

2. GENDER BASED VIOLENCE

As discussed in previous briefings of this Committee, it is common cause that South African society is very violent. The articulation of a culture of patriarchy and one of violence is frequently a deadly combination for women and children. As researcher Fungisai Maisva recently commented, “when violence becomes embedded in society as a culture, it makes women vulnerable”.ⁱⁱⁱ It is very easy for women brought up in a deeply patriarchal society to internalize submission – including submission to abuse. Such an environment impacts profoundly on the socialization of children. Boys learn that aggression is an acceptable form of problem solving and girls internalize submission. So the patterns of one generation are inculcated in the next...

While the primary focus of the Domestic Violence Act and these hearings is spousal aggression/intimate partner violence, domestic violence in the home is by no means restricted to women and/or their children. The elderly may experience abuse and parents may be abused and bullied by their children. Also, men may be the subject of intimate partner violence and abuse.

We would like to highlight some issues that could help to diminish domestic violence and contribute to a society based on equality, justice, respect, dignity and peace, where the physical and psychological integrity of all is assured.^{iv}

3. SUBSTANCE ABUSE

While substance abuse does not necessarily result in domestic violence it can be, and often is, a powerful contributing factor. Alcohol and other addictive substances may result in poor impulse control and a diminished sense of responsibility. The implementation of the Prevention and Treatment of Substance Abuse Act would go some way to preventing domestic violence.

4. ACCESS TO FIREARMS

More than 90% of South Africa’s domestic murder-suicides (also sometimes called ‘family killings’) are committed by men who own licensed firearms. Furthermore, the high incidence of perpetrators working in the security industry, that is, in the police force, in the army or private security companies can be attributed to their easier access to guns.^v Many of these perpetrators suffer from Post Traumatic Stress Syndrome and would benefit greatly from anger management programmes and other therapeutic interventions.^{vi} When perpetrators of domestic violence threaten their victims with a firearm the firearm should be confiscated and measures taken to have the license revoked.

5. DOMESTIC VIOLENCE REGISTER

The Domestic Violence Act stipulates that a register reflecting all reports of domestic violence must be maintained at every police station. However, as the Committee heard during previous briefings, the maintenance of these registers is far from satisfactory and this reflects the lack of priority accorded to the reporting of domestic violence. This attitude must be reversed and police officers should receive training in the handling of domestic violence cases and in the importance of maintaining the register.

Both the Sexual Offences Act and the Children's Act stipulate the establishment of Registers. The proper maintenance and co-ordination of these registers would go a long way to the protection of the vulnerable.

6. TRAINING OF POLICE OFFICERS

The training of police officers to handle cases of sexual and domestic violence will only be effective if accountability mechanisms are put in place within the police and justice departments for failure to address these cases appropriately. Furthermore, police and security personnel must be punished severely for perpetrating crimes of sexual or domestic violence. A recent publication by the Department of Justice and Constitutional Development stated that most police stations have a designated officer to handle cases of domestic violence. We welcome this development and urge that it be extended to *all* police stations.^{vii} Furthermore, we recommend the re-establishment of the Child Protection Units.

7. SUPPORT SERVICES

It is immensely difficult for women to leave an abusive partner particularly when they are financially dependent on him, and this is even more difficult when there are children involved. There is a desperate need for support services including accommodation, access to social grants/financial support, trauma counseling, employment opportunities, legal advice and medical care. The provision of such services would enable women to “rebuild their lives with confidence that their human rights abuses have been addressed with the necessary respect and appropriate protection”.^{viii}

8. REDUCING GENDER-BASED VIOLENCE

The importance of socialization and the impact of early childhood experiences on violent behavior cannot be over-estimated. Respect for human dignity must be reflected in the language we use and in the sentiments we express. Patience, tolerance and the willingness to listen must be cultivated. Positive gender relationships must be promoted in our early-childhood development centres, in our schools, churches and places of work, in our correctional facilities, community centres and trade unions. As a society we must explore different constructs of masculinity.

A climate of zero tolerance of domestic violence must be fostered. In so doing we foster a society “where the awareness of personal dignity becomes the base for relating to others and for confronting the future”.^{ix} In this regard the collaboration of the Ministries of Social Development, Basic Education, Justice and Constitutional Development, Police and this new Ministry are particularly important. As Nelson Mandela said at the launch of his Children's Fund “Our actions and policies, and the institutions we create, should be eloquent with care, respect and love”.^x

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- ⁱ Editorial in *Mail and Guardian*, September 24-October 1, 2009
- ⁱⁱ Editorial *Cape Times* 13th October 2009
- ⁱⁱⁱ *Human Rights Violations Against Women and Truth Commissions*, Fungisai Maisva, Research and Advocacy Unit (RAU) July 2009
- ^{iv} Cf *Domestic Violence: A Position Paper of the Florida Catholic Bishops Conference*, January, 2002
- ^v *Mercury*, 22 November, 2007
- ^{vi} *Mail and Guardian*, September 24-October 1, 2009
- ^{vii} *Put a Stop to Domestic Violence-What you need to know*, Department of Justice and Constitutional Development
- ^{viii} 'When I Call for Help' Pastoral Statement by the US Catholic Bishops Conference, 1994
- ^{ix} Address by Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations, 23rd March 2007.
- ^x Speech by President Nelson Mandela at the launch of the Nelson Mandela Children's Fund 8th May 1995