

CONSIDERATIONS FOR POLICE OFFICERS TO BEAR IN MIND WHEN AN LGBTIQ PERSON REPORTS A CRIME

NO to Secondary Victimisation



Identity - who you feel you are or how you see yourself.

Sexual orientation - refers to emotional, romantic and sexual attraction of someone to the same sex or the opposite sex or to both sexes. Sexual orientation is a person's sexual identity in relation to the sex of the person they are attracted to.

Sex - Biological characteristics (including genetics, anatomy and physiology) that generally define people as intersex, female or male.

Respect and Protect the Rights of Survivors of Violence and Crime

RESPECT: Ask the complainant how they wish to be addressed, then refer to an LGBTIQ person using the pronoun, gender and name that they use to identify themselves. See a person as a human being regardless of their sexual orientation and/or gender expression, as SAPS officials took an oath to protect and serve.

BE SUPPORTIVE AND LEAD BY EXAMPLE: Do not propagate negative and harmful stereotypes about LGBTIQ persons. Refrain from voicing or sharing personal views and opinions which may have a detrimental effect on the LGBTIQ person.

CONFIDENTIALITY: Do not refer to, or reveal, a person's sexual orientation, gender identity or intersex status without the person's consent.

LANGUAGE: Be familiar with the basic terms of SOGIE as described above. Be mindful that certain words may be hurtful, could be regarded as demeaning or derogatory and may be construed as hate speech in terms of the Equality Act. Avoid asking unnecessary questions out of mere curiosity to avoid infringing on the rights of people unknowingly.

CONSULTATION: It is advisable that consultation takes place in a sensitive and possibly discreet manner without everyone else necessarily hearing what the complainant has to say.

Each officer must continuously familiarise themselves with the SAPS Standard Operating Procedures.

THERE ARE ORGANISATIONS WORKING ON SOGIE RIGHTS IN ALL 9 PROVINCES, FOR MORE INFORMATION CONTACT:

The South African Human Rights Commission (SAHRC) which is an independent national human rights institution provided for in Chapter 9 of the Constitution, as well as the South African Human Rights Commission Act of 2013 to support constitutional democracy through promoting, protecting and monitoring the attainment of everyone's human rights in South Africa without fear, favour or prejudice.

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