

Media Statement

Monday 28 November 2016

A collective agenda driven by women's rights advocates and government is the only effective way to ensure better access to justice and essential services for vulnerable women.

The levels of domestic violence against women is high across all racial and economic demographics in South Africa. To combat the shockingly high number of cases, women's rights advocates and government need to drive a collective agenda to ensure better access to justice and essential services for vulnerable women. At the start of the 16 Days of Activism the Women's Legal Centre (WLC) commits itself to highlighting the following issues:

- ***The comprehensive implementation of Sexual Offences Courts (SOC's)*** – the Department of Justice began the roll out of SOC's in 2013, focussing on infrastructure, specialised personnel and services for victims/survivors. WLC is concerned that many of the established SOC's do not comply with the SOC Model endorsed by the Department, and that the legislative framework which provides for SOC's has not been put into operation. The achievement of both of these aspects of SOC's is essential in providing equal access to justice for all women who are subjected to gender based violence
- ***The decriminalisation of sex work***—this would be a progressive and proactive step forward in supporting the rights that are enshrined in our Constitution, limiting the risk of HIV infection for sex workers and progressing towards curbing the abuse experienced by sex workers at the hands of customers, employers and the police.
- ***The contribution of rural women*** to enhancing agricultural and rural development, improving food security and eradicating rural poverty is not always recognised. Life for rural women is tough—their rights are not recognised—they continue to face more difficulty than men in accessing public services, agricultural inputs, social protection and employment due to cultural norms, security issues and lack of identification papers
- ***The practice of forced sterilisation*** in public hospitals continues and government should to more to investigate cases especially with regard to women who are HIV positive—sterilisation should be based on full, free and informed consent
- ***The recognition of Muslim marriages*** which adversely impacts on Muslim children

While the South African government is to be commended for beginning to put in place robust programmes in the criminal justice system such as the Sexual Offences Courts and the Thuthuzela Care Centres, which provide access to services and support for victims of sexual offences, women of all ages still experience inequality in both the public and private spheres of their lives. In addition, they continue to experience secondary victimisation when they engage with the criminal justice system. The violent nature of crime affects everyone but more so women, children, the elderly and people with disabilities.

Notwithstanding government initiatives, a strong legislative and policy-enabling environment aligned with international conventions, the rights enshrined in the Constitution and other innovative pieces of legislation, discriminatory practices, social norms and persistent stereotypes continue to shape inequitable access to opportunities, resources and justice for women and girls. Despite a comprehensive set of government programmes and dynamic civil society services, gender-based

violence continues to undermine women's full realisation to the Constitutional rights of equality and to be free from all forms of violence. There are still many challenging issues facing women in South Africa which are deeply ingrained in our history and culture. These challenges need to be highlighted to create awareness and dedication to the ongoing struggle. The WLC supports women fighting for justice, equal rights and legislative changes. We seek to empower women by educating them about their rights, providing legal advice, working to provide a safe environment for women and girls, and litigating where appropriate to ensure State accountability and changes to the law.

Please note that during the 16 Days of Activism campaign we will be releasing specific commentary on the issues mentioned in this statement.

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