

# THE RULE OF LAW AS A DETERRENT TO ADDRESS THE SCOURGE OF GENDER BASED VIOLENCE AND FEMICIDE IN SOUTH AFRICA

Presentation to:

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Parliament of the Republic of South Africa, 28 August 2020

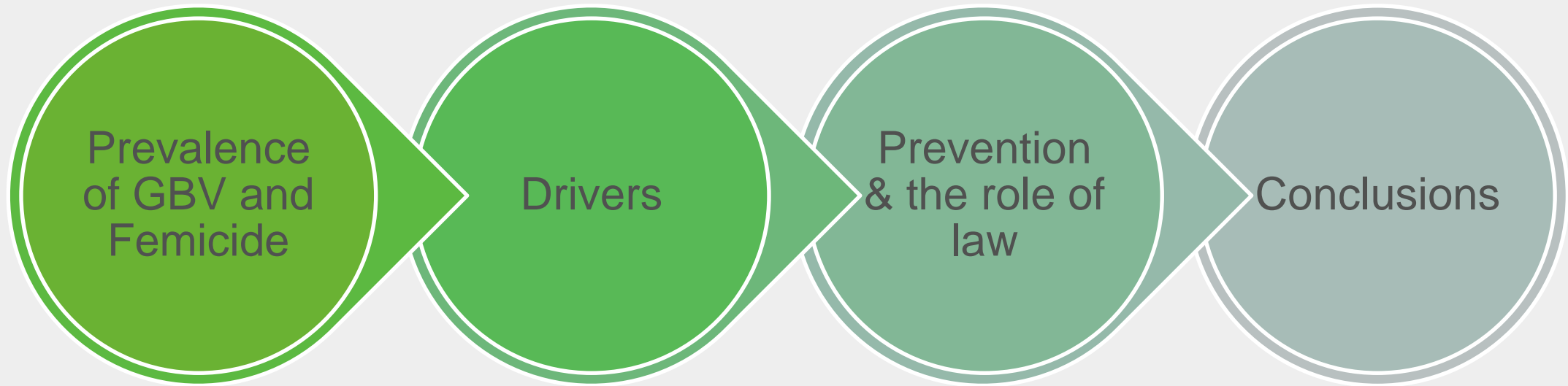
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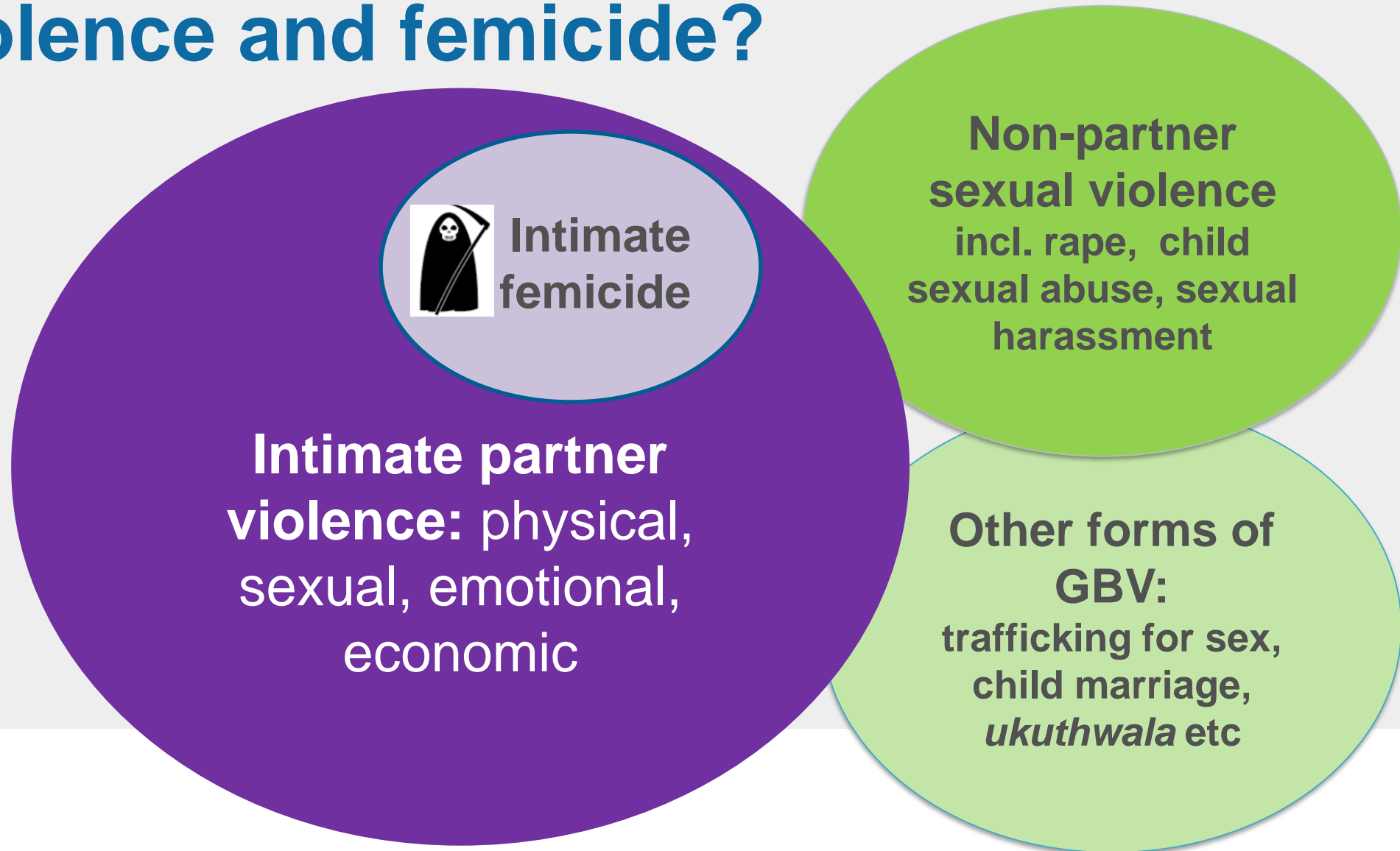
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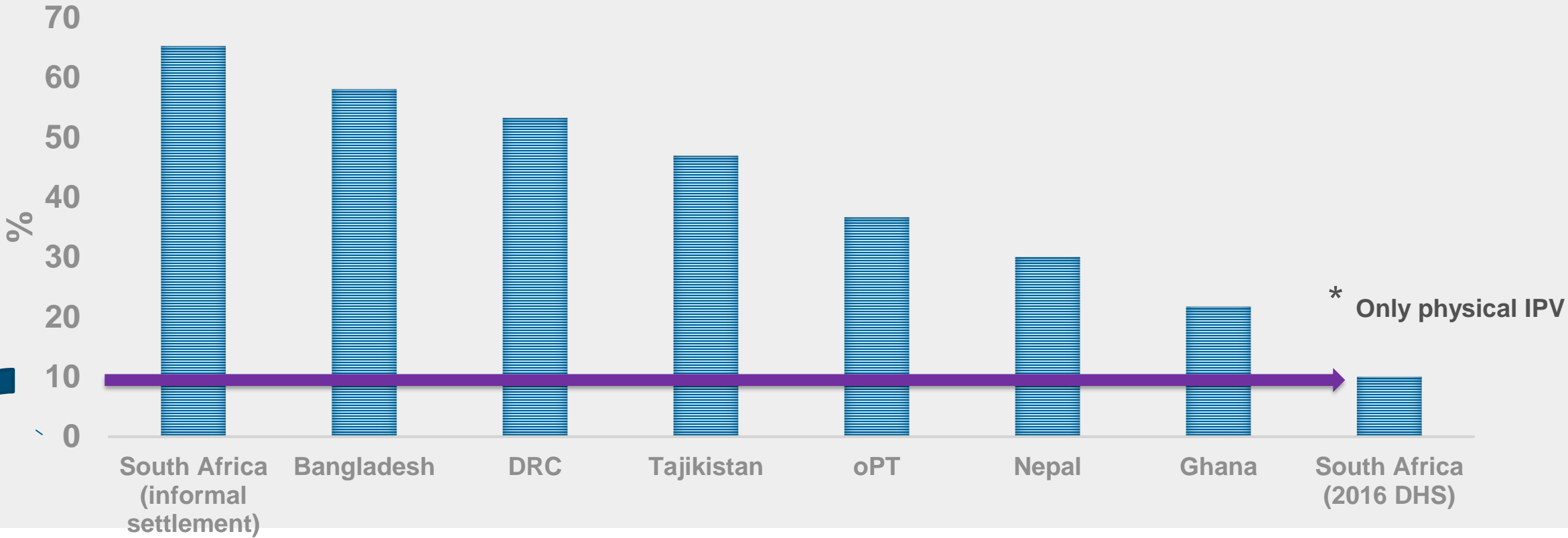


# What do we mean by gender-based violence and femicide?



# SCALE OF THE PROBLEM : Women's experience of physical or sexual violence in the past 12 months

(data from research studies conducted as part of the What Works to Prevent Violence Against Women and Girls? Global Programme)



National figure from 2016 South Africa Demographic & Health Survey

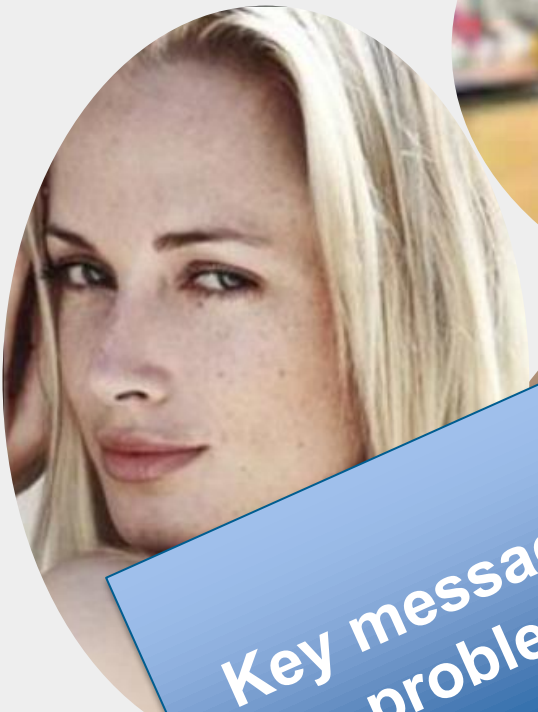
# 20 YEARS OF SAMRC'S NATIONAL FEMICIDE STUDIES



Research conducted in 2 stages:

- 1: Collect data at a nationally selected sample of mortuaries on unnatural deaths
- 2: Collect data from police on each case

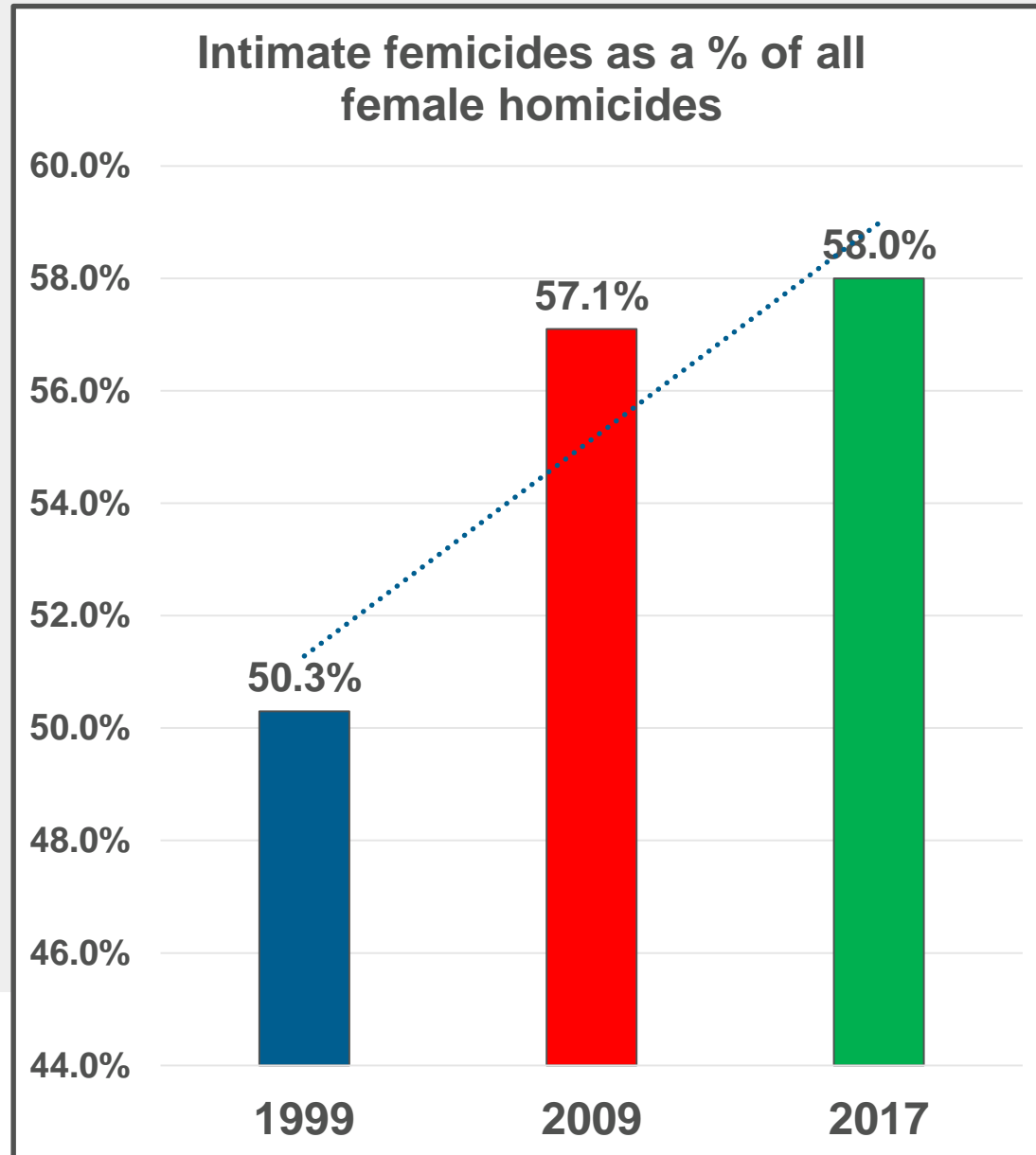
# Intimate Femicide in South Africa



Key message: preliminary research findings are confirming that the problem of intimate femicide is getting worse in the country

- **1999:** Four women a day killed by their current/ex boyfriend or husband
- **2017 :** Preliminary data suggests it is between 3-4 women killed every day (expect it to be similar or higher than 2009)

# Femicide in South Africa: 1999, 2009 & 2017 (preliminary data)



**Global IF as a proportion of all femicides = 36%**

# **GUN VIOLENCE AMONG MURDERED WOMEN**

## **Injury Mortality Survey 2017 : unweighted data**

- 333 women and 3 417 men killed with firearm

## **Femicide 2017 study (40% data completed)**

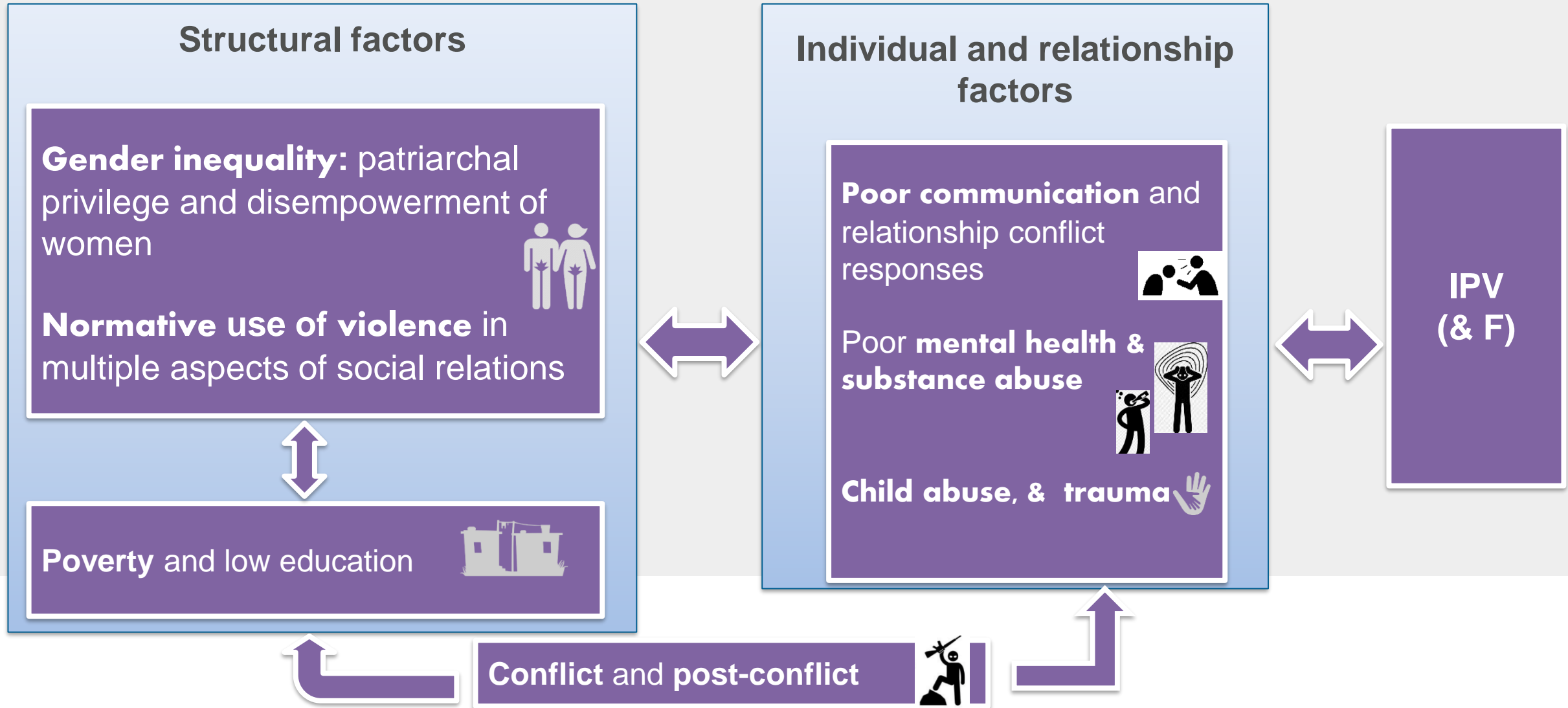
- 1 in 5 women killed with a firearm (22%)



# NOTABLE FEATURES OF PERPETRATORS OF INTIMATE FEMICIDE

- Notably violent men and usually this is not their first act of violence
- Particularly gender inequitable world view, many have notable difficulties in (any) relationships with women
- Particularly traumatic childhood experiences impacting of their personality development and sense of self, leading to feelings of being unloved, inferior and powerless – and pathological ways of seeking respect and power
- Very poor relationship skills
- Poor mental health and substance abuse
- Many of them were raised in poverty, or have financial problems, but IF is not exclusively a problem of the poor
- **They are not very different from other men who are violent towards women, they are just more extreme**

# Drivers of gender-based violence (based on global literature)



# Key interventions on drivers

- Poverty reduction and enhancing school completion for girls and boys
- Measures to promote gender equality and action against violence of all forms including children
- Vigorous gun control
- Reduction in harmful alcohol use
- Extension of funding for mental health services and support for programmes with lay counselling
- Much more vigorous enforcement of protection of children
- Parenting programmes and support for vulnerable parents
- Programmes to build gender equity and counter the use of violence throughout the community

| Classification   | Intervention Type  |
|--|--|
| <p><b>Effective, when well designed and executed</b></p> | <ul style="list-style-type: none"> <li>• Economic transfer programmes.</li> <li>• Combined economic and social empowerment programmes targeting women.</li> <li>• Parenting programmes to prevent IPV and child maltreatment.</li> <li>• Community activism to shift harmful gender attitudes, role and social norms.</li> <li>• School-based interventions to prevent dating or sexual violence.</li> <li>• School-based interventions for peer violence.</li> <li>• Interventions that work with individuals and/or couples to reduce their alcohol and/or substance abuse (with or without other prevention elements).</li> <li>• Couples' interventions (focused on transforming gender relations within the couple, addressing alcohol and violence in relationships).</li> <li>• Interventions with female sex workers to reduce violence by clients (i.e., non-intimate partners) through empowerment/collective action and substance use reduction.</li> </ul> |
| <p><b>Promising, but requires further research</b></p>   | <ul style="list-style-type: none"> <li>• Cognitive behaviour therapy (CBT) with pregnant women.</li> <li>• Self-defence interventions to reduce violence for women at college.</li> <li>• Economic empowerment programmes targeting men.</li> <li>• Interventions with female sex workers to reduce violence by non-paying intimate partners.</li> </ul>   |
| <p><b>Conflicting evidence</b></p>                       | <ul style="list-style-type: none"> <li>• Self-defence interventions to prevent sexual violence for girls at primary and secondary schools.</li> <li>• Working with men and boys alone.</li> <li>• Home visitation programmes in the antenatal and postnatal period to prevent IPV.</li> </ul>  |

Based on a critical review of physical/sexual IPV prevention evidence 2019

**Repertoire of interventions shown to be effective that can be adapted and scaled up**

# Legislative contribution

- This can be made in respect of reducing all of the drivers of violence through laws, promoting policies and ensuring oversight
- Part of the portfolio for action lies in the domain of the CJS. We welcome new sexual offences courts and the Person Identification and Verification Application system at police stations to apprehend 'persons of interest' as well as proposed reforms allowing for online applications for child maintenance and protection orders, as well as legislative amendments
- A critical new role for the legislature is oversight of the work of the National Council on Gender-based Violence and Femicide, and its associated structures, in implementing the National Strategy Plan on GBV and Femicide and its budget

# Ten measures to support ending GBV and femicide

1. **Resources** must be allocated from National Treasury for measures required for GBV and femicide prevention
2. **Effective Parliamentary oversight** of the National Council on GBV and Femicide and its work in implementing the National Strategic Plan
3. **Basic income grant** to reduce most severe poverty
4. **Enhancing school completion** : resourcing pre-school education, teenage pregnancy prevention, homework support, oversight of DBE measures to prevent drop out before matric, action to ensure school year is not lost from Covid
5. **Gun, alcohol and drug control** : enforcement of existing measures, prevention of corruption, action on illegal guns, measures to reduce harmful alcohol use and drugs
6. **Resources for evidence-based prevention programmes** to change harmful masculinities e.g. Stepping Stones and Creating Futures
7. **Resources for mental health programmes**, in the health sector and through community-level interventions including psychotherapy from lay counsellors
8. **Funding for shelters, parenting programmes** for vulnerable parents, more efficient maintenance, protection orders etc
9. **Stronger enforcement of existing legislation**, and judicial review of sentencing
10. **Ensure solid research foundation** to guide the GBV prevention strategy and monitor and evaluate its impact

# Conclusions

- A package of measures is required to prevent gender-based violence, including its extreme manifestation in femicide
- Research shows that it is possible to prevent gender-based violence in the short to medium term with the right interventions
- There is a very important legislative role that encompasses measures in the criminal justice system, but has a far wider reach with measures across a number of areas of the social cluster
- There is a solid basis of knowledge from research conducted over 3 decades into measures needed for GBV prevention
- The challenge for Parliament is to ensure that there is the political support and funding for the programme of work