Programme Director

Members of the KwaZulu Natal Provincial Executive Council

Executive Mayor: UMgungundlovu District

Ambassador of the Danish Government, Mr D.E. Frederiksen

National Director of Public Prosecution, Adv Menzi Simelane

Members of the Media

Ladies and Gentlemen

We are here today to unveil yet another mechanism to deal with violence against vulnerable people. The opening of this Thuthuzela Care Centre is part of government’s concerted efforts to deal with sexual offences and violence against women and children.

Ladies and gentlemen, allow me on this very important occasion not only to sing praise of the role of women in our society, but also to pay tribute to one such gallant fighter for women and people’s rights in our country. The recent passing on of MaBertha Gxowa invoked the sadness of losing a stalwart who was prepared to be a flag bearer of our constitutional rights to the end. Having laid her mortal remains in Ekurhuleni this last Saturday, we bid farewell to a mother, a freedom fighter and a comrade in as far as the rights of our people are concerned.

As we launch this Thuthuzela Centre, we do so in her honour and all those departed. These gallant fighters such as MaBertha Gxowa fought for our
democracy and left us the baton to carry on in their relentless struggle for a democratic, peaceful, non-sexist and prosperous society for all.

This occasion comes after the launch of the annual 16 Days of Activism of no violence against women and children abuse and builds on its principles by enabling our department to participate in condemning the violent conduct that are meted against vulnerable groups.

In order to adequately address crimes against women, government established the Sexual Offences and Community Affairs (SOCA) as empowered by the National Prosecuting Authority Act. The primary objective is to deal a fatal blow to violence against women and children in all its manifestations. This Unit will help us to deal directly with the issues of violence against women and children. The Unit is divided into four sections, namely: the Sexual Offences Section, the Domestic Violence Section; the Maintenance Section and the Child Justice Section. These are the institutional mechanisms we have put in place to ensure easier prosecution of those violating the rights of women.

After noting the persistent and prevalent secondary victimisation of rape victims, the Criminal Justice System processes led to the government Interdepartmental Management Team, led by the National Prosecuting Authority, to begin to set up the Thuthuzela Care Centres countrywide. These multi-disciplinary care centres are being established to streamline the process of reporting, care giving, investigation of cases and the subsequent prosecution of all such cases.

The opening of this Thuthuzela Care Centre therefore gives meaning to our commitment to eradicate violence against women wherever it rears its ugly head. This is in line with the objectives of the 16 Days of Activism for no violence against women and children. In addition, these Thuthuzela Care Centres demonstrate our commitment as a nation to the various international treaties that seek to protect human rights.
Amongst these are the Convention on the Elimination of all forms of Discrimination against Women; the Convention on the Rights of the Child as well as the African Charter on Human and People’s Rights. Although diverse in their focus, the spirit of these Conventions is rooted in the goals of the United Nations, which is to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women as well as the protection and care of children.

Our government is already implementing many of the obligations that are stipulated in the various conventions, especially in the area of sexual violence and abuse. Guided by these international obligations and our Constitution, we have developed various pieces of legislation to deal with perpetrators of these horrendous crimes. Taking from the painful lessons of the country’s history, our government remains resolute to deal with those who perpetuate the debasement of humanity. Any form of human rights abuse undermines constitutional rights, which we collectively adopted in 1996.

Perpetrators of sexual offences do not only undermine the Constitution, but are also an aberration which we need to collectively uproot in our communities. The violent nature in which some of these horrendous crimes are committed, particularly to the defenseless, makes it impossible for all with a clean conscious to ignore.

It is therefore our responsibility to ensure that we alert the police at all times where we notice such violet conducts. Perpetrators of violence against women and children will continue to be prosecuted to the full extent of the law. The police, prosecutors and the courts are empowered under the Domestic Violence Act, Sexual Offences Act and Children’s Act, to arrest, prosecute and convict perpetrators of violence against women and children.
Likewise, officials who subject victims of these atrocious crimes to further humiliation deserve to be treated with disdain and must be subjected to due prosecution. Such officials invariably partake in perpetrating the indignation of the victims, who in such situations are extremely vulnerable. This furtherance of the victims’ plight is against the victims’ trust in the officials’ ability to ensure that justice prevails. The pain and indignity of sexual offences become unbearable when people trusted with the responsibility to enforce the law and administer justice subject the very same victims to further malicious treatment and indignity in the handling of their cases. As government and in particular the Justice Crime Prevention and Security Cluster, we will be failing in our endeavour to protect the rights of vulnerable groups if we do not act in the manner that condemns such callousness.

It is for this reason that it is our resolve to build a victims-centred criminal justice system. The opening of this Thuthuzela Care Centre comes in exactly a month and a few days after our efforts as the Department, together with all Ministers in the Justice and Crime Prevention Security Cluster, committed through the signing of the delivery agreements to deal among other things with the challenges of secondary victimization and negligence in the criminal justice system. We are well aware that the realization of this commitment will greatly restore the people’s confidence in our criminal justice system. Even more importantly, this must help restore our people’s dignity irrespective of gender, age, race or geographical location.

Our commitment is in line with the Victims Charter which seeks to cultivate a culture of human rights by adopting a victim-centred approach in the criminal justice system. The Victims Charter holds law enforcement officers to specific standards, including victim participation and accountability to the victim as a citizen whose rights are no less than any other fellow South Africa or any person residing in South Africa.
Approved by Cabinet in 2004, the Victims Charter shifts our responses on matters of crime from the narrow focus of investigation, prosecution and conviction of offenders to also place emphasis on the victims of crime. It obliges state institutions to always ensure that victims’ needs are met. But more importantly; it also educates victims on their rights and maps a clear direction for victims who may feel that they have not been well-treated by state organs. The Charter acts as a guideline for the police; social workers; magistrates; health workers; correctional services officials and education personnel dealing with victims of sexual offences.

The Charter is based on the following rights as prescribed by the Constitution and various laws:

- The right to be treated with fairness and with respect for dignity and privacy;
- The right to offer information;
- The right to receive information;
- The right to protection;
- The right to assistance;

These rights underlie the objective of restoring the dignity that may have been lost or undermined as a consequence of the victimization simply because one’s vulnerable status as a child or a women is seen as an opportunity to perpetuate crime. Thuthuzela Care Centers are government’s efforts of ensuring that the principles of the victim’s charter are realized and that the Bill of Rights principles as enshrined in our constitution are observed, protected and sustained.

Over the years, the Thuthuzela concept has proved to be an appropriate system design and effected changes in the manner in which women and children, especially rape victims, counteract the criminal justice system.
As a critical part of our country’s anti-rape strategy, the centre played a pivotal role in improving conviction rates and the reduction of secondary trauma for the victim.

A symbiotic relationship between all role players in the criminal justice system led to the reduction of the cycle time for the finalization of cases. Linking the Thuthuzela Care Centres and sexual offences courts with effective case management ensured that cases are finalized within an average of 5 to 6 Months as opposed to the 18 to 24 Months that many victims had become accustomed to.

As a result of their specialised focus, these sexual offences courts have an average conviction rate of 62% as opposed to 42%, in cases dealt with at ordinary regional courts. More established sexual offences courts have reached an average of between 75% and 95%.

In line with the Centres’ intended purpose to turn victims into survivors, the Victim Support Assistance and Preparation Project has been strengthened to meaningfully reduce and subsequently eliminate secondary victimization.

Also, during this financial year, about 1000 multidisciplinary specialized and management officials have been trained on the implementation of key legislation dealing with sexual offence and abuse such as the Sexual Offences Act, the Domestic Violence Act as well as the Children’s Act.

At the heart of the success of the Thuthuzela approach is the professional medical and legal interface, and a high degree of cooperation between victim and service providers from reporting through investigation and prosecution of the crime, leading up to conviction of the offender.
Placing these Centres in hospitals has also proved to be a viable move as it ensures that while the judicial process is underway, victims are also receiving medical care. This goes along with the Thuthuzela’s integrated approach to rape care which emphasizes respect, comfort, restoration of dignity and justice for children, women and men who are victims of sexual violence.

Our aim is to see this model rolled out throughout the country, especially in rural areas where the need for care and protection is acute. The opening of this Thuthuzela Care Centre takes us closer to our target to build nineteen more Centres in the medium term around the country.

We are inspired by the success of the already existing fully fledged Thuthuzela Care Centres, and have no doubt that the set target will be actualized.

Allow me at this stage, programme director, to extend our gratitude to the various local and international sponsors whose keen partnership intensifies our efforts to deal a blow to violence and abuse against vulnerable people.

In particular, I would like to extend our sincere gratitude to the Danish Government, represented here by Mr Frederikson, without whom the establishment of this centre could have been delayed. The Danish Government’s prompt response means we will reverse the actualisation of the scenario captured by the saying that justice delayed is justice denied. Their gesture is an indication that they share in our will to reduce the levels of sexual offences in our country and should encourage all of us to rise against this violent behaviour.

They have demonstrated that this battle is indeed not for women only; sexual offences affect all of us. We received much help prior to and during the democratic negotiation process from the Danish Government and the people of Denmark.
We are happy that they join us today in the furtherance of our democratisation processes, so that we bring to life the principles entailed in our acclaimed and precious constitution.

It is therefore important that men also come forward and condemn these acts of violence. Men must assume the responsibility of teaching our boys to value and respect human rights as enshrined in our Constitution. In the long run, the successful eradication of violence against women and children as well as the attainment of all our constitutional values depends on the extent that society at large is mobilized to embrace these in their every day lives. This is the new person that we must collectively build, in line with the desires of moral regeneration.

Together we have a responsibility to build a society that respects human rights and to condemn all forms of violence, especially sexual violence against vulnerable groups.

I thank you!