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**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 2538**

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**2538. Ms A M Siwisa (EFF) to ask the Minister of Social Development:**

What (a) recent initiatives has she taken to abolish the practice of Ukuthwala, which remains prevalent in some parts of the Republic and (b) measures have been put in place to ensure that parents and/or guardians who subject young girls to the specified practice are held accountable? NW3040E

**REPLY:**

1. The practice of ukuthwala is not legalized in the country, and the Department of Social Development together with all of government supports this stance. Therefore, the Department is against the practice of ukuthwala and advocates against its practice. On this backdrop, it is important to note that the continuity of this practice has been masked as a customary practice. This is notwithstanding the fact that it is being denounced by the custodians of customary practices. Ukuthwala occurs without the consent of its victims. It violates the victims’ right to dignity. This practice is associated with the kidnapping, assault and rape of young girls by older men who force them into customary marriages. It is a cross-cutting issue and fighting it requires collaboration with other departments such as, for instance, Cooperative Governance and Traditional Affairs (COGTA) and South African Police Service (SAPS). This practice has been reported mainly in KwaZulu-Natal and Eastern Cape provinces.

The Department of Social Development in partnership with other government departments is on a standing 365 days campaign on the protection and prevention of violence against women and children. Among the messages that we communicate through this permanent campaign is to advocate against the practice of ukuthwala. In particular in the Eastern Cape province we are embarking on a number of initiatives in this regard, including conducting educational programmes at schools and communities to empower children and parents about the infringement of children’s rights through ukuthwala. Where cases of statutory rape and forced marriages are identified, these cases are reported to SAPS and victims are provided with therapeutic services. In KwaZulu Natal, the district municipalities that are mostly affected by the scourge of ukuthwala are Uthukela and Harry Gwala. Led by Social Development, the relevant prevention and intervention programmes were implemented in an integrated approach together with all the stakeholders including the Department of Health, Amakhosi and the National Prosecuting Authority. A stakeholder’s forum has been established whereby Amakhosi in the affected areas are leading the awareness campaign against ukuthwala and other social ills. These ongoing initiatives have resulted in reduced cases of ukuthwala. Now there are improved levels of assertiveness by families and young girls against ukuthwala, ant these cases are being reported to SAPS. The social workers that we placed in police stations through lifeline as well as in Thuthuzela centres are providing psychosocial support and therapeutic services to the affected community members.

Further, from May 29 to 5 June 2022 the Department was part of the government-wide annual Child Protection Week Campaign. This year’s campaign had a particularly strong focus on teenage pregnancy. It is important to point out that some of the young girls who are victims of ukuthwala get pregnant and miss out on their rights to education, dignity and health. Furthermore, the Department worked with the provincial offices on child rights (ORCs) during this year’s commemoration of the Day of the African Child under the theme: “Advocating against harmful cultural practice” with the focus on protecting girls against ukuthwala as well as boys against attending unregistered initiation schools. The outcome of the two campaigns led to increased awareness on the violation and protection of the rights of children.

Even though the incidents of ukuthwala have only been reported in KZN and EC, the Department plans to extend its campaign to other provinces as a preventative measure. It is believed that awareness campaigns may limit the spread of ukuthwala as these target changing mindsets about the practice. The next campaign is targeted in Mpumalanga during the current financial year.

b) The perpetrators of ukuthwala (including the instigator and parents if they collaborate with the instigator) are administered in terms of the applicable legislative framework relevant to the specific matter that is associated with ukuthwala such as rape (including statutory rape if the victim is a child), contravening the Marriage Act, kidnapping, trafficking of persons, defeating the ends of justice, etc. Criminal charges should send a strong message to discourage the practice of ukuthwala.

Furthermore, the victims of ukuthwala are offered psycho-social support services by qualified professionals and they can reach out to the Department via our toll-free number **0800 428 428**. This is supported by a USSD, “please call me” facility: **\*120\*7867#**. A Skype Line **‘Helpme GBV’** for members of the Deaf community also exists. (Add ‘Helpme GBV’ to your Skype contacts). An SMS-based Line 31531 for persons with disabilities (SMS ‘help’ to 31531) also exists. Victims of ukuthwala are further referred to applicable health and justice services.