



SOUTH AFRICAN
POLICE SERVICES
&
COC NETHERLANDS

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Lessons Learned

The South African Police Service's Dignity, Diversity
And Policing Project: The Promotion And Protection
Of Human Rights, Dignity And Safety For All.

SUMMARY

In the past years, civil society organisations (CSOs) in South Africa have been working with law enforcement agencies in their respective provinces to reduce violence and human rights violations and to develop harm reduction strategies. COC Netherlands, a Dutch CSO, coordinated a similar intervention that worked with South African CSOs and the South African Police Service (SAPS) at the national level to develop a sensitisation manual and to train SAPS officers with regard to sex workers (SW), people who use drugs (PWUD), and lesbian, gay, bisexual, transgender and intersex (LGBTI) people. The training addressed police attitudes towards embracing dignity and diversity when they deal with SW, PWUD and LGBTI people.

This lessons learned document focuses on how COC worked together with South African CSOs, SAPS and academics to develop a training manual and to test and pilot the corresponding training with SAPS. It tells of how sustainable relationships were built and strengthened between COC, SAPS and CSOs to ensure that adequate services are provided by police officers working with the SW, PWUD and LGBTI communities.

This lessons learned document was written for COC Netherlands by Munyaradzi I Katumba

BACKGROUND

The South African Police Services (SAPS) implemented the Dignity, Diversity and Policing (DDP) project with financing from the Hands Off! programme from July 2015 to June 2018. DDP was a partnership project between COC and SAPS, implemented through a memorandum of understanding (MOU). Although the MOU is between COC and SAPS, the partnership also included other CSOs such as OUT–LGBT Wellbeing, Triangle Project, Durban Lesbian and Gay Community and Health Centre, Sisonke, Sex Workers Education and Advocacy Taskforce (SWEAT), the African Policing Civilian Oversight Forum (APCOF) and the TB/HIV Care Association, as well as academics and independent experts. As part of the Hands Off! Programme, the project developed an integrated manual to address stigmatising and discriminatory attitudes by law enforcement towards SW, PWUD, and LGBTI people. The project trained 25 SAPS police officers as trainers, tested the manual with 173 officers from Cape Town, Durban, Pretoria and Johannesburg, and piloted the manual with 60 police officers from SAPS' Employee Health and Wellness (EHW) and Human Resource Development (HRD) departments. From 2019 onwards, some 153,000 SAPS operational officers are expected to undergo the training to improve SAPS' efficiency and effectiveness with regard to increasing service satisfaction to SW, PWUD and LGBTI people.

The Hands Off! programme is a regional response to violence against sex workers, covering Botswana, Mozambique, Namibia, South Africa and Zimbabwe. Although the programme specifically aims to help reduce violence against sex workers and to reduce the number of HIV infections as a result of violence in Southern Africa, the DDP project in South Africa included PWUD and LGBTI in addition to SW. COC was approached by Aids Fonds to be involved because of its prior experience in supporting the South African government in developing a manual for healthcare workers for the same key populations. The DDP project took an innovative, integrated approach to solving issues faced by key populations to ensure a multiperspective strategy in addressing their needs. Sex workers need better living and working conditions, free of abuse, violence and human rights violations. LGBTI people and PWUD need to have access to justice: they need hate crimes to be addressed, harm reduction strategies to be intensified and police to provide adequate services and their human rights to be recognised. To enable police support for these communities, law enforcers need to understand their needs. The programme used police sensitisation as an entry point. COC Netherlands coordinated academics, SAPS and CSOs in the development of a sensitisation manual and in the testing, piloting and standardising of the manual for SAPS recognition for in-service training.

This lessons-learned documentation focuses on the partnership between COC and SAPS, the relationship between COC and the CSOs involved, and the processes that were engaged to develop an MOU to enable the implementation of the project activities. This one-of-a-kind project in Southern Africa saw a CSO partnering with a public institution to implement a change programme at the national level which envisions correcting the stigmatising and negative discriminatory attitudes of operational police officers towards SW, PWUD and LGBTI people. The partnership presented unique opportunities and challenges because of the diverse differences in organisational structures and decision-making processes. COC operates in a more flexible environment compared to SAPS' rigid and bureaucratic environment. The two organisations developed joint processes where the SAPS team worked closely with the COC-appointed project manager to identify problems jointly, gathered information through a needs assessment, and developed a training manual collaboratively as a solution to serve key populations more efficiently and effectively.

STAKEHOLDER INVOLVEMENT

The following main stakeholders were involved in the project:

THE SOUTH AFRICAN POLICE SERVICE (SAPS)

The South African Police Service is the national police service of the Republic of South Africa. With 1144 police stations and an employment complement of 194,605 employees, SAPS is constitutionally mandated to prevent, combat and investigate crime, maintain public order, and uphold and enforce the law according Section 205 of the Constitution of the Republic of South Africa of 1996. SAPS envisions a safe and secure South Africa for all people who live in it by protecting everyone's rights and by being respectful, open and accountable to communities. As stated in its 2016/2017 organisational report, SAPS continuously develops the skills of its members and cooperates with all communities and stake holders to ensure an effective and efficient use of resources.

COC NETHERLANDS (COC)

COC Netherlands is a Dutch federation consisting of 20 Netherlands-based associations. The organisation has been advocating the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people since 1946. COC works towards – and supports partners who are working towards the decriminalisation of same-sex sexual relationships for consenting adults and towards the attainment of equal rights for and the social acceptance of LGBTI people in the Netherlands and other regions of the world including Southern Africa. Through its special consultative status at the United Nations, COC is a global player. In South Africa, COC is implementing the Bridging the Gaps programme to improve the health and rights situation of LGBTI people through four local LGBT partners. The DDP project was COC’s first-ever partnership with a public institution such as SAPS outside of the Netherlands. COC’s international programmes normally involve partnerships with the Ministry of Foreign Affairs of the Netherlands or its embassies and with other LGBTI and human rights organisations.

AIDS FONDS

Aids Fonds is a Dutch foundation that is working towards a world free of AIDS. It focuses its attention on the regions and people most affected by the HIV/Aids epidemic due to stigma and discrimination. In Southern Africa, including South Africa, the targeted group is sex workers who are most affected by injustices, human rights violations and violence, which in some cases is perpetrated by law enforcement officials who are supposed to protect and provide a service to them. In South Africa, Aids Fonds funds the Hands Off! programme with the goal of reducing violence perpetrated by police which is often linked to a high rate of HIV infections. Funding for the Hands Off! programme was made available by the Embassy of the Kingdom of the Netherlands in Maputo, Mozambique, which has a regional programming mandate.

CSOs REPRESENTING SW, PWUD AND LGBTI PEOPLE

Individual sex workers, PWUD and LGBTI people as well as organisations representing these communities were part of the partnership and were regularly consulted in all processes of training-manual development. Representatives of key populations were the subject-matter experts in the partnership and manual-development processes, and acted as facilitators during train-the-trainer training, manual testing and piloting phases.

INDIVIDUAL EXPERTS

During the manual-development processes, the partnership consulted and, in some cases, hired expert knowledge from experts in human rights, sexuality and gender, policing, lawyers and criminal justice, for example.

CONTEXT

In 2015, Aids Fonds conducted a needs assessment together with sex worker groups from five Southern African countries (Botswana, Mozambique, Namibia, South Africa and Zimbabwe). Police-perpetrated violence and human rights violations against sex workers were identified as being a huge challenge and one of the reasons why the region had such high HIV prevalence and incidence rates. The situation was dire because sex work is still a criminal offence in the region, including South Africa. The research found that police officers were using condoms found on sex workers as evidence of their soliciting for sex in the streets; some were demanding unprotected sex in exchange for the release of sex workers without charge; and the number of arrests made was being used as a performance indicator for police officers.

Lobbying for and advocating change was critical to ensure that police officers understood the dangers of their actions and how law enforcement agents formed a hindrance to progress on the overall health outcomes expected in the country. The development of a training manual to train the police with regard to human rights and to help them better understand sex work and the needs of SW, sexuality, gender identity and expression, and drug use was found to be an innovative solution. COC had prior experience in facilitating the development of a government-owned manual concerning key populations for healthcare workers in South Africa and Swaziland.

ORGANISATIONAL CONTEXT

The problem identified was that SAPS officers lacked the adequate skills and competencies to provide comprehensive services to the most vulnerable groups in communities, specifically people who use drugs, sex workers and LGBTI people. As a public-private partnership was considered the ideal way to bring about the needed change, the COC and SAPS partnership was formed. With COC being a non-governmental organisation and SAPS being a public entity, there was a need to formalise the partnership through a memorandum of understanding (MOU). The lessons learned from this partnership between two institutions with differing processes are interesting for COC, donors, CSOs and public entities.

LEGAL AND SOCIAL CONTEXT

SEX WORK

Both the Sexual Offences Act 23 of 1957 and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 state that any person who has unlawful carnal intercourse or commits an act of indecency with any other person for reward, is guilty of an offence, which effectively criminalises the client as well as the sex worker. Provincial and municipal by-laws also contain provisions that prohibit sex work such as “importuning any person for the purpose of prostitution” and “soliciting”. Decriminalisation of sex work has been under active discussion since 2009, and the South African Law Reform Commission has recently presented proposals to that effect.

As sex work is illegal under South African law, sex workers have little legal protection. The law and marginalisation make sex workers more vulnerable to assault by clients, pimps and brothel keepers. They are also more prone to police-perpetrated violence and harassment and fall victim to crime by having to work in dangerous environments in order to escape public scrutiny. Criminalisation has led to sex work being perceived as a social ill that needed to be eradicated. Yet outlawing sex work over the years has proved to be ineffective because the high levels of violence also lead to the spread of HIV and other illnesses.

DRUG USE

People who use drugs are punished through the criminal justice system rather than receiving support and care via a public-health approach. The criminal-justice approach is costly for the general taxpayer through the processes which call for stringent punishment. The public-health approach is a more effective way of dealing with drug dependence as well as all the surrounding drug-use issues than focusing on the public shaming of people who use drugs for all the social ills, which leads to social and health inequalities. When PWUD are publicly portrayed in a negative way and viewed as criminals who lack morals and conscience, they are made more vulnerable to stigma and negative discrimination. The Central Drug Agency is recommending that illicit drug use be decriminalised.

LGBTI PEOPLE

LGBTI people in South Africa have the same rights as non-LGBTI people. The legal and social status of LGBTI South Africans has largely been influenced by a combination of traditional South African mores, colonialism, the effects of apartheid and the human rights movement that contributed to the decriminalisation of same-sex sexual

engagements and marriage equality. South Africa’s post-apartheid Constitution outlawed discrimination based on sexual orientation. Same-sex couples can also adopt children. LGBTI people still face homophobic and transphobic violence, in particular corrective rape of lesbian and bisexual women. Social acceptance of LGBTI people is generally lacking especially in rural areas, and some South Africans perceive homosexual behaviour as wrong and immoral. SAPS needs to investigate hate crimes and to ensure that the LGBTI community will report crimes and that the conditions of arrest, pre-trial detention and custody do not violate human rights or harm people.

PAST ACTIVITIES AROUND THIS PROBLEM

South African CSOs have been working with SAPS for years at the local and provincial levels. The Eastern Cape province has shown best practices in the country where sex-worker organisations and sex workers have engaged meaningfully to reduce violence and human rights violations and to increase criminal justice accessibility for sex workers. COC’s partner LGBTI organisations such as Triangle Project, Durban Lesbian & Gay Community & Health Centre and OUT-LGBT Wellbeing have also implemented activities targeting law enforcement in the past.

HOW IT WAS DONE AND WHAT IT HAS ACHIEVED

PHASE 1

DEVELOPMENT OF AN INTEGRATED TRAINING MANUAL – COC hired a consultant to carry out a context analysis on the South African Police Service’s systems and strategies, and the knowledge, attitude and practices of the police. A round table on law enforcement and key populations and a participatory manual-development meeting with regional partners were held to share all materials and experiences, and decisions were made on the manual outline. A group of writers consisting of academics and representatives from CSOs and SAPS was established to draft the modules for the manuals for trainers and learners from local experts on sexuality, gender, human rights, criminal justice lawyers and key populations. The manuals then had to be edited, laid out and printed to be ready for the Train-the-Trainer phase.

PHASE 2

TRAINING OF TRAINERS – The SAPS’ Employee Health and Wellness (EHW) police officers, allies from civil society and SW, LGBTI and PWUD organisations’ staff members were trained to serve as trainers. The Botswana Police

Service, The Botswana National Coordinating Agency, the Zimbabwe Republic Police and the Zimbabwe National Aids Council also participated in the five-day Train-the-Trainer workshop. These other institutions participated as part of the Hands Off! Southern Africa programme to ensure they understood the manual for easier adaptation and customisation in their respective countries at a later stage during the Hands Off! programme.

PHASE 3

TESTING OF TRAINING MANUALS – The manuals for trainers and learners were tested in three metropolitan areas (Johannesburg and Pretoria, Cape Town and Durban) representing the areas where the context and needs analysis had been conducted. The SAPS officers comprised of operational police officers, EHW functionary police officers, and trainers and facilitators from the SAPS training colleges. A training report was documented to inform editions to the new version of the manual.

PHASE 4

PILOTING THE TRAINING MANUALS – The manuals were piloted with two groups in Pretoria: 1) Champions within SAPS interested in being service contact points for key populations at police stations, and 2) Human Resource Development (HRD) trainers, facilitators and managers. The HRD Department decided to register the manuals within SAPS by standardising them for in-service training.

PHASE 5

ROLL-OUT OF TRAININGS IN SOUTH AFRICA – The original plan and budget did not cover the actual roll-out of the training. Currently SAPS is in conversation with the South African National Aids Council (SANAC) to include the roll-out of trainings in the 2019-2024 South African Global Fund programming.

PHASE 6

ADJUSTING OF THE TRAINING MANUALS FOR USE IN OTHER COUNTRIES – The SAPS manual needed to be customised to suit implementation in Zimbabwe and Botswana. Mozambique also managed its own manual-development processes simultaneously. There were several manual-development meetings with national partners to adjust the SAPS training manuals based on the experiences in South Africa and on the context in other countries.

STRATEGY OR CHOSEN APPROACH

- **FORMALISATION OF THE COC-SAPS PARTNERSHIP:** COC initiated discussions with SAPS to establish entry

points and buy-in. A decision to formalise the relationship by means of an MOU was reached, but approval “in principle” first had to be sought to enable the implementation of some activities before the MOU could be signed by the acting National Commissioner at the time. As the EHW Department deals with SAPS employee health, it was decided that it should be the entry point to push through the project’s goals and objectives.

- **IN-DEPTH UNDERSTANDING OF SAPS SYSTEMS AND STRUCTURE:** Subject to the South African Police Act and related legislation, SAPS is a very complex and complicated organisation. Conducting a context and needs assessment gave an in-depth analysis and understanding of the SAPS environment.
- **DEVELOPMENT OF AN INTEGRATED MANUAL:** Aids Fonds, COC and the sex-worker groups conducted a consultative meeting in Cape Town, South Africa which SAPS also attended, along with CSOs representing LGBTI people and PWUD. Harmonious agreements were reached with regard to working with SAPS and to taking an integrated approach to include all three key populations in the manual.
- **USE OF SAPS AND KEY POPULATION REPRESENTATIVES AS FACILITATORS:** Previous research had found that police-to-police lobbying and advocacy enhances police buy-in on interventions with regard to key populations. Police were trained as trainers and supported by key-population groups who provided the police with practical experience, coaching and mentoring on sexuality, gender, human rights, sex work and drug use.
- **USE OF INDEPENDENT AND KEY-POPULATION GROUPS AS SUBJECT-MATTER EXPERTS:** Independent experts and key population representatives provided practical experience and knowledge during the manual-development phase and in training writers and facilitators.

HOW THE STRATEGY CONTRIBUTED TO SOLVING THE PROBLEM; THE THEORY OF CHANGE AND OPERATIONAL ASSUMPTIONS

The underlying assumption was that the Hands Off! Programme’s goal of reducing violence against sex workers through (sustainable) prevention, care and support would be achieved by sensitising duty bearers, making them knowledgeable about and accountable for the impact their actions have on sex workers. It was also assumed that the perceived stigmatising and discriminatory provision of service by the duty bearers was due to their lack of knowledge about and understanding of the needs of sex workers. The idea was

that if the police officers would be sensitised, gain new skills and competences and better understand the human rights violations of sex workers but also understand the solutions, their behaviour would change. For that reason, the training manual developed would target different levels within SAPS to ensure support for and the development of operational tools such as guidelines, standard operating procedures and related policies.

Other assumptions were:

- Carrying out a context and needs assessment would provide an in-depth understanding of and insight into the structure of South African law and law-enforcement systems as well as of the complex structure, policies and police practices of SAPS. That, in turn, would enable engagement with the national office and ensure its endorsement.
- Formalising the COC–SAPS partnership by means of an MOU would enable the implementation of the activities without their being subject to lengthy SAPS protocols.
- Taking an integrated approach would add value to both SAPS and the key populations by ensuring a unified voice and coordinated stakeholder influence and by preventing an unnecessary duplication of efforts.
- Having police officers lobby and advocate would achieve buy-in and eliminate resistance amongst police officers to engaging during the training.
- Expanding the scope of the manual development to include PWUD and LGBTI people in addition to SW would make the manual more relevant, more efficient, more effective and thus more acceptable for SAPS.

ESSENTIAL RESOURCES

FINANCIAL SUPPORT: The project needed financial support for coordination and for the development, testing and piloting of the manual.

PROJECT MANAGEMENT: As COC is based in Amsterdam, there needed to be a local project manager to coordinate and steer the processes together with SAPS.

EXPERT KNOWLEDGE: Experts in human rights, training, sexuality and gender, policing, content development, law and criminal justice were essential during project implementation.

- An expert in key-populations research did a study on SAPS structures and police attitudes towards and

knowledge about key populations.

- Experts in content development in the areas of sexuality, human rights, gender and law were hired to develop the content of the manual.
- Being subject-matter experts on sex work, drug use and LGBTI issues, representatives from key populations contributed to manual content and were key trainers and facilitators during the train-the-trainer, testing and piloting phases.

ACTIVITIES ADAPTED OVER TIME, SOLUTIONS TAKEN TO OVERCOME PREVIOUS DIFFICULTIES AND CHALLENGES

The Hands Off! Programme was aimed specifically at sex workers, so the decision by South African partners to include drug users and LGBTI people meant more time and resources were needed to bring these stakeholders on board. The integrated approach was more sustainable, added value in terms of tackling challenges in the relations between intersectional key populations and the police, and helped to lessen resistance within SAPS. SAPS acknowledged the value of solving challenges involving a combination of key populations rather than having isolated cases of CSOs representing different key populations all approaching SAPS separately. As a result, the project needed a considerable amount of consultation between key population groups, experts, CSOs, the South African National Aids Council, the Department of Health (DOH) and others, and all that required adequate time to coordinate.

The decision to formalise the partnership through a memorandum of understanding was key for SAPS to enable implementation of project activities. COC understood the need for the MOU because a previous project to sensitise healthcare workers with DOH had failed to evolve to a sustainable roll-out after manual development and testing because of the lack of a written commitment and agreement between the parties concerned. The MOU was therefore essential for this project, although the process of drafting one prolonged the project timelines. COC had to negotiate for additional time and budget adjustments from the back donors. The MOU process needed intensive consultations with the chain of command within SAPS because of the sensitivity of the subject matter (LGBTI, sex work and drug use), which raised a lot of attention and led to quite some resistance in some SAPS structures. The processes took a long time because of the protocols, the long chain of command and the rigidity and bureaucratic nature of SAPS, thereby delaying project onset and implementation of some project activities.

MAJOR TURNING POINTS

Extensive restructuring within SAPS from August 2015 to February 2016 led to a delay in the approval of the application to conduct the context analysis. In the process, the ethical approval for the research expired and had to be extended. At the request of SAPS, three presentations were organised to sensitise the members of SAPS' Employee Health and Wellness (EHW) Department and senior management in new positions. As a result, new contacts were established and after being sensitised they supported the integrated manual development project.

MAJOR INTERNAL AND EXTERNAL FACTORS WHICH SHAPED THE DEVELOPMENT OF THE ACTIVITY

Relationship building and strengthening was key. COC has worked over the years with the Law Enforcement and HIV Network (LEAHN), an organisation that works with country focal points to promote harm reduction approaches and provide peer advocacy, education and support for police in over 20 countries. LEAHN shared their South African Police Services contacts, who were invited to the initial consultative meeting held with South Africa and regional key-population partners. EHW became the COC's entry point into SAPS. The EHW team was sensitised and made to understand the programme's strategy, goals and objectives, which all aligned very well with EHW's plans. The EHW team was introduced to key-population organisations to enhance their understanding of the issues facing the key-populations and why engaging law enforcement was critical. Interorganisational exchange visits were organised to Amsterdam to allow representatives from SAPS to meet with COC senior management and to become acquainted with COC. SAPS was sponsored to attend the Third International Conference on Law Enforcement and Public Health, held in Amsterdam in 2016, to enhance their knowledge on best practice from other global law enforcement agencies on harm reduction, LGBTI people and sex workers. The close collaboration between the CSOs, SAPS and COC as well as their joint decision-making processes and constant updates helped to maintain trust and keep the relationship strong.

Over and above the formal structures created by the partnership, the COC project manager organised behind-the-scenes planning and meetings to help SAPS better understand the intentions of the project. Platforms included the yearly Policing and Human Rights Dialogue organised by African Policing Civilian Oversight Forum (APCOF), a not-for-profit trust working on issues of police accountability and governance in Africa. COC participated in that, giving a presentation on the manual-development project, the challenges it faced in that

regard and the need for support from SAPS. The 2016 Dialogue was attended by the Minister of Police and a divisional commissioner responsible for human resource development and supply chain management. COC contacted these senior leaders and later had one-on-one meetings with them at their offices. The meetings helped to strengthen the relationships and the buy-in, leading in most cases to new contacts within SAPS.

Formalising the partnerships through the MOU proved to be the most sustainable way to ensure that SAPS would implement the project activities. SAPS does not engage in an ad-hoc way because they are guided by the South Africa Police Act and their own internal protocols which stipulate that they can only engage through documented and approved agreements. The documentation of such an agreement took longer than expected because COC had to convince and sell the idea of engaging police officers on LGBTI issues, sex work and drug use – all extremely sensitive issues for SAPS. For that reason, it took time for the institution to understand and embrace the proposed project.

Obtaining buy-in, seeking the necessary approvals from the police and setting up collaborations was critical for the success of the Hands Off! manual-development process. Although partners were frustrated by the delays in getting approval from SAPS to conduct the context analysis, this process ensured that partners understood the SAPS structures and could build necessary and meaningful relationships. There was notable buy-in from the police representatives at different levels and better understanding of the project by police officers.

RESULTS

The SAPS manual covering sex work, drug use and LGBTI issues was developed and tested in 2017. No fewer than 28 police officers (25 from SAPS, 2 from the Zimbabwe Republic Police, 1 from the Botswana Police) were trained as trainers, and 173 police officers from Durban, Cape Town, Pretoria and Johannesburg were trained during the testing phase. The police officers from Botswana, South Africa and Zimbabwe who were trained as trainers as well as during the testing phase spoke highly of the training, most rating it as very good or excellent. In the long term, if rolled out to in-service and police colleges, it would improve the service performance.

SAPS and COC went further to pilot the Dignity, Diversity and Policing manual with 60 police officers, including some from senior management. The piloting with the SAPS Human Resource Development (HRD) team responsible for the SAPS training generated so much interest from their curriculum and content developers, facilitators and trainers including senior management

at the ranks of brigadiers and major generals that the training was viewed as transformational to SAPS and it was recommended that it go through verification and standards assessment and be registered and recognised by SAPS in-service training.

UNEXPECTED RESULTS

The manual piloting phase trained SAPS champions and SAPS HRD trainers and facilitators. The champions meeting was very interesting because participants perceived the training as being transformational since issues faced by LGBTI people, PWUD and SW were now being openly discussed within senior management and other ranks. The piloting of the manual created a demand for developing champions within SAPS to serve as contact points for these groups. Some of the police officers even disclosed their sexual orientation and gender identity, which proved that police officers are opening up and freely engaging to ensure a supportive environment is created for themselves which will enable them to also freely embrace diversity and honour the dignity of sex workers, LGBTI people and PWUD. The facilitation of the training by sex workers, drug users and LGBTI people themselves gave the space and opportunity for building relationships and lasting contacts.

DIFFICULTIES FACED

The processes within SAPS were rigid, bureaucratic, protocol-driven, lengthy and time-consuming. The processes involved 7 to 8 levels of management and those responsible felt they spent a considerable amount of time on information gathering to ensure buy-in, especially in the case of key populations, given how sensitive those issues are to SAPS. The top-down approach made it extremely difficult when a SAPS information note was raised from bottom to top layers of management for approval. For example, a report recommending the partnership submitted by a captain in July of 2015 was compiled into an information note by a colonel in June of 2016 and only got approval from an acting police commissioner in August 2016:

STEP 1: In July 2015, a report on a consultative meeting was compiled by a captain who had attended the meeting, detailing the recommendations that SAPS should partner with COC to develop a training manual.

STEP 2: By 14 June 2016, a colonel had reviewed the captain's report, commenting on it and asking questions relating to the sensitive issues; the captain had subsequently responded to those questions and comments, providing additional information that would enable the colonel to compile an information note requesting for permission for SAPS to partner with COC.

STEP 3: The information note was forwarded to a brigadier, a section head, to peruse and verify before a major general, who is the component head, checked and verified it again.

STEP 4: On 26 July 2016, the divisional commissioner responsible for personnel management gave his support, signing the information note and recommending the partnership to the deputy national commissioner.

STEP 5: On 27 July 2016, the deputy national commissioner responsible for human resource management countersigned the information note, forwarding it to the national commissioner.

STEP 6: On 2 August 2016, the acting national commissioner approved the information note requesting the partnership on the condition that an MOU be developed.

STEP 7: The development of an MOU involved almost the same steps, although in some cases the processes included other structures from various departments, e.g. supply management and legal services departments. The MOU was signed by the Acting National Commissioner of SAPS in August 2017.

At the end of year 2, all stakeholders were concerned and some had lost faith; the project implementers and back-donors were thinking of a "Plan B". The three-year project was about to end, the budget and spending had increased, and the relative budget share for coordination and overhead had increased with it, with no tangible benefits as initially planned. Although COC did develop a plan B, COC continued to inform and try to convince back-donors about the potential of this process. Both Aids Fonds and the Netherlands Embassy in Maputo had to be kept on board as back-donors. All showed flexibility and faith and agreed to extend deadlines for the delivery of results.

ANALYSIS AND LESSONS LEARNED

TO WHICH EXTENT HAS THE ACTIVITY WORKED AS INTENDED?

The immediate result from the training was the acknowledgement that the training was critical for police officers in order to improve their job performance leading to a reduction of violence, abuse, rape and human rights violations perpetrated by police. The intended long-term results will depend on whether the training is rolled out to everyone in SAPS in colleges and in-service training. SAPS has acknowledged that training alone will not bring about all the intended results as per

the Hands Off! programme theory of change. As they see it, the goals of sensitising duty bearers and holding them accountable are far-fetched due to the challenges of sensitisation itself in practical terms. Linking the competencies and performance of an individual to enable the measurement of the results at individual level will require the development of the officers performance and remuneration plans to ensure that the officers will commit to the envisioned change. The manual developed should be supported by a competency-based training, and the trained officers' new skills should then be linked to their performance and remuneration to instil buy-in and interest from the individuals who are to be held accountable.

THEORY OF CHANGE AND OPERATIONAL ASSUMPTIONS VALIDITY.

As for the contribution to the overall goal of the theory of change, the actual impact is hard to measure at this point, because the training has not yet been rolled out to the entire workforce. The SAPS trainings included pre- and post-evaluation questionnaires that checked the level of knowledge both before and after the training, how the individuals rated the training and their perceptions on whether it would be a good training for SAPS members. Participants viewed the training as having improved their knowledge of sex work legislation and having less stigmatising views of sex workers, LGBTI people and PWUD after the training. Based on these statistics, one can generalise that a certain percentage of the SAPS members are most likely to improve on their delivery of services to SW, PWUD and LGBTI people.

KEY FACTORS FOR SUCCESS OR FAILURE

- **THE MOU:** The decision for COC to partner with SAPS through a memorandum of understanding is forward thinking and the most sustainable way to achieve a reduction of the violence towards sex workers and other key populations in South Africa. As SAPS is a top-down, protocol-driven organisation, the implementation of a programme is guaranteed once the top management has approved it. Once the COC and SAPS had signed the MOU, the programme addressing SW, PWUD and LGBTI issues could be implemented smoothly and all deadlines were met in 2018. There were no objections or delays in 2018 because the MOU was used as a referral document.
- **DEDICATED HUMAN RESOURCE:** Having a dedicated resource person stationed in South Africa saved money and time and had farther-reaching results than would have been the case if COC had been operating from Amsterdam only. The dedicated resource person was readily available as and when needed. SAPS needed answers and additional

presentations to facilitate their decision-making processes and that was enabled by having a COC-appointed coordinator in South Africa. The dedicated resource served as a repository of knowledge for the continuity and sustainability of future programming.

- **POLICE-TO-POLICE FACILITATION:** Using police as facilitators and trainers had far-reaching results in terms of the buy-in and the transfer of knowledge to other police officers. COC and partners sensitised and trained police officers as facilitators in the development of the MOU to navigate through the hierarchical SAPS structures. With the help of experts and the coordinator, the police were able to provide enough information through meetings and presentations to enhance the understanding of the goals and the intended benefits from the point of entry up to the SAPS National Commissioner. The SAPS trainers added value because they made police officers feel comfortable discussing SW, PWUD and LGBTI issues with other police officers. Most of the police officers trained spoke positively about the training, and that aided the implementation or upscaling of the training because of the demand that was created.
- **EXPERT KNOWLEDGE:** The SAPS train-the-trainer workshop brought in experts from partner CSOs to teach about sexuality, gender identity, human rights, sex work and drug use, which helped the police officers to open up about their own challenges within the police service in order to improve their service delivery.
- **USE OF CASE SCENARIOS:** Scenarios covering SAPS' own internal situations helped SAPS come up with solutions on how they could improve things, especially with regard to LGBTI people within SAPS. Police officers who had been exposed to the training were hopeful that with the new knowledge gained, SAPS would implement change. The skills they had gained made them willing to improve their performance. They also embraced their duty to care by being cognisant of diversity, dignity and policing around sex workers, LGBTI people and people who use drugs.
- **DECISION-MAKING PROCESSES:** The COC-SAPS partnership's decision-making processes were inclusive of the relevant stakeholders, encouraged them to seek a multi-perspective approach and gave a voice to SW, PWUD and LGBTI people. The consultative meetings held from the onset, during and at the end of the project facilitated the joint decision-making. COC's facilitative role ensured that the CSOs and SAPS agreed on pertinent issues and worked collaboratively throughout project implementation, which in turn helped to strengthen

COC's relationships with SAPS and the CSOs.

LESSONS LEARNED

- **PATIENCE AND PERSISTENCE PAY OFF WHEN DEALING WITH LAW ENFORCEMENT AGENCIES.**

Submitted for approval in August 2015, COC's proposal to partner with SAPS took a full year to become approved (in August 2016). The relationships between law enforcement agencies and key populations need to be continuously re-evaluated and improved to enable appropriate responses and services. COC learned that the antagonistic positioning and assigning of blame that is often seen in interactions between law enforcement officials and key population groups might have been the reason for SAPS to delay its approval of the project. In addressing the situation, COC changed its strategy: rather than placing blame, it concentrated on the benefits of the project to SAPS. COC's patience and persistence was also very critical in dealing with the hierarchical administration of SAPS. COC's ability to negotiate flexibility with back-donors as well as their flexible and understanding approach were key to the success of the project.

From the case of COC and SAPS we can draw the lesson that the formalisation of such partnerships requires a considerable amount of time spent on getting buy-in, sensitising the relevant SAPS structures, providing relevant and adequate information, and allowing time for a thorough understanding of the key issues. Formalisation of the partnership requires sufficient resources, including dedicated personnel and money to support the related processes. The police are part of the solution when it comes to attaining the desired global health and human rights outcomes for SW, PWUD and LGBTI people, and they should be made to understand their role in attaining such goals.

- **TRANSFORMATIONAL LEADERSHIP IS CRITICAL WHEN INFLUENCING CHANGE WITHIN LAW ENFORCEMENT.**

COC organised additional presentations to enhance SAPS' understanding of the programme, which paid off in the end. The presentations facilitated the necessary consensual dialogue and harnessed a process of highlighting points of familiarity, thereby instilling a shared vision and goal. Laying blame, which is a common practice, does not yield results; what does work is instilling the joint effort with a common understanding of the benefits of improving law enforcement competency to deal with issues involved in serving key populations. Representatives from COC and SAPS worked together as one team in 2016. It was important to get buy-in from both SAPS and COC to instil a sense of shared vision and

collective efficacy for the programme to regain the lost implementation time.

- **A TOP-DOWN APPROACH IS MORE APPROPRIATE THAN A BOTTOM-UP ONE WHEN DEALING WITH LAW ENFORCEMENT AGENCIES.**

The bottom-up approach that COC used when approaching SAPS for the first time was costly, because it took time for the proposal to go through all the various hierarchical stages. This meant that every part had to understand why this project was a priority for SAPS. The sensitisation of all those involved in signing the SAPS information notes and the MOU was critical. Although the bottom-up approach meant lengthy processes, in the end there was buy-in and a thorough understanding of and knowledge about the key-population issues and the goals of the project.

- **BEHIND-THE-SCENES LOBBYING AND ADVOCACY IS CRITICAL.**

When working with police, behind-the-scenes lobbying, advocacy and quiet diplomacy yield better results than confrontation and assigning blame. It is important to work behind the scenes because no one within the police wants to be blamed for being contrary to organisational beliefs or cultural norms. As a result, one-on-one, behind-the-scenes discussions allow individuals to be more open and share personal feelings more honestly and truthfully. It is also much easier to make contacts and be introduced within the police ranks. COC was able to influence decisions and negotiate behind the scenes on behalf of local partners and ensured real-time updates from local partners to key strategic decision-making individuals informing them of exactly what was happening to enable them to make decisions on pertinent matters.

WAY FORWARD

The MOU provides an opportunity for CSO partners to work closely with SAPS as subject matter experts. Representatives from the key-population groups are trainers and share their real-life experiences, which adds a lot of value to the training and creates greater understanding of the issues and solutions amongst the police officers.

Police-to-police interactions will be explored further and used to advocate regional-level involvement at the level of both the Southern African Development Community (SADC) and the SOUTHERN AFRICAN REGIONAL POLICE CHIEFS CO-OPERATION ORGANISATION (SARPCCO) to influence policy change within Southern Africa. Coordinating police actions within Southern Africa will enhance sustainability, because resources will be shared at regional level.

Having SW, PWUD and LGBTI organisations train the trainers and provide support when the manual was tested proved to be a best practice. Local CSOs provided training on human rights, legislation, sexuality, gender identity, sex work and drug use, because they are subject-matter experts. As representatives of the key populations, they have lived the realities of police abuse, human rights violations and, in some cases, testified satisfaction with the services provided by police.

Having representatives of the key populations serve as subject-matter experts and facilitate the actual training gave ample time for the police to ask questions and understand the realities and consequences of their actions. In a way, the interactions led both sides to better understand their realities and develop positive relationships. If nurtured further, those could become lasting relationships aimed at improving service delivery and ultimately reducing to some extent the human rights violations and abuses perpetrated by police.

The MOU presents an opportunity for continued cooperation amongst the two organisations and the SW, LGBTI and PWUD partners in South Africa. Senior SAPS management have shown interest to discuss the inclusion of the SAPS manual within police colleges and they are also planning how the training can be rolled out for in-service members. SAPS has shown interest into integrating the training into its internal strategy. There is a need for discussions regarding sustainability and for SAPS to make funding available for this kind of training.

ORGANIZATIONAL BACKGROUND

Founded in 1946, COC Netherlands is the world's oldest still operating LGBTI organisation. As a federation of 20 local associations, we have over 30 staff members and hundreds of volunteers. COC supports the LGBTI movement at the national and international levels, working to make its voice heard and get organised and bring about change. COC supports community-based groups tackle their issues in the way they think works best in their context. It provides support through funding, coaching, training and giving access to international networks and intergovernmental bodies. COC is one of the few LGBTI organisations in the world that has a special consultative status with the United Nations.

COC Netherlands defines its working method as inside-out: they support coalitions of LGBTI people in their efforts to bring about change from within their own community. COC does not believe in top-down assistance programmes. There is a lot of power within communities. They are in the lead; COC's role is to offer support. Communities themselves are best equipped to determine their own future and promote social change based on the principle of self-determination. LGBTI people can empower themselves, build strong communities and organisations, and work together in lobbying and advocacy. This inside-out approach has made COC what it is today.

COC supports LGBTI groups in numerous countries in their efforts to build their own strong and confident LGBTI communities. They provide funding, coaching, training and access to international networks and intergovernmental bodies and aim to work in longer term partnerships.

It is important to recognise that the LGBTI community is not homogenous. There is incredible diversity within the community in terms of the types of obstacles and human rights violations experienced and the views about how to overcome those. COC takes diversity to heart. In addition to its general support for LGBTI groups, they give extra attention to a number of specific regions (Caribbean, South and South East Asia, MENA region, Western Africa, Eastern Africa) and specific groups (trans people and intersex people and LBQ women) and to the theme of religion and the socio-economic position of LGBTI people.

CONTACT DETAILS OF THE ORGANISATION

ADDRESS

Nieuwe Herengracht 49

1011 RN Amsterdam

The Netherlands

www.coc.nl | www.international.coc.nl

E-MAIL: info@coc.nl (Secretariat)

Tel. +31 20 623 4596 | Fax +31 20 626 7795

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5. Working with buddy groups in Zimbabwe
4. 'MAN TO MAN', a joint approach on sexual health of MSM in the Netherlands via the Internet
3. Lessons learned from project "Visual information on sexual health and the exercise of citizenship by the GLBTI beneficiaries of the Organization in Quito, Ecuador".
2. Coffee afternoons: Prevention Project aimed at young gay men from Tegucigalpa (Honduras)
1. Womyn2Womyn (W2W) quarterly open day, for lesbian and bisexual (LB) women at the Prism Lifestyle Centre in Hatfield, Pretoria (South Africa)