



Achievements 2014

Introduction

The Shukumisa Campaign was launched in 2008 by members of the National Working Group on Sexual Offences (NWGSO). The NWGSO was originally formed in 2004 to advocate around the proposed Sexual Offences Bill. When the Criminal Law [Sexual Offences and Related Matters] Amendment Act no. 32 of 2007 (Sexual Offences Act) was passed in late 2007, the NWGSO turned its focus to the implementation of the Sexual Offences Act and reformulated itself as the Shukumisa Campaign.

The Shukumisa Campaign aims to stir and shake up public and political will to develop and implement policies and strengthen laws related to sexual offences in South Africa. It periodically carries out monitoring at police stations, health facilities and courts to determine the extent to which government departments and service providers are meeting their commitments to providing services to victims of sexual offences.

The Shukumisa Campaign is made up of 45 organisations from all nine provinces and is governed by a steering committee comprising of 10 organisations. Its coordination is housed at the Rape Crisis Cape Town Trust (RCCTT) and is assisted administratively by RCCTT and the Tshwaranang Legal Advocacy Centre (TLAC).

Vision

We have a vision of a South Africa with well crafted, well implemented sexual offences legislation and a strong criminal justice system that supports rape survivor's access to justice and provides a clear deterrent to rapists.

Mission

Our mission is to ensure the following:

- South African a society takes the problem of rape seriously and does not tolerate stereotyped or prejudicial attitudes about rape
- Civil society organisations are well resourced and engage in joint advocacy initiatives
- Laws, policies and systems are strengthened and improved
- Services to rape survivors are well resourced and well implemented
- Conviction rates for rape are increased and there are more appropriate sentences for rapists
- The rate of rape in South Africa is reduced

Strategic objectives

- The Sexual Offences Act is well drafted
- The Sexual Offences Act is properly implemented
- The public is aware of the prevailing myths and stereotypes about rape and sexual offences
- Civil society organisations have the capacity to deliver high quality services and engage in joint advocacy
- The criminal justice system is strengthened and delivers high quality services that enable victims of sexual offences to access justice

Advocacy Activities:

A sustained campaign by a coalition of civil society organisations that will:

- Develop an evidence base about problems with the implementation of the Sexual Offences Act
- Develop recommendations based on a strong analysis of the evidence gathered
- Identify relevant stakeholders groups in order to present the evidence that can influence decisions that support these recommendations
- Identify platforms for engaging the identified stakeholders and make use of these platforms
- Develop a media strategy to enhance public awareness and involvement in the influencing these stakeholders
- Shift the public discourse about rape in order to challenge prevailing myths and stereotypes

Planned Key Points for Advocacy Activities in 2014:

- Focus on Sexual Offences related legislation and policy and developing norms and standards for service delivery – parliamentary advocacy
- The current NGO funding crisis – parliamentary and provincial advocacy
- Monitoring criminal justice system facilities' infrastructure – provincial advocacy.

These key points for advocacy were divided into three working themes with sub groups of interested members as activists for each theme as follows, with a fourth theme focused on the internal operations of the campaign:

1. Strengthening Law and Policy (Advocacy & Policy subgroup)
2. Strengthening the Criminal Justice System (Monitoring subgroup)
3. Strengthening the Gender Based Violence Sector (Viability subgroup)
4. Strengthening the Shukumisa Campaign and Coalition

1. Strengthening Law and Policy

Lobbying the Department of Justice and Constitutional Development (DoJ & CD)

The Centre for Child Law (CCL) hosted a consultative workshop on the Amendments to the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 in August. The workshop dealt with two cases in which the Constitutional Court declared certain provisions of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 to be unconstitutional. The aim was to discuss issues arising from the judgments requiring legislative amendments and to develop strategies for lobbying certain issues in Parliament and at Ministerial level by the NGO sector.

In November the Shukumisa Campaign sent a written submission on the Regulations Relating to Sexual Offences Courts as well as the Draft National Strategic Implementation Plan for the Re-Establishment of Sexual Offences Courts to the DoJ & CD.

In December Shukumisa sent a letter to the chairperson of the Parliamentary Portfolio Committee on Justice and Correctional Services regarding the deadline for written submissions on the Criminal Law [Sexual Offences and Related Matters] amendment Act Amendment Bill after the Bill was tabled in Parliament. Shukumisa requested that the committee considers postponing the deadline for submissions to the end of January 2015.

Lobbying the Civilian Secretariat for Police (CSP)

Shukumisa made a written submission on dedicated oversight and accountability mechanisms in Parliament arguing that a specific portfolio committee tasked with monitoring the status of women remains in place.

In 2013 Shukumisa sent a letter to the Minister of Police, the National Commissioner and the Secretary of the CSP proposing a shift in SAPS policy from reducing reports of rape and domestic violence, to reducing barriers to reporting sexual offences and domestic violence. This included recommending changes to the type of statistics being collated and made public. In August 2014 the CSP embarked on a series of provincial consultations around the content of this policy. Member organisations participated in these discussions.

Policy Roundtable

The Shukumisa Campaign and the Community Law Centre (CLC) hosted an advocacy and policy roundtable in June. The roundtable discussed two briefs prepared by Shukumisa members. The first brief prepared by RAPCAN and the Community Law Centre looked at sexual offences courts and the second brief prepared by Rape Crisis Cape Town Trust dealt with addressing gaps in government service delivery to survivors of sexual violence.

Shukumisa Dossier

Shukumisa commissioned the development of a dossier that captured relevant information (policy and research) relating to sexual offences in South Africa. A workshop was held in September with key stakeholders to review the dossier and how it was put together and the rationale for it and also exploring advocacy opportunities. The policy dossier consists of key departmental documents, parliamentary oversight reports, policy briefs and research reports compiled by NGOs, Shukumisa documents, and newspaper articles.

2. Strengthening the Criminal Justice System

Monitoring the SAPS and DoJ & CD

South Africa reports some of the highest levels of violence against women in the world, leading the state to develop policies and laws that provide services to victims of sexual offences. In order to track the translation of these policies and laws into practice, the Shukumisa Campaign initiated a monitoring project to examine the extent to which the South African Police Service (SAPS) and the Department of Justice and Constitutional Development (DoJ&CD) had met their commitments to providing services for victims of sexual offences. The project was initiated in 2008 and has produced annual monitoring reports since then.

Shukumisa members offering traditional service delivery organisations were encouraged and capacitated to engage in local advocacy. 40 new fieldworkers were trained in Kwa-Zulu Natal and the Eastern Cape. Old and new members participated in monitoring activities. A total number of 134 facilities were monitored covering four provinces: Eastern Cape, Gauteng, KwaZulu Natal and the Western Cape.

The Teddy Bear Clinic was retained to collect quantitative and qualitative data about police stations' compliance with provisions of the Sexual Offences Act (SOA) and the National Instructions published in terms thereof. 112 surveys were conducted across four of South Africa's nine provinces. These surveys indicate compliance by and shortcomings of stakeholders who provide services to the victims of sexual offences, including police stations, public hospitals and non-governmental organisations. The data has been analysed and will be compiled and published into provincial reports in 2015.

3. Strengthening the Gender Based Violence Sector

Lobbying the Department of Social Development (DSD)

A reference group consisting of Shukumisa members was established to give input into the research on the funding crisis affecting NGOs providing services for survivors of rape and domestic violence. Shukumisa members provided information to assess the impact of the funding crisis.

The information was used to compile a bulletin on the funding crisis, titled *Under-funding rape and domestic violence services: Neglecting women's well-being, neglecting women's work?* The bulletin was released to coincide with the Minister of Finance budget speech in February. The bulletin generated media interest and was picked up by the Citizen and SAFm and also featured in the FirstRand advertorial on CSI in the M&G. Shukumisa also produced press releases prior and after the budget speech.

The bulletin also resulted in Shukumisa partnering with the Budget Expenditure Monitoring Forum (BEMF) to make an oral submissions in Parliament in March to the Select Committee on Appropriations regarding the Division of Revenue Bill.

Shukumisa hosted a roundtable for members in June which focused on understanding budgeting processes including presentations by the National Treasury, Gauteng Legislature and BEMF. This was followed by a seminar engaging the state around funding services and included NAWONGO, Gauteng Welfare Forum and South African Coalition of Non-Governmental Organisations (SACONO). The seminar generated interest from the media. A story appeared in The Citizen (<http://citizen.co.za/192295/no-free-rides-for-ngos/>) and it was also picked up by SABC Radio Durban, Radio Capricorn and on PowerFM.

Shukumisa published a brief titled *Post-rape services and their funding: A review of the national Department of Social Development's budgets between 2009/10 and 2013/14*. The brief was presented to the portfolio committee on social development in Parliament.

Shukumisa issued a press release after the budget speech by the minister of social development in July. It received a mention in the Daily Maverick and Shukumisa member Lisa Vetten wrote an article in Business Day Live (<http://www.bdlive.co.za/opinion/2014/07/22/budget-votes-revealing-of-states-agenda>).

Legal Opinion on DSD's funding practice

Shukumisa member, the Women's Legal Centre (WLC), got an advocate's (counsel) advice to explore the possibility of a legal opinion regarding the possibility of launching a legal challenge to the manner in which the state provides funding, or fails to provide funding, to organisations that provide post-rape care services. The counsel suggested to draft pleadings for the launch of an action. Shukumisa still has to decide on the route to follow and consider the need to obtain buy-in from Shukumisa members, and the need for the steering committee and the broader membership to understand the merits of the matter and the arguments in Shukumisa's favour, before any decision regarding litigation can be taken.

Strengthening Shukumisa's Provincial Chapters

Shukumisa member, the Community Law Centre (CLC), hosted a workshop in the Eastern Cape in October for Shukumisa members in the province and organisations that are involved with sexual offences at implementation level who may want to become new Shukumisa members.

Research in the Thuthuzela Care Centre Model

Shukumisa is conducting a comprehensive research into the Thuthuzela Care Centres (TCCs). The objective of this research is to provide credible information on post-rape care for survivors by examining services provided by TCCs. This information will inform advocacy strategies to fight for quality services for survivors of sexual violence. The research has two aims: describing post-rape care provided by organisations based within the TCCs; and identifying factors shaping the provision of these services.

Shukumisa members attended a 2-day workshop in May by NACOSA (Networking AIDS Community of South Africa) to discuss service delivery challenges and develop guidelines for civil society organisations offering services for victims of sexual violence. NACOSA is supporting organisations to provide services from Thuthuzela Care Centres (TCC). These organisations meet on a quarterly basis to share lessons based on their experiences. A few of these organisations are also Shukumisa members.

Over the course of 2014, and through NACOSA, three workshops were conducted to map current practice in relation to post-rape care and to develop guidelines for the provision of acute stage services to rape survivors. It should be noted that this process is driven by NASOSA, not Shukumisa. The deliberations of the workshop informed the research.

In November, Shukumisa presented the preliminary findings of the TCC research report at the meeting for partners of the Young Urban Women (YUW) programme at the Action Aid offices in Johannesburg.

Young Urban Women (YUW) Programme

The programme was meant to begin in July 2013 but only started in January 2014 and runs over three years (ending in June 2016). Shukumisa works in collaboration with two partner organisations – Afrika Tikkun¹ in Johannesburg and Wellness Foundation in Cape Town. Shukumisa plays the role of an advocacy advisor to the groups of YUW that are managed by the two organisations.

Throughout the year Shukumisa and the Wellness Foundation held several meetings to plan and coordinate joint activities. Shukumisa organised a workshop with the Constitutional Literacy and Service Initiative (CLASI) in June at the Slave Lodge. The workshop focused on teaching the young women about the constitution and how it is relevant to them.

In September, the Wellness Foundation with Actionaid hosted a dialogue on young women's ability to access sexual and reproductive health services. Shukumisa facilitated parts of this dialogue. When Shukumisa presented the preliminary findings of the TCC research report at the YUW partners meeting in November, the meeting also discussed the YUW advocacy framework and shared the progress of the YUW programme.

4. Strengthening the Shukumisa Campaign and Coalition

Membership & Administration

34 members attended the general Shukumisa Members Meeting in February in Durban. Three face-to-face steering committee meetings were held in February, June and September. Steering committee tele-conferences were held on a monthly basis from March to December (except for April).

The Shukumisa logo and website was updated.

Note: Submissions, letters and reports mentioned in this document are available on request.

¹ Note: Afrika Tikkun only joined the partnership in May 2014.