

Milestones and Gaps Associated with Policy and Legislative Framework in Upholding the Rights of Victims of Crime in South African Context

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ABSTRACT Apparently, there are doubts whether the policy and legislative environment of South Africa aptly upholds the rights of the victims of crime. This prompts the need to evaluate the possible milestones and gaps associated with the environment. This paper has evaluated the effectiveness of the policy and legislative framework in safeguarding the rights of the victims of crime. The paper has used a literature review methodology. The paper has discussed South African bill of human rights, Victims Charter and Domestic Violence Act; restitution and the promulgation of a robust policy and legislative framework. It has also noted that policies and legislative frames are not adequately operationalized and implemented; legal processes display many execution gaps; and South Africans live under fear of being potential candidates of victimisation; and has elucidated the role of social workers in victim empowerment process. The paper has made the following recommendations: Societies need to be educated on the existence of the policy and legislative policies, and their content thereof; societies should also be advised to take precaution to avoid being victims of crime; the government to partner with NGOs and other private groups to mobilize, sensitize and educate the communities on the need to avoid being victims of crime; the offenders' penalty should be commensurate with the gravity and seriousness of the crime. For example, murders should be hanged. This should bring the country to reinstate capital punishment. This is because apparently the state of punishment in the country does not appear to deter the same people reoffending and therefore largely victimising a larger population.