



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

Briefing Notes on Resolutions adopted at the LGBTI National Task Team Meetings for purposes of the Presentation to the Select Committee on Women, Children and People with Disabilities -11 September 2013

| MEETING (DATES) | HELD | SEE ANNEXURE ATTACHED | RESOLUTIONS |
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| 14 March 2011 | | See attached register | <ul style="list-style-type: none">• A communication strategy be put in place that should communicate how such issues must be managed.• A needs analysis of the Victim should be conducted – the NGO's were requested to assist with the submission of this information;• Ways to identify these cases at entry level should be itemised; |

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| | | <ul style="list-style-type: none"> • Systems already in place should be enhanced; and • The fact that it is not a statutory offence at present, should be investigated. • Mr Tlali suggested that a Task Team or Working Group be formed which will deal with these issues. The Terms of Reference will determine the scope of tasks to be attended to. • It was agreed that the Department of Justice and Constitutional Development would follow the internal processes to advise the Director – General and the Minister on the developments thus far, make recommendations and request guidance in terms of policy consideration, where after a second meeting would be convened with the relevant NGOs |
| 15 June 2011 | See register attached | <ul style="list-style-type: none"> • That the National Government will still be represented by six main stream National Departments but there is a need to include other |

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| | | <p>departments having an important role to play in this National Task Team and also other relevant stakeholders including Chapter 9 institutions and the constituency has increased as follows:</p> <ul style="list-style-type: none"> ➤ Department of Justice and Constitutional Development ➤ Department of Social Development ➤ National Prosecuting Authority ➤ Department of Women, Children and People with Disabilities ➤ Department of International Relations and Cooperation ➤ South African Police Service <ul style="list-style-type: none"> • An Interim National Task should be formed as planned in the previous meeting; where-after an Imbizo was suggested to be held with broader representation, where-after the final Task Team could be appointed; • Ten (10) representatives from the NGOs and CSOs on the Interim National Task Team were recommended which will comprise of Luleki Sizwe, Free Gender, 4 representatives from the Joint Hate Crimes Working Group which will be geographically represented, and further that representations will be invited from gender based working groups, HIV and AIDS groups, COSATU and Human Rights Watch. |

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| | | <ul style="list-style-type: none"> • The NGOs and CSOs requested that the cluster intervention strategy be clarified and costed in terms of human and financial capacity. • A National Imbizo should be called whereupon inputs from the organisations that are not represented will be discussed for future consideration. • The Minister of Justice and Constitutional Development and/or the Deputy Minister to address the first meeting of the National Task Team pending his availability in terms of his diary. Terms of reference to be developed in the interim to be considered during the first meeting. Proposals should be invited from all the role players. Minutes of the previous meetings will serve as guidelines but this will also include all the other new suggestions. |
| 14 July 2011 | See register attached | <ul style="list-style-type: none"> • A Frequently Asked Questions (FAQ) pamphlets will be circulated to all the delegates. Dates of the next sensitisation information sessions should also be circulated so that those interested can attend. It was further agreed that each department should circulate the dates for its sensitisation sessions so that the Cluster can be informed and also to |

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| | | <p>support each other.</p> <ul style="list-style-type: none"> • Full details i.e. CAS Nos. in instances where the matter has not yet appeared before court or CASE NO. and full particulars of the court should be provided by NGOs to the SAPS and NPA respectively so that outcomes of the cases can be provided. The Cluster suggested that an information management system or data base which will easily identify an LGBTI related case should be developed. • The following documents should be submitted to all delegates for them to provide inputs on or before 28 July 2011: • Briefing document regarding the Draft Cluster Intervention Plan which will be submitted to different technical committees for approval; • Draft Public Education and Communication (PEC) communication strategy; and • Initiatives by each department to show the progress already done and planned to highlight that the government has been the challenges all the time and is not only reacting to the petition, made for the Minister. • Another memorandum will be submitted to the Director-General of |

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| | | <p>DoJCD highlighting the suggestions of the Departmental Cluster Task Team regarding the issue of funding of NGOs and CSO representatives.</p> <ul style="list-style-type: none"> • A video conference covering all the delegates in Cape Town, Johannesburg and Pretoria will be arranged as suggested. Delegates should submit possible dates whereupon they are available so that a suitable date can be arranged. Delegates will be informed of the developments during the next meeting. |
| 10 August 2011 | See register attached | <ul style="list-style-type: none"> • Civil Society Organisations and the Government Departments will prepare a detailed written document for interogation and consideration of merging of Imbizo and Symposium and the two will exchange these documents on 24 August 2011. |
| 09 September 2011 | See register attached | <ul style="list-style-type: none"> • The term to replace “corrective” rape was provisionally decided to be “Gender Based Violence on LGBTI community” pending the outcome of the proposed workshop. |

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| 15 November 2011 | See register attached | <ul style="list-style-type: none"> • Triangle Project was nominated as deputy chair and after some deliberations confirmed as the deputy chairperson. Jill Henderson confirmed the appointment and indicated that she and Jayne Arnott will be representing Triangle Project as deputy chairs. • Work stream meetings to be convened either on 2 or 9 December 2011. During this meeting, each work stream to convene and fill in its activity plan to be prepared for costing as well as finalise the appointment of Chairpersons and Deputy Chairpersons. • Task team members to suggest the courts to be targeted by the situational analysis by 18 November 2011. • Inputs on the terms of reference to be given on or before 1 December 2011. |
| 02 December 2011 | See register attached | <ul style="list-style-type: none"> • Each work stream to meet separately to complete the activity plan. • Deadline of the activity plans 15 February 2012. • Each workstream to report back at the next NTT meeting scheduled for 15 February 2012. |
| 13 Aril 2012 | | <ul style="list-style-type: none"> • The DOJCD should communicate with Directors Legal Services in the |

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| | | <p>Department's Regional Offices on the number of cases dealt with at the equality courts and that cases of equality courts should be put into statistics for tracking purposes.</p> <ul style="list-style-type: none">• It was agreed that the workshop and the meetings will be arranged in between the dates of the National Task Team to address the challenges and finalise the terms of reference. |