

NCOP approves GBV bills

The National Council of Provinces (NCOP) has passed gender-based violence (GBV) bills during its virtual sitting on Wednesday, 1 September 2021.



Source: anmentorp – [123RF.com](https://www.123RF.com)

The three bills - namely the Criminal and Related Matters Amendment Bill, Domestic Violence Amendment Bill and the Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill - will change the landscape in terms of how government departments, law enforcement and the courts deal with cases of violence against women and the vulnerable.

The bills were introduced in Parliament following a Presidential Summit against Gender-Based Violence and Femicide (GBVF) held in November 2018.

The summit resolved, amongst others, to fast track the review of existing laws and policies on gender-based violence, making them victim-centred, ensure all other relevant laws respond to GBV, revisit and fast track all outstanding laws and bills that relate to GBVF.

Criminal Law Amendment Bill

The Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill proposes amendments to the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007, being one of several legislative measures identified to strengthen South Africa's response to GBVF, in particular the legislation regulating the National Register for Sex Offenders (NRSO).

The bill aims to expand the scope of the NRSO to include the particulars of all sex offenders and not only sex offenders against children and people who are mentally disabled.

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

It also aims to increase the periods for which a sex offenders' particulars must remain on the NRSO before they can be removed from the register.

The bill further proposes to expand the ambit of the crime of incest, and introduces a new offence of sexual intimidation.

Domestic Violence Amendment Bill

The purpose of the Domestic Violence Amendment Bill is to amend the Domestic Violence Act 116 of 1998 to, amongst others, further provide for how acts of domestic violence and matters related thereto must be dealt with by certain functionaries, persons and government departments.

It also aims to further regulate the obtaining of protection orders in response to acts of domestic violence.

Criminal and Related Matters Amendment Bill

The 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 Amendment Act 85 of 1997 and the Superior Courts Act 7 of 2013.

The bill's purpose is to amend the Magistrates' Courts Act to provide for the appointment of intermediaries and the giving of evidence through intermediaries in proceedings other than criminal proceedings.

The bill also amends the Criminal Procedure Act to further regulate the granting and cancellation of bail and the right of a complainant in a domestic-related offence to participate in parole proceedings.

It also amends the Criminal Law Amendment Act to further regulate sentences in respect of offences that have been committed against vulnerable persons, and amend the Superior Courts Act to provide for the appointment of intermediaries and the giving of evidence through intermediaries in proceedings other than criminal proceedings.

"The House passed two of the bills – the Domestic Violence Amendment Bill and Criminal Law (Sexual Offences and Related Matters) Amendment Bill with amendments, and the two Bills will now be sent back to the National Assembly. The Criminal and Related Matters Amendment Bill will now be sent to the President for assent," Parliamentary spokesperson, Moloto Mothapo, said.

Filling of NYDA Board vacancies adopted

The NCOP has also adopted the report of the Select Committee on Health and Social Services on the filling of vacancies for

the National Youth Development Agency (NYDA) Board.

The names of the 17 recommended candidates, which were approved by the National Assembly on Tuesday, will now be sent to the President for the appointment.

For more, visit: <https://www.bizcommunity.com>