

# **ANNEXURE D – Legislative and policy framework impacting on the White Paper on Safety and Security**

## **1. International Legal Instruments**

- 1.1 African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)
- 1.2 African Charter on People and Human Rights
- 1.3 African Charter on the Rights and Welfare of the Child
- 1.4 Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
- 1.5 Convention on the Elimination of all forms of Racial Discrimination (CERD)
- 1.6 United Nations Convention on the Rights of the Child (UNCRC)
- 1.7 Convention on the Rights of Persons with Disabilities
- 1.8 Declaration of Basic Principles of Justice for Victims of Crime and Violence
- 1.9 Economic and Social Council Resolution 2005/22
- 1.10 Economic and Social Council Resolution 2008/24 (greater attention to urban crime prevention and the importance of an approach that integrates crime prevention considerations into relevant social and economic policies and programmes)
- 1.11 Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (Economic and Social Council Resolution 1995/99)
- 1.12 Guidelines for the Prevention of Crime (Council resolution 2002/13)
- 1.13 Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition
- 1.14 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
- 1.15 United Nations Convention against Transnational Organized Crime
- 1.16 United Nations Convention against Corruption
- 1.17 United Nations Guidelines for the Prevention of Juvenile Delinquency

## **2. National Legislation**

- 2.1 Constitution of the Republic of South Africa 108 of 1996
- 2.2 Children's Act 38 of 2005
- 2.3 Child Justice Act 75 of 2008
- 2.4 Civilian Secretariat for Police Act 2 of 2011
- 2.5 Correctional Services Act 111 of 2008
- 2.6 Correctional Services Regulations 2004
- 2.7 Correctional Services Regulations as Amended 2012
- 2.8 Counterfeit Goods Act 37 of 1997
- 2.9 Criminal Procedure Act 51 of 1977
- 2.10 Culture Promotion Act 35 of 1983
- 2.11 Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007
- 2.12 Domestic Violence Act 116 of 1998
- 2.13 Employment of Educators Act 76 of 1998
- 2.14 Firearms Control Act 60 of 2000
- 2.15 Housing Act 107 of 1997
- 2.16 Identification Act 68 of 1997
- 2.17 Immigration Act 13 of 2002
- 2.18 Independent Complaints Directorate (ICD)
- 2.19 Independent Police Investigative Directorate (IPID) Act 1 of 2011
- 2.20 Infrastructure Development Act 23 of 2014
- 2.21 Intergovernmental Relations Framework Act (IGRFA) 13 of 2005
- 2.22 Local Government Municipal Structures Act 117 of 1998
- 2.23 Local Government Municipal Systems Act 32 of 2000
- 2.24 Liquor Act 59 of 2003
- 2.25 Magistrates Act 32 of 1944
- 2.26 Municipal Finance Management Act 56 of 2003
- 2.27 National Credit Act 34 of 2005
- 2.28 National Education Policy Act 27 of 1996
- 2.29 National Empowerment Fund Act 105 of 1998
- 2.30 National Health Act 61 of 2003
- 2.31 National Prosecuting Authority Act 32 of 1998
- 2.32 National Sport and Recreation Act 110 of 1998
- 2.33 Older Persons Act 13 of 2006
- 2.34 Prevention and Combatting of Corrupt Activities Act 12 of 2004

- 2.35 Preventing and Combatting of Trafficking in Persons Act 7 of 2013
- 2.36 Prevention and Treatment of Substance Abuse Act 70 of 2008
- 2.37 Promotion of Equality and Elimination of Unfair Discrimination Act 4 of 2000
- 2.38 Protection from Harassment Act 17 of 2011
- 2.39 Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (Regulation Part I: on Services for Victims of Sexual Offences and compulsory HIV testing for alleged sex offenders)
- 2.40 Safety at Sports and Recreational Events Act 110 of 1998
- 2.41 Social Assistance Act 13 of 2004
- 2.42 South African Citizenship Act 88 of 1995
- 2.43 South African Police Service Act 68 of 1995
- 2.44 South African Police Service Amendment Act 68 of 1995
- 2.45 South African Schools Act 84 of 1996
- 2.46 Spatial Planning and Land Use Reform Act 16 of 2013
- 2.47 Special Economic Zones Act 16 of 2014
- 2.48 Traditional Leadership and Governance Framework Act 41 of 2003

### **3. Policy Framework**

- 3.1 Back to Basics Programme
- 3.2 Blueprint: Minimum Norms and Standards for Secure Care Facilities in South Africa of 2010
- 3.3 Breaking New Ground: A comprehensive plan for the development of integrated sustainable human settlements of 2014
- 3.4 Comprehensive Rural Development Programme (CRDP) of 2009
- 3.5 Community Safety Forums Policy of 2011
- 3.6 Crime Detention Strategic Framework
- 3.7 Draft National Youth Policy of 2015
- 3.8 Draft Integrated Urban Development Framework (IUDF) of 2014
- 3.9 Draft National Learner Transport Policy
- 3.10 Early Childhood Development (ECD) Policy of 2015
- 3.11 Education White Paper 5 on Early Childhood Development of 2001
- 3.12 Education White Paper 6 on Inclusive Education of 2001
- 3.13 Emergency Housing Programme (EHP) of 2009
- 3.14 Expanded Public Works Programme (EPWP) of 2003
- 3.15 Framework for Social Welfare Services of 2013

- 3.16 Generic Norms and Standards for Social Welfare Services of 2013
- 3.17 Gender Policy Statement of 1998
- 3.18 Guidelines for Maternity Care in South Africa of 2007
- 3.19 Guidelines for the Prevention and Management of Sexual Violence and Harassment in Public Schools
- 3.20 Inclusive Crime and Violence Prevention for Safe Spaces (VCP) Programme of 2012
- 3.21 Integrated Criminal Justice System Review 1998-current
- 3.22 Integrated National Disability Strategy White Paper of 1997
- 3.23 Integrated Social Crime Prevention Strategy of 2011
- 3.24 Integrated School Health Policy of 2012
- 3.25 Integrated Programme of Action Addressing Crime and Violence against Women and Children (VAWC) of 2015
- 3.26 Maternal, Newborn, Child and Women's Health and Nutrition Strategic Plan of 2012
- 3.27 Mini Drug Master Plan 2011/12 – 2013/14
- 3.28 Monitoring, Evaluation and Impact Assessment Policy and Implementation Framework for the Human Settlements Sector of 2010
- 3.29 National Housing Code of 2009
- 3.30 National Liquor Policy of 2015
- 3.31 National Sanitation Policy of 1996
- 3.32 National Policy Framework for the Management of Sexual Offence Matters 2012
- 3.33 National Directives and Instructions on Conducting a Forensic Examination on Survivors of Sexual Offence Cases in Terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007
- 3.34 National Transport Policy White Paper of 1996
- 3.35 National Sanitation Policy White Paper of 1996
- 3.36 National Strategic Framework for the Provision of Prevention and Early Intervention Programmes of 2013
- 3.37 National Policy Guidelines for Victim Empowerment of 2009
- 3.38 National Crime Prevention Strategy of 1996
- 3.39 National Drug Master Plan
- 3.40 National Rural Safety Strategy
- 3.41 National Policy for the Provision of Basic Refuse Removal Services to Indigent Households of 2013

- 3.42 National Security Strategy
- 3.43 National Implementation Plan for the Service Charter for Victims of Crime of 2007.
- 3.44 National Intervention Strategy for Lesbian, Gay, Bi-sexual, Transgender and Inter-sex (LGBTI) Sector of 2014
- 3.45 National Policy Framework for Child Justice Act of 2010
- 3.46 National Infrastructure Plan of 2012
- 3.47 National Spatial Development Perspective of 2006
- 3.48 National Evaluation Policy Framework of 2011
- 3.49 National Youth Policy of 2009-2014
- 3.50 National Development Plan 2030
- 3.51 National School Safety Framework
- 3.52 National Strategy for the Prevention and Management of Alcohol and Drug Use Amongst Learners of 2013
- 3.53 National Action Plan to Combat Racism (NPAR) 2005-2008
- 3.54 New Growth Plan (NGP) of 2011-2020
- 3.55 Public Service Integrity Management Framework
- 3.56 Public Service Anti-Corruption Strategy of 2002
- 3.57 Policy Framework on the Traditional Justice System under the Constitution of 2008
- 3.58 Plan of Action: Improving Access to Free and Quality Basic Education for All of 2003
- 3.59 Policy Document on Adult Basic Education and Training of 2003
- 3.60 Policy on Screening, Identification, Assessment and Support (SIAS) of 2014
- 3.61 Policy on the Management of Public Hospitals of 2012
- 3.62 Policy and Guidelines: Policing of Public Protests, Gatherings and Major Events
- 3.63 Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure of 2013
- 3.64 SAPS Corruption and Fraud Strategy
- 3.65 South African Reserve Police Service Policy Framework and Guidelines: Establishment and Functioning
- 3.66 Safety and Education Partnership between SAPS and DBE Protocol
- 3.67 Sports and Recreation White Paper
- 3.68 Service Charter for Victims of Crime and Violence of 2004

- 3.69 South African Integrated Programme of Action Addressing Violence Against Women and Children 2013-2018
- 3.70 Spatial Planning and Land Use Management White Paper
- 3.71 The Housing Accord
- 3.72 The Public Service Anti-Corruption Strategy of 2002, and the SAPS Corruption and Fraud Prevention Strategy
- 3.73 Visible Policing Strategy
- 3.74 White Paper on Local Government of 1998
- 3.75 White Paper on Traditional Leadership and Governance of 2003
- 3.76 White Paper on Remand Detention Management in South Africa of 2014
- 3.77 White Paper on Corrections of 2005
- 3.78 White Paper on Reconstruction and Development of 1994
- 3.79 White Paper on Agriculture of 1995
- 3.80 White Paper on Local Government of 1998
- 3.81 White Paper on Municipal Service Partnerships of 2000
- 3.82 White Paper on Traditional Leadership and Governance of 2003
- 3.83 White Paper on Basic Household Sanitation of 2013
- 3.84 White Paper on Corrections of 2005
- 3.85 White Paper on Remand Detention Management in South Africa of 2014
- 3.86 White Paper on Intelligence
- 3.87 White Paper on the Transformation of the Health System of 1997
- 3.88 White Paper on Education and Training of 1995
- 3.89 White Paper for Post-School Education and Training of 2014
- 3.90 White Paper on Housing of 1994
- 3.91 White Paper on National Strategy for the Development and Promotion of Small Business in South Africa of 1995
- 3.92 White Paper for Social Welfare of 1997
- 3.93 White Paper on Families of 2012
- 3.94 White Paper on Safety and Security of 1998
- 3.95 White Paper on Sports and Recreation of 2011
- 3.96 White Paper on National Water Policy for South Africa of 1997