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## **GENDER DIRECTORATE**

DRAFT DISCUSSION PAPER:

PROPOSAL ON INTER-SECTORAL TRAINING FOR  
IMPLEMENTATION OF THE VICTIMS CHARTER

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**DRAFT DISCUSSION PAPER: PROPOSAL ON INTER-SECTORAL  
TRAINING FOR IMPLEMENTATION OF THE VICTIMS CHARTER**

Minister Mabandla, in her foreword to the Victims Charter, 2005, identified a key requirement for the implementation of the Charter; '*committed and dedicated role-players in the criminal justice system*'. The draft discussion paper seeks to explore how *inter-sectoral* training, as one part of a range of activities, can be used to instil commitment and dedication in all service providers who work with victims of crime. The paper, briefly addresses four questions:

- Why do we need inter-sectoral training for implementation of the Victims Charter?
- What is inter-sectoral training?
- What can we learn from international experiences?
- What would be an appropriate inter-sectoral training programme entail?

The paper is prepared for the Inter-Sectoral training workshop hosted by the Department of Justice and Constitutional Development, 25 – 26 June 2007. It is hoped that discussions and outcomes of the workshop will be captured in the final paper.

The criminal justice system, as a single entity is made up of various departments, each with different mandates and responsibilities. One of the common threads that bind the system is the victim. With different responsibilities, role players often work in isolation. As a member of the Provincial Development Committee reflected in a recent meeting,

'we work in silos and don't talk to each other [departments]. Often good service from one department is undermined by another department giving bad service. When witnesses don't go to court because the police did not inform them about progress of the investigation, the witness will lose hope in the entire criminal justice system.'

Since 1994, the need for integration of government services has received attention and the workings of various sectors have come together, for example the criminal justice system operates under the Justice, Crime Prevention Strategy (JCPS). The National Crime prevention Strategy, 1996, established that in order to promote a victim-centred approach to crime prevention, an integrated approach was required.

The JCPS has established the National Development Committee (NDC), which brings together departments of justice, national prosecution authority, correctional services, social development, home affairs and police services. In order to facilitate the implementation of the Victims Charter, an Inter-Departmental Committee (IDC) was established. The IDC is chaired by the Department of Justice and Constitutional Development and reports to the NDC and JCPS.

With this institutional framework to integration, it is clear that government departments have to find ways of working together in implementation of programmes. The IDC, in 2006, developed a project plan for the Victims Charter. Training is one of the activities and a Sub-Committee was established. The sub-committee was tasked with convening an inter-sectoral training workshop.

#### *a) Context and concepts*

South Africa adopted its Victims Charter and Minimum Standards for Service to victims in December 2005. The Victims Charter which contains seven rights aims to ensure that victims are central to the criminal justice system. In addition, the Victims Charter aims to reduce secondary victimization within the criminal justice system.

The Minimum Standards sets out what services each role- players should provide to victims. Although role players may understand different roles, they may not understand how different service providers function. Role players need to understand and work together in order to provide effective service to victims.

Since the adoption of the Victims Charter, a number of multi disciplinary train-the trainer workshops have taken place. From 2004 – 2005, a total of four thousand and one hundred and eighty five (4 185) trainers were trained nationally. The training, developed by the Department of Justice and Constitutional Development, was conducted in all nine provinces, with departments of health, correctional service, education, social development, police services, justice, the human rights commission, and independent complaints commission. Since 2005, no further training was undertaken, although some departments began training their own personnel. A question that needs to be addressed is how to sustain inter- sectoral training interventions.

The concept 'inter-sectoral' is often referred to as 'multi disciplinary' 'cross training' or inter-agency. In the context of the Victims Charter, inter-sectoral refers to both government and civil society organizations working with victims. Civil society is key because of direct service provided to victims. Often NGOs are the first point of contact for some victims of crime and they play a role in assisting victims as they navigate their way through the criminal justice system. Inter-sectoral could be defined as 'intersection between government departments, civil society organizations **and victims**, in an attempt to continuously build and maintain cooperative relations.' The inclusion of victims is done because some victims are not represented by civil society organizations.

Among the wide ranging definitions of training, we have found the following definition to be concise; '*a systematic and planned process to change knowledge, skills and behaviour [attitude] of employees in such a way that organizational objectives are achieved.*' T. Mofomme, 2001, 'Towards an Integrated system of service delivery'.

The IDC, in its Project Scoping document for the Victims Charter implementation, August 2007, has defined training as:

- Training is knowledge enhancement about the Victims Charter and Minimum Standards in order for training participants to gain an understanding of their roles and responsibilities within the criminal justice system, together with an understanding of other role-players roles and responsibilities.
- Training is the development of training materials that relate to the improvement of service delivery based on best practice models that are identified and developed in other project streams that relate to service delivery and the reduction of secondary victimization.
- Training is the knowledge enhancement of participants on policies and legislation that are relevant to the Victims Charter.
- Training is ensuring that training materials are standardized and accredited with the appropriate authority.

- Training is the development of learnership and or skills programmes within departments that relate to victim empowerment issues within the criminal justice system.

*b) International reflections*

In our preparation for the workshop, we looked at international experience of inter-sectoral training for implementation of the Victims Charter. Following the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, a number of countries have ratified the declaration and have drafted country Victims Charter and legislation (the Victims Bill of Rights in the US). The UN has developed a 'Handbook on Justice for Victims' to assist countries on the use of the declaration. The handbook identifies training as a crucial requirement for the effective delivery of service to victims.

The declaration requires all service providers to receive training, 'police, justice, health, social service, prison and other personnel concerned should receive training to sensitize them to the needs of victims.' The declaration further notes three ways in which inter-sectoral training can take place;

- Development of curricula
- Seminars
- Peer review systems

The United States (US) has developed curricula and has gone further to establish on-line learning where all service providers are expected to have completed the course, six months after they have been employed. Seminars, which are held on a regular basis, provide opportunities for all service providers to receive update on developments within respective sectors that will have impact on service delivery for victims.

In the Netherlands, a peer review system is used to explore new areas of training. The system was first used with police officers – after a victim was interviewed by an officer, another officer would conduct a follow up to ascertain how the first officer treated the victim. Peer review done across different sectors could use the same method. The aim of the system is linked to customer satisfaction surveys.

The United States, in the state of Denver recognized the need for inter-agency training. The objective of the training is to increase knowledge, awareness and the effectiveness of referrals among service agencies. In order to implement the inter-agency training, a four phase strategy was developed. This included:

- Commitment – all agencies signed an MOU to demonstrate commitment to the training. Each agency nominated personnel to constitute inter-agency / cross training team
- Process development – the cross training team developed content, training

and evaluation schedule

- Implementation – training was provided to personnel from all agencies at the same time
- Evaluation – training evaluations were used to continuously improve future training

Research conducted in Canada, 2003, in the areas such as Yukon and Nunavut, on Victim services. The research found that all service providers need ongoing training. In addition, interagency training should also include community service providers. Interesting topics for identified for interagency training:

- Referral system information
- Opportunities to deal with healing
- Understanding gender and community power dynamics
- Effective, culturally appropriate methods of community development

As one of the respondent stated, 'We need lots of training to understand our roles and begin the process of healing as we service victims'.

The Jamaican government is currently finalizing its Victims Charter. In order to implement the Charter, it has proposed an interdisciplinary and cooperative training programme for the implementation of the Victims Charter. The overall aim of the training will be to sustain specialized methods, approaches and attitudes so as to improve the criminal justice system for victims. Some of the proposed learning areas for the interdisciplinary training include:

- Human rights norms, standards and principles
- Principles and ethical duties of different agencies
- Cross cultural, religious social and gender issues
- Understanding the impact of crime

A reassuring observation that can be made from countries that have developed inter-sectoral training is that there is often no instant formula that can be adapted from one country to the next. Further, it is clear that most countries are in developmental stages and approach the challenges of implementation of the Victims Charter with innovation and enthusiasm. Some of the lessons that can be learnt from the country reflections are:

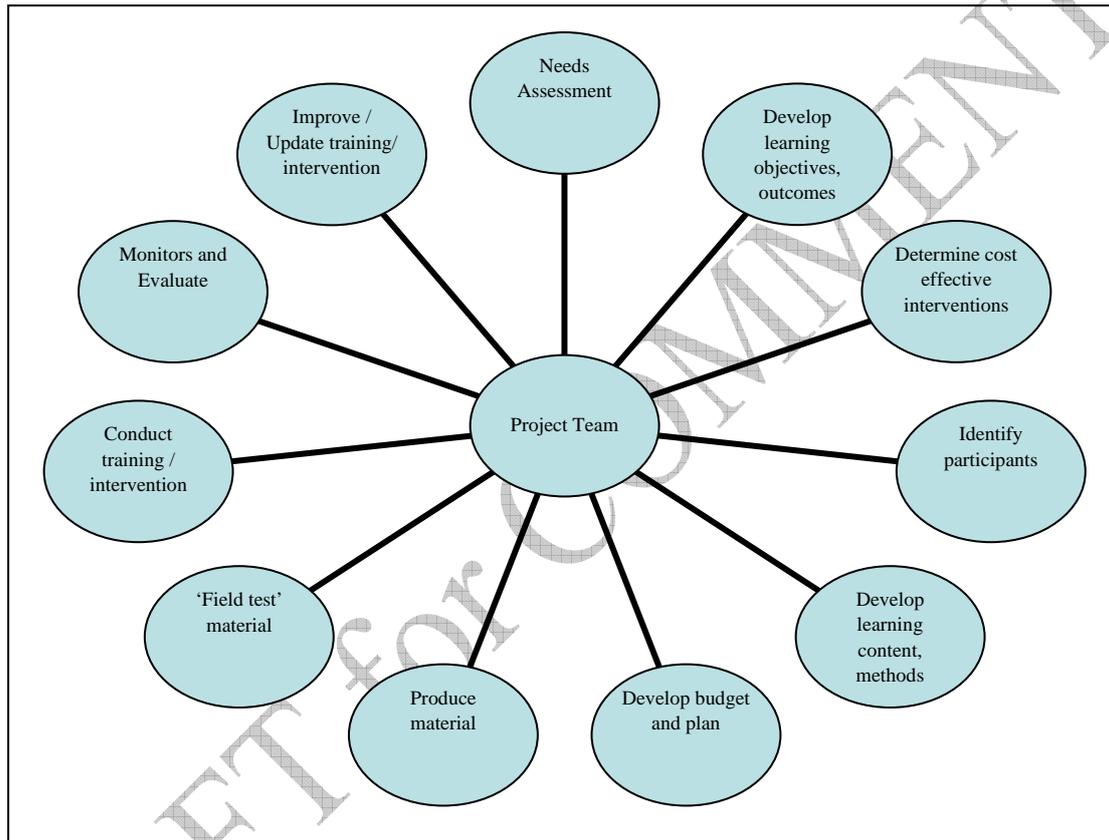
- Development of training interventions must be done in partnership with all service providers. Training courses that are developed by one department cannot be sustained.
- Alternative training interventions such as conferences and seminars are useful for providing all service providers with new developments within different departments
- Commitment of all service providers is required.

- Monitoring and evaluation of training is key.
- Training is not once off, but should be 'institutionalized'.

c) Moving forward

A proposal for inter-sectoral training should be informed by the IDC and the workshop. In developing the proposal, a ten step systems planning approach is proposed:

Figure 1:



A structure, project team, should be established to implement training interventions. The current IDC Training Sub-Committee has three members and this is not representative of the all government departments and civil society. A decision should be taken on the composition and terms of reference of the project team.

**Training intervention 1:** Training course for all trainers with an undertaking that they will include Victims Charter training in existing training. All departments should be involved in drafting training content.

- *Content*

A comparison is made between previous and proposed training content

Table 1: Training course content

Training 2005	Training 2007
<ul style="list-style-type: none"> <li>• Introduction, background and purpose of the Service Charter for Victims of Crime.</li> <li>• Defining a "Victim of Crime"</li> <li>• The summary of rights of the victim of crime as contained in the Service Charter.</li> <li>• The processes and responsibilities of service providers in the Criminal Justice System.</li> <li>• Linking the rights to service delivery-minimum standards on services for victims of crime.</li> <li>• Complaints Mechanisms</li> <li>• Legislation that supports the Service Charter for victims of crime.</li> <li>• Communication Skills</li> <li>• Practicum</li> </ul>	<ul style="list-style-type: none"> <li>• South Africa's Response to Victims of Crime               <ul style="list-style-type: none"> <li>• Understanding crime in South Africa</li> <li>• Effects of crime on communities / families and individuals</li> <li>• Understanding Victim Empowerment</li> <li>• Understanding Victims Charter and Minimum Standards</li> </ul> </li> <li>• Locating Victims issues within different departments: what are supporting legislation, policies and charters</li> <li>• International Framework               <ul style="list-style-type: none"> <li>• Country experience of Victims Charter</li> <li>• International obligations</li> </ul> </li> <li>• Role-players and stakeholders: Mapping individual and collective responsibility</li> <li>• Diversity: Special needs victims</li> <li>• Human Rights, Gender and Victims</li> <li>• Skills for fulfilling minimum services to victims</li> <li>• Referrals</li> </ul>

- *Monitoring and Evaluation:*

We need to put in place monitoring indicators for training. This would entail measuring change of individuals and 'institutional change indicators'. As we work towards institutionalization of inter-sectoral training, we also need to continuously monitor different role-players commitment to training.

We could also introduce an Annual report on Victims in South Africa that could include information on victim empowerment and implementation of the Victims Charter. The annual report could be compiled by the Human Rights and Gender Commission.

**Training intervention 2:** Annual National conferences and Provincial Seminars

Can be hosted by different departments on an annual basis, and they would take responsibility for conference theme. All departments would be required to present

- Update on training
- Report on training challenges and successes

- New policies, legislation and systems that impact on Victim services

In addition, experts (local and international) could be invited to present on research and innovative programmes.

DRAFT for COMMENTS