SOCIAL COHESION WORKSHOP
GENDER INPUT: THUTHUZELA
CARE CENTRE RESPONSE

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This process was initiated when Cabinet in March 2000:
- identified the alarming nature of rape in RSA
- tasked the ministers of S&S and Health to lead process

An Inter-Departmental Management Team (IDMT) was formed

This presentation is the culmination of the IDMT’s initial work

The initial work entailed:
- a data driven yet action orientated approach
- 166 interviews involving all IDMT departments
- involvement by line function departments at provincial and local levels
- assistance from Monitor Group, a leading global strategy firm

This report has actively sought to:
- be data driven
- be action orientated
- consult widely with all relevant departments
For rapes that are reported, CJS statistics indicate that rape has several large areas of exit of cases.

Nationally in 2000, a guilty verdict was achieved in 7.7% of all reported cases of rape of victims of all ages, 16.8% of rape cases referred to court, and 48.9% of rape cases finalised.

Rape Case Progress through the Criminal Justice System, 2000 (All Ages)

<table>
<thead>
<tr>
<th>No. of Cases</th>
<th>Cases Reported</th>
<th>Cases Withdrawn before Court</th>
<th>Untraced</th>
<th>Unfounded</th>
<th>Under Investigation</th>
<th>Referred to Court</th>
<th>Withdrawn in Court</th>
<th>On Trial</th>
<th>Alternative Completion</th>
<th>Not Guilty</th>
<th>Guilty</th>
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<tbody>
<tr>
<td></td>
<td>52,975</td>
<td>10,059</td>
<td>15,767</td>
<td>1,006</td>
<td>1,922</td>
<td>24,221</td>
<td>12,839</td>
<td>33</td>
<td>1,300</td>
<td>4,237</td>
<td>4,060</td>
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</table>

Note: The numbers reported above are a "snapshot" of the number of cases recorded at each stage at the time. It does not, therefore, provide a means of tracking a case from start to finish.

"Under Investigation" and "On Trial" are balancing figures used to cater for the time lag in the flow.

Source: Crime Information Analysis Centre (CIAC), Rape and Attempted Rape Statistics, June 2001; Monitor Analysis.
Anti-Rape Strategy Framework: choices to be made about where to distribute energy and resources

- **What is Bad?**
  - Lack of safe places - situational and environmental
  - High backlog in cases
  - Limited roll out of services to rural areas

- **What is Good?**
  - Education campaigns
  - TCC’s & other Integrated response centers
  - Victims Charter & Empowerment Initiatives

- **What is Missing?**
  - A profile of offenders and survivors / victims
  - Blueprint to fix CJS for effectiveness in dealing with rape cases
  - Relevant and systematic support

- **Prevention**
  - A balance must be found across the actions
  - Key choices need to be made in terms of how to prioritise which department needs to react
Pillar 1 - Prevention: systematic analysis will identify high impact actions to prevent and reduce rape

Potential Actions
- Individual
- Household
- Community / Society
- Workplace/School
- Criminal Justice System

Analysis of Offenders, Victims, Offences
- Short Term e.g. Hotspots
- Medium Term e.g. CJS benefits
- Long Term e.g. Behaviour targeting

Focused high impact interventions

At all pillars of the matrix

Desired Outcomes
- Systematic Violence Reduction and Prevention

National Prosecuting Authority of South Africa
Pillar 2 - Response: choices need to be made about the desired outcomes of the CJS: speed, cost and conviction

The overall objectives should be designed to improve the CJS over the long term; relative trade-offs are necessary between objectives. It is unlikely that evolutionary change can fundamentally restructure the performance.

- Capacity scheduling
- Utilisation

- Accepting delays
- Clearing cases within time limits

- Usage of DNA testing
- Victim empowerment

The CJS can only be redesigned once we know what it should achieve.
Pillar 3 - Support: relevant and systematic support is required

- **Involved Persons**
  - Victim / Survivor
  - Witnesses
  - Offender

- **Required Support**
  - Relevant and Systematic support is necessary at all levels

- **Arenas Affected**
  - Family
  - Workplace / School
  - Health / Physical
  - Society
  - Criminal Justice System

- **Departments Involved**
  - Dept of Social Development
  - Dept of Health
  - Labour and DTI
  - Local and Provincial Government
  - Dept of Health
  - Dept of Health
  - Dept of Safety and Security
  - Dept of Justice
  - Dept of Safety and Security
  - Dept of Correctional Services
THE TCC APPROACH: Turning victims into survivors
Building effective efficient and expeditious systems
Seamless cooperation among role players.

**Outcomes: Eradicate Secondary victimisation; Reduce cycle times; increase convictions**

**Victim centrality**
- Services are tailored to the victim’s needs and reduce self blame:
  - Create a victim friendly environment conducive to reporting and retention
  - Invest in quality victim management, empowerment and preparation
  - Increase confidence in the Criminal Justice System (information loop)

**Court Directed**
- Invert the process, do first things first: & ensure offender accountability:
  - Only select trained specialised personnel to deal with victim/survivor
  - First secure the physical, forensic and other evidence resident on victim
  - Prosecutor guided investigations

**Multi-Disciplinary Approach**
- Role player cooperation can deliver on victim’s needs and address systemic weaknesses:
  - Making the system seamless in victim management
  - Introduce mutual accountability
  - Design objectives common to and shared by all stake holders
April 04 – April 05

New cases

Finalised cases

Conviction Rate

J court is Thuthuzela Court
Tracking performance over a period of 6 years re: dedicated courts and linked to TCC’s:

Conviction Rates (TCC Matters: Dedicated Courts to No of Dedicated Courts)

- 2002/2003: 74%
- 2003/2004: 64%
- 2004/2005: 61%
- 2005/2006: 63%
- 2006/2007: 70%
- 2007/2008: 65%
- 2009/10 Quarters 1-2: 70% Conviction Rate at all TCC Courts (2 Dedicated)

2009/10 Quarters 1-2: (12 Courts) 70% Conviction Rate at all TCC Courts (2 Dedicated)
54,000 rapes reported in South Africa in 2007.

Only 1 in 9 rape victims report.

54,000 x 9 = 486,000 rape incidences per year translates to 1,331 on unreported estimate per day.

1,331 - 147 = 1,184 rapes per day that have gone lost before the CJS can kick in.
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<th>2008/2009</th>
<th>2009 Q1 –Q2</th>
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<tbody>
<tr>
<td>No TCC’s</td>
<td>10</td>
<td>17</td>
</tr>
<tr>
<td>No Cases Seen at TCC</td>
<td>10213</td>
<td>6062</td>
</tr>
<tr>
<td>Monthly Ave Per TCC</td>
<td>50.6</td>
<td>52.69</td>
</tr>
<tr>
<td>Ratio to 2007 stat</td>
<td>18.9% to 2007 (12 Mo) No</td>
<td>22.2% to 2007 (6 Mo.) No</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
<td>-----------</td>
</tr>
<tr>
<td>CURRENTLY</td>
<td>20 (46% ESTABLISHED)</td>
<td>TOTAL</td>
</tr>
<tr>
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<tr>
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