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| **COSATU Submission:**  **Criminal Law (Sexual & Related Matters) Amendment Bill,**  **Domestic Violence Amendment Bill, &**  **Criminal & Related Matters Amendment Bill**  **09 October2020** |
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1. **Introduction**

Law plays an important role as aguide to citizens regarding their rights, and to outlaw behaviour that is unacceptable. Law can help to ensure that perpetrators of violence are held accountable and face consequences for their actions. This is important, given that societies with high rates of violence often have apathy and tolerance regarding such violence directed at women. The legal framework and the sanctions resulting from criminal prosecution may provide a deterrent.

It has taken decades of struggle by the women’s movement to get states to view gender-based violence as a human rights issue and not just a private matter to be ignored by the state and its institutions. The understanding that GBV is a human rights violation is important, because it recognises that violence against women, children and LGBTI+ is the result of structural discrimination which the state is obliged to address.[[1]](#footnote-2)

Gender-based violence is structural and systemic and arises from a patriarchal and unequal society and economy, as highlighted in National Strategic Plan on GBV:

*“Structural GBV is an outcome of the unequal and exclusionary South African economy. This form of structural violence has remained hidden, is often overlooked, and is underpinned by exploitation of labour, undervaluing of unpaid work, under-funded social protection, unequal pay for equal work, inflexible labour policies, the high costs of living, unsafe and unhealthy working environments, inhumane working hours, poor regulation of the minimum wage and precarious jobs impacting particularly on women.” (NSP, 2020: 23)[[2]](#footnote-3)*

Structural violence against women perpetuates gender inequity and is a product of patriarchy:

*“This structural and institutionalised violence stems from patriarchal norms and values of our society, which are instilled in the young through socialisation.* [These norms] *act in homes and institutions to produce and reproduce attitudes* [and actions] *that foster unequal power relations between men and women and normalise violence against women.”*[[3]](#footnote-4)

Studies show that countries with domestic violence legislation have lower levels of violence against women[[4]](#footnote-5). (This may be because such societies are more likely to adopt such legislation, rather than having a causal effect, however). Nevertheless, this does highlight the importance of codifying in law the right to live free from violence. However, in South Africa, despite the existence of legislation protecting gender equality, including the Constitution, gender-based violence is a pandemic.

We need to recognise that legislative change alone will not transform our society, and that the interventions we make should not only respond to the consequences but must also begin to address the causes of violence. While there have been various interventions by the State, there remain numerous obstacles in women’s access to justice, this is particularly the case for black working-class women.

In recent years, many countries have shifted the focus in law to include provisions that support victims of violence. The recent NSP on GBV and various other policy documents commit the state to an approach that is victim centred and survivor focused. It is therefore important that legislation is also responsive to victims, by making provision for protection and access to support. There is a need to ensure that GBV is addressed through an intersectoral approach, and that interventions through the Departments of Justice, Police and Correctional Services are supported by interventions through the Departments of Health,Social Development and Education. We also believe that the DEL should be part of this intersectoral approach, to ensure connection with all forms of GBV in the world of work and given the important role of labour inspectors in this regard.

Government has responded to calls from gender activists, NGOs and civil society organisations for tightening the legislation regarding gender-based violence, and is putting forward proposed amendments, which are to be welcomed.DSD is also putting legislation to provide for victim support before Parliament. Intimate partner violence comprises the bulk of gender-based violence in countries around the world and is the focus of the proposed legislative amendments. We also need to ensure that we adequately address violence in the world of work, and that we address the effects of domestic violence on the world of work.

In general, the amendments introduce important and progressive change to the current legislation, and we welcome these proposed changes. However, legislative change is not enough on its own, since there are systemic challenges in the court system and SAPS with the implementation of existing legislation. Moreover, progressive legislation that is unimplemented and unimplementable without adequate resourcing will make zero impact. The additional responsibilities that these proposed amendments demand of the criminal and justice system will require adequate funding, support, extensive training and effective accountability mechanisms.

1. **A victim-centred and survivor-focused approach**

There is a need to frame the legislation explicitly within a victim-centred and survivor-focused approach. A victim-centred approach implies a gender-sensitive approach.[[5]](#footnote-6) This requires gender awareness/consciousness amongst service providers. Several the proposed amendments advance the dignity and protection of the victim/survivor (including changes to appearance in court, introduction of an intermediary system, access to information, confidentiality and privacy, amongst others).

The objectives of a victim centred, and survivor focused approach must be stated upfront in the legislation to ensure that there is a common understanding that guides implementation and can also be taken forward in training.

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| *We propose that the bill is prefaced with an explanation and elaboration of a victim-centred and survivor-focused approach and its objectives, and what this requires of implementers of this legislation.* |

A victim-centred approach puts the needs, safety and well-being of the victim at the centre to ensure compassionate, responsive and sensitive interventions.

Some of the identified protective measures for a more victim-centred and survivor focused approach include the following:

* Making the process of providing testimony easier and less likely to produce secondary victimisation
* Consideration of victims’ safety in bail considerations
* Consideration of the impact on the victim in sentencing (including the provision for victim impact statements)
* Greater transparency and information
* Greater accountability to the public
* Sensitising and training the judiciary and police about the diverse needs of victims[[6]](#footnote-7)

While some of these provisions are covered in the 3 bills, there is a need to place these issues at the centre and to ensure that there is proper monitoring and accountability in the implementation of these provisions, and that they are adequately budgeted.

Concerns about court processes that are insensitive to women and children, including prohibitions on the nature of questioning allowed when victims give testimony need to beaddressed.

Furthermore, the Victim Charter and Policy on Victim Empowerment provide some guidelines, however they do not have clear and accessible procedures to follow in cases where the state has failed in its commitments. We therefore propose that the state establishes clear procedures, including an ombudsman/appropriate independent body for victim complaints regarding the services rendered, enabling independent investigation of alleged transgressions.

We further support the expanded obligations on the DoH and DSD to provide services to victims of domestic violence, however this requires adequate budgeting and the expansion of capacity to effectively provide these services. There is also a need for extensive raising of public awareness on the availability of such services.

1. **Definitions**

We welcome the expansion of the definition of domestic violence to include the entry into a complainant or related person’s workplace or place of study without their consent.

We further welcome the expansion of the definition to include the following:

* Coercive behaviour
* Controlling behaviour
* Subjecting and exposing children to DV
* Elder abuse
* Spiritual abuse
* Electronic forms of abuse
* Violence against a related person (This is another important addition because domestic violence is about power and control – perpetrators may use abuse directed at others as an instrument of abuse and control).

1. **Secondary Victims**

The institute for Security Studies (2011) found that 83% of women who experienced intimate partner violence had children living with them at the time. Witnessing violence is extremely traumatic, but beyond this, research findings show that in the majority of homes where women are abused by their partner, the children are also subjected to various forms of violence and abuse.

We therefore welcome the inclusion of children in the DVA, in line with The Children’s Act, with the expansion of the definition of DV to include exposing or subjecting children to any form of domestic violence.

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1. **Stalking**

Stalking has been removed under the definition of domestic violence in the amendments. This may be due to the fact that stalking is covered in other legislation, and that stalking is covered under the broader definition of ‘harassment’. We welcome the broader definition of harassment. However, the DVA previously included both stalking and harassment and we believe that this should be retained. We believe that the language and concepts in legislation must be accessible and understandable to ordinary people and workers. Stalking is a concept that is understood and used widely, and we believe that the DV Amendment Bill should therefore refer to harassment and stalking.

Stalking was defined under the DVA as follows: *“stalking” means repeatedly following, pursuing, or accosting the complainant;*

Stalking and harassment commonly co-occur with domestic and sexual violence and may be a precursor to violent crimes[[7]](#footnote-8). Abusers often stalk a former intimate partner in the workplace after they have left the relationship. Stalking is an act that brings domestic violence from private to public spaces. According to *Workplaces Respond,* a National Resource Centre in the US:

*“Stalking is the most prevalent form of abuse at work. It poses risks to the physical safety of victims, co-workers, and customers/clients, can lead to property damage, and can negatively affect productivity and morale.”[[8]](#footnote-9)*

Stalking behaviours may include pursuing or following; non-consensual (unwanted) communication or contact - including face-to-face, telephone calls, voice messages, electronic messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.[[9]](#footnote-10)

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| *We feel it is important to retain both stalking and harassment to ensure that the definition is comprehensive and clearly understood, and so that complainants can access remedies for various forms of domestic violence through this legislation.* |

1. **Definitions of Harassment and Sexual Harassment**

The definition of Harassment (pg7 k) includes a range of behaviours that the *“Respondent knows or ought to know”* causes harm in various ways as stipulated. We are concerned that the inclusion of the phrase the *“respondent knows or ought to know” causes harm* may create unnecessary problems requiring victims to prove that the perpetrator ought to have known the behaviour was harmful. Given the prevalence of patriarchal norms in our society which sanction violent and abusive behaviour by men towards women, we believe that the emphasis should be on the impact of the behaviour on the complainant regardless of whether the accused understands this behaviour to be harmful or not. In the Amended Code of Good Practice on Sexual harassment under the EEA the focus is on the impact of the behaviour on the complainant, rather than on whether the accused should or should not have known their behaviour was unacceptable. Given the prevalence of patriarchal attitudes it is preferable to use objective tests and victim-centred definitions for the purposes of litigation.

Similarly, on page 9, item r, the wording should be in line with the Sexual Harassment Code of Good Practice. The Amended Draft wording is as follows:

*“unwelcome sexual attention from a person in a domestic relationship with the complainant who knows or ought reasonably to know that such attention is unwelcome;”*

As with the above argument, the emphasis should not be on what the accused ought to have reasonably known, but rather on the fact that the conduct is unwelcome and demeaning to the complainant. Therefore, the focus should be on the impact on the complainant, and not on the knowledge or intention of the respondent.

The definition should rather be aligned with the Code of Good Practice on Sexual Harassment (Amended 2005) which is as follows:

*Sexual harassment is unwelcome conduct of a sexual nature that violates the rights of an employee and constitutes a barrier to equity in the workplace, consideringall the following factors:*

*4.1 whether the harassment is on the prohibited grounds of sex and/or gender and/or sexual orientation;*

*4.2 whether the sexual conduct was unwelcome;*

*4.3 the nature and extent of the sexual conduct; and*

*4.4 the impact of the sexual conduct on the employee”.*

The Amended Code of 2005 removed any reference to whether the respondent knew or ought to have known the conduct was unacceptable and emphasises the impact on the complainant.

With reference to the following phrase in Section r (b): “*which a reasonable person having regard to the circumstances would have anticipated that the complainant would be offended, intimidated or humiliated”*

The use of “reasonable person” in cases of GBV is not helpful given the high levels of tolerance of women’s abuse, including some extremely problematic and sexist findings by some judges and magistrates. Therefore, it is unhelpful to rely heavily on subjective interpretation, and should rather be clearly spelt out to objectively ensure consistency.

1. **Adequate Funding and Budgetary Allocations for State and NGO Services**

While many of the proposed amendments are commendable, the gap between law and practice is enormous. There is tendency to budget based on availability of resources rather than on identification of need.

Police stations are grossly under-resourced and unable to meet legislative requirements. For instance, while the law requires that victim statements are heard in a private room, most police stations are completely under-resourced and unable to provide such. In fact, many police stations struggle with access to the most basic facilities, including vehicles. A further concern is that in rural areas, police stations and courts are very far and not easily accessible to victims of violence.

Increasing caseloads in courts, resulting from improved reporting, as well as expanded legislation require additional resources and adequate staffing. In many instances, courts have been expected to handle triple the case volume with no increase in budgetary allocations for personnel, and for administrative resources and support.[[10]](#footnote-11)According to the CSVR (2016) *“Some women withdraw their cases because they do not experience the court process as user-friendly due to long queues and a shortage of staff to process their applications for protection orders.”*

The NSP on GBV calls for the establishment of additional sexual offences courts.

There are several NGOs and CSOs providing shelters and psychosocial support to women in abusive relationships, as well as legal advice, representation and advocacy. These organisations are filling a gap created by the limitations of government institutions, and they are essentially fulfilling state obligations. These organisations provide extremely important services, they have extensive experience and are accessible and responsive to victims of abuse. They rely heavily on donor funding, which is inadequate, inconsistently available and unsustainable. It is therefore critical that state funding is made available to these organisations so that they can continue to play these roles and expand their reach to different parts of the country.

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| *The legislation must strengthen the commitment to budgetary allocations that respond to the institutional weaknesses in the response to GBV.* |

1. **Accountability Mechanisms**

While the legislative provisions are good, the implementation, enforcement and accountability mechanisms are severely lacking. The DVA already had the requirement that SAPS report quarterly to Parliament, yet this never happened, and Parliament failed to demand such reporting. The amended legislation must include stronger accountability mechanisms including clear sanctions for failure to report. In addition, provision should be made for reporting to the new Council that will coordinate and oversee the GBV NSP. This will allow for civil society organisations to hold implementing agencies to account.

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| *In addition to regular and obligatory reports on implementation, the legislation must provide for audits and recommendations on institutional implementation capacity. For example, there should be an audit of police stations and courts regarding capacity to implement legislative requirements.*  *It is important that the state holds public representatives to account in cases where they are accused of GBV. The same requirement should apply to political parties and civil society organisations and leadership. It is necessary to ensure that there are clear procedures and a code of conduct for public representatives.* |

1. **Training**

The existing legislation and proposed amendments place significant responsibilities on police and court officials. However, research conducted by the CGE indicates that leadership in police stations are often not familiar with legislative requirements, and therefore unable to render the services in the manner envisaged in the law.[[11]](#footnote-12)

In addition, studies find that the general attitudes in society that intimate partner violence is a “a private matter”, tend to be mirrored amongst police, who often do not encourage victims of abuse to take their case further, nor providing them with the necessary information to do so, despite the fact that DVA requires them to do so.[[12]](#footnote-13)

A report by a collective of NGOs states that: *“Government officials are trained, but there is no evidence of the quality and effectiveness of the training. Very few departments could provide data on number of people trained and none provided evidence on the impact of the training.”*

It is therefore critically important that provision is made for effective training that deals with gender consciousness and eliminating patriarchal attitudes amongst implementing agencies, whilst also providing practical skills for implementation. This requires adequate budgetary allocations and proper monitoring of implementation.

There is reference to the responsibilities of the various government institutions to provide this training in the proposed amendments, however we are concerned that often the availability of budget overrules such imperatives.

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| *We believe that there should be an obligation placed on Treasury to ensure that proper gender-responsive training is budgeted, in addition to the institutional court, police and shelter requirements mentioned earlier.* |

1. **Collection of Data on Domestic Violence as a criminal offence**

Several NGOs and gender activists have called for domestic violence to be defined as a criminal offence. It may not be legally practical to create a criminal offence of domestic violence because it spans a range of crimes, however it is important that police records show the relationship between the perpetrator and victim and provide a gender breakdown of victims and perpetrators. Regular reporting on these statistics is required.

Domestic violence is reported under various categories of criminal offences, including assault, malicious damage to property, murder and sexual offences, amongst others. This affects the state’s ability to monitor and respond to the various forms of domestic violence and femicide.

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| *There should be obligatory annual reporting of the number of police cases of domestic violence against women by male intimate partners, and against children, and the number of protection orders applied for and finalised. This would assist with enforcement, monitoring and information management.* |

1. **Obtaining protection orders**

We welcome the proposed provisions allowing for intermediaries, such as paralegal services to report cases and obtain protection orders on behalf of survivors. This may assist greatly in removing some barriers and thereby increasing the rates of reporting cases of GBV. It is also important that we ensure that processes are expedited and that we develop mechanisms to guard against delays caused by perpetrators missing court dates, amongst other delaying tactics. We believe that the availability of funding for legal representation and paralegal support for victims/survivors is crucial in this regard.

1. **Duty to report domestic violence**

We support provisions requiring that cases of domestic violence against a child should be reported to a social worker or police official, as per existing legislation. However, when reporting, care must be taken to ensure that the child is safe and not vulnerable to further harm.

We are concerned about the possible unintended consequences resulting from the duty to report domestic violence against an adult. While we understand and appreciate the motivation of ensuring that there is zero tolerance for domestic violence, we fear there may be serious consequences for victims/survivors. Research and experience show that women are most vulnerable at the point of reporting the abuse and at the point of leaving the abusive partner. This is the point at which femicide is most likely to happen. Therefore, it would be a problem for a third party to report a case without first undertaking a risk assessment to ascertain the woman’s willingness to proceed with the case. It could also inadvertently undermine the survivor’s agency and their willingness to confide in others. It is critical that service providers, the state and its various agencies, including health and police, help to empower domestic violence victims to make informed choices for themselves. It is also important that they have been able to set up an escape route or safe shelter (if needed) when they act or when the case is reported.

We are concerned about the criminalisation of people for not reporting domestic violence. This creates a situation where individuals who fail to report could end up being punished more severely than perpetrators. It might also unintentionally narrow the circles of support for domestic violence and force victims to remain silent if they do not yet feel ready to report the matter. We are concerned that a blanket obligation to report may have unintended negative consequences for organisations working with women in abusive relationships, whose focus is on helping to advocate for and facilitate processes for women who are locked in cycles of violence, abuse and trauma to reclaim their voice, their agency and make their own choices.

We propose that we rather encourage citizens to support and refer persons facing DV to seek counselling and advice from a relevant service organisation or therapist. In addition, we suggest a more targeted approach rather than mandatory reporting for all, whereby this is a requirement of certain categories. It should be a criminal offence when persons (including family members) are approached for assistance and/or intervention and refuse or fail to report and/or obstruct the matter. We also believe that witnesses to domestic violence and other forms of gender-based violence (in public or private spaces) should be obliged to report it and seek help.

The intention of ensuring that family members, neighbours and colleagues do not turn a blind eye to cases of domestic violence is important. However, the negative consequences for the victim of a blanket approach to mandatory reporting are of grave concern. If the provision remains, it would be important to state clear requirements of the social worker or police official, including to conduct the necessary risk assessment and provide urgent support to ensure that the victim is able to find safe shelter. While provision is made for such directives in the proposed amendments, this would require the expansion of personnel for such purposes, given that DSD and SAPS staff are currently over-stretched and unable to meet existing demand.This lack of capacity and resources raises even more concerns about the practicality of mandatory reporting.

1. **Central Depository for protection orders**

The creation of a central depository for protection orders is an extremely important amendment that will assist greatly, given countless experiences of protection orders allegedly going missing or being destroyed. We propose that GBV service providers and complainants should be able to access the depository within clear parameters.

1. **Minimum Sentences and Granting of Bail**

It is important that perpetrators of sexual offences and violence against women are held accountable for their actions andare no longer treated with impunity. We cannot continue to see extreme acts of violence going without consequence. We believe that there should be clear guidance regarding minimum sentences for GBV, sexual violence and femicide. We support the increase of minimum sentences and the tightening of parole conditions.

There should be clear processes for reviewing and imposing sanctions on magistrates and judges who are inexplicably lenient in cases of sexual and domestic violence and femicide. We also support the proposal to tighten bail conditions and argue that there should be clear stipulation of cases and conditions where bail should not be granted.

Accountability of perpetrators is extremely important. However, this does not only equate with harsher sentencing. Harsher punitive measures without restorative and rehabilitative measures may notaddress the causes of violence, especially in cases of domestic violence. We need to put resources into specialised treatment programmes for perpetrators, survivors and families. We may consider alternatives to incarceration where appropriate, including specialised custodial rehabilitation programmes for perpetrators of domestic violence. In some cases, children and women may not want perpetrators to be imprisoned, but rather to get help with their abusive behaviour.[[13]](#footnote-14) It is important to be responsive to the needs of families, to the extent that this helps to reduce violence, whilst ensuring effective accountability and restoration.

There is a need to conduct appropriate risk assessments when deciding on custodial or non-custodial sentences and deciding on possible rehabilitative interventions to ensure the safety of victims.The Detention Justice Forum proposes the following approach: “*There needs to be a greater focus on perpetrator accountability and rehabilitation, both through the legal system, civil powers, and programmes that seek to change abusive behaviour. These can be offered both as a custodial or non-custodial option.”[[14]](#footnote-15)*

1. **National Register for Sex Offenders**

We support the proposed expansion of the Register to include all vulnerable groups, not only children and disabled, as well as the extended timeframes.

1. **Legal Representation for Victims/Survivors of Domestic Violence**

There is a need to ensure effective and experienced legal representation for survivors of domestic violence, in order to deal with existing gender inequalities in access to justice. In several cases perpetrators canavoid conviction because of access to resources for legal representation, which many women do not have.

It is of great concern that the funding for legal aid is in decline, which has left Legal Aid unable to meet its constitutional obligations. This budget pressure will be further exacerbated by budget cuts resulting from Covid-19 responses. It is critical that this issue is addressed to ensure equitable access to justice.

1. **GBVF and the Workplace**

All the forms of gender-based violence discussed earlier impact on the world of work and may occur in the working environment. Intimate partner violence and domestic violence impacts severely on women workers and can spill over into the workplace. Violent abusers often follow women to the workplace because they know this is where they can find them. There have been too many cases of former intimate partners threatening and stalking women, who have finally had the courage to leave their abusers, only to be murdered at work.

*We welcome the fact that the DV Amendment Bill prohibits entry to the workplace without the complainant or related person’s consent.*

The psychological and physical impact of domestic violence can lead to absenteeism and affect the employee’s work performance. This may affect the employee’s financial stability with potential disciplinary action and denial of promotions. It is critical to deal with the workplace impact and incidence of GBV, precisely because for many women secure employment is critical to leaving abusive situations.

In addition, gender-based violence occurs in the workplace, in the form of sexual violence (ranging from harassment to rape), workplace bullying, and physical and emotional abuse by employers, customers and fellow employees.

Certain occupations are particularly vulnerable to violence in the workplace, this includes occupations dealing with the public and providing social and commercial services, such as health, transport and retail, as well as precarious workers, including farm workers and domestic workers.

President Ramaphosa has finally announced the commitment of our government to ratify Convention 190 on the elimination of violence and harassment in the world of work. The Convention was adopted in June 2019, and ratification is way overdue.

We propose that the relevant commitments and provisions in C190 find expression in the DVA in order to ensure both speedy resolution and an integrated approach that understands the linkages between the household and the workplace.

The Convention commits parties to adopting *“an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work.”[[15]](#footnote-16)*This includes:

1. *prohibiting in law violence and harassment;*
2. *ensuring that relevant policies address violence and harassment;*
3. *adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;*
4. *establishing or strengthening enforcement and monitoring mechanisms;*
5. *ensuring access to remedies and support for victims;*
6. *providing for sanctions;*
7. *developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and*
8. *ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.*

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work: (a) in the workplace, including public and private spaces where they are a place of work; (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities; (c) during work-related trips, travel, training, events or social activities; (d) through work-related communications, including those enabled by information and communication technologies; (e) in employer-provided accommodation; and (f) when commuting to and from work.

Parties are required to:

1. adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment; (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health; (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned.

The proposed Code of Good Practice on violence and harassment in the world of work is an important step in ensuring that the provisions of C190 are codified in law. We must also ensure that the DVA takes account of the workplace impact of domestic violence, and that victims are protected from domestic violence spilling over into workplaces. We believe that we need to look at preventative measures and support for victims of violence in the workplace.

It is important to ensure that victims of domestic violence are not subject to further harassment and unfair disciplinary procedures resulting from the impact of domestic violence on their work.

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2. National Strategic Plan on GBVF (2020) <https://www.justice.gov.za/vg/gbv/NSP-GBVF-FINAL-DOC-04-05.pdf> [↑](#footnote-ref-3)
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5. <https://www.ohchr.org/Documents/Issues/Women/WRGS/ReportLessonsLearned.pdf> [↑](#footnote-ref-6)
6. <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/#:~:text=A%20victim%2Dcentered%20approach%20seeks,role%20in%20seeing%20their%20traffickers> [↑](#footnote-ref-7)
7. <https://www.workplacesrespond.org/resource-library/facts-gender-based-workplace-violence/> [↑](#footnote-ref-8)
8. As above [↑](#footnote-ref-9)
9. <https://www.workplacesrespond.org/wp-content/uploads/2017/03/Unions-violence-webinar-6.12.pdf> [↑](#footnote-ref-10)
10. Vetten, 2005. [↑](#footnote-ref-11)
11. CGE, 2016. <http://www.cge.org.za/wp-content/uploads/2014/05/CGE_GBV_Research_Report_2016.pdf> [↑](#footnote-ref-12)
12. See CSVR, 2016. Gender based violence in South Africa: a review. <http://www.csvr.org.za/pdf/Gender%20Based%20Violence%20in%20South%20Africa%20-%20A%20Brief%20Review.pdf> [↑](#footnote-ref-13)
13. Detention Justice Forum Submission, April 2020. <https://genderjustice.org.za/publication/submission-to-the-department-of-justice-and-correctional-services-regarding-the-criminal-matters-amendment-draft-bill-2020/> [↑](#footnote-ref-14)
14. As above [↑](#footnote-ref-15)
15. <https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_711570.pdf> [↑](#footnote-ref-16)