



## **Gender Based Violence Laws Amendments: 3 Bills introduced to strengthen GBV prevailing laws**

Gender Based Violence (GBV) is a term to which society has become all too well accustomed, if not desensitized. Undoubtedly, women bear the greatest brunt and remain victims of this unconscionable phenomenon. The protection provided by the law is therefore imperative & have such accordingly been strengthened.

### **AMMENDMENT 1:**

The first Bill, the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill, will amend the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. This amendment will increase the reporting duty on persons who suspect a child to be a victim of a sexual offence. This implies that a person suspicious of the fact that a child is a victim of a sexual offence, must report such suspicion to the South African Police Services. If you do not do so, you will be found guilty of having committed a criminal offence and will be liable to a fine or imprisonment not exceeding 5 years or both. Where the Perpetrator is convicted as a sexual offender, consequent to such reporting, their particulars will be added to the National Register for Sex Offenders.

### **AMMENDMENT TWO:**

The second Bill, the Domestic Violence Amendment Bill, aims to amend the Domestic Violence Act 116 of 1998. The definition of domestic violence is extended to include victims of assault in various forms of relationships, which now includes extended family. Older persons will also be extended protection under the Bill against abuse by family members. Domestic Violence includes ALL forms of Abuse: physical, emotional, financial, damage to property. The physical abuse suffered by Sandra at the hand of Roger is therefore included within the ambit of the



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definition of domestic violence, to be amended, in terms of the Domestic Violence Act. ALL Victims, including the aged will be afforded protection in terms thereof.

**AMMENDENT THREE:**

The third Bill, Criminal and Related Matters Amendment Bill, aims to amend four Acts, namely, the Magistrates' Courts Act 32 of 1944, the Criminal Procedure Act 51 of 1977, the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and the Superior Courts Act 10 of 2013. The amendment is in response to the widespread perception that offenders are being granted bail easily and that minimum sentences are being served by perpetrators which is not equivalent to the seriousness of the crime. The Bill will ensure that the granting of bail will be made more difficult as it will only be granted under exceptional circumstances.

These amended Laws are there to protect the vulnerable in cases of GBV. There is still room for improvement in closing the gap between what the law says and members of society abiding thereto. However, the amendments to the laws of GBV is a great step towards the protection of women in South Africa who are at the receiving end of undeserved injustices one too many times.

**Credit to Geo Killian at Stegmanns Inc. for this invaluable information. For any GBV related Legal Matters, do contact him @ [geo@stegmanns.co.za](mailto:geo@stegmanns.co.za) or 0861 333 402**

As a Sisterhood, as Business Leaders & Business Owners, we have a humanitarian & sisterly obligation to internalize this Information and to share it as widely as possible. You may know someone who knows someone who needs to know this...You may BE THE CHANGE, the first ripple, the answered prayer to another sister's needs.



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