

**WOMEN MAKING A FRESH START**

A Guide for Women Leaving Abusive Relationships

2<sup>nd</sup> Edition

**NISAA INSTITUTE FOR WOMEN'S DEVELOPMENT**

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NISAA INSTITUTE FOR WOMEN'S DEVELOPMENT

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## **List of Acronyms**

AIDS – Acquired Immune Deficiency Syndrome

ART – Anti Retroviral Therapy

ARV – Anti Retro Viral

CEDAW – Convention on the Elimination of All Forms of Discrimination Against Women

CPF – Community Policing Forum

CSVR – Centre for the Study of Violence and Reconciliation

CV – Curriculum Vitae

DVA – Domestic Violence Act

CGE – Commission on Gender Equality

HIV – Human Immunodeficiency Virus

LGBT – Lesbian, gay, bisexual and transgender

NGO – Non-governmental Organisation

PEP – Post Exposure Prophylaxis

POWA – People Opposing Women Abuse

SADC - Southern African Development Community

SAPS – South African Police Service

STD – Sexually Transmitted Diseases

TOP – Termination of Pregnancy

VCT – Voluntary Counselling and Testing

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Please note that for the purposes of this book the terms “domestic violence”, “violence against women” and “abuse” are used synonymously

## **Introduction**

In South Africa, one out of every four women experiences domestic violence or violence within a relationship. This can be a relationship between two people who are romantically involved, relationships between parents and children, relationships between family members or between people who live at the same residence.

The South African government has recognised that domestic violence is a very serious issue and a violation of women's human rights. In order to combat it, a number of important laws and policies have been put into place. In addition to this, government and civil society organisations, such as NGOs, are doing a lot of work to reduce domestic violence in communities, deal effectively with perpetrators and at the same time, care for the victims of abuse.

This book has been developed for anyone interested in the issue of domestic violence. It is intended to assist with the understanding of why domestic violence happens and what kind of help is available to women who experience violence. It is particularly useful for women who want to access help in abusive relationships and for women who want to leave abusive relationships, as well as for those who assist women to cope or leave situations of intimate violence, such as friends, family members and professionals who work with abused women and children in all capacities.

Most women who experience abuse try to change the situation and hope that it will become better. Leaving the relationship is often the last resort and in many cases leaving is often the only real option. The first part of the book looks at the different forms of domestic violence, some factors which perpetuate violence, and the laws and policies in place to address and reduce domestic violence. The second part of the book deals with issues around leaving an abusive relationship, including the practical issues that need to be addressed when a relationship comes to an end. At the end of the book, there is a list of preventive and service organizations country-wide that can help you.

The book was developed by the Nisaa Institute for Women's Development which has been offering sheltering to abused women and their children, training and advocacy services as well counselling and community services to abused women and children from all race groups since 1994. Nisaa has offices in Lenasia, Soweto and Orange Farm, but has worked on the issues of violence against women nationally, in the SADC region and internationally. This book was originally published in 1998. Since then, South Africa has created a number of new laws and policies in an effort to deal effectively with violence against women.

Due to this, it was necessary to update this book to include the most relevant information and resources. In this book, we will give you information about ways of preventing violence and protecting yourself and/ or your loved ones. We look at ways in which you can help yourself. We also look at how you can get women's organisations and government agencies to help you deal with the violence you experience and prevent abuse.

## **SECTION 1: Domestic Violence**

### **1.1 Violence Against Women (VAW)<sup>1</sup>**

Violence Against Women is taken to comprise any act of abuse, intended or unintended, of verbal, emotional, psychological, sexual, or physical form which results in or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or deprivation of liberty. It includes but is not limited to:

- physical, sexual, and psychological violence in the family, including battering,
- sexual abuse of female children, dowry related violence, marital rape, female circumcision, and femicide.
- physical, sexual, and psychological violence outside the family, including rape,
- sexual abuse, sexual harassment and intimidation at work and in educational institutions, witch burning, trafficking of women and forced prostitution, jack-rolling,
- certain types of pornography and femicide
- any form of violence to women perpetrated or condoned by the state.

### **1.2 What is domestic violence?**

The Domestic Violence Act of 1998 describes domestic violence as including: physical abuse, sexual abuse, emotional, verbal and psychological abuse, economic abuse, intimidation, harassment, stalking, damage to property, entry into the home without the complainant's permission, and any other abusive, controlling behaviour. These forms of abuse affect not only married women but women living with their male partners, as well as adolescent women in dating relationships.

Broadly defined, it refers to a situation where a person involved in an intimate relationship is subject to abuse by the person they are closely involved with. Typically it refers to violence between a man and a woman involved in a romantic relationship, married or not. However, it can also refer to violence against children, elderly people, and people sharing a home. It can also refer to violence between people involved in a same sex relationship. Although the term domestic violence covers many more

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<sup>1</sup> *Reclaiming Women's Spaces (2000:23)*

relationships than that between husband and wife, it is used here to refer mainly to romantic relationships between men and women with men as abusers & women as victims.

Domestic Violence is addressed by the new Domestic Violence Act of 1998. The Act addresses a number of problems specific to domestic violence, firstly by recognizing that the range of relationships within which domestic violence occurs is broader than simply between a man and woman who are or have been in a relationship of marriage or resembling marriage. Secondly the types of violence that are prohibited include physical, emotional, psychological, economic and sexual violence, as well as other behaviours such as stalking, harassment and destruction to property.<sup>2</sup>

Some women experience only one form of abuse while others experience various forms of abuse. A domestic relationship is a relationship between two people (of the same or opposite sex) who:

- ◆ Are married to each other according to any law, custom or religion
- ◆ Are living in the nature of marriage, or lived in the nature of marriage but are not married, or were never married or are not able to get married to each other
- ◆ Are parents of a child or people who have a responsibility caring for a child
- ◆ Are family members
- ◆ Are dating, sexually involved, romantically involved or involved according to customary tradition
- ◆ Are people who share the same residence

### **1.3 Types of domestic violence**

All the behaviours below are considered domestic violence:

**Physical abuse** – includes slapping, punching, kicking, strangling, biting, stabbing, scratching, shoving or burning with fire, petrol, benzene or any other flammable substance. Physical abuse also means refusing to help you when you are injured, sick or pregnant, assaulting you with objects, guns, knives or any other dangerous weapon, threats to shoot or kill you or harm you in any of the ways mentioned above.

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<sup>2</sup> *Reclaiming Women's Spaces (2000:23)*

**Sexual abuse** - includes incest, rape, date rape or gang rape, being forced to have sex or engage in sexual activities when you don't want to. It also means any conduct that abuses, humiliates, degrades or violates your sexual integrity. Sex work could also be a form of abuse if the woman is forced into this work. Sex workers can also be abused and raped. You are also being sexually abused if someone forces you to have sex with other people including friends, colleagues or strangers or forces you to watch pornography and/or act out the pornographic material. Attempted rape and attempted indecent assault are also considered sexual abuse.

**Emotional, verbal and psychological abuse** – includes name calling, being ridiculed, insulted and humiliated publicly or privately and threatening you in order to cause emotional pain. When your abuser threatens to kill you, himself or others, keeps you away from your family and friends, is obsessive about you, possessive and jealous to a point where you have no privacy, this is also abuse. If someone constantly accuses you of infidelity, is always blaming you for his problems or is depriving you of sleep, that person is emotionally abusing you. Emotional abuse also includes the beating of pets that may have close attachment to the victim or survivor.

**Economic abuse/Financial Abuse** – includes taking or withholding money which you are entitled to, taking your money without your permission and refusing to provide money for household needs. The refusal to pay maintenance to support children is also a form of economic abuse. Economic abuse also includes preventing you from having a job or earning any income. It also involves selling of property, livestock or your matrimonial house without your consent, accessing a bank account without your consent, or employing you without a salary.

**Forced entry** – this is when an abuser comes into your home uninvited or does not want to leave when asked to.

**Stalking and harassment** – this includes repeatedly following you around everywhere, phoning all the time or having someone else phone you, waiting for you

outside your home, workplace or any other place you may be with friends or family, constantly sending you letters, messages, faxes, emails, sms or mms to cell phones. Some abusers send beheaded dolls, small coffins, dead flowers or dead pets to their victims. This is also a form of abuse. If someone is visiting your home without an invitation, following you on the road wherever you go or demanding to talk to you when you don't want to, this is abusive behaviour.

**Intimidation** – this means threatening you with the intention of causing you fear or threatening to kill you or himself if you leave him or don't do as he says.

**Damage to property** – this includes tearing your clothes and destroying any property which is valuable and of interest to you. It also means breaking windows to gain entry into your premises, deflating the tyres of your car, destroying gifts given to you by him or destroying furniture and other items in your home.

Any other behaviour which is controlling and abusive and causes you harm or to feel unsafe is also domestic violence.

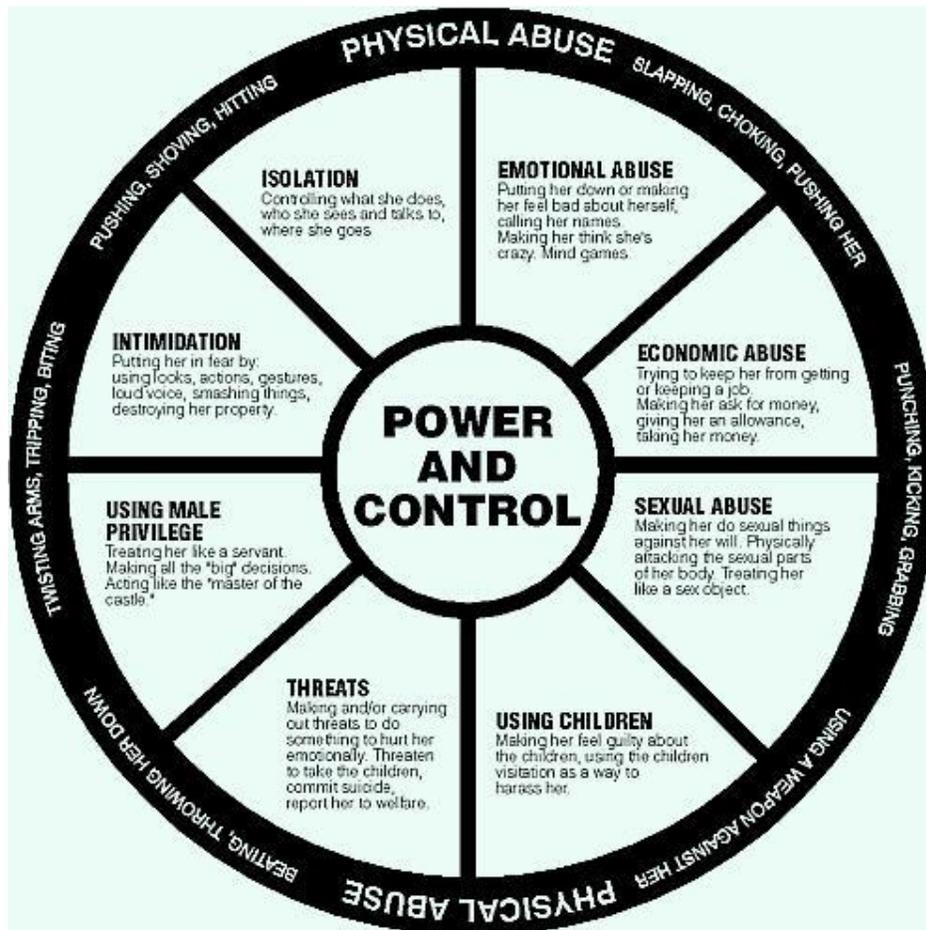
#### **1.4 Who experiences abuse?**

Abuse is experienced by women regardless of their race, class, ethnicity, religious, professional or working background; even pregnant women and women with disabilities can be victims of domestic violence. Most abusers are men, although there have been some cases of women abusing men. There have also been incidences where women in lesbian relationships experience abuse at the hands of their female partners.

Most domestic violence takes place in the home, the place where we are supposed to be safe from any danger. The perpetrators are often the people closest to us, our partners or family members who should care for us, love and protect us. They are the people we want to love and trust.

## 1.5 Causes of abuse

Underlying all causes of abuse is patriarchy which manifests itself in different ways. Abusers want power and control over their partners. The power and control wheel below clearly demonstrates this:<sup>3</sup>



Domestic Abuse Intervention Project  
206 West Fourth Street  
Duluth, Minnesota 55806

The following are characteristics that have been frequently noted about abusers.

- They believe that men have the right to control women
- They have learned that violence is a way of solving problems
- Some men have been abused themselves as children and if they have not received the appropriate help continue the cycle of abuse. It should be noted that men who have not been abused also abuse their partners
- Abusers cannot handle problems in their lives and vent their frustration on their partners
- Abusers have low self-esteem, feel powerless and abuse the people who have even less power than them and are closest to them

Abuse can only stop when an abuser takes responsibility for and changes his behaviour.

The survivor/victim is not to be blamed for the abuse.

### **Ayesha, age 33**

My husband used to hit me when he wanted to have sex with me. At the time, I didn't know it was abuse. One time he hit me so hard I passed out and only regained consciousness after one hour. Again he apologized and again I took him back and everything was normal again.

Then I found out that he was having another relationship and planning to marry another woman. He said if I didn't agree, we would have to separate. As a Muslim woman, I didn't understand my rights. I just felt hurt and I cried a lot.

I saw the Maulana and he said that if I don't want my husband to take another wife, I have the right to say no; my husband cannot force me. He must divorce me first or he must have concrete reasons to want to take another wife. At one point I tried to commit suicide by drinking Jik. My daughter found me and took me to the hospital. After talking to the Maulana my husband eventually ended the affair and things got better. One night whilst at his mother's house we had a fight and I didn't want to return to the house but I had nowhere else to go. That night I slept in the toilet with a blanket. It was raining heavily. I realised that I needed to get out of the relationship. I spoke to my daughter's teacher who is also a Muslim and she told me about Nisaa. Nisaa gave me the money to go and fetch my children. It's better for me to find a place for myself and start life on my own; I don't want to go back to his mother's house. I want to stand on my own two feet. Coming to the shelter was a good decision.

## **1.6 Actions, Policies and Laws against domestic violence**

Over the years violence against women and children has been receiving more attention from government, civil society and donor agencies, although some people may argue it needs even more attention. One of the difficulties in addressing the problem is that it is hidden. It happens in our homes, where other people cannot see and we are often not encouraged to share our problems. We are often told 'don't wash your dirty linen in public'. Women and children often don't talk about or report the abuse because they are ashamed or believe that it is a private, family matter which should be dealt with by the family. In recent years there has been more training of professionals such as doctors, nurses, police officers and magistrates to pick up on the signs of domestic violence. But many times, it still goes unnoticed.

Domestic violence costs the country millions of Rands every year. Abused women stay away from work to hide their injuries or have to be booked-off sick to recover. There is usually a pattern that can be observed if employers take notice of it. Many women who are abused tend to take off on Mondays because they were abused over the weekend. Abuse also leads to increased use of health, welfare, police and justice services. Yet so little is known about this kind of violence that the cost to the country and the economy is never taken into account. If the costs of domestic violence were calculated in real terms the government would do much more.

Some of the national activities, laws and policies designed to combat and reduce domestic violence are explained in detail below.

### **1.6.1 16 Days of Activism of No Violence Against Women and Children**

The 16 Days of Activism Campaign is an international campaign celebrated worldwide. The campaign commences on November 25<sup>th</sup>, a day which was declared the International Day Against Violence against Women at the first Feminist Encuentro for Latin America and the Caribbean, held in Bogota, Colombia in 1981. On November 25<sup>th</sup> 1960 in the Dominican Republic, the Mirabel sisters were killed by the dictatorship of Rafael Trujillo. The decision to commence the campaign on this day was seen as a

fitting declaration to the sisters. In 1999, November 25<sup>th</sup> was officially recognised by the United Nations (UN) as the International Day for the Elimination of Violence against Women.

The 16 Days campaign was conceptualised at the Women Global Leadership Institute in America in 1991. The campaign begins on 25<sup>th</sup> November and ends on 10<sup>th</sup> December. During this period a number of important days are recognised and commemorated around the world – 1<sup>st</sup> December, World AIDS Day; 6<sup>th</sup> December, Anniversary of the Montreal Massacre where in 1989, 14 women were murdered at the University of Montreal for being feminists; 3<sup>rd</sup> December, International Day of Disabled Persons and 10<sup>th</sup> December, International Human Rights Day.

In South Africa, the NGO sector has been celebrating the 16 Days of Activism since 1993. Currently the national campaign is led by the Department of Provincial and Local Government and 1998 is evidence that the government views the problem as serious and accepts the responsibility of dealing with it and reducing it. During the 16 Days of Activism there are numerous events throughout the country to highlight the problem.

### **1.6.2 The Kopanong Declaration and the 365 Day Action Plan to End Gender Violence**

In May 2006, the 365 Days of Action to End Gender Violence Conference was held in Kopanong, Gauteng. Approximately 260 people from many different organisations attended, including the Deputy President of South Africa, Phumzile Mlambo-Ngcuka. They came from government departments, NGOs, UN agencies, Chapter 9 Institutions, the judiciary, the media and the private sector, all with one goal in mind – to come up with a broad and effective plan to deal with violence against women in society.

In particular, the conference aimed to come up with a plan to stretch the 16 Days Campaign into a year long campaign addressing all aspects of violence against women - prevention, response and support. The conference ended with a draft plan of action being drawn up. On 8<sup>th</sup> March 2007, International Women's Day, the plan was launched.

The **vision** of this new campaign is “A South Africa free from gender-based violence where women, men, girls and boys can realise their potential.”

The **goals** of the campaign are:

- ◆ To mount a prevention and awareness campaign that extends the 16 Days of Activism into a year long campaign that involves women and men across the country and has an impact on attitudes and behaviours
- ◆ To ensure that all relevant legislation is passed, budgeted for and implemented
- ◆ To reduce cases of rape by 7 to 10% per annum in line with the SAPS target
- ◆ To ensure that SAPS crime statistics provide details on domestic violence and that there is significant reduction of domestic violence each year
- ◆ To increase conviction rates by 10% per annum, in part, through the roll out of more Sexual Offences Courts
- ◆ To ensure comprehensive treatment and care for all survivors of gender violence such as counselling, the provision of post exposure prophylaxis (PEP) to reduce the chances of HIV infection and treatment for possibility of Sexually Transmitted Diseases (STD) and pregnancy
- ◆ To provide support and empowerment for victims through places of safety, secondary housing and employment opportunities as well as rehabilitation of offenders
- ◆ To ensure coordination and communication among those involved in the implementation of the plan

The task team that has been appointed intends to attain the above goals by a series of actions. They plan to address issues around prevention of violence, assist in coordinating an effective response to violence, support victims of violence, and ensure children and other vulnerable groups are taken into account. These actions will be undertaken by different organisations who form part of this campaign. Each year the campaign is to be evaluated against the plan of action to determine how far government has come in providing services for abused women and children. A concern that needs to be addressed by the government is that alongside the campaigns that raise awareness,

effective services need to be made available to women who need them in rural and urban areas. The campaign cannot merely remain a celebration.

Apart from national campaigns, there are important pieces of legislation and policies that specifically state that women have a right not to be abused.

#### **1.6.4 The Constitution of South Africa**

South African women's organisations lobbied hard for the principle of gender equality to be enshrined in South Africa's new constitution. The years subsequent to 1994 saw the installation of systems that were aimed to protect gender equality, awarding South Africa the recognition as the holder of one of the most progressive, gender-aware Constitutions in the world. Several organisations, such as the Commission on Gender Equality (CGE), an independent national watchdog, is mandated by the constitution to promote and protect gender equality. The National Gender Machinery is comprised of the CGE, the Office of the Status of Women, the Joint Monitoring Committee on the Quality of Life and Status of women, as well as civil society organisations.

The right to safety from violence is written into our new Constitution which guarantees the right of every person to equality, human dignity, life, freedom and security of the person. Section 9 of the Constitution specifically says:

"The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth."

The Constitution is the highest law in the land and all legislation must conform to it. Since 1994, the government has developed good legislation on human rights issues. However, there is still a need to make human rights a reality for everyone.

#### **1.6.4 The Bill of Rights**

The South African Bill of Rights protects our rights and freedom. It covers almost every aspect of our lives and gives us the right to equality, human dignity, life, freedom and security of the person, privacy, freedom of religion, beliefs or opinions and freedom of expression.

The Bill also guarantees our right to information, to protest when we need to do so and to choose with whom we want to associate. It guarantees the right of every person against slavery and forced labour and to have access to food, water and social security. It also protects our political rights, the right to freedom of movement and protects us with regard to work, housing, property, education, health care and the environment.

The Bill expressly states that everyone "has the right to freedom and security of the person, which includes the right to be free from all forms of violence from both public and private sources" and "the right to make decisions about reproduction" as well as "the right to security and control over their body".

The Bill of Rights protects us against oppressive aspects of religious and cultural practices that take away control over our lives.

We need to know our rights. We also need to support a culture of empowerment for everybody. Men who feel empowered will not abuse. Women and children who feel empowered will insist that they be treated with respect. We must all ensure that the government carries out the spirit of the Bill of Rights by helping us to empower ourselves and use our rights.

#### **1.6.5 The Women's Charter for Effective Equality in South Africa**

The Women's Charter was adopted at the national convention of the Women's National Coalition in February 1994. The Women's Charter informed those aspects of the Constitution that deal with women and gender equality. Below are some of the key points of the Charter. Women claim:

- ◆ full and equal participation in the creation of a non-sexist, non-racist, democratic society;
- ◆ that with regards to equality – which underlies all claims – no distinction should be made that disadvantages women;
- ◆ that law and the administration of justice should uphold women’s rights and ensure equality;
- ◆ full participation in the economy at all levels, including informal and unpaid labour;
- ◆ the right for women and girls to equal education that acknowledges and accommodates their needs;
- ◆ customary, cultural and religious practices should be subject to the equality clause in the Bill of Rights;
- ◆ the right to security, bodily integrity and freedom from all forms of violence;
- ◆ equal, affordable, accessible and appropriate health care services that meet women’s health needs; and
- ◆ that the dignity of women should be preserved and promoted by the media.

#### **1.6.6 The Domestic Violence Act of 1998 (DVA)**

This is a very important piece of legislation in the fight against domestic violence. It confirms that domestic violence is not just a private matter between two people but a public policy issue which the government has to seriously tackle.

The purpose of the Act is to:

1. Guarantee that those who are subjected to domestic violence have legal resources to create a climate of intolerance for violence against women;
2. Change the power dynamics between men and women;
3. Shift attitudes of law enforcement;
4. Recognise that domestic violence takes many forms and may be committed in a wide range of domestic partnerships.

The DVA recognises the seriousness of domestic violence and the impact it has on lives of victims. It also recognises the extent of the problem in South Africa and how it is to be tackled effectively. Domestic violence is a violation of the right to freedom, equality

and security of a person and is in contradiction to the values of the Constitution as well as the international documents on women's rights that South Africa has signed or ratified. The DVA is very specific in defining domestic violence and what is a domestic relationship. It does not limit domestic violence to physical abuse but gives a broad definition of the abuse women and men may experience. The DVA gives specific procedures to dealing with domestic violence such as applying for a protection order against an abuser. (More on this later).

### **1.6.7 Maintenance Act of 1998**

Many women in South Africa still experience difficulties in accessing maintenance for themselves and their children. The Maintenance Act of 1998 is designed to assist in this regard and it stipulates that maintenance is the legal duty both parents (married, unmarried, separated or divorced) owe their children and married people owe each other. Grandparents also owe their grandchildren the duty of support. There is no age limit on maintenance; parents must maintain their children until they are self-supporting.

All magistrate courts act as maintenance courts and all public prosecutors act as maintenance officers. In order to apply for maintenance, a woman must go to a maintenance court with the required documentation and fill out the necessary paperwork. (more detail in forthcoming chapter). She will be given a date on which to return to the court for a maintenance enquiry. In the meantime, a summons will be served on the man in question by an investigator/sheriff or police, alerting him of the date he should appear at the court. Maintenance investigators are appointed to locate the whereabouts of the man in question, gather information on him and serve and execute the maintenance process. -

If a man fails to comply with a maintenance order, there are several orders which can be applied in order to access maintenance: deductions can be made directly from the person's salary, or his assets seized and put up for sale or auction in an attempt to recover money for maintenance.

### **1.6.8 Criminal Law (Sexual Offences and Related Matters) Amendment Act**

The Criminal Law (Sexual Offences and Related Matters) Amendment Act, commonly referred to as the Sexual Offences Act, is another important piece of legislation which was recently signed into law. In this Act, the definition of rape has been broadened to include rape of men and boys. Women can also now be charged with rape. Rape now officially means the penetration of the genital organs, or anus, of one person, male or female, with the penis, other body part (including animals), or any object. Penetration of a person's mouth with a penis, human or animal, will also constitute rape. In the past, anal penetration against one's will was considered sexual assault, not rape and therefore the perpetrator would more often than not, receive a lighter sentence. But with the new and expanded definition of rape, a person convicted of anal penetration would be liable for the minimum sentence applicable to rape which is 10 years' imprisonment if the assault was a first offence.

Other key aspects of the Act include the provision for a complainant to apply for the alleged perpetrator to be tested for HIV. However, this has come under attack from women's groups due to the risk of the HIV status of the accused impacting on the complainant's decision whether to access Post Exposure Prophylaxis (PEP) or not. PEP acts effectively to prevent HIV infection. The alleged offender might be in the 'window period' of the virus, which means that the test will be negative. In such case, the victim might opt not to take PEP and be subsequently at higher risk of contracting the virus.

The Act provides that, after a sexual attack, the victim may receive PEP at a designated public health establishment. However, again a key shortcoming of the Act is the fact that only a victim who lays a charge with the South African Police Service or at a designated health establishment, within 72 hours (the period in which the drug is effective) after the alleged assault took place, may receive PEP. This is unsatisfactory since it forces traumatised survivors of violence to lay a criminal charge in order to access life-saving treatment.

#### **1.6.9 Other domestic legislation and regional policies**

Other key pieces of domestic legislation which impact upon women's rights include:

- Employment Equity Act - this Act aims to redress imbalances in employment opportunities as a result of apartheid policies that reserved middle and senior

management positions for whites and is a strategy that attempts to create opportunities for blacks, women and disabled persons.

- Promotion of Equality and Unfair Discrimination Act of 2000 – this Act prohibits unfair discrimination on the grounds of gender including any practice, traditional, customary or religious, which impairs the dignity of women, and undermines equality between women and men, including the undermining of the dignity and well-being of the girl child.

There are also regional and international instruments which, in principle, ensure women's rights to live free of fear and violence are upheld. Some of these are the Addendum to the SADC Declaration on Gender and Development for Eradicating Violence Against Women and Children, The African Union Protocol on the Rights of Women in Africa and the Convention on the Elimination of All Forms of Violence Against Women (CEDAW).

## **1.7 Common Forms of Domestic Violence**

### **1.7.1 Physical Abuse**

Physical abuse is slapping, punching, kicking, choking, shoving, scratching, biting, burning or other physical attacks with or without a weapon or object.

Physical abuse is disturbingly common in South Africa, affecting all communities. Physical abuse is usually accompanied by other forms of abuse such as psychological or financial abuse. Physical abuse between men and women is different from a fight which ensues between two men. Relationships between men and women are relationships of power and that relationship is often unbalanced, with men in the more powerful position. Many men hit women because they see them as weak and powerless. However, men who physically abuse their partners often keep them in the relationship by offering apologies after the event. Then when tension builds up in the relationship, they batter again. At the same time, women in abusive relationships think they can change their partners' behaviour by being "good" and hoping that the abuse will stop. This becomes a vicious circle.

Children who witness abuse are affected negatively. Often children, and even small babies, suffer physical violence at the hands of their fathers or mothers' partners.

Physical abuse is a crime that violates our sense of bodily integrity, sense of safety and self worth. You can try to put a stop to the physical abuse yourself, but it is often difficult to do that. You can report physical abuse to the clerk of the court and get a domestic violence protection order to prevent the abuser from assaulting you (More about this later).

### **1.7.2 Sexual Abuse**

Sexual abuse means any conduct which abuses, humiliates, degrades or otherwise violates the sexual integrity of someone. No one can force you to have sex or engage in any sexual activities, not even your husband or partner. Rape within marriage or an intimate relationship is still considered rape. Rape within marriage is recognized as a crime in South African law since 1993. Also, having sex with a girl under the age of 16, even if she gave consent, is illegal and regarded as statutory rape according to South African law.

According to the SAPS statistics released in September 2006, rape has gone down very little from 2005, from 55,114 to 54,926. According to a study by the South African Institute of Race Relations, in 2005/06, Gauteng and Kwa-Zulu Natal had the highest number of rape incidences and Limpopo had the lowest rape rate of all the provinces. In another study, the Medical Research Council (MRC) says that only one in nine rapes is reported.

Proving that you have been raped is often difficult and humiliating. As a result, many women choose not to report rape to the police. It has also been reported that some police officers are not sensitive enough to rape victims and can make them feel as if it is their fault. However, women's organisations are working with the police, prosecutors and magistrates to make them more aware of these problems. Consider enlisting the help of a woman's organisation if you are raped and want to report it.

You may also want to get counselling to help you work through the effects of any kind of domestic violence.

**If you are raped remember:**

- ◆ you must believe that whatever happened, is not your fault;
- ◆ go to a safe place as soon as possible;
- ◆ tell the first person you see and trust what happened;
- ◆ don't wash yourself or throw away your clothes, no matter how much you want to;
- ◆ don't drink anything – not even water or medicine – before a doctor examines you;
- ◆ take your clothes with you to the charge office or examination and put them in a paper bag or wrap them in newspaper. Don't use a plastic bag because it messes up the evidence of rape;
- ◆ decide whether or not you want to report the attack to the police and remember that you should report it within three days to give the police a better chance to look for evidence;
- ◆ go straight to a doctor or hospital if you are badly hurt;
- ◆ the sooner you are examined by a doctor, the higher the chance that blood or semen from your attacker will be found on your body or clothes;
- ◆ make sure that you request post exposure prophylaxis (PEP), which should be taken orally within 72 hours at the most, and the sooner the better. This is to ensure that you are protected from contracting the HIV virus in case the rapist was HIV positive. The medication must be taken for the full 28 days;
- ◆ you can also request an emergency contraceptive within 72 hours to prevent an unwanted pregnancy.

**1.7.3 How to support a woman who has been raped**

When a woman has been raped, she needs the love and support of her family and friends to help her heal. According to the People Opposing Women Abuse (POWA)'s pamphlet titled "*Supporting a woman who has been raped*", there are a number of things you can do to help and support a woman when she has been raped. POWA suggests that you make it clear (by your actions and words) that you:

- ❖ Believe her;
- ❖ Love and care for her;
- ❖ Do not believe that what has happened was her fault;
- ❖ Are available to hold her if she wants, but if she prefers not to be touched, that's OK too;

- ❖ Are sensitive to her concerns for security;
- ❖ Will support and respect whatever choices she makes about reporting the rape to the police or seeking other forms of help;
- ❖ Will support her as she faces other friends and relatives and helps educate them about rape and how to be supportive;
- ❖ Are available to listen but won't put pressure on her to talk;
- ❖ Not overly protective as this may reinforce her sense of vulnerability and lack of control;
- ❖ Will not act as if the rape never happened, even though she herself may be in denial.

## **1.8 How to stop violence**

Ilitha Labanthu, a Cape Town-based organization which offers counselling to survivors of domestic and community violence, insists that violence is not a personal or a private matter. They urge us all to:

- call the police if you hear or see a woman is being abused;
- help her find a safe place;
- talk to others about violence to help break the silence;
- do voluntary work against violence or donate money to shelters and services that help women.

If you know or suspect that someone is being abused, don't be afraid to offer help – you might save her life. Approach her in an understanding and non-blaming way. Tell her that many people experience abuse and that it helps to talk about it, even though it is scary and difficult. Share information about violence with her and support her. Allow her to make her own decisions and assist her in getting help and becoming safe. Remember that violence against women is a societal issue and we cannot ignore the person who has been raped or abused.

According to People Opposing Women Abuse (POWA), there are a number of ways the community can assist someone who is being abused:

- Intervene if you witness behaviour that you believe is violent or abusive;
- Inform yourself and other people about women abuse; arrange a talk for your school, union, church or community group;
- Lobby the police and government for better services for abused women;
- Listen to and believe a woman who confides in you; ask her how you can help and what she needs to feel safer;
- Respect that any information an abused women gives you is confidential;
- Support the right of all women to live in safety.

Another important way in which we can act against violence is to raise our girl and boy children in the same way so that they have respect for each other from an early age.

It is important to act against violence; it allows women and children to lead safe, healthy lives. It is important to act against domestic violence to make life safe for future generations. Women who are abused may abuse their children. Children who grow up with abuse may become abusers themselves. Action is needed to break this vicious cycle, to build a safer, healthier society.

### **1.9 Self-help for abused women**

If you are abused, say these words to yourself until you believe them:

- I'm not to blame for being beaten and abused;
- I'm not the cause of my partner's violent behaviour;
- I'm a worthwhile person and should be treated with respect;
- I have power over my own life and I can use that power to take care of myself;
- I, myself, must decide for me;
- I'm not alone, I can ask others to help me;
- I deserve to make my own life safe and happy;
- I can talk to someone I love and trust.

**Virginia, age 53**

I have a son who is epileptic and his father does not help me out, sometimes refusing to take my son to the hospital. He was very verbally abusive to me, threatening to hit me. One time there was a death in my family but my husband wouldn't allow me to go to the funeral, believing I was having an affair. In the past I have gone to the police for help and they have assisted me. I took out a protection order against my husband but he did not show up in court because his father had died. Then he came back and apologised and I took him back. But things went back to how they were and one day my husband chased me out of the house with my children. One of my elder daughters was staying at another shelter and she told me about Nisaa. I told my husband that I am in the rural areas. He hasn't tried to contact me and I don't want to reconcile with him. I want to get my own place and begin life on my own.

## **SECTION 2: Sexual and Reproductive Rights**

*The South African Women's Health Book* gives the following, very clear description of sexual and reproductive rights. These rights are also included in our new Constitution.

Sexual and reproductive rights are essential components of human rights. Without them, people are vulnerable to exploitation and oppression, and gender equality cannot be achieved.

Sexual and reproductive rights emphasise that our bodies belong to ourselves and no one else. No one has the right to demand sex from us, to force us to have children or not to have children, to abuse us physically and emotionally or to discriminate against us because we are women.

This includes freedom from:

- sexual assault;
- sexually transmitted diseases;
- unwanted or exploitative sexual relations;
- discrimination;
- unwanted medical attention or mutilation of the body;
- coercive family planning services and poor quality health services.

Reproductive rights mean:

- the right of couples and individuals to decide freely and responsibly if and when to have children, how many, as well as the right to information that can help you make choices;
- the right to reach the highest standard of sexual and reproductive health;
- the right to make decisions free from discrimination, coercion or violence.

Children share the rights of freedom from sexual or reproductive exploitation. According to the Bill of Rights in the Constitution, the Children's Bill and the Sexual Offences Act, their rights also include freedom from maltreatment, neglect, abuse or degradation and from being forced to work. Children's rights include the right to family, parental care or appropriate alternative care as well as basic nutrition, shelter, health and social services.

## **2.1 Religious and Cultural issues in dealing with violence**

What is important to know is that our constitution protects you against any cultural practices that do not uphold your rights. The Bill of Rights states that cultural, religious and language rights "may not be exercised in a manner inconsistent with any provision of the Bill of Rights". So, if your cultural, religious or language group insist that you must accept violence, you can use the law to uphold your rights and to fight violence.

There are times when women may experience violence and approach their priest, pastor or religious leader only to be told that they must pray about their problem and have faith; that it will go away. Sometimes religious texts and teachings are interpreted to mean that men are superior to women or that women must be submissive to their husbands. Many cultural and traditional beliefs hold this view as well. However, in South Africa, the Recognition of Customary Marriages Act specifically states that while marriages according to traditional customs are welcomed, women must enjoy equal status to a man within the marriage. Many customary marriages involve the payment of *lobola*. On one hand, *lobola* is said to assist the wife's family and compensate them for her "loss" to the family. It can protect the wives who are being mistreated by their husbands due to the belief that husbands who mistreat their wives can be forced to take back *lobola* and in-laws are inclined to treat a woman better if *lobola* has been paid for her.

On the other hand, *lobola* in these times is often paid in cash, not with cattle as before. Men may sometimes feel they have "paid" for and "bought" their wife and therefore she is not entitled to disobey him. Because *lobola* is usually spent soon after it is given, wives who experience domestic violence may not be able to seek refuge at their homes

because of the family's inability to return the *lobola*. Thus, families may encourage their daughters to stay with abusive husbands.

In some traditional settings, marital problems such as domestic violence are seen as private affairs and wives are encouraged to approach family members or headmen, rather than go to public officials or the courts. While it is a positive thing that matters of domestic violence may be resolved amicably with the help of family, there is the chance that the abuser will get off lightly, pay a fine in cash or cattle and continue his abusive behaviour.

### **2.1.1 Options for women living under customary law**

Some of the options for women living under customary law who are experiencing domestic violence are:

**Traditional mediation** – this may be more accessible to a woman for whom *lobola* has been paid. The woman can approach her husband's family to convene a discussion involving the husband, wife and his family. If the outcome is not satisfactory to the woman or she is abused again, she can approach her own parents. A discussion with the husband's family is expected to take place after this intervention.

**Community Policing Forum (CPF)** – women can approach the CPF when there are problems in the marriage. The CPF can give the woman a letter to approach the police station. Alternatively the CPF may undertake a dispute resolution process that would involve both families.

**Police Intervention** – Abused women can seek assistance from the police and apply for a protection order against their husbands.

**Divorce** – The Recognition of Customary Marriages Act states that a divorce within a customary marriage will be granted in the same way as a divorce for a civil marriage. Customary marriages are automatically in-community of property unless an ante-nuptial has been signed. If a man and woman are married in the Muslim or Hindu religion and did not have a civil marriage as well, the law does not recognise the marital union. Divorce proceedings thereof do not need to go to court. However, in these cases it can be quite difficult for women married under Muslim and Hindu law to claim maintenance for their child or children.

In cases where *lobola* has not been paid, it may be difficult to go through a traditional mediation process as families have not formally been joined together and may not be convinced to sit down and discuss the problem.

### **2.1.2 Custody Matters for Women living under Customary Law**

Another aspect of customary law which may influence how a woman chooses to deal with violence is the issue of children. Unfortunately customary law does not make any provision for maintenance support by the husband after a divorce and even though courts can order men to pay maintenance, many of them default and do not pay. The general rule after *lobola* has been paid is that the children belong to the father. After a divorce, in many cases, children stay with their father's family. This means that women might be inclined to stay in an abusive situation in order not to lose their children. A recent development of this issue is that the Family Advocate assigned to the divorce case must also report on the best interests of the children. If it happens that the children are better off with their mother, the Family Advocate must report this.

### **2.1.3 The Draft Islamic Marriages Bill**

In broad outline, the Bill provides for the recognition and enforcement of Islamic Marriages in the South African legal framework. This is accomplished by prescribing certain requirements for the validity of Islamic marriages for the purposes of South African law, and provides for their enforcement and dissolution. Although the provisions of the Bill reflect the provisions of Islamic law itself, the Bill embodies a synthesis between Islamic law and the relevant provisions of South African law.

The Bill makes provision for its application to Islamic marriages entered into before or after its commencement, subject to an election exercised by the parties to such a marriage. Provision is also made for the application of the Bill to certain civil marriages.

The Bill allows polygamous marriages subject to the authorisation of the Court. It also requires that a divorce in the form of the Islamic law mechanism of talaq be registered with a marriage officer and confirmed by the Court. Some of the more familiar features

of the South African law relating to marriage are reflected in the Bill, particularly those relating to the maintenance of the spouses, the interests of minors and the role of the Family Advocate. An interesting innovation in the Bill is the provision for compulsory mediation and arbitration in relation to disputes between spouses in an Islamic marriage. To cater for certain concerns in the Muslim community regarding judicial proceedings, matters relating to Islamic marriages are generally to be heard by a Muslim judge sitting with two Muslim assessors having specialist knowledge of Islamic law. In the case of an appeal to the Supreme Court of Appeal, expert opinion relating to points of law are to be filed on record.

To cater more fully for the recognition of Islamic marriages, the Bill envisages the amendment of other items of legislation in which certain consequences are attached to the institution of marriage. In particular, the Bill provides for the definition of "spouse" in the intestate Succession Act to be amended, thus remedying the grievance of Muslim spouses who did not inherit anything from their intestate spouses.

Considering that several provisions of the Bill may be subject to further amendment, it is at this stage unpredictable what the structure of any Act relating to Islamic marriages will be.

## **2.3 Some Effects of Sexual Abuse**

In addition to the emotional trauma of sexual abuse, victims are at risk of unwanted pregnancies and STDs including HIV.

### **2.3.1 Unwanted Pregnancies**

To prevent an unwanted pregnancy resulting from rape, go to your nearest clinic or hospital for help. The clinic should administer **emergency contraception** (such as Ovral), sometimes referred to as "the morning after pill" and it must be taken within 72 hours of unprotected intercourse or in the case of sexual assault, 72 hours after the assault or rape. You can receive this medication from a health worker. Emergency contraception can make you want to vomit. If you do vomit, you have to take the tablet again. You can ask the healthcare professional to give you tablets to prevent nausea.

The **Intra-Uterine Device** is another form of emergency protection. It is a device, when inserted into the uterus no later than five days after being raped, will prevent unwanted pregnancy.

Should you get pregnant as a result of rape, and do not wish to keep the baby, you have a right to terminate the pregnancy. According to the Choice of Termination of Pregnancy Act (CTOP), women can access a termination of pregnancy (TOP) within the first 3 months of pregnancy. You do not need the consent of a partner, parent or anyone else. If you wish to have a TOP, go to a healthcare professional at a clinic or hospital. They will give you information on the procedure and other options such as adoption. No healthcare professional is allowed to inform your family, friends or partner about your pregnancy or what you choose to do about it. The TOP is free except at private hospitals but not all public hospitals or clinics offer TOP. After the first 3 months, doctors will only perform a TOP if there is risk to the unborn child. Some doctors don't like to perform the procedure after the first 3 months of pregnancy. The Marie Stopes Clinic specialises in termination of unwanted births. There are branches countrywide and their numbers can be found at the back of this book.

### **2.3.2 Sexually Transmitted Diseases**

If you are raped and your attacker did not use a condom, you are at risk of contracting an STD. Also due to the shape and nature of a woman's genitalia, they are at risk of contracting HIV more easily than men are at risk of contracting it from women. In addition to this, women, especially women in intimate relationships, find it difficult to demand their partners wear condoms, even if they suspect that they are unfaithful. Men can view being asked to wear a condom as a sign that the woman does not trust him, or worse, imply to him that the woman is having an affair and this can cause him to become violent. Women are also taught that there is a certain risk associated with love, that if you ask your partner to wear a condom, you do not really love him; that you are not giving yourself completely to him. This is untrue. Loving someone means protecting them and not placing them at risk.

Women often find themselves in two opposing categories - the "good girl" category versus "bad girl" category. Women who are seen by men as "good girls" are not supposed to request or demand the use of condoms. They are seen as submissive, faithful and clean. On the other hand, "bad girls" are seen as sexually experienced, promiscuous and wild, and are made to feel as though they forego the right to demand any protection for themselves. Within both of these categories, it is difficult for women to assert their right to practice safer sex.

Rape and sexual assault take away a woman's right to control who she has sex with and in what manner. The brutality of rape and sexual assault often results in vaginal tearing, increasing the chances of HIV transmission. Women who live in abusive situations are often terrified of their abuser and asking him to practice safer sex is out of the question. Within this type of abusive situation, there can be emotional and economic abuse as well. A man's refusal to be tested for HIV if he has multiple partners, is being emotionally abusive, especially if he insists his partner still have sex with him. This can compromise a woman's right to physical and emotional well-being and her ability to care fully for herself. Another way in which abuse has an impact on HIV and AIDS is when an abusive partner withholds money from a woman who needs it for anti-retroviral treatment (ART). ART is a combination of medicines given to people who are infected with HIV when their immune system has weakened to a dangerous level.

According to the Criminal Law (Sexual Offences and Related Matters) Amendment Act, rape survivors are entitled to receive PEP to reduce HIV transmission. You will have to take a series of drugs for approximately 28 days after the rape. However, in order to access this treatment, the victim must report the crime to the police or a designated health facility. PEP must be taken no later than 72 hours after rape. It has been proved to be very effective but if you were HIV positive before the rape, PEP will not be given. There is a list of health facilities which offer PEP at the back of this book.

Another important aspect of the Act is that it allows the victim of a sexual assault to make an application at a Magistrates court for the alleged perpetrator to be tested for

HIV. The results will be made known to both victim and alleged perpetrator. The result of this test can empower women to make informed choices about medical and personal decisions, although this provision has been criticised as possibly putting women at risk if the rapist was in a “window” period and the test turned out negative.

STDs are transmitted through sexual contact. STDs are completely curable if detected early and have correct and complete treatment by both partners together. If one partner has untreated STDs, then there is a chance of reinfection. Since the reproductive organ of females is inside the body, symptoms of STDs cannot be identified easily like male STDs. It is therefore worthwhile to go for an examination at the clinic, whether you see any signs of sexually transmitted infections or not. If an STD is left untreated, you may become infertile and the risk of getting HIV is much higher.

Having an HIV test is important. There is a number of Voluntary Counselling and Testing (VCT) centres across the country, where pre and post test counselling is mandatory. This means the risks and benefits of taking the test are explained to you beforehand. Make sure you have some support around you when you get the results.

It is better to know your HIV status earliest, so that counsellors and doctors can help you to adapt to a healthy life style to have a longer economically productive life. (Taken out a sentence here) If your first test result is negative you need to have retest after 6 weeks, 3 months and 6 months to make sure that you were not in the “window period” at the time of first test. HIV is a chronic infection. Though to date it is not curable like diabetes, it can be manageable by adapting a healthy life style. Many people have more than 10 years of economically productive lives after HIV infection. With assistance of proper ART life can be even longer.

### **2.3.3 Prevention of Mother to Child Transmission**

As an HIV+ woman you, have the right to have a baby. On the other hand, you need to protect the child’s rights by using all precautions so that the child is not infected with HIV. You can be a part of the Prevention of Mother to Child Transmission Programme. In this programme, you can be given a dose of Nevirapine, asked to have a caesarean

section of delivery and a dose of Neveripine can be given to the newborn baby. The child can be infected through breast-feeding as well. It is recommended to opt either for exclusive breast-feeding or not to have breast-feeding at all to lower the risk. But, it is your choice what you choose to protect your child.

**Miriam, age 40**

I have lived with abuse most of my life. My father was a very abusive man and we all lived in constant fear. In the beginning, things between my husband and I were OK. But after I had our first child he became very possessive, controlling and manipulative. Then the physical abuse started. After our third child was born, it became worse; he didn't want me to work or have any friends. I had to ask permission to go anywhere. After he hit me, he would apologise and make excuses. I always blamed myself. I thought if I cooked, cleaned, looked beautiful, lost weight, he wouldn't get angry. But I lived in complete and total fear.

Then the accusations came. He accused me of having relationships with lots of men. I tried on two occasions to commit suicide; the first time I jumped out from a fourth floor balcony as my husband came at me with a bat. The next time, after my husband beat me on the street while I held my youngest baby, I put the baby on the ground and jumped in front of a taxi. On both occasions, I managed to escape with only a few injuries.

One day after he left for work I went to the magistrate's court and applied for a protection order. For a while it was good but then he found where I was staying and literally dragged me back to our house. But after that, I began to work seriously on getting out. I gave my kids money to hide and started taking clothes out the house bit by bit. I thought about my mother, about how she never got out and I didn't want to be like that. So one day I left, just like that. I'm not looking back. My plan is to get a divorce. Right now I'm looking to the future; my dream is to go to school and get my degree.

## **SECTION 3: Can abusive relationships change?**

Many women who are in abusive relationships choose to try to change their relationships before taking other measures such as leaving their abusive partners. Many organisations, governmental and non-governmental working in the area of violence against women, often also have this aim in mind. While there is some merit in trying to change an abusive relationship, such efforts are fruitless when abusers do not want to change their behaviour. You must know this if you want to try to change your relationship before deciding to leave.

Below we look at the reasons why women choose to remain in abusive relationships and try to change them, rather than leave their abusive partners.

### **3.1 Why women stay in abusive relationships**

Women often have very mixed-up feelings about their abusive partners. Here are a number of reasons why women stay in abusive relationships:

#### **◆ Sometimes there are good times**

You may stay in the relationship and put up with abuse because you love your partner and forgive him. You may also stay because there are some good times in your relationship. As a result, you may put all your emotional energy into the relationship in the hope that it will change but instead you become isolated from everybody else. Or you may turn your feelings of anger against yourself and hate yourself and not your partner. It is much more difficult to leave a relationship that has good and bad times than to leave a relationship that is all bad.

#### **◆ Your partner is over-dependent**

Abusive men are often very dependent on their partners and are terrified that they will leave. Because some men cannot face their own dependence, they need their partners to depend on them for everything, emotionally, financially and otherwise. Your partner may want you to cater to all his needs and to be responsible for his feelings. He may try to stop you from seeing your friends or family or from going out at all. He may be highly suspicious and question every move you make.

Over-dependent men control their partners through abuse. They respond to frustration with verbal and physical violence. Even though their partners are abusive, it is often difficult for nurturing women to leave their needy partners. Women are also afraid to leave because their partners threaten to keep the children. While this is a common threat, the law protects children and usually gives custody of the children to the mothers. Fathers who are abusive may lose their right to see their children. Abusive men also keep their partners in the relationship with threats of suicide or of killing the whole family.

◆ **You feel worthless**

Your partner may blame you because you do not fit his picture of the "ideal wife". This may make you feel worthless. As long as you try to change your behaviour to please him, you will remain helpless, confused and victimised. You may even turn against yourself and hate yourself because you cannot change the situation or stop the abuse. When this happens, you become trapped in feelings of worthlessness. Your partner makes you feel worthless and you make yourself feel worthless because you are trying to change an impossible situation. Your feelings of self-doubt and worthlessness prevent you from leaving the relationship. These feelings are entrenched by continued verbal abuse.

◆ **You are financially dependent on him**

Many women rely heavily on their partners to pay the bills, buy food and provide for the children's needs. It is therefore a scary thought to imagine yourself on your own. Some abusive partners know this and keep tighter control over money. This is also economic/ financial abuse. Money worries are valid concerns but they are not more important than your health and well-being and the well-being of your children. There are ways of securing resources if you decide to leave (More on this later).

**Women stay with their abusers because:**

- ◆ they are afraid and have been threatened by their partners if they leave or refuse to withdraw charges;
- ◆ they have no place to go;
- ◆ they have little or no legal protection;
- ◆ they face religious or cultural constraints;
- ◆ they believe it's best for the children;
- ◆ they believe the myths about relationship violence;
- ◆ they are embarrassed to admit to family and friends that things went wrong;
- ◆ they hope that the abuser will change;
- ◆ they are afraid of being alone;
- ◆ they have no knowledge of their personal rights or resources available to them;
- ◆ they grew up in homes where violence was common, so they believe love and hurting go together;
- ◆ they have no community support and fear that the community will stigmatise them;
- ◆ emotionally they are co-dependent and not ready to leave;
- ◆ they have limited options and resources such as access to child care facilities, financial resources and alternative accommodation;
- ◆ they are financially dependent on the abusive partner;
- ◆ they fear losing custody of the children;
- ◆ they believe they are worthless and deserve the abuse;
- ◆ they fear not being believed by the police, family and/or community;
- ◆ they may be worried about losing their homes, of impending poverty and isolation;
- ◆ they want to protect loved ones from the shame and ostracism involved.

## **3.2 Myths and Stereotypes**

Women who are in abusive relationships often get very little of the right kind of support due to some commonly held myths and stereotypes. They need to get support that will make them act in the interests of their own safety and mental health. Look for supportive friends and people you can talk to.

Here are some of the unhelpful comments and myths about relationship abuse followed by useful facts

### **Myth 1: abuse is a private family matter**

This is untrue. Most people believe that what happens within a family belongs in the private domain. We all have an image of the home as a sanctuary where we are protected from the world. The fact is that child abuse, incest and domestic violence all happen at home. For many people the home is the most dangerous place in the world, and it is family members who inflict physical and emotional pain.

### **Myth 2: it can't be that bad or she would leave**

- This is untrue. There are a number of reasons why women often feel forced to stay in abusive relationships. Please refer to the box on previous page.

### **Myth 3: women enjoy being abused**

This is untrue. No woman enjoys being hurt and abused. It is a natural tendency to avoid pain. A woman may be coerced into staying in an abusive relationship and see no way out of it – which is very different to enjoying it.

### **Myth 4: abusers are violent in all their relationships**

This is untrue. Most abusers are violent only with their partners. They, in fact, are able to maintain courteous relationships outside of the home. They are often very manipulative and able to create a positive change.

**Myth 5: alcohol and drugs cause abuse**

This is untrue. Some people think that a man batters a woman because he drinks too much or takes drugs. This does not explain why the same man may batter when he is sober, or why men who do not take drugs batter. Men often use the fact that they were drunk or under the influence as an excuse for beating women.

**Myth 6: women deserve to be beaten**

This is untrue. Many people think that women deserve to be beaten and that it is acceptable to “discipline” women because they nag or disagree with their partners. It is against the law to beat anyone. The man is the one who batters and is responsible for his own behaviour. Similar to the provocation theory is the suggestion that women like to be abused. This theory blames the woman for the violence rather than holding the abuser responsible. The fact that the woman is trying to avoid being hurt is ignored. Because of the prevalence of violence against women and children in this society, many women have been taught to expect violence in their relationships. Periods of being showered with affection and attention make it hard for women to leave. It’s not the violence a battered woman wants to preserve – it’s the relationship.

**Myth 7: men abuse women when they are stressed**

This is untrue. Stress can spark off violent behaviour but stress is not the cause of violence and therefore does not excuse it. Most men who are under stress and hit their partners do not hit work colleagues or friends. The fact that violent outbursts occur mostly within the home means those men can control violent behaviour and choose when to become violent.

**Myth 8: women abuse happens to uneducated, working class women, or women within particular racial or ethnic groups.**

This is untrue. Women of all races, classes, cultures, language groups and educational groups get beaten by their partners. Battering is too widespread to be considered the problem of a few “sick” families; it is the problem of a society which presents violence as a normal part of intimate relationships. Studies and our direct experiences show that

batterers and battered women are of every racial, social, ethnic and economic background. Women have been battered by doctors, lawyers, dock workers, judges, school teachers, ministers and cab drivers.

**Myth 9: battered women are mad**

This is untrue. Being abused may make a woman feel very angry or depressed. Many women in abusive relationships may attempt suicide or may turn to drinking as a way of escaping the trauma of abusive relationships. This is not because they are mad but because the abuse has undermined them. Or alternatively, battered women are viewed as defective for having “willingly put up with it,” and treated almost as criminals themselves. In either case, the things which we know can help a woman (providing her with legal protection and/or safe place to stay, giving her the support of other battered women, and changing the criminal justice system to hold the batterer accountable), are not provided and the society looks the other way. It is the isolation, denial, and neglect which trap a woman.

**Myth 10: battery is just a few slaps**

This is untrue. This myth stops us from taking battery seriously. Women who are battered often have broken bones and bruises for which they have to be hospitalised. Research has indicated that 50% of women who are killed are killed by their partners. Battering brutally violates a woman’s rights over her body, her mind, and ultimately her life. Battery is not just acts of physical violence. It involves a system of emotional and social control which batterers impose on a woman in an effort to maintain power and dominance. The violence is preceded by emotional abuse and humiliation, as the batterer tries to rob the woman of self worth. The abuser typically is extremely jealous and attempts to isolate the woman from friends and family. The batterer denies his acts and minimises the violence, turning any discussion of his violence around to focus on the victim.

**Myth 11: once a woman is battered she will always be battered**

This is untrue. This myth blames her for the abuse – she chooses abusive partners or is bad and deserves to be abused. This is not true. Many women have successfully left abusive relationships and have established warm, loving patterns of relationships.

**Myth 12: battered women constitute a particular and easily definable group of women**

The term “battered woman” gives rise to the stereotype of a passive woman, who is unemployed, has 2 or more children and lives with her husband who is an alcoholic. Facts, however, indicate that the “battered woman” is any of us. Battered women are as diverse as women are. She fits no easily definable pattern or stereotype. The term “wife abuse”, although widely used, distorts reality. Women are battered not only by their husbands, but also in dating relationships, or by lovers, relatives and neighbours. Prostitutes are often battered by their pimps and “johns”, and the very nature of prostitution is a system of abuse of women and children. Some lesbians are subject to homophobic attacks by former husbands or family members and others are beaten by their lovers.

**Myth 13: battering occurs because both partners come from violent families**

Many professionals and scholars explain battering as the result of a “cycle of violence”, in which boys who are exposed to violence grow up to be batterers and girls to be victims. What this theory fails to address is the large number of batterers who come from non-violent families and battered women who come from non-violent families but become trapped in violent relationships.

**Myth 14: just as many men as women are battered, battered husbands just don't come forward as often**

The vast majority of battering occurs in heterosexual couples, with the man battering the woman. Battering is integrally connected to sexism and strongly rooted in our patriarchal history.

**3.3 Thoughts and feelings that keep you trapped**

Many women feel guilty, ashamed and afraid of being blamed when their relationships are not working. The reason for this is that society, and our families, teach us that we are the keepers of relationships. Your abusive partner knows this and he will play on the value you put on making the relationship work. However, it takes two people to make a relationship work. You cannot be blamed for your partner's behaviour. The following thoughts and feelings are examples of ways in which women in abusive relationships blame themselves:

- ❖ "It's my fault, I deserve it."
- ❖ "I started it by nagging him."
- ❖ "I have so much to be thankful for that I should be able to put up with this."
- ❖ "If only I hadn't done that he would not have beaten me."
- ❖ "There must be a reason."
- ❖ "It's because I have a big mouth."

### **3.4 Getting through the abuse**

If you want to give the relationship another try, you will have to start by taking control of your own life. You will need to look after yourself, build your self-esteem and ensure that you are safe. Here is a list of things you can do to care for yourself:

#### **Accept your feelings**

Look at your mixed feelings and accept them. Sort them out by making a list of your good feelings and your bad feelings. Write down all the things that you like about your partner that make you want to stay. Also write down all the things that you do not like about your partner, things that make you feel helpless or powerless. Accept that you are angry at your partner for the abuse. Sometimes this acceptance can help you make the changes you need to make.

#### **Do not accept responsibility for your partner's abuse**

Your partner must accept responsibility for the abuse and change it. Your responsibility to yourself is to recognise that you are abused and to stand up to it. By standing up to abuse, you show everybody around you that no one has the right to abuse another person.

### **Be good to yourself**

Learn to love yourself and try to be strong. Say no sometimes – you cannot be everything to everybody all the time. Get to know and love yourself.

### **See your friends**

Break out of your isolation and see your friends. If you do not have friends, it is time to make some. If you are not working outside the house, get to know your neighbours or others in your community.

Take time to be alone with your friends and to do fun things with them such as sports, going to meetings together or learning a craft. This will help you to relax and to feel better about yourself.

### **Look after your health**

Your physical health affects the way you feel and how you will cope with stress. Eat healthy and nutritious food and try not to eat too little or too much. Get exercise so that you can feel good about your body. Exercising with friends can be fun. You can also play with your children if you feel up to it or go for walks. If you already do hard physical work, find time to just sit down and relax quietly. Some women are given pills to calm their “nerves”. Others try to escape from pain and anxiety by taking snuff, smoking, drinking alcohol or taking drugs. This will not help in the long run. It can keep you helpless and prevent you from thinking clearly.

### **Talk to someone or go for Counselling**

If you have problems, talk to someone who will understand and support you. Tell people close to you, who you can trust, what is happening to you. The shame is not yours; the shame is on your partner who abuses you. Keeping it a secret is harmful for you and allows him to continue with his abusive behaviour. Try to discuss the abuse at the clinic or when you visit your doctor and try to ensure that they give you the help you need. If you often get sick and need to go to the doctor, it may be a sign that you need to change your situation. A health worker may be able to help you choose new ways of coping.

Approaching a sensitive counsellor or psychologist is not always easy. It often takes a good deal of faith and courage, especially because many people still think that seeking psychological help might mean that they are crazy. Remember, if you choose to seek counselling or therapy, you are in control. Seeking help is a sign of strength not weakness. In the counselling process you get to share information about your situation with the professional who listens to you empathetically and who can help you explore the options available to you. Counselling will also help you talk through your mixed-up feelings.

Counsellors keep the information that you discuss with them confidential. They are there to help you and are not out to deceive. They will not force you to do things that you don't want to do. They will help you look at issues and address them at your pace.

If your partner hits you, he is the one with the problem. Encourage him to get help. But be sure that he is not just going to counselling to keep you in the relationship or to stay on the right side of the law. There is a high possibility that the abuse will continue. There are certain things your husband/partner can say and do that lets you know he is serious. For example, he:

- admits he is responsible for doing something wrong;
- wants to stop abusing you;
- learns new ways of coping with his feelings;
- learns to respect you;
- agrees that you are not responsible for his actions;
- gives up his attempts to control you; and
- agrees to get professional help.

Do not give your partner a guarantee that you will stay in the relationship if he gets counselling. Rather tell him that you will consider continuing the relationship if he changes his abusive behaviour.

You do not have to feel guilty if you cannot trust any behaviour change on his part immediately. However, you will also have to be patient with him if he is trying to change. Try to give him "time out". Give him time to be by himself if he begins to recognise signs of becoming angry and abusive. He will return to you when he feels more in control of himself.

Remember, however, that counselling will not necessarily change his behaviour. Counselling will only help if he wants to change. From then it may take a long time for him to learn new attitudes and behaviours. As long as there is physical abuse or the threat of it in your relationship, you must go to counselling separately. If your partner does not want to go for counselling himself, you should still get help for yourself.

Not every counsellor shares the same understanding of abusive behaviour. If the counsellor you contact takes your partner's side, or seems to blame or judge you, you are entitled to end the relationship and **look for help elsewhere**. However, many counsellors are sympathetic to the position of abused women. They can give you understanding and support and help you to make decisions that are in your best interests.

### **3.5 Reporting the abuse**

You do not have to suffer through abuse or talk yourself into accepting it. If you decide to report the abuse or you want to end the relationship, you have a number of options:

#### **3.5.1 Get a Protection Order**

The Domestic Violence Act says that if you are an abused woman you can apply for a protection order against your abuser to prevent him from abusing you, entering your home, entering your workplace or making any contact with you. Alternatively you may decide to leave the home and keep your distance from the abuser. Many women are hesitant to use the law against their partner, mostly because they just want the abuse to stop and do not want to punish their partners. If you do want to get a protection order, you can seek legal help or the help of a women's organisation first before going to the police. You must also be aware that while this may stop the abuse in your

relationship, it may also lead to the breakdown of your relationship. It is wise to prepare yourself for either outcome as well as for the fact that your abusive partner may attack your credibility the moment you stand up for yourself in public. He might accuse you of lying and exaggerating, accuse you of being promiscuous, pretend that you brought it on yourself or want you to forget the past and move on.

Through a Protection Order the court may prohibit the abuser from:

1. Committing any act of violence;
2. Enlisting the help of any other person to commit any such act;
3. Entering the shared residence;
4. Entering a specified part of the shared residence if this appears to be in the best interest of the complainant;
5. Entering the complainant's residence;
6. Entering the complainant's place of employment;
7. Preventing the complainant who lives in the shared residence from entering or remaining in the shared residence or a special part of the shared residence;
8. Committing any other act specified in the Protection Order.

People who can benefit from a protection order are:

- ◆ Married, divorced or separated couples;
- ◆ Couples living together, including gay and lesbian couples;
- ◆ Family members, including grandparents, aunts, uncles, brothers and sisters;
- ◆ People who are engaged or dating;
- ◆ Children;
- ◆ People who share the same residence.

**Applying for a protection order**

- Go to the police station or a court – take someone with you if necessary
- Fill out the forms given to you – if they are not in your language, it is your right to ask for clarity from the police officers or clerks
- Take special care to fill out Form 2, detailing your complaint and what you wish to happen

- Make sure you have the address of the abuser
- It is a good idea to have a picture of the abuser
- You will both have to go to court on a specified day – if you cannot wait, you can apply for an interim protection order which will give you emergency protection
- Tell the police or the clerk if there are firearms at your home that the abuser has access to

You can apply for a protection order at a Magistrates or Family Court. Someone such as a counsellor, social worker, teacher, member of the SAPS, health worker or other concerned person may also apply for a protection order on your behalf. In this case, the application must be accompanied by a written consent of the victim except if the victim is a minor, mentally retarded or unconscious. A minor can apply for a protection order without the assistance of a parent, guardian or any other person.

If you apply for a protection order in person, it is a good idea to take a relative or friend with you. You will need to fill out a number of forms that spell out all the different ways the abuser (respondent) has hurt you. The most important form is Form 2 which describes the complainant's problem as well as the relief required by the complainant. The police or the clerk of the court can assist you. The forms then go to a Magistrate who will prepare a notice to the respondent telling him/her about the protection order. The respondent will then have to come to court. It will be at least ten days between the time you applied for the protection order and the court hearing. If you do not think you can wait for ten days or longer and want protection immediately, you can apply for an interim protection order which will give you emergency protection until the court hearing. The order only comes into effect when the respondent has been served it. Normally the court requests that you pay the fees for delivering the protection order to the respondent but if you cannot afford the fees, the state will pay.

The order cannot be served without an address. In addition, it is a good idea to give the court or police a photograph of your partner when they serve the order. This will

help them track him down if he is trying to evade the order. When the order is served, if there are firearms or other weapons at the respondent's residence, the police can seize them. In fact, according to the DVA, the duties of the police are very clear. The police are specifically required to:

1. Inform complainants of their rights at their disposal such as applying for a protection order, laying a charge, or both;
2. Explain the contents of the Form 1, (commonly referred to as the notice), which informs the victim/survivor what to do to enforce their rights under the Act;
3. Assist the victims/survivor to find suitable shelter and to obtain medical treatment;
4. Accompany complainant to collect his/her possessions (if ordered by the court);
5. Serve notice to the respondent to appear in court;
6. Service protection order on respondents;
7. Arrest the abuser at the scene of a crime if there is evidence of violence without a warrant of arrest;
8. Arrest respondents who have breached the conditions of the protection order (if there is sufficient evidence that the complainant may suffer imminent harm);
9. Issue a notice to appear in court on charges of contravening the protection order in the event that there is insufficient evidence to arrest the respondent;
10. Seize firearms or any dangerous weapons from the perpetrator, if the perpetrator has threatened to kill or injure any person in a domestic partnership or if the possession of weapons is not in the best interest of the complainant.

At the court hearing, the Magistrate will hear both sides of the argument and then make a ruling as to whether to grant the protection order. If the respondent does not turn up, the protection order can still be granted. If neither of you turn up, the Magistrate can still decide whether to grant the protection order or not.

When the protection order is issued, there is an automatic warrant of arrest attached to it. This means that should the respondent violate the order and comes near you, threatens you or abuses you, he will be arrested or given notice to appear in court. If, at his trial, he is found guilty, he can be fined or imprisoned.

The court may impose additional conditions, which it deems necessary to further protect the complainant, including an order:

- ❖ To seize dangerous weapons in the possession of the respondent;
- ❖ That a police officer must accompany the complainant to a specified place to assist with the collection of personal belongings;
- ❖ Obligating the respondent to pay rent or mortgage;
- ❖ Obligating the respondent to pay emergency monetary relief;
- ❖ That the physical address of the complainant be omitted from the protection order, unless the nature of the order necessitates the inclusion of the address;
- ❖ That the respondent be forbidden from contact with the child/children if it is in the interest of the child/children;
- ❖ Referring to contact with the child/children on such conditions as the court may consider appropriate.

If at some stage, you want to give the relationship another try or cancel the protection order for another reason, you can approach the court to do so. The Magistrate will decide whether to cancel the protection order or not.

### **3.5.2 Lay an assault charge**

In addition to getting a protection order against your abuser, you can lay a charge of assault against the abuser. The police must open a case before they insist that you get a medical examination. **Make sure that you have a case number and that you know the name of the officer who took the statement and the officer who will be investigating the case.** You should also get a copy of the form (J88) which details the findings of a medical examination by a health professional and make sure that he/she has the case number. If you have been badly hurt, you can lay a charge of assault with intent to do grievous bodily harm. Then you must have the health professional's report that describes your injuries. You can also claim civil damages for such injuries.

Try to get somebody to take pictures of your injuries. They will be useful when you go to court. Once you have laid a charge, the police should investigate the case and arrest your partner. They may release him on a warning and tell him to appear in court. As you reported the case, you will be the chief witness. Be aware that your partner may get a lawyer to represent him. This lawyer will test your story under cross-examination. Try to get help with your case – ask a women’s organisation to assist you before and while you are in court. Even if you do not win the case, it does not mean that you were not believed. The police and the prosecutor have to prove the perpetrator guilty beyond reasonable doubt and they sometimes fail to do this. You will have to prepare yourself for what will happen if he gets convicted or if he walks free.

Many women lay a charge, but withdraw it when the police want to arrest their partners. This sometimes makes the police reluctant to open assault cases. However, they have to open a case if you want to do so and you have the right to withdraw it afterwards. Remember, even if you withdraw the case, the assault is on record and you can use this against your partner if you are assaulted again.

The police sometimes fail to investigate a case thoroughly. Take the name of the investigating officer and stay in touch with him or her to ensure that your witnesses are contacted. If you are unhappy about how a case is being handled, you can make a complaint to the station commissioner who will then refer the complaint to the Independent Complaints Directorate. You can also inform the women’s organisation that is assisting you about your complaint or report directly to the Independent Complaints Directorate. The contact details are at the back of this book.

### **3.5.3 Remove firearms**

If your partner points a firearm at you or threatens to shoot you, he is committing a crime. If the firearm is not licensed, he is committing two crimes and you can lay charges. The weapon will be removed and he will be charged with threatening to assault you and possessing an illegal weapon. Even if the gun is licensed, he has no right to threaten to kill you. You can lay a formal charge against him and the police will remove the weapon. If the court finds him guilty, he will be declared incompetent to

possess a firearm. You will have to prepare yourself for what happens if he gets convicted or if he walks free.

### **3.5.4 Report drug abuse**

If your partner becomes even more violent while using drugs, you can report this to the police. They will arrest him if he is found in possession. Part of his sentence will contain a provision that he must undergo rehabilitation at the National Institute for Crime and Rehabilitation of Offenders (Nicro) or another treatment centre that could include individual therapy and participation in a drug treatment programme.

### **3.5.5 Report rape**

You may decide not to report being raped and rather work through the experience by talking to trusted friends or a counsellor. However, it is probably wisest to report the rape, even if you were drunk or under the influence of drugs or asleep when you were raped.

### **How to report rape**

If you decide to report the rape:

- ◆ Report the rape to the first trustworthy person you see and get this person's name and address so that you have a witness that can be questioned by the police and appear in court;
- ◆ Report the rape to a police station, preferably the police station in the area where the rape took place;
- ◆ The police will take a statement. You can tell what happened in your own language; it will be translated;
- ◆ Make sure to get the case number and the name of the investigating officer;
- ◆ The police will then take you to be examined by a medical officer who will collect medical evidence from you. Afterwards they will take you home or to another safe place (if the rape happened in your home);
- ◆ The police should also put you in touch with an organisation that can help you;

- ◆ If you are injured, it is better to get medical help first. Health workers should call in the police to assist you with laying a charge and should see to it that you are examined;
- ◆ Even if the health professional examined you for STDs and gave you emergency contraception to avoid an unwanted pregnancy, you should still visit a health worker to get medicine that will prevent infection. Ensure that you get counselling and a blood test to check for HIV.

After the incident, keep in touch with the investigating officer and if your contact details change, let him or her know. The investigating officer should tell you:

- when the suspect is arrested;
- if the suspect is released on bail;
- if you need to attend an identification parade;
- the date of the trial;
- when you will have to give evidence; and
- the outcome of the case.

### **3.6 The effect of domestic violence on children**

Children who grow up in abusive homes are often emotionally affected by witnessing abuse. They may not know how to deal with abuse. They may not know how to talk about it. Sometimes they may feel that they caused the abuse and that they are responsible for the abuse or their parents separation or divorce.

It is important to let your children talk about the abuse and discuss it with them. You must also reassure them that they didn't cause the abuse. Consider getting counselling for them. Counselling will help them deal with the consequences of abuse.

- According to the Johannesburg Child Welfare, children who are abused often:
- ◆ keep the abuse secret;
  - ◆ try to cover up signs of abuse because they are ashamed and want to protect their families;

- ◆ become withdrawn and over-compliant or daring and impulsive;
- ◆ worry, fear injury, become defiant or aggressive;
- ◆ are afraid to ask for help and freeze when they are reprimanded;
- ◆ are indifferent to punishment, do cruel things to others or cry unexpectedly;
- ◆ may not care about their schoolwork;
- ◆ may also fear that the school will report problematic behaviour or poor performance at school to their parents.

Look out for these signs in your children. Welfare agencies and clinic health nurses are trained to pick up child abuse, even in small babies. Get their help to deal with abuse. Also ask your children's teachers to help you look out for signs of abuse.

### **3.6.1 Emotional abuse of children**

Often children are at the receiving end of abuse. Abuse can take many forms. Sometimes children are threatened. For instance, they may live with the constant threat that they or their mother will be killed. This is a form of emotional abuse. Children who are emotionally abused:

- ◆ have a poor self image and often say "I can't";
- ◆ get overly upset if they make mistakes;
- ◆ are afraid of new situations and changes;
- ◆ say things like, "Can't I go home with you?" or "I don't want to go home";
- ◆ get depressed around the holidays;
- ◆ are terrified or nervous when their parents are contacted;
- ◆ are extremely passive or extremely aggressive;
- ◆ laugh when they are hurt or sad;
- ◆ are overly affectionate;
- ◆ have more knowledge about the effects of drug or alcohol abuse than other children in their age group.

### **3.6.2 Physical abuse of children**

Physical abuse takes many forms. Often children who are physically abused at home don't want to talk about their injuries. They may act as if they are not bothered by their

injuries and are afraid of getting medical help. They may get to school early and leave late because they don't want to be at home. They may also cheat, steal and lie.

According to Johannesburg Child Welfare, physically abused children may sometimes:

- ◆ refuse to undress for sports;
- ◆ wear long sleeves on hot days;
- ◆ fabricate excuses for homework not done;
- ◆ insist their parents are good to them;
- ◆ avoid taking friends home;
- ◆ are evasive about conditions at home;
- ◆ seem depressed and over-serious;
- ◆ look sick but deny illness;
- ◆ have high absenteeism with vague excuses;
- ◆ blame themselves for "falling";
- ◆ tell strangely violent stories; or
- ◆ make teachers feel uncomfortable and protective.

You may not be aware that your partner abuses your children. Or you may be too scared to do anything about it. If you are not aware of physical abuse in your home, your child's teacher may draw your attention to your child's behaviour. You may want to call the local welfare office who are geared to help families work through problems such as these. They also teach families non-violent ways of disciplining children.

If you are in an abusive relationship, you may want to hit your children in turn. Don't hit your children. Tell them clearly what they can and cannot do and what will happen if they disobey. Find ways of disciplining them that will not hurt emotionally or physically. If you can afford to do so, you may want to get some help with alternative ways of disciplining children from organisations that run parenting courses.

It is against the law to physically assault a child. According to the South African Police Services, the other common crimes against children include indecent assault, rape, sodomy, incest, murder and kidnapping.

### **3.6.3 Sexual abuse of children**

Sexual abuse of children occurs at an alarming rate in South Africa. In many cases, the abuser is a family member, friend of the family, teacher, neighbour or any other person known to the child. But stranger abduction and abuse is also common. Both boys and girls suffer sexual abuse. In many cases, children are coerced or groomed over a period of time until there is a sense of trust between the child and the abuser. At this stage the abuse begins and the abuser can continue his abuse of the child by threats or rewards.

Sexual abuse is a serious crime and a gross violation of someone's human rights. Often sexual abuse leaves deep emotional scars that take years to heal. Sexual abuse must be stopped and reported to the police. If you suspect your child is being sexually abused and you don't report it, you can be charged with neglect and acting as an accessory.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act contains new offences which relate to children, in an effort to protect children from all forms of sexual abuse. According to the Act, it is a crime to sexually exploit and/or sexually groom children; expose or display pornography to children; use children for child pornography or benefit from child pornography; compel or allow children to witness sexual offences, sexual acts or self-masturbation; and "flash" children, i.e. expose or display genital organs, anus or female breasts to children.

If one or more of your children are sexually abused, you have to report it to the police.

#### **Signs of sexual abuse**

The following can be signs that your child is being sexually abused:

- ◆ bruising, swelling or infection in the anal, oral or genital area;
- ◆ too great an interest in their genitals;
- ◆ too much and unusual knowledge about sexual acts;
- ◆ behaving in a baby-like way while they are already much older;
- ◆ being scared of sleeping alone, being afraid of the dark and having nightmares;

- ◆ behaving unusually, including sleeping under the bed, wearing lots of clothes and especially pants to bed
- ◆ washing themselves excessively and leaving under-wear in strange places;
- ◆ turning, suddenly, against one parent;
- ◆ having lots of new fears;
- ◆ changes in everyday behaviour such as telling lies, being secretive, crying a lot, being depressed or irritable, stealing, avoiding going home, running away from home or hurting themselves;
- ◆ avoiding a particular person or a particular place;
- ◆ acting in a sexual way or having sex with many partners at an early age;
- ◆ using drugs or alcohol.

Any of the above signs tell you that your child is troubled. It may be because of a move or other disruption in your family. But it can also be the result of sexual abuse.

Sexual abuse usually happens over a period of time. Children are often manipulated and offered rewards rather than simply forced. Often mothers of sexually abused children are not aware of the abuse, even when it occurs in their homes.

It is important to notice signs of sexual abuse early as your children may not have the words with which to tell you what is happening to them. They may try to tell you, for instance, by saying "my tummy is sore" when they are really referring to their genitals. You may also pick up signs of sexual abuse in their drawings or in the way that they play.

People who abuse children threaten them to keep it secret. It is very important that you teach your children about sexual abuse so that they know the only secrets worth keeping are secrets about happy events, such as birthday presents. They must learn to protect themselves and know they can trust you.

When children tell their mothers about sexual abuse, they should be believed. Children rarely lie about such things. Listen without blaming or criticising them and get help. It

may be the only time your child asks for help. Even if you are not sure, it is better to ask professionals such as people at a rape crisis centre or a healthcare professional for help.

Stop the abuse; get help for your child and also for yourself. It may be difficult for you to work through these issues. Counselling will help you express your feelings and give your child the needed support.

### **3.7 Abuse in lesbian relationships**

Lesbians have only recently started speaking openly about violence in their relationships. They are often afraid to speak of abuse because, even at the best of times, society gives them little support. Remember, whatever your sexual orientation, no one has the right to abuse you. Physical abuse is an attempt to control a partner.

If you sometimes hit back in self-defence or anger, your partner may convince you that you are the abuser. Remember, if you are not attempting to control your partner, you are not the abuser. Also keep in mind that it is better to avoid physically aggressive behaviour. You may get hurt.

Most of the information in this book applies to lesbian relationships as well. The Domestic Violence Act prohibits violence in or between people in intimate relationships, including lesbian relationships. The Civil Union Act recognises the Constitutional rights of gay and lesbian people and allows them to marry and enjoy full spousal benefits such as pension, child custody, immigration rights, etc.

Talking about the abuse may be difficult within the lesbian community, especially if the only friends you have are those that you share with your abusive partner. Think carefully about who to ask for help. It is important that you find people who will believe you. You may also have to deal with issues about "coming out", if you have not already done so. Women's organisations and organisations dealing with lesbian, gay, bisexual and transgender (LGBT) issues should be able to assist you with getting the help you need. If you are in an abusive lesbian relationship, you may struggle with low self

esteem and feel very isolated. You may also battle with how to seek help from agencies who assume that all relationships are heterosexual. There are some organisations that work specifically with LGBT. They can be found at back of this book.

**Khanyisile, age 34**

My husband drinks a lot and uses *dagga*. His brother is also a big problem for me as he comes into our house and steals things. My husband and I got married in 2002 and in 2003 the beatings started. I told my mother about the abuse and she said that I should get out for the sake of my life. He is also verbally abusive to me. He tells me that I am useless and uneducated, that I only want him for his money. He also tells me that he wants more kids but we already have 4. One day he left for work and I left the house and came to this shelter. I also took out a protection order against him. Right now I'm happy, I'm sleeping well and I have the time to think about what next I want to do. I still love my husband and I want him to get counselling.

## **SECTION 4: Leaving Violence**

### **4.1 When staying does not work**

If you tried to stay in your relationship but are still being abused, don't feel guilty about changing your mind and deciding to leave. Sometimes a relationship is just like Humpty Dumpty – when it is in pieces, it can not be simply put back together again.

The death of a relationship is sad. You will experience grief. Also, it is frightening to take a risk and start a new life on your own. In the next part of the book, we address these issues. It may be so difficult to leave that you will try several times before you make it all the way. You need to be ready emotionally to take steps to leave. Preparing yourself mentally and practically can go a long way in helping you to do this. Sometimes women go to a shelter for a while, return to their partners again, and leave them again. You don't have to be embarrassed if this is the way that you deal with the process. You are practising to leave when you do this.

If it is difficult to leave, try taking little steps, one at a time. If you set realistic goals for yourself, you will be able to become proud of each step you take. Each step you take will help you to become stronger.

When you decide to leave, you need support more than at any other time. Make sure that you can trust the people who support you and contact a women's organisation or shelter if you need help. This is also when you are most vulnerable and when partners threaten and kill.

If you are in a new relationship and begin experiencing abuse, tell your partner immediately what you don't like and how you want him to behave. Let him know that you will stand up for your rights and that you will not let him abuse you. If possible, ask your family and his to tell him his behaviour is not acceptable.

If he is used to getting his own way and you normally give in, he may abuse you even more if you try to stand up for yourself. If you are afraid that this will happen, try to get

support from family or a counsellor before you make a stand. Do not try it when you are alone with him. First make a plan. Make sure you have a safe place to go to. Be prepared to leave your partner to become free of abuse.

Women who have been in abusive relationships for long periods of time, can leave their relationships if they stop denying that this is happening. Denial allows women to live in abusive relationships for years. This is dangerous because abuse usually gets worse. To help yourself face reality, write down the details of assaults and verbal abuse. Read this when your partner is treating you well. It will help you see your relationship as it really is.

**To leave an abusive relationship you have to:**

- accept, trust and believe in yourself;
- be responsible for your own self-image;
- guard against seeing suicide as the only way out – you would only consider this if you believe your partner’s put-downs and have turned your anger against yourself;
- make plans for your safety and the safety of your children, including an emergency plan that you can put into action if you have to flee from your house.

There are many ways in which you can leave an abusive relationship. You may leave your partner for periods of time, yet always return to patch it up until you finally make the decision to leave permanently. You may get your partner evicted from the family home until you can get alternative accommodation. You may flee to a shelter from where you can start to plan a fresh start. You may plan your leaving systematically and leave when it suits you. When you leave an abusive relationship, you may want to move in with a woman friend, stay with family members or organise your own housing.

However when you leave, be aware that violence can become even more of a problem just after you have left. Your partner may follow you when you are not aware. He may then abuse you again or threaten to kill himself. This is the stage when men also

threaten to kill their partners and their children. Make plans to ensure your safety and the safety of your children.

## **4.2 Emergency plan**

Nisaa has developed the following emergency plan which you can follow if you want to leave and go to a shelter. The plan is aimed at ensuring that women who use these services are safe. You can use the emergency plan whether you use shelter services or not. The plan requires the following:

- keep the contact numbers of a shelter or crisis service handy at all times;
- keep phone numbers for the police, family, a doctor and friends;
- keep a list of four places you can go to if you leave your home because of violence;
- find a person with whom you can leave extra money, house and car keys, clothes and copies of documents;
- keep ready change for telephone calls and transport fares for a taxi, bus or train;
- rehearse an escape plan with your children and a person who supports you and review your plan weekly;
- keep your documentation with you so that you have it with you when you leave;
- take clothes and personal items with you when you leave.

If you leave your home without any of these things, you can go to the police station and request an escort to stay with you while you get your things from home. At present, the police are also making plans to have clothes available for women and children in need. If you cannot find your identity documents, birth certificates or passports, you can get temporary documents from the nearest office of the Department of Home Affairs. It is important to note that there are costs involved.

### **4.2.1 What to have ready**

You may need the following items if you leave your house in a hurry:

- Clothes, toiletries and medicine for yourself and your children;
- School bags, school clothes and the children's favourite toys;
- Your identity documents, birth certificates and passports;
- Your marriage certificate and contract, divorce papers and copies of your protection order;
- Your children's school and medical records;
- Your car keys, documentation and registration papers;
- Your house keys, the deed of your house or your rental agreement;
- Other important address and telephone numbers;
- Your office keys and salary slips;
- Your bank account and insurance details as well as details of your unpaid accounts;
- His bank account, policy and salary details;
- Pictures, jewellery and items that are of sentimental value.

### **4.2.2 Important arrangements**

If you stay on in the family home and your partner has left, consider securing your house or flat by:

- ❖ changing the locks on the doors;
- ❖ reinforcing existing doors;
- ❖ getting the services of a security firm;
- ❖ installing an alarm system;
- ❖ installing lights outside your house;
- ❖ telling two or more neighbours that you do not trust your partner any longer and need them to call the police if he is seen near your home.

Also tell your children's school principal, teachers, day care workers and anybody else who is responsible for your child about your situation. They need to know who can and will pick up your children at school and from other classes. Tell your supervisor at work

about your situation and ask that your calls be screened and no information be given about you.

Avoid shops and the banks used by your partner. Get a protection order (see previous section) to prevent your partner from abusing you again and keep a detailed record of attempts that he makes to harass and threaten you – on the telephone, through friends or relatives. Tell the police, your lawyer or the organisation that helps you if this happens.

Get an unlisted telephone number and remove any property that he may want so that he does not have to enter your house again.

If you have moved away, be careful about giving out your new address. Government departments, schools and other agencies may not keep your address confidential. Use another address until you are sure that you are safe.

### **4.2.3 Shelters**

Many women have nowhere to go or fear for their lives. In such an instance, you may want to go to a shelter. Women's organisations, the police and welfare officials can give you information about shelters and how to contact them. Shelters are run by women's organisations or organisations that work against violence. Shelters are safe places, usually comfortable "homes away from home" where you can continue your daily activities, including cleaning and washing. However, shelters are also different from being at home. Shelters are places of retreat that you can use to reflect on what you want to do.

Shelters accommodate women with their children and women are encouraged to share the duties. Sometimes women have to pay for staying in the shelter or buy their own food. In other instances, no payment is required and food is provided free. Usually counselling services are available for women and children. Often group sessions are run so that women can share their experiences. This helps them to know they are not alone and that their feelings are normal. Sheltering periods vary from one organisation to the

other. Many shelters offer only short-term accommodation with the aim of returning women to society as soon as possible. A few shelters offer long-term accommodation, for a period of up to a year. If you live in a shelter, you cannot receive visits from your friends or family because the location of shelters must stay secret. This is important to keep violent partners away. If you make the address of a shelter known, you risk the life of everybody who lives and works there, including your own life and the lives of your children.

If you plan to leave your relationship or have to flee your home in a rush, also consider using the shelter services that are available. There are shelters in every province in South Africa. Some are free and some others charge a small fee. At the shelter, you will be encouraged to make plans to ensure your safety and the safety of your children. You will also get help to plan for your future and to start working through the loss of your relationship. A list of shelters can be found at the back of this book.

### **4.3 What children need in difficult times**

Often women are hesitant to leave an abusive relationship because they think being in a family with both parents is best for the children. They think they will be doing their children a disservice by leaving and breaking up the family. Remember, children learn what they see. Violence in the home affects them and will probably stay with them for the rest of their lives. Therefore, you are not acting in their best interests or yours by staying in an abusive relationship. Children need to feel loved, accepted and safe in their family. This means that it is better for them to live in a home with no violence than a home where violence may erupt at any minute.

Try to take your children with you if you flee your home. If you need some time by yourself, leave them with family or friends.

Some men threaten to keep the children and women believe their partners will get custody of the children. The court is likely to give custody to the mother unless you cannot look after them. The court is also likely to see to it that your partner has reasonable access to the children.

If your partner threatens to snatch the children away from you after you have left him, you must let the police know. They can act on the interdict and arrest him for kidnapping. Remember, many men threaten their partners in this way. In most instances, the court gives custody of the children to the mother because she is the person who looks after the children. If your partner abuses the access he has to the children, the court can also prevent him from seeing the children. Also, the Family Advocate plays an important part in ensuring the well-being of children. The office of the Family Advocate will assist you if you keep experiencing problems and need to have your partner's access supervised.

Some men threaten to charge their partners with desertion. This is highly unlikely. You cannot be charged with desertion. It is an empty threat. Your partner is just trying to force you to stay in an unsafe situation.

If you leave your partner, tell your children as much as possible about what is happening without name calling or blaming. You can say "daddy is hurting mummy and mummy cannot live with daddy anymore". You need to tell them what is going on so that they can trust you. Tell them the truth.

Listen to their feelings and let them know it is okay to have such feelings. They may be angry with you for taking them away from their friends and home. If they tell you this, it means they feel safe enough with you to share their feelings. Show them that you understand their feelings and share some of your feelings with them. You can let them know that you also feel angry about having to move away from home as a result of your partner's wrong, dangerous behaviour.

However, also allow them to express their feelings about their father. Their feelings may be mixed-up. They may love him, but hate him for the way he treated you. They do not have to choose sides and can love and hate you both at the same time. Never, never fight with or get back at your partner through your children.

**Keep the following in mind:**

- Your children may test you by behaving badly. Set limits to behaviour you don't want in a loving, firm manner. Tell them clearly what they can and cannot do and what will happen if they disobey. Teach them alternatives to hitting;
- If they compare you with your partner, who may have more money, let them know they follow your rules when they are with you and their father's rules when they are with him;
- Take time away from them and get someone to look after them. You need some time on your own even if it makes them angry or sad. Tell them you are sorry if it makes them unhappy, but go ahead with your plans;
- Learn new and inexpensive ways of having fun with them. Take some time every day to spend with them;
- Help them understand that you are not responsible for the abuse, nor are they;
- If they take your partner's side to be on the side of power, explain to them that no one deserves beatings or abuse;
- Try to provide them with other emotionally healthy adults to whom they can relate. It is important for them to see adults who respect each other;
- Don't use your children as a replacement for your partner. Don't depend on them as you did on your partner. Remember, your children need to be able to depend on you – they need to be children;
- Encourage them to have friends and activities in their new community as soon as they settle. They, too, need to belong.

**4.4 Getting a divorce**

If you have decided that you want a divorce and you can afford it, get the services of a lawyer to help you through a divorce. The Law Society in your province will give you a list of lawyers who offer their services at reasonable fees. Be sure to choose a lawyer who is sympathetic to women and has your interests at heart. If you cannot afford to pay for a lawyer, you can approach the Legal Aid Board or the Women's Legal Centre

(Cape Town) for help. In addition, you can also ask a women's organisation or the nearest welfare agency for advice. You may also contact Legal Aid Clinics at the nearest tertiary institution.

Some of the other issues you must consider during a divorce are:

- maintenance issues;
- the division of the estate;
- pension benefits that may accrue to your partner;
- custody and access to the children; and
- ensuring that your children's future educational needs are provided for.

You can go through the divorce procedure on your own. The Centre for the Study of Violence and Reconciliation (CSVSR) released a publication "Getting around in Gauteng: Resources for the women" which gives a step-by-step guide to divorce.

#### **Getting a Divorce**

1. Draft a legal document called a summons which contains you and your husband's full name and addresses, the date of your marriage and where it took place, your children and custody issues after the divorce and why the marriage broke down. Remember to include any abuse you experienced in your marriage. Sign the summons.
2. Make four copies and take these to the High Court in your area or the Family Court.
3. Buy revenue stamps at the Post Office or court and attach them to one of the copies.
4. Submit the documents to the Registrar office and get a case number.
5. Once the summons has been issued, take the original and a copy to the Sheriff's office. The Sheriff's office will issue the summons to your husband (you will be charged for this service) and will send a copy to the court.
6. If you have children, a copy of the summons must be taken to the Family Advocate.

7. Once the summons is served to your husband, he has five days to formally oppose it. He must give the court a copy of the document opposing the divorce and give you a copy.
8. After this he has ten days to enter a plea; a document which he will give to the court and give you a copy.
9. A trial date would be set and you would need legal assistance.
10. If your husband does not oppose the divorce, you will simply need to go to court on the specified date and give evidence as to why the marriage broke down. It is possible to do this without legal assistance.

If you are unhappy with the services of a lawyer or the courts, you must report it to the Law Society in your province or to the Department of Justice. Get the help of a women's organisation or welfare agency to report your complaints.

Divorce within a marriage under Customary Law will be granted in the same way as a divorce in a civil marriage.

#### **4.5 Getting maintenance**

You have a right to claim maintenance from your husband or partner in order to support your child or children. If maintenance was not finalised during the divorce proceedings or if you are not married to the father of your child, you can claim maintenance through the Maintenance Court. There is a Maintenance Court in every Magistrate's Court. Although the Maintenance Act of 1998 was designed to create a more effective and efficient system, women still experience problems in getting maintenance. If the father is unemployed he will not be ordered to pay maintenance.

CSVSR compiled the step-by-step guide below for women claiming maintenance.

##### **Step 1: Gather documents and information you need:**

- ◆ Name, address and work details of father;
- ◆ Photographs of father (if available);
- ◆ Your ID;
- ◆ Birth certificates of children;

- ◆ If child is in school, a letter of attendance from school principal;
- ◆ Copy of divorce order;
- ◆ Proof of income (wage slip, blue UIF card or letter from social worker saying you are unemployed);
- ◆ Documents such as bills showing what you must pay for every month (rent, school supplies, children's hobbies, etc);
- ◆ If the father is already paying maintenance and you are requesting an adjustment, bring bank statements or court receipts.

**Step 2:** Take these documents to a Maintenance Court and fill out an application form for maintenance. A Maintenance Clerk can assist you.

**Step 3:** The father will receive a subpoena to come to the Maintenance Office for an informal enquiry. You will also be notified of the time and date of this meeting.

**Step 4:** On the set date, you and the father will go the Maintenance Office where the officer will work out an amount that the father must pay. The officer will do this based on the father's income, your income and how much money is spent on the child or children every month. If you agree, a consent form will be signed which will go to a Magistrate and made an order of the court. You can receive the money by going to the Maintenance Office. It is a good idea to call before you go there to make sure the money is there. The money can also be paid directly into your bank account by the father or given to you in your hands. In this case, you should give the father a receipt to keep track of the payments made.

**Step 5:** If you do not agree with the amount calculated by the Maintenance Officer or the father does not show up for the appointment, the matter will go to the Maintenance Court where you and the father will have to appear on a specified date to have the matter resolved by a Magistrate.

**Step 6:** If the father does not appear, the Magistrate can order anyone to come forward to give information about his whereabouts. The Magistrate will decide how much the

father will pay and a maintenance order will be made out. The Magistrate will take into account other sources of income apart from salary.

### **What if the father still refuses to pay maintenance?**

If the father is employed but still refuses to pay maintenance as per the court order, you can make a request to the court that the maintenance be deducted directly from his salary. This is called a **garnishee order**.

In addition to the garnishee order, there are a number of other orders which can be applied to access maintenance:

An **attachment of emolument order** is an order, which allows for the deduction of arrear maintenance together with the current amount required.

A **warrant of execution** is an order which allows the court to instruct for the sale of the defaulter's movable property and if the movable property is insufficient then the court can further order the auction of his immovable property. This order is applied after numerous attempts to recover maintenance money have been made.

An **order of default**, is an order which may be issued against the respondent if he is not present in court, particularly when there is sufficient evidence that he has been subpoenaed to appear before the maintenance court.

A Father who does not respect the court order is committing a crime. He will be requested to come to court to explain why he is not paying maintenance despite a court order. If he continues not to pay, he can eventually be fined or jailed.

## **SECTION 5: Making a new start**

Leaving an abusive relationship means having to make a new start. It may mean that you will go out to work for the first time in many years. It may mean that you will need to look for a new job so that you can earn more money. It will probably mean that you need a new place to stay and that your children will go to a different school.

Starting fresh is not easy. It takes a lot of courage. If you have been very dependent on your partner, you will have to learn new, independent behaviours. You and your children will probably have to learn to make do with less.

Starting anew can be the beginning of the rest of your life! Many women only start blossoming once they stand on their own two feet again. Try to do things slowly, one at a time. Prioritise and do the most important things first. Get help when you need to. Starting afresh means that you need to get all the help that you can get. Below we look at some of the services you may need to use.

### **5.1 Money Issues**

If you have no income, you may want to go to a shelter where you get the time to plan your new life. You may also want to live with family or friends who can help you get started.

#### **5.1.1 Government Grants**

It is a good idea to apply for a non-contributory grant from the Social Security Agency which is a new agency within the Department of Social Development responsible for the administering of grants. Their advice and support helpline number is 0800 601 011. Non-contributory grants are grants that assist people who make very little money. You have to pass a "means test" which is a test to find out if you are in the income bracket to qualify for the grant. Non-contributory grants are child support grants, disability grants and old age pensions.

The child support grant is given to primary caregivers of children under fourteen years. Primary caregivers can be biological parents, grandparents, aunts, uncles, older brothers or sisters, or friends. The means test states that your total income for the month (including any maintenance that you may receive) must not exceed R800 per month. If you do pass the means test, you will be called for a second interview and told what documents you should bring. At the moment the child support grant is R210 per month. All children in Gauteng who receive child support grants are eligible for the Bana Pele programme, a health programme for children based in Gauteng. It is a package of services including free health care for children, free screening for the early detection of disabilities and assistance with school fees.

In order to apply for the disability grant you must be diagnosed with a permanent illness or an illness that is expected to last over six months. You must also be able to produce a medical report stating this. You can get a disability grant if you are infected with HIV and your CD4 count is lower than 200 and where you are very sick to the point where AIDS-related illnesses are keeping you from being able to work. If you are receiving another grant you will not be eligible for the disability grant. Maintenance from the child's father will be considered in the application for a disability grant. At the moment the disability grant is R940 per month.

If you are waiting for a grant to come through, appealing the suspension of a grant or sick for less than six months and cannot work, you can apply for "Social Relief of Distress" in the form of food parcels. These will only be given in a crisis situation and are not given for more than six months. You will not receive cash but coupons with which to buy food. You can go to your nearest Social Development Office and speak to a social worker who will be able to give you the necessary information. Alternatively you can phone the Department of Social Services and Poverty Alleviation helpline 0800 229 250.

Another way to ease your financial burdens when you leave a violent relationship is to apply for an exemption from paying school fees. You can request the policy from the school to see if you qualify. Remember every child has the right to a basic education.

Your child should not be denied an education because you cannot pay school fees. Organisations such as the Alliance for Children's Entitlement to Social Security (ACCESS) are helpful. They can be contacted on (021) 761 0117.

Religious organisations often give help to women and their children. If you have a baby, clinics will supply you with milk. Try to get a list of every organisation in your area that can help you and use their services. Also learn how to look after your own finances. Ask when you need help.

### **5.1.2 Getting a job**

Consider approaching a women's organisation to assist you to get the help you need if you are looking for a job. You can also ask the help of the Department of Labour or the Department of Trade and Industry. They sometimes offer short courses and they are starting to assist women who want to establish their own small businesses.

In the beginning, you may not want to be choosy. You may take the first, best job that is available. Remember, as a mother with children, you need to be organised and run a home, using many skills that you can also use outside the home. Be proud of what you can do and try to use these skills for a job. You may also want to do a course or start studying so that you can get a better job.

Earning your own money will give you more control and power in your life. It will give you financial and emotional independence. This will help to improve your self-confidence and offer you an opportunity to meet new people.

### **5.1.3 Drawing up a Curriculum Vitae (CV)**

If you haven't worked outside the home for years, you will have to draw up a CV which lists what you can do. There are many self-help books that you can use for advice. It is a good idea to use the help of women's organisations or welfare agencies.

A CV outlines your personal details in an ordered way, so that a prospective employer can, with a quick reading, get a good idea of who is applying for the job. A good CV will help you to get an interview which is often the first step to getting a job.

If possible, type out your CV. Type the heading on the left hand side of the page and your details in a neat row, next to these headings.

Use the first front page to give your personal details such as your first name, surname, identity number, date of birth, place of birth, nationality, marital status, home language, other languages, religion, health, driver's licence, address (physical and postal addresses) and telephone number.

Outline your educational qualifications and employment history on the following pages. Start with your educational history and include the schools you attended and the highest standard passed, subjects and distinctions, awards and prizes, leadership roles and extramural activities. Move on to listing your tertiary education, if you have had any, in the same way.

When you list your employment history, it is a good idea to start by listing your most recent job. Give the name and address of the employer, describe the type of business, the duration of the employment and your job description, as well as your reason for leaving.

(Paragraph taken out here)

#### **5.1.4 Keeping your job**

You may already be in a job, but might have trouble coping while you start a new life. Make sure that you get the help you need at work, especially if you need to go to court or go for counselling. Be prepared to put in the time you take off work, or take leave if you need to.

## **5.2 Housing**

Many city and town councils are sympathetic to women who have to leave their relationships as a result of abuse. Get the help of a women's organisation in your area to get a safe, clean, comfortable place to live in. Think also about sharing a home with

another woman. This will give you companionship and you may share the cost and help with each other's children. You may also want to look at the option of social housing which is rented housing in inner city areas. It is targeted toward lower-income families. If you are in Gauteng, the Social Housing Foundation can give you more information. Their number is (011) 274 6200.

### **5.3 Working through your feelings**

It may be difficult to separate and work out your many conflicting feelings. While you may feel relieved to be out of danger, you may also feel angry because you were betrayed or guilty because you have left. Be prepared to feel quite over-whelmed and mixed-up. It's normal. Try to get in touch with your feelings and don't judge yourself. In time, you will work through them and feel differently. Here are some of the feelings that you may experience.

**Anxiety and loss of control:** You may be so used to judging what is going on around you by your partner's mood and behaviour that the absence of these things may make you frightened. Not knowing what your partner is doing may make you feel out of control, unsafe. Feelings of loss of control are normal in a time of change. You are moving the centre of control from your partner to yourself and it is frightening as well as freeing. It takes time to learn to trust yourself. It will help to develop a daily routine and to set small goals for yourself. Control where you go and who goes with you. That will make you feel safe.

**Grief and depression:** These feelings often follow a change – they are part of letting go and of separating. You are grieving your lost dreams. If you are sad, cry. You are facing the death of your relationship. With time, these feelings will pass and you will start building new dreams; dreams that are under your control. If you continue to be depressed, you may need therapy or counselling so that you can work through your sad feelings.

**Disorientation:** It may be difficult to know what is real now that you have left and don't need to deny your feelings anymore. You are not mad if you see your past,

yourself and your partner in a different way. You are safe enough now to allow yourself to see and feel what was too frightening before. You need to believe in your ability to know what is real now.

**Anger:** After making a change, you may feel angrier than you have ever felt before. This is because you are only now feeling the anger that has built up while you were in an abusive relationship. It may also be the result of your unhappiness with having to start over which is often not easy. Remember, it is safe to feel angry and it is normal. Use it to give yourself power and motivation. It will help you act for yourself. Don't use anger to take revenge or fantasise about revenge. Instead, build your own strengths and your future.

**Feeling inadequate:** You may feel that you are a failure because your relationship didn't work. That's not true. You've probably done all you could to make it work. It didn't work because of your partner's abusive behaviour. By leaving, you accepted that you can't change his behaviour and that you need to take responsibility for your safety and the quality of your life. It is a good start.

**Happiness:** You may feel great happiness if you are sure that you've made the right decision. Happy feelings will give you a lot of energy and help you to change your life. Take time to learn new skills and develop new friends when you are happy –it's easier when you are feeling good.

**Loneliness:** Friends and family may not give you the support you need and this may make you feel very lonely. Loneliness is not easy to deal with. It may make you remember all the good things in your relationship. It may tempt you to go back. Make new friends and have fun. Join an organisation of women who are going through similar experiences. Offer each other understanding and support.

Try to go for counselling to help you work through these feelings and to get to know your new self, especially if you feel very tempted to go back. It's very difficult to start over. If you work through your feelings of disappointment and hurt, you can learn to

trust yourself and others again; you will learn that you have the power to choose people who are good for you and to reject people who are bad for you.

### **New Relationships**

Take time to make new intimate relationships. Don't look for a new partner who can rescue you. Live alone first so that you can become free, so that you won't land yourself in another abusive relationship. When you are ready, a new relationship will take time and hard work. The memories of your previous relationship may come back and you may need help in working through them. Remember to say "no" when you need to, to look after yourself and your own needs. It takes time, commitment and a lot of effort to have a good relationship.

### **Spiritual Comfort**

During the breakdown of a marriage or relationship, many women gravitate towards some form of spirituality. Many find comfort and solace in going to church, mosque, temple or other religious place. Spiritual and religious teachers can offer support and in many religious denominations run support groups where survivors can share their experiences with other women. If you don't wish to share your experiences, this is fine; perhaps you may simply need a space where you are able to pray and develop or renew your relationship with your God. This can offer great strength and insight during difficult times.

### **Ongoing Counselling**

It is a good idea to consider ongoing counselling even after you have been through the most difficult part of the breakdown in your relationship. You may decide to reduce the frequency of your counselling sessions but it is possible that painful emotions can flare up from time to time and it is good to have a familiar support person to get through it. Once the crisis of a break-up has been dealt with, deeper more fundamental issues of self-awareness can be explored.

## **SECTION 6: Where to find help**

In this section, we list some government departments, NGOs, shelters and other organisations that can help you if you are experiencing problems related to violence. These are only some of the organisations out there to help out, there are still many more.

Some general useful numbers are:

The National Stop Gender Violence Helpline: 0800 150 150

Social Security Agency 0800 601 011

Legal Aid Board: 0861 053 425

Emergency calls to the Police: 10111

Crime reporting: 08600 101 11

AIDS Helpline: 0800 012322

### **EASTERN CAPE**

#### **Government Departments**

Victim Empowerment Programme: Department of Justice, Bisho (040) 609 5306

Department of Social Development, Bisho (040) 609 5303

Social Security Agency (043) 707 6460

#### **NGOs and Shelters offering counselling, care and support**

Family and Marriage Society of South Africa (FAMSA) East London (043) 743 8272

FAMSA Port Elizabeth (041) 585 9393

Lifeline/Childline (043) 722 2000

Masimanyane Women's Support Centre (043) 743 9241

NICRO East London (043) 722 4123

NICRO Port Elizabeth (041) 582 2555

Rape Crisis (041) 484 3804

The Mother of Hope Centre (041) 585 4265

Yokhuselo Haven (041) 581 4310

Violence Referral Centre (047) 532 3363

Age in Action (041) 457 1466

Commission on Gender Equality (043) 722 3489

#### **Drug abuse and alcohol problems**

Central Eastern Cape SANCA (South African National Council on Alcoholism and Drug Dependence) (043) 722 1210  
Port Elizabeth SANCA (041) 487 2827

## **FREE STATE**

### **Government Departments**

Victim Empowerment Programme: Department of Justice, Bloemfontein (051) 506 1111  
Social Security Agency (051) 409 0838

### **NGOs and Shelters offering counselling, care and support**

Child and Family Welfare Society: Virginia (057) 212 6273  
Thusanang Advice Centre (058) 713 6074  
Sizanani Shelter (016) 974 2629  
FAMSA Welkom (057) 352 5191  
FAMSA Bloemfontein (051) 525 2395  
Tshepong Victim Centre (051) 447 0616  
Commission on Gender Equality (051) 430 9348  
NICRO (National Institute for Crime Prevention and the Reintegration of Offenders) (051) 447 6678

### **Drug abuse and alcohol problems**

Aurora SANCA (051) 477 271 5  
Goldfields SANCA, Tel: (057) 352 5444  
Sasolburg SANCA, Tel: (016) 976 2051

## **GAUTENG**

### **Government Departments**

Victim Empowerment Programme: Department of Justice, Johannesburg (011) 491 5000  
SAPS Family Violence, Child Protection and Sexual Offences Unit (FCS) (012) 393 2363  
Social Security Agency (011) 241 8353

### **NGOs and Shelters offering counselling, care and support**

Alpha Abuse Support Centre (011) 394 1880  
Agisang Domestic Abuse Prevention and Training (ADAPT) (011) 885 3305  
OUT- LGBT Well Being (012) 344 5108  
People Opposing Women Abuse (POWA) (011) 642 4345  
Centre for the Study of Violence and Reconciliation, Trauma Clinic (011) 403 5102  
Black Sash (011) 834 8361  
Restorative Justice Centre (012) 440 1479  
Brakpan Rape and Crisis Centre (011) 740 5500

FAMSA Johannesburg (011) 788 4784  
FAMSA Soweto (011) 933 1301  
Islamic Careline (011) 838 6985  
Islamic Helpline (0110-852-1930  
Jewish Community Services: Shalom Bayit (011) 486 1900  
Lifeline Alexandra (011) 443 5026  
Nisaa Institute for Women's Development (011) 854-5804; Emergency (011) 854-6550 code BA  
224 (leave a message)  
Nisaa Institute for Women's Development Orange Farm (011) 850 0094  
Nisaa Institute for Women's Development Protea South (011) 980 6286  
Forum for the Empowerment of Women (FEW) (011) 339 1867  
Commission on Gender Equality (011) 403 7182  
Tshwaranang Legal Advocacy Centre (011) 403 4267/70  
NICRO Johannesburg (011) 873 6976

### **Shelters**

People Against Human Abuse Shelter (012) 805 7416  
POWA (011) 642 4345  
Beth Shan (012) 327 3005  
Bethany Shelter (011) 614 3245  
The Potters House (012) 320-2123  
Lifeline Vaal Triange (016) 428 1740  
Nisaa Institute for Women's Development (011) 854-5804

### **Drug abuse and alcohol problems**

Pretoria SANCA, Tel: (012) 542 1121  
Johannesburg SANCA (011) 781 6410  
Vaal Triangle SANCA, Tel: (016) 933 2055  
West Rand Clinic SANCA (011) 472 7707

## **KWAZULU-NATAL**

### **Government Departments**

Victim Empowerment Programme: Department of Justice, Durban (031) 302 4111  
Social Security Agency (033) 846 3304  
SAPS Ulundi (035) 874 0201  
SAPS Durban South (031) 325 5659  
SAPS Midlands (033) 845 2586  
Chatsworth Social Services (031) 402 8000

Umlazi Social Services (031) 907 9911/9244

**NGOs and Shelters offering counselling, care and support**

Tongaat Child and Family Welfare Society (032) 944 1514

Sibusiswe Child and Family Welfare Society (031) 707 1121

Advice Desk for Abused Women (031) 262 5231/9769

Careline Care Centre Amanzimtoti (031) 903 7777

Open Door Crisis Centre Shelter (031) 709 6688

Chatsworth Community Care Centre (031) 406 1242

FAMSA Durban (031) 202 8987

FAMSA Pietermaritzburg (033) 342 4945

The House of Light (031) 209 7838

Commission on Gender Equality (031) 305 2105

Lifeline Durban (031) 303 1344

NICRO KwaMashu (031) 504 9881

**Drug abuse and gambling problems**

SANAC KZN (031) 202 2241

Newscastle SANCA (031) 202 2241

Zululand SANCA (035) 772 3290

Pietermaritzburg SANCA (033) 345 4173

**LIMPOPO**

**Government Departments**

Victim Empowerment Programme: Department of Justice, Polokwane (015) 291 2804

Department of Health and Welfare (015) 295 8163

Social Security Agency (015) 291 7400

SAPS Polokwane (015) 290 6577

SAPS Giyani (015) 811 5000

SAPS Tzaneen (015) 306 2000

**NGOs and Shelters offering counselling, care and support**

Absa House (015) 223 9300

Child Welfare Society (015) 297 3326

NICRO (015) 297 7538

Thohoyandou Victim Empowerment Programme (015) 963 1222

Tzaneen Trauma Centre (015) 307 6911

Commission on Gender Equality (015) 291 3070

**Drug abuse and gambling problems**

SANCA Polokwane (015) 295 3700

## **NORTHERN CAPE**

### **Government Departments**

Victim Empowerment Programme (053) 832 2201

Social Security Agency (053) 802 4900

SAPS Garies (Counselling victims of domestic abuse) (027) 652 1119

SAPS Kuruman (Counselling victims of domestic abuse) (053) 712 0051

SAPS Victoria West (Counselling victims of domestic abuse) (053) 621 0608

### **NGOs and Shelters offering counselling, care and support**

Tamar Shelter (FAMSA) (053) 872 2644

Good Hope Shelter (027) 744 1430/1412

Prieska Crisis Centre (053) 363 1288

Ikageleng Organisation (053) 384 0856

Thuthuzela Rape Crisis Centre (053) 830 8900

Network on No Violence Against Women & Children: Rethusaneng One Stop Centre (053) 872 2644

Network on Violence Against Women (054) 339 5616

Upington Victim Support Centre (054) 339 3843

Commission on Gender Equality (053) 832 0477

Bopanang One Stop Centre (054) 332 1857

### **Drug abuse and gambling problems**

SANCA Kimberly (053) 831 1699

SANCA Upington (054) 332 1942

## **MPUMALANGA**

### **Government Departments**

Victim Empowerment Programme (013) 753 6242

Social Security Agency (013) 752 5400

### **NGOs and Shelters offering counselling, care and support**

GRIP (Rape Intervention Programme) (013) 752 4404/7

Leseding Outreach Centre (013) 986 8740/1

Louieville Women Support Centre (013) 710 0105

Masisukumeni Women Centre (013) 780 3078

Middleburg Victim Support Centre (013) 249 1600

Ukuthula Advice Centre (014) 537 2471

Women Against Women Abuse (072) 183 6835

Women in Need Shelter (083) 476 6774

Commission on Gender Equality (013) 755 2428

**Drug abuse and alcohol problems**

SANCA Witbank (013) 656 2370

Lowveld Alcohol and Drug Help Centre (013) 752 4376

**WESTERN CAPE**

**Government Departments**

Victim Empowerment Programme (021) 401 1511

Department of Social Development: Mitchell's Plain (021) 370 4800

Department of Social Development: Gugulethu (021) 638 5151

Social Security Agency (021) 469 0200

**NGOs offering counselling, care and support**

Rape Crisis Cape Town (021) 361 9085

Ascot House, Tel: (021) 797-4190

Beitun Nur, Tel: (021) 73-9314

Care Haven, Tel: (021) 45-4846 / 461-4106

Iiitha Labanthu Gugulethu (021) 633-2383

Iiitha Labanthu Khayelitsha (021) 361 9731

Iiitha Labanthu Phillippi Satellite Branch (021) 372 0901

Iiitha Labanthu Langa Satellite Branch (083) 471 6240

Mosaic Training, Service and Healing Centre for Women (021) 761 7585

Kulis River Support Group (021) 903 4262

Women's Legal Centre (021) 421 1380

Commission on Gender Equality (021) 426 4080/3

Trauma Centre for Survivors of Violence and Torture (021) 465 7373

Love in Action (021) 391 1925

Western Cape Anti-crime Forum (021) 699 0913

Thuthuzela Rape Care Centre (021) 690 1011

Mitchell's Plain Crisis Centre (021) 392 2000

Dirkie Uys Community Health Centre (021) 590 1644

Rape Crisis George (044) 802 4534

FAMSA George (044) 874 5811

FAMSA Knysna (044) 382 5129

Rape Crisis Stellenbosch (021) 887 1844

United Sanctuary Against Abuse (021) 572 8662  
NICRO Women's Support Centre (021) 422 1690  
NICRO Khayelitsha (021) 361 1393  
CWD Domestic Violence Project Gugulethu (021) 633 3458  
Chumani Women's Support Group (021) 361 3461  
Alliance for Children's Entitlement to Social Security (021) 761 0117  
Karoo Centre for Human Rights (023) 414 2480  
BADISA: Caledon (028) 212 1605  
BADISA: Ceres (023) 312 1380  
BADISA: Knynsa (044) 382 6412  
CEF Mossel Bay (044) 691 1411  
Islamic Council of SA (083) 228 2328

### **Shelters**

Women Oppose Violence: Malibongwe Women's Shelter (044) 272 5739  
Saartjie Baartman Shelter (021) 633 5287  
Sisters Incorporated (021) 797 4190  
Dorothy Zihlangu – Home of Abused Women (021) 633 2383  
Heaven Shelter House (021) 376 4423/6627  
St Anne's Homes (027) 448 6792  
Place of Hope (021) 697 2019  
Phambili BPW Women's Shelter (044) 875 1551

### **Drug abuse and alcohol problems**

Alcoholics Victorious (021) 671 2595  
SANCA Atlantis (021) 572 7461  
SANCA Khayelitsha (021) 364 5510  
SANCA Athlone (021) 638 5116  
SANCA Eastridge (021) 397 2196  
SANCA Tygerberg (021) 919 9558  
Stepping Stones Addiction Centre (021) 783 4230

## **NORTH WEST**

### **Government Departments**

Victim Empowerment Programme 014 592 2206  
Department of Social Development (018) 387 5282  
Social Security Agency (018) 381 7400  
SAPS (018) 299 7000

### **NGOs offering counselling, care and support**

ADAPT (083) 575 6222

Thibela Bolwetsi (073) 266 4272

Lifeline Rustenburg (014) 594 1455

NICRO Rustenburg (014) 597 2000

NICRO Shelters (014) 565 5880

Tumelong People Against Abuse (012) 701 3572

Commission on Gender Equality (018) 381 1505

Grace Help Centre (014) 574 3476

Child and Family Welfare Society (018) 293 0425

Lifeline Mafikeng (014) 381 0976

### **Government Crisis Centres**

Botshabelo Crisis Centre, Mogwase (014) 555 6804

Mafikeng Crisis Centre (018) 381 7112

### **Drug abuse and alcohol problems**

Sanpark Drug and Alcohol Centre (018) 462 4568/9

### **MARIE STOPES CLINICS**

Toll free no. 0800 11-7785

<b>Clinic / Branch</b>	<b>Telephone No</b>	<b>Clinic / Branch</b>	<b>Telephone No</b>
Port Elizabeth (Pier 14)	(041) 487-0524	Gandhi Square Clinic (Jhb)	(011) 838-3320
Isipingo	(031) 902-7696	Soweto	(011) 938-3975
Cape Town	(021) 422-4660	Bloemfontein	(051) 447-2541
Pretoria	(012) 323-0148	Sandton	(011) 463-1674
Nelspruit	(013) 752-7835	Durban	(031) 201-1140
Wynberg	(021) 762-6468	Umtata	(047) 531-2351
Lusikisiki	(039) 253-1187	Mount Frere	(039) 255-0037
Vereeniging	(016) 455-2951	East London (NEW)	(043) 722-1550
Port Shepstone	(039) 682-7488	Hammanskraal (NEW)	(012) 717-7415
Mossel Bay	(044) 690-5412/3	Rustenburg (NEW)	(014) 594-0937
George	(044) 873-4577		

**PEP SITES IN SOUTH AFRICA (Retrieved from [www.stopwomenabusehelpline.org.za](http://www.stopwomenabusehelpline.org.za))**

**Gauteng**

**Johannesburg**

Carletonville Hospital (018) 700 2716

Netcare Garden City Clinic (011) 495 5000

Hillbrow Community Health Centre: (011) 720 2811

The Teddy Bear Clinic (011) 642 7554

Johannesburg General Hospital (011) 488 4911

Netcare Milpark Hospital (011) 480 5600

**Soweto**

Baragwanath Hospital (011) 933 1206

Soweto Zamokuhle Clinic (011) 934 9415

**East Rand – Ekurhuleni**

Natal Spruit Hospital at Sinakekelwe Clinic (011) 389 0563

Nigel Dunnottar Hospital (011) 734 2111

**West Rand – Krugersdorp**

Leratong Community Health Centre (011) 411 3500

**Lenasia South**

Lenasia South Community Health Centre (011) 855 1313

Netcare Union Hospital (011) 724 2111

**Pretoria**

Skinner Street Clinic (012) 323  
4310/9000

Mamelodi Hospital (012) 801 1905

Laudium Community Health Centre (012) 374 4021

Soshanguve 3 Clinic (012) 790 3304/5

Unitas Hospital (012) 677 8210

Netcare Christiaan Barnard Memorial Hospital (021) 480 6721/2 or 0801 222 222

**Vaal Triangle**

Sebokeng Hospital (016) 930 3000

Kopanong Hospital (016) 428 7000

Heidelberg Hospital (016) 341 1100

**KwaZulu Natal**

Edendale Clinic (033) 395 4911

Greys Hospital (033) 897 3000

Northdale Crisis Centre (033) 387 2512

Netcare St. Augustine's Hospital (031) 268 5559/5202

**Boland/Overland Region**

Caledon Hospital (028) 212 1070

Ceres Hospital (023) 312 1116

Eben Donges Hospital (023) 348 1100

Hermanus Hospital (028) 312 1161

Montagu Hospital (023) 614 1660

Otto Du Plessis Hospital (026) 424 2652

Robertson Hospital (023) 626 3155

Swellendam Hospital (028) 514 1142

**Southern Cape/Karoo**

Riversdal Hospital (028) 713 2445

Mosselbay Hospital (044) 691 2011

George Hospital (044) 874 5122

Knysna Hospital (044) 382 6666

Oudtshoorn Hospital (044) 272 8921

Alan Blyth Hospital (028) 551 1010

Laingsburg Hospital (023) 551 1237

Prince Albert Hospital (023) 541 1300

Beaufort-Wes Hospital (023) 415 2188

Murraysburg Hospital (049) 844 1153

Heidelberg CHC 028 722 1649

Dysselsdorp CHC (044) 251 6201

Plett CHC (044) 533 4421

**West Coast/Winelands Region**

Stellenbosch Hospital (021) 883 3805

Paarl Hospital (021) 872 1711

Swartland Hospital (022) 482 1161  
Radie Kotze Hospital (022) 913 1175  
Lapa Munnik Hospital (022) 931 2140  
Moorreesburg Medical Centre (022) 433 2200  
Vredenberg Hospital (022) 713 1261

Citrusdal Hospital (022) 921 2153  
Clanwilliam Hospital (027) 482 2166  
Vredendal Hospital (027) 213 2039  
Lamberts Bay Medical Centre (027) 432 1136

### **Cape Metropole Region**

Grootte Schuur Hospital (021) 404 4488  
Tygerberg Hospital (021) 939 4164  
Rondebosch Red Cross (021) 658 5111  
Somerset Hospital Greenpoint (021) 402 6911  
GF Jooste Hospital (021) 690 1000  
Victoria Hospital (021) 799 1111  
Hottentots Holland Hospital (021) 852 1334  
False Bay Hospital (021) 782 1121  
Wesfleur Hospital (021) 572 6063  
Karl Bremer Hospital (021) 918 1911/1258  
Lady Michaelis CHC (021) 797 8171  
Robbie Nurock (021) 461 1124  
Mitchells Plain CHC (021) 392 5161  
Hanover Park CHC (021) 692 1240  
Vanguard CHC (021) 694 5559/60  
Elsies River (021) 931 0211  
Kraaifontein/Eikendal CHC (021) 987 0080  
Delft CHC (021) 954 2235  
Goodwood CHC (021) 590 1620/44

### **North West**

GRIP – Nelspruit  
(013) 752 5993/4404/4407

## **Eastern Cape**

Frere Hospital (043) 709 1111

Cecilia Makiwane Hospital 043 708 2111

St Elizabeth in Lusikisiki Hospital 039 253 1111

Umtata General 047 502 4400

Livingstone 041 405 9111

Dora Nginza Hospital Port Elizabeth 041 406 4111

Provincial Hospital PE 041 3923911

Holy Cross in Flagstaff 039 252 0091

Frontier in Queenstown 045 8084200

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