

Democratic Alliance media speech by
Michael Shackleton MPL
DA Gauteng Spokesperson for Community Safety

DA's Private Member Bill only solution to curb the scourge of gender-based violence in South Africa

2 September 2020
Release: immediate

Madam Speaker,

Safety is a right of all South Africans. No one can have freedom while they live in fear. It means a lot to me as a man in South Africa that I can contribute to this debate. Men must take responsibility to show other men that when they carry out acts of gender-based violence, they lose value in our society and are shunned by other men and are reported.

Gender-based violence is not only a physical attack. Gender-based violence exists in the workplace where men want sexual favours in order for a woman to be employed and promoted and in other cases, even just to keep her job in the first place! Gender-based violence includes intimidation, harassment, bullying and unwanted sexual comments.

As men, we must ask ourselves when we see the actions of another man, "Is this how I would want my mother, my daughter, my wife to be treated?" Barack Obama says that the task of every generation must be to make the world a better place for future generations. It is our duty to do so. We have a moral obligation to treat others as we ourselves would want to be treated.

I therefore support this motion in its entirety. At a national level, the Democratic Alliance (DA) is in the final stages of completing its private member's bill which will be tabled before Parliament soon. If passed, this bill will replace the current Domestic Violence Act and the Protection from Harassment Act with legislation better suited to protect victims of inter-personal and domestic abuse. Women in South Africa are dying at an alarming rate at the hands of their partners, family, and friends.

A woman is murdered every three hours in South Africa. We have seen the horrible murders of Tshegofatso Pule, Naledi Phangindawo and Altecia Kortjie and her daughter, Raynecia. Countless other names are piling up on a daily basis. We must stop this scourge with powerful legislation that strengthens the powers granted to courts and the South African Police Service (SAPS) to protect the rights of vulnerable people in the places they should feel the most safe – their homes. The DA's Private Member's Bill makes several key proposals and provides practical suggestions to consider, including:

1. Changing the terminology that is used in the legislation to make it more inclusive – for example changing "domestic violence" to "domestic abuse." Not all abuse is physically violent and leaves marks; and changing the language ensures that those subject to emotional abuse will have the same level of protection.
2. Drafting the bill in non-legal English to ensure that it's widely accessible and that the victims of abuse know and understand their rights and are

empowered with the correct processes needed to be followed in order to obtain protection without needing to pay legal fees.

3. Providing a single, defined process of applying for and obtaining an order from the courts which protect against various forms of inter-personal and domestic abuse, that may include acts of bullying or stalking.
4. Speedy service and enforcement of protection orders through alternative means to avoid lengthy delays often resulting from backlogs and lack of capacity at SAPS stations to ensure that victims are immediately protected after a protection order is issued.
5. Directing the Minister of Justice and Correctional Services to issue Rules to guide due process in court to eliminate inconsistent application across different courts and provinces, and between different presiding officers.
6. Ensuring the proper training of court staff dealing with matters of domestic and inter-personal abuse, and that experienced, and legally trained court officials are available to assist parties in cases to ensure that nobody's rights are unduly infringed upon.
7. Placing a duty on all legal practitioners to act as a point of first contact for a victim of abuse by advising them on their basic rights and remedies without charging for this consultation.
8. Creating a central online register of domestic violence court orders and applications to ensure that a court in one city or town can easily access an order granted by a court in a different city or town.
9. Ensuring that cases of domestic and interpersonal abuse are treated with the concern they deserve by creating specific offences with serious consequences for those who fail to assist victims in accordance with the duties placed on them by the Act, such as police officers and court officials.

The time is upon us to work together to address these challenges. None of us can solve this crisis alone. Let us work together and build a better South Africa.

Throughout history, we have seen that indeed, teamwork always wins.

I thank you.

Media Enquiries

Michael Shackleton MPL

DA Gauteng Spokesperson for Community Safety
066 043 0155

Charity Moyo

GPL Media and Issues Specialist
074 787 3166