



Commission On Gender Equality

COMMISSION ON GENDER EQUALITY GENDER-BASED VIOLENCE CONFERENCE

Day 1 Monday 17 2008

On the opening night of the conference, the CGE highlighted several facts that indicate that violence against women prevails to alarming proportions in South Africa.

In particular, the KwaZulu-Natal office of the CGE, which is the location of the conference, conducted research on the issue.

The information below highlights the state of gender-based violence in KZN:

- The now infamous story about Zandile Mpanza, who was stripped off of her pants because this was 'banned'. The CGE is a litigant in the matter which has been brought to the equality court.
- Two girl-children, 2 and 8 years old, raped by a relative; who was then released without explanation.
- Learner raped by a teacher (sentenced to life).

In other provinces the state of gender-based violence reveal a strong indictment against the country, inter alia:

- Yet another highly-publicised incident of a woman being victimised because of her manner of dress.
- The lesbian couple killed because of their sexual orientation
- A 10-year old made pregnant and thereby denied of her childhood for the victim.

Are we doing enough to fight the problem of such victimisation – or are we looking away and hope the problem goes away? In answer to this and other similar questions, several findings emerged from the research.

- Data not easily accessible
- Data not well-coordinated and easily available
- Police statistics are not in tandem with those of the courts
- A case is not classified as gender-based violence unless there is a protection order

- Majority cases are either closed as:
 - Undetected: 39% in 2006 and 17% in 2007
 - Withdrawn in court: 25% in 2006
 - Remanded: 12% and 2006 and 32% in 2007 ...or booked out to the provincial commissioner
- Some cases are thrown out of court due to some technicalities (“unconvincing”, etc.)
- In some cases, reported gender-based violence, sexual abuse, is wrongly recorded as assault
- Medical assessments (eg mental fitness) to stand trial are mismanaged
- Information on the location of administration of justice, eg sentencing, is inconsistent
- Convictions of prosecuted gender-based violence cases are very low: mainly below 20%
- Administrative constraints play a key role as well – under-staffing, infrastructure, etc.

The CGE was faced with several challenges, in conducting its research, particularly with respect to making contact with police station and establishing available and reliable data.

This includes emerging trends in acts of gender-based violence, including:

- sodomisation of boys;
- rape of very young children; and
- increase in rape of the elderly women, in some cases by their own relatives.

These points underscore the impact on monitoring role for the CGE.

Information released by the Commission on Gender Equality

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