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**MINISTRY OF SPORT, ARTS AND CULTURE**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.:** **1224**

**Mrs V van Dyk (DA) to ask the Minister of Sport, Arts and Culture:**

(1) With reference to the recent safeguarding conference held by the SA Sports Confederation and Olympic Committee on 17 and 18 February 2023, where the SA Gymnastics Federation (SAGF) promoted themselves as being the leaders in safeguarding despite dropping the ball on two very big matters involving rape cases, what is the way forward with regard to how safeguarding will be dealt with in the future;

(2) (a) how will criminal matters be handled at the SAGF and (b) to whom will the matters be referred, in light of the indication by the SAGF that they will no longer conduct internal investigations for criminal matters;

(3) with reference to the arrest that was recently made in the Western Cape, which the SAGF was boasting about, what support will be offered to the victims of the crime? NW1365E

**REPLY:**

(1) SA Gymnastics Federation (SAGF) is receiving ongoing criticism with regards to the one case mentioned in case 1. While the reflection is that SAGF dropped the ball, the cases were managed in accordance with the safeguarding policy in place at the time of the case being reported was one of misconduct and was therefore handled by an external safeguarding partner. In the internal process an allegation of rape was made, and the safeguarding partner recommended that the adult disclosing opens a criminal case against the alleged perpetrator.

As soon as there was a SAPS case Number, SAGF suspended the coach and immediately contacted SAPS and handed over the internal investigation notes as well as the hearing recordings. Through the process of this case SAGF co-operated with SAPS and followed the investigating officers lead once a case number was given to the federation.

The second case was referred to SAGF by Olivia Jasriel with a vague accusation without detail, evidence or alternatively SAPS case numbers and requests for this information from Athletes Against Abuse were met with no information being sent through but rather an email asking what credit their organisation would get. (Copies of this mail can be made available)

This second case is still ongoing after a second person had received disclosures and contacted SAGF directly with more detailed information enabling action to be taken. What is important to note in this second case is that the rape victim never filed a report with SAGF nor opened a case. We have been working with the victim over the last few months after we were able to get their name and contact information.

SAGF notes with concern that there is a constant narrative that they have done nothing with regards to the cases mentioned in 1. As they are ongoing investigations SAGF has chosen not to disclose the detailed information in line with the directives from SAPS in the interest of not jeopardizing the case.

The original case led to direct changes in policy as well as the contracting of an external safeguarding officer to assist in managing cases. The benefit of this has been seen in the case referred to in question 4. Where swift action was able to be taken.

2 (a) As per SAGF Safeguarding policy available on the website <https://gymnasticssa.co.za/health/Safeguarding> Clause 1.72 on page 12 of the policy the process for criminal matters to report directly to SAPS and work with the Investigating officer with regards to process going forward. In the case where an adult is disclosing abuse SAGF will encourage and support the adult to open a criminal case. In the case of a minor disclosing SAGF will follow one of two approaches in consultation with the victim. - Assist the minor with their care giver and the person who received the disclosure to report the case to SAPS FCS in their local community. - Where knowledge of abuse of a minor is disclosed to assist the first person to report the case to SAPS FCS in their local community.

(b) With regards to referral of criminal cases. All criminal matters where there is a clear disclosure will be referred directly to the local SAPS FCS for investigation. All Criminal matters where there is suspicion of abuse will be referred to the Statutory social work services in the local community of the victim. Should a criminal matter be dismissed by SAPS or the court SAGF will still maintain the ability to run an internal disciplinary process with regards to the code of conduct to act against members who have failed to adhere to the safeguarding policy and codes of conduct in accordance with the policies.

(3) This case refers to a minor disclosing abuse to a coach. The coach immediately contacted the National safeguarding officer, and we assisted the victim, parent, and coach to go an open a case with the local SAPS FCS station. The alleged perpetrator was immediately suspended from SAGF and FIG. There has been regular follow up with the family (initially daily, then weekly, now every 3 weeks) and with the coach as well as the investigating officer (around each new court date) with regards to the case, and SAGF offered therapeutic support to the victim through a psychologist in the community.

Through discussion between the parent and National Safeguarding Officer, the parent decided to have the child supported by the therapist at their school as there was already an established therapeutic relationship.