

Hate crimes.
Know your rights.
Raise your voice.

Haatmisdade.
Ken jou regte.
Verhef jou stem.



WHAT IS A HATE CRIME?

Hate crimes are defined based on two factors:

1. The act is considered a **crime under existing South African criminal law** (such as intimidation, arson, damage to property, assault, rape or murder);
2. The act is **motivated in whole or in part by prejudice or hatred** regarding an aspect of the victim's identity (such as their race, nationality, religion or sexual orientation).

WHAT YOU SHOULD DO IF YOU ARE A VICTIM OF A HATE CRIME

You should always report these crimes – it is your right to do so!

- If you do not wish to report the crime for any reason, it is still important that you make contact with **Triangle Project** so that we can make a record of what happened to you and offer you support.
- If you do not want to seek prosecution of any kind against the perpetrators, it is important that as LGBTI people, we are aware of all attacks against LGBTI people happening where we live.
- Filling out the form of the Hate Crimes Working Group can help the police, NGOs and other LGBTI people know how to start tackling the problem of hate crimes.

YOUR RIGHTS AS AN LGBTI PERSON

If you wish to report the crime, you should go to the police station closest to where the attack happened. **Triangle Project** can help you find the correct station if you are not sure. Once there, the SAPS should listen to you and open a case.

- The SAPS is **not** allowed to turn you away because you are LGBTI;
- The SAPS **must** give you a case number and a contact person;
- The SAPS **must** treat you with dignity, respect and professionalism; if they fail to do this, **Triangle Project** can help you file a complaint;
- If you have survived a sexual assault you have the right to **Post-Exposure Prophylaxis** (drugs which reduce your chance of contracting HIV) and the right to medical examination. In the same way as the SAPS, healthcare workers **must** treat you with dignity, compassion and professionalism.

HOW TRIANGLE PROJECT CAN HELP

If you are the victim of a hate crime, get in touch with **Triangle Project**. We offer many different kinds of support for survivors of crime including counseling and preparation for court.

If you want to take the matter to the police, **Triangle Project** can also help by taking the matter to the Department of Justice's Rapid Response Team, which aims to make prosecutions of LGBTI hate crimes move quickly and effectively.

Remember, it is **your choice!** No one can force you to report an attack and contacting **Triangle Project** means you will only get the support and assistance that *you* choose.

WAT IS 'N HAATMISDAAD?

Haatmisdade word volgens twee faktore gedefinieer:

1. Die daad word beskou as 'n misdad **onder die bestaande Suid-Afrikaanse strafreg** (soos intimidasie, brandstigting, skade aan eiendom, aanranding, verkragting of moord);
2. Die daad is **in die geheel of gedeeltelik gemotiveer deur vooroordeel of haat** aangaande 'n aspek van die slagoffer se identiteit (soos byvoorbeeld hul ras, nasionaliteit, godsdiens of seksuele oriëntasie).

WAT JY MOET DOEN INDIEN JY 'N SLAGOFFER VAN 'N HAATMISDAAD IS

Rapporteer altyd hierdie soort misdad – dit is jou reg!

- Indien jy vir enige rede verkies om nie die misdad aan te meld nie is dit steeds belangrik om **Triangle Project** te kontak sodat ons 'n rekord van die gebeurtenis het en ook sodat ons ondersteuning aan jou kan bied.
- As jy verkies om geen vervolging teen die misdadigers in te stel nie, is dit steeds belangrik dat ons as LGBTI verteenwoordigers kennis neem van alle aanvalle teen LGBTI persone in ons woongebiede.
- Jy kan die polisie, nie-regeringsorganisasies en ander LGBTI verteenwoordigers help om die probleem van haatmisdade aan te pak deur die Haatmisdad Werksgroep se vorm in te vul.

IOU REGTE AS 'N LGBTI PERSOON

Indien jy 'n misdad wil rapporteer, moet jy dit by die polisiestasie naaste aan waar die misdad plaasgevind het aanmeld.

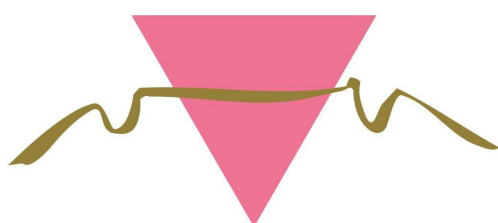
- **Indien jy onseker is watter stasie die regte een is, kan Triangle Project** jou assisteer. Sodra jy by die polisiestasie is, moet die SAPD na jou luister en 'n saak oopmaak.
- Die SAPD mag jou **nie** wegwys net omdat jy 'n LGBTI persoon is nie;
- Die SAPD **moet** vir jou 'n saaknommer en 'n kontakpersoon gee;
- Die SAPD **moet** jou met waardigheid, respek en professionalisme behandel; indien hul versuim kan **Triangle Project** jou help om 'n klag teen hulle in te dien;
- Indien jy 'n seksuele aanranding oorleef het, het jy die reg op **Nablootstellingsprofilakse** (middels wat jou kans om MIV te kry verminder) sowel as die reg op 'n mediese ondersoek. Soos in die geval van die SAPD, **moet** gesondheidswerkers jou met waardigheid, deernis en professionalisme behandel.

HOE TRIANGLE PROJECT KAN HELP

Indien jy die slagoffer van 'n haatmisdad is, kontak **Triangle Project**. Ons bied veskeie soorte ondersteuning vir misdaadoorlewendes, insluitende berading en hofvoorbereiding.

Indien jy die saak by die polisie wil aanmeld, kan **Triangle Project** jou behulpsaam wees deur die saak by die Departement van Justisie se “*Team Rapid Response*” aan te meld, wat daarop gemik is om vervolgings van haatmisdade vinnig en doeltreffend uit te sorteer.

Onthou, dit is **jou keuse!** Niemand kan jou dwing om 'n aanval te rapporteer nie en wanneer jy **Triangle Project** kontak, beteken dit jy kry die ondersteuning en hulp van *jou keuse*.



triangle project

Challenging Homophobia
Appreciating Sexual Diversity

**2nd Floor, Leadership House
Cnr Burg and Shortmarket St
Cape Town**

Tel: 021 422 0255

Email: info@triangle.org.za

www.triangle.org.za