

**CONSTITUTION**

**OF**

**THE CRIMINOLOGICAL AND VICTIMOLOGICAL SOCIETY OF SOUTHERN  
AFRICA (CRIMSA)**

**AS AMENDED AT THE ANNUAL GENERAL MEETING DATED 27 AUGUST 2004**

## **A. NAME, OFFICIAL LANGUAGES AND STATUS**

### **NAME**

1. The name of the association is **THE CRIMINOLOGICAL AND VICTIMOLOGICAL SOCIETY OF SOUTHERN AFRICA (CRIMSA)** hereafter referred to as “the Society”.

### **OFFICIAL LANGUAGES**

2. The official language of the Society is English.

### **STATUS**

- 3.1 The Society is a non-profit corporate body which may perform any legal act unassisted and which has the power to institute and defend law-suits.
- 3.2 The liability of a member for the debts of or claims against the Society is restricted to his/her membership fee for the current year.

## **B. AIMS AND FUNCTIONS**

### **AIMS**

4. The aim of the Society is
  - 4.1 to promote, coordinate and apply the criminological sciences (Criminology, Victimology and criminal justice in particular, but also any academic discipline focusing on phenomena related to crime and victimisation) through study and academic interaction, research and community service;
  - 4.2 to co-operate with interested local, regional and international institutions;
  - 4.3 to create mediums for the publishing of, among other things, research results;
  - 4.4 to promote and stimulate the academic interests of its members;
  - 4.5 to inform the community about crime-related phenomena, criminal victimisation and reaction to crime;
  - 4.6 to contribute to the broader transformation of society through equity and to endorse those values enshrined in the South African Constitution and the Bill of Rights.

### **FUNCTIONS**

5. The Society envisages the achievement of its objectives by
  - 5.1 facilitating ethical academic tuition and interaction of the highest standard in line with official statutes and directives;

- 5.2 hosting conferences, publishing and commenting on any aspects concerning crime and victimisation-related phenomena;
- 5.3 undertaking research as well as stimulating research by the broader scientific community and organisations;
- 5.4 liaison with national, regional and international associations and organisations with similar aims;
- 5.5 advancing accountable training and education within the interactional array of the criminological sciences at institutions aligning themselves with the ethos of higher learning;
- 5.6 publication of the accredited, peer reviewed academic journal entitled *Aacta Criminologica - Southern African Journal of Criminology*” and an informative newsletter, CRIMSA News;
- 5.7 rendering of professional support and/or community service on an equal basis to those in need of such services within the holistic domain served by the criminological and victimological sciences;
- 5.8 drawing up guidelines and regulations for any of the branches of the society;
- 5.9 performing any other activity to achieve its aims.

## **C. MEMBERSHIP**

- 6.1 The Society consists of
  - (1) student members
  - (2) active individual members
  - (3) group members, and
  - (4) honorary members
- 6.2 Admission to any category of membership rests within the sole discretion of the Council and is subject to any conditions the Council may impose.

### **ACTIVE INDIVIDUAL MEMBERS**

- 7.1.1 Active individual members of the Society are people who have at least an honours degree in a criminological science or another related post-graduate qualification which is recognised by the Society.
  - (i) Only active individual members may be office-bearers or members of the Society’s committees except in the case of student representatives who serve for the explicit purpose of student participation and dialogue.
  - (ii) Except for student members serving on the Society’s committees, voting rights are restricted to active individual members.

- 7.1.2 Active individual members who cannot attend any official and properly constituted meeting of the Society may exercise their vote by means of e-mail, a postal vote or by proxy.

### **STUDENT MEMBERS**

- 8.1 Any student enrolled in a criminological science or another related discipline accepted by the Council may join the Society as a student member.
- 8.2 A student member may participate in the activities of the Society. Except for student members serving on the Society's committees, voting rights are restricted to active individual members.

### **HONORARY MEMBERS**

- 9.1 Honorary membership is at the invitation of the Board and is bestowed by the Board in recognition of a particular contribution in the field of criminological sciences or to the Society.
- 9.2 An honorary member has the same privileges as active individual members of the Society.

### **GROUP MEMBERSHIP**

- 10.1 Where a group, an institute or an organisation attains membership of the Society as a group, such a group nominates a representative to exercise, on behalf of the group, the rights of the group concerned.
- 10.2 The representative of the group may not be an office-bearer of the Society unless he/she is full member of his/her own right.

### **TERMINATION OF MEMBERSHIP**

- 11.1 Membership is terminated by a member resigning in writing to the Council;
- 11.2 The onus rests with any member to renew his/her membership in good time. In exceptional circumstances an extension might be sought through consultation with the Executive of Council who will consider and decide in a manner which the Executive of Council regards as justifiable;
- 11.3 A member whose membership has been terminated may appeal in writing to the Council, motivating why his/her termination of membership should be reconsidered.

### **MEMBERSHIP FEES**

- 12.1 Membership fees of the Society will be determined by the Executive of Council from time to time, provided that different membership fees may be determined for each category of membership.

- 12.2 Honorary members of the Society pay no membership fees.
- 12.3 Where group membership is granted under par. 10 *supra* to a group, institution or organisation, the Executive of Council may decide what membership fees must be imposed on the group as a whole.

## **D. COUNCIL**

### **ELECTION OF COUNCIL MEMBERS**

- 13.1 The election of the office bearers and other council members is by closed vote and takes place at an annual general meeting.
- 13.2 All nominations must be signed by the nominee, the proposer and a seconder and must be submitted to the general secretary twenty-one (21) days before the annual general meeting.

### **COMPOSITION OF THE COUNCIL**

- 14.1 The Council consists of at least ten members; provided that not more than seven members of one institution may serve on the Council at a time. Only active individual and honorary members are to be elected except for student representatives who serve for the explicit purpose of student participation and dialogue.
- 14.2 The Council may co-opt at the most a further six additional members. These co-opted members are not taken into account when determining the limit of seven members of one institution referred to in the saving clause of the previous sub-paragraph.
- 14.3 Without prejudice to the above paragraphs, the chairpersons of recognised branches of the society are also ex-officio members of the Council.
- 14.4 A Council's term of office extends to the third annual general meeting. The new Council takes office after the conclusion of the annual general meeting where it was elected.
- 14.5 The Council members of the Society will elect the President, two Vice-Presidents (one for Criminology and one for Victimology), a Secretary, an Assistant Secretary and a Treasurer following the conclusion of the annual general meeting during which the Council was elected. These office-bearers constitute the Executive of the Council for the duration of their terms of office.
- 14.6 When a person elected under the provisions of sub-paragraph 1 ceases to be a member of the Council during his or her term of office, the Council can elect a person to fill the vacancy for the remaining period of the Council's term of office.

## **POWERS OF THE COUNCIL**

15. Subject to any decisions taken at a general meeting of the Society, the Council delegates its powers to the Executive of Council who will meet regularly to control, manage and administer all the affairs of the Society and is, without prejudicing the generality of this provision, further vested with the following specific powers:
  - 15.1 admission to and termination of membership;
  - 15.2 determining membership fees
  - 15.3 establishing branches of the Society;
  - 15.4 instituting committees and determining the assignments of those committees;
  - 15.5 determining the services to be rendered by the Society;
  - 15.6 collecting and allocation of money;
  - 15.7 drafting rules, regulations and procedures in respect of any matter regarding the Society and its activities;
  - 15.8 delegating any or all its powers to a person or committee, provided that the Council retains the power at all times to also exercise that power;
  - 15.9 giving a ruling on representations made by or on behalf of a member or a committee;
  - 15.10 drawing up a programme of the activities of the Society;
  - 15.11 appointing an auditor.

## **E. FINANCES**

- 16.1 All money received by the Society must be deposited in an account at an acknowledged financial institution appointed by the Council.
- 16.2 All expenses must be authorised by the Council and payments must be signed by the Treasurer and a Council member appointed by the Council.
- 16.3 The Council must keep a complete record of all receipts and expenditures of the Society.
- 16.4 The financial statement of the Society must be submitted to the annual general meeting for approval after they have been certified by an auditor.

## **F. MEETINGS**

### **ANNUAL GENERAL MEETING**

- 17.1 The Society holds an annual general meeting each calendar year where
- 17.1.1 if necessary, the Council which will serve for the next three years, is elected;
- 17.1.2 the financial statements of the preceding year are presented by the President;  
and
- 17.1.3 any other matter which can or must be dealt with at a general meeting is performed and/or addressed.
- 17.2 One-third of the active individual members of the Society form a quorum. Should a quorum not be present at the designated time of a meeting, a postponement of at least 30 (thirty) minutes is called for. If there is still less than one-third of the active individual members present after 30 minutes, the members present will constitute a valid quorum.

### **COUNCIL MEETINGS**

- 18.1 The procedures for general annual meetings apply *mutatis mutandis* to Council meetings.
- 18.2 Half of the total number of members of the Council form a quorum at a Council meeting.

### **PROCEDURES OF ANNUAL GENERAL MEETINGS AND/OR EXTRAORDINARY MEETINGS**

- 19.1 At least twenty-one (21) days prior to the date fixed for a meeting, the Secretary informs each member in writing on when and where the meeting will be held and what matters will be considered.
- 19.2 A member gives notice to the Secretary in writing of matters he or she wishes to be considered at the meeting at least twenty-one (21) days prior to the date of the meeting, provided that a member can, without notification, introduce a motion at a meeting with the consent of two-thirds of the members present.
- 19.3 Notice of at least seven (7) days is given for an extraordinary meeting and in such notice the Secretary states the matters in respect of which the meeting has been convened, and no other matters are dealt with at that meeting.
- 19.4 The first task to be dealt with at a meeting after it has been constituted, is to put to the meeting the minutes of the previous meeting and of a subsequent meeting, and to have the minutes approved and signed by the President and the Secretary.

- 19.5 The report of a committee is introduced by the chairperson of that committee or by another person appointed by the chairperson of the meeting.
- 19.6 A decision by a majority of the members present at a meeting is a resolution for the meeting, on condition that
- 19.6.1 where voting results in a tie the President, in addition to his ordinary vote, also has a casting vote; and
- 19.6.2 consensus reached by at least two-thirds of all active individual and honorary members of the Society by way of a letter or an e-mail and without convening a meeting, holds good as a resolution of the Society.
- 19.7 If a resolution is reached in this way, the number of members who voted for or against a motion is recorded in the minutes.
- 19.8 At the request of a member the President is empowered to instruct that the vote of that member be recorded in the minutes.
- 19.9 A motion or an amendment to it must be seconded and this must be done in writing if so ordered by the President.
- 19.10 A motion may not be withdrawn without the consent of the members present at the meeting.
- 19.11 The decision of the President on a point of order or procedure is binding, unless the member objects immediately, in which case the matter is put to the meeting without discussion and the decision of the meeting will be final.

## **G. DISSOLVEMENT OF THE SOCIETY**

- 20.1 On receipt of a proposal that the Society be dissolved, the Council organises a special meeting of the Society, giving all members at least one month's notice in writing.
- 20.2 At such a special meeting a decision to dissolve the Society will only be valid if a two-thirds majority of the full members present vote in favour of the proposal.
- 20.3 In the case of dissolution, the Council appoints a committee of three people to take care of the liquidation of the Society.
- 20.4 If any assets of whatever nature remain after the liquidation of the Society such assets will be donated to an institution with the same or similar aims as the Society after payment of all debts.

## **H. AMENDING THE CONSTITUTION**

- 21.1 Notice of any proposed amendment to the Constitution must be given to all members entitled to vote.

21.2 This constitution may only be amended after a two-thirds majority of the votes had been cast in favour of such an amendment by all members entitled to vote (active individual and honorary members). Three-quarters of the votes cast must be in favour of the proposed amendment for it to be accepted.

## **I. CODE OF CONDUCT**

22.1 The **CRIMINOLOGICAL AND VICTIMOLOGICAL SOCIETY OF SOUTHERN AFRICA (CRIMSA)** acknowledges and accepts the following **CODE OF CONDUCT** as the basis of its existence and functioning:

### **22.1.1 Preamble**

- (i) The Code of Conduct of the **CRIMINOLOGICAL AND VICTIMOLOGICAL SOCIETY OF SOUTHERN AFRICA (CRIMSA)** is intended to sensitise criminologists, victimologists and other scholars or practitioners aligning themselves with the criminological sciences (hereafter referred to as “criminologists”) to ethical issues that may arise in their work, and to encourage them to behave ethically. This Code of Conduct sets forth the General Principles and Ethical Standards that underlie criminologists’ professional responsibilities and conduct, along with Policies and Procedures for enforcing those principles and standards. The Code of Conduct should be used by criminologists as a guideline for determining ethical behaviour in the context of their everyday professional activities.
- (ii) Membership in the **CRIMINOLOGICAL AND VICTIMOLOGICAL SOCIETY OF SOUTHERN AFRICA (CRIMSA)** obliges members to adhere to this Code of Conduct when exercising functions that are related to their professional activities as criminologists.
- (iii) Violation of the Code of Ethics may lead to sanction resulting from membership in CRIMSA, including restrictions on, or termination of that membership.

### **22.1.2 General Principles**

- (i) In their professional activities, criminologists are committed to enhancing the general well-being of society and the individuals and groups within society. Criminology operates in the larger context of social justice. Thus criminologists have an obligation not to recreate forms of social injustice such as discrimination, oppression, or harassment in their own work. Criminologists must be careful to avoid incompetent, unethical or unscrupulous use of criminological knowledge.
- (ii) Criminologists strive to maintain high levels of competence in their work. Such competence includes ongoing familiarity with current ideas, literature and research in the subject area.

- (iii) Criminologists recognise the limits of their expertise and undertake those tasks for which they are qualified through education, training and experience.
- (iv) Criminologists respect the rights, dignity and worthiness of all people. Such worthiness entitles people to insist that information about them remains confidential. In their work, criminologists are particularly careful to respect the rights, dignity and worthiness of crime victims and those accused or convicted of committing crimes, as well as of students and research subjects. They do not discriminate on the basis of age, gender, race, ethnicity, national origin, religion, sexual orientation, health or physical condition, or domestic status. They are sensitive to individual, cultural, and role differences among people. They acknowledge the rights of other people and groups to have values, attitudes and opinions that are different from their own.

### 22.1.3 **Ethical Standards**

- (i) Criminologists should adhere to the highest possible ethical standards and conduct criminological research with integrity.
- (ii) Criminologists should adhere to the highest possible technical standards in their research.
- (iii) Since individual criminologists vary in their research modes, skills and experience, they should always declare at the outset, the limits of their knowledge and the disciplinary and personal limitations that may affect the validity of their findings.
- (iv) In presenting their work, criminologists are obliged to fully report their findings. They must not misrepresent the findings of their research or omit significant data. Details of their theories, methods and research designs that might have bearing upon interpretations of research findings should be reported.
- (v) Criminologists should not make any commitments to respondents, individuals, groups or organisations unless there is full intention and ability to honour them.
- (vi) Criminologists should provide adequate information, documentation and citations, as well as conserving scales and other measures used in their research.
- (vii) Criminologists must not accept grants, contracts or research assignments that appear likely to violate the principles enunciated in this Code, and should dissociate themselves from research when they discover a violation and are unable to correct it.
- (viii) Criminologists must fully report all sources of financial support and other sponsorship.

- (ix) When financial support for a project has been accepted, criminologists must make every reasonable effort to complete the proposed work on schedule.
- (x) Criminologists have the right to disseminate research findings, except those likely to cause harm to consumers, collaborators or participants, those which violate formal or implied promises of confidentiality, or those which are proprietary under a formal or informal agreement.
- (xi) The demands of science, public trust and public policy demand that criminologists share data and documentation as a regular practice.

22.1.4 **Disclosure and Respect of the Rights of Research Population by Criminologists**

- (i) Criminologists should not misuse their positions as professionals for fraudulent purposes or as a pretext for gathering information from or on behalf of any organisation of government.
- (ii) Criminologists should not mislead respondents involved in a research project as to the purpose of their research.
- (iii) The process of conducting criminological research must not expose respondents to substantial risk of personal harm. Investigators must make every effort to ensure the safety and security of research participants and project staff.
- (iv) Informed consent must be obtained when embarking on research projects involving human subjects. The principles of ethical propriety, namely fairness, honesty and openness of intent should be endorsed at all times.

22.1.5 **Professional Conduct**

- (i) Criminologists have a responsibility to devote their professional knowledge and skills in a scientific manner for the benefit of each individual, group, community and mankind with due consideration of their personal and professional limitations.
- (ii) In situations in which criminologists are requested to render a professional judgement, they should honestly, accurately and fairly represent their areas and degrees of expertise.
- (iii) In their roles as practitioners, researchers, educators and administrators, criminologists have an important social responsibility because their recommendations, decisions and actions may alter the lives of others. They should be aware of the situations and pressures that might lead to the misuse of their influence and authority.

- (iv) In fulfilling these various roles, criminologists should also recognise that professional problems and conflicts might interfere with professional effectiveness. Criminologists should take steps to ensure that these conflicts do not produce deleterious results for members of society, research participants, colleagues, learners and employees. The criminologist should therefore avoid performing multiple and conflicting roles, for example, being a witness and a consultant for a legal defence team only. It is crucial that criminologists should clarify their role as expert from the outset.

#### 22.1.6 **Policies and Procedures**

- (i) The Executive Committee (EXCO) of CRIMSA shall have the responsibility for interpreting and publicising this Code, promoting ethical conduct among criminologists, receiving inquiries about violations of the Code, investigating complaints concerning the ethical conduct of members of CRIMSA, mediating disputes to assist the parties in resolving grievances, holding hearings on charges of misconduct and recommending actions to the Council of CRIMSA.

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