

REPORT ON WOMEN'S PARLIAMENT

2020

**HELD AT PARLIAMENT OF SOUTH AFRICA
ON A HYBRID VIRTUAL PLATFORM**

DATE: 28 AUGUST 2020

THEME

Generation Equality:

**Advancing our collective efforts to end Gender Based Violence
and Femicide**

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1. INTRODUCTION

On 28 August 2020, the Parliament of the Republic of South Africa hosted a hybrid Women's Parliament. Some of the delegates were physically present at Parliament's National Assembly Chamber while others participated via the Zoom virtual platform. The session was convened under the theme, "*Generation Equality: Advancing our collective efforts to end Gender-Based Violence and Femicide (GBVF)*", with the following objectives:

- A three sphere report back session, to appraise the nation on progress made to implement GBVF and economic empowerment executive undertakings.
- Receive detailed reports on challenges that prevent accelerated progress.
- Receive action plans to end GBVF to be undertaken over the next 12 months.

The 2020 Women's Parliament created a platform for reflecting and reporting back about progress and challenges in the implementation of the National Strategic Plan (NSP) on GBVF including the Emergency Response Action Plan (ERAP). The honest, transparent and true reflection by delegates paved a way for strengthening of collective efforts in eradication of GBV.

The delegates noted the challenges brought about by the novel corona virus (COVID-19) which not only led to an increase in incidences of GBVF, but also left many women more vulnerable due to loss of income. In this regard, the delegates called for urgent, intensified, and responsive implementation of all key undertakings, coupled with adequate funding, effective oversight, monitoring and evaluation.

SESSION ONE

2. OPENING REMARKS: MS SE LUCAS, MP - DEPUTY CHAIRPERSON OF THE NCOP

The Deputy Chairperson of the National Council of Provinces (NCOP), Ms Sylvia Lucas (MP), delivered the opening remarks and welcomed all delegates to the first hybrid Women's Parliament. Ms Lucas reflected on resolutions and highlights of the first Women's Parliament for the sixth Parliament which was convened in August 2019. She reminded the delegates of a resolution taken during the 2019 Women's Parliament, to intensify efforts to eradicate GBVF due to pervasive levels in South Africa.

Ms Lucas reflected on the ERAP as announced after an urgent Parliament Joint Sitting Debate convened by the President of the Republic of South Africa in response to rising levels of GBVF in 2019. She also highlighted the key purpose of the 2020 Women's Parliament was to provide feedback on the progress made on the Executive's undertakings in implementing the actions and interventions made to address the scourge of GBVF. Ms Lucas went on to state that Sectoral Parliaments create a very strategic platform to bring together leaders from various spectrums in the country to debate and share ideas. She noted that the platform is not just to lament but to look closely at the living conditions of South Africans.

Ms Lucas emphasised the importance of giving effect to resolutions taken during previous Women's Parliaments. In this regard, she detailed progress about a process to review the 1994 Women's Charter for Effective Equality, and, hosting a summit aimed at strengthening national gender machinery as an attempt to respond to the recommendations made at the 2019 Women's Parliament. The need for an urgent programme of actions from the three arms of state was also stressed. Hence the inclusion of all three arms of state in this year's Women's Parliament programme. She described the 2020 Women's Parliament as a platform to distil points of views that must shape and influence state policy on GBVF. Ms Lucas highlighted that the 2020 Women's Parliament was a demonstration of a Parliament that is engaging and responsive to the needs of the people of South Africa.

3. KEYNOTE ADDRESS ON BEHALF OF HIS EXCELLENCY THE PRESIDENT: MS M NKOANA-MASHABANE, MP - MINISTER IN THE PRESIDENCY FOR WOMEN, YOUTH AND PEOPLE WITH DISABILITIES

Generation Equality: Advancing our collective Efforts to end Gender Based Violence and Femicide - Giving an Overview of Progress made in implementing 2019 ERAP GBVF Executive Undertakings.

The Minister of Women, Youth and Persons with Disabilities, Ms Maita Nkoana-Mashabane expressed gratitude to be addressing the 2020 Women's Parliament, convened in line with the call for global Generation Equality. The Minister informed the delegates that South Africa is proud to be associated with the United Nations Generation Equality campaign, and that, the country is committed to the Action Coalitions transformative agenda which include eradication of the scourge of gender-based violence (GBV).

The Minister noted some of the country's achievements in advancing women's rights, including improvement in political representation, decision making positions, and women's participation in the economy. However, she noted that this progress is undermined by the scourge of GBVF. The Minister mentioned that the 2020 Women's Parliament is meant to gauge progress made by the Executive in the fight against GBVF, and to identify concrete measures to intensify the existing efforts. She informed the delegates that through the ERAP, the South African government has made the following progress:

- Redirected substantial resources to combat GBVF;
- Increased the number of shelters and care centres for survivors;
- Improved the capacity of police officers to deal with crimes of sexual violence; and
- Improved the services to women and children who have to go through the criminal justice system.

The Minister informed delegates that South Africa has made significant progress in reforming laws to afford greater protection to survivors of domestic and social violence. This includes the adoption of the 2020-2030 National Strategic Plan on GBVF in May 2020. The Minister commended the inclusion of reporting about economic empowerment of women during the 2020 Women's Parliament. She informed the delegates that women's financial circumstances

often force them to remain in abusive relationships. Ms Nkoana-Mashabane also made an observation on the gender pay disparities and how women-headed households are more likely to be poorer than male-headed households as a result. Furthermore, the Minister reported the commendable commitments made by the government to address gender equality, which include the following initiatives:

- Increasing the public procurement supporting women-owned Small, Medium and Micro Enterprises (SMMEs);
- Eliminating gender pay disparities; and
- Promoting women in the land reform processes.

The Minister echoed the sentiments of the Deputy Chairperson by emphasizing the need for all stakeholders to work together to give effect to the rights of women and to achieve the global 2030 gender equality target.

4. LEGISLATIVE SECTOR APPROACH: MR LS TSENOLI, MP – DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY

ADVANCING AN EFFECTIVE LEGISLATIVE SECTOR RESPONSE IN THE FIGHT AGAINST GENDER-BASED VIOLENCE AND FEMICIDE: AN OVERVIEW OF THE LEGISLATIVE SECTOR'S RESPONSE

The Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli (MP) provided an overview of the role of the legislative sector in addressing the scourge of GBVF. He pointed out the role of legislators in creating a non-racial, non-sexist and democratic society, resulting in an egalitarian society capable of removing historic and current practices and obstacles that promote GBVF. To this end, the 2020 Women's Parliament is a gathering of the Sector that is reinforcing the South African constitutional values. He emphasised the importance of recognising the legacy of the colonial apartheid as a root cause to some of the problems that South Africa is currently confronting, but also to recognise that some of the current challenges are due to the current dispensation.

A collective effort is needed to end GBVF. Such collective effort is endemic in the history of collaboration in the legislative sector since 1994. Mr Tsenoli stated that the legislative sector

legacy report provides an overview of the historical work done by the legislative sector. He indicated that the legislative sector has also strengthened the GBVF campaigns on an ongoing basis, and there has been very creative work done by each of the legislatures without conflicting the constitutional mandate of each legislature. He informed the delegates that the legislative oversight and accountability model is utilised to follow-up and track progress on commitments and Executive undertakings.

The Deputy Speaker also highlighted some of the international, regional and continental initiatives that the sector has been involved in, thus far in addressing GBVF. These include the involvement of legislatures in the following forums namely; the Southern African Development Community (SADC) Parliamentary Forum; Commonwealth Parliamentary Association; Inter-Parliamentary Union (IPU) and the European Parliamentary Union. He also emphasised the role of the legislative sector in implementation of the Sustainable Development Goals (SDGs), not only through oversight, but as shapers of the work that is done.

The Deputy Speaker highlighted the importance of working together across the three arms of the state especially in instances where there is a need to provide clarity in relation to an issue that falls in the ambit of another arm. The Deputy Speaker urged the Executive to work faster, better and in the interest of the public, and, to curb maladministration, including corruption and abuse of public resources.

Mr Tsenoli spoke against discriminatory practices against the LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, and asexual, plus community). The Deputy Speaker commended the organisers of the 2020 Women's Parliament for bringing the three arms of the state together, and urged for adoption of policy recommendations that would have a lasting impact.

5. THE JUDICIARY: JUSTICE S KHAMPEPE - ACTING DEPUTY CHIEF JUSTICE

THE ROLE OF THE JUDICIARY IN GIVING EFFECTIVE RESPONSES AND BUILDING - SOUND INSTITUTIONAL PRACTICES IN CASES INVOLVING GENDER BASED VIOLENCE AND FEMICIDE

The Acting Deputy Chief Justice, Justice Khampepe's address focused on the role of the Judiciary in the fight against GBVF. Justice Khampepe highlighted that the 2020 Women's Parliament is taking place under abnormal circumstances, through virtual platforms due to the COVID-19 pandemic. However, in addition to this pandemic, South Africa is also facing another pandemic, which is GBVF. She said, in many ways the South African women are the country's pride - they are parliamentarians, entrepreneurs, forward thinkers, mothers, carers, homemakers, doctors, teachers, judges, leaders and are at the forefront as scientific thinkers. She said women are resilient, unwavering and brave. However, everyday there are news about women and children whose lives have been altered or ended by the scourge of GBVF. She stated:

"We ought to be celebrating the many brilliant inspirational women of South Africa.... I salute each and every one of my sisters. However, I weep and hang my head in shame and shake my fist in anger. I weep for so many women who have been taken victim by the scourge of GBVF that continues to ravage through our country. My head is heavy with shame, as daily we read the names and remember the stories of women and children whose lives have been irretrievably altered or ended by this plague that grips our beautiful nation. It angers me to the depths of my soul that we – daughters, mothers, sisters, wives and friends; must live in a constant state of fear that we'll be next."

Justice Khampepe reminded delegates that the Constitution guarantees the protection of human dignity and the right to life, yet GBVF nullifies the rights of women and children and their fundamental freedom. She said that the battle that we all face requires a relentless approach and a structured response from all sectors of society including Parliament, the Executive, CSOs, South African Police Services (SAPS), National Prosecuting Authority (NPA) and the courts must each play their part effectively.

She said that in many ways the rights in the Constitution and South Africa's statutory and common laws provide a sound legal framework for upholding equality, justice and respect for women of the nation. She emphasised that the Bill of Rights in the Constitution provides for the following: equal dignity; protection against gender discrimination including GBV; right to security of the person, bodily and psychological integrity; and the right to life. Through legislation and common law, South Africa criminalises amongst other things, domestic violence; sexual offenses including assault, murder and rape. The law provides avenues in which justice can be served, where the perpetrators can be apprehended, convicted and mandatory lengthy sentences can be imposed for such crimes.

The Judiciary is responsible for ensuring the achievement of just outcomes - that those accountable are subjected to a fair and just process; victim and survivors are avenged; and dignity is restored. The Acting Deputy Chief Justice commented that the Judiciary has at times been criticised for its insensitivity in dealing with GBV cases, particularly by those who have experienced and/or are affected by GBV. Hence the creation of specialised sexual offences courts, which are tailored specifically for these purposes (alongside the Thuthuzela Centres' integrated approach to rape care management). In addition, a deliberate effort to reassess legal processes and terminology is required. Institutional processes need to be carefully considered and tailored, in order for the courts to establish an appropriate and effective response to this scourge.

Justice Khampepe highlighted three areas that form part of the Judiciary's response to GBV; all three of these areas have seen significant changes, which have proven to be effective in the Judiciary's response to GBV: (i) The law itself; (ii) Implementation and application of the law (that is, the practices and procedures within court processes); and (iii) The approach (to be) taken by the judges and practitioners.

i) The law itself

The law provides for equality, dignity, freedom and security, including the protection of women and children. It is crucial to ensure that the courts uphold the laws of the country. The courts, with Parliament, have a joint duty to ensure that the laws provide effective and sufficient protection of women. This may mean that various elements of the common law need to be

further developed to be in line with the demands of the Constitution. Parliament should be vigilant in developing laws that do not perpetuate sexist and outdated norms, especially in cases of sexual offences. Some of these laws include the marital rape case exclusions, which have since been abolished; and the burden of proof, which entails survivors having to testify in open court rooms.

Justice Khampepe reiterated that there are certain statutory provisions that should be considered unconstitutional, and that these should be brought back to Parliament for reconsideration. For example, the procedural processes that need to be followed for rape cases. There is a need to relook the burden of proof that rape survivors have to provide to investigators. Justice Khampepe informed the delegates that the apex court has emphasised the right of the state to protect the victims against domestic violence and have strengthened the common law to ensure that police officers safeguard and protect the rights of those who have been assaulted, raped and victimised.

She referred to a recent case, (December 2019), where the Constitutional court clarified that the principle of common purpose applies to the common law crime of rape. With the judgment in the matter of *The State v Tshabalala*, the Constitutional Court recognised that, the viewing of rape purely as a sexual act, consisting of non-consensual penetration by an accused on a woman, mischaracterises the reality of rape as an act of accepting power and dominance over women. The judgment(s) highlight power imbalances in sexual crimes, and the structural inequality that permeates in gendered attacks. This is one example where the Constitutional Court has taken a decisive and powerful stance against the GBV and sexual crimes, and has ensured that the legal practices of the country's common law are developed in favour of the battle against these crimes. She emphasised that it is crucial that the Judiciary ensures and recognises women as a vulnerable group, and be sensitive to the challenges that women face. This should be done in a manner that prevents secondary trauma to the survivors.

ii) Implementation and application of the law

The general public view is that there is a need to tighten laws, ensure more convictions and impose stricter sentences. The Acting Deputy Chief Justice highlighted that it is important for courts to break down patriarchy by implementing measures within the court rooms that are

victim- and gender-sensitive, and prevent second trauma and humiliation of survivors by protecting their rights. She emphasised that there is an urgent need to formalise norms, that give the necessary protection, respect and dignity to women during the hearing of these cases. Further, there should be standardisation of procedures that give effect to these norms across all courts.

She emphasized the need to make provisions for survivors (of sexual assault or rape) to testify in camera or through intermediaries; and through anonymization. This is to inhibit cross examinations of rape survivors by the defence team and to prevent secondary victimisation or trauma. The Acting Deputy Chief Justice stated that there has been an improvement in the manner in which judges and magistrates approach these cases. However, she stated that there is room for improvement. Further, she highlighted that the Judiciary needs to strive for better court procedures, in order to make the process of seeking justice accessible and trauma-free for women and children.

She said that in reassessing and improving the standard procedures it might be beneficial for courts, alongside independent research to follow the international standards and recognised treaties and courts in foreign jurisdiction to find out how the foreign courts have dealt with similar issues. For example, the United Nations office on drugs and crimes compiled a handbook in 2019 for the Judiciary on effective criminal justice responses to GBV against women and girls. This outlines (amongst other things) the conduct of judges when interacting with the survivors. Further, it provides good practices for judicial training and development, and recommends taking a gendered lens when approaching these types of cases.

iii) The approach (to be) taken by judges and practitioners

Justice Khampepe emphasised that judges need to respect and interact with rape survivors in a manner that promotes their dignity. The wording in the judgements should embrace the lived realities of the survivors and the norms of the community in which they live. Furthermore, it should consider how they may face intersecting power dynamics and inequality; whether it is in their basis of gender, class, race and sexuality.

She reiterated that the terminology used in the judgements and in court rooms is very important. She went on to say that judges and practitioners should acknowledge the vulnerability of women. However, this does not imply that women are lesser or weaker than men. Vulnerability in the South African context may be embedded in structural patriarchal norms, individual inequality, discrimination, and gender stereotypes. Thus awareness and understanding of the gender intersectionality; and how gender, race, class, and sexuality (among other things) may exacerbate the vulnerability of other groups is crucial. It is most often the powerless that are affected by crimes such as rape and murder, and are characterised by power or desire of power. As such it must not be seen amiss that continuous training of judges and practitioners must be accelerated. Each member of the legal profession and Judiciary should be cognisant of the words they use - their argument may affect the victims who only seek justice. A humane and just approach may retain hope to the survivors.

The Acting Deputy Chief Justice held that overall trial courts should attempt to finalise these cases as soon as possible and without any unnecessary delay, so as to encourage other rape survivors to report their cases - justice delayed is justice denied. She continued by saying that the Judiciary cannot address these challenges alone. Members of society must report violent crimes perpetrated against women to the police. There is a need for collaboration by all law enforcement agencies involved. Police must properly investigate these crimes; the police should ensure that the rights of survivors are protected, the prosecutors must effectively present the findings against the perpetrators, Investigators should ensure that they investigate these cases properly, to minimise the risks of cases drawn out of court due to lack of evidence.

Justice Khampepe stated that whilst the judiciary alone may have very little effect to prevent the daily suffering of women; however, if all spheres of government, civil society and all South Africans come together, there is hope to bring an end to the scourge of GBVF.

6. MESSAGE OF SUPPORT FROM HIS EXCELLENCY, MR CM RAMAPHOSA - THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

Through a recorded message, His Excellency, President Cyril Ramaphosa reflected on the road travelled since the 9 August 1956 Women's March. He reminded the delegates that the women of 1956 were united in their demands to live in freedom - they stood not for themselves alone, but for the rights of women of many generations to come.

The President commended the progress the country has made to fight for women's rights in the South African society. He stated much has been achieved, in relation to the Constitution of the country which includes women's rights in broadening access to education, provision of health care and social support, and participation in the economic activities and decision making. However, he highlighted that the lived reality of many South African women is different to what is contained in the Constitution. The President mentioned that millions of South African women still live in conditions of poverty and unemployment, and face discrimination and violence all the time.

His Excellency stated that South Africa has joined Generation Equality, which is a global campaign to achieve gender equality by 2030, but emphasised that South Africa is at the grip of two pandemics: the COVID-19 pandemic and the scourge of GBVF. He said that women and children are abused on a daily basis and they lose their lives at the hands of men. It cannot be that there are families who have lost their loved ones to violence that are perpetrated by South African men. The nation can no longer ignore the deafening cries from women and children for protection and justice.

The President said it has been eleven months since he called for a joint Parliamentary sitting to address the issue of GBVF. Since then, concrete actions to provide greater support to the survivors have been taken. He then reflected on the ERAP on GBV, which is focused on mobilising all sectors of society and to guide coordination of the national effort. He stated that the South African Government has made much progress thus far, which includes the following:

- The number of shelters and care centres for GBV survivors has been increased.
- The capacity of police officers to deal with GBV is being increased.
- Law reform to give greater protection to survivors of domestic and sexual violence.

He indicated that the country has now introduced a National Strategic Plan on GBVF, which amongst other things is aimed at promoting economic participation of women in society, and to enable them to be financially independent. He stated that, with the launch of Generation Equality and the implementation of the National Strategic Plan, there is an opportunity to refashion society and the lives of South African women. He then emphasised that the urgency

to achieve gender equality, is even more important. The President acknowledged that the COVID-19 pandemic has made the situation worse for those who face economic exclusion and discrimination, and poverty. He stated that the Solidarity Fund has enabled the following:

- About R17 million to expand shelter services and to support the network of Thuthuzela Care Centres. A portion of this funding will also be directed to capacitate the GBV Command Centre.
- Of the 12.6 million social grant beneficiaries, 10.5 million (83 %) are women aged 16 years and older.

His Excellency, President Ramaphosa indicated that 33% of women-led SMMEs benefited from the COVID-19 relief scheme. Furthermore, the Industrial Development Corporation (IDC) has directed significant funding to support youth and women-owned businesses; and black-owned women enterprises have been reprioritised in the procurement of Personal Protective Equipment (PPE).

The President stated that the generation of 1956 mobilised, organised and stood firm in their demands for their rights to be respected. He reminded the delegation that more recently, women have taken to the streets to demand an end to GBVF and are carrying forward the flame of the struggle that the mothers and sisters of 1956 embarked upon. The President stressed that this good work must not end when the pandemic is over. He stressed that the country must maintain the momentum of women emancipation in the economy. He went on to state that the time to talk is over, it is now time for action, and this is our responsibility as a nation.

SESSION TWO

7. STATEMENTS: PROVINCIAL STATEMENTS AND SALGA

The statements by Provinces and SALGA were about reporting back on progress in relation to, institutionalisation of the National Strategic Plan on GBVF (NSP), progress in the implementation of the ERAP, women economic empowerment programmes; challenges preventing accelerated progress and future action plans to be undertaken. The reports from Provincial delegates included information about the following:

- Institutional arrangements and outreach;
- Mass mobilization programs;
- Preventative measures for GBV;
- Adequate care, support and healing for victims of violence;
- Adequate provision of safe houses;
- Adequate deployment of social workers across districts and municipalities; and
- Measures to improve the economic power of women across all the districts in the provinces.

The nine Provinces provided feedback on these areas as follows:

7.1 EASTERN CAPE PROVINCE (EC)

Ms F. Nkomonye, the MEC for Sport, Recreation, Arts and Culture (DSRAC) represented the Eastern Cape Province, and, gave an account of strategies implemented to eradicate the scourge of GBVF in response to a call by the President of the RSA.

In line with the resolutions of the Presidential Summit convened in November 2018, the Province established an interim GBVF forum steering committee, which then developed a strategic intervention plan of action. The provincial GBVF steering committee resolved to action a rapid response plan, and committed to the following:

- urgently address all systemic challenges such as the backlog of cases and delays in DNA testing and availability of rape testing kits in all the police stations in the province;
- establish more Thuthuzela Care Centres which must provide a holistic support to victims of violence and abuse;
- increase access to mental and psycho-social support for victims of violence and abuse in key service points, and to implement programs aimed at strengthening families;
- implement measures aimed at improving reporting lines by all departments in implementation of GBVF targets;

- establish traditional policing in rural communities to strengthen the GBVF interventions in rural areas;
- establish more sexual offenses courts in the province;
- urge the national government to expedite amending and /or introducing legislation in relation to all GBVF offences;
- increase and reconfigure rehabilitation programs to reduce the number of repeat offenders; and
- call the National Prosecuting Authority (NPA) to review old cases deemed not properly investigated, an exercise which led to reviewing of 1797 cases that had been struck off the court roll.

The Province also noticed that the increase in GBVF has led to a proliferation of response structures which has resulted in duplicated efforts which minimized the impact. In this regard the EC Province revived the Provincial Gender Machinery, to coordinate all structures across all spheres of government and sectors dealing with GBVF. The Provincial Gender Machinery, chaired by the MEC for DSRAC is comprised of MECs from various provincial departments, constitutional bodies, local government representation and CSOs. The Provincial Gender Machinery reports regularly to the Provincial Executive Council (PEC).

In respect to mass mobilization, the EC Provincial government is driving a concerted effort for greater awareness of GBV through outreach and stakeholder engagement programs, the intensification of multi- mass media awareness programs, and, increased efforts to engaging men as main perpetrators of violence.

In implementation of ERAP, the EC Province has implemented the following:

- In terms of providing psycho-social support, the Department of Social Development has recruited thirty (30) Social Workers on a contract basis to respond to GBV. Permanent posts for Social Workers have been advertised, and, fifteen (15) have been appointed on a permanent basis to ensure that Social Workers are distributed equitably across the province.
- Piloted an ERAP project at OR Tambo district due to the escalation of GBVF in that district.

- The Thuthuzela Care Centres remained open throughout the Covid-19 lockdown.
- Courts dealing with GBV cases, also remained open during lockdown, and were operating from 10am to 1pm and prioritised GBV and protection orders.

A critical area of concern in the EC Province is DNA testing. The Province therefore resolved to use private laboratory services as well as existing COVID-19 laboratories, because the South African Police Service (SAPS) has no financial muscle to construct a public DNA testing centre during the current financial year. The SAPS is reporting some progress in fighting crimes against women. In this regard, 2019/20 sexual offences have decreased by 5.3%, assault GBH cases have decreased by 3.2% and rape by 5.1%. There has been a rise in incest cases which is a cause for concern.

In terms of advancing the inclusive growth for women, a range of programmes and interventions are implemented by the EC Province. In addition to gender mainstreaming and monitoring of designated groups driven by the office of the Premier, several provincial departments have programmes aimed at advancing economic growth for women as follows:

- The Department of Social Development has budgeted for various designated categories, and this includes R4 million allocation for women empowerment programmes, R228 million for children and R92 million for persons with disabilities.
- The Department of Rural Development and Agrarian Reforms has budgeted R24 million for various categories of designated groups including women.
- The Department of Economic Development and Tourism is supporting women entrepreneurs.

The Province of the Eastern Cape, while noting progress achieved, is determined to scale-up its efforts by:

- Expanding media and communication information.
- Increasing access to psychosocial support services to all victims.
- Strengthening and coordination of all GBVF structures.
- Effective monitoring and evaluation of impact of programmes implemented.
- Regular monitoring of Thuthuzela Care Centres.

- More appointment and deployment of Social Workers to rural areas.
- To ensure that the Integrated Development Plans (IDPs) of all Municipalities reflect and address GBVF, through allocation of funds towards GBVF programmes.
- DNA testing to be done by a private laboratory while waiting for SAPS to build a government-owned laboratory.

7.2 FREE STATE PROVINCE (FS)

Ms SM Qabathe, the Acting Premier of the Free State Province reported on progress made in establishing the following institutional mechanisms in the Free State Provincial Government's efforts to eradicate GBVF:

- Functional Office of the Status of Women responsible for driving gender mainstreaming within the Province.
- Employment of five (05) GBV officers to drive the GBV programmes at a District and Municipal level.
- Gender focal points and special programmes units responsible for driving GBV programmes where there are no GBV officers.
- Establishment of multi-party women's caucuses in all Municipalities to interface with the administration in relation to GBVF.
- GBV information sessions were conducted in 5 districts with the Premier and SALGA.

In respect of the mass mobilization programme, the Office of the Premier trained and deployed GBV prevention activists, conducted dialogues with the LGBTQIA+ community, and engaged with men through civil society organisations. The FS Province hosted a GBV march in Kroonstad and awareness raising campaigns were held in QwaQwa. Further, the Province hosted men's dialogues and a Men's Parliament, focusing on GBVF to increase the voices of men.

The Department of Social Development in partnership with stakeholders is responsible for implementing preventative measures to eradicate GBV, as well as provision of care, support, and healing programs to victims. The FS Province has established ten (10) local drug action committees, aimed at the prevention of substance abuse in the Province. The Province aims to

establish more of these committees during the course of the year. The FS Province will be opening a substance abuse centre in October 2020.

All funded non-government organisations (NGOs) are to sign a pledge to commit to take a stand against GBVF, which is a new initiative implemented in the 2020/21 financial year. The FS Provincial government is committed in addressing all identified challenges hindering the effective implementation of all key undertakings.

7.3 GAUTENG PROVINCE (GP)

Ms F Mazibuko, MEC for Community Safety, represented the Gauteng Province. She acknowledged the high rate of GBVF incidences in the Gauteng Province. She assured the delegates that the Province is committed to intensifying efforts to eradicate GBVF.

The MEC reported on the availability of various task-specific structures within the Province, which include a Provincial Shelter Forum and Provincial victim empowerment programme Forum. To guard against duplication of services, the Province established a GBVF Provincial Coordinating unit, to ensure the coordination of structures, and the monitoring and evaluation of all GBVF interventions. In addition, the Province also established the following:

- Integrated Provincial Response Plan;
- Provincial Technical Committee comprised of senior government officials in all spheres of government within the province and CSOs; and
- Consolidated Provincial GBVF reports tracking system.

In provision of support, care and healing to victims, the Gauteng Provincial government through the Department of Social Development and CSOs, increased access to provision of psycho-social support to victims. The psycho-social support services are made available in key service points including in victim-friendly rooms at police stations, victim empowerment centres and Thuthuzela Care Centres. The following is the number of victims who received psycho-social support services:

- Approximately 35 469 GBV victims through Thuthuzela Care Centre across the Province.

- Victim Empowerment Centres have reached 7100 GBVF victims.
- Department of Health have reached 11 493 sexual offences victims and 5 201 domestic violence victims.

Currently, the Province is funding seven (7) Thuthuzela Care Centres and twenty-one (21) shelters for victims of crime, violence, and human trafficking. The Province is confident of the available accommodation capacity for victims in safe houses provided by, twenty-four (24) shelters with 684 accommodation capacity, one hundred and forty-two (142) VEP centres, and seven (7) Thuthuzela Care Centres to cater for all victims of violence.

The Province has also employed and adequately deployed Social Workers across Districts and Municipalities as follows:

- Thirty (30) contract Social Workers for GBV have been appointed and are working under the guidance of the Probation Unit.
- Twenty-nine (29) GBV Social Workers employed as from 1 April 2020 in all five (5) regions.
- Appointment of interns as from September 2020 for a period of one year, to strengthen the workforce in Victim Empowerment.

In relation to mass mobilisation, the Province, through the Department of Social Development and partnerships with funded non-profit organisations (NPOs) is implementing preventative measures against GBVF on an on-going basis. Collectively the number of beneficiaries reached during the past financial year in awareness programmes was 395 570.

The Department of Community Safety with the leadership of the MEC and other stakeholders are conducting “*Reclaiming the night*” campaigns in several areas, for the purpose of creating safe places for women at any given time. The Province will intensify its efforts by launching a ward-based GBVF Brigade Programme in September 2020.

The Province has put measures in place to improve the economic power of women across all the districts in the province. To this end, a total of 1 886 women from SMMEs, cooperatives

and informal traders were empowered through the economic empowerment projects. The following are some of economic interventions implemented:

- Financial independence and economic empowerment workshop for GBV survivors;
- Start-Up/Community Fund Grant to assist with procurement of start-up stock for women entrepreneurs; and
- Township Business Renewal Grant to assist township-based businesses with procurement of equipment to improve business operations.

The Gauteng Province has also identified, and, in partnership with relevant stakeholders is addressing operational-related challenges including the following:

- Backlog of DNA testing;
- Unprofessional conduct by some SAPS officials;
- Victims not given updates on cases;
- Cases that remain unsolved; and
- Long stay of victims in shelters which often results in withdrawal of cases.

7.4 KWA-ZULU NATAL PROVINCE (KZN)

The KZN Province, represented by Mr J Nxumalo, emphasized the need to intensify collective efforts to end violence against women by ensuring that all places of work and worship are safe spaces for women.

The KZN Province noted the decrease in levels of crime during lockdown as (previously) indicated, by comparing statistics of sexual offences cases committed between April to June 2019 totalling to 1 896, as opposed to 769 during the same period this year (2020). This indicates a 60% decrease in sexual offences statistics.

The Premier has taken a leadership role in ensuring accountability at the highest level for GBVF and embarked on a 365-day GBVF campaign. The Premier is establishing several programmes to address GBVF and the following are some of the initiatives implemented:

- Implementation of ERAP pillars by all relevant stakeholders;

- Establishment of KZN provincial action plan on GBVF;
- Identification of hot spots areas, and a realisation that informal settlements and urban areas are mostly affected;
- Establishment of a gender task team;
- Mass media mobilization; and
- Mentorship programs for men.

7.5 LIMPOPO PROVINCE (LP)

Ms NC Rakgoale, MEC for Social Development, represented the Limpopo Province. The Province extended its full commitment to women's emancipation. The Department of Social Development, established a technical committee on GBV and an implementation plan has been developed. This Committee reports to the JCPS (Justice, Crime Prevention and Security Cluster) cluster. The committee representation includes the Department of Higher Education, Chapter 9 and 10 institutions, the NPA and Universities.

The Province has re-established the Specialised Unit on Family Violence, Child Protection and Family Services and has established two (2) shelters for victims of GBV. The Province is funding 74 civil society organisations for healing and support programmes. R76.2million is utilized to resource victim support services. Food parcel distribution is also being undertaken and the province has received 152 856 applications for food parcels and has allocated R7 million for food parcels.

During levels 5 and 2 of the lockdown (during the COVID-19 pandemic), the Province recorded 480 GBV cases and 37 070 psycho-social support services were rendered during this period. The technical committee facilitated awareness raising campaigns through the Justice, Crime Prevention and Security Cluster (JCPS) cluster. The campaigns focused on the rights of victims and the functioning of the criminal justice sector. The *'Break the Silence'* project distributed information brochures at shopping malls and at ports of entry. The GBVF efforts within the Province have led to increased implementation of psycho-social support, multi- mass media campaigns and effective complaints management against SAPS.

7.6 MPUMALANGA PROVINCE (MP)

Ms BT Shongwe, MEC for Social Development, represented Mpumalanga Province and reported on various institutional mechanisms in place to intensify efforts to eradicate GBVF.

The mechanisms in place in the Province include the following:

- Establishment of multi-party women's caucuses in three (3) districts as well as in one (1) local municipality, which are functional and sitting quarterly, to lobby and advocate for women's empowerment and to mitigate against the social divisions amongst gender diversities.
- Establishment of functional special programmes and transversal units within municipalities with effectively functioning gender focal persons, to deal with women's empowerment.
- Establishment of the Office on the Status of Women in the Office of the Premier, which is responsible for monitoring, mainstreaming, and implementing women's empowerment and gender policies.
- Revival and strengthening of provincial gender machinery with representation and participation of all relevant stakeholders.

In respect of mass mobilisation, each district conducts training for youth, women, and men as gender activists, in collaboration with all stakeholders. The Department of Social Development is responsible for the implementation and integration of programmes to ensure the adequate education of communities. All Departments are still implementing 365 days of activism in all districts and municipalities.

The Department of Social Development also provides care, support and healing services and has employed dedicated social workers to provide psycho-social support to victims of GBV. The Province has employed and deployed twenty-seven (27) social workers in shelters, and an additional eighteen (18) social workers have been deployed in local municipalities. The Province has twenty-two (22) functional shelters to provide services to women and children, and two (2) of these shelters are government-owned shelters. The Province has identified a need to strengthen the awareness raising campaigns and to employ more social workers to deal with GBV.

The Province has not recorded any shortages of rape kits, however, there have been some delays with the processing of specimens as the specimens have to be taken to Pretoria. The Province has 15 Family Violence, Child Protection and Family Services (FCS) units with 164 officials allocated to these units.

The Province is implementing the *'Fortune 40 Flagship Programme'* to address economic challenges and to empower women. Additional economic empowerment support given include:

- Equipment provided to a waste management project owned by six (6) women;
- Plant production programme assistance for 2 814 women;
- Flagship programme for women farmers;
- Carpentry programme for women; and
- Debt relief to spaza shops.

The Province is committed in scaling-up its efforts, by, strengthening the existing mass media campaigns, address the DNA backlogs, ensure availability of testing kits, intensify capacity building initiatives for all officials including new SAPS recruits on GBVF related legislation, and employment and deployment of social workers in all municipalities at ward levels.

7.7 NORTHERN CAPE PROVINCE (NC)

Dr Z Saul, Premier of the Northern Cape (NC) represented the Province. The Province recently established a fully functional Provincial Interdepartmental Task Team chaired by the Premier, and it meets weekly to address Gender Based Violence and Femicide.

The mass mobilisation programme to train and deploy activists to all municipalities has commenced in earnest, with 118 volunteers trained and will render advocacy awareness and support services to potential perpetrators and victims. Community radio is being utilized as the main medium of reaching out to empower communities on GBVF. Social workers have established support groups for victims to afford them an opportunity to share experiences and to learn coping mechanisms from each other with the aim of promoting holistic healing. There

has been a mass distribution of pamphlets at clinics and other public facilities that are easily accessible which is intended to end the scourge of Gender Based Violence and Femicide.

The Province has registered progress in providing adequate care, support and healing for victims of GBV by rendering the following services:

- Psycho-social support and victim empowerment.
- Social behaviour change programs; advocacy awareness and support to victims in court, pre, during and post court appearances.
- Eight (8) safe houses have been established in the Province. In view of resource and related constraints, Thuthuzela Care Centres are operational in certain areas, namely Kimberley, Kuruman, De Aar and Springbok.
- Pertaining to the adequate deployment of social workers across local and district municipalities, sixteen (16) social workers have been allocated on a province-wide basis to render the full package of GBVF services. However, in areas where the social workers are not placed, the probation officers are responsible for service delivery related to GBVF.

The Province is planning on establishing a DNA testing centre in the province to expedite testing and ensure successful prosecution and conviction of GBVF cases. The Province also intends to establish a multi-sectoral coordination and accountability structure that will be responsible for a survivor-focused and well-resourced provincial response to GBVF that encompasses prevention, care, and support to victims.

The Province implements various economic support services to women including entrepreneurial skills; encouraging those who are sport inclined to pursue a career in their chosen sporting code; affording them opportunities in male-dominated industries and programmed absorption into government projects.

7.8 NORTH WEST PROVINCE (NW)

Prof TJ Mokgoro, Premier of the North West Province represented the Province and reported as follows:

- The Province has developed related provincial annual performance indicators, with time frames as well as implemented operational plans to guide the work of officials.
- NGOs are being funded in line with the Social Development funding policy to improve access to services. Monitoring tools have been developed to ensure compliance with service delivery agreements.
- A Provincial GBVF committee has been established, which adopted the GBV action plan in line with the National Strategic Plan.
- The Province has a policy guideline which explains the services within the VEP sector and clarifies the roles of other Departments in the implementation of services for victims of GBV.

The Province has implemented capacity building programs for social services professionals to increase their sensitivity and responsiveness when dealing with GBVF victims. The following are some of the achievements noted by the Province:

- Increased access to psycho-social support;
- Increased community engagements reaching about 32017 people;
- Increased access to safe houses and Thuthuzela Care Centres;
- Funding of twenty (20) NGOs to improve access to services of victims of GBV;
- Establishment of twenty-four (24) crisis centres across four (4) districts and local municipalities;
- Functional safe houses as white door facilities dealing with assessment of victims, assisting victims to report cases to SAPS and providing temporary overnight accommodation and court preparation; and
- Renovation of an old clinic to operate as a state- run white door facility.

7.9 WESTERN CAPE PROVINCE (WC)

Mr A. Winde, Premier of the Western Cape represented the Province. The Premier expressed a need to set higher and clear targets to report on the actions taken and progress made. The Premier expressed concern about the cost of GBVF to the fiscus of the country, as currently globally, GBVF accounts for 3.7% of the GDP, while GBVF is costing the South African economy about R28.4 to R42.4 billion.

The WC Province observes 365 days of activism and the Provincial Minister of Social Development hosts monthly engagements on GBVF. The Province has initiated a Safety Plan and a Safety Cabinet which includes the whole of government, South African Human Right Commission, DSD and oversight departments. As a result of lessons learnt through the COVID-19 pandemic, the Province has not closed the Cabinet but has included all district municipalities.

The following are some of the initiatives undertaken in the Province:

- The Province has held a number of sessions linking GBV to economics which are aimed at enabling women.
- Currently, the Province has twenty (20) shelters for women and children with a dedicated program to empower women on court processes, protection orders, how to lodge a complaint and trauma counselling.
- The Province embarks on ‘Court Watching Briefs’ to ensure that GBVF cases do not fall off the court roll.
- The Province continues to monitor the implementation of protection orders.
- The Province conducts oversight of VISPOL and it has become clear that many SAPS officials have not received training on the implementation of the Domestic Violence Act; 57% VISPOL and 69% of detectives have not received the necessary training on the Act.
- The Province has trained and deployed 50/50 men and women as GBVF ambassadors in municipalities.

The Province has also identified a need to strengthen its programs by regularly training of Community Policy Forums and neighbourhood watches on GBVF, as well as training of SAPS officials on the Domestic Violence Act.

7.10 SALGA

Progress made in implementing executive undertakings relating to GBVF (Local Government Perspective)

Councillor T Nkadimeng, President of SALGA, voiced concern about the increase in violent crime statistics. She then detailed the role that local government should play in eradicating GBVF in communities, as well as various measures at the disposal of the local government sphere to be utilised in order to contribute and respond effectively to GBVF, and these include the:

- adoption of the District Development model;
- use of IDPs to ensure that gender programs are included and adequately funded; and
- establishment of a special programs unit with effectively functioning gender focal points.

Councillor Nkadimeng reported on some of the activities currently implemented by local government to create safe communities, as including the following:

- Clearing of all bushy areas and regular removal of waste and rubbish;
- Provision of adequate lighting;
- Marking of all unused and vacant buildings;
- Establishment and training of CPFs, neighbourhood watches and community patrols;
- Establishment and regular monitoring of safe houses; and
- Coordination and engagements of multi- stakeholders including whole of society involvement.

SALGA committed to assisting in increasing the responsiveness of all municipalities through the following areas:

- The IDPs of all municipalities to include gender funded budgets to create units and run programs on GBVF.
- Clearly marking and naming all streets to make it easier for women and children to identify the areas to effectively report crimes.
- Municipalities to work closely with neighbourhood watches and with community policing forums.

- Development of service directories for communities detailing information about available resources and organizations offering assistance within municipalities.
- Creation of effectively functioning and funded gender desks in all municipalities.
- Careful planning of new residential areas in terms of gender sensitive spatial development.

The President of SALGA expressed the view that municipalities need to restructure accordingly, to promote the safety of women and children.

7.11 MESSAGE OF SUPPORT - MS L KOMAPE- NGWENYA

The message of support was delivered by Ms Lydia Komape-Ngwenya and related to the challenges in accessing land, particularly for women living in rural areas. She acknowledged the great achievements as a result of unity and activism amongst women in fighting for their rights, but also mentioned the issue of access to land by women as still being an obstacle. Ms Komape-Ngwenya reminded the delegates about the history of apartheid system and laws, which regarded women as minors, and therefore not afforded the right to own land.

Ms Komape-Ngwenya encouraged women to realise the value of land ownership and that women should continue to fight for land ownership for women in rural areas.

While recognising achievement in terms of legislation that promote gender equality and as such equal entitlement to ownership of land, she was concerned about the implementation of current laws as women still struggle to have adequate access to land. She viewed the inability of women to access land as an economic disempowerment that can perpetuate dependence of women on abusers, causing affected women to struggle to exit violent relations.

Ms Komape-Ngwenya advised that women as primary care givers of their households need to be empowered and have access to resources that would be utilised to benefit the entire household. She further encouraged women to support each other, unite and work together in uplifting each other.

Ms Komape-Ngwenya also stressed that all responsible officials who are tasked with issuing land should be progressive and realise the importance of land ownership by women as a very

important economic empowerment tool. This access to land should be coupled with adequate financial assistance. She implored the Portfolio Committee on Agriculture and Rural Development to intensify its oversight efforts, to ensure that all government programmes in relation to land benefit women equally, and also to understand the challenges faced by women in respect of land ownership and resources.

SESSION 3

8. CIVIL SOCIETY STATEMENTS

A number of statements were received from various organisations that included academic and research institutions by the South African Medical Research Council and the University of Stellenbosch to non-governmental organisations such as Sonke Gender Justice, SANAC and a civil rights group *Not in my name* campaign.

8.1 PROF. R JEWKES AND PROF. N ABRAHAMS: SOUTH AFRICAN MEDICAL RESEARCH COUNCIL (SAMRC)

“GBVF: Strengthening the Rule of Law to Address GBVF”

Prof. Rachel Jewkes, the Executive Scientist: Gender and Health Research Unit from the South African Medical Research Council (SAMRC) shared introductory remarks and then handed over to Prof. Abrahams. Prof. Naeemah Abrahams is the Interim Director: Gender and Health Research Unit at the SAMRC. She highlighted that based on their research on the global trends, intimate partner violence (IPV) is the most common form of GBV that women experience. She said the second most common form of GBVF is by non-partners. This might include rape or other forms of GBV by a perpetrator who might be a stranger, colleague or peer. The third form of GBVF includes human trafficking and cultural practices such as “Ukuthwala”.

Prof. Abrahams presented to the delegates the research findings on the comparative studies conducted in different parts of the world. The study was done in the past twelve months. In South Africa, this research study was conducted in EThekwin. The findings revealed that in

EThekweni, more than 60 per cent of women reported most cases of violence, compared to the Democratic Republic of Congo (DRC), Bangladesh, Nepal and Ghana, and what was reported in the South African Demographic Survey (2016), where only 10 per cent of women reported physical intimate partner violence (IPV) in the last twelve months. The SAMRC also completed two studies on the Femicide statistics (1999 and 2009) and was collecting data for 2017 femicide that will be compared with 2020 statistics, to check the impact of COVID-19 related GBVF. The findings from the two previous studies revealed that between 18 – 20 per cent of women killed, a perpetrator was never found. In determining if the perpetrator was an intimate partner (current or ex-boyfriend/husband), the two studies revealed that in 1999, four women per day were killed by their intimate partner and in 2009, three women per day were killed by their intimate partner.

This reduction was in line with the overall reduction in the murder rate in the country. However, behind every number reported there is a woman killed, so one murder is one too many. In most cases where women are killed, evidence of rape was found, and this is referred to as the rape homicide, as in the recent case of Uyinene Mrwetyana in August 2019. The preliminary findings of the 2017 study does not depict any reduction, it is likely that between three to four women per day were killed by an intimate partner. The message these figures convey is that the intimate partner femicide is not decreasing in the country, meaning that South Africa is still faced with the same problems it had in 2009. Overall, the trend of women killed by their intimate partners is increasing, it was 50.3 per cent in 1999, it increased to 57.1 per cent in 2009 and is likely to be 58 per cent in 2017. Intimate partners are the leading perpetrators of femicide in our country.

Prof. Abrahams also shared with the delegates the statistics of firearm-related murders, which is still on the rise. The 2017 statistics revealed that about 35 per cent of male homicides are gun related and about 26 per cent of female homicides are gun related, this shows that there is a need to strengthen laws in the country. In cases of women killed by their intimate partners, the research shows that there is a history of abuse by the partners. In some cases, these men have a history of very difficult childhood and traumatic experiences which affected their personalities. In most cases these men feel generally powerless and they seek ways to gain power and they do this through abusing their intimate partner.

Prof. Jewkes highlighted that violence against women was one of many forms of violence in our society. She provided drivers of violence, and stressed that poverty was not the only driver of violence against women. Substance abuse, mental health, poor communication skills in the relationships, abuse and neglect of children in the society, and children who are exposed to trauma were much more likely to grow up to be violent adults, especially if they are boy children. The SAMRC proposed a package of measures that is required to prevent GBV, including its extreme manifestation in femicide.

As research has shown that it is possible to prevent GBV 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. It was reiterated that there is a solid basis of knowledge from research conducted over three decades into measures needed for GBV prevention. The challenge for Parliament was to ensure that there is the political support and funding for the programme of work. Moreover, Prof. Jewkes highlighted some of the key issues that need to be attended to in order to address the issue of GBV, which were the following:

- Reduce poverty and enhance school completion for both boys and girls;
- Measures to promote gender equity and actions against GBV;
- Actions to reduce all forms of violence in our societies;
- Reduce alcohol and drug abuse;
- Increasing funding for mental health and support for counselling programmes;
- Vigorous enforcement for protection of women and children;
- Increase parenting programmes to support vulnerable parents, young mothers, poor mothers;
- Bring fathers into the full role of parenting, both emotionally and economically; and
- Programmes to build gender equity and counter e GBV.

Herewith some proposed interventions shown to be effective when well designed and executed that could be adapted and scaled up:

- Cash transfers to women (social grant programmes);
- Combined economic and social empowerment programmes targeting women;

- Parenting programmes to prevent IPV and child maltreatment;
- Community activism to shift harmful gender attitudes, roles and social norms;
- Interventions that work with individuals and or couples to reduce their alcohol consumption and or substance abuse (with or without other prevention elements);
- Couples interventions (focussed on transforming gender relations within the couple, or addressing alcohol and violence in relationships);
- Interventions with female sex workers to reduce violence by clients, police or strangers (i.e. non-intimate partners) through empowerment collectivisation or alcohol and substance use reduction;
- Valuable school-based interventions to prevent dating or sexual violence and school-based interventions for peer violence; and
- Child maintenance programmes.

Legislators played a crucial role in reducing all drivers of violence through strengthening of laws, promoting policies and exercising effective oversight. A range of interventions was required to address these drivers but not only limited to the Criminal Justice System (CJS). The new sexual offences courts were welcomed 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. Moreover, a critical new role for the legislature was oversight of the work of the National Council on GBVF (NCGBVF), and its associated structures, in implementing the NSP on GBVF and its budget. Professor Jewkes concluded by providing ten measures needed to end the scourge of GBVF, listed as follows:

- a) **Resources** must be allocated from National Treasury for measures required for GBV and femicide prevention;
- b) **Effective Parliamentary oversight** of the National Council on GBV and Femicide and its work in implementing the National Strategic Plan;
- c) **Basic income grant** to reduce most severe poverty in communities;
- d) **Enhancing school completion:** resourcing pre-school education, teenage pregnancy prevention, homework support, oversight of Department of Basic Education measures to prevent drop out before matric, action to ensure school year is not lost from COVID-19;

- e) **Gun, alcohol and drug control:** enforcement of existing measures, prevention of corruption, action on illegal guns, measures to reduce harmful alcohol use and drugs;
- f) **Resources for evidence-based prevention programmes** to change harmful masculinities e.g. Stepping Stones and Creating Futures;
- g) **Resources for mental health programmes**, in the health sector and through community-level interventions including psychotherapy from lay counsellors;
- h) **Funding for shelters, parenting programmes** for vulnerable parents, more efficient maintenance, protection orders etc.;
- i) **Stronger enforcement of existing legislation**, and judicial review of sentencing; and
- j) **Ensure solid research foundation** to guide the GBV prevention strategy and monitor and evaluate its impact.

8.2 MR B KHUMALO: SONKE GENDER JUSTICE

“What to do about men’s violence against women”.

Mr Bafana Khumalo presentation focused on the role played by men in ending GBV. He informed the delegates that violence against women was a chronic crisis in South Africa by highlighting the following statistics and facts.

- 3 Women killed by their intimate partner everyday
- Femicide rate 5 times the global average
- Over 23000 sexual offences against children: 2016/17 SAPS
- Women are not safe in homes, workspaces, public spaces
- Violence against women (VAW) is a daily lived reality for many women!
- *Second pandemic to COVID-19: President Ramaphosa, June 2020*

According to Mr Khumalo, part of the challenges in addressing this scourge was the attitude that people have towards GBV as there were still people who excused the violence against women and blamed the victim. It would appear that at times the cause of the violence could be attributed to how the society justifies some of the behaviours. The common notions expressed for justifying why women are blamed, included utterances such as “why did she go to the tavern”? “why did she drink”? These attitudes were aiding violence against women. There were

also myths in the society including the following which Mr Khumalo noted. Firstly, violence against women happens in poor communities; the truth of the matter is that GBV happens everywhere, it happens in affluent suburbs, it happens in townships and in the rural areas. Secondly; victims of violence provoke the perpetrator; the truth of the matter is that these perpetrators do not need any provocation to carry out these acts of violence.

Mr Khumalo stressed that rape has nothing to do with what women wear, it is about power, it is about the patriarchal notion where men feel they own the women's bodies and therefore can do as they please. Women who wear long dresses are raped in their own homes, women who are old are raped, infants are also raped, and therefore one cannot justify the rape on account of what the women wore. Mr Khumalo also provided an overview of the legal and social interventions to address the scourge of GBV in South Africa. However, despite these progressive laws that have been enacted, the implementation remained a key challenge. There appeared to be a lack of confidence in the justice system, as research has shown that only one in nine rape cases were reported. South Africa's prosecution rate was only about 8 per cent and the conviction rate was even less. The high levels of impunity was concerning as only 8% of reported cases result in prosecution and even less result in a conviction. There was also the fear of secondary victimisation within the criminal justice system alongside the protracted court processes. Moreover, Mr Khumalo noted that in certain instances the solutions that women seek is to find alternatives besides redress within the criminal justice system.

Mr Khumalo argued that there was a need to work with men in resolving these issues of violence against women. There is a need to challenge men to change the narrative of "risky masculinities" that are at the centre of the violence against women. It was considered to be the key to advance the notion of equality, and improve lives of women. In addition, there was also a need to promote behavioural changes in men and boys through the identification and promotion of positive notions of masculinities as there is no need for men to exhort to power in order to express their manhood. Mr Khumalo maintained that the issues of violence against women cannot be resolved simply by the criminal justice system and concurred with Justice Khampepe for a combination of responses, as South Africa did not have enough correctional centres to incarcerate perpetrators. The overcrowding in prisons also posed as another challenge. Hence there was a need to promote these behavioural changes and to look at the combination of responses.

Emphasis was also placed on the NSP and the importance of working with men. In so doing, creating spaces to confront patriarchal notions of being male - the root cause of gender inequality and negative/risky masculinities. This was key to advancing gender equality, reducing inequalities and improving the lives of women and men. By working with men, it promotes behavioural change in men and boys through the identification and promotion of positive notions of masculinities. Moreover, it thus makes GBV a societal, not just a women's issue: creating an opportunity to address the behaviours that *lead* to violence. Mr Khumalo concluded his presentation by assuring delegates that men can change men, men can use the institutional power to promote change and by involving men in the fight against GBVF, women do not have to make changes alone.

8.3 DR M KGANAKGA, SANAC MEN'S SECTOR

“SANAC Men's Sector's Response Plan to GBVF - Progress Update”

Dr Matome Kganakga's presentation was in line with MRC and Sonke Gender Justice focussing on the institutional arrangements and responding directly to psycho-social issues. He highlighted the need to bring men and boys in the fight against GBVF. Some of the challenges that they identified was the lack of coordination between different programmes that fight the violence against women. Hence there appeared to be slow progress in seeing results and the impact of these programmes. There was no platform to drive a coherent response and as such one of the objectives of the SANAC Men's Sector was to coordinate and institutionalise the men's organisation, as well as to develop the South African men's charter in addition to working with men who are community developers.

Dr Kganakga echoed Mr Khumalo's argument that it was important to engage the hegemonic masculinity, authority, power, men's dominant position in society as toxic masculinity which results in the ways that the community raises boys and girls differently and ultimately encourages inequality in society. The SANAC Men's Sector was engaged in and discussing these issues. He highlighted that violence was systematic, there was no isolated incident, it was explicit and it was often normalised through problematic language, victim blaming, sexist comments, homophobic comments as well as some of the views, gender stereotypes, and views

like ‘women belong in the kitchen’. These ultimately translated to verbal abuse, and to explicit violence.

According to Dr Kganakga, this men’s forum wanted to ensure that there was accountability, and adherence to the rule of law. The National Men’s summit was launched in 2018, and the process of initiating the Men’s Parliament commenced since then. Once every two years they meet to discuss issues that affect men in South Africa, men in all nine provinces met to launch the Men’s Parliament. He also noted that plans were underway for a 2020 Men’s Parliament.

8.4 MR T MASANGO, NOT IN MY NAME SOUTH AFRICA

Mr Masango presented on behalf of the Campaign “Not In My Name South Africa” (NIMNSA) which was to mobilise men’s active participation in prevention programmes. The purpose of the campaign was outlined as firstly, instilling a sense of activism in Parliament; secondly, fostering accountability and personal responsibility and lastly developing a sustainable approach to GBVF. Mr Masango indicated that NIMNSA was a people’s movement that focuses on sustainable positive change in the lives of our people. And to achieve that they were mobilizing sectors, organizations, and individuals to fight any form of social injustice, corruption, and the erosion of our democracy, and to restore pride and dignity in our people. Furthermore, Mr Masango emphasized the need for a multi-sectoral approach which included ununderstanding victim-blaming, dealing with secondary victimisation, advocating for active citizenry amongst others. Thus the NIMNSA was instilling a sense of activism among ordinary people in the long term through building institutional capacity for active citizenship at all levels of society. To this end, civil society’s role was to ensure that the country has civil leadership.

8.5 PROF. A BOSCH, STELLENBOSCH UNIVERSITY

In a recorded video, Prof. Anita Bosch of the University of Stellenbosch shared research work on gender pay gap and interventions to address the economic inclusion of women in South Africa, and future directions for gender pay transparency, as well as key recommendations.

The gender pay gap has recently been publicised internationally and locally. In her presentation, she highlighted the most common reasons for pay gap as follows, firstly, women are regarded as working short hours than men; women have lower levels of education; and women do not have suitable qualifications for high paying jobs.

It is estimated that 37.9 per cent of South African households are headed by women. Women headed households are approximately 40 per cent poorer than those headed by men and 48.2 per cent of female headed households support extended family members, in comparisons to 23.1 per cent of male headed households doing the same. Women prioritise spending on household and parenting responsibilities and have a longer life expectancy than men. Economic dependency of women also leads to power relations and may lead to GBV. The attainment of pay parity for women's financial independence was significant. Similar to the Women's Charter in 1954 and the Women's March in 1956, women have a duty to respond to the legislation that is proposed. Some of the transparency mechanisms and proposals required a phased approach in order for the unintended consequences to be addressed before more stringent policies are implemented, these recommendations include the following:

- Key data on women's economic participation, such as the data governed by the Companies' and Intellectual Property Commissions should be made available to university and research institutions, to do an analysis and tracking of progress, for both listed and unlisted companies and their governing bodies;
- Post training permanent employment of women in male dominated industries should be regulated and incentivised;
- Further strengthening of pay report as mandated by the Employment Equity Act by refining the measures used in the income differential statement. The report should not be "too" generic as it is presently the case with the income differential statement in South Africa conceals structural inequalities leaving policy makers to apply a 'one size fits all' approach instead of targeted solutions. A rapid gain could be made if the JSE could expand its interpretation on King IV listing requirements for gender remuneration.
- An employee's right to query another employee's pay, could be problematic in South Africa due to rights of privacy and confidentiality, despite the issues of the Protection of Personal Information Act, the legislatures should seek to give an employee a right to obtain

pay information when the employee is attempting to prove a claim in terms of section 6(4) of the Employment Equity Act. In which case, the correct comparator is needed.

- Pay audits should be mandated for designated employers. There should be a differentiation between pay report and the pay audit, as there is in-depth analysis during the pay audit. Such analysis should enable the employer to track and eradicate unfair pay discrimination.
- Companies should discuss, as a separate issue, equal gender pay including pay audit results during the collective pay bargaining, a soft law should be introduced in the King report as a matter of remuneration good governance.

Prof. Bosch concluded by saying that much has already been done in South Africa to positively influence employers towards pay equality, but as most transformation actions, there is still a need for more work to be done. Gender pay equality can be an achievable probability rather than an ideology.

SESSION 4

9. INTERACTIVE SESSION

The interactive session was co-chaired by the Ms Gillion in the House and Ms. Lucas *via* the virtual platform. Participants in the House were afforded the opportunity to make a brief input and this was followed by those on the virtual platform.

9.1 INPUTS FROM THE CHAMBER

9.1.1 DEMOCRATIC ALLIANCE (DA), MS HS WINKLER (MP)

The presentations were considered to be helpful and informative. The role of men in combatting GBVF was noteworthy in the programmes outlined by the various NGOs. To this end, an example of consent classes which was being conducted in countries in Africa was provided and highlighted the value of teaching young men and women about GBV and female empowerment as well as the autonomy of females in society. As such, a question was posed as to whether similar programmes existed in South Africa and whether this could be included in the current NSP.

9.1.2 AFRICAN CHRISTIAN DEMOCRATIC PARTY (ACDP), MS ME SUKERS (MP)

The impact and failure of fathers to provide maintenance to wives and children was highlighted and how this attributed to women's vulnerability. A call was made to members of Parliament to take up the matter so that courts could respond faster. More needed to be done in this regard.

9.1.3 NPO: SA WOMEN FIGHT BACK, MS BRONWYN LITKIE

With respect to the issue of rape kits as of 26 August 2020, the NPO called thirty-five (35) police stations and only seven (7) had rape kits, two (2) did not know about the rape kits and five (5) did not answer the telephone calls. This highlighted the major concerns about the availability of rape kits without which important evidence cannot be collected and this impacts directly on the outcome of court cases

9.1.4 FREEDOM FRONT PLUS (FF+), MS T BREEDT (MP)

Hon. Breedt reflected on the manner in which women dressed and the correlation with the reasons for being raped and how this mindset was institutionalised and pervasive. To this end, a question was posed as to how to change society's perceptions in this regard. In many instances, women are not believed when disclosing that they have been raped and instead they are second guessed. As such, it was imperative to look at how to change that perception by focussing on how one talks about GBV.

9.1.5 UNITED DEMOCRATIC MOVEMENT (UDM), MS N NONTENJA

A question was posed as to what could be done to get government departments to work in synergy as opposed to silos particularly in cases where SAPS apprehends the perpetrator but the perpetrator is then released on bail which in many instances is not befitting. Similarly, in instances where perpetrators are out on parole but reoffend. The collaboration between SAPS, Justice and Correctional Services is then key to addressing these issues.

9.1.6 AFRICAN NATIONAL CONGRESS (ANC), MS T TYALANA

Ms Tyalana placed particular emphasis on the need to focus more on the economic empowerment of women and that the respective Ministers and MECs should have been present to provide insight in that regard as well as matters pertaining to GBV. More clarity was also sought from Premier of the Western Cape, Mr Winde about the targets and programmes he referred to. It was important to understand what these targets entailed, what the targets hoped to achieve and how these targets are being measured. The representation of more Black females in the Western Cape with respect to economic inclusion was also highlighted.

9.2 INPUTS FROM VIRTUAL PARTICIPANTS

9.2.1 ECONOMIC FREEDOM FIGHTERS (EFF), MS PHIWAWA

Concerns were raised about the consequence management for officials who do not implement Government programmes and policies. Examples cited related to manner in which the police and magistrates carried out their duties. Furthermore, concerns were also raised about the forced sterilisation of HIV+ women and the secondary victimisation of women.

9.2.2 FETUSA - MARTINIQUE MARINUS

An appeal was made to Government to ratify the ILO convention 190 together with the Recommendation 206 that deals with the elimination of violence and harassment in the work place. This was said to go a long way to protecting women in their place of work from violence. The gender pay gap was also highlighted as an area that still requires more work in the country.

9.2.3 INKATHA FREEDOM PARTY (IFP) - MS Z MAJOZI

Ms Majosi highlighted the pandemic of drug addiction and that many young women were involved in abusing drugs. Concerns were raised as to how to help these women particularly those living in rural areas as access to treatment was a challenge. With respect to programmes focussing on boys and men, Ms Majosi noted that these needed to be visible and accessible in

all communities especially in rural areas. A request was made to the presenters to share more information about the programmes in terms of the location, the contact persons and how this information could be shared.

9.2.4 EMBRACE DIGNITY - MS GRISZELDA GROOTBOOM

Ms Grootboom spoke of the plight of sex workers and the GBV they endure. The lack of support for survivors of sex trafficking was also highlighted. With respect to the NSP, Ms Grootboom noted that it was not clear in the policy how sex workers and survivors of sex trafficking would benefit from the programmes and interventions as outlined in the policy. The complexities of sex work was highlighted and the need to address the decriminalisation of sex work.

9.3 RESPONSE FROM PRESENTERS

9.3.1 SAMRC - PROF. NAEEMA ABRAHAMS

Prof. Abrahams highlighted the research done by the MRC that focussed on interventions with men and cash transfers. The research focussed on primary prevention and secondary prevention (response) programmes and this was tested in EThekweni. The study findings revealed that it was imperative to work with men and women in communities. This included a combination of gender transformative programmes and cash support for women. The 18-month project revealed that men eventually used less violence having gone through the programme. A key issue was now looking at how to scale up the programme and understanding how to do that at a national level.

9.3.2 SAMRC - PROF. RACHEL JEWKES

Prof. Jewkes reiterated the importance of implementing evidence based programmes which is a key premise of the NSP. Hence there was value in gender transformative programming. It was thus imperative to ensure that the right programmes are implemented in the right way. Furthermore, economically empowering women was a key aspect of the intervention discussed by Ms Abrahams that the SAMRC had researched. In addition, it was also important to educate

women about their rights and to recognise the value of unpaid work by women. More support was also required for survivors of GBV. The child maintenance system required attention. With respect to women blamed for being raped, the stigma in this regard must be addressed. This could entail looking at terminology, by not referring to the alleged perpetrator and instead start from the premise that the victim was raped and believe the person who disclosed the ordeal.

9.3.3 DA – MS N. MARCHESI (MP)

Ms Marchesi noted with concern that the Executive had not responded to issues raised and questioned this as it was important drive resolutions for Women’s Parliament.

In closing the session, Ms Lucas acknowledged the concerns raised by the Hon. Marchesi and apologised to all delegates at Women’s Parliament. She reassured delegates that it was not the understanding as all presenters were requested to be part of the entire programme for Women’s Parliament. It was unclear as to why certain presenters had left the platform but Ms Lucas indicated that she would take up the matter with all speakers who did.

SESSION 5

10. STATEMENTS BY POLITICAL PARTIES

Political parties represented in Parliament were afforded the opportunity to make statements in relation to Women’s Parliament and the theme for 2020. These are reflected below in order of appearance.

10.1 DEMOCRATIC ALLIANCE (DA)

Ms M Clarke (MP) representing the Democratic Alliance reflected on the significance of the month of August which is dedicated to the celebration of women. Despite the gains achieved since the dawn of democracy Ms Clarke noted that South African woman are still at the mercy of the heinous scourge of gender-based violence, many of whom were financially dependent on the perpetrator and in most instances their intimate partner. She reiterated the important role of a Member of Parliament, an elected representative that affords the opportunity to make a

difference in people's lives and to champion the rights of women. Economic freedom was not a reality for a significant number of women in the country which has been exacerbated by the impact of the COVID-19 pandemic and lockdown regulations.

Ms Clarke also provided a personal account of her fight against the corona virus when she was hospitalized during this time. Ms Clark continued by paying tribute to firstly, the wonderful women who formed part of the medical teams that looked after herself and other patients whilst hospitalised and secondly the thousands of unsung heroines. The female health care professionals put their own lives at risk to ensure patients recovery, working under extremely challenging conditions. Notwithstanding that, concerns were also raised about the fraud and corruption amidst the COVID-19 pandemic. Ms Clarke called for the backlog of DNA testing to be addressed so that perpetrators are arrested and successful prosecutions realised. To this end, the lack of rape kits at police stations requires urgent attention so too the lack of enforcement of protection orders. Moreover, concerns were also raised about the quarterly crime statistics that reveal the scourge of GBVF this despite the reassurance that measures have been put in place to deal with GBVF. Ms Clarke concluded by saying, "*Honorable speaker, action speaks louder than words and we need action right now. Enough with platitudes.*"

10.2 ECONOMIC FREEDOM FIGHTERS (EFF)

Ms D. Ngwenya (MP) represented the EFF and commenced her statement by noting that she spoke on behalf of women who were considered to be merely subjects on enquiry for all present at Women's Parliament. To this end, Ms Ngwenya placed special emphasis on HIV+ women who were forcibly sterilised in public health care facilities; sex workers who were also subjected to GBVF and discriminated against; lesbian women who were victims of corrective rape; and so many women who endure secondary victimisation within the criminal justice system (CJS) and do not get the justice they deserve. Ms Ngwenya pledged the EFF's support to these women and reaffirmed the importance of concrete action. To this end the following recommendations were provided:

- The need for the reform of the criminal justice system to be done with greater speed. The Portfolio Committee on Justice and Correctional Services should attend to the number of Amendment Bills that have been with it since February 2019 and more progress is required in this regard.
- The National Strategic Plan on GBV requires a mechanism to hold line departments accountable for the roles assigned to them if it is to be effective.
- The Department of Small Business and Development must be empowered to play a much stronger role in supporting women owned businesses, in order to free women from depending on men for their livelihoods.
- The Department of Social Development should work more closely with police to provide shelters for women in abusive domestic relationships.
- Capacity building of the police as well as up-skilling prosecutions and the judiciary to ensure more stringent sentencing of perpetrators.

Ms Ngwenya concluded by saying that the aforementioned proposals have been tabled numerous times before. The EFF would also be establishing a GBV desk to assist all abused women in the country to obtain justice. To this end, the EFF would continue the pursuit of justice until women are able to walk the streets of South Africa without fear.

10.3 INKATHA FREEDOM PARTY (IFP)

The IFP was represented by Ms Z. Majazi (MP) who commenced by saying that generation equality could not be achieved in the face of GBVF in South Africa as there were women in the country fearing for their lives. Reflections were also made on the horrific rape and killing of Uyinene Mrwetyana by a Post Office official. To this end, Ms Majazi noted that despite the rage and sorrow expressed and the action demanded the scourge of GBVF has continued. Due acknowledgement was given to the development of the NSP on GBVF but concerns were expressed about how long it would take to implement the policy. Questions were also raised about the NCGBVF which was still not established at the end of August 2020. This was deemed as unacceptable. The IFP demanded urgent transparency on the establishment of the NCGBVF. Ms Majazi also highlighted the vulnerable position of rural women and how this was absent in many of the presentations flighted at Women's Parliament. The IFP strongly supported

initiatives focusing on providing greater financial independence to women as it plays a major role in making women less vulnerable to abuse in relationships. To this end the IFP called for the following:

- The need for visible protection for women in our country. Pandemics were said to exacerbate vulnerability and, as a result of COVID-19, rural women had even less access to police services. The urgent need for more visible policing was emphasised especially in rural communities as rural women have less access to police. Many women report secondary victimisation of women by Police. Victims seeking protection orders from their abusers are told to serve these protection orders to their abusers.
- The training of police officials in dealing with victims of abuse was also a critical matter. Too many women report secondary victimisation at police stations, and there were far too few reports about sanctions against these officials.
- The IFP remained very concerned about reports that victims of abuse seeking protection orders were being told that they need to serve these orders on the offenders themselves. This creates further secondary victimisation. The IFP demanded an urgent national investigation by the Police Ombudsman on secondary victimisation at police stations across the nation, and more visible sanctions for the officers responsible.

In concluding, Ms Majosi noted that action from the government should be demanded along with accountability for funds that have been made available for fighting GBV; harsher sentences for perpetrators and lastly that the NCGBVF be established urgently.

10.4 FREEDOM FRONT PLUS (FF+)

The FF+ was represented by Ms T Breedt (MP) who noted that the collective efforts for addressing GBVF was failing as there may in fact not be one. In addition, legislation such as the Domestic Violence Amendment Bill which would be introduced soon was deemed progress. However, Ms Breedt maintained that such efforts would be futile without implementation. To this end, budget should be allocated and spent on safe houses, employing more social workers and creating more legislation but the basics have to be done which included the following, ensuring protection orders are served and enforced, that victims of abuse are treated with dignity, police officers guilty of abuse and harassment are charged and

that perpetrators are held to account. Ms Breedt also reflected on brutal killings of Uyinene, Baby Lee Jegels and the many other women who were killed by men and many of whom has since not seen justice. Several of the examples cited pointed to failure of SAPS to enforce protection orders. The official statistics and research revealed high levels of impunity. Concerns were also expressed about the NCGBVF being merely a talk shop, meetings regarding GBV were postponed or did not start on time and presentations were incorrect. A year later despite the discussions being held it would appear that nothing has been done to curb the scourge of GBV. Ms Breedt concluded by saying, “*We as a Parliament are failing. We are failing our women. We are failing ourselves. We need to stand up and be the change we want to see.*”

10.5 AFRICAN CHRISTIAN DEMOCRATIC PARTY (ACDP)

The ACDP was represented by Ms. ME Sukers (MP) who commenced by acknowledging her guest at Women’s Parliament, Ms Bronwyn Litkie, from SA Women Fight Back. Ms Sukers noted that violence against women and children was symptomatic of a fractured society and the breakdown of the nuclear family. The economic disparity and inequality, sustained by systemic failures in the health, education, and justice systems perpetuated the seemingly never-ending cycle of violence that was gripping South Africa. Ms Sukers went on to render a very impassioned personal account of her lived experience and acknowledged that there were millions of women, like her mother, Bettie Annie Rex, a single parent, a domestic worker, abandoned economically and forced to live a life of terrible hardship. She affirmed this by saying, “*We are their daughters, we know their stories, and we have now become their voices!*”

Furthermore, Ms Sukers placed emphasis on the importance of leadership in these times. To this end, Ms Sukers noted that society was caught in a cycle of violence. Helplessness and apathy in the face of this crisis were noted as the biggest obstacles to changing the narrative and story of both the current and next generation of women. Ms Sukers maintained that GBV hid in the silent voices in the face of sexual, mental and economic exploitation of women, and the children they raise. The sexual abuse of children was said to be the country’s silent pandemic, and the linkage between sexually explicit material and the role of pornography in perpetuating violence, was missing from the NSP and the research in this regard that illustrated the link, cannot be ignored given the escalating violence against women and children.

In addition, Ms Sukers noted that one cannot advance equality whilst not addressing these evils that further promote the enslavement of women and children. Nor could one not ignore the fact that most women are homeless and without a place to call their own, putting them at the mercy of benefactors - many times at an emotional and physical cost. Neither could one allow for the economic abandonment to continue that leaves a woman and her children vulnerable. Ms Sukers indicated that as leaders, it was an important time to take cognisance of the current period and the influential role played by members of Parliament. In concluding, she said, *“Let the daughters of the women who lived through oppression of the worst kind now show leadership, and ensure that the measures of our leadership is in the courageous actions we take against evil! We must turn the tide.”*

10.6 UNITED DEMOCRATIC MOVEMENT (UDM)

The UDM was represented by Ms Nongenga (MP) who reflected on the women’s march of 1956 and stated that women’s issues and GBV have no political boundaries, there is a need for women to be united. A clarion call was made to unite as women and fight the scourge of GBV together. The ruthless cases of GBVF were also noted in the examples pertaining to the killing of women in Sterkspruit due to allegations of witchcraft, to the school girl who was raped after having been sent home by the school for not wearing a mask. It was imperative for government to work more collaboratively. Ms Nongenga lamented the fact that there were no actions taken against the perpetrators yet women were violated on a daily basis. Hence it would appear that the perpetrators have more rights than the victims. In conclusion, Ms Nongenga concluded that women decision making positions should represent the rights of women and influence the laws and policies that protect women. Thus leaders should advocate for the rights of women.

10.7 AFRICAN TRANSFORMATION MOVEMENT (ATM)

The ATM was represented by Ms F Khuzwayo (MP). Ms Khuzwayo indicated that GBVF was a symptom of a very sick society, a broken nation and it was not what the 1956 women fought for. There was a need to fight all forms of GBVF in all spheres of society. She went on to state that women were less likely to become victims of GBVF if they were liberated economically.

To this end, suggestion such as the ring fencing of informal trade should be considered as there were many women operating in this sector. Lastly, the ATM urged the Government to introduce justice based punishment, that is equivalent to the death penalty.

10.8 GOOD

The GOOD party was represented by Ms CW Nare (MP). In Ms Nare's opening remarks, she acknowledged the pervasiveness of GBVF and that it required a collective effort between government, civil society organisations, faith-based organisations, the private sector, members of society, including men and women, boys and girls. Ms Nare noted that it was important to acknowledge that policies and strategies were nothing if not successfully implemented and progress was not monitored and evaluated. In turn, this required political will and resources. Hence, until budget and laws translated into action, women and girls would continue to suffer and die. GOOD, called on government to:

- Prioritise organisations and initiatives that were doing the hard work acting on behalf of victims and survivors.
- Shelters and organisations providing services to survivors must be considered vital as they provide a crucial service.
- Action-based partnerships must not be tied up in red tape by government departments as this would hinder progress.

Ms Nare maintained that in order to eradicate GBVF it was important to recognise the root causes or else the problem would persist. As such, this included identifying social ills and behavioural traits that lead to unacceptable conduct and habits. Due recognition was given to work done by the police and judicial system. However, Ms Nare noted that the systemic challenges in police services and courts often put women and girls at risk of continual victimisation and prevent their access to protection and justice. Economic empowerment of women was also considered to be key as it would tip the socioeconomic scale and address gender power relations by giving females the financial independence to stop tolerating abuse and the confidence to leave these relationships. In so doing, Ms Nare indicated that this would also eliminate the gender ideals linking masculinity to the provider role and femininity to submission and victimhood. In conclusion, Ms Nara quoted GOOD's Leader, Ms Patricia De

Lille by saying, “*Gender-based violence is a disease that infects the whole of society. There is no vaccine. It requires a whole of society’s response.*”

10.9 NATIONAL FREEDOM PARTY (NFP)

The NFP was represented by Ms T Kleinhans (MP) who indicated that there was a need to break the silence against this pandemic of GBV. She indicated that it was important to give credence to not only violations of women’s rights that have taken place in the last 26 years but the last 368 years. Ms Kleinhans also reflected on the death of Leigha Williams who was killed in St Helena Bay. This incident highlighted the role of the police and the dangers of children being killed in cross fire in communities but also how communities who are left vulnerable without compensation and justice on account of police brutality. Moreover, Ms Kleinhans reiterated that despite the legal framework in place the implementation thereof was poor and consequence management for non-adherence to legal statutes was lacking. She stated that victims must be supported and not ignored. It was imperative for the voices of victims to be heard. Ms Kleinhans questioned why those in decision making positions were silent when provided an opportunity to change policies. As such, where relevant, policies should be reviewed and amended in order to leave behind a legacy of true change.

10.10 AFRICAN INDEPENDENT CONGRESS (AIC)

The AIC was represented by Councillor M Arnolds, who noted that despite the gains the country has made since the development of the of Women’s Charter, and South African women assuming key decision making positions, the advancement of women’s emancipation required attention. From the onset, Ms Arnolds clearly stated that women who succumb to GBV were not victims but survivors. She paid tribute to many of these women such as Karabo Mokoena. She went on to state that many women were still economically dependent on their perpetrators, because they provide for their basic needs. To this end, South Africa has been confronted with daily news of women killed without any justice obtained against the perpetrators. Ms Arnolds reiterated that there was a need for action, as a country was being robbed of the most important resources, its women and children. And questioned whether such measures were able to save any GBV survivors. To this end, Government was responsible for creating an enabling environment for law enforcement. The AIC called for harsher sentences to be imposed for these

heinous crimes. Ms Arnolds concluded by saying, *“This delegation should be part of a generation that will bring equal future for all.”*

10.11 AL-JAMA-AH

Mrs F Hendricks (MP) represented Al-Jama-Ah. She noted that based on what was presented at Women’s Parliament, it was evident that most perpetrators of violence were abused as children. Reflections were also made on the women’s march of 1956 which demonstrated the strength and commitment of women in the fight against oppression and this fight continued in the 2020’s. In reflecting on the Constitution, Ms Hendricks noted that it was established on the equality and dignity of all South Africans and that Section 9 of the Constitution, the Bill of Rights specifically prohibits any person to discriminate against another on the basis of gender. However, despite this clause in the Bill of Rights, Muslim women, women from the Hindu and Jewish faiths who are married according to their own religious rights, are still being discriminated against, because when their husbands die, their death certificate shows ‘never married’. To this end, Mrs Hendricks provided a personal account of her own situation in this regard.

A call was made to urgently address the increasing and horrific gender-based violence against women and children in our society. Al-Jama-ah called on government to give more constructive support to shelters for abused women. Government was urged to expedite the registration and funding processes for shelters for abused women to enable women to play a constructive role economically, socially and politically in society. To this end, Mrs Hendricks noted that women who were once victims also have an important role to play in helping and empowering victims of abuse. Moreover, Mrs Hendricks also highlighted the importance psychological, financial and emotional abuse as an area requiring attention all of which was exacerbated by COVID-19. And as such, it was important to change attitudes to this kind of financial and emotional abuse as these forms of abuse were as devastating as physical abuse.

Al-Jama-ah recommended that State pays more attention to the provision of mental health facilities which means more psychologists, social workers and psychiatrists. Therapy needs to be made available to women with mental health issues and will empower women to leave abusive relationships. The link between pornography and the exploitation of women and

children was also made. In view of the shortage of shelters, it was recommended that perpetrators be evicted from their homes and protection be granted to the wife and children. Furthermore, it was also reiterated that imprisonment of the perpetrators should be treated as a priority. Mrs Hendricks concluded by indicating that Al-Jama-ah constituency office in Surrey Estate started an armed response unit to assist women who were in danger.

10.12 AFRICAN NATIONAL CONGRESS (ANC)

The ANC was represented Ms Nkondlo and focussed on what she termed, “Unity of purpose”. Ms Nkondlo reflected on the killing in Sterkspruit, the availability of rape kits at police stations and why the face of poverty was still dominated by a Black female. Ms Nkondlo reiterated that no woman in South Africa was immune to GBVF and that the economic impact of the pandemic affected women disproportionately due to a loss of income. Challenges pertaining to UIF payouts or conversely women who were not on UIF and therefore could not benefit, corporates delaying payments were but some of the examples cited by Ms Nkondlo that impacted on households where women lived. These were the unintended consequences of the lockdown which adversely affected women. The interrelationship between patriarchy and race was also highlighted. As such, Ms Nkondlo reiterated that patriarchal socialisation cannot continue by treating the girl child different to the boy child.

Emphasis was also placed on mainstreaming women’s economic participation but that was more than just a call for 50/50 as it went beyond just the representation of women. Instead it was about ensuring that poverty no longer mirrors the face of a woman. Ms Nkondlo, put forward several recommendations namely;

- The Portfolio Committee on Women, Youth and Persons with Disabilities should prioritise women’s economic participation.
- An audit of the Economic cluster was required with a particular focus on budgets by assessing quarterly reports.
- Civil society was urged to utilise the public participation opportunities afforded and encouraged to join committees as a means of strengthening oversight.
- Civil society was advised to affirm their own power by engaging with public representatives and to start demanding accountability around economic participation.

- The Department of Trade and Industry should make known how many new and existing enterprises were owned by women which they have supported.
- An assessment of the Infrastructure development programme is required to determine how are women benefitting and which organisations of women would be participating in those projects.

Ms Nkondlo concluded by saying, *“Be the change you want to see. Charity begins at home ...Voices of women are being suppressed. As we speak we must act - Unity of purpose”*.

The Hon. Gillion closed the session by firstly thanking all political parties for their input and secondly reiterating the importance of unity in addressing the scourge of GBVF in the country.

10.13 MESSAGE OF SUPPORT - MRS GN SHOPE

A message of support from Mrs GN Shope shared was via video. Mrs Shope reflected on gains made since the advent of democracy insofar as the representation of women in decision making positions. A special tribute was made to women working in the health sector given the COVID-19 pandemic. The increase in GBV was also acknowledged and the impact of the COVID-19 pandemic on everyone with particular emphasis placed on disabled people and refugees who endure particular difficulties. Gratitude was expressed for the humanitarian work undertaken during this time in the country which reinforced the pride and patriotism to being South African. Notwithstanding that, Mrs Shope was dismayed and ashamed at the corruption especially during this period. Her disappointment and sense of betrayal was noted toward those implicated in corruption. Moreover, Mrs Shope reiterated the important role of members of Parliament in ensuring that those guilty of corruption are held to account and that the laws are strengthened to eradicate GBV. Mrs Shope concluded by saying that it was important to rebuild the country together by making it a democratic, *“non-racial and non-sexist country of our dreams. Let us make it a country of prosperity for all”*.

11. CLOSING

The vote of thanks was rendered by Ms Lucas who expressed her gratitude and appreciation to the Chief Whip of the Majority Party, all presenters and delegates at Women’s Parliament

2020. She acknowledged that the report back was necessary and that Women's Parliament was not merely a talk shop but that, "We are busy moving. Not just in August Women's Month but a 365 day programme" and that Parliament was leading in that regard. The sessions highlighted key issues impacting women, such as the importance of women's economic empowerment and liberation; equality and equity; safety concerns and the need to focus on the boy child. Ms Lucas reassured delegates that the presentations would be made available to all participants as the information would be empowering.

12. SUMMARY OF KEY CHALLENGES AND RECOMMENDATIONS

12.1 CHALLENGES

Herewith key challenges that emanated from the presentations and engagement at Women's Parliament.

12.1.1 GBVF

- Increase in GBVF
- Delays in finalisation of the costing of NSP likely to compromise implementation.
- Implementation of NSP slow.
- NSP silent on linkage between sexually explicit material and the role of pornography in perpetuating violence.
- Delays in establishment and constitution of the NCGBVF.
- Psychological, financial and emotional abuse not given the same recognition as physical abuse.
- Sexual abuse of children recognized as the country's silent pandemic.

12.1.2 Criminal Justice System

- Systemic challenges in police services and courts
- Backlog of DNA testing
- Shortage of rape kits at police stations
- Secondary victimisation endured by victims of GBV
- Quarterly crime statistics reveal the scourge of GBVF
- Protection orders failing victims of GBV

- Sex workers subjected to GBVF
- Discrimination towards LGBTQIA+ persons
- Corrective rape
- High levels of impunity
- Silo operations and lack of coordination and collaboration between Departments

12.1.3 General

- Interrelationship between patriarchy and race
- Impact of COVID-19
- Corruption in government and poor implementation of laws and policy
- Forced sterilisation of HIV positive women
- Mental health concerns
- Lack of awareness of women's rights
- Recognition of rights of Muslim women, women from the Hindu and Jewish faiths who are married according to their own religious rights, are still being discriminated against in terms of marriage.
- Financial entrapment of women in abusive relationships. Many women were still economically dependent on their perpetrators.
- Inadequate funding of shelters and places of safety.

12.2 RECOMMENDATIONS

Herewith recommendations that emanated from submissions made at Women's Parliament.

12.2.1 National Government

- Government Departments to create an enabling environment for responsive law enforcement by ensuring adequate resourcing over short, medium and long term.
- Government in partnership with research institutions to regularly conduct society wide research in order to be updated on emerging trends, and to ensure adoption and implementation of evidence based programmes and interventions. The Interim Steering

Committee overseeing the implementation of the NSP should ensure this is given effect to.

- All Government Departments and entities should ensure strict adherence to stipulated preferential procurement quotas for women with consequence management for non-compliance.
- National departments to actively address all related challenges in implementation of programs aimed at eradication of GBVF within the context of Annual Performance Plans and Strategic Plans.
- National departments to report at least annually on progress in relation to the implementation of national NSP targets.

12.2.2 Provincial Government

- Provinces should have functional and effectively positioned gender mainstreaming offices to ensure effective coordination.
- Provinces should ensure that all institutional mechanisms in relation to the NSP are in place and capacitated in line with the identified timeframes stipulated in the policy.
- Provinces to localise the NSP framework to cater for needs and realities of provinces in line with the identified timeframes stipulated in the policy.
- Provincial departments to regularly report on progress in relation to implementation of provincial NSP targets on an annual basis at least.
- Provinces to actively address all related challenges in implementation of programs aimed at eradication of GBVF within context of Annual Performance Plans (APPs) and Strategic Plans.

12.2.3 Local Government

- All municipalities to adopt GBVF responsive IDPs annually.
- There is a need to assist and improve the capacity of all municipalities to effectively implement constitutional mandates towards creation of safe communities as key aspect of APPs and Strategic Plans.
- All municipalities to appoint gender focal points with adequate funding and capacity to effectively implement GBVF programs in line with timeframes stipulated in NSP.

- All municipalities to capacitate and train community policing forums, neighbourhood watches and others safety groupings in communities on GBVF and the NSP framework as a key aspect of APPs.

12.2.4 Department of Health, Department of Social Development

- Department of Health to ensure adequate provision of mental health facilities across all provinces over the MTSF period.
- Psycho-social therapy needs to be made more available and accessible for all women with mental health concerns in the short, medium and long term.
- To increase access to psycho-social support and services by, employing and adequately deploying psychologists, social workers and psychiatrists across all municipalities.
- Adequate and more constructive support to be given to all shelters for victims of GBVF by the Department of Social Development in the short, medium and long term.

12.2.5 SAPS

- Backlog of DNA testing to be addressed and progress reported back to the Portfolio Committee on Police on a quarterly basis.
- Protection orders should be served and enforced in line with the provisions as outlined in the law and policy.
- Prevent secondary victimisation of GBV victims by SAPS.
- Police officers that are guilty of abuse and harassment must be prosecuted in keeping with the statutes.
- Reform of the criminal justice system to be done with greater speed as outlined in the NDP.
- Capacity building of the police to deal more effectively with victims and perpetrators of GBVF.
- A national investigation by the Police Ombudsman on secondary victimisation at police stations across all provinces and more visible sanctions for the officers responsible.
- Gun, alcohol and drug control: enforcement of existing measures, prevention of corruption, action on illegal guns, measures to reduce harmful alcohol use and drugs

12.2.6 Judiciary

- To implement programs aimed at transforming the judiciary to be gender responsive and victim friendly in the short, medium and long term.
- To up-skill prosecutors and magistrates to ensure more stringent sentencing of perpetrators.
- A judicial review of sentencing.

12.2.7 Department of Trade and Industry (DTI)

- The Department of Trade and Industry should publicise all women owned, new and existing enterprises funded and/or supported on an annual basis at least.

12.2.8 Department of Small Business and Development (DSBD)

- The Department of Small Business and Development to implement more economic empowerment programmes aimed at capacitating and supporting women owned businesses, towards economic independence of women over the short, medium and long term.
- The Department ring-fencing budgets to support informal traders in the short, medium and long term.

12.2.9 Department of Public Works and Infrastructure (DPWI)

- An assessment of the infrastructure development programme is required to determine beneficiation of women and participation of women owned businesses in those projects annually.

12.2.10 Department of Social Development (DSD) and or Health

- Resources for evidence-based prevention programmes to change harmful masculinities e.g. Stepping Stones and Creating Futures.
- Resources for mental health programmes, in the health sector and through community-level interventions including psychotherapy from lay counsellors
- Funding for parenting programmes for vulnerable parents in the short, medium and long term.

- The Department of Social Development should intensify efforts to increase the provision of care, support and healing programs to all victims in line with targets outlined in its Strategic Plan and APPs.
- The Department of Social Development should work more closely with all stakeholders to provide and support shelters for victims of GBVF annually.

12.2.11 Department of Women Youth and Persons with Disabilities (DWYPD)

- The Department should ensure transparency and expedite the establishment of the NCGBVF in keeping with the timeframes stipulated in the NSP.
- To assist all national departments to integrate NSP targets in strategic and annual plans and regularly report on implementation as outlined in the NSP.
- To develop a mechanism to hold line departments accountable for implementation of NSP targets as outlined in the NSP.
- To adopt and intensify implementation of programmes focussing on men and boys in the short, medium and long term.
- To finalise the costing of NSP before the next financial year 2021/22.
- An audit of the Economic cluster is required with a particular focus on budgets by assessing quarterly reports over the short, medium and long term.
- Ensure solid research foundation to guide the GBV prevention strategy and monitor and evaluate its impact in keeping with the provisions as outlined in the NSP.

12.2.12 Department of Labour

- Key data on women's economic participation, such as the data governed by the Companies' and Intellectual Property Commissions should be made available to university and research institutions, to do an analysis and tracking of progress, for both listed and unlisted companies and their governing bodies;
- Post training permanent employment of women in male dominated industries should be regulated and incentivised;
- Strengthening of pay report as mandated by the employment equity Act by refining the measures used in the income differential statement.
- Pay audits should be mandated for designated employers. There should be a differentiation between pay report and the pay audit, as there is in-depth analysis during

the pay audit. Such analysis should enable the employer to track and eradicate unfair pay discrimination.

- Companies should discuss, as a separate issue, equal gender pay including pay audit results during the collective pay bargaining, a soft law should be introduced in the King report as a matter of remuneration good governance.

12.2.13 Department of Home Affairs

- To address the discrimination against Muslim, Hindu and Jewish women married in religious rights in terms of the official marriage status being recognised.

12.2.14 National Treasury

- Resources must be allocated from National Treasury for measures required for GBV and femicide prevention.
- Basic income grants to reduce most severe poverty in communities.

12.2.15 Department of Basic Education

- Enhancing school completion: resourcing pre-school education, teenage pregnancy prevention, homework support, oversight of Department of Basic Education measures to prevent drop out before matric, action to ensure school year is not lost from COVID-19

12.2.16 Parliament

- The Portfolio Committee on Women, Youth and Persons with Disabilities should prioritise women's economic participation within the 6th Parliament.
- Members of Parliament should ensure that those guilty of corruption are held to account and that the laws are strengthened to address GBVF in the 6th Parliament.
- The Portfolio Committee on Justice and Correctional Services should urgently process the Amendment Bills related to GBVF.
- The Portfolio Committee on Agriculture and Rural Development should intensify oversight over equitable ownership of land by women in rural areas in the 6th Parliament.
- Ratify International Labour Organisation's Violence and Harassment Convention, 2019 (No. 190) together with the related Recommendation R206.

- Legislatures should seek to give an employee a right to obtain pay information when the employee is attempting to prove a claim in terms of section 6 (4) of the Employment Equity Act.
- Stronger enforcement of existing legislation.

12.2.17 Civil society

- Civil society was urged to utilise the public participation opportunities afforded by Parliament annually.
- Civil society should be encouraged to join committees as a means of strengthening oversight when Parliament is in session.
- Civil society was advised to affirm their own power by engaging with public representatives and to start demanding accountability around economic participation.