



Assessing Rape Crisis In Hammanskraal



Members of the Portfolio Committee on Women, Youth and People with Disabilities during an oversight visit with CGE to the Temba Police Station in Hammanskraal.

Hammanskraal in Gauteng, Thohoyandou in Limpopo, Inanda in KwaZulu-Natal, and Lusikisiki in the Eastern Cape recorded the highest number of rape cases in the second quarter of last year, as announced by Police Minister Bheki Cele.

Between July and September 2021, 74 rape cases were opened at Temba police station, which was 34 cases higher than the same period last year.

Early this year, the Gauteng office of the Commission for Gender Equality (CGE) visited the police station to assess its work, engage with its leadership and get insight on factors that lead to the high number of cases in the area. CGE Commissioners have visited police stations across the country to evaluate their resources and state of readiness to assist and support victims of sexual offences and gender-based violence.

Last week the CGE accompanied Parliament's Portfolio Committee on Women, Youth and People with Disabilities, to the station as a follow-up activity. The visit also assisted Parliament to get insight direct from the station commander, Brigadier Johannes Tau.

Tau said the station is dealing with a lot of cases related to a social activity called 'Mavuso' wherein a man and a woman agree on sex in exchange for money. However, when the expected payment is not done after sexual intercourse, a number of women opened rape cases. "As a station we want to make sure that no case is withdrawn, and that all rape cases go to court" Tau said. CGE deputy chairperson Nthabiseng Moleko said the Commission will analyse the information shared by the police station to establish latest GBV trends.



Celebrating Lesbian Visibility Week



Monday 25 – 01 May 2022 is Lesbian Visibility Week, a period during which focus is shifted to issues, challenges, facts and information faced by Lesbians. Below are some of prominent case studies that have shaped the legislative landscape with regard to the LGBTQIA+ equality in South Africa.

Satchwell v President of the Republic of South Africa

Satchwell v President of the Republic of South Africa and Another is a 2002 decision of the Constitutional Court of South Africa which determined that the same-sex partner of a Judge (Kathleen Margaret Satchwell) was entitled to the same financial benefits available to opposite-sex spouse of a judge.

In declaring that the *Judges Remuneration and Conditions of Employment Act* failed to adequately protect non-heterosexual couples, the court held that it was unconstitutional in South Africa to withhold benefits from a same-sex spouse, since withholding benefits constituted discrimination against a diverse group of individuals in same-sex couples. This case led to same-sex partners in long term relationships being able to nominate each other as beneficiaries of employment benefit schemes.

Du Toit and De Vos v. Minister of Welfare and Population development and Others

Suzanne du Toit and Anna-Marie De Vos were partners in a long-standing lesbian relationship who brought an application in the Pretoria Children's Court jointly to adopt two children. However, due to the provisions of the Child Care Act, the children's court could only grant custody and guardianship to one partner.

Du Toit and De Vos brought an application challenging the constitutionality of certain provisions of the Child Care Act and Guardianship Act claiming discrimination on the basis of their sexual orientation and marital status; infringement on the dignity of Du Toit; and undermining the constitutional principle that the best interests of the child are paramount in matters concerning children. In a unanimous judgment, the court found that the challenged provisions infringed the constitutional rights of the partners. This case led the way in same-sex couples being able to adopt children together.

Van Rooyen v Van Rooyen (1994)

A divorced mother could not be denied access to minor children because she was participating in a lesbian relationship. This means that the sexual orientation of one of the parties to a divorce can no longer be used as a matter to deny that parent access to minor children.

Q.G and M.B v C.S and A.W and Another

On surrogacy. Regarding a sperm donor's claim that the child needed a father figure: Judge Kollapen said the focus should be the environment of love and caring created for the child, not the sexual orientation of its parents.