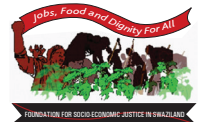




ESWATINI'S SEXUAL OFFENCES & DOMESTIC VIOLENCE ACT

A SUMMARY



TRAINING TOOL

A Summary of Eswatini's Sexual Offences and Domestic Violence Act

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Authorship and Acknowledgement

This document is a summary of the SODV Act and was compiled by Anneke Meerkotter, Litigation Director at SALC, Anna van Niekerk, intern at SALC, with editorial oversight by Mzwandile Masuku.

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Southern Africa Litigation Centre

Second Floor, President Place, 1 Hood Avenue, Rosebank, Johannesburg, South Africa, 2196

e: enquiries@salc.org.za, t: +27 (0) 10 596 8538

www.southernafricalitigationcentre.org, twitter: @follow_SALC

For hard copies of the report, please contact the Southern Africa Litigation Centre. Electronic copies of this report can be found at www.southernafricalitigationcentre.org

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1

INTRODUCTION

The Sexual Offences and Domestic Violence Act, No. 15 of 2018, (called 'the SODV Act' and 'the Act' in this booklet) became a law in Eswatini in June 2018. The Act changes some of the definitions of sexual crimes and creates new crimes.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is an international treaty on the rights of women and girls. The Government of the Kingdom of Eswatini is a signatory to CEDAW. The SODV Act plays an important role in domesticating the provisions in CEDAW relating to gender-based violence.

The main aims of the new Act are to:

- ✚ Promote the realization of the rights of women and girls in the Kingdom of Eswatini;
- ✚ Provide standardized guidance for the attainment of international and regional goals, such as the Sustainable Development Goals and the African Union Agenda 2063, in respect of gender-based violence;
- ✚ Overcome challenges in the dual legal system by promoting the provisions in the Act over any other law;
- ✚ Include all sexual crimes into one law;
- ✚ Define all sexual crimes;
- ✚ Make all forms of sexual abuse or exploitation a crime;
- ✚ Make sure that both men and women can use the law with regard to sexual crimes;
- ✚ Make sure that government departments work together to protect complainants from unfair treatment or trauma;
- ✚ Improve the way the criminal justice system (the courts and police) works;
- ✚ Make the age when both men and women can give permission (consent) to have sex, 18 years;
- ✚ Make sure that rape survivors get post-exposure prophylaxis (PEP), which is medical treatment that can reduce their chances of getting HIV from the rape;
- ✚ Establish a National Register (list of names) for Sex Offenders; and
- ✚ Create new offences and remedies with regard to domestic violence.

This booklet summarises the key provisions in the new Act and related laws. The booklet does not look at the effectiveness of these provisions and did not consider any guidelines or regulations that may have been issued under the Act.

This booklet uses the terms that are used in the Act. Where reference is made to 'he' or 'she' this should be read to include either sex. Where reference is made to a child, it means a person under the age of 18 years. Where reference is made to a court, it means a High Court or Magistrates' Court.

2

SEXUAL OFFENCES

Intention & Consent

Two elements of sexual offences in this section are:

- ✚ The intention of the perpetrator to commit the crime, and
- ✚ The absence of consent from the complainant.

If a sexual act is done without the consent (permission) of one of the people involved in the sexual act, this is a crime. The court must decide if the person who is complaining agreed (gave consent) to the sexual act.

The Act gives examples of when a person could not have consented (agreed) to a sexual act.

'Intention' means to on purpose, decide and set out to commit a crime.



'Coercion' means using force or power to get someone to do something.

'Consent' means to agree freely. This means that both parties must freely decide (choose) to take part in the sexual act.

'Elements of the crime' are all the things which must be proved by the prosecutor before a person can be found guilty of a crime.

There is NO consent where the sexual act took place under any of these conditions:

- ✚ With **duress**, such as when a person uses threats, violence, pressure, to force someone to do something against his or her will.
- ✚ With **psychological oppression**, such as when a person uses his or her power in an unfair, abusive, cruel, or controlling way, that affects the mental health of another person and the person's ability to consent.
- ✚ By causing **fear of violence**.
- ✚ Under **coercive (forced) circumstances** such as -
 - The **use of force** against the victim, her property, or another person;
 - A **threat of harm** against the victim, her property, or another person; or

- An **abuse of power** that prevent the victim from expressing herself freely.
- ✘ Under **false pretences** or by fraudulent means, such as where –
 - The victim is made to believe that the sexual act is with a different person; or
 - The victim is made to believe that the act is not a sexual act.
- ✘ Where a person **cannot understand the sexual act**, because the person is –
 - **Asleep**;
 - **Unconscious (passed out)**;
 - **Affected by alcohol or drugs**, and not fully aware or able to make proper decisions;
 - **Under 18 years**;
 - Living with a **mental disability** which makes it difficult for the person to understand the sexual act or to express herself.



Note: In the case of children and persons with mental disabilities, the next chapter sets out more crimes aimed at preventing abuse.

Where the victim was silent or did not clearly say NO to the sexual act, this does not mean that there was consent. The court must not only look at the words or actions of the victim, but also at whether other things prevented the victim from expressing herself.

Rape

Section 3 of the SODV Act

The crime of rape happens when **sexual penetration** happens without consent.

Elements of the offence of rape:

1. **Intention** to rape
2. An act of **sexual penetration**
3. **Against the will of the victim (without consent)**



'Penetration' means to insert something



The Act makes the offence of rape much broader than what it used to be:

- ✚ The offence is now **gender-neutral** which means **men and boys** can also be raped – **before, the crime of rape only applied to rape by a man of a woman.**
- ✚ **Sexual penetration** is set out in the Act as **any act which causes penetration by genital organs or into genital organs**; or by the sexual organs of an animal – **previously the offence of rape only applied to anal penetration.**
- ✚ **Marriage is not an excuse** to a charge of rape - section 151 of the Act basically **outlaws marital rape** because it states that marital relationships cannot be a defence to any crime under the Act.
- ✚ **Sex with a child amounts to rape** - section 3(6)(e) of the Act says any sexual act with a person **below 18** is unlawful. Section 37 says it is a crime to maintain (have) a sexual relationship with a child.
- ✚ **A person who is married to a child and has sex with that child, even where the child consents, commits the crime of rape.**



Maximum Sentence (Punishment) for Rape:

Maxim Time in Prison	No Aggravated Circumstances		With Aggravated Circumstances (which makes the offences worse)	
Age of Victim at Time of Crime	First-time Offender	Repeat Offender	First-time Offender	Repeat Offender
10 years or less	25 years	35 years	30 years	40 years
10 – 14 years	25 years	35 years	25 years	35 years
14 – 18 years	20 years	26 years	25 years	35 years
19 years or more	18 years	25 years	20 years	30 years



Note on sentencing:

- The Act does not allow a court to suspend or postpone a sentence.
- In the case of a child offender, the court can decide on the sentence.

Sexual Assault

Sections 5-8 of the SODV Act

The offence of sexual assault occurs when an act of **sexual violation** is done by one person against another, without the latter's consent.

Elements of the offence of sexual assault:

1. **Intention** to commit the offence
2. An act of **sexual violation**
3. Committed **against the will of the person**



A sexual violation is any act not involving sexual penetration, which causes:

- ✎ Direct or indirect contact between the **sexual organs** of one person and a **body part** of another, or with an **object** resembling genitals;
- ✎ Direct or indirect contact between the **mouth** of one person and the **genitals, mouth**, or any other **body part capable of sexual penetration** of another, or an **object**;
- ✎ Direct or indirect contact between one person's **mouth** and the **genitals of an animal**;
- ✎ The **masturbation** of one person by another; or
- ✎ The **insertion of an object into the mouth** of another person.

It is further an offence to:

- ✎ Make a person **believe** that they **will be** sexually violated.
- ✎ **Compel a third person** to sexually violate another person, when such compulsion occurs without the consent of either the violating or the violated party.
- ✎ Compel someone to assault themselves (self-sexual assault):
 - Self-sexual assault is defined as the non-consensual compulsion of another to engage in masturbation; self-arousal or sexual stimulation; sexually suggestive or lewd acts; sexually degrading acts; sexual penetration; or bestiality.

'Compel' means to force somebody to do something.





Maximum Sentence:

Crime	Time in Prison	Fine
Sexual assault	15 years	E30 000
Inspiring belief of sexual assault	10 years	E20 000
Compelled sexual assault	10 years	E20 000
Compelled self-sexual assault	15 years	E30 000

Unlawfully Administering a Substance

Section 9 of the SODV Act

It is an offence to **intentionally administer (give) a substance to, or cause a substance to be taken** by another person, with the knowledge that the other person **does not consent**, and with the intention of **stupefying or overpowering** the other person, so that the person is vulnerable to a sexual violation.

Elements of the offence of administering a substance:



1. **Intention** to give a substance to a person against their will so that the person becomes vulnerable to rape or sexually assault as a result
2. An act which gives, arranges or coerces a person to take a substance
3. Committed **against the will of the person**



Maximum Sentence:

Crime	Time in Prison	Fine
Unlawful administering of a substance	10 years	E20 000

Incest

Section 4 of the SODV Act

Incest is an act or attempted act of sexual penetration with one’s **offspring (children), sibling (brother or sister), parent or grandparent**.

A person who commits incest is criminally liable even if everyone **involved consented**.

It is a defence to the charge of incest that the accused person was **coerced** by another person. It is also a defence that the step relationship only arose after the parties became adults.

‘Offspring’ includes **half, adoptive, or step** relationships.



‘Step relationships’ include relationships that correspond to step relationships, and arise because of cohabitation or a foster relationship.

‘Half’ relationships refer to where siblings share one biological parent.



Maximum Sentence for Incest:

Age of Victim at Time of Crime	Time in Prison	Fine
14 years or less	25 years	
14 – 18 years	20 years	
18 years or more	10 years	E50 000
18 years or more, with consent	4 years	E20 000

The Director of Prosecutions must in writing authorise the prosecution of a child for this offence.

Unlawful Stalking

Section 10 of the SODV Act

Unlawful stalking consists of one or more of the following, or similar, behaviours:

- ✎ **Following** a person, **loitering near**, **watching**, or **approaching** a person or the person's work or home;
- ✎ **Contacting** a person in any way;
- ✎ Giving **offensive material** to a person or leaving it to be found by the person;
- ✎ **Intimidating**, **harassing**, or **threatening** a person in any way; or
- ✎ **Committing** or **threatening** to commit a **violent act** against anyone or any property.

This behaviour must be directed at a specific person and applies to a single act which is protracted, or to repeated acts. It is not an excuse that the wrong person was stalked or the person was unaware that they were being stalked.

A court may issue a **restraining order** against a stalker to stop the behaviour.

Who can apply for a restraining order?

- The person being stalked
- The prosecutor
- An interested person
- The presiding officer (magistrate)



The offence does not apply to '**reasonable conduct**' engaged in for legitimate **business reasons**, or to obtain information from or give information to a person. Examples would be advertising or telemarketing.

The offence also does not apply to '**acceptable courting**' but the Act does not clearly define what would be acceptable courting.



Note: The Act says that any stalking which is to the detriment of the person would be unlawful. The Act defines '**detriment**' as anything which causes serious mental, psychological or emotional harm, or which causes a fear of violence.



Maximum Sentence:

Crime	Time in Prison	Fine
Unlawful stalking	10 years	E20 000
Contravening a restraining order	5 years	E25 000

Sexual Harassment

Section 48 of the SODV Act

Sexual harassment includes:

- **unsolicited physical contact** such as patting, pinching, touching, or unnecessarily brushing up against a person;
- directly or by implication requesting sexual favours; or
- other unwelcome sexual contact such as offensive telephone calls, indecent exposure.

'Unsolicited' means not asked for, given or done voluntarily.



Such conduct must be engaged in **with an intention to offend, humiliate, or intimidate** the other person; or in circumstances in which a reasonable person would assume that this was the intention of the conduct.

Elements of the offence of sexual harassment:

1. **Intention** to humiliate, offend or intimidate a person, **or in circumstances where a reasonable person** would assume that the intention was to humiliate, offend or intimidate.
2. An act(s) of direct or indirect physical or sexual contact.
3. Committed **against the will of the person**



Note: Whether conduct is intimidating, humiliating or offending for a person can depend on the person's age, sex, or impairment of the other person, the time of day, whether the conduct is in public or private, or the relationship between the parties.



Maximum Sentence:

Crime	Time in Prison	Fine
Sexual harassment	10 years	E25 000

Bestiality

Section 45 of the SODV Act

Bestiality is defined as causing the penetration of a person's genital organs into the genital organs, mouth, or anus of an animal; causing the penetration of the genital organs of an animal into the genital organs, mouth, or anus of that person; or masturbating an animal.



Maximum Sentence:

Crime	Time in Prison	Fine
Bestiality	10 years	E25 000

Necrophilia

Section 46 of the SODV Act

Necrophilia is defined as committing a sexual act with a human corpse.



Maximum Sentence:

Crime	Time in Prison	Fine
Necrophilia	15 years	E50 000

"Flashing"

Section 47 of the SODV Act

The Act criminalizes **the exposure or display** of the genital organs or anus of a person or a third person to another person, without the latter's consent.

Defences to the offence:

- If the exposure was strictly for medical or health purposes or for purposes of gathering evidence.
- If a parent or guardian on reasonable suspicion, tried to find out if a child has been sexually violated or molested.
- If the exposure was by the parent or guardian of a child under 12 years for the purpose of bathing.



Maximum Sentence:

Crime	Time in Prison	Fine
Flashing	5 years	E15 000

3 SEXUAL OFFENCES INVOLVING VULNERABLE PERSONS

Crimes Involving Children

Rape

Section 3 of the SODV Act

It is an offence for an adult to engage in a sexual act with a person **below the age of eighteen years**. The status of being under eighteen years of age means that a person is **incapable at law of appreciating the nature of the sexual act**.

Once convicted of rape, sentencing is graded according to the age of the victim and the presence of aggravating factors.



Note: In *Shabalala v Rex*, a case decided in March 2019, the High Court of Eswatini affirmed the SODV Act's definition of a child as any person under the age of 18 years. In that case, a man who had sex with a 17-year old girl was convicted of rape. Although there was evidence that the victim had participated willingly in the sexual act, the court determined such "consent" ineffectual because, due to her age, she was "incapable of appreciating the nature of the sexual act." (Case No. 20/2019, [2019] SZHC 50).



Maximum Sentence for Rape of Child:

Maxim Time in Prison	No Aggravated Circumstances		With Aggravated Circumstances	
Age of Victim at Time of Crime	First-time Offender	Repeat Offender	First-time Offender	Repeat Offender
10 years or less	25 years	35 years	30 years	40 years
10 – 14 years	25 years	35 years	25 years	35 years
14 – 18 years	20 years	26 years	25 years	35 years

Maintaining a Sexual Relationship with a Child

Section 37 of the SODV Act

It is illegal for a person to **maintain (have) a sexual relationship with a child**. In terms of the Act, a **sexual relationship** is as a relationship involving more than one sexual act over a period of time.

Although the Act provides that the court must be satisfied **beyond a reasonable doubt** that a sexual relationship with a child existed in order to convict, it is not necessary to establish the particulars of any one sexual act to the degree necessary to convict a person of a single sexual encounter with a child.

Child Marriage

The Act say a person **shall not marry a child in contravention of the Marriage Act No. 47 of 1964** or any Act succeeding it. However, the Act also criminalizes having sex with a child and maintaining a sexual relationship with a child, which means that a person who married a child can be charged with committing sexual offences. Section 151 of the Act also clearly states that any previous or existing relationship cannot be a defence to any offence under the Act.



The Act provides that **consent can be a defence** if it is proved beyond a reasonable doubt that **both the victim and the accused were under the age of 18 years** at the time of the alleged offence, AND both the victim and the accused gave their **full and free consent** to all of the sexual acts alleged. Further, where the victim was **under the age of 18 years** at the time of the offence, there was an age difference of **no more than 5 years** between the victim and the accused, and both the victim and the accused gave their **free and full consent**, prosecution may not be instituted without the **written consent of the Director of Public Prosecutions**.



Child offenders should be dealt with according to the provisions in the Children's Protection and Welfare Act.



Maximum Sentence:

Crime	Time in Prison
Maintaining a sexual relationship with a child	20 years

Indecent Treatment of Children

Section 36 of the SODV Act

It is an offence to:

- ✘ “Indecently” touch a child;
- ✘ Procure (persuade, obtain) a child to commit a sexual violation;
- ✘ Permit oneself to be **indecently touched by a child**;
- ✘ **Sexually violate** or expose a child to a sexual violation by another person;
- ✘ **Expose** a child to an indecent **object or image** without legitimate reason; or
- ✘ Take an **indecent visual image** of a child without legitimate reason.



Maximum Sentence for Indecent Treatment of a Child:

Age of Victim at Time of Crime	Time in Prison
12 years or less	25 years
12 – 18 years	20 years
If the offender is a parent, guardian or caregiver of the child	20 years



Section 48 of the Children’s Protection and Welfare Act makes it an offence to cause or permit a child in your care to be abused. You can be charged with this offence in addition to other offences in the SODV Act.

Sexual Grooming

Section 38 - 39 of the SODV Act

The crime of sexual grooming includes the following crimes:

- To **expose a child** to a sexual object or publication or other pornography in order to **persuade** the child to perform a sexual act with that person or a third person.
- To **commit or describe a sexual act** to or in the presence of a child in order to **induce (persuade, encourage)** that child to perform a sexual act.
- To **arrange a meeting or communication** with a child anywhere in the world, by any means, in order to commit a sexual act with the child;
- To persuade, coerce or otherwise cause a child to **travel** to any part of the world in order to commit a sexual act with them; or travelling to any part of the world in order to do the same.

The crime of promoting the sexual grooming of children, includes to:

- **Manufacture, produce, or distribute** an article or publication that promotes having sex with a child.
- **Supply or expose** to a third person pornography or related material intended to be used in the commission of a sexual act, with the intention of encouraging or enabling a third person to perform a sexual act with a child.
- **Arrange or facilitate a meeting** between a third person and a child so as to enable the commission of a sexual act.



Maximum Sentence:

Crime	Time in Prison
Sexual grooming of a child	25 years
Promoting the sexual grooming of children	25 years

Procuring Children

Section 40 of the SODV Act

It is a crime to use **electronic communication** to procure a child, or a person whom the adult *believes* is a child, to **engage in a sexual act**; or to **expose a child to any indecent matter**. The crime is not limited to sexual intercourse, or acts involving physical contact.



Maximum Sentence for Using Electronic Communication to Procure Children:

Age of Victim at Time of Crime	Time in Prison
12 years or less	20 years
12 – 18 years	20 years
If the offender is a parent, guardian or caregiver of the child	25 years

Witnessing Sexual Acts and Offences

Section 41 of the SODV Act

It is a crime to **compel (force) or cause a child to be present or to watch** any person commit a sexual act, a sexual offence or masturbate.



Maximum Sentence:

Crime	Time in Prison
Compelling or causing a child to witness sexual acts	15 years

Abduction

Section 42 of the SODV Act

Abduction is the crime of **taking a child out of the control of the child’s guardian**, with the intention of performing a sexual act or violation with that child; a harmful ritual or sacrifice; or for any other unlawful purpose.



Maximum Sentence:

Crime	Time in Prison
Abduction of child	15 years

Crimes Involving Persons with Physical or Mental Disabilities

Sexual Grooming

Section 44 of the SODV Act

It is a crime to **expose a third person** to an article, publication, or similar item in order to **persuade or enable them to perform a sexual act** with a non-consenting person with a disability.

It is also an offence to **arrange or facilitate a meeting or communication** between a third party or oneself and a person with a mental disability or a non-consenting person with a physical disability, with the intention of enabling oneself or a third person to commit a sexual act with the person.

It is further an offence to **travel, or persuade, coerce, or otherwise cause** a person with a physical or mental disability to travel, to any part of the world with the intention of performing a sexual act with them, without their consent.

It is a further offence to, during such a meeting or communication or during any subsequent meeting or communication, to **commit a sexual act with a non-consenting person with a disability**; or to provide the person with any form of communication containing a pornographic depiction as described in section 24(a), without their consent.



Maximum Sentence:

Crime	Time in Prison
Sexual grooming of persons with physical or mental disabilities	25 years



Note: These offences only apply to persons with physical or mental disabilities who are unable to provide consent because they are at the time:

- Unable to appreciate the nature and consequences of the sexual act;
- Able to appreciate the nature and consequences of the sexual act, but unable to act in accordance with that appreciation;
- Unable to resist the commission of any sexual act; *or*
- Unable to communicate his or her unwillingness to participate in the sexual act.

4

PRACTICES PARTLY CRIMINALISED UNDER THE SODV ACT

Pornography

What is pornography?



The Act defines pornography as a visual presentation of –

- A person participating in sexual acts, sexual violations, or a lewd display of nudity, which is intended for sexual gratification;
- Explicit sexual conduct which degrades a person or incites harm; or
- Bestiality.

Pornography is legal if it involves only consenting adults.

Pornography is legal under the SODV Act if it meets certain conditions:

- ✘ It does not feature any **non-consenting adults** or persons incapable of consent, such as **children**;
- ✘ It can be **easily traced** to its creator;
- ✘ It does not depict a sexual offence.

You can view or show pornography that meets the above conditions in Eswatini, but it is a crime to show it to a person who **did not, or cannot, consent to view it**.

When is pornography illegal?



- If the pornographic material **features children or non-consenting adults**;
- If the publication or exhibition of pornographic material does not include the publisher's **name, address, and relevant age restrictions**;
- If the pornography is shown to **children or non-consenting adults**.

Child Pornography

Sections 24 – 30 of SODV Act

It is a crime to create or produce an image showing a **child** who is engaged in a sexual act, a sexually suggestive act, or a child who is indecently exposed. Any person who **participates in, assists, or facilitates** the creation of unlawful pornography is also committing the crime.

Additional crimes include **possessing, distributing, or benefitting** from child pornography.

It is a **defence** to all child pornography offences for a person to prove that the conduct was for a genuine **artistic, educational, legal, medical or scientific** purpose or for the **benefit of the public** – so long as the conduct was reasonably fitted to that purpose.

The court can conduct the trial *in camera*, by excluding members of the public from the hearing of the case.



Maximum Sentence:

Crime	Time in Prison	Fine
Broadcasting, distribution or publication of pornographic material to a child or non-consenting adult or which involves a child or non-consenting adult	15 years	E50 000
... by a person with parental power or control over a child	20 years	E75 000
Using children for child pornography	25 years	-
Making child pornography	25 years	-
Benefitting from child pornography	20 years	-
Distributing pornographic material involving a child	20 years	-
Possessing pornographic material involving a child	15 years	E75 000



Section 23(2)(c) of the Children’s Protection and Welfare Act says that a child is sexually abused and in need of care and protection, if the child has been exposed to or observed pornographic material.

Pornography and Persons with Physical or Mental Disabilities

Section 31 of the SODV Act

It is a crime to use a non-consenting person with a **disability** to create, make, produce, or assist in the creation of a pornographic image or other depiction.

It is a crime to receive compensation or other **benefit** from the creation of pornography featuring a person with a disability.



Maximum Sentence:

Crime	Time in Prison
Using persons with disabilities for pornographic purpose	20 years
Benefitting from using persons with disabilities for pornographic purpose	20 years

Breach of Privacy

Section 33 of the SODV Act

It is a crime to **observe (watch) or visually record another person** without their consent, in a private place and under circumstances where that person would reasonably expect privacy.

It is also a crime to **record the genital or anal area**, of a person without their consent and under circumstances in which they would reasonably expect their privacy to be respected.

It is a crime for a person to **distribute** a recording which a person knows or suspects was done without consent.



Maximum Sentence:

Crime	Time in Prison
Observing or visually recording person engaging in private act without person's consent	15 years
Observing or visually recording genital area or anal area of person without person's consent	15 years
Distributing prohibited visual recordings	15 years

Sex Work

Sex work is legal if it involves only consenting adults, and does not involve exploitation by third parties.

Eswatini's laws relating to sex work follow the abolitionist approach ('partial criminalisation'). Abolitionist laws criminalise the activities of those seen as abusing, exploiting or coercing sex workers, pimps and procurers. **The sale of sex by a sex worker herself is not a crime.** Abolitionism is the oldest legal approach to sex work and has been incorporated into the Penal Codes of most former British colonies. South Africa is an exception to the general rule since it criminalises the selling and buying of sex.



Note: The term "**prostitution**" is often **stigmatised** within society. Therefore, we use the term "**sex work**" when referring to sexual activities taking place between consenting adults in exchange for reward. The term "**sex worker**" is used to describe the provider of sexual services and the term "**client**" refers to the buyer of these services.

While the SODV Act does not criminalise sex workers or clients, it does create some offences relating to sex work.

The Act focuses on **third parties** who **seek to benefit** from the exchange of sexual acts between a sex worker and client, and criminalises:

- ✘ Commercial sexual exploitation;
- ✘ Procuring prostitution;
- ✘ Benefitting from prostitution;
- ✘ Living off the earnings of prostitution.

The aim of these offences is to protect people from being forced into sex work, and to prevent sex workers from being exploited.

'Exploitation' means the misuse or abuse of someone for personal gain.



These offences do NOT apply to sex workers themselves or to their dependents.

What is illegal?

Commercial sexual exploitation

Section 13 of SODV Act

It is an offence to, in exchange for money or other reward, **coerce or induce** a person (B) to engage in sexual acts with another person (C).

In this case, the accused person (A) **earns a benefit** from arranging sexual acts between the victim (B) and another person (C).

It is also an offence to **promote commercial sexual exploitation** (Section 14).

Procuring prostitution

Section 15 of SODV Act

It is an offence to **procure a person to become a sex worker**.

This refers to a person who deliberately identifies persons, often based on their vulnerability, to **encourage or manipulate them** into becoming sex workers.

Benefitting from prostitution

Section 16 of SODV Act

Where the accused person (A) did not arrange the sexual acts between two persons, or procure sex workers, but **still financially benefitted** from it, A is guilty of benefitting from prostitution.

Living off the earnings of prostitution

Section 17 of SODV Act

Where the accused person (A) **earns a living from controlling the work of a sex worker**, A is guilty of living from the earnings of prostitution.

Keeping a brothel

Sections 18-22 of SODV Act

It is an offence to **own, control or manage a brothel**.

Persons found in the brothel can be arrested because they are "deemed to keep a brothel", unless they disclose their identity and the identity of the owner or manager.

A very old law, the Crimes Act of 1889 is often used against sex workers. This law does not criminalise sex workers, but criminalises the act of **loitering in public for the purpose of prostitution** (section 49). This offence violates sex workers' rights because it places the responsibility of a person accused of loitering to explain what they are doing. This is against the constitutional right to be presumed innocent and the right to freedom of movement.

Traditional courts can deal with the offence, which often means that the accused person's right to a fair hearing is not respected and that the person is denied a lawyer. The offence may not be used as an excuse by police to abuse sex workers' rights.

Arrest should be the last resort for police since it interferes with the right to liberty. The police must always have a reasonable suspicion of an actual crime having been committed before they are allowed to arrest a person.

5

DOMESTIC VIOLENCE

The SODV Act provides a broad definition of **domestic violence** and **domestic relationships**. Under the Act, domestic violence is a **criminal offence**.

The Act also makes provision for the establishment of **Domestic Violence Courts**, to deal with cases of domestic violence.

The Act sets out the **specific duties** of police officers and magistrates when dealing with domestic violence cases. The Act also prohibits an officer from refusing to prosecute or withdrawing a charge **without authorization** from the Director of Public Prosecutions.



Note: Under this section, the person who is affected by domestic violence and applied for a protection order, is referred to as the '**aggrieved person**', the '**applicant**' or the '**complainant**'. The perpetrator of domestic violence, against whom a protection order is sought, is referred to as the '**respondent**'.

What is Domestic Violence?

Domestic violence is a broad range of behaviours committed against an **aggrieved person**, which harms or may cause harm to the safety, health, or well-being of the person. An aggrieved person is someone who is or has been in a **domestic relationship** with a respondent (the abuser) experienced **domestic violence**.

A **domestic relationship** covers all relationships in which people -



- Are or were **married** to each other, according to any law, custom or religion;
- **Live or have lived together** in a relationship similar to marriage;
- Are the parents of or jointly had **parental responsibility** for a child;
- Are **family members** related by consanguinity, affinity or adoption;
- Are or were engaged, dating, or in a customary relationship, including an **actual or perceived romantic, intimate or sexual relationship** of any duration; or
- Share or shared the **same residence**.

The following behaviours constitute domestic violence, when perpetrated by a respondent against an aggrieved person, where the conduct harms or may harm the latter:

- ✘ Physical abuse;
- ✘ Sexual abuse;
- ✘ Emotional, verbal and psychological abuse;
- ✘ Economic abuse;
- ✘ Intimidation;
- ✘ Harassment;
- ✘ Unlawful stalking;
- ✘ Damage to property;
- ✘ Entry into the residence of the aggrieved person, if they do not live together;
- ✘ Any other controlling or abusive behaviour.

‘Economic abuse’ includes depriving someone of economic and financial resources belonging to or used as necessities; unreasonably disposing of household effects (such as furniture, property, appliances used regularly by the household); or prohibiting a person to work or engage in economic activities.



‘Emotional, verbal and psychological abuse’ means degrading, demeaning or humiliating conduct towards an aggrieved person, including insults, name calling, threats to cause emotional pain, obsessive possessiveness or jealousy.

‘Harassment’ means a pattern of conduct that includes fear of harm to the aggrieved person, including repeated phone calls or text messages, stalking.

‘Intimidation’ means a threat which leads to fear.

‘Physical abuse’ means any act or threat of physical violence.

‘Sexual abuse’ includes any sexual conduct that abuses, humiliates, degrades or otherwise violates the sexual integrity, dignity and well-being of the complainant.

‘Stalking’ includes repeatedly following, pursuing or accosting the applicant.

Protection Orders

An application for a protection order may be made by the **aggrieved person**, by anyone **authorised by the aggrieved person**, or by a **police officer**.

Only one person may be named as the aggrieved person in an application for a protection order, but multiple people may be named as respondents. A protection order can protect, in addition to the aggrieved person, a **relative, dependant or associate of the aggrieved person**.

A court may issue a protection order against a respondent if:

- ✘ The court is satisfied **on a balance of probabilities** that the **respondent has committed an act of domestic violence** against the aggrieved person;
- ✘ A **domestic relationship** exists between the two persons; **and**
- ✘ The respondent is **likely to commit an act of domestic violence again**, or, if the act of domestic violence was a threat, is likely to carry out the threat.

What can be included in a protection order?



The court can order that a respondent does not -

- Commit **an act of domestic violence**;
- **Get help** to commit such an act;
- Remain at, enter, or approach a **residence (home) shared** with the aggrieved person;
- Remain at, enter, or approach a **residence inhabited** only by the aggrieved person;
- **Approach** the aggrieved person within a distance stated in the order;
- **Contact**, attempt to contact, or ask someone to contact the aggrieved person;
- **Locate (find)**, attempt to locate, or ask someone else to locate the aggrieved person;
- Engage in stated conduct towards the **child** of the aggrieved person;
- Keep dangerous weapons or register for new **weapons**;
- **Commit any other act** as set out in the protection order.

The court can also order that the respondent pays **emergency monetary relief** to compensate the victim(s) for loss of earnings, medical expenses, accommodation expenses, and household necessities.

Factors influencing the content of a protection order:



- Need to protect aggrieved person and others;
- Welfare of a child of the aggrieved person;
- Accommodation needs of all persons;
- Effect of order on the child;
- Existing orders relating to guardianship, custody or access to a child;
- Safety, health and well-being of the aggrieved person, child or other person affected by the domestic violence;
- Perceived risk of further harm or violence;
- Personal and material interests of aggrieved person;
- Best interests of the child.

Under certain circumstances, a court may issue an **interim protection order** against a respondent.

An interim protection order functions similarly to a protection order, except that it states the time and place at which **the order must go to court**. As such, an interim protection order functions both as a **protection order** and as a **court summons**.

A court may only issue an interim protection order against a respondent if it appears to the court that **an act of domestic violence has occurred**.

A court may choose to issue an interim protection order if it appears that an aggrieved person is in **immediate need of protection**, but proceedings for a final protection order are still ongoing. This may occur, for example, when the person named in the original application for a protection order has cross-applied for his or her own protection order, or while proceedings are ongoing to consider variations of protection orders.

Police officers may apply for an interim protection order if the officer believes that because of distance, time, or other circumstances, it is **not possible for an applicant to wait until his or her case can be heard and determined** by the court. The Act instructs that a roster must be available in every region of the contact details of Magistrates who can issue such interim orders to the police outside of ordinary court hours.

The police must apply for a protection order outside of court hours if there will be **undue hardship** if such order is not issued.

‘Undue hardship’ is present when there is a risk of imminent harm to a person or property, the aggrieved person was removed from her work or residence, or there has been a threat of using dangerous weapons/ firearms/knives during the recent abuse.



A protection order takes effect **on the day that it is made**. In most circumstances, a court may order that a final protection order lasts for **no longer than two years**. Under special circumstances, a court may order that a protection order to last for **three years**. An interim protection order ceases (ends) on the court date when the application for a final protection order is heard; or when the order is revoked (cancelled) by the court.

On application by the aggrieved person, the respondent, an authorized person, or a police officer, **a court may either revoke or vary (change) a protection order**. A variation may loosen the restrictions it placed on respondents, or it may extend the protection it provides, the period or scope of the order, or add a condition to the order.

A respondent who **contravenes (breaches) a protection order** commits an offence and can **immediately be arrested**, assuming the respondent was served with or aware of the order.

At which court can you apply for a protection order?

- A court in the area where the aggrieved person permanently or temporarily lives or works;
- A court in the area where the respondent lives or works; or
- A court in the area where the domestic violence took place.



Note: No filing or service fees may be charged for an application under this Act.

Making Sure Complaints of Domestic Violence are Taken Seriously

The **police** and **prosecutors** may not **refuse to institute a prosecution**, or **withdraw a charge** of a breach of a protection order, without permission from the Director of Public Prosecutions (section 121).

A **court** may not **refuse to issue a protection order** or **impose a condition**, on the grounds that other legal remedies are available to the applicant (section 187). If a protection order is refused, reasons for such refusal must be given in writing.

A **clerk of the court** must inform any person who complains about domestic violence that they can apply for a protection order, how the process works, and that the person can also open a criminal case.

The Act sets out protective measures to make sure that persons seeking protection orders are treated with respect:

- ✎ **Section 133:** Applications for protection orders are to be **on the record** and **conducted in a court room**.
- ✎ **Section 138:** Magistrates should adjourn (postpone) matters “**only where absolutely necessary**,” such as where the respondent has not been served as required, not been given enough time to prepare his case, or it is otherwise in the interests of justice to do so.
- ✎ **Section 139:** Prescribes limits on **who may be present in court** during protection order hearings. Only those **directly involved** with the proceedings are entitled to be present.
- ✎ **Section 142:** In protection order proceedings, the court is not bound by the **strict rules of practice and evidence** that must be followed in other court hearings.
- ✎ **Section 186:** The physical address of the applicant of a protection order must be left out of the protection order. The court may issue directions that the physical address of the applicant is not disclosed (revealed) in any way which can endanger her or her family.
- ✎ **Section 185:** There must be a confidential register of protection orders which police, prosecutors and social welfare officers can consult when carrying out investigations about abuse.

Police Duties, Functions and Powers in Cases of Domestic Violence

Sections 115 – 116 of SODV Act

If a police officer suspects a person might be affected by domestic violence, the police officer **must** investigate the circumstances, complaint or report.

At the scene of a domestic violence incident, or when the incident is reported, a police officer **must**:

- **Assist** the aggrieved person, including assisting her to **find shelter** or **medical treatment**;
- Hand a notice to the aggrieved person with information on the remedies available to her;
- **Explain** to the aggrieved person the content of the notice, including the **remedies available and the right to lodge a criminal complaint**;
- **Take statements** from the aggrieved person and witnesses on:
 - The history of the abuse;
 - The most recent incident of domestic violence;
 - Any medical attention sought as a result of the current or past incidents;
 - Any evidence to show domestic violence took place;
 - Knowledge of previous criminal records of the respondent;
 - Knowledge of any orders against the respondent, including protection orders, maintenance orders, eviction orders;
- Find out whether the respondent has any **dangerous weapons** which could be used against the aggrieved person;
- **Arrest without warrant** any respondent the police officer reasonably suspects of having committed an **offence containing an element of violence** against the aggrieved person, relatives or associates, or their property. Once arrested, the respondent can be detained for a maximum of 48 hours; until a protection order is issued; or until the respondent is released on bail.

Making Sure Protection Orders are Obeyed

A protection order is only useful to prevent domestic violence if the respondent has been notified of the contents of the order. For this reason, the Act sets out requirements for the police, the clerk of the court and the magistrate to make sure that the respondent is aware of the protection order and its contents.

To make sure that the respondent is aware of the protection order and complies with it, the Act makes provision for service of the protection order on the respondent, and the arrest and conviction of the respondent if the protection order is breached (disobeyed).

The protection order must be served on the respondent:

- ✚ **Section 91:** The clerk of the court must make sure that certified copies of the protection order and warrant of arrest are filed with the police and served on the aggrieved person. The clerk must make sure a copy of the order is served on the respondent.
- ✚ **Section 147:** The clerk of the court must make sure the protection order is served on the respondent and the aggrieved person and any other persons mentioned in the order. If the clerk is unable to effect service, the clerk must give copies to the police to serve.
- ✚ **Section 148:** There must be a central register of all documents which need to be served by police in terms of the Act, and a senior police officer must regularly check the register.
- ✚ **Section 118:** When the court issues a protection order, it issues a **suspended warrant of arrest**, which warrant remains in force unless the protection order is set aside. If any condition in the protection order is breached, the police can arrest the respondent using the warrant.
- ✚ **Section 119:** The respondent can be charged for **breaching a protection order**, if the respondent was in court when the order was made, was served with a copy of the order, OR, was told by police about the existence of the order.

When granting bail after a charge of breach of a protection order, it is useful for a magistrate to consider the following:



- Whether the complainant has been informed of the hearing, bail decision and conditions of bail;
- Whether the complainant has been informed that the protection order remains in place and that further breaches can be reported;
- Inform the accused that the protection order is still in effect during the criminal investigation and that any contraventions of the protection order will be an additional charge of breaching the protection order.



Maximum Sentence:

Offence	Time in Prison	Fine
Committing an act of domestic violence	15 years	E75 000
Breach of protection order – first offender	2 years	E3 000
Breach of protection order – repeat offender	5 years	E10 000
Attending court proceedings when excluded from doing so, or making a false statement	2 years	E10 000
Officer who refuses to institute a proceeding	Amounts to misconduct	
Officer who withdraws a charge without authorisation from DPP		
Failure to comply with conditions of a sentence	1 month	E1 000

Seizure of Weapons

Section 149 of SODV Act

If the respondent threatened to use a weapon against the aggrieved person, or said that he wanted to kill the aggrieved person, a police officer must take all firearms and dangerous weapons from him, and take the matter to court.

The court orders the seizure (taking) of weapons if the affidavits (sworn statements) show that:

- ✚ The respondent threatened to use a weapon;
- ✚ Showed an intention to kill or injure himself or any person in a domestic relationship using a weapon;
- ✚ The respondent is inclined to violence, abuses substances, or if his or her state of mind makes it risky to have a weapon.

Any weapon taken by a court order can only be returned to the respondent or owner when the court allows it.



Arms and Ammunition Act No. 24 of 1964

Section 18: Declaration of unfitness to possess a firearm

Based on an application made by a police officer, a magistrate may declare any person unfit to possess a firearm of any description for a period of five years and order him to deliver any firearm or ammunition in his possession and owned by him to the nearest police station. Failure to obey this order can lead to 5 years' imprisonment.

Section 20: Carrying a firearm

No person shall, without lawful authority or reasonable excuse, the proof of which shall lie with him, carry a firearm. Carrying a firearm can lead to 1 year's imprisonment.

Section 23(1): Carrying a firearm while drunk or disorderly

It is an offence to carry a firearm while drunk or behaving in a disorderly manner. This can lead to 2 years' imprisonment.

Section 23(2): Pointing a firearm

It is an offence to, without lawful excuse, point any type of firearm or weapon at a person. This can lead to 2 years' imprisonment.

Section 30: Production of documents

A police officer can at any time ask to inspect the registration documents or licence of a weapon. Failing to produce the documents can lead to 6 months' imprisonment.

6

REPORTING SEXUAL OFFENCES

Duty to Report

Section 70 of SODV Act

A person who witnesses or receives any information about a sexual offence or has reasonable grounds to believe an offence has taken place, has a **duty to report the offence to the police**.

Any person who **coerces, forces or persuades a victim** of a sexual offence not to report the offence or to withdraw a complaint, is guilty of a criminal offence.



Section 33 of the Children's Protection and Welfare Act places a duty on a health worker who believes that a child is physically, emotionally, psychologically or sexually abused, to report this to a social worker or police officer. Failure to report can lead to a fine of E10 000 or 6 months in prison.

Priority of SODV Act Cases

Section 192 of SODV Act

Police officers and courts must give **priority** to cases involving sexual offenses or domestic violence.



The Children's Protection and Welfare Act says that a **child is in need of care and protection if the child is at risk of physical, psychological, emotional or sexual abuse** by a parent, guardian, family or extended family. A child is also in need of care and protection if there is a risk that the child will be abused and no person is likely to protect the child from abuse (section 23)

Medical Treatment for Victims

Sections 72-76 of the SODV Act

Any police officer who deals with a victim of a sexual offence or of domestic violence must inform the victim of the availability of **counselling and other support services**, and the availability of **Post Exposure Prophylactics (PEP)** to prevent HIV infection.

A prosecutor dealing with any case arising under this Act is obligated to **refer all child victims** to those agencies available to help children prepare for court.

The Minister of Health must prescribe **treatment norms, protocols and procedures** for attending to victims of sexual offences.

Any **qualified nurse or medical practitioner** may examine a victim of a sexual offence with the consent of the victim. If no qualified practitioner is available, and a delay will "render the examination non-effective," **any adult person** may examine the victim with their consent.

In the case of a child, an examination may only be carried out if it is in **the best interests of the child**.

Any health worker examining a victim of a sexual offence must do so in a manner that **minimises the effects of secondary trauma** on the victim.

Interviews with Children

A police officer investigating an offence under the Act, must take the following measures in relation to **child victims**:

- ✎ **Interview** child victims or witnesses using an **electronic recording device** as soon as possible after the offence was reported;
- ✎ Refer the child to a **counselling service** as soon as possible after the offence was committed;
- ✎ Re-interview a child only if it is in the best interests of the child, and after the child has received counselling.



The Children's Protection and Welfare Act says that every child must be protected from harm and the **best interests and welfare of a child** are the most important consideration. The Act further says that a child must be kept informed of matters affecting the child and the views of the child **must** be considered.

National Register for Sex Offenders & Employment Restrictions

Sections 56 - 68 of the SODV Act

The Act provides for the establishment of a **National Register for Sex Offenders**, to be led by an appointed **Registrar**.

The objects of the Register are to **protect victims of sexual offences**, particularly children and persons with disabilities, and to **inform employers and other relevant authorities**, such as those dealing with fostering, care-giving, and adoption.

The Register will contain the particulars of **all persons convicted of any sexual offence**, whether committed before or after the commencement of the Act, either in or outside Eswatini. The Registrar is held to strict **confidentiality requirements**.

Persons who have committed sexual offences against **children and persons with disabilities** are prohibited from **working with** children or persons with disabilities. Such persons are further prohibited from becoming the **foster parent, care-giver or adoptive parent** of a child, or the **curator** of a person with a mental disability.

Almost **any person** may apply for a **certificate** containing information on **whether or not a person is in the Register**. This includes employers, licensing and other authorities, and any employee or other person in respect of their own particulars.

Employers may apply for such a certificate in respect of their **employees** at any time before or during their employment. An employer may **dismiss an employee** or **not employ an applicant** whose particulars are recorded in the Register. An employer **can also dismiss** an employee who **fails to disclose** that their particulars are recorded in the Register. An employer must take steps to prevent an employee recorded in the Register from **gaining access to a child or person with a disability**.

An employee at the commencement of the Act who has been convicted of a sexual offence, regardless of when the offence occurred, is **required** to **disclose the conviction** to his employer. All persons who have been convicted of a sexual offence must **disclose their convictions** when applying for employment.

7

PROVING SEXUAL OFFENCES

Abolishment of the Cautionary Rule

Section 49 of SODV Act

A court may not treat the evidence of a witness in criminal proceedings with caution, or **call for corroboration** thereof, just because the witness is a **complainant of a sexual offence** or a **child**. The Act abolishes (gets rid of) what is known as the **cautionary rule**, which was based on the idea that women are habitually inclined to lie about being raped, and falsely accuse men. Courts in Eswatini have previously explained that the cautionary rule is “**outmoded, arbitrary, discriminatory of women and empirically false.**”

The Act further accepts as evidence statements made by children or persons with mental disabilities.

Delay in Reporting

Section 50 of SODV Act

In criminal proceedings involving the alleged commission of a sexual offence, a court may not draw any inferences from the **absence of previous consistent statements**, or from the **length of delay** between when the offence took place and when the victim reported it to the police.

Guiding Principles on Interpreting Testimony

Section 51 of SODV Act

The Act sets out **guiding principles** for courts to follow in cases involving sexual offences:

- ✚ **A court cannot assume a victim consented** by reason of any words or conduct of a victim, where **force, threats or circumstances** affected the ability of the victim to give voluntary and genuine consent;
- ✚ **A court cannot assume a victim consented** by reason of any words or conduct of a victim, where the victim is **incapable** of giving voluntary and genuine consent;
- ✚ **A court cannot assume a victim consented** by reason of the **silence of, or lack of resistance by**, a victim to the alleged sexual offence;
- ✚ The **credibility, likely conduct or character** of a victim or witness **cannot be assumed** by reason of the **sexual nature of the prior or subsequent conduct** of a victim or witness.

Evidence of **surrounding circumstances** and of the **impact of a sexual offence upon a victim** may be given during the trial to prove that a sexual offence has been committed; and for sentencing purposes, to show the harm suffered by the victim.

Hearsay evidence may be admissible in proceedings brought under the SODV Act, in **exceptional cases**. Exceptional cases include cases where the victim is fourteen years of age or less; is a vulnerable elderly person; has a mental or psycho-social disability; or has a visual, hearing or speech impediment.

Protective Measures for Witnesses

Sections 156 – 172 of SODV Act

In court, the magistrate or judge must make sure that cross-examination of witnesses are done in a manner that does not harass the witness. The Act states that a child should not be cross-examined at a preliminary hearing except in very limited circumstances.

A court must take note of the age, gender, health, nature of crime, and other factors, and if needed shall **take appropriate measures to protect** the safety, physical and psychological well-being, dignity and privacy of victims and witnesses.

The court can declare someone a **vulnerable witness**, in which case protective measures can be applied when the witness testifies. In the case of a child giving evidence about a sexual offence, the court must exclude all persons from the room, other than **essential persons**.

Who are 'essential persons'?



- A party to the proceedings
- The lawyer of the party
- The prosecutor
- A person who the court feels is necessary to properly conduct the proceedings
- A support person for the child
- A person who applies to be present and who serves a proper purpose and whose presence is not against the child's best interest.

Witnesses can be 'vulnerable' on the basis of:



- Age
- Intellectual, psychological or physical impairment
- Trauma
- Cultural differences
- Language or religion
- Relationship of the witness to any party in the proceedings
- Nature of the subject matter of the evidence
- Being the victim
- Being a child

Persons who are declared **vulnerable witnesses** are entitled to the following **protections**:

- ✎ Give evidence by means of closed circuit television;
- ✎ Give evidence through an intermediary;
- ✎ Give evidence in camera;
- ✎ An order preventing publication of any information on the identity of the witness.

A child who gives evidence is entitled to have a **support person** close to the child and in the child's sight while the child gives evidence.

8

IMPLEMENTATION OF THE SODV ACT

Training on the SODV Act

Section 191 of SODV Act

The Act provides that "as soon as practicable" after the coming into force of the Act, persons who have duties to perform under the Act must attend **training** on:

- **Domestic violence** and in particular covering the **types of violence** and the **cycle of violence**;
- **Societal attitudes** towards violence and sexual assault and how they can impact on decision makers;
- **Working with survivors** of domestic violence and sexual violence including child victims;
- **Interviewing children**;
- The role of the **court intermediaries**; and
- Any other incidental training.

The Act specifies that the above training should not be limited to persons in the **Domestic Violence, Child Protection and Sexual Offences Unit**.

Interpreting the SODV Act

The Eswatini legislature passed the SODV Act in 2018. Reported High Court judgments since the passage of the law have tended towards a progressive and affirmative interpretation of the legislation.

In *Shabalala v Rex*, the High Court of Eswatini stated clearly that 18 was the age of consent (Case No. 20/2019, [2019] SZHC 50).

In *Ngozo v The King*, the High Court dismissed an appeal by a man sentenced to 8 years in prison after being caught attempting to rape a 23-month old child. In doing so, the court noted that through passing the SODV Act, the legislature had recognized the need to increase efforts to deter sexual violence and domestic violence, particularly against vulnerable victims (Case No. 296/2018, [2018] SZHC 262).



Section 196(2) of the SODV Act says that where there is any inconsistency between the provisions of the Act and any other law, other than the Constitution, the SODV Act is the law which must be applied.

The **Children's Protection and Welfare Act** says that where any law has less protections than the Act, the provisions of the Children's Act must be applied.

Monitoring Implementation of the SODV Act

Magistrates must make sure that court clerks are trained and properly implement their duties under the SODV Act.

Station Commissioners must make sure that police officers are trained and properly implement their duties under the SODV Act. The Minister responsible for Children, Gender and Family Affairs, in consultation with the Minister responsible for Justice, can prescribe policy directives for the proper implementation of the Act by the police and prosecutors.



#MeToo

STOP VIOLENCE AGAINST WOMEN

Love doesn't hurt. Be part of the solution.
My body, my health, my choice.



STOP GENDER AND SEXUAL VIOLENCE AND DISCRIMINATION

Campaign promoted by Chakaza Mfati "Women Network", The Rock of Hope, Swaziland Action Group Against Abuse, Swaziland Rural Women Assembly, Domestic Workers Union, Voice of Voices, Women and Law Southern Africa Eswatini.

 My Body My Rights


#RIGHTS4ALL



#MeToo

STOP VIOLENCE AGAINST GIRLS

**I am a girl, I am a student, I am the
future: Protect and Respect me**



STOP GENDER AND SEXUAL VIOLENCE AND DISCRIMINATION

Campaign promoted by Chakaza Mfati "Women Network", The Rock of Hope, Swaziland
Action Group Against Abuse, Swaziland Rural Women Assembly, Domestic Workers
Union, Voice of Voices, Women and Law Southern Africa Eswatini.

 **My Body My Rights**



