



Victims

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



Department of Correctional Services
Department of Health
Department of Justice & Constitutional Development
Department of Social Development
National Prosecuting Authority
South African Police Services



Victims



the doj & cd

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List of Acronymns

CBOs	Community Based Organizations
CJS	Criminal Justice System
DevCom	Development Committee
IDMT	InterDepartmental Management Team for the Anti-Rape Strategy
JCPS	Justice, Crime Prevention and Security Cluster
NCPS	National Crime Prevention Strategy
MTEF	Medium Term Expenditure Framework
NGOs	Non Governmental Organizations
PFMA	Public Finance Management Act
VEP	Victim Empowerment Programme





Victims

Chapter 1

FOREWORD





Victims

FOREWORD



Mrs B S Mabandla
Minister for Justice and Constitutional Development

Symbolically, the National Implementation Plan for the Service Charter for Victims of Crime represents the flame that will light the beacon of hope for many victims of crime. The Victims Charter which was approved by Cabinet in 2004 is part of government's commitment to dealing with crime, by ensuring that victims are central to the criminal justice system. It is hoped that the notion that criminals are given more rights as opposed to victims is finally dispelled by the Victims Charter and the implementation plans.

The Department of Justice and Constitutional Development has been identified as the lead agency for the Victims Charter. Within one of the Department's goal of transforming justice, State and society, we have prioritized the implementation of the Victims Charter, as one of our core strategic objectives for the next five years. Since Cabinet's approval, the Justice Departments has been at the forefront of ensuring that we begin implementation. The current implementation plan is an attempt to get all governments to implement the Victims Charter.

Government has created an extensive policy and legislative framework that deals with crime. In particular, crimes against women and children continue to receive priority and the Domestic Violence Act 1998 and the Sexual Offences Act 2007, are two examples that reaffirm the rights of women and children to live in a violent free society. As victims of crime, women and children, are particularly vulnerable given their

position in society. The Victims Charter addresses needs of victims of crimes to be given the opportunity to reclaim their dignity when they engage in the criminal justice system.

The Victims Charter addresses the needs of all victims of crime. At a conceptual level, victims and crime are given broad legal interpretation. This clearly demonstrates government's commitment to deal with crime as comprehensively as possible, using a multi-disciplinary and integrated approach.

As we continue to strengthen efforts to address the needs of all victims of crime, either through the Victims Empowerment programme or the Victims Charter, a central theme is our continuous approach to reform the criminal justice system and to work together with civil society.

Government departments have adopted an integrated approach to service delivery. In addition, the Batho Pele principles guide how government should provide services to victims of crime. The Victims Charter also includes the Minimum Standards on Services for Victims of Crime. Service providers are compelled to use the Minimum Standards and various other supporting policy guidelines to ensure that victims are not subjected to further victimization. This is the commitment that government makes, as a service provider, to victims of crime.

The National Implementation Plan is a significant achievement for all government departments who deal with victims of crime. As we celebrate thirteen years into our democracy, government has moved away from a focus on policy and legislative enactment to implementation. As we continue to build on the success of our democracy, we are mindful of the need to fast track implementation. It is in this regard that the implementation plan is significant because it sets a clear framework for engagement with victims of crime, civil society organizations and other stakeholders.

We salute the work of the Inter-Departmental Committee that have ensured the implementation plans are finally presented in this publication. We further give respect to the many victims who are often left without any recourse from negligent service providers. We believe that the Victims Charter and implementation plans are the beginning of a process to finally turn the tide against crime in our country. Let us continue to sustain the flame of hope for all victims of crime.





Victims

Chapter 2

MESSAGE OF SUPPORT





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MESSAGE OF SUPPORT FROM THE DG



Advocate Menzi Simelane
Director-General: of the DoJ & CD

The Department of Justice and Constitutional Development (hereafter referred to as the Justice Department), as lead agency for the Victims Charter, would like to congratulate all government departments and civil society organizations, who have worked assiduously to complete implementations plans for the Victims Charter. Among all government departments, the role of the Department of Social Development should be singled out, as they are the lead agency for Victim Empowerment. Working together, both lead agencies, can finally claim to have put victims issues firmly on the country's agenda. The complimentary role of both departments should be clear; Victim empowerment aims to provide services to victims so as deal with trauma of crime. The Victims Charter, as part of Victim Empowerment, articulates the legal framework for victims to assert their rights within the criminal justice system.

The mandate of the Justice Department, in respect of the Victims Charter is clearly defined by the Justice, Crime and Prevention Strategy. Our responsibilities are:

- Chair of the Inter-Departmental Committee on the Victims Charter
- Development of consolidated National Implementation Plan for the Victims Charter, and
- Monitoring and Implementation of the Victims Charter

The Justice department is in an inimitable position; as lead agency, it has overall responsibility for the Victims Charter among five government departments (South African Police Services, National Prosecuting Authority, Health, Correctional Service and Social Development). However, it is also a key department for implementing the Victims Charter, through the courts. Within the Justice department, this dual role has been allocated to two different directorates. We have therefore created an internal institutional arrangement to fulfil both roles.

In fulfilment of our mandate, we rely on co-operative partnerships with government departments and civil society organizations. Clearly, the Justice department cannot, on its own turn the tide against victimization in our society. By creating an enabling legal framework with the Victims Charter, we need to ensure that rights are not abstract to victims. Drawing from the Constitutional mandate (section 234) which gives Parliament authority to enact Charters, the Victims Charter is also in fulfilment of our international obligations. South Africa has ratified the UN Declaration of the Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985, and has developed its own Victims Charter. Our Victims Charter is specific to the South African context – from apartheid legacy to new-born democracy. It challenges the historic perception that criminals have more legal rights than victims and it demands of victims





to assert their rights, whilst fulfilling their responsibilities. Given this context, the Victims Charter and its implementation, is a mammoth task for government and civil society.

Partnerships with civil society organizations are a conduit for understanding what challenges impede access to victims' rights. The inclusion of submissions from non-governmental and community based organizations in the implementation plan, is an important part of our responsibility of responding to challenges of implementation. Our success can only be determined by all sectors of society working together – from business to community organizations. We need to understand our individual and collective responsibility as citizens, communities and a nation.

Importantly, we need to act responsibly when we engage with the Implementation of the Victims Charter. As government departments, service providers responsible for implementation, already operate under Batho Pele principles, but they also require additional training and support. Service points such as police stations, courts, hospitals and correctional facilities should be

equipped to provide private and safe environment for victims. Overall, our responsibility should be to enforce constitutional and legal rights of victims (i.e. the Victims Charter) and eliminate secondary victimization within the criminal justice system. Our approach should be working together as all stakeholders and not as adversaries. We must hold each other accountable, but do so responsibly.

The Justice department's goal is provide accessible, fair, speedy, cost-effective and quality justice for all. We are committed to attaining this goal and we call on all stakeholders to take up the baton with us in the war against crime.

ADVOCATE MENZI SIMELANE
DIRECTOR GENERAL





Victims

Chapter 3

EXECUTIVE SUMMARY





EXECUTIVE SUMMARY

The National Implementation Plan for the Service Charter for Victims of Crime represents government's commitment to the realization of the rights for victims. Drafted by a committed team of Inter-Departmental Committee members representing the departments of Justice and Constitutional Development, the National Prosecuting Authority, the South African Police Services, Social Development, Health and Correctional Services, the National Implementation plan (NIP) is a blueprint upon which government departments will provide services and interventions in an attempt to make abstract rights a living testament to our Constitution. (The Department of Education has not submitted any plans, despite numerous attempts to meet with them and receive their inputs.)

The Service Charter for Victims of Crime (hereafter referred to as the Victims Charter) is part of government's Integrated Victim Empowerment Policy, 2005, which seeks to provide a comprehensive and integrated response to victims of crime. The Integrated Victim Empowerment Programme originates from the National Crime Prevention Strategy, and it is currently being finalized by the Department of Social Development.

The Victims Charter affirms existing rights afforded to victims of crime contained in the Constitution 1996, and other legislation such as the Criminal Procedure 51 of 1977 and the Witness Protection Act 112 of 1998. Essentially, the Victim Charter affirms the rights of all victims of crime to ensure that they are central and not subsidiary to the criminal justice system. The seven rights contained in the Victims Charter include:

- Right to be treated with fairness and with respect for dignity and privacy
- Right to offer information
- Right to receive information
- Right to protection
- Right to assistance
- Right to compensation
- Right to restitution

In order to implement the Victims Charter, two processes have been undertaken by the Department of Justice and Constitutional Development (hereafter referred to as the Justice Department)

- Development of Minimum Standards on Services for Victims of Crime (hereafter referred to as Minimum Standards)
- Consolidation of Departmental Implementation plans

The Minimum Standards, which were approved by Cabinet in 2004, serves as a guideline for service providers (police, prosecutors, social workers, magistrates, health, correctional service and education personnel) who interact with victims of crime. It sets out different processes and responsibilities that a victim can expect from the criminal justice system. It also determines the minimum standards that victims can expect from government departments.

Drafting the NIP has been an arduous and yet fulfilling task for government departments. The Justice is responsible for managing the project of consolidating implementation plans. In order to ensure that the plans were representative of provincial departments and civil society, the Justice Department embarked on an extensive consultation process. Provincial departments were consulted through the Provincial Development Committees, which is the working structure of the Justice, Crime and Prevention Strategy. Consultations took place between February – June 2007.

Consultation with civil society organizations took the form of a call for submissions which was placed in national newspapers. We received {insert number.....} submissions from {insert type of submissions....}. Overall, the submissions reflect civil society's commitment to working in partnership with government to improve services for victims of crime.

Structure of the NIP

Using the Medium Term Expenditure Framework (MTEF), each department has committed to ensuring that commitments made in the preamble and the individual rights are realized.

The plan covers the MTEF period from 2006 – 2011. Departments have identified Projects (Actions), Deliverables, Milestones, Budgets and Additional Resources that are required for realization of the Preamble and victims rights.

Summary of NIP – Activities to enforce victims rights

The following are activities planned by departments:





1. Training of service providers

- Magistrates, prosecutors, court officials, police, health officials, correctional service officials, social workers and non –governmental organizations (NGOs) working in the courts are target group for training
- All departments have identified training as key to ensure that service providers know and understand the Victims Charter.
- The implementation plans of all departments acknowledge that training is an ongoing activity as new staff maybe employed.
- The content of the training includes: understanding the Victims Charter and Minimum Standards, training on compensation in terms of the Criminal Procedure Act, and training on victim empowerment
- The training is planned from 2007 until 2011.
- Estimated costs range from R150 000 – R2 000 000
- Milestones range from 400 magistrates and prosecutors trained in one year to 1000 court officials trained in one year

2. Development of Victim Charter Policy

- Two departments have identified the need to develop policy
- The Department of Social Development have identified the need to include Victims Charter in the Victim Empowerment Programme
- The Department of Health will develop a policy on clinical forensic medicine in an attempt to provide better service to victims
- It is anticipated that all Policies will guide how the Charter is implemented

3. National and Provincial Directories

- Three departments have identified the need for developing directories: SAPS, Justice and Social Development
- Directories will be developed for service providers in rendering assistance to victims
- Estimated cost of directories range from R150 000 to R250 000

4. Provision of Victim friendly services

- This entails the following:
 - Hospitals – rape kits, cameras, and colposcopes
 - Police stations – separate waiting rooms and interview rooms
 - Courts – one way mirrors, separate waiting rooms, information desks, electronic equipment – CCTV
 - Specialized courts – sexual and domestic violence
 - Prisons – separate waiting rooms
 - Transport for victims
 - Social Development – setting up shelters
- Provision of victim friendly service is linked to recruitment and training of new staff.
- Identified milestones include: establishment of two shelters in 2007
- Estimated cost for services ranges from R250 000 to R1 000 000
- Facilities also take into account special needs of the elderly, mothers with children, and people with disabilities.

5. Work flows and Case management

- The Department of Justice, NPA and SAPS have included initiatives to deal with improving case management and work flows.
- Some activities include:
 - Enhance case flow management
 - Reduce case backlogs
 - Map priority processes
 - Business process re-engineering through Ra Aga Boswa
 - Reengineering of work flows – reduction in time-to-trial, reduction in postponements, missing dockets, efficient scheduling, on time notification and data integrity
 - Facilitate change management within the department
 - Improve customer management
- No estimated costs are currently available





EXECUTIVE SUMMARY

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6. Toll free line and web site

- A national toll free line is to be established where victims can get information
- A web site is to be set up that links with the toll free line
- The web site will also be used as a monitoring tool
- Toll free line staff are to be provided with training and emotional support
- Estimated costs for toll free line is R2 000 000 and R100 000 for the website
- Estimated costs for toll free line staff is R3 381 696 in 2007/8

7. Public education

- All departments have planned for public education on the Victims Charter.
- The activities include communicating information about the Victims, Charter, court and police processes (criminal justice system), holding imbizos and radio talk shows.
- Provision is also made for educating department staff about the Victims Charter
- Public education takes into account special needs of different groups
- However, currently no estimates are given for public education

8. Research on secondary victimization

- Two departments have identified research as part of implementation plan
- Department of Justice will conduct research on impact of training and research on sustaining the implementation of the Victims Charter
- The South African Police will undertake research on victimization and impact of secondary victimization
- No estimates are allocated.

9. Monitoring and Evaluation

- Although departments have not identified different ways in which the Victims Charter will be implemented, the research projects (for example monitoring impact of training) are one way in which monitoring can be done.

Distinguishing between victim empowerment and victims charter – role of the Department of Social Development and the Justice Department

It is important to note that government, since the NCPS, has provided services to victims of crime. Often services for priority areas such as violence against women and children have received extensive media coverage. (This created a skewed perception that only certain victims received services.) The Department of Social Development has been at the forefront of ensuring that all departments respond to the needs of abused women and children. Through the Integrated Victim Empowerment Policy, 2005 and the Victim Empowerment Programme and Strategic Plan 2007 – 2010, the Department of Social Development and National Prosecuting Authority has ensured that one-stop centres and shelters have been established as a service for victims of crimes against women and children.

Since Cabinet's approval of the Victims Charter and Minimum Standards in December 2004, government departments have implemented the Victims Charter. The Justice Department conducted training with government departments in 2005 and continues to hold briefing sessions for new staff. In addition, the Victims Charter and Minimum Standards has been translated in all official languages including Braille. The major challenge with implementation is lack of coordination. The NIP attempts to address this challenge, by clearly articulating what services will be provided and what resources government will allocate over a five year period for implementation.

Diversity of victims – Diversity of needs

The NIP acknowledges the diversity of needs among victims of crime. The current plan takes a generic approach to providing services to affirm legal rights. Access to rights is impeded by factors such as location (rural/ urban), status (economic/ political – citizens or refugees) and education (formal / informal – knowledge). Some departments have identified special needs that some communities have such as people with disabilities. It is hoped that the current plan is the start for departments to be responsive to the diverse needs of all victims of crime.

Monitoring the Implementation of the Victims Charter

The NIP will only be as effective if it is monitored on a regular basis by stakeholders. The Commissions on Gender

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Equality and Human Rights have played a pivotal role in ensuring that government departments are held accountable. Both Commissions have committed to ensuring that the implementation of the Victims Charter is monitored. Monitoring will be done on a {.....insert brief sentence on how this will be done.....} In addition, the role of civil society and victims, in reporting on positive and negative services cannot be overemphasized. All departments have set up monitoring

system and public awareness campaigns also include a focus on informing victims about complaints mechanisms.

In an attempt to respond to the needs of victims of crime, government hopes that the NIP will be viewed as a first step to affirming constitutional rights for all. We believe that the NIP is in line with government's commitment to building a better life for all.





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Chapter 4

CONCEPTUAL AND CONTEXTUAL FRAMEWORK



“As government departments, we often work in silos, but the Victims Charter makes us speak with one voice, because we are all affected by crime, on a personal level, and as service providers – we carry the face and voice of all victims of crime”

Government employee during a Workshop on the Victim Empowerment, June 2007



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CONCEPTUAL AND CONTEXTUAL FRAMEWORK

Conceptual and Contextual framework to the National Five Year Implementation plan for the Victims Charter

Coordination of the National Five Year Implementation plan (NIP), has been a challenging endeavour, the result of which is the culmination of a book that all stakeholders (government departments and civil society) can acknowledge as a significant achievement. The main feature of the NIP is individual department's five year plans. In order to fully understand the NIP, we need to be informed by conceptual and contextual framework – we need to understand the concept of 'victim' and the context within the NIP is presented. In addition, and most importantly, we need to understand the NIP is a first attempt by government to present department commitment to implementation. Any first attempt is not without challenges and the NIP is presented with several limitations. We believe that the presentation in this book will be the beginning of important lessons that we can learn from, as a collective, and continue to improve (the NIP) so as to address challenges faced by victims.

As a premise, we have identified several limitations with the NIP;

- The absence of departments such as Education, Provincial and Local Government and Home Affairs, does not address victims of school violence and identify theft. It also excludes the role of local government service providers such as metro police, in implementing victims rights. Ongoing coordination work of the Department of Justice and Constitutional Development, as lead agency, should address this limitation.
- The operational nature of the plan. Government's planning, budgeting and reporting cycle defines three requirements before implementation; policy development, strategic planning, operational planning and budgeting. In the absence of the finalized Integrated Victim Empowerment Policy (VEP), which is the responsibility of the Department of Social Development, the plans may seem disjointed in terms of government planning cycle. However, the Victims Charter is a consolidation of existing legal framework (The Constitution of the Republic of South Africa, Act 108 of 1996, Criminal Law Amendment Act, Act 105 of 1997, The Domestic Violence Act, Act 116 of 1998, Witness Protection and Services Act, Act 112 of 1998 etc)

- In addition, government departments and civil society have (and continue) to provide services to victims of crime, which are informed by the VEP strategic intent and objectives:
 - To give strategic direction to the provisioning of services to victims of crime and violence.
 - To identify the roles and responsibilities of various role players.
 - To create a common understanding of victim empowerment amongst various State Departments, victims, perpetrators, NGOs and CBOs and individual members of the community.
- Clear alignment of VEP and Victims Charter needs to be addressed so as ensure that all departments have an understanding of what this means in relation to services identified in the NIP and those in the VEP Strategic Plan.
- The lack of integrated plans. It is hoped that the ongoing coordination by the Department of Justice and Constitutional Development work will address this.

Conceptual Framework

The NIP is intended to benefit all victims of crime. The Minimum Standards on Services for Victims of Crime defines a victim as

A victim of crime is defined as a person who has suffered harm, including physical or mental injury, emotional suffering; economic loss; or substantial impairment of his or her fundamental rights, through acts or omissions that are in violation of our criminal law.

Victim also includes, where appropriate, the immediate family or dependent of the direct victim.

A person may be considered a victim regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between perpetrator and the victim.

Victims are inclusive of all without prejudice of any kind on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.



Department's have developed different understandings of 'victim'. For example, the Department of Correctional Services has expanded the definition to include 'a relative of the deceased'. The Department of Health defines victim as 'a victim or survivor of rape or sexual assault'. However despite differences, in the context of the NIP, all departments use the definition as contained in the Minimum Standards.

Contextual Framework

The NIP is informed by VEP and the respective department's mandate. Activities listed for most departments are not 'new' hence the receptiveness for each MTEF cycle. For example, the VEP is based on the principle of 'restorative justice'. The mandate of Correctional Services is to rehabilitation and reintegration of offenders. One of the activities identified by Correctional Services, to give meaning to the preamble of the Victims Charter is to 'develop a restorative justice policy'. An activity to give meaning to the right to give information is 'interpreters during victim offender mediation'.

The NIP presents existing plans, but with a focus on direct benefits for victims of crime; for example the establishment of Thuthuzela one-stop centres gives meaning to victims right to protection.

Services provided to victims of crime

The NIP should be contextualized within current interventions provided by government and civil society. Often working in partnership, government and civil society have created a conducive environment for upholding victims rights. The challenge has always been in implementation, monitoring and sustainability Some of the inventions can be categorized as:

- Policy and legislative framework
- Resourcing – financial and human
- Direct services

1. Policy and legislative framework

Since 1996, the National Crime Prevention Strategy (NCPS) has inculcated a victim centre-approach in the criminal justice system. The spin-off has been a plethora of legislation; either new or amended, that affirm victims rights; from firearm control to domestic legislation. Protocols, norms and standards have been developed – the Uniform Protocol for Services for Victims of Crime, 2005, the Health Charter, the NPA Customer Services Charter etc.

2. Resourcing – financial and human

Government budget allocation has increased for victim support programmes. For Was allocated in 2006 to the NPA for witness protection and this does not include budget allocation given to SAPS for witness protection.

The Department of Justice established a new directorate in 2005 for Victim support services within courts. The Directorate's operating budget for 20005 was

Add other from Fact Sheet

3. Direct service - Services offered by NGOS and CBOs to victims of crime – implementation of Victims Rights

Drawing from an analysis of submissions received from NGOs and CBOs, table 1 reflects current services provided for victims of crime.

Victims Rights	Services provided
Right to be treated with fairness and dignity	Training of front-line staff Lobbying and advocacy on sexual violence laws and policies Victim support centres in police stations Education awareness in schools Public awareness programme
Right to protection	Programmes for perpetrators of domestic violence, rehabilitating perpetrators. Shelter for victims of crime





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CONCEPTUAL AND CONTEXTUAL FRAMEWORK

Victims Rights	Services provided
Right to assistance	<p>Child witness support in sexual offences proceedings offered at three levels; direct services, management and oversight, and quality assurance. Direct services include; among others child-care facilities, court preparation, support for care-givers, referrals, debriefings for child victims. Quality assurance includes in-service training for staff.</p> <p>Counseling and therapy for victims</p> <p>Trauma relief to victims</p> <p>Court support programme – assistance with completing forms</p> <p>Medical support – home visits for PEP monitoring, assistance during medical examinations</p> <p>Assistance during SAPS statement taking</p>
	Other Services provided
	<p>Working with prisoners</p> <p>Sex offender rehabilitation programme</p> <p>Skills training – job and life skills to victims</p> <p>Rehabilitating perpetrators</p> <p>Restorative group conferencing initiatives</p>





Victims

Chapter 5

BACKGROUND





BACKGROUND

The Service Charter for Victims of Crime (Victims Charter) was approved by Cabinet on 1 December 2004. The Charter aims to reduce secondary victimisation of victims in the Criminal Justice System and to ensure that victims are central to the criminal justice process.

The Charter contains seven rights:

- The right to be treated with fairness and with respect for your dignity and privacy
- The right to offer information
- The right to receive information
- The right to protection
- The right to assistance
- The right to compensation
- The right to restitution

In order to ensure that rights become meaningful to victims; two processes have been embarked on:

- Drafting of Minimum Standards – that provide further explanation of what victims can expect from service providers
- Draft implementation plans – that provide operational plans for each department in implementing the victims charter
- Each Department responsible for implementing the Victims Charter commits to implement measures that will ensure that the rights are realised and do not remain rights on paper

The Draft Implementation plan represents the following departments:

- Justice and Constitutional Development
- National Prosecuting Authority
- South African Police Services
- Correctional Services
- Health
- Social Development

The **Department of Education** has not submitted any plans, despite numerous attempts to meet with them and receive their inputs. Given the recent incidents of violence in schools, it seems inexcusable as to why they would not participate in developing implementation plans.

Using the Medium Term Expenditure Framework (MTEF), each department has committed to ensuring that commitments made in the preamble as well as individual rights are realised.

The preamble identifies specific objectives and activities listed below:

Strategic Objectives:

- To implement measures aimed at continuous reform of the criminal justice system
- To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution
- To ensure an equitable criminal justice through recognising, protecting and balancing the rights of victims and accused persons
- To set service standards for victims of crime and ensure that victims remain central to the Criminal Justice System, as to ensure that secondary victimisation is eliminated
- To provide for the consolidation of the present legal framework in South Africa, relating to the rights of and services provided to victims of crime

a) *The right to be treated with fairness and with respect for dignity and privacy:*

In order for the Criminal Justice System to provide prompt and courteous service to victims of crime, the following administrative measures need to be implemented: Improvement and reengineering of case flow and case management; Redesigning of workflows and process designs to improve service delivery.

In order to protect the Victims right to privacy and to ensure that the victim understands the processes and to be able to participate, the following will be effected: Language services available; Equipment to communicate with child victims; Other equipment; for people with disabilities; CCTVs, One-way mirrors etc, Victim friendly facilities and accommodation; Transportation and clothes for victims of sexual offences.

Strategic objectives identified under the right to be treated with fairness and with respect for dignity and privacy include:

- To implement administrative measures, improve work flows and process designs to improve service delivery



- To train the criminal justice system staff to ensure that victims are treated with fairness and with respect for dignity and privacy

b) The right to offer and the right to receive information

In order to ensure that Victims rights to receive and to offer information are realised, all Government Departments responsible for the implementation of the Victims Charter will implement administrative measures to facilitate easy communication with the victim or witness. Government Departments will develop Communication policies; Outline process and procedure of communicating with victims and for additional statements by victims who need to offer information; Engage in public education on process and procedures on communication and set up compliance measures to ensure that service providers communicate with victims.

The Strategic objective is to develop communication policies and implement administrative measures to ensure that victims can offer and receive information and be informed about the status of their case.

c) The right to protection

Administrative measures will be implemented in order to ensure that Victims person and dignity are protected throughout the trial. Policies and standards will be developed in order to protect victims against intimidation, harassment, fear, tampering, bribery, corruption and abuse by service providers or any other person; Witness protection services and public education on procedures to access the witness protection services will be provided; Policies and measures to protect the identity of victims whose life may be in danger will be developed and implemented; Public education on In camera proceedings will be conducted and service providers will be trained on camera proceedings.

The Strategic objective is to instil a sense of trust, confidence, safety and satisfaction by victims and witnesses in the criminal justice system.

d) The right to assistance

Government Departments responsible for the implementation of the Victims Charter will ensure that the following services are available in order to assist victims in need: Victim friendly

facilities and victim empowerment services (accommodation, waiting rooms and other services); Specialised courts, FCS, shelters, health services and others. Improve referral channels through the development of /National and Provincial Resource Directory. Provision of counselling services and health services (including Psychological and Psychiatric), Legal Aid Services, interpretation and translation services, improved and automated administration of deceased estates, improved and automated Guardian Fund services; Training of service providers on service excellence and sensitivity to victims and provision of resources to service points in order to ensure services to victims (i.e. faxes, photocopiers, chairs, telephones etc).

Strategic objectives are:

- To provide access to victim friendly facilities
- To implement administrative measures to empower victims and make their contact with the criminal justice system more accessible

e) The right to compensation

The Criminal Procedure Act, Act 51 of 1977 provides for Compensation for loss of or damage to property or injury suffered as a result of a crime, in order to ensure that victims benefit from this section the following programmes will be implemented: Public education on claiming compensation for loss of or damage to property in terms of section 297 and 300 of the Criminal Procedure Act, Act 51 of 1977; Public education on claiming compensation for injury suffered as a result of a crime in terms of the Civil Procedure Act at the civil courts; Information on how to enforce the compensation order granted by the court; Training of service providers in this regard.

The Strategic objective is

- To implement administrative measures to facilitate victims access to compensation as provided in section 297 and 300 of the Criminal procedure Act 51 of 1997
- To educate the public about this provision and how and when to use it

f) The right to restitution

The Criminal Procedure Act, Act 51 of 1977 provides for Restitution of goods taken from a victim unlawfully or those





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BACKGROUND

that were kept as exhibits: In order to ensure that victims benefit from this provision, public education on requesting the court to grant an order of restitution will be conducted and the criminal justice officials will be trained on this right to ensure that they advise victims appropriately and storage facilities for exhibits will be improved to ensure that confiscated goods are kept in good order.

The Strategic Objective is to facilitate victims right to restitution of goods and property that have been unlawfully disposed or damaged.

g) Complaints mechanisms

In order to ensure that Victims enjoy the rights guaranteed in the Victims Charter, the following administrative measures will be implemented: Automated Complaint Management system; Audits of complaints will be conducted; Roles and responsibilities of Court and other Managers in addressing complaints from victims will be clarified.

The Strategic objective is:

- To improve effective complaint management mechanisms
- To develop an information management system that will facilitate an integrated complaints management approach to ensure that victims whose rights have been violated by the criminal justice system get the recourse for the abuse or secondary victimisation.





Victims **Chapter 6**

DEPARTMENT: JUSTICE & CONSTITUTIONAL DEVELOPMENT

THE CO-ORDINATING DIRECTORATE:
GENDER DIRECTORATE

Telephone: (012) 312 1670

Fax: (012) 312 1960

Email: victimcharter@justice.gov.za

(RESPONSIBLE DIRECTORATES)
GROUPS COURT SERVICES: VULNERABLE

Telephone: (012) 315 1378/ 1830

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Victims

COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

Contextual framework to the National Implementation plan

The coordination of the National Implementation plan (NIP), a challenging endeavour, has finally culminated in a book that all stakeholders (government departments and civil society) can acknowledge as a significant achievement. The NIP, however, is not without limitations;

- The absence of departments such as Education, Provincial and Local Government and Home Affairs, does not address victims of school violence and identify theft. It also excludes the role of local government service providers such as metro police, in implementing victims rights. Ongoing coordination work of the Department of Justice and Constitutional Development, should address this limitation.
- The operational nature of the plan. Government's planning, budgeting and reporting cycle defines three requirements before implementation; policy development, strategic planning, operational planning and budgeting. In the absence of the finalized Integrated Victim Empowerment Policy (VEP), which is the responsibility of the Department of Social Development, the plans may seem disjointed in terms of government planning cycle. However, the Victims Charter is a consolidation of existing legal framework (The Constitution of the Republic of South Africa, Act 108 of 1996, Criminal Law Amendment Act, Act 105 of 1997, The Domestic Violence Act, Act 116 of 1998, Witness Protection and Services Act, Act 112 of 1998 etc)
 - In addition, government departments and civil society have (and continue) to provide services to victims of crime, which are informed by the VEP strategic intent and objectives:
 - To give strategic direction to the provisioning of services to victims of crime and violence.
 - To identify the roles and responsibilities of various role players.

- To create a common understanding of victim empowerment amongst various State Departments, victims, perpetrators, NGOs and CBOs and individual members of the community.

- Clear alignment of VEP and Victims Charter needs to be addressed so as ensure that all departments have an understanding of what this means in relation to services identified in the NIP and those in the VEP Strategic Plan.
- The lack of integrated plans. It is hoped that the ongoing coordination work will address this.

The NIP is informed by VEP and the respective department's mandate. Activities listed for most departments are not 'new' hence the receptiveness for each MTEF cycle. For example, the VEP is based on the principle of 'restorative justice'. The mandate of Correctional Services is to rehabilitation and reintegration of offenders. One of the activities identified by Correctional Services, to give meaning to the preamble of the Victims Charter is to 'develop a restorative justice policy'. An activity to give meaning to the right to give information is 'interpreters during victim offender mediation'.

The NIP presents existing plans, but with a focus on direct benefits for victims of crime; for example the establishment of Thuthuzela one-stop centres gives meaning to victims right to protection.

Services provided to victims of crime

The NIP should be contextualized within current interventions provided by government and civil society. Often working in partnership, government and civil society have created a conducive environment for upholding victims rights. The challenge has always been in implementation, monitoring and sustainability Some of the inventions include:

- Policy and legislative framework
- Resourcing – financial and human
- Direct services





1. Policy and legislative framework

Since 1996, the National Crime Prevention Strategy (NCPS) has inculcated a victim centre-approach in the criminal justice system. The spin-off has been a plethora of legislation; either new or amended, that affirm victims rights; from firearm control to domestic legislation. Protocols, norms and standards have been developed {list a few...}



2. Resourcing – financial and human

government budget allocation has increased for victim support programmes {get budget from social development and do a comparison, include new directorate in justice – victim support in court services, npa and thuthuzela, saps and domestic violence training, correctional services – do a table/graph to illustrate}

government introduce funding for ngos and cbos through social development, national lottery fund

Human – government is to pay volunteers

more government staffing for victim support – social development's new directorate on vep and families whereas it did not exist}

3. Direct service

{see list from NGO submission}





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

COMMITMENTS MADE IN PREAMBLE OF THE VICTIMS CHARTER

MTEF CYCLE: 2006/2007				
Strategic Objective: <ul style="list-style-type: none"> To implement measures aimed at continuous reform of the Criminal Justice System To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution; and To ensure an equitable criminal justice system through recognising, protecting and balancing the rights of victims and accused persons To set service standards for victims of crime, and ensure that victims remain central to the Criminal Justice System to ensure that secondary victimisation is eliminated To provide for the consolidation of the present legal framework in South Africa relating to the rights of and services provided to victims of crime 				
Action	Deliverables	Milestones	Budget	Other Resources
Audit and analyse DoJ&CD training needs	<ul style="list-style-type: none"> Research proposal and Questionnaire on training needs and challenges in service delivery developed Audit conducted Audit report completed 		R 100 000	Appointment of personnel to conduct the audits, analyse them and write a report
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> Train the trainer workshops Roll out of the training to all provinces Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	Cooperation between NPA, LCMC and Justice College
Investing in Human Capital	<ul style="list-style-type: none"> Training of Court Personnel and all other DoJ&CD personnel on the Victims Charter and customer service excellence Victim and customer friendly personnel Less complaints about secondary victimisation and bad service Employees capacitated to promote care and sensitivity in handling traumatised victims of crime 	1000 personnel per annum	R 650 000	Cooperation between HR, Court Services and POSLEC Seta
Linking the implementation of the Victims Charter and Customer Service Excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> Management of performance Victims rights and freedoms promoted and protected Victim friendly court personnel Less complaints 	All DoJ&CD personnel	R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Provide emotional support to court staff	<ul style="list-style-type: none"> Employee Assistance Programme Provide trauma debriefing and counselling to employees exposed to trauma incidents to reduce the risk of secondary victimisation of victims that come to the courts 	Ongoing for Court Personnel exposed to traumatic incidents	R 250 000	Tertiary institutions and mental health services
Build the capacity of and empower employees dealing with Victims of crime	<ul style="list-style-type: none"> Training workshops to provide counselling to mitigate the impact of occupational stress 	Court Officials	R 150 000	



NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Reduce absenteeism rate to ensure victims access justice	<ul style="list-style-type: none"> Health audit Provision of support programmes to improve employee health and wellness 	Court Officials	R 650 000	
Facilitate Change Management Programme for all court personnel on the implementation of the Victims Charter	<ul style="list-style-type: none"> Conduct road shows to inform employees that will be affected by the changes due to the implementation of the Victims Charter and how it will impact on them 	Court Officials	R 450 000	Cooperation from the Regional Heads, Prosecution and the judiciary
Legislation development and law reform to promote and protect the rights and freedoms of victims.	<ul style="list-style-type: none"> Promotion and promulgation of the Sexual Offences Act Stalking Report Trafficking in Persons Adult Prostitution Discussion Paper 		R 440 000	Researchers/ Consultants salaries
Development of the Victims Charter Policy	<ul style="list-style-type: none"> Policy on the implementation of the Victims Charter for DoJ&CD personnel 		R 100 000	Researcher
Business Process Re-engineering through Re Aga Boswa ("We are re-building")	<ul style="list-style-type: none"> Streamlined management and operations at the Courts and Justice Service Points Court Processes and Procedures simplified to ensure speedy resolution of cases 			
Integration of Justice Services	<ul style="list-style-type: none"> Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates Full connectivity for in-court processes 			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Conduct impact assessment	<ul style="list-style-type: none"> Report on the impact of the training and further training needs 		R 280 000	
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> Train the trainer workshops Roll out of the training to all provinces Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	
Mainstream victim support services on all department's training programmes for managers and staff	<ul style="list-style-type: none"> Training on Service Excellence All relevant training incorporate the Victims Charter 		R 4 425 000	





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> • Train the trainer workshops • Roll out of the training to all provinces • Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	
Investing in Human Capital	<ul style="list-style-type: none"> • Training of Court Personnel and all other DoJ&CD personnel on the Victims Charter and customer service excellence • Victim and customer friendly personnel • Less complaints about secondary victimisation and bad service • Employees capacitated to promote care and sensitivity in handling traumatised victims of crime 	1000 per annum	R 650 000	Cooperation from POSLEC Seta
Linking the implementation of the Victims Charter and customer service excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> • Effective management of performance and recognition of best performance • Victims rights and freedoms promoted and protected • Victim friendly court personnel • Less complaints 	DoJ&CD personnel	R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Provide emotional support to court staff	<ul style="list-style-type: none"> • Employee Assistance Programme • Provide trauma debriefing and counselling to employees exposed to trauma incidents to reduce the risk of secondary victimisation of victims that come to the courts 	Ongoing: for court staff exposed to traumatic incidents	R 250 000	Tertiary institutions and mental health services
Capacity building to empower employees dealing with victims of crime	<ul style="list-style-type: none"> • Training workshops to provide counselling to mitigate the impact of occupational stress 	Court Officials	R 150 000	
Reduce absenteeism rate to ensure Victims access justice	<ul style="list-style-type: none"> • Provision of support programmes to improve employee health and wellness 	Court Officials	R 650 000	
Legislation development and law reform to promote and protect the rights and freedoms of victims.	<ul style="list-style-type: none"> • Promotion and promulgation of the Sexual Offences Act • Promote and promulgate Child Justice Bill • Stalking Report • Trafficking in Persons • Adult Prostitution Discussion Paper • Policy on Compensation Fund for Victims of Crime • Sentencing framework 		R 440 000	Researchers/ Consultants salaries



NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Legislation development and law reform to promote and protect the rights and freedoms of victims.	<ul style="list-style-type: none"> Promotion and promulgation of the Sexual Offences Act Stalking Report Trafficking in Persons Adult Prostitution Discussion Paper Sentencing (a compensation scheme for victims of crime in South Africa) [Project 82] The Statutory Offence aimed at harmful HIV-related behaviour (Compulsory HIV testing of persons arrested in sexual offences cases) [Project 85] 		R 440 000	Researchers/ Consultants salaries
Development of the Victims Charter Policy	<ul style="list-style-type: none"> Policy on the implementation of the Victims Charter for DoJ&CD personnel 		R 100 000	Researcher
Business Process Re-engineering through Re Aga Boswa ("We are re-building")	<ul style="list-style-type: none"> Streamlined management and operations at the Courts and Justice Service Points Court Processes and Procedures simplified to ensure speedy resolution of cases 			
Integration of Justice Services	<ul style="list-style-type: none"> Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates Full connectivity for in-court processes 	Roll-out to previously disadvantaged courts		
Linking the implementation of the Victims Charter and customer service excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> Management of performance Victims rights and freedoms promoted and protected Victim friendly court personnel Less complaints 	All DoJ&CD personnel	R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Build the capacity of and empower employees dealing with Victims of crime	<ul style="list-style-type: none"> Training workshops to provide counselling to mitigate the impact of occupational stress 	Court Officials	R 150 000	
Reduce absenteeism rate to ensure Victims access justice	<ul style="list-style-type: none"> Health audit Provision of support programmes to improve employee health and wellness. 	Court Officials	R 650 000	
Integration of Justice Services	<ul style="list-style-type: none"> Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates Full connectivity for in-court processes 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Ongoing training for staff especially new staff	<ul style="list-style-type: none"> • Training Impact Assessment Report • Training manual • Victim friendly personnel • Empowered victims 			
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> • Train the trainer workshops • Roll out of the training to all provinces • Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	
Provide emotional support to court staff	<ul style="list-style-type: none"> • Employee Assistance Programme • Provide trauma debriefing and counselling to employees exposed to trauma incidents to reduce the risk of secondary victimisation of victims that come to the courts 	Ongoing for Court Personnel exposed to traumatic incidents	R 250 000	Tertiary institutions and mental health services
Linking the implementation of the Victims Charter and Customer Service Excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> • Management of performance • Victims rights and freedoms promoted and protected • Victim friendly court personnel • Less complaints 		R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Build the capacity of and empower employees dealing with Victims of crime	<ul style="list-style-type: none"> • Training workshops to provide counselling to mitigate the impact of occupational stress 		R 150 000	
Reduce absenteeism rate to ensure Victims access justice	<ul style="list-style-type: none"> • Health audit • Provision of support programmes to improve employee health and wellness 		R 650 000	
Legislation development and law reform to promote and protect the rights and freedoms of victims	<ul style="list-style-type: none"> • Promotion and promulgation of the Sexual Offences Act • Stalking Report • Trafficking in Persons • Adult Prostitution Discussion Paper 		R 440 000	Researchers/ Consultants salaries
Development of the Victims Charter Policy	<ul style="list-style-type: none"> • Policy on the implementation of the Victims Charter for DoJ&CD personnel 		R 100 000	Researcher
Integration of Justice Services	<ul style="list-style-type: none"> • Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust • On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates • Full connectivity for in-court processes 			



NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Research on interventions for sustaining the implementation of the Victims Charter	<ul style="list-style-type: none"> Research and benchmark report Service Delivery Database Improved service delivery for victims of crime Targeted interventions based on the findings of the research report 			
Ongoing training of staff to promote the victim empowerment approach in the courts	<ul style="list-style-type: none"> Monitoring and Evaluation Report on court service delivery Training workshops Victim friendly personnel 			
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> Train the trainer workshops Roll out of the training to all provinces Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	
Provide emotional support to court staff	<ul style="list-style-type: none"> Employee Assistance Programme Provide trauma debriefing and counselling to employees exposed to trauma incidents to reduce the risk of secondary victimisation of victims that come to the courts 	Ongoing for court personnel exposed to traumatic incidents	R 250 000	Tertiary institutions and mental health services
Linking the implementation of the Victims Charter and Customer Service Excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> Management of performance Victims rights and freedoms promoted and protected Victim friendly court personnel Less complaints 		R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Build the capacity of and empower employees dealing with Victims of crime	<ul style="list-style-type: none"> Training workshops to provide counselling to mitigate the impact of occupational stress 		R 150 000	
Reduce absenteeism rate to ensure Victims access justice	<ul style="list-style-type: none"> Health audit Provision of support programmes to improve employee health and wellness 		R 650 000	
Legislation development and law reform to promote and protect the rights and freedoms of victims.	<ul style="list-style-type: none"> Promotion and promulgation of the Sexual Offences Act Stalking Report Trafficking in Persons Adult Prostitution Discussion Paper 		R 440 000	Researchers/ Consultants salaries
Development of the Victims Charter Policy	<ul style="list-style-type: none"> Policy on the implementation of the Victims Charter for DoJ&CD personnel 		R 100 000	Researcher
Integration of Justice Services	<ul style="list-style-type: none"> Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates Full connectivity for in-court processes 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Training of new staff	<ul style="list-style-type: none"> Victim friendly personnel Empowered victims of crime 			
Implementation of research findings	<ul style="list-style-type: none"> Continuous improvement and transformation of the Criminal Justice System 			
Training of Magistrates and Prosecutors on the Victims Charter by Justice College	<ul style="list-style-type: none"> Train the trainer workshops Roll-out of the training to all provinces Training on the Victims Charter mainstreamed in all courses offered by Justice College 	400 Magistrates & 400 prosecutors per annum	R 2 million	
Provide emotional support to court staff	<ul style="list-style-type: none"> Employee Assistance Programme Provide trauma debriefing and counselling to employees exposed to trauma incidents to reduce the risk of secondary victimisation of victims that come to the courts 	Ongoing for Court Personnel exposed to traumatic incidents	R 250 000	Tertiary institutions and mental health services
Linking the implementation of the Victims Charter and Customer Service Excellence to merit awards and performance bonuses	<ul style="list-style-type: none"> Management of performance Victims rights and freedoms promoted and protected Victim friendly court personnel Less complaints 		R 20 000	Cooperation from other stakeholders in the Criminal Justice System and NGOs
Build the capacity of and empower employees dealing with Victims of crime	<ul style="list-style-type: none"> Training workshops to provide counselling to mitigate the impact of occupational stress 		R 150 000	
Reduce absenteeism rate to ensure Victims access justice	<ul style="list-style-type: none"> Health audit Provision of support programmes to improve employee health and wellness 		R 650 000	
Legislation development and law reform to promote and protect the rights and freedoms of victims	<ul style="list-style-type: none"> Promotion and promulgation of the Sexual Offences Act Stalking Report Trafficking in Persons Adult Prostitution Discussion Paper 		R 440 000	Researchers/ Consultants salaries
Development of the Victims Charter Policy	<ul style="list-style-type: none"> Policy on the implementation of the Victims Charter for DoJ&CD personnel 		R 100 000	Researcher
Integration of Justice Services	<ul style="list-style-type: none"> Integrated Information System and reengineered processes on Case flow, Case Management, Guardian's Fund and Management of Monies in Trust On-line legal research for the judiciary, prosecution, Legal Aid Officials, State Attorneys and Family Advocates Full connectivity for in-court processes 			





YOUR RIGHTS AS A VICTIM OF CRIME

a) The right to be treated with fairness and with respect for dignity and privacy:

In order for the Criminal Justice System to provide prompt and courteous service to victims of crime, the following administrative measures need to be implemented: Improvement and reengineering of Case flow and Case management; Redesigning of Workflows and process designs to improve service delivery.

In order to protect the Victims right to privacy and to ensure that the victim understands the processes and to be able to participate, the following will be effected: Language services available; Equipment to communicate with child victims; Other equipment; for people with disabilities; CCTVs, One-way mirrors etc, Victim friendly facilities and accommodation; Transportation and clothes for victims of sexual offences.

MTEF CYCLE: 2006/2007

Strategic Objective: To implement administrative measures, improve workflows and process designs and to improve service delivery to train the Criminal Justice Staff in order to ensure that victims are treated with fairness and with respect for their dignity and privacy.

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others - One-way mirrors, - Closed circuit TV sets, • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • The elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Reengineering of the Work Flow, Case Flow and Case Management	<ul style="list-style-type: none"> • Reductions in time-to-trial • Reductions in the number of missing dockets and documents • Reductions in postponements • Improved administration and tracking of dockets and case files • More effective access to required information • Improved administration of prisoner admission and release • Access to effective mechanisms for the verification and identification of accused people • Reductions in paperwork • Efficient scheduling • On-time notification • Data integrity 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • The elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Reengineering of the Work Flow, Case Flow and Case Management	<ul style="list-style-type: none"> • Reductions in time-to-trial • Reductions in the number of missing dockets and documents • Reductions in postponements • Improved administration and tracking of dockets and case files • More effective access to required information • Improved administration of prisoner admission and release • Access to effective mechanisms for the verification and identification of accused people • Reductions in paperwork • Efficient scheduling • On-time notification • Data integrity 			

MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • The elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			



NATIONAL IMPLEMENTATION PLAN
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MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • The elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • The elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Reengineering of the Work Flow, Case Flow and Case Management	<ul style="list-style-type: none"> • Reductions in time-to-trial • Reductions in postponements • Reductions in paperwork • Reductions in the number of missing dockets and documents • Improved administration and tracking of dockets and case files • More effective access to required information • Improved administration of prisoner admission and release • Access to effective mechanisms for the verification and identification of accused people; • Efficient scheduling • On-time notification • Data integrity 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

THE RIGHT TO OFFER and THE RIGHT TO RECEIVE INFORMATION

In order to ensure that Victims rights to receive and to offer information are realised, all Government Departments responsible for the implementation of the Victims Charter will implement administrative measure to facilitate easy communication with the victim or witness. The Government Department will develop Communication policies; Outline process and procedure of communicating with victims and for additional statements by victims who need to offer information; Engage in public education on process and procedures on communication and set up compliance measures to ensure that service providers communicate with victims.

MTEF CYCLE: 2006/2007

Strategic Objective: To develop communication policies and implement administrative measures to ensure that victims can receive and offer information at ease and be informed of the status of their cases

Action	Deliverables	Milestones	Budget	Other Resources
Allow victims to give Victim Impact Statement before sentencing	<ul style="list-style-type: none">• Training of court personnel on the Act to capacitate them to implement the Act• Public education on when to, how to and why give Victim Impact Statement			
Distribution of the Victims Charter, Minimum Standards, pamphlets and posters	<ul style="list-style-type: none">• Printed Victims Charter, Minimum Standards, pamphlets and posters• Awareness raising programmes like workshops for the public and radio talk shows			
Development of communication material for court users with special needs	<ul style="list-style-type: none">• Sign language in all courts• Video and audio cassettes on services and rights and distributed in all courts• Braille documents in all courts			
Development of a Victims Charter website	<ul style="list-style-type: none">• Victims will be able to access courts from where ever they are• Victims will communicate with court officials easily without having to go and wait in queues			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none">• National and Provincial Resource Directory for communication and referral			
Provision of stationery for communication	<ul style="list-style-type: none">• Business Reply Cards• Complaints boxes to all courts			
Establishment of a Toll Free Line	<ul style="list-style-type: none">• Activated and operating Toll Free Line• Trained Toll Free Line management personnel			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Allow victims to give Victim Impact Statement before sentencing	<ul style="list-style-type: none">• Training of court personnel on the Act to capacitate them to implement the Act.• Public education on when to, how to and why give Victim Impact Statement			

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Distribution of the Victims Charter, Minimum Standards, pamphlets and posters	<ul style="list-style-type: none"> Printed Victims Charter, Minimum Standards, pamphlets and posters Awareness raising programmes like workshops for the public and radio talk shows 			
Distribution of communication material for court users with special needs	<ul style="list-style-type: none"> Sign language in all courts Video and audio cassettes on services and rights and distributed in all courts Braille documents in all courts 			
Maintenance of a Victims Charter website	<ul style="list-style-type: none"> Victims will be able to access courts from where ever they are Victims will communicate with court officials easily without having to go and wait in queues 			
Distribution of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory for communication and referral 			
Provision of stationery for communication	<ul style="list-style-type: none"> Business Reply Cards Complaints boxes to all courts 			

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Allow victims to give Victim Impact Statement before sentencing	<ul style="list-style-type: none"> Training of court personnel on the Act to capacitate them to implement the Act. Public education on when to, how to and why give Victim Impact Statement 			
Distribution of the Victims Charter, Minimum Standards, pamphlets and posters	<ul style="list-style-type: none"> Printed Victims Charter, Minimum Standards, pamphlets and posters Awareness raising programmes like workshops for the public and radio talk shows 			
Distribution of communication material for court users with special needs	<ul style="list-style-type: none"> Sign language in all courts Video and audio cassettes on services and rights and distributed in all courts Braille documents in all courts 			
Maintenance of a Victims Charter website	<ul style="list-style-type: none"> Victims will be able to access courts from where ever they are Victims will communicate with court officials easily without having to go and wait in queues 			
Distribution of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory for communication and referral 			
Provision of stationery for communication	<ul style="list-style-type: none"> Business Reply Cards Complaints boxes to all courts 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Allow victims to give Victim Impact Statement before sentencing	<ul style="list-style-type: none"> • Training of court personnel on the Act to capacitate them to implement the Act. • Public education on when to, how to and why give Victim Impact Statement 			
Distribution of the Victims Charter, Minimum Standards, pamphlets and posters	<ul style="list-style-type: none"> • Printed Victims Charter, Minimum Standards, pamphlets and posters • Awareness raising programmes like workshops for the public and radio talk shows 			
Distribution of communication material for court users with special needs	<ul style="list-style-type: none"> • Sign language in all courts • Video and audio cassettes on services and rights and distributed in all courts • Braille documents in all courts 			
Maintenance of a Victims Charter website	<ul style="list-style-type: none"> • Victims will be able to access courts from where ever they are • Victims will communicate with court officials easily without having to go and wait in queues 			
Distribution of a National and Provincial Resource Directory	<ul style="list-style-type: none"> • National and Provincial Resource Directory for communication and referral 			
Provision of stationery for communication	<ul style="list-style-type: none"> • Business Reply Cards • Complaints boxes to all courts 			

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Allow victims to give Victim Impact Statement before sentencing	<ul style="list-style-type: none"> • Training of court personnel on the Act to capacitate them to implement the Act • Public education on when to, how to and why give Victim Impact Statement 			
Distribution of the Victims Charter, Minimum Standards, pamphlets and posters	<ul style="list-style-type: none"> • Printed Victims Charter, Minimum Standards, pamphlets and posters • Awareness raising programmes like workshops for the public and radio talk shows 			
Distribution of communication material for court users with special needs	<ul style="list-style-type: none"> • Sign language in all courts • Video and audio cassettes on services and rights and distributed in all courts • Braille documents in all courts 			
Maintenance of a Victims Charter website	<ul style="list-style-type: none"> • Victims will be able to access courts from where ever they are • Victims will communicate with court officials easily without having to go and wait in queues 			
Distribution of a National and Provincial Resource Directory	<ul style="list-style-type: none"> • National and Provincial Resource Directory for communication and referral 			
Provision of stationery for communication	<ul style="list-style-type: none"> • Business Reply Cards • Complaints boxes to all courts 			





THE RIGHT TO PROTECTION

Administrative measures will be implemented in order to ensure that Victims person and dignity are protected throughout the trial. Policies and standards will be developed in order to protect victims against intimidation, harassment, fear, tampering, bribery, corruption and abuse by service providers or any other person; Witness protection services and public education on procedures to access the witness protection services will be provided; Policies and measures to protect the identity of victims whose life may be in danger will be developed and implemented; Public education on In Camera proceedings will be conducted and service providers will be trained on In Camera proceedings.

MTEF CYCLE: 2006/2007

Strategic Objective: To instil a sense of trust, confidence, safety and satisfaction in the Criminal Justice System by victims and witnesses.

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • In Camera proceedings • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • Targeted services for the elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Development of policies to manage the conduct of service providers	<ul style="list-style-type: none"> • Policies on intimidation of victims and witnesses, harassment, tampering, bribery, corruption and abuse by service providers • Policies and measures to protect the identity of victims whose life may be in danger 			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • In Camera proceedings • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused • Establishment of mobile courts for remote communities in need 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Provide secure, environmentally safe and occupationally healthy workplace	<ul style="list-style-type: none"> Improved security, health and safety for all people in the courts All DoJ&CD Service Delivery Service Points secured with perimeter fencing All DoJ&CD Service Delivery Service Points fully compliant with Health and Safety Regulations 			
Provision of victim support services in courts	<ul style="list-style-type: none"> Witness friend Targeted services for the elderly as victims or witnesses Separate waiting rooms for witness Pre-Trial Services Witness protection 			
Development of policies to manage the conduct of service providers	<ul style="list-style-type: none"> Policies on intimidation of victims and witnesses, harassment, tampering, bribery, corruption and abuse by service providers Policies and measures to protect the identity of victims whose life may be in danger 			

MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> One-way mirrors, Closed circuit TV sets, In Camera proceedings Specialised Sexual Offences Courts Specialised Domestic Violence Courts Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> Witness friend Targeted services for the elderly as victims or witnesses Separate waiting rooms for witness Pre-Trial Services Witness protection 			
Development of policies to manage the conduct of service providers	<ul style="list-style-type: none"> Policies on intimidation of victims and witnesses, harassment, tampering, bribery, corruption and abuse by service providers Policies and measures to protect the identity of victims whose life may be in danger 			



NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • In Camera proceedings • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • Targeted services for the elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Development of policies to manage the conduct of service providers	<ul style="list-style-type: none"> • Policies on intimidation of victims and witnesses, harassment, tampering, bribery, corruption and abuse by service providers • Policies and measures to protect the identity of victims whose life may be in danger 			

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Use of electronic equipment in court proceedings and others <ul style="list-style-type: none"> - One-way mirrors, - Closed circuit TV sets, • In Camera proceedings • Specialised Sexual Offences Courts • Specialised Domestic Violence Courts • Where available, provision of separate waiting rooms for victims of crime and the accused 			
Provision of victim support services in courts	<ul style="list-style-type: none"> • Witness friend • Targeted services for the elderly as victims or witnesses • Separate waiting rooms for witness • Pre-Trial Services • Witness protection 			
Development of policies to manage the conduct of service providers	<ul style="list-style-type: none"> • Policies on intimidation of victims and witnesses, harassment, tampering, bribery, corruption and abuse by service providers • Policies and measures to protect the identity of victims whose life may be in danger 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

THE RIGHT TO ASSISTANCE

Government Departments responsible for the implementation of the Victims Charter will ensure that the following services are available in order to assist victims in need: Victim friendly facilities and Victim empowerment services (accommodation, waiting rooms and other services); Specialised courts, FCS, shelters, health services and others. Improve referral channels through the development of /National and Provincial Resource Directory. Provision of Counselling services and Health services (including Psychological and Psychiatric), Legal Aid Services, Interpretation and translation services, improved and automated administration of deceased estates, improved and automated Guardian Fund services; Training of service providers on service excellence and sensitivity to victims and provision of resources to service points in order to ensure services to victims (i.e. faxes, photocopiers, chairs, telephones etc).

MTEF CYCLE: 2006/2007				
Strategic Objective: To provide access to victim friendly facilities and to implement administrative measures to empower victims and make their contact with the Criminal Justice System easy.				
Action	Deliverables	Milestones	Budget	Other Resources
Set up and or capacitate information (help) desks in courts	<ul style="list-style-type: none"> Audit report on existing information desks, their status and needs Resourced information desks 			
Training for information desks personnel	<ul style="list-style-type: none"> Training manual on court functioning and customer service excellence to capacitate the information desks to assist clients, especially victims Training workshops 			
Provision of Victim/ Offender Mediation Services	<ul style="list-style-type: none"> Training of Court Officials to facilitate referrals of victims and offenders to mediation services Implement administrative measures to provide access to all victims and offenders who want to use the mediation service Monitoring and Evaluation tool to ensure that victims are not forced to go for mediation against their will and to monitor progress 			
Provision of victim friendly services	<ul style="list-style-type: none"> Pre-trial services Witness protection Information/help/advice desks Witness friend Court Preparation Programme Intermediary services Specialised sexual offences courts Language services for interpretation and translation services Legal Aid Services 			
Development of communication material for court users with special needs	<ul style="list-style-type: none"> Sign language in all courts Video and audio cassettes on services and rights and distributed in all courts Braille documents in all courts 			
Development of a Referral Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Printed and distributed to all service points and placed in all Criminal Justice System Websites 			



NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Provision of victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms and other services Child friendly waiting rooms and baby feeding rooms Courts and service centres resourced with faxes, photocopiers, chairs, telephones etc 			
Provision of user friendly facilities to court users with disabilities	<ul style="list-style-type: none"> Policy on services for people with disabilities Awareness raising on the policy for court officials Awareness raising material for court users with disabilities 			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory printed and distributed Improved referral channels for victims of crime Improved cooperation amongst all service providers 			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Training of NGOs and CBOs operating in the courts to assist victims of crime	<ul style="list-style-type: none"> Training workshops Cooperation and partnership between the Government and Civil Society in rendering services to victims of crime 			
Victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms for victims of crime and the accused in courts Child friendly waiting rooms and baby feeding rooms CCTV and one way mirrors in sexual offences courts Anatomical dolls to aid child victims to give evidence User friendly facilities for court customers with disabilities User friendly facilities for the elderly court customers Training programmes and awareness raising for the elderly and people with disability about the Victims Charter 			
Set up and or capacitate information (help) desks in courts	<ul style="list-style-type: none"> Audit report on existing information desks, their status and needs Resourced information desks 			
Training for information desks personnel	<ul style="list-style-type: none"> Training manual on court functioning and customer service excellence to capacitate the information desks to assist clients, especially victims Training workshops 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of Victim/Offender Mediation Services	<ul style="list-style-type: none"> • Training of Court Officials to facilitate referrals of victims and offenders to mediation services • Implement administrative measures to provide access to all victims and offenders who want to use the mediation service • Monitoring and evaluation tool to ensure that victims are not forced to go for mediation against their will and to monitor progress 			
Provision of victim friendly services	<ul style="list-style-type: none"> • Pre-trial services • Witness protection • Information/help/advice desks • Witness friend • Court Preparation Programme • Intermediary services • Specialised sexual offences courts • Language services for interpretation and translation services • Legal Aid Services 			
Development of communication material for court users with special needs	<ul style="list-style-type: none"> • Sign language in all courts • Video and audio cassettes on services and rights for distribution in all courts • Braille documents in all courts 			
Development of a Referral Resource Directory	<ul style="list-style-type: none"> • National and Provincial Resource Directory • Printed and distributed to all service points and placed in all Criminal Justice System Websites 			
Providing access to Administrative Justice	<ul style="list-style-type: none"> • Improved and automated administration of deceased estates and Guardian fund services 			
Provision of victim friendly facilities	<ul style="list-style-type: none"> • Separate waiting rooms and other services • Child friendly waiting rooms and baby feeding rooms • Courts and service centres resourced with faxes, photocopiers, chairs, telephones etc 			
Provision of user friendly facilities to court users with disabilities	<ul style="list-style-type: none"> • Policy on services for people with disabilities • Awareness raising on the policy for court officials • Awareness raising material for court users with disabilities 			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> • National and Provincial Resource Directory printed and distributed • Improved referral channels for victims of crime • Improved cooperation amongst all service providers 			



NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Training of NGOs and CBOs operating in the courts to assist victims of crime	<ul style="list-style-type: none"> • Training workshops • Cooperation and partnership between the Government and Civil Society in rendering services to victims of crime 			
Victim friendly facilities	<ul style="list-style-type: none"> • Separate waiting rooms for victims of crime and the accused in courts • Child friendly waiting rooms and baby feeding rooms • CCTV and one-way mirrors in sexual offences courts • Anatomical dolls to aid child victims to give evidence • User friendly facilities for court customers with disabilities • User friendly facilities for the elderly court customers • Training programmes and awareness raising for the elderly and people with disability about the Victims Charter 			
Set up and or capacitate information (help) desks in courts	<ul style="list-style-type: none"> • Audit report on existing information desks, their status and needs • Resourced information desks 			
Training for information desks personnel	<ul style="list-style-type: none"> • Training manual on court functioning and customer service excellence to capacitate the information desks to assist clients, especially victims • Training workshops 			
Provision of Victim/ Offender Mediation Services	<ul style="list-style-type: none"> • Training of Court Officials to facilitate referrals of victims and offenders to mediation services • Implement administrative measures to provide access to all victims and offenders who want to use the mediation service • Monitoring and evaluation tool to ensure that victims are not forced to go for mediation against their will and to monitor progress 			
Provision of victim friendly services	<ul style="list-style-type: none"> • Pre-trial services • Witness protection • Information/help/advice desks • Witness friend • Court Preparation Programme • Intermediary services • Specialised sexual offences courts • Language services for interpretation and translation services • Legal Aid Services 			
Development of communication material for court users with special needs	<ul style="list-style-type: none"> • Sign language in all courts • Video and audio cassettes on services and rights for distribution in all courts • Braille documents in all courts 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Development of a Referral Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Printed and distributed to all service points and placed in all Criminal Justice System Websites 			
Providing access to Administrative Justice	<ul style="list-style-type: none"> Improved and automated administration of deceased estates and guardian fund services 			
Provision of victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms and other services Child friendly waiting rooms and baby feeding rooms Courts and service centres resourced with faxes, photocopiers, chairs, telephones etc 			
Provision of user friendly facilities to court users with disabilities	<ul style="list-style-type: none"> Policy on services for people with disabilities Awareness raising on the policy for court officials Awareness raising material for court users with disabilities 			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory printed and distributed Improved referral channels for victims of crime Improved cooperation amongst all service providers 			

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Ongoing training of staff to promote the victim empowerment approach in the courts	<ul style="list-style-type: none"> Monitoring and Evaluation Report on court service delivery Training workshops Victim friendly personnel 			
Training of NGOs and CBOs operating in the courts to assist victims of crime	<ul style="list-style-type: none"> Training workshops Cooperation and partnership between the Government and Civil Society in rendering services to victims of crime 			
Victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms for victims of crime and the accused in courts Child friendly waiting rooms and baby feeding rooms CCTV and one-way mirrors in sexual offences courts Anatomical dolls to aid child victims to give evidence User friendly facilities for court customers with disabilities User friendly facilities for the elderly court customers Training programmes and awareness raising for the elderly and people with disability about the Victims Charter 			

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Set up and or capacitate information (help) desks in courts	<ul style="list-style-type: none"> Audit report on existing information desks, their status and needs Resourced information desks 			
Training for information desks personnel	<ul style="list-style-type: none"> Training manual on court functioning and customer service excellence to capacitate the information desks to assist clients, especially victims Training workshops 			
Provision of Victim/Offender Mediation Services	<ul style="list-style-type: none"> Training of Court Officials to facilitate referrals of victims and offenders to mediation services Implement administrative measures to provide access to all victims and offenders who want to use the mediation service Monitoring and evaluation tool to ensure that victims are not forced to go for mediation against their will and to monitor progress 			
Provision of victim friendly services	<ul style="list-style-type: none"> Pre-trial services Witness protection Information/help/advice desks Witness friend Court Preparation Programme Intermediary services Specialised sexual offences courts Language services for interpretation and translation services Legal Aid Services 			
Development of communication material for court users with special needs	<ul style="list-style-type: none"> Sign language in all courts Video and audio cassettes on services and rights and distributed in all courts Braille documents in all courts 			
Development of a Referral Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Printed for distribution to all service points and placed in all Criminal Justice System Websites 			
Providing access to Administrative Justice	<ul style="list-style-type: none"> Improved and automated administration of deceased estates and Guardian Fund services 			
Provision of victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms and other services; Child friendly waiting rooms and baby feeding rooms; Courts and service centres resourced with faxes, photocopiers, chairs, telephones etc 			
Provision of user friendly facilities to court users with disabilities	<ul style="list-style-type: none"> Policy on services for people with disabilities Awareness raising on the policy for court officials Awareness raising material for court users with disabilities 			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and provincial Resource Directory printed and distributed Improved referral channels for victims of crime Improved cooperation amongst all service providers 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Training of NGOs and CBOs operating in the courts to assist victims of crime	<ul style="list-style-type: none"> • Training workshops • Cooperation and partnership between the Government and Civil Society in rendering services to victims of crime 			
Victim friendly facilities	<ul style="list-style-type: none"> • Separate waiting rooms for victims of crime and the accused in courts • Child friendly waiting rooms and baby feeding rooms • CCTV and One way mirrors in sexual offences courts • Anatomical dolls to aid child victims to give evidence • User friendly facilities for court customers with disabilities • User friendly facilities for the elderly court customers • Training programmes and awareness raising for the elderly and people with disability about the Victims Charter 			
Set up and or capacitate information (help) desks in courts	<ul style="list-style-type: none"> • Audit report on existing information desks, their status and needs • Resourced information desks 			
Training for information desks personnel	<ul style="list-style-type: none"> • Training manual on court functioning and customer service excellence to capacitate the information desks to assist clients, especially victims • Training workshops 			
Provision of Victim/ Offender Mediation Services	<ul style="list-style-type: none"> • Training of Court Officials to facilitate referrals of victims and offenders to mediation services • Implement administrative measures to provide access to all victims and offenders who want to use the mediation service • Monitoring and evaluation tool to ensure that victims are not forced to go for mediation against their will and to monitor progress 			
Provision of victim friendly services	<ul style="list-style-type: none"> • Pre-trial services • Witness protection • Information/help/advice desks • Witness friend • Court Preparation Programme • Intermediary services • Specialised sexual offences courts • Language services for interpretation and translation services • Legal Aid Services 			
Development of communication material for court users with special needs	<ul style="list-style-type: none"> • Sign language in all courts • Video and audio cassettes on services and rights for distribution in all courts • Braille documents in all courts 			



NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Development of a Referral Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Printed and distributed to all service points and placed in all Criminal Justice System Websites 			
Providing access to Administrative Justice	<ul style="list-style-type: none"> Improved and automated administration of deceased estates and Guardian Fund services 			
Provision of victim friendly facilities	<ul style="list-style-type: none"> Separate waiting rooms and other services Child friendly waiting rooms and baby feeding rooms Courts and service centres resourced with faxes, photocopiers, chairs, telephones etc 			
Provision of user friendly facilities to court users with disabilities	<ul style="list-style-type: none"> Policy on services for people with disabilities Awareness raising on the policy for court officials Awareness raising material for court users with disabilities 			
Development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and provincial Resource Directory printed and distributed Improved referral channels for victims of crime Improved cooperation amongst all service providers 			

THE RIGHT TO COMPENSATION

The Criminal Procedure Act, Act 51 of 1977 provides for compensation for loss of or damage to property or injury suffered as a result of a crime, in order to ensure that victims benefit from this section the following programmes will be implemented: Public education on claiming compensation for loss of or damage to property in terms of section 297 and 300 of the Criminal Procedure Act, Act 51 of 1977; Public education on claiming compensation for injury suffered as a result of a crime in terms of the Civil Procedure Act at the civil courts; Information on how to enforce the compensation order granted by the court; Training of service providers in this regard.

MTEF CYCLE: 2006/2007				
Strategic Objective: To implement administrative measures to facilitate victims access to compensation as provided in section 297 and 300 of the Criminal Procedure Act No 51 of 1977 and to educate the public about this provision and how and when to use it.				
Action	Deliverables	Milestones	Budget	Other Resources
Train court personnel to capacitate them to assist victims of crime to claim request the court to make a compensation order after conviction	<ul style="list-style-type: none"> Training workshop on section 297 and 300 Improvement of execution processes and procedures Meetings with sheriffs to ensure their cooperation in this regard 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Public awareness raising on their right to claim a compensation order after conviction	<ul style="list-style-type: none">Public awareness raising material			
Monitoring of services with regard to these sections	<ul style="list-style-type: none">Monitoring Report and training programmes to address failure to assist victims to claim compensation after conviction			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Train to capacitate them to assist victims of crime to claim request the court to make a compensation order after conviction	<ul style="list-style-type: none">Training workshop on section 297 and 300Improvement of execution processes and proceduresMeetings with sheriffs to ensure their cooperation in this regard			
Public awareness raising on their right to claim a compensation order after conviction	<ul style="list-style-type: none">Public awareness raising material			
Monitoring of services with regard to these sections	<ul style="list-style-type: none">Monitoring Report and training programmes to address failure to assist victims to claim compensation after conviction			

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Train court personnel to capacitate them to assist victims of crime to claim request the court to make a compensation order after conviction	<ul style="list-style-type: none">Training workshop on section 297 and 300Improvement of execution processes and proceduresMeetings with sheriffs to ensure their cooperation in this regard			
Public awareness raising on their right to claim compensation order after conviction	<ul style="list-style-type: none">Public awareness raising material			
Monitoring of services with regard to these sections	<ul style="list-style-type: none">Monitoring Report and training programmes to address failure to assist victims to claim compensation after conviction			





MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Train court personnel to capacitate them to assist victims of crime to claim request the court to make a compensation order after conviction	<ul style="list-style-type: none"> • Training workshop on section 297 and 300 • Improvement of execution processes and procedures • Meetings with sheriffs to ensure their cooperation in this regard 			
Public awareness raising on their right to claim compensation order after conviction	<ul style="list-style-type: none"> • Public awareness raising material 			
Monitoring of services with regard to these sections	<ul style="list-style-type: none"> • Monitoring Report and training programmes to address failure to assist victims to claim compensation after conviction 			

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Train court personnel to capacitate them to assist victims of crime to claim request the court to make a compensation order after conviction	<ul style="list-style-type: none"> • Training workshop on section 297 and 300 • Improvement of execution processes and procedures • Meetings with sheriffs to ensure their cooperation in this regard 			
Public awareness raising on their right to claim compensation order after conviction	<ul style="list-style-type: none"> • Public awareness raising material 			
Monitoring of services with regard to these sections	<ul style="list-style-type: none"> • Monitoring Report and training programmes to address failure to assist victims to claim compensation after conviction 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

THE RIGHT TO RESTITUTION

The Criminal Procedure Act, Act 51 of 1977 provides for restitution of goods taken from a victim unlawfully or those that were kept as exhibit. In order to ensure that victims benefit from this provision, public education on requesting the court to grant an order of restitution will be conducted and the criminal justice officials will be trained on this right to ensure that they advise victims appropriately and storage facilities for exhibits will be improved to ensure that confiscated goods are kept in good order.

MTEF CYCLE: 2006/2007

Strategic Objective: To facilitate victims right to restitution of good or property that have been unlawfully disposed or damaged.

Action	Deliverables	Milestones	Budget	Other Resources
Informing victims about their right to restitution by perpetrators, police or court personnel	<ul style="list-style-type: none">• Court orders ordering the offender to make a fair restitution to the victim or the Victims dependants• Police returning to the victim what was kept as exhibit• Court staff returning to the victim what was kept as exhibit			

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Informing victims about their right to restitution by perpetrators, police or court personnel	<ul style="list-style-type: none">• Court orders ordering the offender to make a fair restitution to the victim or the Victims dependants• Police returning to the victim what was kept as exhibit• Court staff returning to the victim what was kept as exhibit			

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Informing victims about their right to restitution by perpetrators, police or court personnel	<ul style="list-style-type: none">• Court orders ordering the offender to make a fair restitution to the victim or the Victims dependants• Police returning to the victim what was kept as exhibit• Court staff returning to the victim what was kept as exhibit			



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Informing victims about their right to restitution by perpetrators, police or court personnel	<ul style="list-style-type: none"> • Court orders ordering the offender to make a fair restitution to the victim or the Victims dependants • Police returning to the victim what was kept as exhibit • Court staff returning to the victim what was kept as exhibit 			

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Informing victims about their right to restitution by perpetrators, police or court personnel	<ul style="list-style-type: none"> • Court orders ordering the offender to make a fair restitution to the victim or the Victims dependants • Police returning to the victim what was kept as exhibit • Court staff returning to the victim what was kept as exhibit 			

COMPLAINTS

In order to ensure that Victims enjoy the rights guaranteed in the Victims Charter, the following administrative measures will be implemented: Automated Complaint Management System; Audits of complaints will be conducted; Roles and responsibilities of Court and other managers in addressing complaints from victims will be clarified.

MTEF CYCLE: 2006/2007				
Strategic Objective: To improve on or establish an effective complaints management mechanism and to develop an information management system that will facilitate an integrated complaints management approach to ensure that victims whose rights have been violated by the Criminal Justice System staff get recourse for the abuse or secondary victimisation				
Action	Deliverables	Milestones	Budget	Other Resources
Establishment of a Toll Free Line	<ul style="list-style-type: none"> • Activated and operating Toll Free Line 		R 2 000 000	
Develop an Automated Complaints Management System	<ul style="list-style-type: none"> • Automated Complaints Management System • A manual for uniform and standardised complaints management • Business reply cards in all courts • Complaints and suggestion boxes • Audit report on Complaints Management 		R 100 000	





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Development of a Website for the Victims Charter which will link all Government Departments responsible for implementing the Victims Charter and create a communication system between all the Departments for dissemination and collection of information and for easy referral of complaints	<ul style="list-style-type: none"> Website for the Charter Communication system linking all Government Departments for dissemination and collection of information and for easy referral of complaints Integrated Complaints Management 			
Training of managers to act as presiding and investigating officers in disciplinary matters	<ul style="list-style-type: none"> Training workshops to train managers as presiding officers Speedy resolution of complaints and grievances Pamphlets with information on presiding over disciplinary matters Disciplinary matters dealt with on a project management basis to reduce the turnaround time 		In-house	HR in cooperation with Court Services and Regional Offices
Training employees regarding the grievance procedures	<ul style="list-style-type: none"> Training workshops for employees to capacitate them to handle or lodge grievances Pamphlets with information on how to file a grievance 		In-house	HR in cooperation with Court Services and Regional Offices
Provision of name tags to all court personnel	<ul style="list-style-type: none"> Procurement of name tags Name-Tag Policy to ensure that court personnel wear the name tags 		R 400 000	Court Services in cooperation with HR, PEC and Regional Offices

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of the automated complaints management system	<ul style="list-style-type: none"> A uniform complaints management system developed and automated A manual for uniform management of complaints Complaint Management Audit Business reply card in all courts Complaints boxes 		R 100 000	Cooperation between ISM, Court Services and PEC
Maintenance of the Toll Free Line	<ul style="list-style-type: none"> Operating Toll Free Line 		R2 000 000	
Provision of name tags to all court personnel	<ul style="list-style-type: none"> Procurement of name tags Name tag policy to ensure that court personnel wear the name tags 		R 10 000	

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Salaries of the Toll Free Line personnel	<ul style="list-style-type: none"> Toll Free Lines resourced with trained personnel 		R3 381 696	
Maintain and analyse the data in the Victims Charter website to identify courts/personnel with lots of complaints, investigate the reason and provide a solution.	<ul style="list-style-type: none"> Report from the website data analysis Training programme to address the causes for lack of efficient and effective service delivery Monitor Acknowledge those courts/personnel that go a step further to ensure that victims get a proper service 		In-house	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of the Toll-Free Line	Activated Toll Free Line		R3 000 000	
Salaries of the Toll-Free Line personnel	<ul style="list-style-type: none"> Toll Free Lines resourced with trained personnel 		R3 381 696	
Development of a Policy regarding service standards and wearing of name tags;	<ul style="list-style-type: none"> Policy and Policy Guidelines Training on the Policy and Guidelines on Service Delivery Printed material raising awareness on the policy 		R 200 000	Cooperation between Court Services, HR and PCD
Random and unannounced inspection of service delivery in courts	<ul style="list-style-type: none"> Personnel to investigate complaints and to give feedback to the complainants Service Delivery Inspectorate to investigate service delivery principles (Batho Pele) 			
Provision of name tags to new court personnel	<ul style="list-style-type: none"> Procurement of name tags for those who lost them and new staff members Monitoring compliance of court personnel in wearing name tags 			
Provision of business reply cards and complaints boxes to all courts	<ul style="list-style-type: none"> Management of communication with clients Business reply cards and complaints boxes in all courts for clients who do not have access to the website 		R 500 000	
Salaries of the Toll-Free Line personnel	<ul style="list-style-type: none"> Toll-Free Lines resourced with trained personnel 		R3 381 696	
Analyse the data in the Victims Charter website to identify courts/personnel with lots of complaints, investigate the reason and provide a solution.	<ul style="list-style-type: none"> Report from the website data analysis Training programme to address the causes for lack of efficient and effective service delivery Monitor Acknowledge those courts/personnel that go a step further to ensure that victims get a proper service 			





Victims

DEPARTMENT: JUSTICE AND CONSTITUTIONAL DEVELOPMENT

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of the Toll-Free Line	Operating Toll-Free Line		R3 000 000	
Salaries of the Toll-Free Line personnel	<ul style="list-style-type: none"> Toll Free Lines resourced with trained personnel 		R3 381 696	
Provision of name-tags to new court staff and monitoring compliance on wearing name-tags	<ul style="list-style-type: none"> Procurement of name tags Report on compliance with the policy on wearing name tags 			
Random and unannounced inspection of service delivery in courts	<ul style="list-style-type: none"> Personnel to investigate complaints and to give feedback to the complainants Service Delivery Inspectorate to investigate service delivery principles (Batho Pele) 			
Provision of business reply cards and complaints boxes to all courts	<ul style="list-style-type: none"> Management of communication with clients Business reply cards and complaints boxes in all courts for clients who do not have access to the website 		R 500 000	
Analyse the data in the Victims Charter website to identify courts/ personnel with lots of complaints, investigate the reason and provide a solution.	<ul style="list-style-type: none"> Report from the website data analysis Training programme to address the causes for lack of efficient and effective service delivery Monitor Acknowledge those courts/personnel that go a step further to ensure that victims get a proper service 		In-house	

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of the Toll-Free Line	Activated Toll-Free Line		R3 000 000	
Salaries of the Toll-Free Line personnel	<ul style="list-style-type: none"> Toll-Free Lines resourced with trained personnel 		R3 381 696	
Provision of name tags to all court personnel	<ul style="list-style-type: none"> Procurement of name-tags Name-tag Policy to ensure that court personnel wear the name-tags 			
Random and unannounced inspection of service delivery in courts	<ul style="list-style-type: none"> Personnel to investigate complaints and to give feedback to the complainants Service Delivery Inspectorate to investigate service delivery principles (Batho Pele) 			



MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Analyse the data in the Victims Charter website to identify courts/ personnel with lots of complaints, investigate the reason and provide a solution.	<ul style="list-style-type: none"> • Report from the website data analysis • Training programme to address the causes for lack of efficient and effective service delivery • Monitor • Acknowledge those courts/personnel that go a step further to ensure that victims get a proper service 		In-house	
Provision of business reply cards and complaints boxes to all courts	<ul style="list-style-type: none"> • Management of communication with clients • Business reply cards and complaints boxes in all courts for clients who do not have access to the website 		R 500 000	





Victims **Chapter 7**

NATIONAL PROSECUTING AUTHORITY

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Sexual Offences and
Community Affairs Unit
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Advocate Vusi Pikoli, NPA

Message of Support

The National Prosecuting Authority (NPA), strongly endorse the Victims' Charter (2004), which clearly emphasises the importance of ensuring that victims are protected and supported throughout the Criminal Justice System (CJS). It entrenches the rights of victims within the system and highlights the obligations of the different CJS role players and/or service providers.

The NPA supports this Charter through the strategic objectives contained in its Strategy 2020. The emphasis on crime prevention and community justice further illustrates the NPA's commitment to this Charter. The organisation also supports the intention of the Charter to enable good governance and transformation within the CJS.

Furthermore, this Charter is seen as one of the vehicles within the CJS that will assist the NPA in achieving the strategic outcomes as contained in its Strategy 2020. These are mainly the prevention of victimisation (which includes secondary victimisation of victims), reduction in crime (breaking the cycles of crime and violence), ensuring public confidence in the CJS and contributing to social development.





COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

MTEF CYCLE: 2006/2007				
Strategic Objective: <ul style="list-style-type: none"> To implement measures aimed at continuous reform of the Criminal Justice System To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution; and To ensure an equitable criminal justice through recognising, protecting and balancing the rights of both victims and accused persons To set service standards for victims of crime, ensure that victims remain central to the Criminal Justice System to ensure that secondary victimisation is eliminated To provide for the consolidation of the present legal framework in South Africa relating to the rights of and services provided to victims of crime 				
Action	Deliverables	Milestones	Budget	Other Resources
Awaiting Trial Detainees (ATD)	<ul style="list-style-type: none"> To have developed criteria for prosecutors to take the initiative to filter accused according to severity of crime, in their interaction with SAPS, Magistrates, Social Development and DCS To effectively reduce the number of ATD's To effectively manage the children awaiting trial detainees inter-sectoral co-ordination and communication To effectively participate at provincial level in the relevant ATD structures 	To have effectively reduced the number of awaiting trial detainees.	R 761 996.00	DoJ, DCS
Deal more effectively with maintenance matters	<ul style="list-style-type: none"> To have developed a Maintenance Management System and piloted the system at the identified sites To have obtained stakeholder buy-in and understanding regarding the prioritisation of maintenance matters and the management thereof To have identified the optimal capacity and capability requirements for management of maintenance matters in the NPA To have developed the capacity and capability to effectively manage maintenance matters at identified pilots 	December 2007	R1 296 500.00	DoJ, NGO's
Customer management	<ul style="list-style-type: none"> To have improved upon customer satisfaction and increased customer confidence in the NPA, its structures and service offerings, so that customers are willing to report on crime, testify in court, and become pro-active in giving information thereby enhancing prosecution To develop a customer management model method, capability, etc 	March 2007	R5 229 000.00	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums.
Build operations management capability	<ul style="list-style-type: none"> To develop an operations management model, method, capability, dashboard and training for the NPA 	December 2008	R2m	DoJ
Enhance case flow management	<ul style="list-style-type: none"> To have increased the effectiveness and efficiency of the Criminal Justice System by implementation of the case flow management in all courts 	March 2007	R4 500 000-00	Judiciary, DoJ&CD, Legal Aid Board, IJS.





Victims

NATIONAL PROSECUTING AUTHORITY

MTEF 2006/2007				
Action	Deliverables	Milestones	Budget	Other Resources
Map priority processes	<ul style="list-style-type: none"> To have mapped prioritised processes. 	December 2007		
Restorative justice	To have: <ul style="list-style-type: none"> Understood what is being done in terms of RJ within NPA and its stakeholders Developed a common understanding of RJ within the CJS Developed RJ guidelines, criteria and framework for the NPA and developed a RJ handbook for prosecutors Contributed to the determination of legislative and policy constraints and enablers Identified what does and what does not work nationally and globally Determine the feasibility of what has been proposed for focused implementation in the South African environment Aligned the NPA plan with that of our stakeholders, other projects and initiatives, specifically DOJ Agreed upon roles and responsibilities for prosecutors and other stakeholders, development of SLA's, MoU's etc. Monitor and evaluate the success of the focussed implementation and identify specific areas in terms of applying a uniform approach to RJ, consider community courts Determine the impact on victims Sensitised, created awareness and trained prosecutors on RJ and application thereof. 	June 2007	R4 095 000-00	NICRO, Khulisa, DoJ, SAPS, NGO's, DoCS
Focus on reducing case backlogs	<ul style="list-style-type: none"> To have developed and successfully implemented a holistic integrated and realistic backlog plan for the short and medium terms To have provided training where required and to give input to CJS review in terms of what has and what has not worked 	January 2008	R11 136 000 (one year – 60 sites)	DoJ&CD, Judiciary, Legal Aid Board, IJS.
2010 requirements	<ul style="list-style-type: none"> To have a clear understanding of what role the NPA must play To have an understanding of the 2010 World Cup (WC) as a global event To have understood the work being done within the CJS To have determined how other countries have managed such an event in the context of prosecution and also the NPA's role in crime prevention leading up to the event To have understood our capacity and role within the NPA 	March 2007	R 189 750	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF 2006/2007				
Action	Deliverables	Milestones	Budget	Other Re-sources
Prosecution guided investigations	To have: <ul style="list-style-type: none"> A workable, appropriate and relevant PGI System A blue print of PGI within NPA including policies, processes, methodologies, systems <ul style="list-style-type: none"> Generic Model Specialised areas Achieved high level buy-in from SAPS where possible and other identified stakeholders internally and externally Explored and gained a good understanding of current PGI practice and other agencies 	May 2008	R 800 000.00	SAPS, DEAT
Community prosecutions	<ul style="list-style-type: none"> To develop a conceptual framework for community prosecution within the NPA via the establishment, monitoring and evaluation of 9 community prosecution pilot sites To test whether community prosecution is a viable option and to understand the impact on the organisation To test the capacity of the organisation to become increasingly pro-active in crime prevention by adopting a problem solving approach to dealing with crime and through the use of alternative and varied law enforcement mechanisms To clearly define the possible functions and profile of a Community Prosecutor To identify those mechanisms and processes which promote greater co operation with law enforcement agencies, the community, other partners and stakeholders in developing and implementing crime prevention initiatives 	Guidelines for community prosecutions Best practices identified	R500 000	NGO's, DoJ, SAPS
24/7 availability	<ul style="list-style-type: none"> To understand the mandate and scope of 24/7 availability To have provided recommendations regarding 24/7 availability To have understood and tested the concept of 24/7 availability 	April 2008	R 750 000	SAPS, DoJ, LAB
Development of Policy Guidelines to integrate the implementation of the Victims Charter in domestic violence cases	Approved Policy Guidelines	Draft Policy Document Approved Policy Guidelines	R300 000	Service provider costs
Review the existing domestic violence learning material to include a learning outcome on the Victims Charter	Revised learning material on domestic violence	<ul style="list-style-type: none"> Draft module Approved learning material 	R500 000	Design, printing and production costs



Victims

NATIONAL PROSECUTING AUTHORITY

MTEF 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Development of Monitoring and Evaluation Tool for Thuthuzela Care Centres (TCC)	To have developed and approved an M&E System for TCC	<ul style="list-style-type: none"> Draft M&E Tool Tool approved 	R1 000 000	DOH, DSC, SAPS, IDMT
Development of PEP compliance mechanism at TCC,s	To have developed a tool that ensures PEP compliance at TCC's	<ul style="list-style-type: none"> Draft tool Tool Approved Automated system designed and implemented 	R2 000 000	DoH, USAID

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Awaiting Trial Detainees	<ul style="list-style-type: none"> To have developed criteria for prosecutors to take the initiative to filter criminals according to severance of crime, in their interaction with SAPS, Magistrates, Social Development and DCS To effectively reduce the number of ATD's To effectively manage the children awaiting trial detainees inter-sectoral co-ordination and communication To effectively participate at provincial level in the relevant ATD structures 	Monitoring and evaluation to determine if any further actions need to be taken.	R740 000	SAPS, DoJ, DCS
Deal more effectively with maintenance matters	To roll out nationally the improved handling of maintenance matters as Piloted Implement Monitoring & Review Mechanisms	National Roll Out Blue Print. Period M&E Reporting	TBD	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums
Customer management.	Implement national customer care initiatives developed in 2006/2007 phase of the Plan	Customer Care Line – Outbound & Inbound	TBD	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums.
Build operations management capability:	Implement the model nationally	December 2008	R6,9 million	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums.
Enhance case flow management	Compile training guidelines for effective use of case flow management Case flow management training for all regions	March 2008	R16 million	DoJ and the judiciary
Map priority processes	<ul style="list-style-type: none"> Implement priority processes that have been mapped Map all other delivery processes in the organisation 	December 2008	R10,4 million	DoJ, SAPS
Restorative justice	To have implemented restorative justice and alternative dispute mechanism identified	TBD	TBD	

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Focus on reducing case backlogs	<ul style="list-style-type: none"> To have identified further sites for roll out of the implementation plan to address case backlogs To have identified root causes for case backlogs and have made recommendations to address these 	Reduce case backlogs by 20%	R12 million	DoJ, Judiciary, Legal Aid Board Judiciary, SAPS, LAB, DCS, Justice College, DOJ&CD, NGOs & Public Forums.
2010 requirements	<p>Initiation Stage To have negotiated with all the IJS stakeholders.</p> <ul style="list-style-type: none"> To have established a 2010 FIFA World Cup Project Office. To have established an Inter-sectoral Committee between the relevant role players. To have determined how other countries have managed such an event in the context of administration of Justice. To have developed and ensured approval of the Macro Scope of Work. <p>Planning Stage: To have developed a workable and comprehensive Blue Print to enable the effective administration of Justice.</p> <ul style="list-style-type: none"> The Blue Print will enable the IJS to execute its mandate and address all criminal and civil matters that emanate from the 2010 FIFA World Cup before the witnesses and accused leave the country. To have defined organisational capacity, expertise and infrastructure required to implement the blue print. To have developed the governance structures for the 2010 FIFA World Cup Project Office to allow for the smooth execution of the Administration of Justice for the duration of the project. To have developed working relationships and terms of reference with other stakeholders and partners. 	<p>January - September 2007</p> <p>September 2007 – March 2009</p>	R6 million	Judiciary, SAPS, DOJ&CD, NGOs & Public Forums.





Victims

NATIONAL PROSECUTING AUTHORITY

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
2010 requirements	Implementation & Operationalisation Stage Milestones: <ul style="list-style-type: none"> To have acquired the required capacity and capability. To have established the required infrastructure. To have monitored, evaluated, reviewed and addressed the gaps identified in the events leading up to the Confederations Cup. To have developed a lessons learnt report To have tested the agreed upon the developed PGI System with our partners by 25/03/08. Crime types that will be addressed include organised crime, violent crime, house breaking, violence against woman and children and contact crime. 	September 2007 – March 2010	R6 million	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums.
Prosecution guided investigations	To have tested the agreed upon the developed PGI System with our partners by 25/03/08 Crime types that will be addressed include organised crime, violent crime, house breaking, violence against woman and children and contact crime	A workable, appropriate and relevant PGI system 7 May 2008	R 800 000.00	SAPS
Community prosecutions	Roll out of the best practices identified in the exploration phase	TBD	TBD	DoJ, SAPS, NGO's
24/7 Availability	<ul style="list-style-type: none"> To understand the mandate and scope of 24/7 Availability To have provided recommendations regarding 24/7 Availability To have understood and tested the concept of 24/7 Availability 		R 2 088, 500	SAPS, LAB, DOJCD and DCS
Conduct training on the Revised Policy Guidelines on Victims Charter and Domestic Violence	200 prosecutors trained	8 decentralized training sessions of 25 learners held	R 1, 2million	Service providers
Conduct multi-disciplinary training on the Revised Domestic Violence Learning material (that integrates Victims Charter)	300 learners (200 prosecutors and 100 traditional leaders)	12 decentralised training sessions of 25 learners	R 1, 5million	Cooperation with National House of Traditional Leaders (NHTL) and the Ndabezitha Tripartite Alliance
Development of Monitoring and Evaluation Tool for Thuthuzela Care Centres (TCC)	Pilot M&E tool for TCC	Tool piloted at 10 TCC's	R2 000 000	DOH, DSC, SAPS, IDMT
Development of PEP compliance mechanism at TCC's	Implementation of PEP compliance tool	<ul style="list-style-type: none"> Draft tool Tool Approved Automated system designed and implemented 	R3 000 000	DoH, USAID
Establishment of TCC's	To have 8 operational TCC's established	8 TCC's	R4 000 000	DoH, DSD, SAPS

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Awaiting Trial Detainees	<ul style="list-style-type: none"> To have developed criteria for prosecutors to take the initiative to filter criminals according to severance of crime, in their interaction with SAPS, Magistrates, Social Development and DCS To effectively reduce the number of ATD's To effectively manage the children awaiting trial, detainees, inter-sectoral co-ordination and communication To effectively participate at provincial level in the relevant ATD structures 	<p>Additional printing of brochure and guidelines</p> <p>Depending on monitoring and evaluation outcome, more tasks maybe identified</p>	R100 000	
Build operations management capability:	<ul style="list-style-type: none"> Operationalize the Operations Management System and entrench methodology 	December 2008/9	R6, 9 million	Judiciary, SAPS, DOJ&CD, NGOs & Public Forums.
Enhance case flow management				
2010 requirements	<p>Planning Stage: To have developed a workable and comprehensive Blue Print to enable the effective administration of Justice.</p> <ul style="list-style-type: none"> The Blue Print will enable the IJS to execute its mandate and address all criminal and civil matters that emanate from the 2010 FIFA World Cup before the witnesses and accused leave the country. To have defined organisational capacity, expertise and infrastructure required to implement the blue print. To have developed the governance structures for the 2010 FIFA World Cup Project Office to allow for the smooth execution of the Administration of Justice for the duration of the project. To have developed working relationships and terms of reference with other stakeholders and partners. <p>Implementation & Operationalisation Stage Milestones:</p> <ul style="list-style-type: none"> To have acquired the required capacity and capability. To have established the required infrastructure. To have monitored, evaluated, reviewed and addressed the gaps identified in the events leading up to the Confederations Cup. To have developed a lessons learnt report 	<p>September 2007 – March 2009</p> <p>September 2007 – March 2010</p>	R5 million	
24/7 Availability	Training and Implementation	TBD	R2 585, 000	



MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Prosecution guided investigations	1. To have: <ul style="list-style-type: none"> A workable, appropriate and relevant PGI System A blue print of PGI within NPA including policies, processes, methodologies, systems <ul style="list-style-type: none"> - Generic Model - Specialised areas Achieved high level buy-in from SAPS where possible and other identified stakeholders internally and externally Explored and gained a good understanding of current PGI practice and other agencies 	A workable, appropriate and relevant PGI system 7 May 2008	R 979 500	SAPS
Development of the Ndabezitha Victim Offender Mediation Services (VOMS) Policy Guidelines to integrate in to Victims Charter	Ndabezitha VOMS Policy Guidelines approved by The Ndabezitha Board	Draft policy document Approved Policy guidelines	R400 000	Cooperation of the Ndabezitha Tripartite Alliance
Conduct Ndabezitha Imbizo Campaign to raise awareness on Victims Charter and domestic violence in rural communities	10 000 rural residents reached	10 000 people in rural communities	R900 000	Cooperation of the Ndabezitha Tripartite Alliance
Development of Monitoring and Evaluation Tool for Thuthuzela Care Centres (TCC)	M&E Tool for TCC	Tool implemented at all TCC's	R5 000 000	DOH, DSC, SAPS, IDMT
Development of PEP compliance mechanism at TCC,s	<ul style="list-style-type: none"> Implementation of PEP compliancy tool 	Database	R3 000 000	DoH, USAID
Establishment of TCC's	<ul style="list-style-type: none"> To have 8 operational TCC's established Management of 8 TCC's 	8 TCC's	R6 000 000	DoH, DSD, SAPS

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Awaiting Trial Detainees	Supply additional brochures		R200 000	Judiciary, SAPS, DoJ&CD, NGOs & Public Forums.
Deal more effectively with maintenance matters	Continuous improvement		R18 million	
Map priority processes	Continuous improvement	December 2009	R3,5 million	DOJCD, SAPS
Build operations management capability:	Operationalize the Operations Management System and entrench methodology	December 2009	R2,2 million	

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
2010 requirements	<p>Execution Stage: Confederations Cup</p> <ul style="list-style-type: none"> To have reviewed and updated the Blue Print, informed by the monitoring and evaluation from the previous events in Stage 3: Implementation and Operationalisation. To have administered justice in and around the Confederations Cup event. To have developed a lessons learnt report. <p>Execution Stage: 2010 FIFA World Cup</p> <ul style="list-style-type: none"> To have reviewed and updated the Blue Print, informed by the monitoring and evaluation of the previous events. To have administered justice in and around the 2010 FIFA World Cup event. To have developed a lessons learnt report. <p>Close-out Stage</p> <ul style="list-style-type: none"> To have finalised outstanding matters related to the 2010 FIFA World Cup. To have finalised monitoring and evaluation on this project. To have developed a comprehensive close out report. To have developed a comprehensive lessons learnt report. 	<p>October 2009</p> <p>August 2010</p> <p>November 2010</p>	R7 million	Judiciary, SAPS, DOJ&CD, LAB, DCS, Justice College, NGOs & Public Forums.
24/7 Availability	Training and Implementation Overtime	TBD	R66, 620 000	
Prosecution guided investigations	Training Monitoring and evaluation	TBD	R 1 820 000	
Conduct multi-disciplinary training on and implement the Ndabezitha VOMS Policy Guidelines	<ul style="list-style-type: none"> 200 persons trained 	200 persons trained	R850 000	Service providers and cooperation of the Ndabezitha Tripartite Alliance (i.e. NPA, Court Services of DoJ & CD and National House of Traditional leaders)
Implementation and review of Monitoring and Evaluation Tool for Thuthuzela Care Centres (TCC) and	<ul style="list-style-type: none"> M&E Tool for TCC, reviewed Recommendations made and approved Recommendations implemented 	Tool implemented at all TCC's	R5 000 000	DOH, DSC, SAPS, IDMT
Development of PEP compliance mechanism at TCC,s	<ul style="list-style-type: none"> Implementation of PEP compliancy tool, review and recommendations made and approved 	Recommendations implemented	R3 000 000	DoH, USAID
Establishment of TCC's	<ul style="list-style-type: none"> To have 8 operational TCC's established Management of 8 TCC's 	8 TCC's	R7 000 000	DoH, DSD, SAPS



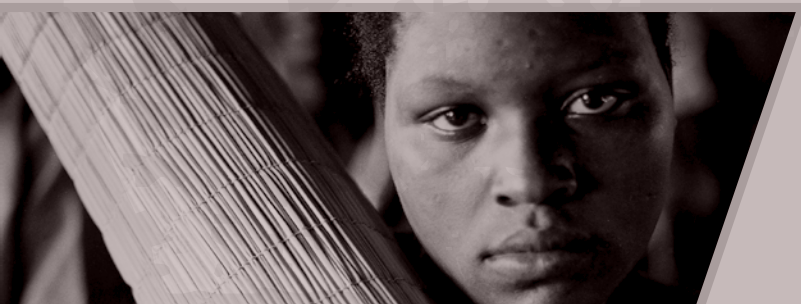


Victims

COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Awaiting Trial Detainees	Printing brochures	TBD	R200 000	
24/7 Availability	Training, Implementation and Overtime	TBD	R129 600	





Victims **Chapter 8**

SOUTH AFRICAN POLICE SERVICES



THE CO-ORDINATING DIRECTORATE
SOCIAL CRIME PREVENTION

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Victims

SOUTH AFRICAN POLICE SERVICE

National Commissioner

Message of Support

The South African Police Service is committed to empowering all victims of crime by ensuring that they are treated with respect and dignity, provided with information, protection and assistance and are given the opportunity to offer information.

To this end, the SAPS has been conducting Victim Empowerment training since 2001 to provide our members with victim-friendly skills that will ensure sensitive service of a high quality to all victims of crime.

The SAPS will further ensure that victims are assisted efficiently when reporting crimes, protected at the scenes of violent incidents, referred to other services when their requirements fall outside of the police=s mandate and that information is handled with utmost confidentiality. We also commit ourselves to continue to establish victim-friendly facilities in a bid to ensure privacy for the victims of intimate violence.

It is our goal to contribute significantly to protecting the vulnerable through the implementation of the Victim Empowerment Programme.





COMMITMENTS MADE IN THE PREAMBLE

MTEF CYCLE: 2006/2007				
Strategic Objective: <ul style="list-style-type: none"> To implement measures aimed at continuous reform of the Criminal Justice System To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution To ensure an equitable criminal justice through recognising, protecting and balancing the rights of both victims and accused persons To set service standards for victims of crime, ensure that victims remain central to the Criminal Justice System to ensure that secondary victimisation is eliminate To provide for the consolidation of the present legal framework in South Africa relating to the rights of and services provided to victims of crime 				
Action	Deliverables	Milestones	Budget	Other Resources
Finalise the development of the Anti-Rape Strategy	<ul style="list-style-type: none"> Anti-Rape Guideline Training Manual Training workshops 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	DoJ&CD
Train SAPS Officials on the Victims Charter and policies related to the Victims Charter	<ul style="list-style-type: none"> Training manual Training workshops Victim friendly police officers 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	Victim Charter inter-sectoral VEP Management Committee training to be approached to explore the possibility of merging Human Rights Training with VEP training as part of the review of VEP training by the Social Crime Prevention component
Issuing of National Instructions on the implementation of the Victims Charter	<ul style="list-style-type: none"> National Instructions on the Implementation of the Victims Charter Policy guidelines on the implementation of the Victims Charter 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	Victims Charter Inter-sectoral VEP Management Committee

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Continuous training of SAPS Officials on the Victims Charter, policies related to the Victims Charter and service excellence	<ul style="list-style-type: none"> Training workshops Victim friendly police officers Increased cooperation from victims and witnesses 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	Victims Charter Inter-sectoral VEP Management Committee





Victims

SOUTH AFRICAN POLICE SERVICE

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Monitoring of the implementation of the Victims Charter National Instructions	<ul style="list-style-type: none"> National Instructions on the Implementation of the Victims Charter Policy guidelines on the implementation of the Victims Charter 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	Workshop and members trained to deal with various needs of victims
Implementation of the Anti-Rape Strategy	<ul style="list-style-type: none"> Training of SAPS officials on treatment of all victims Gender-based violence crime and reduction of violence crime Better investigation of gender-based violence crime and violence 	Anti-rape programme National Instruction and guideline National Framework guideline 365 days and National Programme of Action for no violence against women and children	From SAPS Vote which amounts to R35.517 billion	Database for victims with special needs and all victims

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Continuous training of SAPS Officials on the Victims Charter, policies related to the Victims Charter and service excellence	<ul style="list-style-type: none"> Training workshops Victim friendly police officers Increased cooperation from victims and witnesses 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	DoJ&CD
Monitoring of the implementation of the Victims Charter National Instructions	<ul style="list-style-type: none"> National Instructions on the Implementation of the Victims Charter Policy guidelines on the implementation of the Victims Charter 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	DoJ&CD Health
Provide for victims with special needs and all victims of crime not only the victims of rape and domestic violence	<ul style="list-style-type: none"> Training of SAPS officials on treatment of all victims Gender-based violence crime and reduction of violence crime Better investigation of gender-based violence crime and violence 	Anti-rape programme National Instruction and guideline National Framework guideline 365 days and National Programme of Action for no violence against women and children	From SAPS Vote which amounts to R39.143 billion	

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Research on the nature and extent of victimisation and secondary victimisation	<ul style="list-style-type: none"> Research Report Establishment of a corrective training programme 	Victim Empowerment Programme including training in place	From SAPS Vote which amounts to R39.143 billion	<ul style="list-style-type: none"> Existing research reports Review existing training
Training of Correctional Services officials on the Victims Charter				

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Legal Services to give advise	<ul style="list-style-type: none"> Gazetted Policy Directives in terms of section 299A CPA Implementation of the Policy Directives 	Legal Services to give advise	From SAPS Vote which amounts to R43.568 billion	
Development of SAPS VER Divisional Manual	<ul style="list-style-type: none"> Reformulate SAPS Draft VEP policy into a Divisional Manual Implementation of the Manual Directives 	Legal Services to advise the division on the best option	From SAPS Vote which amounts to R43.568 billion	Inter-departmental Victim Empowerment Programme draft policy
Not Applicable for SAPS to be deleted	<ul style="list-style-type: none"> Employee Assistance Programme Provide trauma debriefing and counselling to employees responsible for Victim Offender Mediation to reduce the risk of secondary victimisation 			
Build the capacity of and empower employees dealing with Victims Offender Mediation to handle stress	<ul style="list-style-type: none"> Victim Empowerment Programme training to all police officials Employee Assistance Programme to provide trauma debriefing and counselling to employees 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R43.568 billion	Continuous debriefing and counselling of employees





Victims

SOUTH AFRICAN POLICE SERVICE

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Continuous training of SAPS Officials on the Victims Charter, policies related to the Victims Charter and service excellence	<ul style="list-style-type: none"> Training workshops Victim friendly police officers Increased cooperation from victims and witnesses 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R45.954 billion	Continuous training of employees on the Victims Charter
Monitoring of the implementation of the Victims Charter National Instructions	<ul style="list-style-type: none"> National Instructions on the Implementation of the Victims Charter Policy guidelines on the implementation of the Victims Charter 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R45.954 billion	Continuous assessments and interventions on the services of Charter
Implementation of the programmes that involve all victims of crime including Rape programme	<ul style="list-style-type: none"> Training of SAPS Officials on the Anti-Rape Strategy Sexual offences reduced Better investigation of rape cases 	Anti-rape programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R45.954 billion	Continuous updating database for victims with special needs and all victims

YOUR RIGHTS AS A VICTIM OF CRIME

The right to be treated with fairness and with respect for dignity and privacy

MTEF CYCLE: 2006/2007				
Strategic Objective: To implement administrative measures, improve workflows and process designs to improve service and delivery and to train the Criminal Justice Staff in order to ensure that victims are treated with fairness and with respect for their dignity and privacy.				
Action	Deliverables	Milestones	Budget	Other Resources
Verification is required of whether "prosecutions led" investigations are part of SAPS policy	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 		From SAPS Vote which amounts to R32.521 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation Officers already in court will assist where possible Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	DoJ&CD
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	DoJ&CD NPA
Updating victims on the case and explaining to them if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 		From SAPS Vote which amounts to R35.517 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	<p>Translation Officers already in court will assist where possible</p> <p>Standing Orders, Regulations and National Instructions in place</p>	From SAPS Vote which amounts to R35.517 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed 	Victim Empowerment Programme in place	From SAPS Vote which amounts to R35.517 billion	
Updating victims on the case and explaining to them if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 		From SAPS Vote which amounts to R39,143 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation Officers already in court will assist where possible	From SAPS Vote which amounts to R39,143 billion	DoJ&CD
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed 	Victim Empowerment Programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39,143 billion	
Updating victims on the case and explaining to them if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39,143 billion	





Victims

SOUTH AFRICAN POLICE SERVICE

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 			
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation Officers already in court will assist where possible	From SAPS Vote which amounts to R45.954 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 			
Updating victims on the case and explaining to them if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions 		From SAPS Vote which amounts to R45.954 billion	

THE RIGHT TO OFFER AND RECEIVE INFORMATION

MTEF CYCLE: 2006/2007				
Strategic Objective: To develop communication policies and implement administrative measures to ensure that victims can receive and offer information at ease and be informed of the status of their case				
Action	Deliverables	Milestones	Budget	Other Resources
Separation of issues and indication of actions, to - offer information and - receive information	<ul style="list-style-type: none"> Victims allowed to give statements Victims allowed to correct or amend the statement if it is incomplete or incorrect Guard against giving conflicting statements under oath 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	
Provision of public education material about procedures and processes of investigation to prosecution	<ul style="list-style-type: none"> Public education material Radio Talk Shows Imbizos 	National Crime Prevention Strategy	From SAPS Vote which amounts to R32.521 billion	

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Administrative measures will be implemented in order to ensure that victims can communicate with the Investigating Officers	<ul style="list-style-type: none"> Victims allowed to give statements Victims allowed to correct or amend the statement if it is incomplete or incorrect 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.517 billion	
Provision of public education material about procedures and processes of investigation to prosecution	<ul style="list-style-type: none"> Public education material Radio Talk Shows Imbizos Billboards Pamphlets 	National Crime Prevention Strategy	From SAPS Vote which amounts to R35.517 billion	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Administrative measures will be implemented in order to ensure that victims can communicate with the Investigating Officers	<ul style="list-style-type: none"> Victims allowed to give statements Victims allowed to correct or amend the statement if it is incomplete or incorrect 			
Provision of public education material about procedures and processes of investigation to prosecution	<ul style="list-style-type: none"> Public education material Radio Talk Shows Imbizos Billboards Pamphlets 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Administrative measures will be implemented in order to ensure that victims can communicate with the Investigating Officers	<ul style="list-style-type: none"> Victims allowed to give statements Victims allowed to correct or amend the statement if it is incomplete or incorrect 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R43.568 billion	
Provision of public education material about procedures and processes of investigation to prosecution	<ul style="list-style-type: none"> Public education material Radio Talk Shows Imbizos 	National Crime Prevention Strategy	From SAPS Vote which amounts to R43.568 billion	Communications component should also be engaged for assistance in the public education matters





Victims

SOUTH AFRICAN POLICE SERVICE

MTEF CYCLE: 2010/2011				
Action	Deliverables	Milestones	Budget	Other Resources
Provision of public education material about procedures and processes of investigation to prosecution	<ul style="list-style-type: none"> Public education material Radio Talk Shows Imbizos 	National Crime Prevention Strategy		
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 	Standing Orders, Regulations and National Instructions in place		

THE RIGHT TO PROTECTION

MTEF CYCLE: 2006/2007				
Strategic Objective: To instil a sense of trust, confidence, safety and satisfaction in the Criminal Justice System by victims and witnesses.				
Action	Deliverables	Milestones	Budget	Other Resources
Investigate and arrest accused persons Ensure the implementation of protective measures	<ul style="list-style-type: none"> Accused persons charged for the crime they have committed Assist victim at the scene of crime 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	
	<ul style="list-style-type: none"> Victims or witnesses will give their statement and cooperate throughout the trial Increased arrests, investigations and prosecution rate 			
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	
Implement language services to ensure that victims give statement in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation officers already in court will assist where possible	From SAPS Vote which amounts to R32.521 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 	Victim Empowerment Programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	

NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF CYCLE: 2006/2007

Strategic Objective: To instil a sense of trust, confidence, safety and satisfaction in the Criminal Justice System by victims and witnesses.

Action	Deliverables	Milestones	Budget	Other Resources
Informing victims if the accused person applied for bail and has been released on bail or if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions Confidence in the criminal justice system by victims and witnesses 	Inter-departmental Committees Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Investigate and arrest accused persons Ensure the implementation of protective measures	<ul style="list-style-type: none"> Accused persons charged for the crime they have committed Crime reduction 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	
	<ul style="list-style-type: none"> Victims or witnesses will give their statement and cooperate throughout the trial Increased arrests, investigations and prosecution rate 		From SAPS Vote which amounts to R35.517 billion	
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation officers already in court will assist where possible	From SAPS Vote which amounts to R35.517 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 	Victim Empowerment Programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	
Informing victims if the accused person applied for bail and has been released on bail or if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions Confidence in the criminal justice system by victims and witnesses 	Inter-departmental Committees Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R35.517 billion	





Victims

SOUTH AFRICAN POLICE SERVICE

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Investigate and arrest accused persons Ensure the implementation of protective measures	<ul style="list-style-type: none"> Accused persons charged for the crime they have committed Crime reduction 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	
	<ul style="list-style-type: none"> Victims or witnesses will give their statement and cooperate throughout the trial Increased arrests, investigations and prosecution rate 			
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation officers already in court will assist where possible	From SAPS Vote which amounts to R39.143 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 	Victim Empowerment Programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	
Informing victims if the accused person applied for bail and has been released on bail or if the DPP issued a noleproseque	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions Confidence in the criminal justice system by victims and witnesses 	Inter-departmental Committees Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R39.143 billion	

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Investigate and arrest accused persons Ensure the implementation of protective measures	<ul style="list-style-type: none"> Accused persons charged for the crime they have committed Crime reduction 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R 43.568 billion	
	<ul style="list-style-type: none"> Victims or witnesses will give their statement and cooperate throughout the trial Increased arrests, investigations and prosecution rate 			

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Implementation of prosecution led investigation of sexual offences and domestic violence	<ul style="list-style-type: none"> Increased convictions of sexual offences and domestic violence 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R 43.568 billion	
Implement measures to ensure that victims are assisted in their own language	<ul style="list-style-type: none"> Victims cooperation with the Investigating Officers Police Officers who translated are present in court to explain if there is a need for clarification 	Translation officers already in court will assist where possible	From SAPS Vote which amounts to R 43.568 billion	
Improvement and establishment of victim friendly facilities	<ul style="list-style-type: none"> Sexual Offences victims interviewed in a separate room Rape kits properly managed Victims transported to doctors or hospitals and back home 	Victim Empowerment Programme Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R 43.568 billion	
Informing victims if the accused person applied for bail and has been released on bail or if the DPP issued a nolleprosequere	<ul style="list-style-type: none"> Improved communication with victims Improved investigations that lead to increased convictions Confidence in the criminal justice system by victims and witnesses 	Inter-departmental Committees Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R 43.568 billion	

THE RIGHT TO ASSISTANCE

MTEF CYCLE: 2006/2007				
Strategic Objective: To provide access to victim friendly facilities and to implement administrative measures to empower victims and make their contact with the Criminal Justice System.				
Action	Deliverables	Milestones	Budget	Other Resources
Participate in the development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Improved access to medical and forensic services, counselling services, shelters and others Improved complaints mechanism 	National directory of services for victims of violence in place	From SAPS Vote which amounts to R32.521 billion	Department of Social Development
Transport victims of sexual offences (and other contact crime) to the doctors or hospital to obtain and preserve forensic evidence	<ul style="list-style-type: none"> Forensic evidence collected and preserved Elimination of secondary victimisation 	Standard Operational Procedures with minimum requirements to be given to Station Comms on how to deal with the transport of victims of crime	From SAPS Vote which amounts to R32.521 billion	Forensic Laboratory Accredited Medical Practitioner





Victims

COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

MTEF CYCLE: 2007/2008				
Action	Deliverables	Milestones	Budget	Other Resources
Participate in the development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Improved access to medical and forensic services, counselling services, shelters and others Improved complaints mechanism 	National directory of services for victims of violence in place	From SAPS Vote which amounts to R35.521 billion	Department of Social Development
Transport sexual offences and other contact crime to the doctors or hospitals and back to their home or shelter	<ul style="list-style-type: none"> Forensic evidence collected and preserved Elimination of secondary victimisation 	Standard Operational Procedures with minimum requirements to be given to Station Comms on how to deal with the transport of victims of crime	From SAPS Vote which amounts to R35.521 billion	Forensic Laboratory Accredited Medical Practitioner

MTEF CYCLE: 2008/2009				
Action	Deliverables	Milestones	Budget	Other Resources
Participate in the development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Improved access to medical and forensic services, counselling services, shelters and others Improved complaints mechanism 	National directory of services for victims of violence in place	From SAPS Vote which amounts to R39.143 billion	Department of Social Development
Transport sexual offences and other contact crime to the doctors or hospitals and back to their home or shelter	<ul style="list-style-type: none"> Forensic evidence collected and preserved Elimination of secondary victimisation 	Standard Operational Procedures with minimum requirements to be given to Station Comms on how to deal with the transport of victims of crime	From SAPS Vote which amounts to R39.143 billion	Forensic Laboratory Accredited Medical Practitioner

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2009/2010				
Action	Deliverables	Milestones	Budget	Other Resources
Participate in the development of a National and Provincial Resource Directory	<ul style="list-style-type: none"> National and Provincial Resource Directory Improved access to medical and forensic services, counselling services, shelters and others Improved complaints mechanism 	National directory of services for victims of violence in place	From SAPS Vote which amounts to R43.568 billion	Department of Social Development
Transport sexual offences and other contact crime to the doctors or hospitals and back to their home or shelter	<ul style="list-style-type: none"> Forensic evidence collected and preserved Elimination of secondary victimisation 	Standard Operational Procedures with minimum requirements to be given to Station Comms on how to deal with the transport of victims of crime	From SAPS Vote which amounts to R43.568 billion	Forensic Laboratory Accredited Medical Practitioner

THE RIGHT TO RESTITUTION

MTEF CYCLE: 2006/2007				
Strategic Objective: To facilitate victims right to restitution of goods or property that have been unlawfully disposed or damaged.				
Action	Deliverables	Milestones	Budget	Other Resources
Information on procedures to be followed after damage was done to victims' property has to be provided to members in order to avoid civil claims	<ul style="list-style-type: none"> Police restoring to the victim what was kept as exhibit Restitution to damaged property 	Standing Orders, Regulations and National Instructions in place	From SAPS Vote which amounts to R32.521 billion	Legal Service and task force to provide assistance





Victims **Chapter 9**

DEPARTMENT OF CORRECTIONAL SERVICES



RESPONSIBLE DIRECTORATE:
Directorate Pre-Release Resettlement

Telephone: (012) 3052166/307
(012) 2441/305 8043

Fax: (012) 325 8080



Victims

DEPARTMENT OF CORRECTIONAL SERVICES



Photo not usable for print

Mr V Petersen
National Commissioner of the Department of Correctional Services (DCS)

Message of Support

As the Commissioner of Correctional Services I feel privileged to contribute to the plans of government on the implementation of the Victims' Charter which will certainly make a difference in the lives of those who have been unfortunate to become victims of crime.

In DCS we are turning our punitive system into a correctional service system which, amongst others, involves families, communities, civil society as well as our partners in government in various ways. We have also adopted a restorative approach in our strive to improve the environment that gives the offender the opportunity to take responsibility for the crime and the harm caused to victims and communities.

With the adoption of the Victims' Charter by Cabinet in December 2004, we as a nation, committed ourselves to crime prevention and recognizing the role of victims in the criminal justice system.

With the Victims' Charter we, as Correctional Services want to show our commitment to victims of crime by giving them

more recognition, also in line with the government's Victim Empowerment Programme. The policies that we have developed on Victims/Complainant Involvement in Parole Boards as well as the recently approved policy on Restorative Justice have been aligned to the Victims' Charter, the Victim Empowerment Programme, and our Act, White Paper on Correction (2005) and relevant UN declarations.

I can confidently say that as the Department of Correctional Services we are doing our utmost to ensure that the Minimum Standards of the Victims' Charter are in place in terms of the rights of the victims. However, we are mindful of the fact that more specialized training is needed to equip our people to deal with the challenges of processes like Victim Offender Mediation.

I commit my department in making sure that the rights of victims are respected when they want to enter our facilities to get more information about the offenders and also if they want to attend parole hearings. We are furthermore committed to making sure the Victims' Charter with its Minimum Standards, which everybody is familiar with, become a living document in the department.





COMMITMENTS IN THE PREAMBLE

MTEF CYCLE: 2006/2007

Strategic Objective:

- To implement measures aimed at continuous reform of the Criminal Justice System
- To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution; and
- To ensure an equitable criminal justice through recognising, protecting and balancing the rights of both victims and accused persons
- To set service standards for victims of crime, ensure that victims remain central to the Criminal Justice System to ensure that secondary victimisation is eliminated
- To provide for the consolidation of the present legal framework in South Africa relating to the rights of and services provided to victims of crime

Action	Deliverables	Milestones	Budget	Other Resources
Development of Policy and Procedures on the Complainant Participation in CSPB Gazetting of the Policy Directives	Gazetted Policy Directives in terms of section 299A CPA Implementation of the Policy Directives	Policy Directives available	R5000	
Develop Policy on Restorative Justice	Develop draft policy Consult with internal & external role players Consolidate information/inputs Submit for Ministerial approval	Approved policy available	R5000	
Develop Procedures for the Policy on Restorative Justice	Develop draft policy procedures Consult with internal & external role players Consolidate information/inputs Submit for approval of Commissioner	Policy procedures available	R10 000	

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Training on policies & policy procedures	Audit training needs of correctional officials Identify 180 relevant DCS officials Identification of key personnel (Coordinators: Corrections, Development & Care, Head Correctional Centres) to be trained Cascading down the orientation and training on policies	Questionnaire on training needs developed and completed Audit report available	R380 000	HRD Branches Corrections & Development & Care
Implementation of Restorative Justice Policy, Policy on Complainants Involvement in CSPB & Procedures	Develop RJ programmes Form partnerships with civil society regarding implementation	Policy on RJ implemented in all COE	R10 000	Branches D & Care & Corrections





Victims

DEPARTMENT OF CORRECTIONAL SERVICES

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Awareness raising on Anti-Rape Strategy amongst officials	Organise workshops in regions Distribute training material to management areas	Officials in COE informed on Anti-Rape Strategy of the Department	R150 000	
Information and training to offenders on Restorative Justice principles & the rights of victims	Develop programmes Develop training manuals Assess offenders	Training manual available Information sessions to offenders commencing	R20 000	
Prevent secondary victimisation of victims attending Parole Board hearings	Chair persons of parole boards trained Training of parole board staff on expectations from the Victims Charter Engage civil society in the preparation of victims before attending parole hearings	All chairpersons trained SLA with victim support organisations to provide support to victims	R10 000	
Training of Correctional Services officials on the Victims Charter & Minimum Standards	Training manual available Training workshops Coordinate training in regions Incorporate VC information in basic training Identify first 180 to be trained	Relevant officials in COE trained	R380 000	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Monitor & evaluate the implementation of policies Monitor & evaluate the implementation of Minimum Standards in terms of the Victims Charter	Develop a compliance tool Implementation of policy Develop monitoring and evaluation tool Conducting site visits Submission of evaluation reports	Compliance tool available Site visits conducted and evaluation report available	R440 000	

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Continuous training of Correctional Supervision & Parole Boards (CSPB)	Update training manual Identify training priorities based on evaluation reports Make contact details of chairpersons available on Internet	Chairpersons trained & re-trained Chairpersons available to community & victims	R440 000	



YOUR RIGHTS AS A VICTIM OF CRIME

The right to be treated with fairness and with respect for dignity and privacy

MTEF CYCLE: 2006/2007

Strategic Objective: To implement administrative measures, improve workflows and process designs to improve service delivery and to train the Criminal Justice Staff in order to ensure that victims are treated with fairness and with respect for their dignity and privacy.

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that Victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System	Information pamphlets printed & available in courts, police stations and at victim support organisations	R10 000	
Train frontline personnel on customer relations in order for victims to be treated with respect for their dignity and privacy	Develop training material	Relevant officials at reception areas trained	R150 000	

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Establish or improve waiting rooms for victims who are attending parole hearings and or Victim Offender Mediation sessions	Elimination of secondary victimisation	25% of facilities upgraded	R9 million	
Communication channels will be put in place to ensure that Victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System	Continuation of working agreement with civil society organisations	R10 000	
Continuous training of DCS personnel on customer services		Frontline personnel trained	R100 000	





Victims

DEPARTMENT OF CORRECTIONAL SERVICES

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Establish or improve waiting rooms for victims who are attending parole hearings and or Victim Offender Mediation	Elimination of secondary victimisation Victims treated with fairness and with respect for their dignity and privacy	Victim & offenders using separate waiting rooms	R10 million	
Communication channels will be put in place to ensure that Victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System		R10 000	

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Establish or improve waiting rooms for victims who are attending parole hearings	Elimination of secondary victimisation Victims treated with fairness and with respect fore their dignity and privacy		R6 million	
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System		R10 000	

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Establish or improve waiting rooms for victims who are attending parole hearings	Elimination of secondary victimisation Victims treated with fairness and with respect fore their dignity and privacy	52 CSPB facilities upgraded	R5 million	
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System		R10 000	



THE RIGHT TO OFFER AND RECEIVE INFORMATION

MTEF CYCLE: 2006/2007				
Strategic Objective: To develop communication policies and implement administrative measures to ensure that victims can receive and offer information at ease and be informed of the status of their case				
Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	SLA with civil society organisations Develop a communication strategy – pamphlets and posters in courts and police stations Form partnerships with media	Victims informed of the parole hearing	R10 000	
Implementation of the Anti Rape Strategy. Anti Rape IDMT Strategy developed a matrix of action, which focuses on following three pillars, namely; prevention, support and response <ul style="list-style-type: none"> Prevention <ul style="list-style-type: none"> Awareness campaigns and education on rape and cultural myths. Educate offenders on their rights and gender violence. Research, design, develop and source programmes to prevent re-offending. Response <ul style="list-style-type: none"> Rape cases to be reported to SAPS Support <ul style="list-style-type: none"> Referral of rape cases to professionals like; nurses, social workers, psychologists, etc. for further intervention 	All the Regions informed about the Anti-Rape Strategy Rolling out Anti-Rape Strategy to all the 6 Regions, namely; Gauteng, Free State/ Northern Cape, Limpopo/ Mpumalanga/North West, Western Cape, KwaZulu Natal and Eastern Cape Offenders empowered to report sexual abuse within correctional facilities Offenders' needs addressed	Relevant officials in COE trained Increased number of reported rape cases within the correctional facilities Statistical information to be kept on reported rape cases within correctional facilities Increased knowledge by offenders on their rights Accessibility of programmes to offenders	R60 000	SAPS and other IDMT partners
Make pamphlets available on DCS parole hearings, Victim Offender Mediation Marketing of Victims Charter & relevant DCS policies	Form partnerships with civil society Information at community meetings, school, churches, etc. Communicate DCS policy on parole hearings through the media	Information material available in all community based organisations	R100 000	DCS Communication Chief Directorate Social Reintegration
Train relevant DCS staff on Restorative Justice, Victim Empowerment and Victim Offender Mediation in order for them to give the necessary information to victims	Identify relevant DCS officials in COE to be trained	Officials of COE trained on relevant documents to improve service delivery to victims	R10 000	





Victims

DEPARTMENT OF CORRECTIONAL SERVICES

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	SLA with civil society organisations Develop a communication strategy – pamphlets and posters in courts and police stations Form partnerships with media	Victims informed of the parole hearing	R10 000	
Develop a data base of victim support organisations	Source information from civil society Consolidate existing information of service providers in DCS data base Establish electronic data base as well as hard copies	Data base available to DCS officials to refer victims who need support or counselling services	R15 000	
Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written	Victim participation in the parole hearing Victims and the public having confidence in the criminal justice system Communicate DCS policy on parole hearings through the media			

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	SLA with civil society organisations Develop a communication strategy – pamphlets and posters in courts and police stations Form partnerships with media	Victims informed of the parole hearing Victims have confidence in the criminal justice system	R10 000	
Allow victims to attend parole board hearing	Victim participation in the parole hearing Communicate DCS policy on parole hearings through the media Make video recording of victims who do not wish to appear in person Preparation of offender on victim's input	Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written		

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels put in place.	Victims informed of the parole hearing Prepare offender on victim's input	Victims informed of the parole hearing Victims have confidence in the criminal justice system	R10 000	

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels put in place.	Victims informed of the parole hearing Prepare offender on victim's input	Victims informed of the parole hearing Victims have confidence in the criminal justice system		
Allow victims input in parole board hearing	Victim participation in the parole hearing Communicate DCS policy on parole hearings through the media	Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written		

THE RIGHT TO PROTECTION

MTEF CYCLE: 2006/2007

Strategic Objective: To instil a sense of trust, confidence, safety and satisfaction in the Criminal Justice System by victims and witnesses.

Action	Deliverables	Milestones	Budget	Other Resources
Training of relevant DCS staff to protect victims against harassment during parole hearings and VOM	Prevention of secondary victimisation		R100 000	
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System Victims can prepare emotionally for the release of the offender	Information made available to victims	R10 000	





Victims

DEPARTMENT OF CORRECTIONAL SERVICES

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System Victims can prepare emotionally for the release of the offender	Information made available to victims	R10 000	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written	Victim participation in the parole hearing	R45 000	

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that victims are informed when the perpetrator is due for a parole hearing and if the victim wants to apply to attend	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written	Victim participation in the parole hearing	R10 000	

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Communication channels will be put in place to ensure that	Victims informed of the parole hearing Victims have confidence in the Criminal Justice System Victims are informed when the perpetrator is due for parole hearing and if the victim wants to apply to attend Victims who applied to attend the parole hearing will be allowed to give inputs verbally or written	Victim participation in parole board hearings	R10 000	

NATIONAL IMPLEMENTATION PLAN SERVICE CHARTER FOR VICTIMS OF CRIME



THE RIGHT TO ASSISTANCE

MTEF CYCLE: 2006/2007

Strategic Objective: To provide access to victim friendly facilities and to implement administrative measures to empower victims and make their contact with the Criminal Justice System.

Action	Deliverables	Milestones	Budget	Other Resources
Provide interpreters during parole hearings and Victim Offender Mediation where necessary	Train interpreters	Interpreters available at CSPB hearings	R30 000	
Offenders who become victims while serving a sentence will be referred for assistance to relevant service providers	Support services (psychological, social work and spiritual care) will be made available	Services available depending on the needs of offenders who became victims	R15 000	
Make audio visual equipment available for victims who do not wish to attend CSPB in person, but to make representations	Audio visual equipment available	All CSPB's issued with video cameras and relevant equipment	R100 000	

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Provide interpreters during parole hearings and Victim Offender Mediation where necessary	Train interpreters		R15 000	
Make audio visual equipment available for victims who do not wish to attend CSPB in person, but to make representations	Audio visual equipment available	All CSPB's issued with video cameras and relevant equipment	R20 000	

MTEF CYCLE: 2008/2009

Action	Deliverables	Milestones	Budget	Other Resources
Make audio visual equipment available for victims who do not wish to attend CSPB in person, but to make representations	Audio visual equipment available	All CSPB's issued with video cameras and relevant equipment	R10 000	



Victims

DEPARTMENT OF CORRECTIONAL SERVICES

MTEF CYCLE: 2009/2010

Action	Deliverables	Milestones	Budget	Other Resources
Make audio visual equipment available for victims who do not wish to attend CSPB in person, but to make representations	Audio visual equipment available	All CSPB's issued with video cameras & relevant equipment	R10 000	

MTEF CYCLE: 2010/2011

Action	Deliverables	Milestones	Budget	Other Resources
Make audio visual equipment available for victims who do not wish to attend CSPB in person, but to make representations	Audio visual equipment available	All CSPB's issued with video cameras & relevant equipment	R10 000	

COMPLAINTS

MTEF CYCLE: 2006/2007

Action	Deliverables	Milestones	Budget	Other Resources
Establishment of a Toll Free Line	Activated and operating Toll-Free Line Creation of posts for personnel to manage the Toll-Free Line Provision of name-tags to all personnel	Speedy resolution of complaints	R20 000	

MTEF CYCLE: 2007/2008

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of Toll Free Line	Activated and operating Toll-Free Line Creation of posts for personnel to manage the Toll-Free Line Provision of name-tags to all personnel	Speedy resolution of complaints	R15 000	

MTEF CYCLE: 2008-2011

Action	Deliverables	Milestones	Budget	Other Resources
Maintenance of Toll Free Line	Activated and operating Toll-Free Line Creation of posts for personnel to manage the Toll-Free Line Provision of name-tags to all personnel	Speedy resolution of complaints	R15 000	



Chapter 10

DEPARTMENT OF SOCIAL DEVELOPMENT



THE CO-ORDINATING DIRECTORATE:
VICTIM EMPOWERMENT

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Introduction

The Service Charter for Victims of Crime impacts on a number of programmes in the Department of Social Development. The Department of Social Development has been mandated to addressing poverty and vulnerability of all people including victims of crimes. It exercise this mandate through the development of policies and programmes to ensure quality services that are integrated, effective and efficient hence the development of Integrated Services Delivery Model.

Integrated Service Delivery Model

The Integrated Service Delivery Model is the results of the paradigm shift from welfare approach to the social development approach. This approach is based on the notion that people are the masters of their own destiny and the emphasis is on development and empowerment of individuals, families and communities by encouraging and teaching them to be self-reliant. Further, this model is aimed at strengthening the systems through which services are rendered, and promoting general well being, and development of the people of South Africa.

The Integrated Service Delivery Model classifies the welfare service delivery into various levels of intervention, and these levels of intervention will be considered in rendering services to victims of crime as follows:

- Prevention
- Early intervention (non-statutory)
- Statutory intervention/ residential/ alternative care
- Reconstruction and after care

The main aim of the Integrated Service Delivery Model is to improve service delivery, and ensure compliance with the minimum standards in service delivery.

Generic norms and standards for Developmental Social Welfare Services

These generic norms and standards are aimed towards standardising developmental social welfare services through all three tiers of government and managing consistent level of service delivery across the country. They have also created a common classification and standardisation minimum basket of services to be delivered per services category.

Integrated Victim Empowerment Policy

The Department of Social Development has led the development of the Integrated Victim Empowerment Policy. This Policy serves as the framework for service delivery to victims of crime and violence. The philosophical based of the Integrated Victim Empowerment Policy is that individuals, families and communities have the right to privacy, safety and human dignity. The core interventions strategies that are identified in the Integrated Victim Empowerment Policy are as follows:

- Capacitating Management Structures
- Creating Awareness/Providing information
- Building Skills
- Education and Training of Personnel and consumers of the services
- Establishing Services and Programmes
- Research, Monitoring and Evaluation

The Integrated Victim Empowerment Policy has identified violence against women, child abuse, domestic violence, victims of sexual assault, abuse of older persons and abuse of people living with disabilities as priority areas.

Minimum standards for Service Delivery In Victim Empowerment (Victims Of Crime And Violence)

The Minimum Standards for Service Delivery in Victim Empowerment (Victims of Crime and Violence) provide the service providers with information on what is expected of them to do when rendering services to the victims of crime and violence. Proficiency, professionalism and respect of the client are upper most in service delivery. These Minimum Standards also serves as a guideline to ensure developmental quality assurance in service delivery for victims of crime and violence.

The Department of Social Development will implement the Service Charter for Victims of Crime in accordance with the Integrated Service Delivery Model; Generic Norms and Standards for Developmental Social Welfare; Integrated Victim Empowerment Policy; Minimum Standards for Service Delivery in Victim Empowerment; Minimum Standards on Services for Victims of Crime; Charter on the Rights of Older Persons; National Policy Framework and Strategic Plan for the Prevention and Management of Child Abuse, Neglect, and Exploitation; as well as the Probation Services Act.





The right to be treated with fairness and respect for your dignity

Social services practitioners when intervening in cases involving victims of crime will ensure that these victims are treated with courtesy, they are respected as unique human being and their confidentiality is respected. Information that has been share with the social service practitioner will remain confidential, and can only be divulged to any other person with the victim's consent.

Services will be rendered in the victim's home language where possible. In cases of victims of sexual offence, victim may need practical assistance such as alternative clothing, the social worker/ social service practitioner should assist.

The right to offer and receive information

The rights to offer and receive information refer to the respect of the victim's views and opinion on the intervention process. This is line with principle of participation and self-determination as reflected in the Integrated Victim Empowerment Policy.

The social service practitioner will further inform the victims of their rights, offer counselling and refer the victim to appropriate professional service when a need arises. Furthermore, the social service providers are expected to educate and inform communities of the impact of crime and violence, inform them of available resources and provide information on referral procedures.

The Right to Protection

The social workers/ social service practitioners will ensure that the victims and their families are not at risk or danger. Safety

of victims is a priority area in all centres and shelters which provide services to victims of crime especially women and children. The Policy Framework and Strategy for shelters for Victims of Domestic Violence was developed and implemented to ensure safety and protection of victims. The monitoring and evaluation of shelters to ensure that these shelters comply with the minimum standards on shelters will be conducted around the country and corrective measures will be taken.

The right to assistance

According to the minimum standards on services for victims of crime the Department of Social Development is expected to provide psycho-social services and practical support. The Department of Social Development is the lead Department for the Victim Empowerment Programme and it has led the development of the Integrated Victim Empowerment Policy which is the policy framework to guide and inform the provision of integrated and multi-disciplinary services aimed at addressing the needs of victims of crime and violence. The Integrated Victim Empowerment Policy has prioritized child abuse, domestic violence, victims of sexual assault, abuse of older persons, and abuse of people with disabilities

The Department of Social Development will also continue with providing probation services and victim offender mediation programmes.

Various activities need to be implemented by the different programmes within the Department of Social Development to ensure the above mentioned rights of victims of crime are realized. These activities are reflected in the following Action





Victims

COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

ACTION PLAN

Action	Outputs	Measure/ indicator	Target 2007/8	Target 2008/9	Target 2009/10	BUDGET
Develop guidelines for the implementation of the Service Charter for Victims of Crime	Social Development specific guidelines for the implementation of the Service Charter for Victims of Crime	Finalised Guidelines for the implementation of the Charter available	Guidelines for the implementation 100% finalized.	250 social workers trained on the implementation of the Charter	250 social workers trained on the implementation of the Charter	
Printing and distributing the Service Charter to all Victim Empowerment stakeholders	Service Charter for Victims of Crime booklets printed and distributed to VEP Stakeholders	Number of printed and distributed Service Charter for Victims of Crime booklets	10 000 Copies of the Service Charter for Victims of Crime printed and distributed.	10 000 copies of Service Charter for Victims of Crime printed and distributed	10 000 copies of the Service Charter for Victims of Crime Printed and distributed	
Aligning the Integrated Victim Empowerment Policy with the Service Charter for Victims of Crime	Integrated Victim Empowerment Policy that is also addressing the Charter	Launch the policy and initial implementation by relevant role-players	Guidelines for the implementation of VEP Policy 100% finalized.	250 social workers trained in implementation of the VEP Policy	250 social workers trained in implementation of the VEP Policy	
Establishment of One Stop Centers and shelters for victims of domestic violence	Prevention of victimization and services for women and their children	Number of One Stop Centres and shelters for women victims of domestic violence established	Two centers/ shelters	Monitoring and Evaluation One Stop Centres and shelters	Monitoring and evaluation of the shelters	





Victims

Chapter 11

DEPARTMENT OF HEALTH



RESPONSIBLE DIRECTORATES:
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Victims

DEPARTMENT: HEALTH



Mr Thami Mseleku, Director-General

Message of Support

The Service Charter for Victims of Crime was approved by Cabinet in 2004 as part of the government commitment to deal with crime by ensuring that victims are given the best treatment in our health facilities. This is part of the government comprehensive Victim Empowerment Programme.

The National implementation plan for the Service Charter for Victims of crime is a symbol that bring hope to many victims of crime. As victims of crime, women, children, the elderly and the disabled are particularly vulnerable given their position in the society. The charter addresses the needs of all victims of crime in our country.

The government has committed itself by using a multidisciplinary integrated approach to comprehensively dealing with crime. The Department of health is one of the government departments that have adopted an integrated approach to offer service to victims of crime.

The Batho-pele principle guide how the department should provide services to victims of crime. The patients rights guide patients to their rights to health care service delivery. The Department as a member of the inter-Departmental committee developed a five year implementation plan for the service Charter.

The plan set a clear framework for engagement with victims of crime, civil society, organizations and other stakeholders. The department further commits itself to ensuring that designated facilities for Clinical Forensic Medicine are establish and they have resources to allow easy access to a comprehensive health service delivery by victims of crime.



MTEF 2007/ 2008					
Strategic Objective:					
<ul style="list-style-type: none"> To promote the equal enjoyment of all the rights and freedoms guaranteed in the Constitution; and To ensure an equitable criminal justice through recognising, protecting and balancing the rights of both victims and accused persons To set service standards for victims of crime, ensure that victims remain central to the Criminal Justice System to ensure that secondary victimisation is eliminated To provide for the consolidat 					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Provision of professional and accessible services including EMS for victims/survivors of crime and violence.	<ul style="list-style-type: none"> To identify or establish dedicated units for services for victims of crime Each provincial dept of health to appoint a provincial coordinator/ manager for CFM Have a 24hrs roster in each facility. 	Dedicated Service for CFM	April 2007		Provincial Department of Health (PDOH)
Rights		Comprehensive service to include Clinical Forensic medicine (CFM), Emergency Services (EMS), prevention programme and general health service	April 2007		
1.The right to be treated with fairness and respect the dignity and privacy of victims	<ul style="list-style-type: none"> Identify dedicated referral units for support services for victims of crime and violence Develop the following policies, guidelines and regulations Policy of Clinical Forensic Medicine. To implement the strategy on prevention of injuries, violence and non-natural deaths 	Referral units identified	April 2007		National Department of Health (NDOH)
2.The right to receive assistance	<ul style="list-style-type: none"> Develop the following policies, guidelines and regulations Policy of Clinical Forensic Medicine. To implement the strategy on prevention of injuries, violence and non-natural deaths Implement all existing related guidelines <ul style="list-style-type: none"> Prevention & management of elder abuse Revise sexual Assault guidelines Provide health services as required and agreed with provinces in dedicated centres for victims of crime and violence, e.g. required forensic assessment, taking of evidential samples, professional investigation, counselling, ARV's as required and any other referrals if needed. Develop referral paths responsible departments for special centres for victims of crime and violence 	Policies guidelines and regulations developed Policy developed Strategy implemented Guidelines implemented Guidelines revised Comprehensive service to include Clinical Forensic services(CFM), Emergency Services (EMS), prevention programme and general health service Referral paths developed	1st draft done 1st draft done October 2007 October 2007 November 2007 November 2007 Ongoing End of March 2007	 R60 000 R3 Million p/a +2cases p/day. 	 NDOH NDOH NDOH PDOH NDOH PDOH PDOH



DEPARTMENT: HEALTH

MTEF 2007/ 2008					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
	<ul style="list-style-type: none"> Orientate hospital CEOs and CFOs of provinces to be responsible for structured CFM services Letter to National CFO to orientate provincial CFOs on CFM services. Provide colposcopes and good cameras to all identified / designated units over three year period To provide blood alcohol kits (drunken driving in all units) 	Hospital CEO / CFO's orientated Letter written to national CFO Colposcopes and cameras supplied Blood alcohol kits in all units	Oct 2007 Sept 2007 2007/2008 starting 2008	R104 000 per colposcope and camera x no of dedicate units	NDOH NDOH PDOH NDOH
Capacitate staff in dedicated units Rights 1. The right to offer information 2. The right to receive information	<ul style="list-style-type: none"> CFM included in general medical and forensic nurse training Train and capacitate staff on the requirements of the service charter including EMS personnel, nurses, personnel, doctors CFM courses developed and implemented and sampling methodology Orientation of Community service doctors in all provinces - Update orientation programme where applicable In-service training for EMS personnel Doctors, Nurses & GP's on CFM in dedicated units Reinforce Bathopele principles and patients charter Develop health promotion materials to include patients rights and 7 rights for survivors of crime and violence 	Improved service to victims of crime. Trained and capacitated staff CFM courses developed and implemented Health promotion	Done and ongoing Sept 2007 Done and ongoing Done and ongoing Jan 2008 Oct 2007 Nov 2007	R30 000 R30 000 R50 000	NDOH NDOH NDOH NDOH PDOH PDOH NDOH
Standardised records on physical abuse	<ul style="list-style-type: none"> Standardised forms reproduced Distribute forms to all provinces 	<ul style="list-style-type: none"> Standardised forms (J88) 	April 2007 April 2007	R50 000	NDOH NDOH



NATIONAL IMPLEMENTATION PLAN
SERVICE CHARTER FOR
VICTIMS OF CRIME



MTEF 2007/ 2008					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Making victims of crime and violence aware of the existing complaint system	<ul style="list-style-type: none"> Develop information leaflet for victims of crime and violence re: complaint system Health care providers to inform victims of rights to request prosecution 	Information leaflet produced	Jan 2007 Ongoing	R30 000	NDOH NDOH
Developing a communication strategy	<ul style="list-style-type: none"> Communication strategy including: <ul style="list-style-type: none"> - patients charter - 7 rights Service Charter for victims - Batho-pele principle Health rights and responsibilities 	Implement communication strategy	April 2007	R50 000	NDOH
Establish inter- sectorial provincial CFM forum /task team	<ul style="list-style-type: none"> Facilitate the establishment of CFM forum 	CFM forum established	Dec 2007		PDOH
Establish a Dept task team for implementation of charter for victims	<ul style="list-style-type: none"> Facilitate the establishment of Task team 	Dept task team established	Dec 2007		NDOH
Accreditation of the course for CFM	<ul style="list-style-type: none"> Facilitate accreditation process for CFM course 	CFM course accredited (College of medicine)	Done. First graduate May 2007	R4000 per student per exam	NDOH
Develop a monitoring and evaluation tool	<ul style="list-style-type: none"> Development of the Monitoring and Evaluation tool to be finalised 	Monitoring and evaluation tool developed	Dec 2007		NDOH





DEPARTMENT: HEALTH

Victims

MTEF CYCLE 2008/2009					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Provision of professional and accessible services including EMS for victims/survivors of crime and violence.	<ul style="list-style-type: none"> To publish and implement the CFM policy and guidelines Implement the following policies, guidelines and regulations Implement Manual of Clinical Forensic Medicine Develop norms and standards for victim & user friendly units Provide health services as required and agreed with provinces in dedicated centres for victims of crime 	CFM policy published and implemented	March 2008		NDOH
Rights		Policies implemented	April 2009		NDOH
1. The right to offer information		Manual implemented	Final draft. April 2008		NDOH
2. The right to receive information		Norms and standards developed	April 2008		NDOH
3. The right to protection	<ul style="list-style-type: none"> Prevention of injuries, violence and non-natural deaths strategy -Comprehensive strategy implemented To render comprehensive service that include Clinical Forensic Medical services , emergency services, prevention programme and general health service Monitor service centres 	Comprehensive strategy implemented	Ongoing	R3 Million p/a +2 cases per day	PDOH
		60% of dedicated services are victim friendly	March 2008		NDOH
			March 2008		All relevant Departments
		Service centres monitored	July 2009		NDOH
Open files for all victims of crime and violence	<ul style="list-style-type: none"> To orientate all doctors, admission clerks and nurses to open files for all victims of crime and violence To audit implementation of the strategy 	All victims have files	Ongoing		PDOH
		Annual audit conducted	Annually		NDOH
Give special attention to service for disable and the elderly victims.	<ul style="list-style-type: none"> Provision of disable and elderly user friendly facilities in all service centres Initiate awareness campaigns on the charter targeting the disabled and the elderly victims 	Awareness programme for aged and disabled provided	April 2008		NDOH
		Awareness campaign on the charter initiated	April 2008		NDOH
Make victims of crime aware of the existing complaint system	<ul style="list-style-type: none"> Distribute to all hospitals, clinics, special centres and ambulances 	Information leaflet produced and distributed	Ongoing	R30 000	NDOH PDOH
Capacitate staff in dedicated units	<ul style="list-style-type: none"> CFM included in general medical training 	Improved service to victims of crime and violence.	Ongoing		NDOH



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MTEF CYCLE 2008/2009					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
	<ul style="list-style-type: none"> • Train and capacitate staff Including EMS personnel, doctors on the requirements of the service charter • CFM courses implemented • Orientation of Community service doctors EMS personnel, in all provinces <ul style="list-style-type: none"> - Update orientation programme • In-service training on CFM for EMS personnel, doctors nurses & GPs on CFM in dedicated units <ul style="list-style-type: none"> - Develop in-service curriculum and plan training of district and other relevant managers on importance of effective and efficient CFM • Develop monitoring and evaluation tool to evaluate the implementation plan 	<p>Trained and capacitated staff.</p> <p>CFM course implemented</p> <p>Orientation for CS doctors, EMS personnel on CFM conducted</p> <p>In service training conducted</p> <p>Curriculum developed</p> <p>M&E tool developed to evaluate the plan</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>April 2007</p>		<p>NDOH</p> <p>NDOH</p> <p>PDOH</p> <p>PDOH</p> <p>NDOH</p>
Make victims of crime aware of the existing complaint system	<ul style="list-style-type: none"> • Distribute to all hospitals, clinics, special centres, ambulances 	Information leaflet produced and distributed	Ongoing		PDOH
Develop a monitoring and evaluation tool for CFM	<ul style="list-style-type: none"> • Implementation of monitoring tool to be finalised 	Monitoring and evaluation tool	Sept 2008		NDOH





DEPARTMENT: HEALTH

Victims

MTEF CYCLE 2009/2010					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Provision professional and accessible services including EMS for victims/survivors of crime and violence.	<ul style="list-style-type: none"> Publish and implement policies and guidelines 	Policies and guidelines implemented	March 2009	R50 000	NDOH
	<ul style="list-style-type: none"> Provide health services as required and agreed with provinces in dedicated special centres for victims of crime and violence 	Comprehensive service to include Clinical forensic services, emergency services, prevention programme and general health service	Ongoing finalise process		NDOH
	<ul style="list-style-type: none"> Provide colposcopes and good cameras to all designated units 	Colposcopes and cameras provided	Ongoing	R104 000 plus per Colposcope x no of dedicated units	PDOH
	<ul style="list-style-type: none"> Prevention of injuries, violence and non-natural deaths strategy - Comprehensive strategy 	60% of dedicated services are victim friendly	July 2009		PDOH
	<ul style="list-style-type: none"> Monitor service 	Service delivery monitor			NDOH
Capacitate identified/dedicated units	<ul style="list-style-type: none"> Implementation of health promotion materials. 	Health promotion			PDOH
	<ul style="list-style-type: none"> CFM included in general medical training 	Improved service to victims of crime.	Ongoing		NDOH
	<ul style="list-style-type: none"> Train and capacitate staff on the requirements of the service charter 	Trained and capacitated staff.	Ongoing		NDOH
	<ul style="list-style-type: none"> Update orientation programme 	Orientation programme updated	Ongoing		PDOH
	<ul style="list-style-type: none"> Orientation of Community service doctors in all provinces including EMS personnel, doctors orientation regarding CFM 	Orientation conducted	Ongoing		PDOH
Open files for all victims of violence	<ul style="list-style-type: none"> In-service training for EMS personnel, doctors nurses & GPs on CFM in dedicated units 	In-service training conducted	Ongoing		PDOH
	<ul style="list-style-type: none"> Orientate all doctors, admission clerks and nurses to open files for all victims of crime and violence 	Files for all victims	Ongoing		PDOH
	<ul style="list-style-type: none"> Audit on implementation 	Annual audit conducted	Annually		NDOH



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MTEF CYCLE 2009/2010					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Make victims of crime aware of the existing complaint system	<ul style="list-style-type: none"> Distribute to all hospitals, clinics, special centres, ambulances as required 	Information leaflet produced	Ongoing		PDOH
Implement the monitoring and evaluation tool for CFM	<ul style="list-style-type: none"> Training on implementation of monitoring tool Audits 	Monitoring and evaluation tool	March 2010		NDOH
		Training audit conducted	Annually		NDOH
Conduct research on interventions for sustaining the implementation of the charter	<ul style="list-style-type: none"> Conduct research using statistics monitoring and evaluation report and other relevant sources in conjunction with relevant Institution 	Research report on further measures/ intervention needed for effective Implementation of charter	April 2009	R20 000	NDOH

MTEF CYCLE 2010/2011					
Action	Deliverables	Milestones	Target date	Budget	Lead / Support Unit
Provision of professional and accessible services including EMS for victims/survivors of crime and violence.	Provide health services as required and agreed with provinces in special centres for victims of crime	Comprehensive service to include Clinical forensic services, emergency services, prevention programme and general health service Health promotion	Ongoing	R3 Million p/a +2 cases p/d	PDOH
	<ul style="list-style-type: none"> Monitor and revise implantation of health promotion materials. 		Ongoing		PDOH
Capacitate staff of dedicated units	<ul style="list-style-type: none"> Improved service to victims of crime and violence. 	CFM included in general medical training doctors in all provinces	Ongoing		NDOH
	<ul style="list-style-type: none"> Train and capacitate staff on the requirements of the service charter 	personnel, doctors orientation in CFM	Ongoing		PDOH
	<ul style="list-style-type: none"> Revise CFM courses 	Staff capacitated	May 2010		NDOH
	<ul style="list-style-type: none"> Orientation of Community service doctors in all provinces, EMS personnel on CFM. 	CFM courses revised Orientation on CFM conducted	Ongoing		NDOH



DEPARTMENT: HEALTH

MTEF CYCLE 2010/2011					
Action	Deliverables	Milestones	Target date	Budget	Lead / Support Unit
	<ul style="list-style-type: none"> In-service training for EMS personnel, doctors nurses & GPs on CFM in dedicated units 	In-service training conducted	Ongoing		PDOH
Open files for all victims of crime and violence	<ul style="list-style-type: none"> Orientate all doctors, admission clerks and nurses to open files for all victims of crime and violence 	Files for all victims	Ongoing		PDOH
Standardised records on physical abuse	<ul style="list-style-type: none"> Evaluate the applicability of the distribute & implemented forms to all provinces 	Standardised forms	August 2009		NDOH
Make victims of crime aware of the existing complaint system	<ul style="list-style-type: none"> Distribute to all hospitals, clinics, special centres, ambulances Evaluate knowledge levels of complaint system 	Information leaflet	Ongoing		NDOH
		Knowledge in complaint system evaluated	Sept 2009		PDOH
Development of a monitoring and evaluation tool for CFM	<ul style="list-style-type: none"> Monitoring and evaluation tool 	Conduct audits	Annually		NDOH
Implement research findings	<ul style="list-style-type: none"> Engage in programmes and project to implement the research findings 	Transformed service on centres for victims	April 2010		NDOH

MTEF CYCLE 2011/2012					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Provision of professional and accessible services including EMS for victims/survivors of crime and violence.	<ul style="list-style-type: none"> Provide health services as required and agreed with provinces in special centres for victims of crime Monitor Implementation of health promotion materials to include 7 rights and patients health or survivors of crime 	Comprehensive service to include Clinical forensic services, emergency services, prevention programme and general health service Health promotion materials implemented	Ongoing	R3 Million p/a @ +2 cases p/d	PDOH
			Ongoing		PDOH
					PDOH

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MTEF CYCLE 2011/2012					
Action	Deliverables	Milestones	Target dates	Budget	Lead/Support Unit
Capacitate staff in dedicated units	<ul style="list-style-type: none"> Improved service to victims of crime and violence. Train and capacitate staff on the requirements of the service charter CFM courses revised implemented Orientation of Community service doctors including EMS personnel, doctors orientation in CFM in all provinces - Update orientation programme 	CFM included in general medical training Trained and capacitated staff CFM courses implemented Orientation for Dr's, EMS personnel, conducted Orientation programme updated	Ongoing Ongoing May 2011 Ongoing July 2011		NDOH NDOH NDOH PDOH PDOH
	<ul style="list-style-type: none"> In-service training for EMS personnel, doctors nurses & GPs on CFM in dedicated units on using the sexual assault kit 	In-service training conducted	Ongoing		PDOH
Open files for all victims of violence	<ul style="list-style-type: none"> Orientate all doctors, admission clerks and nurses to open files for all victims of crime 	Files for all victims	Ongoing		PDOH
Standardised records on physical abuse	<ul style="list-style-type: none"> Standardised forms reproduced if required distributed and implemented 	Standardised forms after revision	Ongoing		NDOH
Make victims of crime aware of the existing complaint system	<ul style="list-style-type: none"> Implement information leaflet for victims of crime re complaint system 	Information leaflet produced	Ongoing		NDOH
Develop a monitoring and evaluation tool for CFM	<ul style="list-style-type: none"> Distribute to all hospitals, clinics, special centres and ambulances where necessary Conduct audits 	Monitoring and evaluation tool Audits on M&E conducted	Ongoing Annually		PDOH NDOH





Victims

Chapter 12

MONITORING AND EVALUATING IMPLEMENTATION PLAN



“Monitoring and evaluation is the life-blood of sound and efficient planning and implementation.... to improve the quality of life of all South Africans and ensure that South Africa contributes to a better Africa and a better world.”

The Presidency, Policy Unit, 2005



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MONITORING AND EVALUATING IMPLEMENTATION PLAN

Introduction

The South African Human Rights Commission (the Commission) was centrally involved in the drafting and the finalisation of the Victims' Charter. It recognised the rights of victims of crime as human rights and given the high incidents of crime in our country it was appropriate for the Commission to ensure that its mandate derived from the Constitution also focused on advancing the rights of victims of crime. In this regard, in March 2006 hosted a Seminar on the Victim's Charter to which a variety of stakeholders were invited. The Commission also hosted a successful national conference on crime and human rights during March 2007 and appointed a Coordinator for Human Rights and Crime to streamline, coordinate and drive the activities of the Commission in relation to human rights and crime, as well as to provide support within the Commission to develop a human rights-based response to crime.

In responding to the challenges of the Victims' Charter, the Commission has chosen an approach to ensure that the work relevant and arising out of the Charter is integrated into all its functions in accordance with its core mandate of promoting, protecting and monitoring human rights.

The activities of the Human Rights Commission vis a vis the Charter

Protection

The Commission will in accordance with its complaints handling system continue to receive and accept complaints from victims of crime arising out of any breach of the rights as set out in the Charter. In this regard, the Commission will use its powers to assess and where appropriate, investigate those claims with a view to providing appropriate redress for such complainants. This capacity will be available at the national office of the Commission but also at all of its provincial offices.

Promotion and awareness

The Commission will as part of its mandate of promoting human rights endeavour to incorporate in its training workshops issues around victims' rights and this will form part of its general education and awareness outputs. In addition, since the Commission from time to time produces publications

including posters, information leaflets and other material on particular areas of rights it may well dedicate a poster/leaflet to the area of victims' rights.

Special interest groups and marginalized groups

The Commission has appointed special co-ordinators in the area of HIV/AIDS, older persons, non-nationals, and children. In this regard, the Commission will endeavour to ensure that the work of the various co-ordinators includes a component of assessing the implementation of the Charter in respect to those particular marginalized groups and/or communities.

Monitoring

The Commission has a general monitoring mandate and in this regard will play a role in monitoring the overall implementation of the Victims' Charter. While it is not envisaged that the Commission will have the capacity to monitor all aspects of the Charter at a national level, the Commission will in due course develop a specific monitoring regime in respect of the Victims' Charter as part of its overall monitoring mandate.

General

As an independent institution the Commission obviously welcomes the implementation of the Victims' Charter and has indicated a willingness to work with various organs of state and government agencies and advancing the imperatives of the Charter, but also retains its right and ability to report independently to Parliament to whom it is accountable in respect of all of its activities relevant to the Charter. This, however, will not preclude the Commission from sharing such information and reports with government departments including the Department of Justice or where this is appropriate.

Jody Kollapan

Chairperson of the South African Human Rights Commission





The Commission on Gender Equality

The Commission on Gender Equality (CGE) is an independent statutory body, established in terms of Section 187, Chapter 9 of the Constitution of South Africa, Act 108 of 1996. The powers and functions of the CGE are detailed in the Commission on Gender Equality Act 39 of 1996. In terms of Section 11(1), the CGE must:

- Monitor all organs of society to ensure that gender equality is respected, protected, developed and attained.
- Assess all legislation from a gender perspective.
- Conduct research and make recommendations to Parliament and other authorities.
- Educate and inform the public.
- Investigate complaints on gender-related issues.
- Monitor South Africa's progress towards gender equality and compliance with international norms.
- Liaise and interact with institutions, bodies or authorities, as well as with civil society, to promote gender equality.

Institutional arrangements for monitoring of the Implementation of the Victims Charter

The CGE participated in the Inter-Departmental Task-team, chaired by the Department of Justice and Constitutional Development, in the development of the Victims Charter. The Inter-Departmental Committee will monitor the implementation of the Victims Charter against the Victims Charter Five Year National Implementation Plan. The CGE will conduct monitoring of the implementation of the Victims Charter in terms of its constitutional mandate, that is, to monitor, and develop where necessary, effective gender monitoring mechanisms for public and private institutions to ensure the appropriate implementation of gender sensitive strategies, policies and programmes.

Gender equality monitoring globally and nationally

A number of monitoring and evaluation systems are applied at global level to measure aspects of progress made regarding women empowerment and gender equality. It is important to the CGE to take these instruments into account in designing its gender specific national monitoring and evaluation system. Various gender-responsive instruments are utilised for this purpose. These instruments measure and enhance compliance with macro policy frameworks (International and national), including:

- The 12 Beijing Platform of Action Critical Areas of Concern.
- Themes covered in the first 18 Articles of CEDAW
- 12 areas highlighted in the CEDAW Committee's Concluding Comments in June 1998
- Areas highlighted in the Commonwealth Plan of Action.
- Areas highlighted in the African Union solemn Declaration.
- 10 areas highlighted in the SADC Declaration on Gender and Development and BAW+C Addendum
- 14 Challenges & 14 Critical Areas of Concern identified in South Africa's National Gender Policy Framework

Principles underlying monitoring conducted by the CGE

There is a strong link between planning and monitoring as planning or planned objectives or outcomes provides the basis for monitoring as they are valuable in benchmark progress made towards implementing programmes. Consequently, the CGE's data collection instrument and the ultimate monitoring and evaluation system should monitor quantitative and qualitative indicators of progress, and should enhance accountability, particularly on distinct commitments regarding women and gender equality.

The CGE will monitor implementation of the Victims Charter on the following levels:

- On the policy and legislative framework and access to justice
- On government, public sector programmes and service delivery





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- On effectiveness of civil society
- On identification and removal of discriminatory practices, customs and beliefs
- On gender awareness and the empowerment of women.

The following government departments will be monitored in terms of their commitments made in the Five Year Implementation Plan:

- Department of Justice and Constitutional Development
- National Prosecuting Authority
- South African Police Service
- Department of Correctional Services
- Department of Social Development
- Department of Health

Each government department will be monitored over a period of five years by means of a set of qualitative and quantitative indicators relating to the input and output of its interventions, as well as the outcome and impact thereof. Specific indicators will be developed in respect of each of the following areas of monitoring:

- Institutional arrangements, policies and plans to mainstream gender-responsive victim support
- Targets for increasing gender-responsiveness in victim support
- Budget for mainstreaming gender in implementation of the five year plan

- Human resources and skills to facilitate implementation of gender-responsive victim support
- Gender awareness in training of officials and service providers
- Involvement of civil society and the gender sector in implementation

Development of these indicators will be a participative process, and each government department will be engaged on gender-responsiveness in each of the following areas of the Victims Charter Implementation Plan:

- Commitments made in Preamble of the Victims Charter
- Rights as a victim of crime
- Right to offer and to receive information
- Right to protection
- Right to assistance
- Right to compensation
- Right to restitution
- Complaints

Joyce Seroke

Chairperson of the CGE





Draft Proposal –Monitoring the Implementation Plan for the Service Charter for Victims of Crime (the Victims Charter)

Gender Directorate, Department of Justice and Constitutional Development, August 2007

Should we review and amend the Victims Charter? RAPCAN (Resources Aimed at Prevention of Child Abuse and Neglect – an NGO based in the Western Cape), in its submission¹ to the Department of Justice, strongly recommends that the Victims Charter should be amended because of language used in the Charter, which contains ‘qualifications and limitations’. In our consideration of the question, we should be cognizant of the fact that the Victims Charter has not been implemented systematically. The result is lack of baseline data to define measurable monitoring and evaluation indicators to necessitate review.

Government’s National Five Year Implementation plan provides an opportunity for monitoring initiatives proposed by departments in an attempt to realize victims rights. All government departments have included monitoring activities - some departments have considered how to give meaning to ‘complaints’ section as contained in the Victims Charter and have included automated complaints system, web site where complaints can be logged and monitored, and conducting research to explore best practices. The implementation plan is significant as it demonstrates the commitment of departments to address some of the inevitable challenges of the implementation of the Victims Charter.

Monitoring the National Five Year Implementation plan will address challenges of implementation by responding to inefficiency and rewarding good practices. However, the value of monitoring lies in the commitment of all departments to use monitoring to improve the lives of all victims of crime. Monitoring results should be implemented by departments and inform future planning.

- The Department of Justice’s Gender Directorate, as lead agent for the Victims Charter, was tasked with
- Development of the Victims Charter and its Minimum Standards
- Coordination of drafting implementation plan

- Coordination of the *Victims Charter project* as defined by the Inter-Departmental Committee
- Monitoring and evaluating implementation through reports to the JCPS and Development Committee

In fulfillment of its mandate of monitoring and evaluating implementation, the Gender Directorate presents a draft proposal for discussion. The proposal draws from a number of sources:

- Current government Monitoring and Evaluation framework
- International experience on monitoring (drawing from secondary research)
- Lessons from monitoring structures such as the Public Service Commission and NGOs
- Submissions from NGOs on ‘proposals on how NGOs can monitor implementation’

The draft proposal is presented in the book as a demonstration on government’s commitment to improving services through monitoring. We aim to use the proposal as a basis for engagement with other government departments and NGOs. It is anticipated that the proposal will be finalized at the beginning of 2008, so as to produce a comprehensive report at the end of 2008. Monitoring and evaluation is crucial to how we demonstrate our concern for victims of crime. As articulated by the Policy Unit of the Presidency,

‘monitoring and evaluation is the life-blood of sound and efficient planning and implementation.... to improve the quality of life of all South Africans and ensure that South Africa contributes to a better Africa and a better world.’²

a. Unpacking the draft proposal

Monitoring and evaluating the implementation of the National Five Year Implementation plan should be achievable given the current institutional framework for monitoring. In 2004 Cabinet approved a government monitoring and evaluation system. In developing the system, the Presidency acknowledged that individual government departments have included monitoring and evaluation as one of their key functions. A limitation cited by the Presidency, with department’s monitoring is the ‘inadequate and underdeveloped’ nature of monitoring, although departments have expressed a willingness to improve. Through government’s programme of action, all departments have a responsibility to provide reports





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according to defined reporting cycles. The system seeks to achieve an integrated approach to monitoring and evaluation. In addition, the system recognizes the institutional agencies that have a monitoring and evaluation mandate such as the Public Service Commission and the Chapter nine institutions, specifically for monitoring victims rights; the Human Rights and Gender Commission. The system also recognizes the important role of stakeholders in effective monitoring. Civil society organizations, particularly those that have spent years offering services to victims of crime, are critical because they have a wealth of experience in monitoring government; from legislation and policy to service delivery.

In an attempt to include civil society organizations in developing a monitoring framework, the Department of Justice and Constitutional Development, put out a public call for submissions in June 2007. We requested civil society organizations to provide submissions on 'proposals on how civil society can monitor the implementation of the Victims Charter?' In addition, we also requested the Chapter nine institutions; specifically the Human Rights and Gender Commissions, to send submissions on how they would monitor the implementation plan.

We conducted secondary research to find different models of monitoring implementation plans and human rights. We drew lessons from countries such as Ghana, where the Ministry of Local Government, used local NGOs in its participatory methodology for monitoring. ³We drew extensively from our government's monitoring system.

With these tools, we could begin to develop a draft model for monitoring the implementation of the Victims charter that will benefit victims of crime, and ultimately feed into government's objective of crime reduction. The draft is to be presented to various stakeholders and it should be completed by the end of 2008.

b. Conceptual framework - Defining monitoring and evaluation

The premise of the proposal is the distinction between monitoring and evaluation. Both are integral to planning and accountability. The distinction is the systematic results from monitoring are used to inform evaluations. For purposes of the proposal, monitoring is used.

Within any subject matter, there exists a plethora of definitions of 'monitoring and evaluation'. Drawing from definitions in the government monitoring and evaluation system, the Public Service Commission, the World Bank, and various other sources, five key elements are essential in defining an understanding of monitoring and evaluation of the Victims charter implementation:

- Distinction between monitoring and evaluation. The former is continuous and intrinsically linked to planning and evaluation, whereas the latter is time-bound and determines relevance, efficiency, effectiveness, impact and sustainability of programmes and projects.
- A common objective of both monitoring and evaluation is to improve service delivery
- Monitoring is didactic – learning from past (negative and good/best practices) and building capacity
- Monitoring is part of accountability to stakeholders
- Monitoring involves reporting on actual planned performance or pre-determined standards

c. Defining what we should monitor?

The National Five Year Implementation plan for each department identifies activities, deliverables, milestones and budgets, for each of the victims rights. All departments, in monitoring implementation, should use the plan to draft progress reports. The Gender Directorate would compile annual reports using reports from departments. Most of the department's implementation plans include inputs and outputs but no clearly defined outcomes. Herein lies a challenge and the obvious impetus for the draft proposal. For example, some of the department's have included '400 trained employees' as measurable indicator. We can measure whether 400 employees were trained and use training workshop attendance registers as means of verification. We cannot, however, measure the quality of the training or use of training to improve situation for victims.

In addition to department's monitoring their own progress, a proposal is made for a collective (departments, Commissions and NGOs) to use a rights-based monitoring⁴ framework to monitor implementation. Rights based monitoring uses a set of integrated indicators. Performance indicators, which as measures of inputs, processes, outputs, outcomes and impacts⁵, should clearly demonstrate what we intend to measure. We should define indicators against what each right aims to achieve.





Using the model of the Public Service Commission⁶, our proposed indicators are as follows:

Table 1: Suggested Indicators

Right	Indicator Quantity – Numbers Performance – Accessibility
Fairness, dignity and privacy	Victim friendly waiting rooms
Offer information	Victim impact statement Police statement
Receive information	Communication material
Protection	Witness protection Measures during criminal justice process to protect victims against accused
Assist	Victim Friend Help Desk Referral system
Compensation	Implementation of CPA
Restitution	Number of applications made

Through consultation with the collective, it is anticipated that all will participate in development of indicators so as to ensure effective monitoring.

In addition to monitoring department's set indicators and integrated indicators, we could use rights-based monitoring (RBM). RBM is measuring dimensions of change, for example, changes in accountability of the duty bearer, equity and participation of rights holders,⁷ in the realization of a specific right. The use of RBM is not to the exclusion of other monitoring frameworks, its usefulness, particularly in the context of victims rights, is the measure of the right as a whole and not one aspect of the right. We would measure against department's indicators and measure changes in accountability, equity and participation. For example, we could measure changes in equity – information disaggregated by sex, race, employment, etc, would reveal information that would be lost in the measure of other indicators. Essentially, RBM goes beyond what activities are proposed in the implementation plan to addressing questions of impact and sustainability.

RBM facilitates monitoring the systematic functioning of the criminal justice system in its implementation of victim's rights. In monitoring functioning, we could monitor individual cases but this would not reveal conclusive findings. We would monitor individual cases of a similar type to identify trends. Two types of group cases would be monitored; vulnerable groups

of victims (children, women, refugees, persons with disabilities etc) and types of crimes (domestic and sexual violence, murder, house-breaking etc).

- Data sources for RBM

Given the fact that victims often don't report or complain, we would use multiple sources:

- Unannounced site visits
- Interviews (NGOs and victims)
- Reviewing case files (police dockets, social worker reports), and
- Surveys (public opinions)

d. Monitors

South Africa's monitoring system includes government departments, chapter nine institutions and civil society organizations. Institutions such as the Public Service Commission, the Human Rights and Gender Commission, have been instrumental in monitoring government and private sector. Both the Human Rights and Gender Commissions are members of the Inter-Departmental Committee, and have access to information of government departments. In addition, the Commissions receive complaints from the public and NGOs, therefore they are in a unique position to monitor implementation. In their submission (included in this chapter), the Commissions have set out how they will monitor implementation.





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The Gender Commission, in line with its constitutional mandate, will develop gender monitoring mechanisms. When monitoring implementation, the Commission, will ensure that the monitoring process will be gender sensitive. In addition, all indicators and targets will be gender sensitive.

The Human Rights Commission's mandate is to promote, protect and monitor human rights. Using its complaints handling system, the Commission will monitor, at both national and provincial level, the implementation plan. Marginalized groups such as 'older persons, non-nationals, children, and persons affected with HIV/AIDS' who are victims of crime will be prioritized, in how departments provide activities for the realization of their rights. The Commission will report to parliament on its monitoring.

Other structures such as Parliamentary monitoring committees and the media have an important role to play in monitoring implementation. The draft proposal makes recommendation for using all existing structures to share information and hold departments accountable.

- *Proposals from NGOs on monitoring*

All NGO submissions made proposals for monitoring to involve all stakeholders, particularly victims of crime. NGOs, are regarded to 'represent' victims, have called for the inclusion of victims in monitoring implementation. Restorative Justice Centre and KZN Stakeholder Summit, made proposals for customer satisfaction surveys – 'voices of victims' and Thohoyandou Victim Empowerment Programme, proposed for victims direct involvement and use of qualitative interviews (research) when monitoring implementation.

Monitoring that is linked to a complaints system at 'service centres' (NICRO and Rape Crisis) was a common proposal made by NGOs. As the Justice and Women organization stated, 'monitoring services with no feedback mechanism is ineffective'. Complaints systems should be in place in all departments; at courts, police station, health care facilities and one-stop centres. NGOs stressed the importance of feedback mechanism, either oral or written.

The involvement of NGOs in monitoring is viewed as *partnership*. Proposals made included joint planning sessions between government departments and NGOs in 'developing and sustaining monitoring'. Inter-governmental task teams, at both national and provincial level should be established to facilitate effective planning, monitoring and feedback.

Partnerships between government and NGOs have an addition benefit as NGOs have more human resources for monitoring. Volunteers play an important role in managing information and they can be trained to part of monitoring teams. Although caution was raised about the current state of volunteers and the need not to over-rely on them, NGOs acknowledged that volunteers could also manage reporting required to make monitoring effective. NGOs like the Trauma Centre for Survivors of Violence and Torture and the Network of Trauma Rooms, have proposed to provide training to volunteers.

Two proposals were made on monitoring instruments (NICRO and Rapcan); a feedback form developed by the Department of Justice and the revised Minimum standards for Victim Services. The standards would define indicators that can be measured. The submission of revised standards is based on the different standards produced by departments⁸.

e. Draft proposal for National and Provincial Monitoring

Our model begins with defining a clear understanding of what monitoring the implementation plan means: the implementation plan is presented over a five year period and this would mean that monitoring which is linked to planning should be done on an annual basis. Monitoring reports should be completed before government begins its annual strategic planning sessions. Evaluation of services could be done after five years and could begin the process for addressing questions about review or amendment to the Victims Charter.

Each department has defined indicators – allocated budgets (input) and activities. In the absence of baseline data, we cannot set performance targets and standards. Monitoring through measuring results in 2008 will assist to set baseline data. Using integrated indicators, and RBM, we can measure 'additional' to what is set out in the implementation plan.





Illustration 1: Monitoring proposal

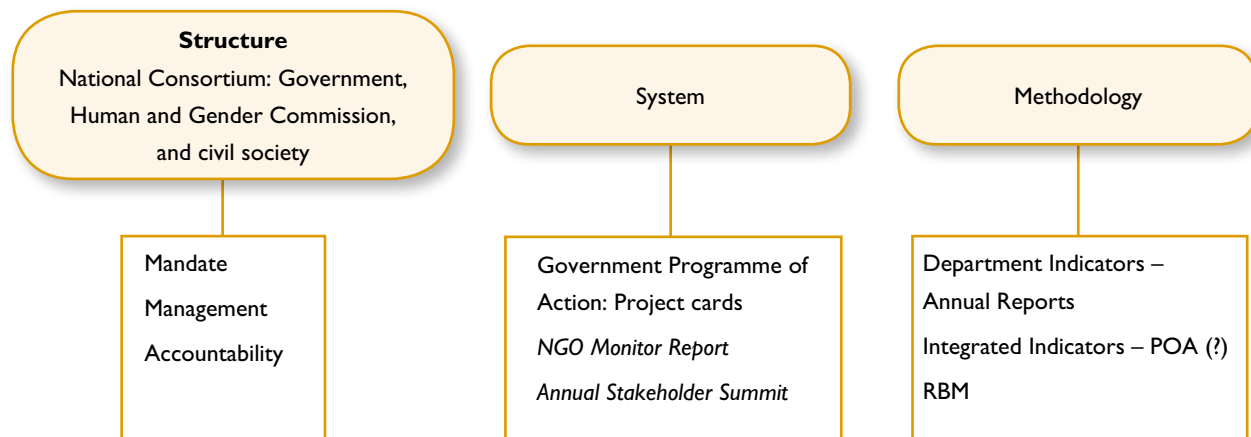


Table 2: Performance Measurement Strategy

Output	Indicator	Data Source	Responsibility	Time Frame	Budget

- Other issues to consider:

Monitoring proposal – consultation and approval from key principles and all stakeholders

Funding for monitoring – meetings, training of monitors, workshops, dissemination of information

Consultative Forum – agreements, methodology, indicators, time frames, monitoring database

Establish and sustaining monitoring team – identify training needs, develop monitoring plan

Collation of information – victim survey, case monitoring

Dissemination of information – workshops, media conference

Strategic planning session – develop plans informed by monitoring report





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COMMITMENTS MADE IN THE PREAMBLE OF THE VICTIMS CHARTER

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7 Davies R and Dart J (2005) 'The 'Most Significant Change' (MSC) Technique – A Guide to Its Use', United Kingdom

8 NPA, Social Development





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Chapter 13

ANNEXURE





ANNEXURE

Victims

SOUTH AFRICAN SERVICE CHARTER FOR VICTIMS OF CRIME

INTER- DEPARTMENTAL COMMITTEE

Name	Telephone	Cellphone	E-mail
Department of Justice (DOJ)			
Joyce Maluleke	012 315 1670	072 641 4888	jmaluleke@justice.gov.za
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Department of Health			
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Department of Correctional Services (DCS)			
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Department of Social Development (DSD)			
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P L Govuza	012 312 7362	082 346 4742	phumzag@socdev.gov.za
South African Police Services (SAPS)			
GB Mangwani	012 421 8072	012 421 8216	ngovenikp@saps.org.za
E L Mapetla	012 421 8234	082 788 2879	
Human Rights Commission			
Jennifer Joni	011 484 8300	011 484 1360	jjoni@sahrc.org.za
Commission on Gender Equality			
Dr M de Waal	011 403 7182	011 403 7188	Maretha@cge.org.za





List of Submissions received from individuals and organizations to the call from the National Department of Justice and Constitutional Development, on National Implementation plan for the Victims Charter

Individual Submissions
Adrian Louw, Mpumalanga
Eben van Loggerenberg, Gauteng
Emilio Halepopoulos, Gauteng
Peter Moss, Kwa Zulu Natal
Emilio Halepopoulos, Gauteng
Peter-John Petersen, Western Cape

2. Organizations

National			
Name	Address	Telephone	Fax
NICRO (National Institute for Crime Prevention and Rehabilitation of Offenders)	PO Box 10005, Caledon Square, 7905	021 462 0017	021 462 2447
Limpopo			
Thohoyandou Victim Empowerment Trust	PO Box 754, Sibasa, Limpopo, 0970	015 963 1973	015 963 1973
Free State			
University of Free State, Faculty of Theology	PO Box 339 Bloemfontein 9300	051 406 5427	-
Eastern Cape			
Umtata Women's Support Centre	PO Box 65, Umtata 5099	047 531 5121	043 531 5121
Kwa Zulu Natal			
Childline	PO Box 37875, Overport 4067	031 312 0904	031 312 6008
Justice and Women	PO Box 2748 Pietermaritzburg, 3200	033 394 9949	033 394 9949
Western Cape			
Resources Aimed at the Prevention of Child Abuse and Neglect (RAPCAN)	www.rapcan.org.za	021 712 2330	021 712 2365
Trauma Centre for Survivors of Violence and Torture	Cowley House, 126 Chapel Street, Woodstock, Cape Town, 7925	021 465 7373	021 462 3142
Mosaic, Training Service & Healing Centre for Women	mdevos@mosaic.org.za	021 761 7585	021 761 7584





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National			
Name	Address	Telephone	Fax
Rape Crisis	PO Box 46 Observatory 7935	021 447 1467	021 361 0529
Southern African Catholic Bishops Conference	www.cplo.org.za	021 461 1417	021 461 6961
Civil Society Prison Reform Initiative	PO Box 53466 Kenilworth 7745	021 797 9491	021 797 9491
Gauteng			
International Association for Human Values	PO Box 2156 Randburg 2125	011 781 7687	086 513 2818
South African Institute for Traumatic Stress	PO Box 66223 Broadway 2020	011 648 7376	011 648 6105
Restorative Justice Centre	PO Box 29516 Sunnyside 0132	012 323 2926	012 323 6366
The Bethany House Trust	PO Box 6 Paardekraal, 1752	011 660 2763	011 953 6390
POWA (People Opposing Women Abuse)	PO Box 93416 Yeoville 2143	011 642 43545	011 484 3195
Tshwaranang Legal Advocacy Centre to end violence against women	Po Box 31006 Braamfontein 2017	011 403 4267	011 403 4275
FEW (forum for the Empowerment of Women)	PO Box 10204 Johannesburg 2000	011 339 1867	011 339 1871

2. Group Submissions

KZN Regional Justice Department and KZN Network on Violence against women Regional Summit, 19 July 2007	Attended by 50 stakeholders: CBOs, NGOs, and Regional government departments, Municipality, and Human Rights and Gender Commission		
Trauma Rooms Focus Group on the Western Cape	Representing The Western Cape Network on Violence against women, NICRO, Business Against Crime, and the Trauma Centre		
Joint submission from : OUT Lesbian, Gay, Bisexual and Transgendered Well-Being And UNISA Centre for Applied Psychology	www.out.org.za	012 344 5108 012 429 8089	012 344 6501 nelja@unisa.ac.za







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