

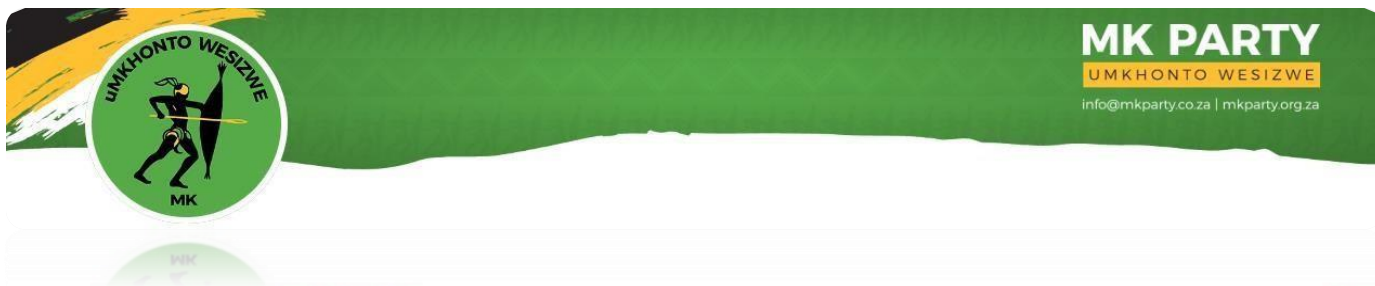
To: The Department of Justice and Constitutional Development

From: Umkhonto We Sizwe Tshwane Women's League

Date: 11 April 2025

SUBJECT: Gaps in the justice system lead to failure in tackling the scourge of Gender based violence (GBV)

1. It has come to our attention that there are gaps in the justice system with regards to tackling GBV. The system seems to be failing victims of sexual offenses.
2. No arrests have yet been made in Cwecwe's rape case, while Pastor Timothy Omotoso is acquitted of all charges.
3. South Africa has been blessed with amazing laws such as The Sexual Offenses Act no. 32 of 2007 and The Children's Act no. 38 of 2005.
4. These acts clearly stipulate and give proper guidelines regarding how to handle and protect children as well as clear and concise guidelines with regards to handling sexual offense acts.
5. Minister in The Presidency for Women, Youth, and People with Disability, Minister Sindiswe Chikunga's serious failures on tackling GBV calls for swift action against her. As the MKP Women's League, we do not see the point having this Minister because she is not doing what is expected of her.
6. The Minister is committing a serious dereliction of her duty, as Minister of Women, Youth & Persons with Disabilities, in that she refuses to constitute the critical National Council against Gender-Based Violence & Femicide as crimes against women and children remain at crisis levels.
7. The release of the latest crime statistics shows the extent of these devastating crimes every day: 128 will be raped, 76 will be murdered if this government of the ANC and its justice system continues in this manner.
8. With regards to the Cwecwe Case and the Omotoso Case, clearly, the Justice system has failed us as a nation and it is continuing to fail women and children of South Africa. The rights of our children and vulnerable individuals in our society are still being violated. Our children are not safe at schools.



We even have educators who have committed sexual crimes yet they remain in the education system with no consequences under this corrupt government.

9. The Justice, Crime Prevention, and Security cluster is either malfunctioning or lacks capabilities. Hence, it seriously needs to be adequately capacitated. Low prosecution and conviction rates, police failures in serving protection orders, and inadequate responses from service providers, leading to repeated abuse and a violation of women's rights, are prevalent cases in our beloved South Africa.

10. The UN Women's Rights Committee has found that South Africa has low levels of prosecution and conviction in domestic violence cases. This is because our country has not aligned itself with some of these UN women's policies. Hence there is also an urgent need for the Minister In The Presidency for Women, Children, and People with Disability to urgently establish task teams that will tackle these fundamental daily struggles for South African women and children.

11. This failure to adequately deal with perpetrators exposes survivors to repeatedly be abused and it violates their fundamental rights.

12. The scale of domestic violence, including femicide, is alarmingly high in South Africa.

13. The police often fail to serve and enforce protection orders, leaving survivors vulnerable.

14. In many cases, protection orders are not effective, with some only instructing the abuser to sleep in another room in the same house.

15. Police are also found to be non-compliant in serving notices and warrants on perpetrators, and those in breach of protection orders are often not arrested.

16. South Africa's low levels of prosecution and conviction in domestic violence cases and the frequent failures by the police to serve and enforce protection orders, exposed survivors to repeated abuses and resulted in the violation of women's fundamental rights, the UN women's rights committee has found. This means that the whole justice system of this country is up to nothing.

17. As the Tshwane MKP Women's League, representing all women in South Africa, we request that the Justice, Crime Prevention and Security cluster capacitate themselves in order to face head-on and tackle the issues that we are presenting to you today. We want Justice for Cwecwe.



Memo presented by Tshwane MKP Women's League

Date: .....

Name:.....

Department of Justice

Received by: .....

Date: .....

Expected date for feedback: 29 April 2025