

**Address by the Deputy Minister of Justice and Constitutional Development,
the Hon JH Jeffery, MP
at a Justice Service Delivery Imbizo on Gender-Based Violence,
held at Delft Civic Centre, Delft, Cape Town,
13 May 2022**

Programme Director,
The Judge President of the Western Cape Division of the High Court of South Africa,
Commissioner Chris Nissen of the South African Human Rights Commission,
MECs and Councillors present,
The Acting Chief Magistrate,
The Provincial Commissioner of Police,
The Director of Public Prosecutions,
The Acting National Commissioner of the Department of Correctional Services,
The Western Cape Regional Head of the Department of Justice,
Representatives from the Office of the Chief Justice, of Legal Aid SA and the National Prosecuting Authority,
Representatives from various government departments,
Representatives from various community based organisations,
Residents of Delft,
Distinguished guests and friends

Goeie môre, molweni, good morning to you all.

We know that gender-based violence and femicide has touched the lives of all, leaving a devastating impact on our country.

Many homes and communities have become places of fear and despair when a woman is abused, attacked or murdered.

Data from Stats SA tell us that that, on average, one in five South African women older than 18 has experienced physical violence by a partner. Most assaults against women are committed by someone close to them, such as a friend or an acquaintance, a spouse or an intimate partner, or a relative or other household member.

Here in Delft, the situation is alarming and that's why we are here today.

The most recent available crime stats from the SAPS – for the third quarter of 2021/22, in other words for the period from October to December last year – paint an extremely worrying picture.

Delft is 7th on the list of Top 30 SAPS stations with highest number of contact crimes countrywide.

Delft is 2nd on the list of Top 30 stations when it comes to murder.

It is 6th on the list of attempted murders (the highest one in the Western Cape), 3rd on the list of sexual offences (also the highest in the Western Cape) and 4th on the list for rape (and again the highest in the Western Cape).

You may also have heard that, as recently as last week, the body of a young woman was found here in Smoke Street, with assault wounds to her body and Delft SAPS has opened a murder investigation.

If we look at our country as a whole, from October to December last year – so in a short period of only 3 months – 902 women were murdered, 1240 were victims of attempted murder and 15 692 were victims of assault GBH - which is the term we use for serious assault cases.

These are the cases that we know of, the ones which were reported. There are, no doubt, many more that are never reported.

Who is committing these crimes? Men are.

These are our fathers, our grandfathers, our sons, our brothers, our uncles, our nephews, our male colleagues.

It's men we know, men who live under our roofs, who walk in our streets, who live in our communities.

So what is being done about it and where and how can victims access support services and assistance?

Some of you may have heard about the NSP – but what is it? Following the Total Shutdown movement in August 2018, the Gender-Based Violence and

Femicide National Strategic Plan (the NSP) was produced to respond to the GBVF crisis, following the historic 2018 Presidential Summit on the subject.

The National Strategic Plan provides a multi-sectoral, coherent strategic policy to strengthen a coordinated national response to the crisis of GBVF by our government and the country as a whole.

In short, the NSP is South Africa's roadmap to ending GBVF.

Government has put in place a number of interventions to try to combat and prevent GBV in all its forms.

These include, amongst others, SAPS' FCS units – these are the Family Violence, Child Protection and Sexual Offences Units. These units focus on sexual offences against children, person-directed crimes (where the family is involved), illegal removal of children under the age of 12 and crime facilitated through the electronic media.

From the side of the police, earlier this year the Minister of Police said that dedicated GBV desks are now available at 381 police stations across the country and more than 91 000 police officers have been trained in Victim Empowerment, Domestic Violence and Sexual Offences related programs.

This will ensure that a victim-centered service is provided by officers at police stations.

Through the 185 FCS units, including 9 Serial Electronic Crime Investigation units, detectives are focusing their efforts and expertise in investigating crimes against women and children. The FCS has contributed to 272 life sentences being imposed for crimes committed against women and children, since April last year to February this year.

I am also informed that Delft SAPS has an FCS unit.

We also have Sexual Offences Courts and Thuthuzela Care Centres.

How do Sexual Offences Courts work?

Sexual Offences Courts offer a number of victim-support services such as, amongst others, court preparation services and intermediaries who convey

questions and statements received from the court to the victim in a sensitive and age-appropriate manner.

The child and adult waiting areas are separate from the accused's waiting areas – this is aimed at setting the victims at ease whilst awaiting their turn in court.

The services offered at Sexual Offences Courts include court support, court preparation, emotional containment, trauma debriefing, counselling, private testifying service, intermediary services and information services.

Our Sexual Offences Courts also work closely with the National Prosecuting Authority's Thuthuzela Care Centres (TCCs).

If you - or someone you know – are victims of a sexual offence, please get to your nearest TCC immediately.

The nearest TCC and the one which handles matters from Delft and surrounding areas is at the Karl Bremer Hospital in Bellville and their contact number is 021 948 0861. Their site coordinator, Ms Nobuhle Malunga, is here today should anyone need more information.

The focus of the TCC model is aligned with our victim-centric approach and is to ensure a holistic integrated service being provided to victims at these sites. They are facilities attached to hospitals where victims of rape or sexual assault can go to get treated and to have the evidence taken.

At the TCC a social worker or counsellor is there to provide counselling, medical examinations are conducted, an investigation officer will interview the survivor and take their statement, treatment and medication is given, follow-up visits are arranged and long-term counselling can also be arranged.

Court preparation services are also provided.

In 2021/22 the Karl Bremer TCC reported 1172 cases involving children, 774 involving for adults and 1862 sexual offences. Significantly, this TCC-site reported the highest number of matters nationally and the conviction rate for cases is 88%.

The Department of Social Development has a funded Victim Empowerment Programme partner Trauma Center that works in Delft. For 2021/2022, the Trauma Center attended to 166 GBV cases in Delft, while Delft SDA reported 137.

In January this year, President Ramaphosa signed into law new legislation aimed at strengthening efforts to end Gender-Based Violence, with a victim-centred focus on combating this pandemic.

The President has assented to the Criminal Law (Sexual Offences and Related Matters) Amendment Act, the Criminal and Related Matters Amendment Act, and the Domestic Violence Amendment Act.

So what do these Acts do and how do they work?

The Criminal Law (Sexual Offences and Related Matters) Amendment Act expands the scope of the National Register for Sex Offenders to include the particulars of all sex offenders and not only sex offenders against children and persons who are mentally disabled.

It also expands the list of persons who are to be protected to include other vulnerable persons, namely, certain young women, persons with physical, mental or intellectual disabilities and persons over 60 years of age who, for example, receive community-based care and support services.

It also increases the periods for which a sex offender's particulars must remain on the NRSO before they can be removed from the Register. The Act also introduces a new offence of sexual intimidation.

The Criminal and Related Matters Amendment Act amends the Magistrates' Courts Act to extend the appointment of intermediaries for witnesses in additional categories as well as providing for the giving of evidence through intermediaries in proceedings other than criminal proceedings.

It also amends the Criminal Procedure Act to further regulate the granting and cancellation of bail, the giving of evidence by means of closed-circuit television or similar electronic media and the right of a complainant in a domestic-related offence to participate in parole proceedings.

It further amends the Criminal Law Amendment Act to regulate sentences in respect of offences that have been committed against vulnerable persons.

The Domestic Violence Amendment Act amends the Domestic Violence Act to address practical challenges, gaps and anomalies which have manifested since the Act came into operation in 1999.

Remember that violence is not always physical, it can take other forms. That's why the amended legislation includes new definitions, such as "*controlling behaviour*" and "*coercive behaviour*", and expands existing definitions, such as "domestic violence", to also include spiritual abuse, elder abuse and/or exposing/subjecting children to certain of listed behaviours.

It also introduces online applications for protection orders and imposes obligations on functionaries in the Departments of Health and Social Development to provide certain services to victims of domestic violence.

The enactment of legislation that protects victims of abuse and makes it more difficult for perpetrators to escape justice, is a major step forward in our efforts against this scourge and in placing the rights and needs of victims at the centre of our interventions.

In addition to the new laws, we are currently working on a number of Pillar 3 interventions – meaning Pillar 3 of the NSP.

Some of these interventions include GBV Service Delivery Training and support to be provided to all service providers such as police, prosecutors, magistrates, intermediaries, court preparation officers, court clerks, health care providers and policy makers to strengthen victim-centric survivor-focused services and prevent any forms of secondary victimisation.

What times means, in practice, is that when you go to a police station or to a hospital or to a court, the officials working there should be trained to handle your matter competently, efficiently and with sensitivity and compassion.

We know that GBV and domestic violence, in particular, does not happen in a vacuum. Often what starts off as an argument is aggravated by alcohol or substance abuse. Often domestic abuse starts as assault and then, over a period of time, can lead to femicide.

As I've mentioned, the form the abuse can take is not always physical only. Domestic violence can also include physical abuse, emotional abuse, verbal abuse and damage to property – to name but a few. Economic abuse is when someone withhold money or resources which the complainant requires out of necessity, like household necessities or rent.

We also know that victims of domestic violence who apply for a protection order against their abusers sometimes do not return to court to finalize those orders.

Ons is baie bewus daarvan dat sommige vrouens finansieel afhanklik is van hul eggenoot, vaders, vennote en familie en dat dit hulle blootstelling aan gesinsgeweld, verkragting en selfs moord verhoog.

Dit is waarom baie slagoffers onwillig is om teen die persoon wat hulle misbruik of aanrand op te tree. Selfs nadat klagtes by die polisie aanhangig gemaak is, gaan baie terug om die aanklagte terug te trek.

Even after reporting the matter to the police, some go back to request the withdrawal of charges; hence the high rate of withdrawals in these cases. Many fear seeking help as it can increase the risk of more violent attacks and abuse.

What can each one of us do to prevent and combat GBV?

We have to change the way we treat women in our homes and workplaces and how we raise our boys. Each one of us must teach our boys that they are because women are.

It is necessary to challenge social attitudes which make the rights and needs of women subject to the will of men.

The rights of women to equality, to freedom and security need to be asserted and defended and all of us have a role to play here.

Victims of GBV should be made aware that they can call the Gender-Based Violence Command Centre toll-free on 0800 428 428 for assistance. They can also contact the Command Centre by way of a "please call me" at *120*7867# with a request that a social worker contact them. They can also sms the word "help" to 31531.

No woman must be told by the police to “go fix things at home”. No woman must be turned away from a police station without a proper investigation. We must encourage the reporting of gender based violence through all relevant role players. Cases of child abuse must be reported to the authorities without delay.

When someone talks about abuse, be supportive and encourage them to go to a police station to open a case or to call the GBV Command Call Centre.

A protection order is a document issued by the court which prevents the abuser from committing an act of domestic violence, enlisting the help of another person to commit any such act, and entering your residence and workplace. The abused person, or their children, the neighbours or another family member can all assist the victim.

In closing, access to justice is attainable and at your doorstep right here today.

The Justice System has many components such as, for example, High and Lower Courts, Masters Office, Family Advocate, Legal Aid SA, the National Prosecuting Authority and the Department of Correctional Services.

I appeal to everyone to take full advantage of all the role-players who are present here today as we need to work together to eradicate gender-based violence and femicide together.

Ndicela bonke abantu basebenzise elithuba, ukuthetha nabantu abadlala iindima ngendima ezibalulekileyo. Kufuneke sisebenzeni kunye ukuphelisa ukhukunyezwa kwabantu basetyhini nokubulawa kwabo ngabantu abango Tata.

Ons moet luister en omgee en kyk na die vrouens en kinders in ons gemeenskap. Dit is ons ma's, ons dogters en ons kinders.

Baie dankie, enkosi, thank you.