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GENDER-BASED VIOLENCE

RESOURCE GUIDE

Violence and abuse are poison to society. Let's make it stop.



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Department:
Government Communication and Information System
REPUBLIC OF SOUTH AFRICA

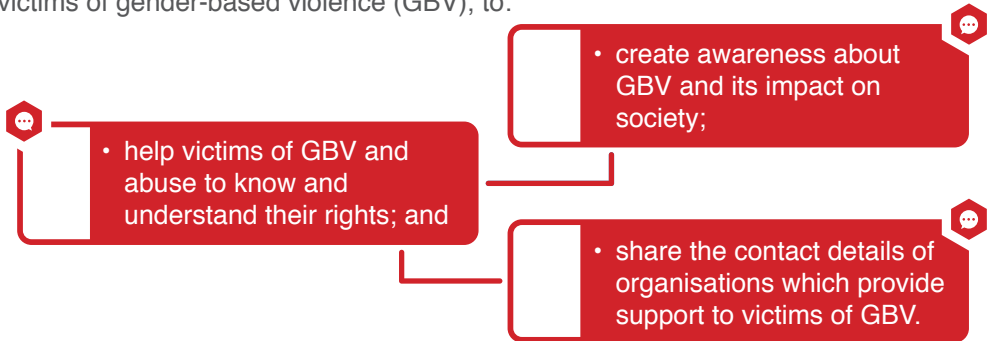


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1. Purpose of the booklet

This booklet aims to provide information to individuals and communities, particularly victims of gender-based violence (GBV), to:



The information provided in this booklet is not a checklist or an exhaustive list of options available to victims of GBV. There are many other organisations which render invaluable services in the fight against the scourge of GBV.

2. What is GBV?

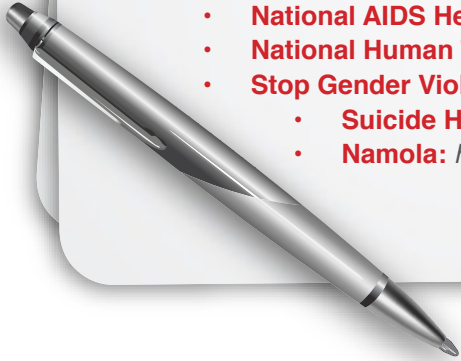
The United Nations (UN) Declaration on the Elimination of Violence against Women describes GBV as follows: Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life ... Violence against women shall be understood to encompass, but not be limited to, the following: physical, sexual and psychological violence occurring in the family [and in the community], including battery, sexual abuse of female children ..., dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation ... sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution ... and violence ... perpetrated or condoned by the State.

3. What is domestic violence?

Domestic violence is the most common form of GBV among partners. It refers to forms of abuse which include physical abuse; emotional, verbal and psychological abuse; economic abuse; intimidation; harassment; stalking; damage to property; etc. However, any abusive or controlling behaviour that threatens the health, safety and well-being of the complainant also amounts to domestic violence.

4. Emergency contact numbers:

- **GBV Command Centre:** 0800 428 428 / *120*7867
from any cellphone
People with disabilities, SMS 'help' to 31531
- **Childline:** 0800 055 555
- **South African Police Service (SAPS) Crime Stop:**
08600 10111 / SMS Crime Line: 32211
- **National AIDS Helpline:** 0800 012 322
- **National Human Trafficking Helpline:** 0800 222 777
- **Stop Gender Violence:** 0800 150 150
 - **Suicide Helpline:** 0800 567 567
 - **Namola:** <https://namola.com>



5. What to do if you or someone else is being abused?

- **Provide the necessary help and support** to a friend, family member or someone else who has experienced or is experiencing GBV.
- **Do not suffer in silence:** If you are being physically, psychologically (mentally), emotionally or sexually abused, talk to someone you can trust such as a friend, neighbour, relative, spiritual leader or elder, doctor or counsellor.
- **Get professional help by:**
 - ✓ opening a criminal case against the abuser for rape, sexual assault or physical violence.
 - ✓ applying for a Protection Order at your nearest Magistrate's Court.

6. What is a Protection Order?

It is a written order that is issued by a Magistrate to stop any person from committing any act of domestic violence against another person with whom he or she has a domestic relationship.



- The person who seeks the Protection Order is referred to as the complainant while the person who has or allegedly committed an act of domestic violence and against whom the Protection Order is applied for is called the respondent.
- The complainant of domestic violence must be or must have been involved in a domestic relationship with the respondent to qualify for a Protection Order. In terms of the Domestic Violence Act of 1998 (as amended), a domestic relationship means a relationship between a complainant and a respondent if they:
 - ✓ are or were married to each other in terms of any law, custom or religion.
 - ✓ are of the same or opposite sex, live or have lived together in a marriage or single relationship.
 - ✓ are the parents of a child or are persons who have or had parental responsibility for that child.
 - ✓ are family members related by blood relation, affinity or adoption.
 - ✓ are or were engaged, dating or in a customary relationship.
 - ✓ share or recently shared the same residence.

7. Persons who can apply for a Protection Order:

- The victim of domestic violence;
- Any minor without the assistance of a parent, guardian or any other person; Any person on behalf of the minor without the assistance of the minor's parent, guardian or any other person;
- Any person on behalf of the complainant who has a material interest in the well-being of the complaint including counsellors, health workers, police officers, social workers or teachers. The written consent of the complainant is required, unless the complainant is a minor, mentally retarded, unconscious or is found by the court to be unable to give such consent.

The respondent will only be arrested upon breach of the terms of the order by failing to comply with the terms, such as persisting with the physical or verbal abuse.

“There are several intersections between violence experienced by women and violence against children.

“The effects of trauma on children are quite severe and last well beyond the immediate instances of violence.

“Children who experience violence are more likely to experience violence or become perpetrators of violence in adulthood.” – **President Cyril Ramaphosa, Presidential Summit Against GBV and Femicide, 1 November 2018.**

8. Forms of abuse in terms of the Domestic Violence Act of 1998, as amended.



Physical Abuse may include, but is not limited to:

- shoving, slapping, punching, kicking, throttling and biting.
- assault with objects, guns, knives or any other dangerous weapon.

Sexual Abuse may include, but is not limited to:

- rape, attempted rape and indecent assault.
- ongoing verbal abuse with sexual slurs such as bitch, whore, slut, etc.

Emotional, Verbal and Psychological Abuse may include, but is not limited to:

- constant insults, ridicule or name calling.
- repeated threats of violence or death to cause emotional pain.

Economic Abuse may include, but is not limited to:

- selling of shared property such as livestock or matrimonial house without the consent of the victim.
- accessing a joint bank account for personal use without the consent of the victim.

Intimidation may include, but is not limited to:

- written or verbal death threats.
- sending strange objects such as beheaded dolls, small coffins, dead flowers or dead pets to the victim.

Harassment may include, but is not limited to:

- repeatedly watching the victim outside or near her/his house, workplace, school or business premises or any place where she/he happens to be.
- constantly phoning the victim or causing another person to phone the victim, whether or not the caller speaks to the complainant.

Stalking may include, but is not limited to:

- constantly approaching the victim and asking or demanding to talk to her/him against her/his will.

Damage to property may include, but is not limited to:

- breaking the window or door to gain entry into the victim's property.
- cutting, breaking or damaging in any other manner shared furniture or the victim's clothes.

Unauthorised entry into the victim's residence may include, but is not limited to:

- using a duplicate key to gain access to the victim's property.
- jumping the wall to gain access to the victim's property.

Femicide involves the murder of a female partner by an intimate male partner, usually using strangulation or weapons such as a knife or firearm.

9. Sexual crimes to be reported to the SAPS include the following:

- **Rape** occurs when a person has sexual penetration with a victim without their consent. The law also makes it a crime for one person to force another person to rape a victim. This is known as **compelled rape**.
- **Sexual Assault** occurs when a person sexually violates the victim by, for example, touching the genital organ of the victim or causing the victim to touch his/her genital organ. The law makes it a crime for one person to force another person to sexually violate a victim. This is known as **compelled sexual assault**.
- **Compelled Self-Sexual Assault** occurs when a person compels the victim to masturbate or engage in any form of self-sexual arousal or stimulation.

- ‘**Flashing**’ happens when a person displays his/her private parts to a victim without their consent.
- **Sexual Exploitation** of children/persons who are mentally disabled occurs where a person engages the sexual services of a child victim or a mentally disabled person with or without consent, for financial favour or reward. This is generally known as **child prostitution**.
- **Sexual Grooming** of children/persons who are mentally disabled means making a child or a mentally disabled person sexually ready with the aim of committing a sexual act with such child/mentally disabled person.
- **Child Pornography** occurs when a person or company uses a child to make pornographic material for a reward or money, with or without the consent of the child.



“When abuse occurs in a situation of trust, whether in the family, the church, in schools or elsewhere, the sense of betrayal is intensified.” – *President Cyril Ramaphosa, Presidential Summit Against GBV and Femicide, 1 November 2018.*



10. Organisations which contribute to the fight against GBV include the following:

Commission for Gender Equality (CGE)

The CGE was established in terms of Section 187 of the Constitution of the Republic of South Africa of 1996 in order to promote respect for gender equality, and the protection, development and attainment of gender equality.

The CGE advances, promotes, and protects, gender equality in South Africa by undertaking research, public education, policy development, legislative initiatives, effective monitoring and litigation.

- **Tel:** 011 403 7182
- **Website:** www.cge.org.za
- **Facebook:**
@Gender-Commission-of-South Africa-223546294482972
- **Twitter:** @CGE_ZA

South African Human Rights Commission (SAHRC)

The SAHRC is the national institution established to support constitutional democracy. It is committed to promoting respect for, observance of and protection of human rights for everyone, without fear or favour.

- **Tel:** 011 877 3600
- **Website:** www.sahrc.org.za
- **Facebook:**
@SAHumanRightsCommission
- **Twitter:** @SAHRCCommission

People Opposing Women Abuse (POWA)

POWA provides counselling, both telephonically and in person, temporary shelter for, and legal help to, women who have experienced violence.

- **Tel:** 011 591 6803
- **Website:** www.powa.co.za
- **Facebook:** @powa.berea
- **Twitter:** @POWA_SA

Childline South Africa

This non-profit organisation helps abused children and their families. It deals with issues such as physical and sexual abuse, substance abuse, behavioural problems and human trafficking, and also provides legal advice.

- **Toll-free helpline:** 0800 055 555
- **Website:** www.childline.org.za
- **Facebook and Twitter:**
@ChildlineSA

Child Welfare South Africa (CWSA)

CWSA focuses on child protection, child care and family development. Neglect and child abuse can also be reported.

- **Tel:** 074 080 8315
- **Email:** info@childwelfare.org.za
- **Website:**
www.childwelfare.org.za
- **Facebook:** @childwelfare
- **Twitter:** @childwelfare_sa

Family and Marriage Association of South Africa (FAMSA)

FAMSA provides counselling and education to help improve marriages and families. It helps in cases of domestic violence and trauma, divorces and mediation.

- **Tel:** 011 975 7106/7
- **Email:** national@famsa.org.za
- **Website:** www.famsa.org.za

TEARS Foundation

TEARS Foundation provides access to crisis intervention, advocacy, counselling and prevention education services for those impacted by domestic violence, sexual assault and child sexual abuse. Free confidential services are provided to all victims.

- **Helpline:** *134*7355#
- **SMS:** *134*7355#
- **Tel:** 010 590 5920
- **Email:** info@tears.co.za
- **Website:** www.tears.co.za
- **Facebook:** @TearsFoundationSA
- **Twitter:** @Tears_SA

Tshwaranang Legal Advocacy Centre (TLAC)

The TLAC to End Violence Against Women (Tshwaranang) is a non-profit organisation that promotes and defends the rights of women to live their lives without fear or experience of violence. Its key activities include research, capacity-building and advocacy.

Tshwaranang's overall purpose is to facilitate access to justice for women who have experienced or are at risk of experiencing GBV.

- **Tel:** 011 331 0088
- **Email:** tshwaranang@tlac.org.za
- **Website:** www.tlac.org.za
- **Facebook:**
@TshwaranangLegalAdvocacyCentre
- **Twitter:** @endGBV



“Gender-based violence is an affront to our shared humanity. The unrelenting murder of women – for no reason other than that they are women – is steadily corroding the soul of our nation.” – *President Cyril Ramaphosa, Presidential Summit Against GBV and Femicide, 1 November 2018.*

Thuthuzela Care Centres

Thuthuzela Care Centres are one-stop facilities that have been introduced as a critical part of South Africa's anti-rape strategy, aiming to reduce secondary victimisation, improve conviction rates and reduce the cycle time for finalisation of cases.

Thuthuzela Care Centres operate in public hospitals and communities where there is a particularly high number of rape incidents and they are also linked to Sexual Offences Courts.

The Thuthuzela project is led by the Sexual Offences and Community Affairs Unit of the National Prosecuting Authority.

- Websites for a list of 57 Thuthuzela Care Centres:
www.gov.za/TCC and
<http://issasasa.org.za/>

The Trauma Centre

The Trauma Centre believes violence is predictable and preventable. It contributes towards violence prevention through advocacy, capacity building, research and the provision of mental health services for survivors. It also provides counselling to survivors of domestic and sexual abuse.

- **Tel:** 021 465 7373
- **Email:** info@trauma.co.za

• **Website:**

<https://traumacentre.org.za>

• **Facebook:** @trauma.centre.7

• **Twitter:** @traumacentre

Sonke Gender Justice

Sonke Gender Justice is a non-partisan and non-profit organisation to create the change necessary for men, women, young people and children to enjoy equitable, healthy and happy relationships that contribute to the development of just and democratic societies.

Sonke Gender Justice pursues this goal across Southern Africa by using a human rights framework to build the capacity of government, civil-society organisations and citizens to achieve gender equality, prevent GBV and reduce the spread of HIV and the impact of AIDS.

• **Tel:** 021 423 7088

• **Email:** info@genderjustice.org.za

• **Website:**

<https://genderjustice.org.za>

• **Facebook:**

@SonkeGenderJusticeNGO

• **Twitter:** @SonkeTogether

The Presidential Summit Against GBV and Femicide was held in Centurion, Pretoria on 1 and 2 November 2018.

The Summit Declaration is accessible on:

www.gov.za/sites/default/files/gcis_document/201903/summit-declaration.pdf

“We believe women and men, girls and boys can work together to resist patriarchy, advocate for gender justice and achieve gender transformation.

“When we improve the way we raise our children, we can go a long way to preventing violence against girls and boys.

“We must raise boys and girls with the knowledge and understanding that no person has the right to treat them as inferior or to harm them in any way and that boys and girls are equal in all respects.

“A society that does not support notions of authority and control over women, and does not tolerate violence against women, is more likely to reduce gender-based violence.

“We must name and shame those who perpetrate violence against girls and women.

“Most importantly, we must ensure that our law-enforcement officers are trained to investigate the cases of abuse to get convictions in these cases.” – **President Cyril Ramaphosa, Presidential Summit Against GBV and Femicide, 1 November 2018.**



Sources:

- Department of Justice and Constitutional Development.
- SAPS.
- *Vuk'uzenzele* newspaper.
- UN Declaration on the Elimination of Violence against Women.
- Presidential Summit Against GBV and Femicide.

Websites:

www.gov.za; www.cge.org.za; www.powa.co.za; www.childline.org.za; www.sahrc.org.za; www.childwelfaresa.org.za; www.famsa.org.za; www.tlac.org.za; www.tears.co.za; <https://traumacentre.org.za>; <https://genderjustice.org.za>; www.gov.za/TCC and <http://issasa.org.za>.