Rape Survivors’ Guide to the Criminal Justice System in South Africa
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At least 90% of all rapes are not reported to the police
More than 66,000 rapes are reported to the police in South Africa annually
Total number of rapes is at least 600,000; it may be 1,650,000, or higher
Arrests are made in less than 50% of the reported cases
Less than 15% of the arrested rapists are taken to trial
Less than 5% of rapists who are tried are convicted
66,000 reported rapes: 250 convictions
Over 15% of convicted rapists get less than the mandatory sentence of 10 years
More than 40% of convicted rapists are eligible for life sentence
Less than 9% of those eligible for life sentence get life sentence

Given these facts, making the decision to report rape is a difficult one and it is the start of a long and distressing journey, one which women often make alone.
Why women do not report rape

Most rapes are not reported to the police; in Gauteng, only one in 25 rapes is reported to the police. At best, only about 10 per cent of all rapes are reported to the police.

There are many reasons for not reporting rape:

- You may feel that no one will believe you, especially if you were raped by your boyfriend, husband or a regular sexual partner;
- You and your family may be financially dependent on the rapist;
- You may believe that the police will not do anything even if you try to report, especially if the rapist is wealthy or influential;
- You may be afraid of being stigmatised if you report being raped;
- You may not have the money to travel to the police station and the hospital;
- You may be afraid you will lose your job because of discrimination or stigma;
- You may think that you are to blame for the rape;
- You may be pressured by your family members to not report;
- You may be threatened with further violence by the rapist;
- You may believe that even if you report the rape, the rapist will bribe the police and the docket will disappear from the police station;
- You may believe that even if the rapist is arrested, his friends and family will come to take revenge;
- You may not have the time and the money to engage in a long police and court process;
- You may believe that even if you manage to go to court, the case will be thrown out because of “insufficient evidence”;
- You may believe that even if you win the case, the rapist will be let off with a small jail term and come after you when he is released.

All these reasons for not reporting rape to the police are valid and you must consider them carefully before you decide to engage with the legal system so that you are prepared for the secondary victimisation you are likely to face.
I. About this guide

Almost every woman in South Africa faces some form of sexual violence over the course of her life. Yet, the stigma attached to being a survivor of sexual violence is so strong that women often find themselves isolated and unable to speak about their experience – even when they know that every other woman they know is also, like them, a survivor.

The loneliness and isolation is made the worse by knowing that neither the police nor the community considers violence against women to be “real” violence. Men prove their masculinity by beating and raping women. Women are told that boyfriends and husbands have the right to beat and rape them because they have paid lobola or because men are supposed to financially support women, and simply because they are men. Sexual violence against women is so predictably universal that it becomes clear that every excuse for sexual violence is just that, an excuse for men as individuals and as a group to control women.

A large percentage of this violence takes place within relationships, which makes it even harder for women to report it. Women who try to report violence face even more violence – from their abusive boyfriends and husbands, from the police who tell them that they should go back to their abusive boyfriends and husbands, and from family members who say that the women are disgracing them by taking a “family matter” out into the public.

Even in cases where women face sexual violence from strangers, it can be hard to report the violence and bring a case against the rapist, as Buyisiwe’s story shows.

This guide is the result of conversations among rape survivors who wanted to share with other women survivors of rape their experiences of trying to get justice after being raped. It is an attempt to break the silence that surrounds sexual violence and provide some concrete tips to women who are considering seeking legal remedy for sexual violence.

Rape is
★ NEVER your fault
★ NEVER a “family matter”
★ NEVER your husband’s or boyfriend’s right
★ NEVER a “mistake”
★ NEVER an excuse for inappropriate questions from anyone
Sexual Violence Defined by Law:

Rape: Penetration by penis into genital organs or anus

Sexual Violation: Penetration by any object or non-genital body part into genital organs or anus

Attempted Rape: An unsuccessful or partially completed rape

Statutory Rape: Sexual penetration of a person below the age of 16 years

Indecent Act: Showing or touching genital organs or female breasts
Rape is rape no matter who the perpetrator is.

Who can be a rapist?

You can be raped by immediate family members, such as brothers or fathers; more distant family members, such as uncles or cousins; by friends of the family or casual acquaintances; bosses or co-workers; by strangers; teachers and pastors; stepfathers and stepbrothers; and by husbands and boyfriends.

Who should read this guide?

This guide is for all women survivors of sexual violence who want to report rape to the police and take legal action against the rapist.

There is no time limit for reporting rape; you can report a rape years after it took place.

This guide will provide a step-by-step guide to what you can expect as well as some tips for negotiating the criminal justice system when you try to report a rape and take it to court.
II. Thandeka’s Story

Sunday, May 27, 2007, is a day I will never ever forget. This was the day I innocently opened the doors of my home to a man I highly respected and trusted as my senior colleague at Johannesburg Metro Police Department (JMPD), a chief superintendent; I didn’t know that I had opened my doors to a rapist.

A month earlier, the chief superintendent had given me two office cameras to cover a work related event for him. I had gone to his office the next day to show him the photographs and download them for him, but he had told me he was not in a hurry for them and that I could hold on to them. The weeks went by and he said nothing about the photos; meanwhile, I had moved the cameras from my office to a patrol car I was using at the time due to renovations that were being conducted in my office.

When he called me on the morning of May 27, he asked if I was at home and if he could come get the cameras because he needed them urgently for another event on that day. I woke up and wore my dressing gown and went to the car to fetch the cameras before he arrived. But then I realized that one of the cameras was missing; I brought the one that was still there into the house.

When he arrived, I opened the doors for him as I had no reason not to open the door for a respected colleague and a senior police officer. He walked into the house and asked who was home with me. After I responded that I was alone he tried to hug me, but I took a step backwards. I had just woken up, still in my nightgown and did not feel comfortable hugging a man dressed like that. But he started chasing me around my living room trying to hug me.

I suddenly stopped and showed him the camera I had put on the couch and told him I could not find the other one. I expected him to tell me where to go to report the missing camera but he again tried to hug me and said he would make a plan. This time I could not move away as he was too close already. He pressed me too tight close to him. I tried to pull away but he became aggressive; in the struggle, I fell on top of my living room coffee table and broke it.

I still tried to get away from him but crashed into a big flowerpot which also fell and broke. I fell behind one of the couches in the living room while trying to run away from him. He grabbed me as I fell and I held on to his leather jacket to regain balance but then he tried to bend me down. It was at this moment that I realized what was happening.

I bit his arm hard to get loose. I managed to briefly get away and run to the main bedroom to try and lock myself in there but he caught up with me before I could lock the door. At some point I did close the door but it would not lock and he hit it open so hard he made a dent in it. He came inside the bedroom and pushed me onto the bed.

But when he loosened his grip to lower his tracksuit pants I kicked him off and tried to run out of the house. I was close to the couch where I had put the camera when he caught up with me and pushed me onto it. This time his grip was so hard I could not get way. He used one knee to force my legs open, pressed me tight onto the couch with one hand and used the other to take out his penis. I pleaded and pleaded with him not to do this and even told him I was going to go to the police but he ignored me. His facial expression had changed. He looked aggressive, his eyes were popping out and he hardly said a word throughout the incident, which. The incident lasted a short while and I did not even see his penis. I only felt it when it penetrated me. He did not use a condom and there was sperm all over the couch and me because I did not sit still. When he finished he just pulled up his pants, grabbed the camera and walked out.
I followed him out and told him I was going to report him to the police but he just ignored me. I still followed him to a point where I could see his car registration and ran back to the house to take off my dressing gown and put on a dress on top of my nightshirt. I immediately went to the nearby police station where I spent the whole day giving evidence and getting tortured by inexperienced police.

Eventually I was taken to a centre for abused women and children, Ikhaya Lethemba in Braamfontein, for further assistance. Here I met a two-year-old who had been raped on the same day. She was crying; her arm was broken because her rapist had fallen asleep on top of her. We were in the same room and she was hurting but she could not state her case as I could.

The next day, I was hospitalized for two weeks for depression. During the past years after the incident I hardly referred to the chief superintendent by name. Ask me WHY? Maybe that’s how much he has inflicted the pain on my heart. I am still on treatment to recover from the experience. I attribute my strength to my children’s support and to other women survivors. My son is so badly hurt by the rape that he has never discussed it with me and vice versa, except for him asking about court dates.

During the court appearances my son would just show up in court without informing me that he would be present. The look on this 19-year-old boy’s face tells a story of a wounded family, while my nine-year-old son would always want to engage me on a talk about women who suffer at the hands of men. I wanted them to know, I wanted them to understand how women feel because I don’t want them grow up to be the kind of men that hurt women. But how do I do that?

I admit, I shout, dance and skip around but when no one is looking, when the crowd is gone and the lights go off I still cry in pain. It was really difficult to start talking about my ordeal but I have adopted the style to “talk about it.” Rape happened to me and it has changed my life, but like a palm tree I have survived, even though I know I will never be the same again.

Thandeka’s Fight to Open a Case

I read about the withdrawal of my case on October 5, 2007, in a newspaper. Instead of breaking me down, the news motivated me to continue to fight for an opportunity to be heard in court. My journey started at women’s organisations and went as far as parliament in Cape Town, where I sought help from former deputy president Phumzile Mlambo-Ngcuka. I may have not succeeded in getting Mlambo-Ngcuka’s attention, but I did get help.

After my rape case was withdrawn without me ever being interviewed by a prosecutor, I made sure that the case was reinstated in a criminal court while I also opened a new case with the Commission for Conciliation, Mediation and Arbitration (CCMA) against my former employer, JMPD, who did not act against the chief superintendent after I reported him. The JMPD supported him and ignored me. This led to my resigning from my job in March 2008. The CCMA found that I was forced to resign under the circumstances and ruled in my favour. JMPD spokesman, Chief Superintendent Wayne Minnaar, who was also my direct manager at the time of the rape, denied that JMPD ignored my case and mistreated me. I was not discouraged or even surprised
by JMPD’s denials but I refused to remain silent and to be deterred by circumstances surrounding the handling of my case and being called a liar by a prosecutor who never interviewed me about the matter.

I promised my children that I would fight to get the case reopened in court, for an opportunity to tell my story and I am now telling my story. I opened up to my children about this because I did not want them as young men to think that they can hurt women like that and get away with it.

Thandeka’s Ordeal in Court

Little did I know that the case I fought so much to get back to the books of Justice was about to throw me out. The case was in and out of court the whole of 2007, 2008 and 2009. You would think that I would get some peace and that justice would finally be served.

The judge was sitting in his high throne with his black and red gown as I was standing facing him and looked at him right in his eyes reiterating my ordeal of rape step by step, word by word. He was listening to me very attentively and at times he would shake his head giving me signals that he agreed with me. When the defense attorney cross-examined me with questions I thought were not necessary, he would interfere and protect me.

Let me tell you a little about the so-called cross-examination based on the evidence. The defense discredits each and every line and word you have spoken; they go to such an extent that you have to sometimes define the words on your statement in the docket. That defense attorney made sure that I sounded and looked like a liar who was jealous of the person that raped and assaulted me. In court they said that the chief superintendent was happily married and that because he occupied a top position at work I was jealous of him and wanted to destroy him.

Guess what? I felt exactly that. I felt as if, yes, maybe I am hallucinating about this, maybe I was wrong and was not supposed to have opened a case, that he was actually correct and that what he did was right and I was wrong.

Don’t worry, that is how the journey of court will make you feel and it will break you into pieces. You will feel naked and raped once more. More than that, the families that come to court make it worse. His family, including his wife, were sitting next to us on the other side of the public gallery, making comments about me. As the proceedings in court were going on, the accused sat in the witness box taking notes, smiling, looking unperturbed.

After all of this, yes, the court’s verdict was NOT GUILTY. He was acquitted of all the charges. What does it sounds like? What you would feel? I leave this up to you. Think carefully about it then you tell me.

African woman don’t cry, we don’t complain, but just make sure that you have your day in court. Only when your voice is heard will you be able to make a difference in someone’s life, someone who is in the same situation as you.
III. If You Have Been Raped

- Do not take a bath or wash yourself, if possible
- Do not wash or throw away the clothes you were wearing when you were attacked
- Put the clothes you were wearing and other relevant items either in a clean paper bag or wrap them up in clean newspaper – DO NOT place them in plastic bags
- Wrap each item in a separate piece of paper, if possible
- Do not throw away any blood-soiled items. Take everything with blood on it, whether it is from menstruation or bleeding from injuries, and wrap these items up in paper, too
- If the rape occurred in a space that you can control, such as your house, avoid touching or moving anything around until the police have examined the scene of the crime
- Get to a government hospital as soon as you can and ask the health worker for medicines to prevent pregnancy, STIs and HIV transmission
- Do not make contact with or talk to the perpetrator
- Do not take money or anything else from the perpetrator – this is so you can preserve the integrity of your testimony
- Tell someone you trust about the rape as soon as you can; otherwise, write down everything you remember so that you have the details for later, if you decide to report
- Take the contact information of any witnesses, if you can
- Seek counselling as soon as you can

Tips for self-care

You may be in shock immediately after the rape and feel numb. Be prepared for the shock to wear off and for the pain and anger to appear in a few hours or days. It is important to reach out to someone, whether a professional counsellor or a trusted friend or family member, rather than try to hold everything together on your own. It may take you days or months or years to open up fully about your experience but trying to find support and talking about it is the first step towards healing, however hard it may be.

If you cannot talk to anyone, try to express what you are feeling in some other form – you can write about it, express it through drawing and art or find some other creative outlet for the pain. Try to put your own needs first when you are looking for support or help.

Remember, no matter how dirty you feel or how much you hate yourself, no part of what has happened to you is your fault – not where you were or whom you spoke to or what you were wearing or anything that you did or did not do.

Rape is ALWAYS and ONLY the fault of the rapist.
IV. Overall Process of Reporting Rape and Going to Court

There are three main components of the justice system: detection, prosecution and punishment. The process from beginning to end consists of several stages:

Reporting by you, the rape survivor: You make a statement to the police and lay a charge

Medical Examination by the doctor: The doctor conducts a full exam and fills out a J88 form to be used as evidence during the trial

Investigation by the police Investigating Officer (IO): The police investigate the charge and gather evidence

Arrest by the police: The police make an arrest based upon the evidence they have collected

Bail Hearing by National Prosecuting Authority (NPA) and the IO: Court hearing in which the magistrate will decide if the accused should be released on bail and settle the bail amount

Prosecution by the NPA: Court proceedings in which the NPA makes a case against the accused is defended by his defense attorney

Judgement by the court: The magistrate's decision regarding the guilt or innocence of the accused

Sentencing by the court (if the accused is found guilty): If found guilty, the magistrate decides on punishment for the rapist

Once you manage to successfully report a case of rape to the police, it is the duty of the police to investigate the charge and make an arrest – this is the investigation stage. After gathering evidence and making an arrest, the police hand over the case to the NPA. It is the NPA’s job to prosecute the rapists in court – this is the trial stage. At this stage, you, the rape survivor, will be called the “complainant” and rapists are called “the accused” or “defendants.”

In rape cases, the rape survivor is treated as a witness for the prosecution (NPA); it is the state (government) which brings the case against the accused (the rapist), even though you, the rape survivor, made the charge. It is important to remember that the prosecutor and the NPA are not your lawyers – they are working to protect the state's interests.

Rape cases are usually heard in magistrates’ courts. The magistrate will decide whether a case of rape has been successfully proved against the accused and will make a ruling or judgement. If the accused is found guilty, the judge will sentence the rapist.

The case can be dropped or “lost” at any time during investigation and prosecution, and the police or NPA may not even inform you when this happens. Therefore, you may believe that the rapist is in jail but one day you may see him walking around free because he has been let out on bail or because the state has decided not to prosecute.

No matter what the law says, you can expect to face many difficulties when you try to report a rape to the police and take a case to court. This guide gives some tips for how to negotiate each stage and for what you must watch out for.
V. Reporting Rape

Reporting rape can be a traumatising experience. You will have to deal with insensitive policemen and policewomen who will ask you unnecessary and irrelevant questions. Instead of taking your statement, the police may try to persuade you to not report the rape – this will especially be the case if you are bringing a rape charge against your boyfriend or husband, if the rapist is a powerful person in the community or if the rapist has friends among the police.

When and Where

You can report rape at any police station; if the police station you go to is not the one that is closest to the area where the rape took place, they are still obliged to register your case and then transfer it to the appropriate police station.

You can also report rape by calling the nearest police station; if you call the police to report rape, the police must come to where you are. However, you might have to wait a long time for them to come to you.

Rape cases are investigated by specialist units within the police force called Family Violence, Child Protection and Sexual Offences (FCS) Units.

Dos & Don’ts:

- If it is late at night and you are unable to go to a police station, try to avoid washing yourself. Wrap the clothes you were wearing in paper, NOT in plastic bags.
- If you have been injured, try your best to not wash yourself fully as you clean the wounds, no matter how dirty you feel – you may wash away the evidence that can prove that you were raped.
- If you are badly injured, call the ambulance or emergency services instead of waiting for the police.
- Try to go to the police station within 48 hours of being raped.
- Try to go to a hospital within 24 hours of being raped so that you can get the treatment and medication you might need.
What Should Happen When You Go to the Police Station

Once you get to the police station, you will have to **tell the constable at the reception that you want to lay a rape charge** – you do not have to give the constable any details of what happened, just record the rape in the “occurrence book.” Try to note the occurrence book number under which your case is recorded at this stage, as this will serve as proof that you reported the rape to the police even if you do not get a copy of your statement or a case number.

At this point, you should be taken to a private office or a trauma room, where you can make a statement and talk to trained volunteer counsellors. Most police stations have trauma rooms and these are supposed to be open at all times of the night and on weekends. If the police station you go to does not have a trauma room, you can ask to be taken to a private office where you can give a brief statement. You can ask to speak to a **female officer**.

If you can describe the rapist and give details of where you were raped, the police may be able to arrest the rapist quickly but you do not have to speak in detail at this point.

As soon as you have given a brief statement registering a rape case, the police should take you to the hospital for a medical examination. The doctor will fill out a J88 form that will record all the evidence gathered from the examination – the clothes you were wearing when you were raped may also be included as part of the evidence (see the section on going to the hospital).

Once you have received medical attention, the police must take you back the police station where you can give a detailed description of what happened to the detective (Investigating Officer, IO). If it is late and you are tired, this can even happen a day or two after the rape. The IO is the only police official to whom you need to give all the details of the incident. The IO must listen to you without judgement, record everything you say faithfully, and not try to persuade you to drop the case.

Try and give as much detail about what happened and a description of the rapist to the IO. You must tell the IO if the rapist threatened to harm you if you reported the case. **You can ask for police protection if you feel threatened by the rapist.** If the rapist is arrested, his threat will also help the court decide if he should be given bail.

Once you have made a full statement, you can read it through to make sure everything you said has been captured correctly and then sign it. **You must ask the IO to give you a copy of the statement and the case number.** The IO must also give you her/his full name and contact details. You must also give the IO your phone number and physical address, and if either changes, you must make sure to let the IO know. It is the job of the IO to be in touch with you from this point onwards but you might also have to contact the IO if you have further evidence or information about the rapist or the case.

All this information, including your statement, the results of your medical examination and any other evidence that has been collected will go into your case file and get registered in the police docket. You should be given a criminal register (CR) or misdaad register (MR) number, which will be used along with your case number to identify your case when it is being handled by the police.
Rights and Reality

Although you have the right to be treated with respect and dignity at the police station and to make your complaint in a private and comfortable setting, you might find on reaching the police station that you have to queue up behind everyone else and shout to be heard. The officer on duty may demand that you speak in front of everyone else in the room and may treat you disrespectfully.

Knowing your rights and what to expect at the police station can prepare you for dealing with some of the problems you may face when you are trying to lay a charge. If possible, go to the police station with someone who will be able to help you negotiate your way through the process.

Tip

Do not go to report rape at the police station with someone who could be a witness in your case. This can jeopardise the case at a later stage.

Tips

Make sure to read your statement carefully before you sign it.

Your statement is one of the most crucial pieces of evidence and any mistake in it can break your case. The IO may try to pressure you into signing the statement without reading it but it is your right to read it thoroughly and make any corrections you need to. If you remember something later that you want to add to the statement, you can go back to the IO and do so, as long as you have the case number.

Make sure to take a copy of your statement before you leave the police station.

In case the docket gets “lost” or your statement goes missing, you will have your own copy to rely on. The police may tell you that they cannot give you a copy but you must insist on it. If it is impossible to get a copy of your statement the same day, be sure to get a case number from the IO before you leave and follow up on your copy of the statement the next day.

Show us where you claim this man grabbed you
You have the right to make your statement in a private room

You have the right to speak to a female police officer

You have the right to victim support services

You have the right to make your statement in a language of your choice and the police must provide interpretation

You have the right to be taken to a hospital for medical treatment as soon as you have made a brief statement stating that you have been raped

You need to tell the police what happened in detail only once, when you make your statement to the IO

Once you have made a full statement to the IO, you have the right to read your statement and make corrections before signing it

You have the right to receive a copy of your statement before you leave the police station

The police may tell you they do not have a private room

A female officer may not be available at the police station for hours or days

There may be no victim support services at the police station

You may have to wait for a long time for an interpreter or the police may tell you they do not have an interpreter and force you to speak in English

The police may tell you to go to the hospital on your own and bring the J88 form and medical report back to the police station

The police may ask you to tell your story more than once, to the same or different officers

The IO may not offer you the statement to read and may tell you that you have to sign the statement without reading it

The police may tell you they cannot give you a copy of the statement

Though the process of reporting a rape is not very difficult or complicated, in terms of the steps that have to be followed, it can be made very hard by the hostile attitudes of the police. Both female and male police officers can be insensitive; they may ask offensive and inappropriate questions, make unpleasant remarks and even question your motives for reporting. You need to prepare yourself in order to continue with the process when you face of secondary victimisation and degrading treatment by the police.
TIPS for making the process easier

As far as possible, try not to make this journey alone. During this time you need as much support as you can get from those around you. **Try to seek help from supportive family members, relatives and friends.**

If you told someone about the rape soon after it happened, try to take that person with you to the police station. In addition to providing moral support, this person may be able to help fill in gaps in your statement, if you forget some of the details.

You have just suffered a traumatic experience and you are probably feeling overwhelmed by emotion or numb and speechless. Take some time to calm your mind and try to recall the details of what happened with as much clarity as you can.

No detail is insignificant; **write down everything you can remember** about the perpetrator’s appearance and behaviour, the time of day, the weather, the location and your mental state, no matter how small or unimportant it seems. Small details can help the investigation and add credibility to your story when you are being cross-examined.

Know the reporting process and ask to speak to the right police officer at different stages of the process. For instance, demand your right to give your statement only to the IO in a private setting rather than being made to tell your whole story at the reception, in front of everyone in the police station.

No matter how unsure and intimidated you feel, **do not sign anything unless you are satisfied with it.** If the statement has been written in a language and style that you find difficult to understand, ask the IO to re-write it so that it represents what you said.

It is your right to refuse to sign a statement you are not satisfied with.

Do not leave the police station unless you get a case number. You cannot follow up on your case unless you have a case number. Also try to note the name of each police officer you speak to in case you have been given incorrect information.

If the police do not give you a copy of your statement immediately, try to get the name and rank of the police officer whom you can contact the next day for a copy. **Call or visit the police station every day until you get your statement.** Having a copy of the statement may help you remember other details and knowing what you said in your statement will also be important during the trial when you will be cross-examined by the defense attorney.

The police are known to be reluctant to open rape cases because they think that rape survivors will come back and withdraw their case at a later stage. Insist on opening a case if the police try to persuade you to drop charges.

Expect policemen, and sometimes even policewomen, to be sympathetic towards rapists and doubt what you say. Even though duty officers at the reception or charge office are only supposed to note your complaint in the occurrence book and send you to a private room where you can make a statement, they may try to interrogate you and make you feel as if you are in the wrong for wanting to report rape. **Remember that you only have to tell the whole story to the IO** and that no one has the right to doubt or question your statement.

Try to call the IO once a month to get an update on the case and ask if there are any court dates coming up. Though the IO is supposed to keep you informed of the progress in the case, you may have to contact the IO so that you do not miss any important court dates or news, for instance, if the rapist has been granted bail and is no longer in jail.
VI. Linda’s Attempt to Report

Linda was abducted late one night. Two men broke into the house she shared with her brother, told her they would kill her if she made a sound and dragged her out of the house to a nearby field. One of the men ran away and Linda recognised the voice of the man who remained. He lived in her neighbourhood and used to threaten to rape her. The man raped her in the field and beat her up badly; then he left her there and went away. Linda dragged herself home and told her brother what had happened. She went to the police station in the morning to report the case.

At the police station, Linda faced another challenge. She went in and told the policeman at the main desk that she wanted to report a rape. There were many people in the police station but the policeman did not take Linda to a private room. She had to stand in front of everyone and say loudly that she had been raped. Instead of noting her complaint in the occurrence book and taking her to a quiet place where she could talk to a detective or a female officer, the policeman started asking Linda questions about the way she was dressed and asked her if she was a boy or a girl.

Everyone in the police station was staring at Linda and listening to the conversation. Linda told the policeman that she was a girl and she had just been raped. The policeman called other policemen and made Linda repeat her story in front of everyone in the police station again. Finally, one of the policemen wrote out her statement but did not give her a copy of it or a case number.

Linda went back a few days later with an activist to get her case number. She had to make her statement again because the police could not find her file. She made another statement, again in front of everyone in the police station, but this time she insisted on getting a case number.
VII. Going to the hospital

Apart from the psychological trauma and physical injury you may have suffered, you must also consider the possibility that the rapist may have transmitted a sexually transmitted illness (STI) to you. It is better to not wait for symptoms of an STI before going to the hospital for a check-up.

You can also get post-exposure prophylaxis (PEP), which can prevent HIV transmission, if you need it. PEP is only effective if taken within 72 hours of exposure, so, if you are worried that you may have contracted HIV through the rape, you must go to the hospital within the first three days after the rape. You can also get a morning after pill to prevent pregnancy if you are able to go soon after the incident.

The hospital staff may recommend that you get tested for HIV but they cannot force you to get tested.

It is your right to get proper medical treatment even if you do not want to be tested for or disclose your HIV status.

Even if you are HIV positive at the time of rape, it is still a good idea to go to the hospital to get medication for other possible STIs and diseases and to avoid getting pregnant.

There are two possible routes for going to the hospital:

One, you first go to the police station to report the rape and the police take you to the hospital for medical examination as soon as you have made a brief statement about being raped. In this case, the police would take a rape kit along and the evidence collected during the medical examination would be stored in the rape kit.

Two, you go to the hospital before going to the police station. You may be unsure about whether you want to open a case against the rapist. In this case, you can still get treatment from the hospital and you can also ask for a “medico-legal examination” at the same time, if you think there is a possibility that you might open a case later. This means that in addition to giving you treatment, the doctor will also conduct a physical examination, noting any injuries you may have suffered during the rape and collecting evidence such as semen and other materials for DNA testing. The evidence gathered during the medico-legal examination will be recorded in a J88 form and it will be useful if you decide later to lay a charge against the rapist.

Whether you report or not, in addition to the physical examination, the doctor should also speak to you about psychological support and refer you to a counsellor.

Doctors in government hospitals are trained in collecting forensic evidence whereas a private doctor may or may not know how to do this properly. Try to take someone with you when you go to the hospital because you may spend the whole day there and need some support. Take the clothes you were wearing at the time that you were attacked and other relevant materials to the hospital. They will be examined for traces of evidence, such as the rapists’ blood or semen and other fluids and added to the rape kit.
Thuthuzela Care Centres

Thuthuzela Care Centres (TCC) are one-stop care centres, mostly found inside hospitals, that are supposed to provide all the services that rape survivors need. They have the police, healthcare workers, counsellors as well as representatives of the NPA under one roof. (See the last section for a list of TCC in Gauteng.)

If you can get to a Thuthuzela one-stop care centre, you should be able to report the rape to the police, get medical treatment and psychological support in one place.

Your rights at the hospital

You have the right to ask to be examined by a female nurse or doctor

You have the right to ask that a female attendant to be present when the medical evidence is collected

You have the right to ask for counselling; if the hospital cannot provide it, they must give you a referral

You have a right to have a family member or friend present throughout the process

You have a right to counselling

You have a right to be given medication to calm your nerves; you can ask for it if it is not offered

You have a right to be told what is happening during the examination. The doctor must talk you through what she is doing

You have the right to an interpreter

The doctor may carry out the following tests on you with your consent:

- **Blood test:** To determine pregnancy, STI transmission, as well as exposure to HIV
- **Internal examination:** To test for semen and other evidence that might be used during the case

Once she has examined you the doctor should complete a J88 form. This form must contain the results of the tests and physical examination conducted on you. Once completed, the doctor must put the J88 form inside the rape kit, which would also contain all the other evidence, including your clothes. If you go to a government hospital, they should send the rape kit back to the police station after the examination is complete.
VIII. The Investigation

Once you have made a statement to the IO and opened a case, it is the job of the police to investigate the charges you have laid. This is the investigation process. During this phase, the police are supposed to gather all the evidence they can find in order to make an arrest and build a case that can be taken to court. This investigation can start as soon as you have made the complaint.

If you were raped in a place that you have access to, such as your home, make sure that nothing is moved or removed until the police have seen it. There may be broken furniture or other disturbance that could prove useful in proving your case in court. If you were raped in the open, the police may find evidence of a struggle or blood and other fluids there.

The police use the information in your statement, the medical evidence and any other information they can get to narrow down the suspects. If there is enough forensic and other evidence, the police will make an arrest.

Soon after being arrested, the accused will be brought to court for their first appearance and they will be informed of the charges laid against them. At this point, they will be asked to plead either “guilty” or “not guilty.” The prosecutor represents the state (and you are the state's primary witness) and presents the facts of the case.

This is not the trial but an initial hearing that will determine what kind of trial will take place. You are entitled to be in the court at this and subsequent hearings and the IO should inform you of the date for the hearing.

At this point, the accused may apply for bail. The magistrate is supposed to consider a number of factors before deciding whether the accused should be let out on bail and at what amount. Among the factors, they are supposed to consider the severity of the crime, the threat that the accused poses to you, the complainant, and the accused’s risk of flight.

You must make sure the IO and the NPA know about any threats you have received from the accused – this can influence whether they get let out on bail.
**TIPS**

**Knowing your rights is one of the most important things you can do for yourself.** Pay close attention to what the IO and the NPA say in court and to the defense attorney of the accused. Insist that the IO keeps you informed of the process every step of the way.

Keep yourself informed of court dates and hearings and stay in regular contact with the IO. The IO must inform you if the accused has been released on bail, but it is advisable that you call the IO at least once a month to get any updates.

Get involved in the investigation process and pass on to the IO any additional information or evidence that may help your case.

**What to expect: Be prepared!**

- Be prepared for the investigation to take a long time and also be prepared for the police to visit you at odd hours of the day and night.

  The police may ask you to identify a suspect; this will require you to pick out the rapist from a line-up of possible suspects. You will not have to touch the suspect but you will have to point him out.

- Be prepared for long delays in the investigation.

- Be prepared for the police to make mistakes that can jeopardise your case.

- Be prepared for the investigation to become a big part of your life, especially if you stay involved at every stage.

- Begin preparing yourself for giving testimony in court.
IX. The Trial

Once the investigation process has been completed, all the evidence gathered and the suspects caught and charged, your case is ready to go to court. These proceedings go according to very specific rules, which the prosecutor should guide you through.

Rape trials usually take place in magistrates’ courts. The main actors in the court are:

- The magistrate, who presides over the case and makes the judgement
- The prosecutor, from the NPA, who leads the case against the accused
- The defense attorney, private or state-appointed, who defends the accused
- The clerks, who record the proceedings and compile all the information presented in court
- Witnesses for the prosecution, including you, whose evidence will be used to try to prove the case against the accused
- Witnesses for the defense, who will give evidence that will be used to prove that the defendant is not guilty
- The accused, whom you will have to see in court
- The accused’s supporters, whose presence and actions can intimidate and threaten you in court

The trial consists of separate segments. First, opening remarks will be made by the prosecution and the defense, followed by testimonies, cross-examination and closing remarks. In their opening remarks, both the prosecution and the defense will state their case and aim in court.

The testimonies that follow – from you, the accused, the doctor who examined you and other witnesses – will be used by both sides to strengthen their own case and weaken the other side’s case. As the main witness for the state, you will be asked to give detailed account of what actually happened during the rape as well as how this has affected your life. As a survivor this will be one of the hardest parts of the process for you; you will be asked to relive the attack and the emotions of the violation and speak about them calmly and in great detail. You will most likely have to do this in a room full of other people, including the accused and his supporters. If you feel afraid or intimidated by the accused and his supporters, you can ask the prosecutor to make an application to the magistrate which will allow you to give

Tell us exactly what happened four years ago at 2 p.m., when you were going home after you had just left that shebeen?
evidence in closed court. This means that the accused’s supporters as well as yours and any media or other public in the courtroom are asked to leave.

The defense will also call witnesses, including the accused, in order to prove that the prosecution’s case is false or to create “reasonable doubt” about the guilt of the accused. At this stage, you can expect the accused to lie about what happened and you will have to listen to the testimony calmly.

The purpose of the cross-examination of witnesses is to poke holes into their testimony – for instance, the defense attorney will cross-examine you to try to prove that you are lying or mistaken or an untrustworthy witness. As you are the main witness for the state, the defense attorney’s strategy will focus on discrediting your testimony and that of other state witnesses. Finally, both sides will make closing remarks which will sum up the evidence presented and restate their positions.

In the next stage, the magistrate pronounces the judgement after considering all the evidence presented. Finally, if the accused is found guilty, the magistrate will announce the punishment. You do not have to be present for these two stages, but no one can stop you from being there if you want to. You can contact the IO or the prosecutor to find out the court dates.

**Getting to Court**

It is the responsibility of the IO to inform you of the dates of court hearings well in advance so that you can make arrangements to be in court. You can ask the police to take you to the court on the days of the hearing and drive you back home. Otherwise, you and your witnesses can claim reimbursement for your transportation costs to and from the court. You can speak to the prosecutor about getting the reimbursements. You and your witnesses can also claim the costs of your meals for the time when you are in court.

**In Court**

**Meeting the prosecutor**

On the first day of court, the IO will introduce you to the prosecutor from the NPA, with whom you will work through the trial. The prosecutor represents the interests of the state and is not your lawyer. In the eyes of the law, you are a key witness in the state’s case against the accused. Because you will now also be working in close contact with the prosecutor, you should try to get their contact details as well, so you can keep in touch with them.

Even though the prosecutor will have read your statement s/he will also ask you to give a breakdown of your story in detail. On the whole, your relationship with the prosecutor should be friendlier than the one with the police because the prosecutor is supposed to work towards getting the accused convicted.
The prosecutor’s responsibilities

It is the responsibility of the prosecutor to ensure that you understand and are prepared for what will be expected of you when you are in court. Specifically, the prosecutor must do the following:

**Prepare you to testify:** You must be prepared in how to address the magistrate and respond to questions put to you during cross-examination. The prosecutor will also guide you on what to avoid, for example, saying “I’m not sure,” “I think” or “I don’t remember” in response to questions about facts. Such statements can be used to discredit your testimony.

**Explain court language procedure to you:** You must understand the set of rules that apply in a courtroom, the specific legal language that is used to refer to the different actors and events, the sequence or stages of the procedure, the layout of the courtroom and whom to address and look at. For instance, it is advisable to avoid looking at the accused and his supporters because the sight of the accused and his supporters may make you nervous or angry or emotional in some other way, and distract you from your testimony.

**Appearance matters:** The clothes you wear in court will be seen to be saying as much as the words you speak. Particularly in rape cases, defense attorneys are known to call the survivor’s “character” in question. Try to dress in a conservative style if you want to avoid the additional trauma of being insulted because of your dress style.

**Remember that you are being watched:** Your every movement and action will be watched for the entire duration that you are in court, and will impact on how your testimony is received by the magistrate. Try to sit or stand still, do not stand with your hands in your pockets or your arms crossed across your chest – you do not want to give the impression of being nervous or on the defensive.

**Focus on the magistrate:** You have essentially come to address the magistrate in court, so, try to keep your focus on her/him.

**Pay attention to the interpretation:** If you use an interpreter, pay attention to what they are saying, because they can distort your story or misunderstand and mis-interpret an essential fact or point. You can correct them if you think their interpretation is not a good representation of what you said.

**Report incidents of intimidation:** The perpetrators and their family and friends may try to intimidate you and your supporters during court proceedings. Report all such occurrences to the prosecutor as soon as you can. Do not hesitate to lay charges of intimidation with the police.

**Do not push yourself:** If at any stage during the trial it becomes hard for you to continue giving testimony or being cross-examined because you are tired or feeling under stress, you have the right to ask for the hearing to be temporarily paused, to be resumed at another time when you are more ready to continue. The hearing will then go into recess and continue on another day. It is the prosecutor’s responsibility to remind you of all court dates.
What to Watch Out For:

"Missing" dockets: It is not unheard of for case dockets and other files to go missing during court proceedings. It is an open secret that perpetrators bribe court officials to make documents disappear in order to stall the case. If the docket or other documents go missing, the case has to be started again from the beginning. You will have to make another statement, as if you were reporting the case for the first time. Having a copy of the statement you originally made and other documents will be useful if this happens.

Unlicensed lawyers: Although this is not a common problem, court proceedings may be stopped if the defense attorney is not a licensed or registered lawyer. Although it is generally the responsibility of the court to check the authenticity of attorneys, it might be helpful to do so yourself as well, so that your case is not derailed by a technicality such as this one.

A long process: Be prepared for the trial to take a long time. Expect to feel disappointed and frustrated at the many delays and slow progress. The average rape case takes a minimum of a year and can sometimes take as long as five years to complete.

Psychological costs: Expect the process to be emotionally charged and draining. Of all the stages in the criminal justice system, the court process is possibly the most distressing and damaging. You will be asked degrading questions, made to feel like a liar and treated as if you have no feelings. There will be times when you will feel hopeless and want to give up the case. It will be important to have some support as you go through the process.


Ngancedwa umngane wabo owafika wabathola bezenzela kimina, wabanqanda. Ukuthi kuliqiniso elingakanani lokhu, anginaso isiqenisekiso, ngoba ngakuzwa lokhu kusho kwixo abantu.

Kuthe sengiphumile kulelo room, ngahamba ngaya eThembisa Police Station ukuyovula icalo. Ngihamba naye umama, indela yenhinshela ukuthi ngithule nokuhlala empho abantu. Uhambo lonke waye abuye akhononde ngokuthi ngangimpfumasa ehambeni lwakhe eliya esitokufeleni esasibizwa Injuluka, uhambo ayezoluthatha nabangane bakhe.

Kuthe uma sifika e Police Station, ngavula icala le rape. Ngahamba inkantolo eKempton Park kathathu zange, emveni kwalokho angizange ngiphnde ngiye enkantolo, futhi angizange ngikhulume nokukhuluma enkantolo. Angizange ngaphinda ngabizwa, noma ngiye futhi, kwaphela kanjalo. Noma wayenganaso isikhathi sokuya epolistation nanamhlane angazi kwenzakalani


Buyisiwe’s Story

My name is Buyisiwe, I am 31 years old. I was born in Tembisa. I have one child – a girl who is 11 years old. My daughter lives with my sister. I live with my grandfather and two sisters. I have been unemployed since December 2005. On 2 October 2005, between 5 a.m. and 9 a.m. I was gang raped by eight young men who are also known gangsters. I reported the matter later on the same day to the Tembisa SAPS. I was then sent for examination. Six of the eight accused were arrested and later the seventh accused was apprehended and arrested. The eighth perpetrator was never found. Bail was denied for the seven accused persons. On 12 June 2006, the matter was struck off the roll because a number of documents – including my statement, those of the state witness as well as the transcripts from the bail hearing – had gone missing. As a result of this, all the accused persons were released.

I felt angry and scared. I was angry because the rapists just went free. Just to think that they had raped and now they were going free made me angry with the police. I had trusted the police with all my life, but they showed me that they are not trust worthy.

During my case proceedings I came to realise that the police love money more than they love helping victims of rape. I felt and am convinced that the police were paid to lose my file. The reason I say this is because, during my case, the parents of the accused offered me money to drop the charges. I didn’t accept and then my statement goes missing and I don’t get answers from the police. I believe the same offer was made to the police and the police accepted the bribe.

The parents of the accused came to me with R25,000, they said I must drop the case and go back to my country. They thought I was Zimbabwean. The mothers of accused rapists pay off the victims all the time. To them the survivor is nothing.

I went to the investigating officer (IO) and told him that they were there promising me money to drop the case. I said I was worried that they might buy the case from the police. He said to me they couldn’t buy him because he was a child of God. He told me to trust him and I did, but during the investigation he went on leave and I couldn’t reach him. During his absence the accused were let out of prison. When I tried to call the investigating officer, the officer who worked with him would not help me or give me his number.

Fortunately for me, I had an eyewitness. But the accused did not know that he was going to testify for the state. They thought he would be too scared to testify. What made my case even scarier was that the men who raped me are known gangsters who are involved with jack-rolling and raping, and mugging with guns. I also am not the first person that they had raped.

Throughout I lived with the fear of being killed or kidnapped. My own safety and that of my eyewitness were part of the reason I left home to go live in a shelter. The last time I was in court I saw one of the men who raped me who was still wanted and who had not yet been arrested. I called the investigating officer to arrest him. They came and got him and took him to the cell. While this was happening his friends (who were in school uniform) came to me and told me that they are going to kill me and they are going to rape me again. They said things that made me cry, insulting and shouting at me. They said they were going to kill...
me. When they saw I was crying, they said, “Once you get it from us, you will stop crying.” There were 50 or so kids who had come to accompany and support their friends in court. Even though there were always police in court and even though they saw what these children were doing, they did not do anything to stop this harassment.

Every day friends of the accused and their mothers called me names. One day when I was leaving work (I was working at the court washing cars) I found friends of the accused waiting for me at the metro rail. I just walked past them. They said they would get me. I didn't answer them I just went home. I laid a charge of intimidation at the police station against one of the guys, but he was later released on bail. I saw him a number of times during the case and every time I saw him he threatened to kill me. When I told the investigating officer about this he said he would talk to the guy. The police came and told me to come with to find the guy and we found him. That guy swore at the police and left. Afterwards I moved to my grandfather's.

On 12 June 2006, the final date for the hearing, the investigating officer told me that I was to give evidence. On the 31st of May, an earlier date in the trial, I did not give evidence because some documents, amongst them statements and transcripts from the bail hearing, were still in Kempton Park being typed. The magistrate had said that he wanted all the documents to be available to the court on the 12th of June before I could testify. The investigating officer told me I must bring all my witnesses. On the 12th, when I went to court, I didn't find the investigating officer even though he had told me that he would be there. A colleague of his, who was assisting him with administration of cases, told me he was on leave. I asked if she, his colleague, would be in court and she said “no.”

The court started and they called me. I went inside the court. They found that two of the detained accused persons were not there. The magistrate asked where they were and he was told they were still coming. The matter was adjourned until after lunch. My family and my witnesses went outside, When we were outside the prosecutor asked me where my docket was. I told him I did not know and asked him to ask the CID woman who was working with the IO. She said she did not know. I reminded her that she had said that it was there. She said that she had left it at the Midrand police station. She phoned someone at Midrand police station to bring the dockets, and the dockets were brought. We were in the control prosecutor’s office when the police came with the docket. The control prosecutor opened the docket and found that my statement and another witness’s statement were missing. She said my statement had gone to Kempton Park and that it had not been returned yet.

One of the officers called the clerk of the court to find out where my statement was. The clerk said he would check. He went to check and came back with an envelope with two cassettes and the control prosecutor asked where the papers were. The envelope was already open when it was brought in. I was called again into court.

When I got there the prosecutor took me to the nearest place (near the steps) and said to me, “Please just highlight me with your case.” I told him the basics of the case. He did the same.
to the other witnesses and asked them to quickly tell him their stories, asked their names and so on. The CID woman called me to the office to tell me that the statements were still missing and that the investigating officer was on leave and that she had the situation under control. She promised me that the accused would not be released. When we came back, the prosecutor was shouting at me. It made me feel like maybe he was also bought. I went into court and the magistrate asked for the papers. The CID again said she did not know and asked the prosecutor who also said he did not know. Because of the missing documents the magistrate released the accused persons and struck the matter off the roll.

I wanted to die that day. I wanted to be dead so that this thing would be over for me. The accused were pulling my hair and calling me names. No one was thinking about me at the time. The accused and their supporters waited outside for me. As I was angry and devastated; I just sat inside the court. Later when I went outside it was slightly better because there were fewer people in general but the accused and their supporters were still there.

Rape is a big problem in Tembisa where I live. I remember last year a woman wrote a note saying, “I am tired of being raped” and jumped in front of a Metro train. I also tried to commit suicide I ended up in hospital from taking an overdose.

What is going to make things better for me is to see these people in prison where they belong. I can’t live with seeing them around, as we are living in the same section.

My advice to women who have been raped is, “Don’t bury what has happened to you inside, try to fight it until the end. Go to the police station, there will be difficulties along the way – sometimes intimidation and so on – but continue with the case and don’t allow yourself to be scared off.”
XI. Judgement and Sentencing

Once all the facts and testimony and supporting evidence have been placed before the court, it is the magistrate's job to weigh the merits of the opposing sides and come to a decision, called a ruling or judgement.

A special date is set aside for the judgement and the IO must inform you of this date and any changes to it. On the set date, the magistrate will declare that the accused has been found either guilty or not guilty. If found guilty, the accused would be said to have been “convicted.” If found not guilty, the accused be said to have been “acquitted.”

The magistrate’s ruling is based on how successful the prosecutor was in proving, beyond reasonable doubt, that the accused committed the rape that you, the complainant, accused him of, and on how successful the defense attorney was in proving that there is reasonable doubt. Strictly speaking, a “not guilty” verdict does not prove that the accused is innocent; it merely proves that the accused’s guilt could not be proved beyond doubt.

If the accused is found guilty, the next and final step in the process will be one in which the magistrate sentences the convicted rapist. As with the judgement, the sentence will be delivered on a separate date.

Rape convictions happen in only five per cent of all reported rape cases. The South African criminal justice system is not known to hand out harsh sentences for rape even in the case of the few convictions. Convicted rapists often get less than the mandatory sentence of ten years, and less than 10 per cent of those who should get a mandatory life sentence are given a life sentence by judges.

On average, convicted rapists get a sentence of between three and ten years in jail.

Even if you get a conviction, the rapist is likely to get a light sentence, and won’t even serve all of it! What kind of justice is this?
XII. Getting Help

Gauteng Province

Counselling Services and Legal Advice

You can get free counselling at the following organisations. They can also help you with transport costs, if needed. If they cannot help you, they will refer you to other organisations.

POWA – People Opposing Women Abuse
Helpline: 083 765 1235

POWA Branches:
Berea (Head Office)
64 Mitchell Street, Berea
Tel: 011 642 4345/6

Kattelehong
667 Monise Section, Katlehong 1431
Tel: 011 860 2858

Tembisa
Tel: 084 8432644

Soweto
Room 10, Nthabiseng Centre, Chris Hani Hospital
Tel: 011 933 2333/2310

Vosloorus
1620 Ditshego St, Vosloorus Rehab. Centre
Tel: 011 906 4259/1792

NISAA Institute for Women’s Development
19 Link Street, ext. 1
Lenasia, Gauteng 1820
Tel: 011 854 5804/5

ADAPT – Agisanang Domestic Abuse Prevention and Training
128, 2nd Street, Wynberg
Bramley 2018
Tel: 011 885 3305/9

Thuthuzela Care Centres
Mamelodi TCC at Mamelodi Hospital
Tel: 012 801 2717

Sinakekelwe TCC at Natalspruit Hospital
Tel: 011 909 1002/3/6/9

Nthabiseng TCC at Chris Hani Baragwanath Hospital, Diepkloof, Soweto
Tel: 011 933 1229/1346

Kopanong TCC at Kopanong Hospital, Duncanville, Vereeniging
Tel: 016 428 5959

Masakhane TCC at Tembisa Hospital Corner, Olifantsfontein
Tel: 011 923 2106

Laudium TCC at Laudium Community Health Centre
Western Cape Province

Counselling Services and Legal Advice

**Mosaic**
66 Ottery Road
Wynberg 7824
Tel: 021 761 7584

**Saartjie Baartman Centre**
Klipfontein Road
Manenberg 7764
Tel: 021 633 5287

**Rape Crisis Cape Town**
24-Hour Crisis Line: 021 449 9762

Rape Crisis Branches
- Observatory
  - Tel: 021 447 1467
  - Tel: 021 852 5620

- Athlone
  - Tel: 021 633 9229/684 1180
  - Tel: 021 361 9085/9228

**Women's Legal Centre**
124 Adderley Street
Cape Town 8000
Tel: 021 424 5660

**SWEAT – Sex Workers' Education Advocacy and Training**
19 Anson Street
Observatory 7925
Tel: 021 448 7875

**Thuthuzela Care Centres**
- Mannenberg TCC at GF Jooste Hospital
  - Tel: 021 691 6194

- Belville TCC at Karl Bremmer Hospital

- George TCC at George Hospital

Free State Province

**Counselling Services**

**Thusanang Advice Centre**
8955 Mamello Street
Phuthaditjhaba
Tel: 058 713 6074/082 495 9013

**Thuthuzela Care Centres**
- Tshepong TCC at National District Hospital, Bloemfontein
  - Tel: 051-448 5028
  - Tel: 051-448 5028

- Welkom TCC at Bongani Hospital
**Eastern Cape Province**

**Counselling Services and Legal Advice**

**Masimanyane Women’s Support Centre**
35 St. Mark’s Road
Southernwood 5201
Tel: 043 743 9169

Masimanyane Branches
Scenery Park
Tel: 043 733 7006  
Zanempilo Health Centre
Tel: 043 743 9241

East London Magistrate’s Court
Tel: 043 722 5597  
King Williams Town
Tel: 040 636 1890

Mdantsana Magistrate’s Court
Tel: 043 760 0342

**Thuthuzela Care Centres**

Libode TCC at St Barnabas Hospital, Umtata
Tel: 047 568 6274

Mdantsane TCC at Cecilia Makiwane Hospital, East London
Tel: 043 761 2023

**Limpopo Province**

**Counselling Services**

**Thohoyandou Victim Empowerment Trust**
House Number 2, Old Embassy Buildings
Sibasa 0970
Tel: 015 963 1222

**Thuthuzela Care Centres**

Mangkweng TCC at Mangkweng Hospital, Polokwane
Tel: 015-286 1261

Tshilidzini TCC at Tshilidzini Hospital, Thohoyandou
Tel: 015-964 3257

**Mpumalanga Province**

**Counselling Services**

**G.R.I.P. – The Greater Nelspruit Rape Intervention Project**
46 Anderson Street
Nelspruit 1200
Tel: 013 752 5993

**Thuthuzela Care Centres**

KaNyemazane TCC at Themba Hospital, KaNyemazane
Tel: 013-796 9412
**Thuthuzela Care Centres in Other Provinces**

**Kwa-Zulu Natal Province**

Umlazi TCC at Prince Mshiyeni Hospital  
Tel: 031-907 8496  
Phoenix TCC at Mahatma Gandhi Hospital  
Tel: 031-502 2338

**Northern Cape Province**

Galeshewe TCC at Kimberly Hospital  
Tel: 053-830 8900  
Kakamas TCC at Kakmas Hospital  
Tel: 054-431 0057

**North West Province**

Mafikeng TCC at Mafikeng Provincial Hospital  
Tel: 018 383 7000  
Rustenburg TCC at Job Shimankane Hospital

**Complaint Mechanisms**

**ICD – Independent Complaints Directorate**

You can register a complaint against particular police officers of whatever rank or against a police station with the ICD. You have cause for complaint if you have experienced disrespectful behaviour, abusive language and obscene gestures, sexual or gender based harassment, police refusal to register a case, mismanagement of your case, false charges against you or if you suspect that the police may be corrupt. The more details you have about the offending officers, the stronger your complaint will be.

City Forum Building  
114 Vermeulen Street  
Pretoria 0001  
Tel: 012 399 0000
About the One in Nine Campaign

Formed in 2006 to support Fezeka Kuzwayo, who brought a rape charge against the current president Jacob Zuma, the One in Nine Campaign is a South African collective of organisations and individuals motivated by feminist principles and the desire to live in a society where women are the agents of their own lives, including their sexual lives. The Campaign supports survivors of sexual violence – those who report the crimes to the police and engage in the criminal justice system as well as those who choose not to or are unable to report their rapes.

Among other things, we apply pressure on various branches of the criminal justice system through direct action and targeted advocacy to ensure that officials comply with existing laws and policies; we work with individuals, communities, collectives and organisations to generate feminist analyses of social problems; we target the South African government for its failure to protect the rights of women and other female-born people and force it to fulfil its mandates and responsibilities; and we develop innovative strategies for mobilisation and mass action.

The Campaign’s work is spread over five areas:

1. Solidarity in Action and Building Feminist Activism
2. Feminist Knowledge Production and Research
3. Media Advocacy
4. Justice and Legal Transformation
5. Direct Action

The medium-to-long-term goal of the Campaign is to build a strong membership base of local collectives across South Africa – a social movement of women responding to violence directed against them and developing strategies for resisting capitalist patriarchy in its various guises.

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