



MINISTER OF SOCIAL DEVELOPMENT REMINDS SOUTH AFRICANS TO SUBMIT COMMENTS ON THE VICTIM SUPPORT SERVICES BILL

30 July 2020: As we enter into Women's month, the Minister of Social Development, Ms Lindiwe Zulu, is calling upon on all South Africans and organisations, in particular those in the fight against gender-based violence, to comment on the **Victim Support Services Bill (VSS)** as gazetted and published on July 17, 2020.

The VSS Bill is part of a critical legislative framework by Government in its endeavour to combat the scourge of crime, in particular gender-based and violent crimes. It, therefore, seeks to put the victim at the centre of the criminal justice system in order to ensure that the **rights** applicable to the perpetrator are also the rights entitled to the victim.

Currently the criminal justice system focuses more on the rights of an arrested person or accused person in line with section 35 of the Constitution of the Republic of South Africa, whilst limited emphasis is placed on the rights of the victims. It also seeks to begin to bring to the attention of the courts the meaning of section 9 of the Constitution of the Republic of South Africa, 1996 which provides that "everyone is equal before the law and has the right to equal protection and benefit of the law." Victims of gender-based violence, therefore, require this protection and benefit of the law in the same manner it is extended to the perpetrators.

The Bill begins to recognise that victims experience **secondary victimisation** and therefore creates a prohibition against such. It provides that secondary victimisation is illegal and needs to be prevented at all times through our service provision.

The VSS Bill stipulates the various services to be provided to the victims *vis-à-vis* services channelled towards the accused. It delineates the services of various stakeholders according to their mandate and expertise. This includes the DSD psychosocial support services which are linked to the provision of sheltering services.

The VSS Bill advocates specifically for **the legal representation** of a victim. It calls for the State to endure the legal costs for the victim in cases whereby victims wish to sue the accused for damages. It also encourages providers of services to victims to be **accredited** to ensure that their services comply with the norms and standards as set by

the Department of Social Development for all facilities. This will include ensuring that employees of facilities are vetted against existing registers for example the Child Protection Register (CPR) and the National Sexual Offences Register (NRSO) to protect victims.

All stakeholders including the private sector and civil society organisations as well as all members of society, are encouraged to heed the call and respond with their comments in shaping a society that will advocate for justice for victims of violent crimes and gender-based violence.

By its nature, this VSS Bill is a critical part of Government's Strategies to fight the scourge of GBVF, including the recently approved Government Strategy – the **National Strategy Plan on GBV and Femicide, 2020-2030**. In terms of the DSD mandate, the VSS Bill will specifically be driven through the pillar four (Response, Care, Support and Healing) of the NSP on GBVF.

The Memorandum on the objectives of the Bill and the Bill itself, may be accessed on the Department of Social Development website: www.dsd.gov.za or from **Government Notice No. 43528 Government Gazette, 17 JULY 2020**.

The closing date for comments is **16 September 2020**.

All comments may be submitted in the following format:

- Clause Commented on
- Proposal
- Motivation

All comments may be submitted to the following address / via e-mail:

(a) **By Post:** The Director-General: Department of Social Development Private Bag X901 Pretoria 0001

(b) **On e-mail:** Ms Siza Magangoe on Sizam@dsd.gov.za; or Luyanda Mtshotshisa on LuyandaMt@socdev.gov.za; or Ms Anna Sithole on Annas@dsd.gov.za

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Media enquiries may be forwarded to Ms Lumka Oliphant on 083 484 8067 or LumkaO@dsd.gov.za