain the integrity of the exhibits:

- (a) All packages containing exhibits must be sealed. The seal must be intact and legible.
- (b) Tamper evident exhibit bags and rifle bags are contract items (Contract number 112/2004) and must be ordered from the relevant company.
- (c) Exhibits must always be packed in such a way that they cannot deteriorate or be damaged. If possible, evidence collection kits (crime

kits) must be used. The following evidence collection kits can be ordered from Supply Chain Management on the PAS:

KIT	PAS ORDER NO.
Animal DNA evidence collection kit (AEC)	
Body fluid evidence collection kit	6550T05004354
Clothing evidence collection kit	6550T05004358
DNA reference blood evidence collection kit	6550T05004355
DNA and hair reference blood evidence collection kit	6550T05004357
Human tissue evidence collection kit	6550T05004359
Post mortem evidence collection kit	6550T05006650
PR collection kit	IBM 6550 180209782
Sexual offence evidence collection kit	6550T05004353

- (d) Only exhibits forming part of a single case may be included in the same package. Individual exhibits in the same package must be sealed or be in separate containers packed in such a way that contamination between them is prevented. Exhibits that will be sent to different institutions must be packed separately - each with its own covering letter. Exhibits for different kinds of analyses must be packed separately.

- (e) Reference (control) blood samples and exhibits from suspects, must be individually packed before they are placed together in a larger container (marked and sealed) for dispatch to the relevant research institution for analysis.
- (f) Exhibits with sharp edges must be wrapped in tissue paper, toilet paper or brown paper to prevent them from damaging the packaging. Cotton wool may not be used to wrap exhibits.
- (g) Clothing samples must be packed separately in an envelope or in a clothing evidence collection kit or wrapped in brown paper before it is sealed in a tamper evident exhibit bag. All the items must be air-dried before they are packed.
- (h) All exhibits must be marked separately, for example:
Exhibit A: one pair of shoes, and
Exhibit B: one meat sample.
- (i) Investigating officers must fully complete all the documents included in the evidence collection kits.
- (j) Each package must contain a covering letter - one copy of which must be placed inside the package and another attached to the outside of the package. The covering letter on the outside of the package must be removable without causing damage to the seal, etiquettes or markings and without it being necessary to open the package.
- (k) The name of the station and the *CAS/ICDMS* number or other reference number (only if the *CAS/ICDMS* number is not available), must be clearly

legible on both the covering letter and the package containing the exhibits.

14. Minimum information to be included in the covering letter

The covering letter must be written in English and, as a minimum, must contain the following information:

- (a) The name of the station and CAS number or any other reference numbers relating to the case. Other reference numbers may only be used if a CAS number is not available;
- (b) the postal address of the station or component and the Component: Criminal Record Centre and Crime Scene Management (CRC & CSM) from which the exhibits originated;
- (c) the rank, initials, surname, contact details (telephone number (office), fax and cell phone numbers are required), postal address and e-mail address (if available) of the investigating officer in print;
- (d) the charge(s);
- (e) a brief description of the alleged offence and the date on which the incident had occurred;
- (f) a list of all the exhibits, where they were collected and how they were packed, marked and sealed;
- (g) the species of the animal involved (eg. sheep, cattle, kudu);
- (h) a clear explanation on each exhibit of the analysis that is required;

- (i) the court dates. If this information cannot be provided at the time when the samples are sent to the relevant research institution for testing, it must be provided as soon as it becomes available to the investigating officer; and
- (j) the list of samples that must be analysed, must be drawn up in English and be made available to the Forensic Science Laboratory (FSL) dealing with the various analyses.

15. Delivery of exhibits to research Forensic Science Laboratory

- (1) The exhibits must be packed in an envelope or other container and must be sealed in a tamper evident exhibit bag, which will provide conclusive evidence if the samples have been tampered with.
- (2) The package must be sealed with an official SAPS seal and must be marked according to the guidelines set out in this chapter, before it is packed in accordance with the requirements of the Post Office or courier company.
- (3) Precaution must be taken to prevent damage to the exhibits or the containers when samples are sent by mail.
- (5) Toxic substances (poison) and perishable items must not be mailed. These and other potentially dangerous exhibits must be delivered by hand to the Forensic Science Laboratory. The content and the hazard must be clearly indicated on the packaging in the covering letter. Exhibits containing perishable items must be packed in evidence collection kits, and must be refrigerated and be transported on ice bricks.

- (6) Samples must be correctly packed to ensure that they remain frozen or chilled while being transported and do not begin to thaw when it becomes hot in the vehicle. This is to prevent the DNA in the samples from degenerating to such an extent that they cannot produce the desired results or the desired markers cannot be identified. To prevent this from happening, the samples should be wrapped in a few newspaper pages with frozen ice blocks and then be placed in polystyrene containers.

16. Delivery of exhibits to the Forensic Science Laboratory by hand

The packaging, seals, label on the package and covering letter must be correct and legible before exhibits are handed in at the Forensic Science Laboratory. The Forensic Science Laboratory will not accept packages that have not been sealed and marked in the prescribed manner. If the above requirements are not met, the exhibits cannot receive the priority that was requested. This could result in the examination being delayed.

17. General instructions to investigating officers

- (1) Exhibits must be handled as little as possible and not be tampered with. It is important that the physical clues or proof must reach the expert in a condition as close as possible to that in which it was found.
- (2) Exhibits must be handled carefully and packed securely in order to prevent any contamination whatsoever.
- (3) Continuity of possession of exhibits and samples which must be compared and investigated, must be retained at all times.
- (4) A crime scene may not be disturbed before the relevant experts have arrived and completed the investigation on the scene.

18. Establishing Parenthood

- (1) A growing number of requests for authorization to conduct DNA profiles in order to establish parenthood are received. It is the responsibility of the complainant and not that of the Service, to prove ownership. Any costs or expenses incurred in this regard, must be borne by the complainant unless the Section Head: Stock Theft and Endangered Species Unit at Head Office (or an officer designate by him or her), has approved that the Service will bear the costs.
- (2) Stock Theft and Endangered Species Units, however, should draw the attention of complainants to the fact that scientific aids are available for this purpose.
- (3) If any difficulty is experienced in establishing parenthood during a trial, a request form (Annexure B), together with a full report, must be submitted to Section Head: Stock Theft and Endangered Species Unit at Head Office (or an officer designate by him or her) for approval. The request must be accompanied by a request in writing from the Public Prosecutor who is in control of the prosecution in the case.
- (4) DNA analysis can only be done from parents and not siblings of the animal in dispute.
- (5) The prescribed request form (Annexure B) must be completed in full to prevent unnecessary telephone calls and to ensure that the authorization is concluded expeditiously.

19. Animal diseases: Handling of samples

- (1) If a sample from an area affected by a notifiable animal disease needs to be sent to the Forensic Science Laboratory for analysis, the investigating official must –
 - (a) obtain written authorization from the local state veterinarian; and
 - (b) contact the Forensic Science Laboratory to establish whether the sample from that area will be accepted for analysis, before the sample is sent.

- (2) In order to establish whether an area is affected by a notifiable animal disease, enquiries must be directed to the local state veterinarian.

20. Review

This National Instruction must be reviewed at least every three years

Annexure A: Contact details of forensic facilities

(A) Ditsong National Museum

Address: Transvaal Museum
Paul Kruger Street
Irene
Transvaal Museum
PO Box 413
Pretoria, 0001

Telephone: (012) 672-9215
(012) 672-9111

Fax : (012) 672-9214

(B) National Zoological Gardens

Address: 232 Boom Street
Pretoria
0001
P O Box 744
Pretoria
0001

Telephone : (012) 339-2745

Fax : (012) 323-4540

(C) Interlab Fodder Microscopic Laboratory: Stellenbosch

Address: Interlab Fodder Microscopic Laboratory
Room 1072
Mike de Vries Building
c/o Merriman & Bosman Streets
University of Stellenbosch
PO Box 3548
Matieland, 7602

Telephone : (021) 808-4746

Fax : (021) 808-4750 Email: cwc@maties.sun.ac.za

(D) Forensic Science Laboratory (FSL)

Address: Forensic Science Laboratory Forensic Science
 Pretoria Road Laboratory
 Silverton Private Bag X620
 Pretoria Pretoria, 0001

Telephone: (012) 845-5600

Fax: (012) 845-5912

(E) Veterinary Institute: Onderstepoort

Address: Biology Division (Toxicology) Private Bag X05
 100 Soutpan Road Onderstepoort
 Onderstepoort Pretoria, 0110

Telephone: (012) 529-9272

Fax : (012) 529-9275

(F) Division: Detective Service: Stock Theft and Endangered Species: Head Office

Address : Private Bag X302 Pretoria,
 0001

Contact person : Brigadier O J Kgopodithata

Telephone : (012) 393 1196/9

Fax : (012) 393 1548

Email : kgopodithatao@saps.org.za

Annexure B: Logo

Authorization is hereby granted to the Stock Theft and Endangered Species Units to use the logo depicted below.

