

New bill to enable victims to apply for protection order online

Justice and Constitutional Development Minister Ronald Lamola says the department will introduce a new bill that will enable victims of gender-based violence to apply for a protection order online.



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The Minister said this when he outlined the department's priorities during a virtual sitting of the National Assembly on Thursday.

"I am pleased that our Domestic Violence Bill will introduce modernization in a radical form. If passed, our domestic violence bill will make it possible for one to apply for a protection order online.

"This will be a leap forward in the fight against gender-based violence and femicide.

"This is the first of several reforms we want to introduce. For instance, there is no reason why uncontested divorce applications and maintenance applications cannot be done online," he said.

He said this as gender-based violence comes under scrutiny due to increased incidents of violence against women and

children over the past few weeks.

On Thursday, Lamola said the country can truly benefit from a modernized and integrated justice system.

He said during the previous financial year, the department managed to roll out the Person Identification and Verification Application (PIVA) system at South African Police Service stations.

The system enables the identity of arrested individuals to be verified using their fingerprints and checked against the Department of Home Affairs records.

“More than 227,098 accused persons have been verified via this system and over 135,968 of these individuals (60%) had prior criminal records that could be referenced.

“Further 6,205 (2.3%) wanted persons could be identified and linked to SAPS circulations as persons of interest for other cases.

This timeous information is assisting SAPS and NPA during the subsequent management of accused persons and provides data to assist bail considerations.

“As at March 2020, the South African Social Security Services had verified 154,974 beneficiaries,” he said.

Courts to go paperless

Lamola said, meanwhile, that on 18 July 2019 marked a key milestone - a paperless case trial simulation.

He said all parties in court were able to use their own laptops and mobile tablets to access and refer to digital versions of case materials.

“We completed the digital case bundle pilot at Johannesburg High Court and Pretoria High Court which was successful and we operationalized it at both these two sites.

“The project has established a centralized Court e-Filing helpdesk to provide support to both internal stakeholders (judges and court officials) and external stakeholders (legal practitioners).

“In this financial year, we will focus on increasing user-ability, training and expanding this system across the country,” he said.

Criminal justice system reforms on the cards

Lamola said that the department will be initiating the process of reforming the Criminal Procedure Act this financial year to address some of the systemic challenges and modernization of the act.

He said the department’s payment system had some challenges for a couple of months.

“The system has been resorted to full functionality and backlog payments are being addressed. We have enlisted the CSIR to assist and conduct a forensic investigation to establish what caused failures in the system.

“If it is found that there was a human intervention in the failure, rest assured that implicated individuals will not be spared accountability.

Tackling the scourge of gender-based violence

Lamola said the criminal justice system must be able to respond with the required level of sensitivity to the most vulnerable in society. He also said the system must continue to place victims at the centre.

“In the past financial year, we have unveiled 13 sexual offences courts across the country which are victim centric in nature.

“With your assistance Honourable members, we now have four gender-based violence related legislation, namely, Criminal Law (Sexual Offences and Related Matters) Amendment Act, Judicial Matters Amendment Act Recognition of Customary Marriages Amendment Act and Prescription in Civil and Criminal Matters (Sexual Offences) Amendment Act.

“Soon, honourable members, we will be seized with three pieces of legislation which further seek to address gender-based violence.

“These will amend the National Sexual Offenders Register, the Domestic Violence Act, and Regulate bail conditions for people who are accused of committing a sexual offence,” he said.

He said that in the current financial year, the department will introduce Femicide Watch, which is a special monitoring system to highlight and track violent crimes committed against women.

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