



# **EMERGENCY RESPONSE PLAN ON GENDER-BASED VIOLENCE AND FEMICIDE IN SOUTH AFRICA**

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**PREPARED BY INTERIM STEERING COMMITTEE ON GENDER-BASED VIOLENCE AND FEMICIDE(IGBVF-SC)  
CHAIRD BY THE PRESIDENCY AND CIVIL SOCIETY**

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## 1. INTRODUCTION AND BACKGROUND

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*“There is a dark and heavy shadow across our land...”* – President Cyril Ramaphosa, Address to Joint Sitting of Parliament on Gender-Based Violence and Femicide, Wednesday 18 September 2019.

South Africa is plagued by high levels of gender-based violence and inundated daily by media and police reports of the horrific and senseless murder, rape and maiming of women and children in homes and communities.

This onslaught is part of a wider culture of violence and intolerance that manifests in homes, workplaces, places of worship and neighbourhoods, regardless of the class, race or geographic location of perpetrators or survivors or victims.

As a reaction, South Africans have taken to the streets in their thousands to protest against gender-based violence and femicide (GBVF) and to call for an emergency response by Government, private sector and civil society in all its formations.

The South African challenge has achieved awareness in such distant jurisdictions as the United States and United Kingdom where protesters have joined the domestic call for an end to gender-based violence in South Africa.

In the second half of 2019 the nation witnessed a noticeable spike in media interest in GBVF which highlighted a cluster of terrible incidents countrywide and raised public awareness of and outrage at violence against women.

The outrage against gender-based violence demands that Government and society as a whole recognise the level of the crisis, acknowledge the inadequacy of previous and current responses to this social scourge and develop an action plan to enable interventions that take into account the commitments made by the President to the country in the wake of the #TotalShutdown activism of August 2018.

These commitments formed part of the 24 demands captured in the Declaration of the 2018 Presidential Summit on Gender-Based Violence and Femicide (GBVF), and are expressed in the draft National Strategic Plan (NSP).

The clear messages on the streets of the nation call for an end to all forms of violence against women and children; an end to impunity for perpetrators of GBVF; for public and private spaces to be made safe for women and children; and for adequate resourcing of the psychosocial and other needs of survivors, provided by both government and largely through civil society.

The development of a National Strategic Plan on Gender-based Violence and Femicide is currently underway and is the focus of extensive, multi-sectoral consultation.

However, while the national plan is in development, the current situation in the country calls for an emergency response by the state and social partners that is aligned with the wider thrust of the draft NSP.

The immediate response developed by the Interim Steering Committee on Gender-Based Violence and Femicide chaired by the Presidency and Civil Society is about fast-tracking delivery on areas that will help us:

- a) send out a clear message to South Africa that violence against all women (including elderly women, young women, disabled women, lesbian women, transgender women, rural women and migrant women) and children cannot be tolerated;
- b) bolster the capacity of the criminal justice system to adequately respond promptly, sensitively and effectively and in a manner that promotes victim support and access to justice for all women; while
- c) linking this to interventions that address drivers of gender-based violence.

The planned immediate interventions set out in this document provide narrative detail for catalytic measures that will be implemented in the coming six months against a total Budget allocation of **R1.1 billion**.

## **2. AREAS IDENTIFIED FOR URGENT BUDGET INFUSION**

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### **2.1. Access to justice for victims and survivors**

To date, the criminal justice system has been inadequate in responding to the crisis of rape, domestic violence, femicide, child homicide and related forms of gender-based violence in South Africa.

This failure is reflected in the levels of reporting, secondary victimization and the worrying levels of impunity with which abuse and violence is inflicted against survivors. In response to the immediate challenges facing the country and systemic inefficiencies within the criminal justice system, the following measures are proposed:

- a) Clearing the backlog of all DNA samples at forensic laboratories related to GBVF, especially sexual offences cases;
- b) Setting up a laboratory for DNA testing in the Eastern Cape province;
- c) Strengthening Family Violence, Child Abuse and Sexual Offences (FCS) Units with a quick injection of human resources and capital for effective response;
- d) Prioritising GBVF cases in the existing backlog courts ;

- e) Reviewing and acting decisively within a specific timeframe on pending complaints against police officials, prosecutors and magistrates in matters related to GBVF cases
- f) Procuring evidence collection kits (Paediatric Rape Kits, Adult Rape Kits and Buccal Sample Kits) to ensure that these are readily available when rape cases are reported for the purpose of evidence collection and effective prosecution.
- g) Upgrading 11 regional courts to Sexual Offences Courts (SOCs) with full staff capacity and resources for victims support services ;
- h) Expediting distribution and implementation of the revised Guidelines for the Management of Survivors of Sexual Violence to all police stations. Each investigating officer must have a copy of and be trained on the guidelines
- i) Enforcing current legislation on licensing of alcohol outlets including the withdrawal of licenses for those that do not comply;
- j) Revising and tightening legislation on GBVF in matters relating to the granting of bail, imposition of sentences and the protection afforded by the National Register of Sex Offenders (NRSO) to certain victims of sexual offences. This will include the incremental vetting of government officials working directly with children and persons with disabilities against the NRSO
- k) Parliament to fast-track consideration of the proposed amendments to legislation referred to in paragraph j) above, including the following pending Bills: (i) Prevention and Combating of Hate Crimes and Hate Speech Bill (ii) Traditional Courts Bill (iii) Cybercrimes Bill (iv) Victim Support Services Bill (v) Recognition of Customary Marriages Amendment Bill (vi) Sexual Offences Amendment Bill to ensure that the National Register for Sexual Offences expands its scope and address the question of making it public and (vii) Extension of Prescription Periods in respect of Certain Sexual Offences Amendment Bill which amends s18 of Criminal Procedure Act, 1977 and Section 12 of the Prescription Act, 1969.
- l) Amendment of the 2012 National Policy Framework on the Management of Sexual Offences Matters (NPF SO) to align it with the Presidential Summit Declaration against GBVF of 2019;
- m) Comprehensive audit of all police stations and courts, with a view to making recommendations that will facilitate victim-centric buildings
- n) Development of legislation to govern the establishment and management of Gender based Violence and Femicide Council

The immediate actions listed above will contribute towards the pillars of Law and Policy, and Response, Care and Support, as reflected in the draft National Strategic Plan. The total budget allocation for spending in 2019/20 under this area in the Emergency Action Plan is R394 849 207

## 2.2. Change norms and behaviour through high level prevention efforts

Taking immediate steps to influence and change norms and behaviour is critical towards stopping GBV from occurring while sending out a firm message to all in South Africa that violence against women and children cannot be tolerated as it violates constitutional rights. The Prevention and Healing pillar of this Emergency Action Plan is mirrored in the draft, broader National Strategic Plan and sets out to leverage different platforms and approaches to transform attitudes and behaviours and enable healing from individual and collective trauma arising from violence.

The following immediate actions will be implemented over the next six months

- a) Launch of a 365-day, sustained and persistent multi-media campaign to prevent and condemn GBV. This will be driven by a multisectoral team, including civil society;
- b) Use of public buildings to post prevention messages, in partnership with the private sector;
- c) A national, multi-faceted campaign to prevent GBV through programmes targeting schools (including schools with special needs), higher education campuses, communities, and workplaces (public and private)
- d) Social behaviour change programme targeting schools, cultural and religious institutions, campuses, communities to influence changed behaviour for boys and men, while involving all sectors of society
- e) Design a mass mobilization programme of trained prevention activists that will be deployed to all 278 municipalities across the country to engage in household visits and community interventions focused on changing harmful social norms.

These interventions will be supported by a national resource and support team for education and training on gender based violence to provide training materials, courses, skilled trainers and quality assurance for GBV related training across the public sector, workplaces and in communities. The total budget allocation for spending in 2020 in this area of the Emergency Action Plan is R179 188 480.

## 2.3. Urgently Respond to Victims and Survivors of GBV

Survivors of gender based violence have continued to face the secondary trauma of not being able to access the necessary support and justice, as an additional violation of their human dignity.

A key principle underlying an effective response to gender based violence is that the rights and needs of survivors are paramount

Access to respectful and supportive services that guarantees confidentiality, safety and survivor agency is also critical. The Response, Care and Support pillar in the draft NSP focuses

on turning victims into survivors; building effective and efficient systems and establishing seamless cooperation among role players.

It places the victim at the centre of service delivery in line with the Batho Pele principles calls on stakeholders to eradicate secondary victimisation; reduce cycle times; increase conviction rates; and adopt a coordinated and multidisciplinary approach to management, care and support of victims and survivors.

An effective gender-based violence response should also bring about improvement in Victim and Survivor Support programmes such as shelters, Thuthuzela Care Centres (TCCs) and free or low-cost legal aid.

The Emergency Action Plan will bolster funding support for locally driven Civil Society Organizations (CSOs) and grassroots women-led and women supporting initiatives to prevent GBVF and provide support to victims and survivors and interventions. The following immediate actions will be implemented over the next six months

- a) Make funding available to non-governmental organisations that provide direct services to victims and survivors to strengthen their sustained capability;
- b) Immediately roll out training on victim-centric, survivor-focused services by training police, prosecutors, magistrates, health care providers and policy makers;
- c) Set up a GBVF Emergency Fund for rapid response to assist and meet immediate needs of survivors at the community level;
- d) Hire additional social workers to provide psychosocial support services in victim-friendly facilities, Thuthuzela Care Centres, shelters, Khuseleka One-Stop Centres and for families affected by violence;
- e) Establish additional shelters in communities to better meet the needs of survivors and to accommodate members of the LGBTIQ community and persons with disabilities;
- f) Adequately resource the infrastructure and human capacity to effectively run TCCs at health care facilities;
- g) Strengthen the functioning of Thuthuzela Care Centres (TCCs) through the injection of human and financial resources for effective response;
- h) Link and strengthen all existing services (police stations, health facilities, social work services and shelters) that deal with criminal cases and provide early intervention;
- i) Make available public buildings to serve as shelters and interim housing arrangements for survivors in consultation with civil society organisations working on GBV.

The total budget allocation for spending in 2019/20 in this area of the Emergency Action Plan is R517000000.

#### 2.4. Strengthen accountability and architecture to adequately respond to the scourge of genderbased violence and femicide

The uncoordinated and fragmented manner in which key role players and stakeholders implement genderbased violence programmes and interventions has undermined the response to GBVF in the country.

Previously, programmes were not implemented effectively because of inadequate political will, poor planning and a lack of resources to ensure sustainability.

This situation has improved significantly thanks to the leadership exercised more recently by the President, Cabinet and Parliament who have variously and collectively committed themselves to working alongside all sectors of society to address this social challenge.

Given the cross cutting nature of genderbased violence, it is evident that no single sector or agency can adequately address all elements of an effective response to genderbased violence and femicide

The multisectoral model agreed by government and civil society calls for holistic inter organisational and interagency cooperation and collaboration and active participation by people affected by genderbased violence and femicide

This includes people or groups with access to resources and networks that can have a positive impact in sectors including, but not limited to, health, psychosocial, legal/justice and security.

An essential element of the multisectoral approach is close collaboration with local communities and their active involvement in shaping sustainable responses and holding service providers and political leadership accountable. The following immediate actions will be implemented over the next six months:

- a) Establishment of a multisectoral coordination and accountability council that will be responsible for a survivor focused and well resourced national response to GBVF that encompasses prevention, care and support;
- b) Capacitation of a Rapid Response Team at national level within the Interim Structure to respond to key service delivery emergencies, address wider systemic challenges and enforce accountability
- c) Strengthening and establishing provincial emergency teams (including civil society) by bringing together police, social development, health, justice and education personnel to provide rapid and comprehensive responses to all forms of violence against women and children;
- d) Establishment of a multi-sectoral GBVF Fund to civil society and grassroots organisations providing GBVF services. The fund will include the private sector and other donors to

provide support to survivors, including persons with disability and the LGBTQI+ community,

- e) Training legislators in the drafting of legislation aimed at combating GBVF and promoting gender diversity and equality;

To strengthen coordination and accountability for effective immediate response to GBVF, the interventions listed above will be implemented. The total budget allocation for spending in 2019/2020 in this area of the Emergency Action Plan is R20 038 412.

## 2.5. Prioritise interventions that facilitate economic opportunities to addressing

Unemployment, poverty, social inequality as well as lack of access to sustainable economic opportunities and resources such as land and jobs play a role in women remaining in abusive relationships and in driving gender inequality and gender based violence and femicide

Addressing unequal economic power as a structural driver simultaneously addresses economic exclusion and abuse while reducing their exposure to further violence.

Black women disproportionately bear the burden of poverty, exacerbated by the role women play as primary caregivers of children and a history of economic exclusion and discrimination based on race.

The extremely high levels of social and economic inequality as a key driver of gender based violence requires immediate attention as part of a sustainable approach to the prevention of gender based violence and gender inequality in South Africa

The following immediate actions will be implemented over the next six months:

- a) Government will prioritize the economic and social needs of survivors by actively creating economic opportunities in local shelters and setting aside procurement spending for micro businesses operated by survivors
- b) Setting up workplace structures, strategies and services to respond and prevent sexual harassment and other forms of violence in the workplace;
- c) Land will be made available for economic opportunities for young women to participate in the food production value chain so that young women enjoy a greater degree of economic independence
- d) Job opportunities will be created through the state sector focusing on women to train a cadre of community care workers who can provide community psychosocial support services

- e) Government will enforce through policy reform the 40% procurement target for awarding women on state-related tenders which will include capability development interventions for potential services providers
- f) All government departments must implement the Gender Responsive, Budgeting, Planning, Monitoring, Evaluation and Auditing (GRBPMEA) framework in their strategic and annual performance plans. These plans will also be a mandatory part of the performance agreements of Ministers.

### 3. IMPLEMENTATION

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The budget for the above is located within existing programmes across several Departments have a combined gender-based violence budget amounting to R1.6 billion in the current financial year. Reprioritisation is continuing to ensure that all the interventions in this plan are accommodated in the budget.

All of the above immediate actions are aligned to the pillars of the draft National Strategic Plan

The Interim Steering Committee sees these actions as being integral to a wider, sustained and strengthened response to all forms of gender-based violence in South Africa that addresses underlying structural drivers such as economic power, the pervasiveness of violence and related systems of inequality

The Interim Steering Committee also recognises the need for constant research, piloting and consultation that will enable better understanding of the scale and nature of GBVF and better design and implementation of interventions that will shift behaviours and create a better, violence-free society.

For this reason there is an urgent need for a baseline prevalence study in the general population as well as one focused on the LGBTIQ population.

To fast-track the implementation of the Emergency Response Plan, the Interim Steering Committee has decided to adopt the Rapid Results Initiative (RRI) 100 Day Challenges. The method is used to inspire those closest to the problem to tackle ambitious goals while providing support to ensure innovation, collaboration, and execution required to achieve them. The UN Women is seeking funds to pilot the RRI methodology in Eastern Cape and Gauteng

Through the roll-out of the immediate actions, it is also envisaged that strategic synergies with other key initiatives – including the District Development Model - can be maximised to achieve a grounded, multi-sectoral and intersectional approach to the National Strategic Plan.

#### **4. CONCLUSION**

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The current mass mobilisation in South Africa foregrounds the urgency of a comprehensive and immediate response to gender-based violence and femicide. At the same time, mass mobilisation is also indicative of an active citizenry, whose energies and solutions are a vital input into the work of the Interim Steering Committee and all sectors engaged in the work of ridding South Africa of gender-based violence and femicide.

Aligned to the Draft National Strategic Plan, the Emergency Action Plan will be implemented during a six-month period, facilitating strengthened political accountability and meaningful changes within the short term.