



Protection Orders MUST Protect

THE PAARL SAFE PLATFORM

MEMORANDUM OF ACTION!

Roadmap to 365 Days of Activism and Working Together to Advance Safety in Relationships, Homes and Communities:

Theme: Accountability and Action

Introduction

On November 1 2022, President Ramaphosa spoke at the Second Presidential Summit on Gender-Based Violence and Femicide, four years after the first Summit in 2018. While speaking to a room of activists, government partners, and first responders, Ramaphosa reiterated that in order to tackle the scourge of gender-based violence (GBV), “We need to plan together, implement together and account together.” **As a Paarl SAFE Platform collective, we recognize that ending GBVF, and responding to the needs of survivors requires collaboration, communication and coordination across stakeholders, all of those who work on Victim Empowerment, from government departments to civil society.** Over the past year and a half, we’ve brought together representatives and duty-bearers across the community to identify how to make this response process better, how to streamline referrals and coordination, and how to ensure that survivors get the care and support that they need. In committing to combating GBV 365 days of the year, we also think it’s important to address barriers to care for survivors, and work together to ensure that we are all doing our part to keep our communities safe and protected. As such, through several multi-stakeholder engagements, we’ve created a document that outlines the steps that we all need to take to better serve and protect the survivors in our communities, with the goal of creating a roadmap for how we can each strengthen and support one another. Victim empowerment can only occur when we work together, ensuring that the continuum of care occurs smoothly between and across partners.

1. We are a group of organisations, individual activists and local government departments delivering first responder services to victims of domestic violence. Each of the undersigned represent civil organisations and/or are activist individuals who are responding to the needs of victims of domestic and gender-based violence, in addition some have a legislative duty to prevent and respond to domestic and gender-based violence in the community of Paarl, Paarl East, Mbekweni and Klapmuts. The undersigned also are part of the SAFE-PR Platform - a multi-stakeholder collaborative focussed on strengthening domestic violence prevention and response in the greater area of Paarl.

2. MOSAIC Training, Service and Healing Centre (hereinafter referred as MOSAIC) offers the backbone support and coordination to the local SAFE-PR Platforms. At present there are three platforms in the areas of Paarl (covering Paarl, Paarl East, Mbekweni, Klapmuts), Mitchells Plain (covering Mitchell's Plain, Lenteguur, Strandfontein) and Philippi (covering Philippi, Philippi East, Gugulethu, Nyanga, Browns Farm, Samora Machel). The aim of the SAFE-PR Platforms is to build a strong network of frontline first responders, to develop best practices to prevent and respond to the needs of victims of domestic violence, and ensure that the law is implemented to protect the rights of victims leading to a strengthened care, safety, security and justice system.
3. We have been meeting as a collective over the year (2021/22) and there are many challenges that we have been able to solve together at a local level as service organisations and government first responder duty bearers.
4. As a collective, we have identified challenges that, to be resolved, require leadership on a regional, provincial and national level. Our communities are under enormous pressure given a multitude of socio-economic challenges, including extremely high levels of violence, poverty, and lack of service delivery. The added pressure of unsafe relationships and homes leaves them with no place to be safe and free. We acknowledge that the issues in our community are complex, as service providers, we would like to increase the care, safety, security and justice available to vulnerable people in our communities, women, children and LGBTQIA+ in particular.

GBV Issues and Barriers

5. The barriers that have persistently come up in our engagements as we strive to strengthen service delivery to victims of domestic and gender-based violence, include:
 - a. SAPS in Paarl, Paarl East, Mbekweni and Klapmuts are not responsive to reports of violence against women, children and LGBTQIA+, we have numerous reports where the community leaders have tried in vain to report and/or get SAPS to come and arrest a perpetrator and they do not come;
 - b. The local DSD office is not responsive and in particular - it is not clear what is the service flow of the GBV social workers and how victims access the services of DSD. We have numerous reports of DSD social workers not following up on cases, meaning

vulnerable women and children are denied access to the care and support needed to heal from their trauma;

- c. The spectrum of violence in the listed communities is complex. Violence against women and children is interlinked with gang violence - a major barrier for women and children to access the safety, security and justice needed. Due to this violence pressuring the community, coupled with a pressurised justice system, women are often forced to stay indoors and do not report their cases and/or withdraw the cases while they are pursuing justice - SAPS, NPA, DSD and DOJCD appear to not care enough to get involved and support us as we seek care, safety, security and justice for victims;
 - d. The magistrates courts are insensitive to victims of domestic violence and the dynamics of danger that ensues once a victims has sought to apply for a protection order. There are numerous reports of security guards screening victims before they have a chance to access a court support worker and/or clerk of court so they can apply for a protection order. Further to this barrier, there is a perception of clerks being insensitive to the needs of the victim and magistrates requiring victims to prove the abuse beyond reasonable doubt the abuse- a burden that is far beyond the dictates of showing a probable cause.
 - e. We have a major challenge of a lack of places of safety (shelters) for women and their children in the area. The areas of Paarl, Paarl East, Mbekweni and Klapmuts are complex in that they both cover urban, peri-urban and rural communities- there are many challenges that women, children and LGB TQIA+ are facing to be SAFE and there is a need for shelters. The area sees a large number of women, children and LGBTQIA+ people requiring a SAFE place to escape the violence experienced. There is a lack of shelters in the area and we need them! This also includes shelters for men as at times we need men services, we need to ensure that it is not only women who have these services or who are displaced from their homes. In these challenges, we note the challenge of male victims not having shelters to go to for safety. We also highlight the challenge for women who are victims that often they are the ones forced to leave homes- we need to explore ways for women to stay in their homes and perpetrators being removed!
6. Given the implications of these challenges on the wellbeing of women, children and LGBTQIA+ persons and the community's ability to thrive- **we demand that you explore these challenges**

and resolved these issues. We further, want to ensure that the challenges are resolved immediately and openly by informing the community of the efforts that will be made to do so.

7. We, as a collective have consolidated a few solutions that we believe can contribute to your deliberations and planning to ensure that we improve the care, safety, security and justice in our communities. Ensuring SAFE relationships, SAFE homes and SAFE communities.

Memorandum of Actions

8. **We Call for the following ACTIONS** but not limited to:
 - a. **SAFE shelters for women, children, men and LGBTQIA+**- all victims of domestic violence should have access to safe spaces;
 - b. **SAFE and reliable transport for victims to travel to shelters** outside the community, to the Thuthuzela Care Centres and ensuring that there is after hours transport for victims including the farm areas;
 - c. **All SAPS members regardless of rank in every station to be trained** on domestic violence, gender, gender-based violence and the law, and the dynamics and social context of the violence. We believe that training will lead SAPS will lead them to act and respond to the reports on GBV. We note that the SAPS members are trained on the GBV Acts and the National Instructions provide adequate guidelines on how they can implement the law, however in practice we experience that gender norms and long-held beliefs about the position of women, children and LGBTQIA+ contributes to many of the laws not be implemented, including cultural norms about relationships. Hence training and refresher training is needed.
 - d. **We call upon** all SAPS Station Commanders to prioritise GBV case progress reports and ensure weekly case reports from SAPS members on how matters are being resolved. **We need the SAPS Investigating Officers to update survivors of court dates for due process at ALL times!**
 - e. **We call for SAPS to equip SAPS stations and members with resources to perform their mandated duties.** SAPS members must have access to vehicles, computer and all equipment required to respond effectively.
 - f. **We call upon SAPS to ACT on all reported DV and GBV instances!**

- g. **We ask that a Victim Friendly Room functioning as per SAPS Victim Empowerment Service standards be available 24 hours a day in every police with trained Social Workers, Trained Counsellors, Social Auxiliary Workers or Volunteer Counsellors, fairly compensated for the service provided. We further call for SAPS, DSD, DOH including Community Safety to coordinate and act to make these services possible.**
 - h. **We call for DSD GBV social workers to be present, visible and responsive to the needs of victims.** We need DSD to improve access to their after-hours services and communicate how victims can receive ongoing support;
 - i. **We call for DOJCD to stop security guards screening clients at courts and sending victims away with immediate effect.** Security guards are not mandated, nor do they carry the expertise to determine the validity of a victim's complaint. Allowing security guards to perform a screening role, places the complainant at greater risk of further violence or femicide, especially as perpetrators often follow victims to court;
 - j. **We appeal to magistrates and clerks to administer justice in a victim-centred manner.** A victim-centred approach is needed for effective access to justice. This means that magistrates and clerks need to understand the dynamics of domestic violence, how victims and perpetrators relate to each other, especially how power and control can be transferred to the court processes- training on these dynamics can assist;
 - k. **We call for DOJCD to invest in psycho-social debriefing for magistrates and clerks to ensure that they are processing the traumatic stories they listen to each day to avoid vicarious trauma and victim-fatigue and desensitisation from hearing same stories, each victim's experience is unique to their own story and deserves an individual approach and application of the law.**
 - l. **We call for a coordinated action in our communities to ensure that the National Strategic Plan on Gender Based Violence and Femicide is practically implemented on the ground, this necessitates the inclusion of the local municipality so to advance GBVF prevention strategies at local level.**
9. We look forward to you taking these challenges and proposed solutions - We INVITE you to the SAFE-PR platform 16 Days of Activism community dialogue on 9 December 2022, 10-1pm at the Paarl Town Hall and report back your strategies with the stakeholders on how you will address the demands and ensure for the next 365 Days and beyond, these demands will be met!

These issues and 365 Days Focus Demands for Accountability and Action were formulated from the SAFE Platform Convening notes and with contributions from the following SAFE Platform members:

MOSAIC Training Services and Healing Centre

Ubuntu

Young Stars

Mbekweni CPF

Klapmuts SAPS

SAPS Spiritual Crime Prevention

Mbekweni SAPS

Zonwabele LGBTIQ+

Wellington SAPS

Gold Youth

DSD Paarl East

Fountain of Hope

ACVV Wellington

Network for Christ

National Prosecuting Authority- Paarl

Mbekweni Youth Centre

Paarl Thuthuzela

Community Cohesion

This memorandum was consolidated by MOSAIC Training Services and Healing Centre.