A woman with short dark hair, wearing a black judge's robe over a white top, is seated at a wooden bench. A gooseneck microphone is positioned in front of her. She is holding a large, open document or folder that contains a form with various fields and checkboxes. The background is a plain, light-colored wall. The entire image is framed by a purple border with a torn-paper effect.

Rape Survivors' Justice Campaign

access to sexual offences courts



Rape Crisis
Cape Town Trust

*We have a vision
of a South Africa in which
rape survivors
suffer no secondary
trauma and are
supported throughout
their interaction
with the
Criminal Justice System*

2. Were you aware of these
3. What action do you want to
your community?





How to use this booklet

The part of this booklet called *What if I was raped?* provides a checklist of steps you need to take immediately after someone has raped you, including medical advice to prevent HIV infection, pregnancy and other possible consequences of a rape.

The Rape Survivors' Justice Campaign will give you information about our advocacy campaign. With this campaign we aim to bring about change in how the criminal justice system deals with the rape cases.

In the section called *Sexual offences courts*, you will learn important facts about these special courts that deal with sexual offences.

The last part is titled *What can I do to make change?* This part will give you some idea of how you can join our campaign and how you can be an advocate for change in your community.

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What if I was raped?

Straight after the rape

The moments right after a rape are very important from the point of view of the law. These moments are also important for the rape survivor's recovery from rape. Deciding what to do about what has just happened can be extremely difficult if you are in shock or feeling bad. From the point of view of the law, the sooner you can get to a police station or a hospital the better, because:

- the criminal has less chance to escape
- you may be able to remember more about the rape right afterwards
- there is physical evidence on your body that links the rapist to the crime, and this evidence can get lost quickly.

From the point of view of your recovery, there are medicines you need to take (to prevent pregnancy or disease) that only work within 72 hours (three days) after the event. Getting support immediately after the rape from someone that can help you, also helps you to recover. This support could be from someone close to you or from a professional service provider such as a nurse, a doctor or a trained rape counsellor. This helps you to recover, because if you are forced to make tough decisions in a hurry, while you are feeling shocked and abused, it helps to get good information, practical help and strong emotional support. The information given by these

professional people can help you, or someone close to you, to make these choices. They will also tell you how much time you have to make these choices.

Steps to take after the rape

1. Go to a **safe place** as soon as possible.
2. Tell the first person you see and trust about what has happened. The first person you told about the rape will sometimes be asked to go to court to support your story – this person is called the first contact witness. If this person is a stranger, write down or try and remember her or his name, telephone number and address. This is important if you decide to report the rape, as the police will need to find that person and talk to her or him.
3. **Go straight to a hospital or doctor to get the necessary medication.** The police can be called to the hospital if you want to report what has happened to you. The police can also take you to a hospital if you are hurt, or they can call an ambulance.
4. **If you are not HIV positive** and you fear that you have been exposed to HIV, **you need to receive medical attention within 72 hours (three days) of exposure.** Some studies show that you are better protected if you receive medicine to prevent HIV infection within six to eight hours of exposure, so the sooner you receive medical attention, the better. If you are HIV negative, the hospital or clinic will give you antiretroviral drugs (ARVs) to prevent HIV infection. The ARVs form part of a group of

medicines called post-exposure prophylaxis (PEP). PEP consists of ARVs, emergency contraception to prevent pregnancy and antibiotics to prevent certain other diseases.

5. Decide whether you want to report the rape to the police.

You may not feel like making this decision so soon after being raped. However, the sooner a doctor examines you, the more likely she or he is to find strong proof on your body or on your clothes, such as blood or semen from the person who raped you. Bruises and cuts will stay on your body for a while, but semen, hair, saliva and blood can be lost quickly.

If you were drunk at the time of the rape, don't let this stop you from reporting the matter to the police or from getting medical treatment. Being drunk is not a crime; rape is. Women often find it difficult to go to the police. Men can also be raped and might find it even more difficult to report. Lesbian, gay, bisexual, transgender and intersex people often find it almost impossible to face going to the police. Elderly people and disabled people who feel vulnerable at the best of times may struggle to face this ordeal and might need additional support. The decision to make a report to the police or not can affect you in many ways and you should consider it carefully.

Important terms

HIV: human immunodeficiency virus – a virus that attacks the immune system and causes AIDS

AIDS: acquired immune deficiency syndrome – a disease that weakens the body's immune system

HIV negative: not having the virus that causes AIDS

HIV positive: having the virus that causes AIDS

Antiretroviral drugs (ARVs): medication that helps prevent HIV infection after you've been exposed to the virus

Post-exposure prophylaxis (PEP): a group of medications given to rape survivors, including ARVs to prevent HIV infection, emergency contraception to prevent pregnancy, and antibiotics

Emergency contraception: the 'morning-after pill' – a pill taken within 72 hours of sexual intercourse.





The Rape Survivors' Justice Campaign

Rape survivors feel that the criminal justice system is not on their side. Very few survivors report rape to the police. As few as one out of thirteen people will go to the police about a rape case. Even if rape survivors do report this crime to the police, the cases are often not investigated properly. And even if they are investigated and the rapist is arrested, when it gets to court the survivor may be victimised again by the prosecutor, magistrate, and defence lawyers. A survivor might be too frightened and upset to tell her story as she would want to tell it. This is one of the reasons why very few perpetrators are actually being convicted and sentenced.

Change is needed in how the criminal justice deals with rape cases.

Our research has shown that Government has also identified that change is needed. In 2013, the Department of Justice promised to re-establish special courts to deal with sexual offences across the country.

We believe that the Government must make sure that, over time, all survivors of sexual violence have access to a sexual offences court. We want to make sure that there is a real change in the criminal justice system by holding Government to its promise.

We built alliances with the communities of Khayelitsha and Athlone and other NGOs to be our fellow stakeholders and to contribute to our campaign through storytelling, direct knowledge and direct experience. We have conducted community actions in Athlone and Khayelitsha, where members of these communities signed a petition to call for a sexual offences court in both of these communities.

Together with our stakeholders, we will work with influencers, like the media and members of Parliament, to amplify our message and to raise awareness about the need for sexual offences courts.

Lastly, we will appeal to decision makers to roll out these courts effectively so that all survivors in South Africa have access to a sexual offences court.

Important Terms

Advocacy: A series of actions that is done to work for change.

Criminal Justice System: A set of role players and processes set up by governments to control crime and to punish those who commit crime.

Stakeholders: Organisations or individuals who have the same interests as we do.

Influencers: Organisations or individuals that can influence decision makers to give us what we ask for.

Decision Makers: Organisations or individuals who have the power or authority to give us what we ask for.

Sexual Offences Courts

The problem of rape and sexual abuse is an ongoing crisis in our communities. We have one of the highest rates of rape in the world. We also have high levels of poverty and a very big difference between rich and poor in our country, which means that rape survivors get very different kinds of support after being a victim of a sexual offence depending on what community they live in and which police station they report the rape to.

Supporting rape survivors must be the focus of the court system in order to help convict criminals and to empower rape survivors to stand up and have their day in court. But only certain courts offer this kind of support at the moment. They are called Sexual Offences Courts and there are only a few of them.

What is a Sexual Offences Court?

Sexual Offences Courts are special court rooms that only deal with sexual offences such as rape. They provide special services to rape survivors and other witnesses. These courts are sensitive to the survivor and help to:

- make the trauma of a survivor much less
- speed up cases so they are completed more quickly
- make better court decisions or judgements because the people working in these courts are experts that are very skillful and experienced

- give more people hope that reporting rape will work out well so more rape survivors will report their cases to the police
- get more convictions and send more rapists to jail

Do we have specialised Sexual Offences Courts?

At the moment, the government reports that there are only 50 sexual offences courts in South Africa. These are all clustered in urban areas in cities and towns, and are not enough to serve the 53 000 reported survivors of rape that come forward each year let alone the many thousands more that do not come forward.

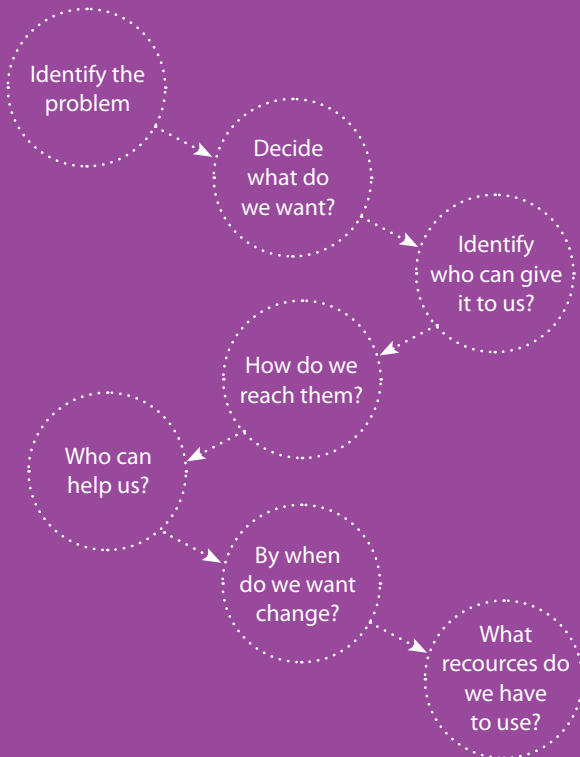
What is special about a Sexual Offences Court?

The idea of Sexual Offences Courts was developed in South Africa. In 2013, a new Sexual Offences Court Model was developed. This was done to set out everything that is needed for a court to become a true Sexual Offences Court. These courts have specially trained prosecutors, court supporters and magistrates. A sexual offences court has a special court room, a separate waiting room for adult witnesses and rape survivors, a separate waiting room for child witnesses and rape survivors and a special testifying room with CCTV equipment so that children and can testify from a separate room and not have to see the rapist while they talk about what happened.

What can I do to make change?

You can get updates about everything that is happening in the Rape Survivors' Justice Campaign by following the campaign on Facebook at **RSJCampaign**

Steps to making Change



Secondly, there are a lot of things that you can do to bring about change in your community. Here are steps to follow if you want to make change:

More actions:

1. Make an opportunity to **talk to a group you are part of** – this could be a community group, religious group or a group at your work. Tell them about sexual offences courts. You can then tell them about the information in this booklet and show them the booklet. If they want to join our campaign, you can tell them how to learn more about the Rape Survivors' Justice Campaign.
2. **Use social media**, like Facebook or Twitter, to tell people about sexual offences courts and the information in this booklet. You can share the campaign's status updates and photos with your friends and followers.

Tell us about your difficulties, successes and experiences in doing the above actions by contacting us:

- On **Facebook** at **RSJCampaign**
- On **Twitter** at **@RSJCampaign**
- On **email** at **RapeSurvivorsJusticeCampaign@gmail.com**

If you want to **donate** to the Rape Survivors' Justice Campaign, you can do it by scanning this SnapScan code



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Rape Crisis
Cape Town Trust

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