



Follow us on:  
Twitter @CGE\_ZA

# NEWSFLASH

A Commission for Gender Equality Newsletter

30 June 2023

EDITION 83



cgelive

## CGE Unhappy With Service Given To GBV Victims In Some KwaZulu-Natal Police Stations

By Lungelo Mesh

Police stations still have gaps in their overall service to victims of gender-based violence. This is an observation made by Commissioner for the Commission for Gender Equality (CGE), Ms Prabashni Subrayan-Naidoo during the CGE's oversight visits to two police stations and a Magistrate's Court in KwaZulu-Natal this week.

Commissioner Subrayan-Naidoo, Commissioners Leigh-Ann van der Merwe, and the KwaZulu-Natal Provincial Manager, Ms Zanele Ncwane, met station commanders at police stations in Pietermaritzburg and Dundee, and assessed the quality of services given to victims of sexual offences and GBV. "The lack of designated social workers to deal with GBV victims at Dundee police station is of great concern. The overall dignity of detainees is overlooked, especially female detainees" Subrayan-Naidoo said.

The Commissioners first met stakeholders from the disability sector, faith-based organisations, LGBTQIA+ community, institutions of Higher Learning and civil society organisations such as Sisonke. During the oversight visits, Commissioners and the CGE employees gained insights on statistics of reported GBV cases, the way GBV cases are handled, availability of victims' friendly rooms and issuing of sanitary towels to victims.

The purpose to visit the Dundee Magistrate's Court was to monitor the pace of delivering justice in the case where a school learner was allegedly raped by a teacher. CGE learnt that the accused in the matter is out on bail. The court case was postponed to 27-29 November 2023 for trial. Dundee Court Manager, Ms Choco said there was little understanding of gender equality and equity by both court staff and managers, she called upon CGE to assist in training them.



CGE Commissioners Subrayan-Naidoo and Van der Merwe visited police stations in Pietermaritzburg and Dundee to assess if GBV victims are given the type of service and assistance they should get when reporting cases.



### BREAKING NEWS FROM THE CONSTITUTIONAL COURT



In a unanimous judgment Thursday, the Constitutional Court has ruled that Section 4 of the Mediation in Certain Divorce Matters Act 24 of 1987 is unconstitutional in that it unfairly discriminates between children of married and those of never-married parents when having their best interests investigated by the Office of the Family Advocate.

The Johannesburg High Court had earlier held that the Act only applies to divorcing or divorced parents, and in doing so, never-married parents are not entitled to rely on the provisions of the Act.

### CGE Wants Free State Government To Fast-Track Gender Mainstreaming



By Boitumelo Zwane

Free State Commissioner at the Commission for Gender Equality, Ms Dibeela Mothupi, has called on the provincial government departments to speed up the implementation of gender mainstreaming in their plans, workplaces, and programmes. Mothupi was speaking at a stakeholder engagement conducted by the provincial office in Bloemfontein. "The Commission is concerned by the provincial government department's slow response to mainstreaming gender into their activities, the lack of will to address challenges faced by women in senior management, incapacity and under resourcing of gender focal units, and the lack of coordination, monitoring and evaluation through the provincial gender machinery", Commissioner Mothupi said.



Commissioner Dibeela Mothupi

The stakeholder gathering was attended by the Free State Director General and the Deputy Speaker of the Free State Legislature, and accompanied by Heads of Departments, Gender Focal Persons / Special Programmes Officers, Executive Mayors, and Chapter Institutions.



"For me, Youth Month means proclaiming my power and stance in society through the celebration of those who fought for our rights and freedom. Liberating myself and those who do not have the privileges I have and making sure that equality, diversity, fairness and freedom of speech are upheld through taking action and being the agent of change and progress" – Tsholofelo Sabole, CGE's Public Education Officer in the North West.





## Best interests of children should remain paramount in parental disputes.

Opinion Piece by Tsietsi Shuping

Parental disputes regarding care, contact and guardianship of children can be a difficult and emotional issue, particularly when one parent is not fulfilling their responsibilities in maintaining the child.

In such cases, it is important for both parents to work towards a resolution that is in the best interest of the child while adhering to the law. The matter of C v ADT [2015] JOL 33077 (GJ) No. 11120 / 2002, 10 June 2014, Gauteng Local Division, the court dealt with a dispute regarding the child's contact between the parties that existed over a decade. The applicant's quest to gain contact to his minor child was frustrated by the respondent who cited the violent nature

of the applicant in justifying her refusal. Pursuant to the clinical assessment, the clinical psychologist could not find any reason that existed to deprive the applicant contact to his child. The court found that, as the best interests of the child is paramount, it is mandatory that due regard and due consideration is given to any views and wishes expressed by the child who was 16 years old by then.

The Court found that fear and anxiety expressed by the child has been created by the respondent. The Court is the upper guardian in the protection of the best interests of the minor child. **(To read the full piece, visit [www.cge.org.za](http://www.cge.org.za) – under Articles)**

Tsietsi Shuping is a Legal Officer at the CGE

## Limpopo CGE Rolls Out Education Sessions On Sexual Harassment In The Workplace



By Nkhensani Hlekane

A workplace must be free from sexual harassment to create and maintain a conducive working environment. The Commission for Gender Equality in Limpopo conducted a roadshow on Sexual Harassment in the Workplace, by visiting three different camps in the south region of the Kruger National Park. The aim of the roadshow was to educate and sensitize employees on the definition of sexual harassment, and how to report it. The CGE also addressed previous grey areas that are now addressed by the International Labour Organisation's Convention 190 and the New Code of Good Practice of 2022. This was in response to the recommendation by management after same workshop was held with them in May 2022 (a continuation of transformation work that started in 2016). CGE's Public Education and Information Officer in the province, Ms. Nkhensani Hlekane, urged employers and their management teams as well as employees to educate themselves more and refrain from committing acts of sexual harassment.

## Economic Redress Needed For Women In Agriculture And Housing Sectors, says Ntuli-Tloubatla

The economic advancement of previously disadvantaged women is critical and should start in agriculture and housing, because these two sectors impact heavily on rural women's daily lives. These were the words of Commissioner Lindiwe Ntuli-Tloubatla, who was addressing representatives from the banking sector, provincial government, and civil society organisations. The Mpumalanga office of the Commission for Gender Equality invited stakeholders to a women empowerment session which was held in Emalahleni on Wednesday.

"CGE is committed to the attainment of gender equality, and we want to see the skilling and empowerment of women to ensure sustainable economic redress" Ntuli-Tloubatla said. CGE's Mpumalanga Provincial Manager, Moltah Mavuso, said the engagement with provincial partners was necessary to reaffirm and recommit to gender equality and women empowerment in the province.



"The persistence of inequalities in our society is compounded by patriarchy. We need to work together and ensure the realisation of gender transformation. We are looking forward to building long-term partnerships so that we can together fight against gender inequality and be part of the solutions" Mavuso said.



**"We want to engage the Department of Human Settlements to know the progress being made in providing housing to women, who are most affected by lack of housing. But we also want to see more women involved in the construction space" – Lindiwe Ntuli-Tloubatla.**

## Involving Eastern Cape Men's Forums in Fight Against GBVF



By Khaya Nkontso

The Commission for Gender Equality in the Eastern Cape held a session with various men's forums from the Amathole and Buffalo City regions to foster men's involvement and participation in the fight against gender-based violence and femicide in the province. CGE's Public Education Officer in the province, Mr Khaya Nkontso, said the purpose of the engagement was to ensure that men are part of the agenda that seeks to curb GBVF in our communities and workplaces. "We are engaging with the men's forum with the hope of collaborating with them to raise awareness on issues that affect men" Nkontso added.

The CGE conducted an information session to empower members of the forums on gender equality matters. The information and engagement session also included various topics such as discrimination on the grounds of sexual orientation, gender identity and sexual offences. During the Presidential Summit on Gender-Based Violence and Femicide in 2022, Professor Naheema Abrahams from the South African Medical Research Council, cited Eastern Cape as the leading province with cases of gender-based violence.