**MEDIA STATEMENT**

**JUSTICE AND CORRECTIONAL SERVICES COMMITTEE BRIEFED ON GENDER-BASED VIOLENCE LEGISLATION**

**Parliament, Tuesday, 1 September 2020 –** The Portfolio Committee on Justice and Correctional Services today received briefings on three pieces of legislation aimed at strengthening laws against gender-based violence (GBV).

The committee received briefings on the Sexual Offences and Related Matters Amendment Bill, the Criminal and Related Matters Amendment Bill and the Domestic Violence Amendment Bill.

The committee heard that the amendment bills flow from President Cyril Ramaphosa’s commitment to addressing GBV and femicide, which have reached endemic proportions in South Africa. The President also announced a 5-point emergency plan, to be implemented without delay, to tackle GBV. One of the points is enhancing the legal and policy framework in order to strengthen the state’s response to the problem.

The Sexual Offences and Related Matters Amendment Bill introduces, among other things, a new offence of sexual intimidation to protect persons from threats of imminent sexual harm. It further aims to extend the ambit of the offence of incest, so as to provide additional protection to children as well as extending the reporting duty of persons who suspect that sexual offences have been or are being committed against children.

In terms of the National Register for Sex Offenders (NRSO), the committee heard that the proposed amendments in the bill expand the scope of the NRSO to include the particulars of all sex offenders and not only sex offenders against children and persons who are mentally disabled. It also aims to expand the ambit to include other vulnerable persons, namely women between the ages of 18 and 25; all persons with physical, intellectual or mental disabilities; and persons aged 60 or older who, for example, receive community-based care and support services. It also increases the periods for which a sex offenders’ particulars must remain on the NRSO before they can be removed.

The Domestic Violence Amendment Bill seeks to optimise collaboration between departments like the Department of Health, the South African Police Service (SAPS), the Department of Social Development, the Department of Justice and Correctional Service, the Department of Basic Education and the Department of Higher Education and Training in order to streamline provision of services within existing mandates. It further aims to simplify and clarify the roles of all relevant stakeholders by expressly including the services to be rendered and to address identified gaps or shortcomings impacting on the optimal implementation of the Act. It makes provision for secure online application for a protection order.

The committee heard that the Criminal and Related Matters Amendment Bill makes provision for evidence through intermediaries, as it is seen as an effective procedure to protect witnesses or complainants against victimisation during court proceedings and is currently available to child witnesses or complainants in criminal proceedings. It also provides for the use of audiovisual links, which ensures the availability of witnesses, whether inside or outside the country, in court proceedings.

The bill further seeks to include evidence in the form of demonstrations, gestures or any other form of non-verbal expression in respect of a witness who suffers from a condition which inhibits the ability of that witness to give his or her evidence orally. In relation to bail in GBV matters, the proposed amendments aim to address several shortcomings in the Act, especially in relation to the release on bail by SAPS or a public prosecutor before first appearance before a court.

Acting Committee Chairperson Mr Qubudile Dyantyi assured the committee that the bills will be published for public comment, followed by public hearings. “We urged the department to build the relevant capacity in anticipation of the implementation of the legislation.”

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE ACTING CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES, MR** **QUBUDILE (RICHARD) DYANTYI.**