

HATE CRIMES WORKING GROUP ADDRESSES PARLI ON LONG-AWAITED HATE CRIMES LAW

The Hate Crimes Working Group (HCWG) will today address Parliament's Portfolio Committee on Justice and Correctional Services, and make submissions on the long-awaited **Prevention and Combating of Hate Crimes and Hate Speech Bill** which is now making its way through the legislative process.

The HCWG, a coalition of civil society organisations from a variety of sectors and disciplines, has been advocating for a comprehensive South African law against hate crime since 2009. The Portfolio Committee published the Bill and called for public comment on 26 August 2021, and the HCWG is pleased to be participating in the public hearings taking place on 29 March 2022. Once it becomes an Act, the HCWG hopes that the law will:

1. Send a strong message that hate and prejudice are unacceptable in our society
2. Assist the police and prosecutors in investigating, charging, and prosecuting hate crimes and hate speech
3. Give courts meaningful sentencing guidelines
4. Allow for the effective recording of statistics, so we can better understand the nature of the problem and create successful interventions

While the HCWG welcomes the Bill, which will fill a critical gap in South African law, it is still concerned about several weaknesses in the draft law. Among these are what the HCWG has identified as weak provisions for the prevention of hate crime and hate speech, and the lack of a costing of the Bill – which the Department of Justice and Correctional Services has unconvincingly said can be implemented without any additional funding, using existing departmental budgets. The HCWG hopes that the Portfolio Committee will respond adequately to these and other concerns, and looks forward to engaging the Committee today.

Sibusiso Khasa from Amnesty International South Africa, who chairs the HCWG, said, "In support of its presentation today, the HCWG has also published an advocacy brief. This advocacy brief aims to give policy and law makers an impression of the hate crime and hate speech that our member organisations encountered in 2021 alone. We want to illustrate the unacceptably high and ongoing cost in human life, equality, and dignity of the long delay in finalising a hate crimes law in our country. We want to promote informed decision and law-making, based on lived experiences, and instill a sense of urgency in our law-makers about the need to finalise this law."

Thozama Njobe from Triangle Project, who is the deputy chair of the HCWG, added, "We are here to support the process of making this law. With the recent spike in hate crimes particularly against the refugees and asylum seekers, and LGBTIQ+ communities, it is more urgent than ever."

The HCWG advocacy brief can be accessed on its website at www.hcwg.org.za.

For queries, contact:

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The HCWG is: Amnesty International South Africa, Chinese Association of SA, Congolese Civil Society of SA, Cormsa, Centre for the Study of Violence and Reconciliation, Durban Gay & Lesbian Community & Health Centre, GALA, Gender Dynamix, the Heinrich Böll Stiftung (Cape Town office), Inclusive and Affirming Ministries, Lawyers for Human Rights, OUT Wellbeing, PASSOP, Psychological Society of SA, Restorative Justice Centre, SA Institute of International Affairs (SAIIA) Youth, Jewish Board of Deputies, Same Love Toti, Scalabrini Centre of Cape Town, Sonke Gender Justice, SA Muslim Network, SWEAT, Triangle Project, and the Uthingo Network.