

SAVE VICTIM SUPPORT SERVICES DEMAND RIGHTS FOR VICTIMS OF CRIME NOW!

WHY?

The Department of Social Development (DSD) is developing legislation - The Victim Support Services Bill 2020 - which they plan to use to require you to register your NPO as a service provider to victims of crime.

This Bill will, therefore, impact your NPO if you provide PHYSICAL, PSYCHOLOGICAL, SOCIAL or SPIRITUAL services to victims.

The regulations proposed in this Bill will add to the problematic regulatory framework NPO's already face but without the addition of funding.

The Bill also creates conflicting frameworks of requirements for building/facilities. The Minister of Social Development will be responsible for norms and standards around the "structural constriction", but the building must also comply with the building regulations of the local municipality.

Service providers will have to spend additional financial resources to ensure compliance with the legislation. At the same time, the state will also have to fork out more resources to enforce legislation while it already struggles to enforce currently operational legislation.

THIS BILL WILL REQUIRE YOU TO:



Register as a service provider delivering services to victims of violent crimes. It will impose criminal sanctions and possible imprisonment if you fail to register.



Bear the cost of this registration.



Always have enough human and financial resources to achieve the realisation of the objects of this legislation irrespective of the mission and vision on the individual organisation.

THIS BILL WILL GIVE THE STATE A WIDE RANGE OF POWERS:



The provincial Head of Department of Social Development has the power to cancel the registration of a service provider.



The state can suspend the registration of a service or facility.



State officials and police officers may enter your premises/facility without a warrant to monitor your service. This includes interviewing any person at your premises (including victims of crime) and hand over any documents irrespective of whether they are subject to client confidentiality. Should you then refuse to cooperate, you can be charged with a crime.



The Minister of Social Development, Lindiwe Zulu, can prescribe the management structure of your premises/facility.

THIS BILL DOES NOT:



Set out an appeals process if an application for registration has been declined.



Provide any recourse for victims if the state fails to protect the rights of victims of violent crimes.

WHAT IS THE BILL SUPPOSED TO BE ABOUT?

The purpose of the VSS Bill should be to protect and promote the rights of victims of crime and violence. The Bill should meet the five gaps identified in The Road to Justice: Victim Empowerment Legislation in South Africa Road Map Report, a report undertaken by the Women's Legal Centre, the Rape Crisis Cape Town Trust, and the Open Democracy Advice Centre. The following recommendations were made:

THE BILL SHOULD REQUIRE THE STATE TO:

1 Communicate to & educate the public on how the criminal justice system works, and what victims' rights are.

2 Provide victims with more information about their individual cases & how to track their progress.

3 Empower & support victims with greater psychosocial care.

4 Develop inter-sectoral collaboration between all of the relevant departments & role players in the criminal justice system.

5 Create better accountability mechanisms & a centralized complaints system.

QUESTIONS TO CONSIDER:

- Will this Bill destroy the services currently available to victims of violent crime?
- Will this Bill add to the already unaffordable cost of registration and regulation organisations in the sector have to bear?
- Does this Bill actually result in victims getting better psychosocial care?
- Does the Bill require enough information be given to victims on their case and in general?
- What impact will this Bill have on already struggling shelter services?
- Is there a clear accountability mechanism to hold the state accountable for poor service delivery?

WHAT CAN YOU DO?



READ MORE ABOUT THE BILL

Read more about the Bill to find out how it will impact you and your NPO. Look out for the Easy to Read Version.



SIGN THE PETITION

We have set up a petition on Amandla.mobi. Use the link below to access the site, sign the petition & spread the word.

 [Click here](#)



MAKE A SUBMISSION TO DSD

By email, no later than WED, 16 SEPT 2020 to:

Siza Magangoe: Sizam@dsd.gov.za

and

Luyanda Mtshotshisa: LuyandaMt@socdev.gov.za

and

Anna Sithole: Annas@dsd.gov.za



SPREAD THE WORD

Tell your friends, colleagues & connections about this Bill. Ask them to sign the petition & make submissions. Share this information as far & wide as possible.