

Buddy and Me

**An African odyssey to formulate
a proposal to the President of South Africa for**

**“A Solution to stop the Rape
and Sexual Abuse of
Children in South Africa”**



The Children of South Africa are our greatest assets
Steve Heath

**Presented by:
Steve Heath and Buddy (The Beach Buggy)**

www.buddyandme.co.za

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“If all children are given the opportunity to live their lives ‘as children’ and not be abused in anyway, they will grow up to be good people”.

Who is Steve Heath?

Steve has done this completely off his own bat because he is appalled at the level of child abuse and in particular the raping of children in SA and wants to stamp it out. He doesn't and never has worked for an NGO and he raises his own funding via one key sponsor. All donations go towards four child abuse NGOs:

- The Bobbi Bear Foundation (Operation Bobbi Bear) (Durban)
- The Teddy Bear Clinic (Johannesburg)
- The TygerBear Foundation and Clinic (Cape Town)
- GRIP (Nelspruit Mpumalanga)

He is so totally involved and considers himself to be on a crusade and is completely absorbed in the programme. See his background details and explanation of why I consider him to be an expert detailed below.

Fig: 1 Steve Heath



Fig 2: The buggy (Buddy)



Fig 3: Outside a Beares furnishing store



How did it start?

Prior to this mission Steve had done several wacky endurance sport type missions (canoeing lengthy rivers, cycling more than 20,000 kms and hiking around the boarder of South Africa with a two-wheeled trolley for 5 months) raising money for the aged and children, prior to which he worked as a General Manager for a corporate finance company. During the later mission he was approached by a Director of an NGO called The Bobbi Bear Foundation, and asked whether he would undertake an awareness raising project for their organization which provides counselling, medical and legal assistance to child rape victims. After he was given the shocking stats and evidence of the extent of the issue in South Africa, he agreed to dedicate a leg of his mission to the Bobbi Bear Foundation and hence the project "Cape Town to St Lucia Hike, 'Fishing' for a Solution to Child Rape" was born and undertaken.

After this Steve totally immersed himself in researching the subject and was so appalled, he decided to give up his job and "the good life and do something to stop this scourge sweeping across the beautiful country of South Africa as well as Africa." In his early fifties he had achieved many of his professional and personal ambitions. Steve had been a policeman for 8 ½ years in the 1970s which provide interesting comparisons RE police training and competence.

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With two children settled into their careers and a young granddaughter and grandson he felt thankful that none of them had been victims of child rape and that he had not been affected by the issue personally, that is until recently when unfortunately his 8 year old niece was raped by a 12 year old boy – demonstrating how so many are vulnerable no matter what your background.

The birth of Buddy (the buggy)

Back in 2005 Steve decided he wanted to do a big fundraiser and research project in which he could stop and interview as many people as possible to learn about child rape on the ground and raise awareness about a serious loop hole in the Sexual Offenses (Rape) Act. So bicycles, canoes etc were out of the question. So was a comfortable 4x4s as no matter how much signage you put on them they are so common that people hardly notice them. He decided on an open beach buggy as his vehicle of choice – brightly colored so you can see and hear it coming from afar. Everyone stops to talk to him in his buggy (Buddy) and hundreds of kids a day clamber on it – it sucks up public attention.

Not an easy road

Moreover, he intended his trip through Africa to be a parallel with the long and difficult route a child rape victim is forced to travel. His journey has had incredibly tough times with set backs and a heavy schedule which means he often has to get up in the early hours of the morning to drive hundreds of kms (In the winter cold and in summer the rain and scorching sun) to make his next meeting / town on time. He wants to cram in as much as possible on his mission.

Bears sponsorship

He managed to agree a sponsorship deal with Beares furnishing store which has a chain of 228 shops in towns all over South Africa, Botswana and Namibia. Together with Steve, Beares Furnishers help organize a good turn out from the local community, authorities and NGOs who are prior informed about Steve's project and gather to meet Steve at each local store on route to tell their stories. I assure you it is not an ad campaign at all as this is just one of many of the community projects Beares supports. They do not interfere with Steve's mission. Furthermore, three out of the four NGO's Steve is fundraising for have Beares or Teddy Bears in their name and motifs. Steve seeks out candid conversations with police officers, court official, health workers, victims of child abuse and the general public once in the town. Steve often gets calls from parents whose children have recently been raped and Steve meets and advices them.

“A man approached me in the shopping centre and said ‘You must be a very brave man to travel all over in this funny little car all alone talking about this bad subject in these remote areas’ and then he promptly asked for a lift to the next village.”

Steve Heath

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With the World Cup looming, a new President and child abuse issues inflicting ever younger victims and still being swept under the carpet, Steve decided this was the opportune moment to get the issues out in the open and in the spotlight. He set out from Durban on the 3rd of August 2009 and will finish in mid June 2010. This time he is on a crusade to highlight sexual abuse of children from birth to 12 years of age and the recent scourge of child *on* child rapes, but he also visits and meets people relating to all child abuse issues. The funds he raises goes towards the four NGOs identified on his website www.buddyandme.co.za in different parts of SA including the original The Bobbi Bear Foundation.

Steve the Expert

Fig 4 and 5 : Talking at two primary schools



Steve's knowledge was gained through academic research and talking to thousands of people, across the continent

Steve is considered an expert in this field because of his knowledgeable on child rape and child abuse. Not only has he read widely on the subject, he also keeps up to date on all the academic research published and has also learnt about the issues on the ground from everyone he's talking to about the trends right now. ***The true extent of these won't emerge in academic reports*** for maybe years e.g. child-on-child rape is rife in children from 8-12 years of age, often because a child who doesn't want to participate in rape games is targeted by fellow peers and brutally raped / gang raped.

Getting to grass roots level

There are few people like Steve who have traveled the length and breadth of South Africa (including Namibia and Botswana) as well as 10 other African countries talking candidly to officials, NGOs and members of the community. ***Steve can tell you WHY these issues are occurring from grass roots level*** up which provides a huge body of evidence which Steve is writing up into a report which list the pertinent issues and contain Steve's recommendations on how to overcome them (based on the info from all the people he has talked to) which he is going to send present to the President as well as to all the main political opposition leaders in Parliament. His dream and hopes are to secure a meeting to address Parliament about the issues and his mission in 2010.

This is the second time Steve has done such a mission so he has earned the trust and respect of everyone. As well as being invited to talk at schools and community events, on several occasions he has been invited to police forums and local police stations to talk about common failings and how to improve child protection.

Fig 6 – 8: Time out fishing / camping for the night



Travelling across Africa

Steve has camping equipment to stay in campsites, but when word gets around he's coming he usually gets invited to stay in guest-houses instead. In the evening he mixes his eating and chatting to the locals about the issues in pubs or at BBQs in the summer months or anywhere else he can meet and chat to people. Steve is a keen fisherman and stops off to go fishing in beautiful national trust sites on the way with locals or on his own, whilst reflecting.

“One of the perks of travelling around our beautiful country in an open Beach Buggy researching and bringing awareness to the morbid subject of child rape, is the fact that I get to drive through the most beautiful and tranquil parts of South Africa; the second perk of course is that I get to meet some of the most amazingly friendly and hospitable people of our country – South Africa” Steve said at the end of the first month of his mission.

Anyone, anytime, anywhere

As mentioned above, Steve is so involved in the project driving miles every day, interviewing /talking to everyone, writing a daily blog (<http://buddyandme.co.za/>) and generally co-ordinating things, he doesn't get much time for personal stuff, like visiting his own family. Steve welcomes the opportunity of chatting to anyone anytime anywhere. He is always available on his cell phone on: 082 254 9129, email: steve@buddyandme.co.za or check him out on his website: www.buddyandme.co.za.

By Amelia Vale – Freelance Producer for the BBC and Channel four Television UK

To: The President of South Africa

Mr. Jacob Zuma

Message to the President

From the start I would like to confirm that I am but a humble family man, and citizen of this great country of ours, South Africa.

I have for the past four and a half years dedicated my life to researching and searching for a solution to 'The rape and Sexual Abuse of Children' in South Africa. This research involves children aged between the ages of birth and 12 years of age and all information in this 'Proposal for a Solution to Stopping the Rape of Children' pertains to children in this age group.

The reason for my having made the decision to dedicate my life to this cause is *firstly* due to the fact that I was born in Durban in 1955 (now 55 years of age) and my children, a son who is now 32 years of age, a daughter aged 29, a granddaughter of 10 years of age and a grandson aged 18 months who have had the opportunity to live good and relatively 'Safe' lives, and for this I thank God every day, as I'm sure you as a father do too.

I am also thankful that I have never required the services provided by the various NGO's and NPO's to be found scattered around South Africa who dedicate their lives to providing medical, counselling and legal support structures for child rape victims.

Secondly I believe that if all children are given the opportunity to live and grow up in a healthy and abuse free environment, they will grow up to be good people. This I am more than confident will lead to solving 90% of our countries crime as well as other anti-socially related problems.

This statement is based on the fact that in my experience 90% of our countries criminals appearing in our courts plead that they were abused as children and that for this reason are carrying an enormous amount of hatred within them which in turn forces them to seek revenge on not only the individual who abused them, but on society as a whole for not having been there to protect them from the atrocities of child abuse.

During 2005 and 2006 I undertook a project with my Beach Buggy named Buddy, which took 14 months and covered a total distance of 60 000 kilometres and included, apart from South Africa, 10 other African countries and was entitled "*Operation Bear - An African Odyssey - Searching for a Solution to the Rape and Sexual Abuse of Children*"

The purpose of the project was to obtain the opinions of the public, as well as members of the South African Police Service, Community Development and Welfare, our Judicial system, Department of Correctional Services and many other NGO's and NPO's around South Africa, on what they believe needs to be done to **stop** the raping and sexual abuse of our countries greatest assets, our children, and to establish how bad it is in the other countries of Africa and to identify if the other countries of Africa are doing anything different to erase this scourge from their society and if so what could we learn from it.

One of the reasons I undertook the project was because I believe that we cannot afford, as a nation, to continue doing damage control indefinitely, spending fortunes on

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something that should not be occurring in the first place and for something that I am confident can and must be eradicated from our society.

Another reason for undertaking the project was because having initially been a policeman for eight years during the seventies and having resigned for both personal and personal conviction reasons, I entered into the corporate finance industry and spent 20 years in this industry as a senior manager.

My staff were well aware of my attitude towards them complaining about the 'systems' etc and they were frequently told that I will not tolerate them complaining about the 'systems' or anything else work related. I made it abundantly clear that they should give serious thought to the problem and then present me with a possible solution rather than merely complain.

It is for this explicit reason that I undertook my project believing that we as citizens of this beautiful country, South Africa, should stop complaining about the status quo and give serious consideration to offering a workable solution.

At the outset I would like to make it clear that I am not politically attached to any political party and in fact I have not voted in the past for reasons that while the "crossing of the floor" system was in place, I refused to vote for an individual representing a particular political party only to have him or her cross the floor and take the seat that represented the Party and its policies and not that of the individual with him/her.

Secondly, and I believe even more importantly, we frequently see and hear political parties campaigning during election time, "To provide better service delivery, stop crime" etc, etc, but I have never seen or heard a political party campaigning on the basis of bringing a stop to the rape and sexual abuse of children which I personally believe is the worst possible crime anyone can commit not to mention the biggest problem facing our country when considering that the children are the future of the country and should therefore be treated as the country's biggest assets and be protected as such.

I am adamant that I will continue to strive at bringing about a change to the governments attitude and indifferent methods; which will be outlined later in this 'Proposal for a Solution to Stopping the Rape of Children', and in so doing help to stop the scourge of child rape in South Africa.

My intention in order to achieve my goal is to make use of the ANC's own strategies to and by this I mean the following:

The ANC fought the previous South African government for many years in order to achieve *their* goal, which was to overthrow the then apartheid government in order to bring about a halt to the human rights atrocities which were being committed against the majority of South Africans and to create a new 'democratic' South Africa. This was achieved by pure determination over many years in the face of millions of people locally and internationally who said that it could never be achieved.

Secondly their goal was achieved by embarrassing the then South African government by making the rest of the world aware of exactly what the government of the time was doing with regard to the abuse of human rights of the majority of South Africans.

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The pressure applied by the foreign governments of the world brought about the changes which eventually resulted in the Apartheid National Party government being removed from office and the creating of the ANC's dream, a 'democratic' South Africa.

Well "I have a dream" and that is of "***stopping the raping of our children in South Africa***" and as I have already said "I intend using the ANC's (South Africa's present government) own strategy to bring about a change in the South African governments attitude and failure to stop the rape and sexual abuse of children in South Africa".

So based on these facts, just as the ANC's strategy was to expose the human rights atrocities that were being practised by the previous South African apartheid government to the world, I intend using my website: www.buddyandme.co.za; which is currently receiving thousands of hits on a daily basis from all over the world, to expose the fact that our present government of South Africa **is not** doing everything in it's power to **stop** the scourge of child rape running rampant in our country and bring to the attention of the world the fact that the situation is deteriorating on a daily basis.

Unfortunately based on the report released by *Solidarity* during July 2009 which states that "Child rape has escalated to an horrific 580 cases occurring every day (End of 2006 approximately 170 on average per day)", with only approximately 11.3% of the cases being reported resulting in a shocking average of between 4 - 6% of the rapists appearing in our courts being convicted, confirms that we don't have the time it took the ANC to win their battle to stop the raping of our children in South Africa.

I do however sincerely hope and pray that one day soon I will be able to use the same means to inform the world that our South African government has come to its senses and is doing everything in its power to stop the scourge of child rape in our country. And I truly look forward to that day.

My travels around South Africa and discussions with tens of thousands of individuals in all areas of our country including townships, informal settlements and rural areas, indicates that the reason parents, and in particular mothers, are not reporting the rape of their children is, apart from the other reasons which will be dealt with later in this 'proposal for a Solution to Stopping Child Rape' because;

1. They have completely lost faith in our countries police and justice system.
2. There is currently no properly managed support structure for victims of child rape and domestic violence and this includes both for themselves as victims, as well as mothers, and the families in instances where a husband/father is arrested and imprisoned for having committed the crime of child rape on either his own biological child, step child or other family member.

I do however commend the South African government and it's legislators for having amended the rape act in the form of the '*Sexual Offences Act 32 of 2007*', however I believe it is of no use promulgating a great piece of legislation if more than half of the *South African Police Service* are not even aware of it's existence.

In particular, the three inclusions in the Act which I personally commend the legislators for having included are the three sections that played a particular and significant role in my research project through South Africa during 2005 and 2006 which relates to:

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- The rape of a male; be it a child or adult, which was removed from the rape act in 1998 and was replaced by the Sexual Assaults Act which I believe and my research has confirmed resulted in a massive increase in the rape and sexual abuse of young boys which was directly attributed to the leniency of the punishment a conviction attracted under the Sexual Assault Act.
- The second section which has been included into Act 32/2007 which will, I believe, play a significant role in the combating of child rape, is the inclusion of the section related to the compulsory testing of a rape suspects HIV/Aids status. However I believe that this section can be put to far more beneficial use by the justice department and will be raised later in this 'Proposal for a Solution to Stopping the rape of Children'.
- The third section included into Act32/2007, and which I personally believe will be paramount in the combating of child rape, is the section which relates to the compelling of individuals, including mothers, fathers, teachers, NGO's and anyone else in our society, who is made aware of the rape or sexual abuse of a child to report it to the authorities.

Unfortunately after two and a half years of having been promulgated, my research indicates that there are aspects of the Act which are not being implemented, and by this I am specifically referring to the sections of the act which relate to the compulsory reporting of a child rape case and the fact that a victim according to the Act must not be removed from her place of residency.

However we are still experiencing the fact that our courts are ordering that child rape victims must be placed in "Places of Safety", while the suspect is released on bail and allowed to continue with his life as normal.

Here then, following my extensive travelling and research, and based on the opinions obtained from an enormous amount of South Africans interviewed on the subject, is what I and the majority of South Africans; *bearing in mind the fact that; **"In South Africa, we live in a "democracy" and so majority rules"***, believes needs to be done to 'Stop the Rape and Sexual Abuse of the Children of South Africa'.

A Proposed Solution to ‘Stop the Rape and Sexual Abuse of Children in South Africa’

Factors to be considered affecting rape and sexual abuse of children

Factor 1 and 2

The Department of (1) Social Development and (2) Social Welfare Services

To begin with, no matter what laws are promulgated, the rape and sexual abuse of children will *never* be stopped if the victims do not report the matter and mothers of the victims are not encouraged to report the rape of their children and be provided the necessary support when they *do* report the crime of child rape.

It is common knowledge that in approximately 90 – 95% of the child rape cases occurring in South Africa, the perpetrator is either directly family related, as in the child’s biological father, step father, uncle, grandfather, cousin and even brother, as well as close friend of the family.

For this reason, according to the literally thousands of mothers I have spoken to during my travels all around South Africa, because of the financial implications of reporting the matter to the police, i.e. the father or uncle etc being arrested and sent to prison, the family will find themselves in a financial predicament having to find alternative income to house, feed, clothe and educate the children in the family.

These financial implications in the case of an uncle are exactly the same as in the case of the child’s biological father or step father being the perpetrator. If an uncle is arrested and sent to prison for the rape of a niece or nephew, the rest of the family’s in the clan would have to share the responsibility of housing, feeding, clothing and bearing the cost of educating *his* children and wife.

During my talks and research, it was made abundantly clear by the vast majority of mothers and woman of South Africa, that if they were convinced that there was a system in place which would ensure their safety and provide financial support for her and her children after having reported the husband, uncle or whoever of having raped their child, they would not hesitate in reporting the matter and would ensure that the full course and extent of the law is followed and executed.

It is therefore imperative that if the government is serious about stopping the rape of children and enforcing the law as per ‘*Chapter 7- General Provisions Part 1 section 54 (1) (a) of Act 32/2007*’ (Which compels any person who has knowledge that a sexual offence has been committed against a child must immediately report it to the authorities) the Department of Social Development and its subsidiary department, the Department of Social Welfare Services is funded to such a degree that when situations in which a father or uncle etc is arrested and subsequently imprisoned for raping his child, niece or nephew, these two departments

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together have the necessary funds as well as expertise to provide support for the affected family.

The *Department of Social Welfare Services* must be able to ensure that the family continue to reside at the same standard of living as they did prior to the rape of the child and that the family is provided with food and clothing. It is also imperative that the *Department of Education* play their part in ensuring that the children continue to be educated.

The *Department of Social Development* on the other hand must be adequately staffed and trained to ensure that they are able to assist by securing employment for the mother to ensure that she can, as quickly as possible, be financially self sustainable and in this manner release the *Department of Social Welfare Services* from their financial obligations and responsibilities of funding the families living expenses.

In this regard I have spoken with many influential businessmen and woman all over South Africa and all have confirmed that their companies would be more than happy to support such an initiative *if it is in the interests of fighting child rape*.

The proposal I presented to them is based on the fact that I believe that the Department of Social development should operate on the following basis:

1. They should have a unit specialising in an HR capacity. This unit should have the details of every business and company committed to the fight against the rape and sexual abuse of children in the region/town/area in which the department operates.
2. Each of these businesses would provide the department with up to date details of vacancies, and immediately on requiring assistance to provide employment for a woman/mother who has reported the rape of her child the mother can benefit from this information.
3. In this manner it would reduce the financial burden placed on the department of Social Welfare and ensure that the mother becomes self sufficient and can support her family herself as quickly as possible.

During my travels throughout South Africa and interviews with various social workers it has been made abundantly clear that the department of Social Development as well as the department of Social Welfare Services are completely cash strapped and in most cases do not even possess transport to transport victims to hospitals or home after they have reported rape cases or acts of domestic violence let alone fund their existence should the father/husband be arrested for having raped his child.

I have been shocked on many occasions when told by social workers that a rape victim, who on reporting acts of rape to social workers at various offices of the department of social development and welfare, are transported to the hospital by means of the back of a police van!

In one region, where the nearest hospital is almost 40 kilometres away, I asked if the police van waits while the victim is being examined in order to return her home and was told that “The police van never waits, we must contact them and often we are forced to wait for hours to be collected and then the victim is returned to the police station where she must obtain her own transport home”. I have also been told many times that on many occasions the police do not collect them from the hospital and that the victim and social worker are forced to make use of a taxi.

Any first year psychologist student will confirm that this type of action results in “trauma on trauma” and in many cases can be worse than the initial trauma the victim was exposed to and

so with the victim being forced to be transported in the rear of a police van make her feel more like the guilty party rather than the victim, and then we wonder why the reporting statistics of rape, in particular of child rape, is at a ridiculously low 11.3%.

Factor 3

The Thuthuzela Care Centres

I have identified that in spite of the fact that there are literally hundreds of NGO's and NPO's scattered around South Africa, there is a desperate need for a national facility which would provide the desperately needed support structure for child rape victims.

During my travels around South Africa as well as the rest of Africa on my 'African Odyssey – Searching for a Solution to Stopping the Rape and Sexual Abuse of Children' project, I had many hours to think while driving Buddy, and during these thought process's I formulated a facility in my mind which would provide child rape victims with what I regard as a 'One Stop Shop Support Facility'.

This 'One Stop Shop Support Facility' would provide child rape victims, as well as victims of domestic violence, with a much needed complete and properly structured support facility which would fulfil all the victims' needs.

On arriving in Kuruman during November 2009, I was pleasantly surprised when I was introduced to the *Thuthuzela Care Centres* which have been established at provincial hospitals in various areas around South Africa. The part that really amazed me is, the fact that the facility is probably one of South Africa's best kept secrets because even the people living in the communities in which the *Thuthuzela Care Centres* have been established; do not know of their existence.

The *Thuthuzela Care Centre* facility is, so I am told, the initiative of the NPA (National Prosecuting Authority) and is, I believe, a tremendous initiative and would be the perfect facility to provide child rape victims with a 'One Stop Shop' proper support structure they need, *if* they provided the on premises services as described in their brochure.

According to the brochures distributed by the *Thuthuzela Care Centres*, the services and facilities offered and provided by the organisation include:

1. A nurse in the examination room.
2. An explanation of how the medical examination will be conducted and what clothing might be taken for evidence.
3. A consent form to be signed that allows the doctor to conduct the medical examination.
4. A bath or shower at the centre after the medical examination has been completed.
5. An investigation officer will interview the survivor and take his/her statement.
6. A social worker or nurse will offer counselling.
7. A nurse arranges for follow-up visits, treatment and medication for sexually transmitted infections (STI's), HIV and AIDS.
8. A referral letter or appointment will be made for long-term counselling.
9. The survivor is offered transportation home by an ambulance or the investigating officer.
10. Arrangements will be made for the survivor to go to a place of safety if necessary.
11. Consultations with a specialist prosecutor before the case appear in court.

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12. An explanation of the outcome of the trial process.
13. Access to information on the survivor's case.

The programme commenced, I am told, in 2000 which means that it has been around for the past 9/10 years and I have been told that approximately 18 centres have been established during this period, however my visits to many of the centres indicates that not one of the facilities is fully operative on the basis as described in their brochure.

Of the facilities/centres I have visited, I have found that although most of them are in a good and clean condition (especially when comparing them to the disgusting hospital facilities in which they are based) and they provide the basic facilities such as clean examination rooms, bathrooms and interviewing facilities, I believe the crucial services and facilities needed by a child rape victim in particular, are not available at any of the centres.

While in the Mpumalanga region, I was given the opportunity to meet with the staff of an NGO named *GRIP* which is based in Nelspruit and who provides services and facilities to rape and victims of domestic violence in the greater Mpumalanga region.

During my brief visit I was shown the facilities (Care Rooms) which have been established in 16 police stations, 6 main hospitals and 5 Regional courts in the Mpumalanga region and this having been established over a period of 6 years with funding being sourced and provided chiefly from foreign sources.

These Care Rooms are professionally managed and provide exceptional services to victims of rape and domestic violence. *GRIP* is in the process of opening a 'hostel' which will accommodate woman as well as their children (victims of domestic violence) in private room facilities.

The services offered by *GRIP* include pretty much the same services as described in the *Thuthuzela* brochure; however the only difference I can detect between the two organisations is in the management and dedication of the staff of *GRIP* compared to that of the *Thuthuzela Care Centres*.

An important factor which needs to be mentioned, is that faced with a national average conviction rate of between 4 and 6%, the average conviction rate in the area in which *GRIP* operates, namely the greater Mpumalanga region, the conviction rate currently stands at a staggering **60%**, and this is documented in their Annual Report for 2009.

I am of the opinion, and it has been proven by the statistics released in the *GRIP* Annual Report for 2009, that the *Thuthuzela Care Centres* needs, in order to succeed and to provide a professional support structure for child rape victims and in so doing ultimately stop the rape of children, to be established in the following areas and to provide the following 'On premises services'.

- Establishment of a *Thuthuzela Care Centre* (TCC) at every provincial hospital in South Africa.
- Every TCC must have, on it's premises, 24 hours a day, 7 days a week;
 - a) A qualified *female* police official, the details of the qualifications needed by this police official will be discussed in factor 4 under the South African Police Service.
 - b) A doctor
 - c) A forensics nurse
 - d) An adequate number of social workers for the purpose of providing counselling to victims and in situations where needed for family members, on the facilities premises.

In addition to these services, it is essential that every centre has a fully equipped examination room, bath/shower facilities as well as available transport for victims to and from the centre,

and a basic service *such as providing clean underwear for the victim* when considering the fact that these items are removed for evidence.

At present information provided to me indicates that it takes doctors and nurses at all existing *TCC's*, in spite of the fact that these are situated on hospital premises, hours to respond to calls from the centres and this is the same situation with the police.

The current situation at all *TCC's* is that, when a rape victim reports a rape to the centre, the centre notifies the local police, the response as in most cases around South Africa concerning the police, can take hours, and is in most cases in the form of a male police official, whose sole purpose is to get the matter finished as quick as possible, which results in a garbled statement being taken from a child who, by the way, was just raped and subjected to excruciating pain and humiliation by the same species as the policeman, as in the male species, resulting in the child not co-operating, hence the ridiculously low conviction rate of between 4 and 6 percent being experienced in South Africa. But as I said, more about this in factor 4 concerning the South African Police Service.

During my travels and research, I was privileged to meet and talk to a very intriguing and intellectual lady by the name of Ms. Corrie Ludwig who recently took part in a 'Masters Social Worker' programme established jointly between the South African Police and the Department of Social Development.

The information which she provided me with proves to me that someone, somewhere in our government is trying to move in the right direction and the information reflected below, I believe is the exact thing needed to provide the *Thuthuzela Care Centres* with the professional service it needs.

Ms. Ludwig confirmed that there is hope of getting as many social workers as possible onto the 'Masters' course and from what I was told, the subjects which are included in the 'Masters Social Workers course' is exactly what is needed to expand on the services rendered by the *Thuthuzela Care Centres*. These include:

1. To testify in court of law as an expert witness. Provide requested information in general about human welfare needs of individuals, families, groups and communities relating to what happens to the personalities of children or wives who are abused etc.
2. Systematic evaluations of individuals so that resulting information can be presented in court. Evaluations conducted to answer questions of the court e.g. Is this person responsible for his own actions? What happened in the individual's background which might explain his behavior?
3. Conduct investigations where criminal conduct has possibly occurred and present results to court e.g. testify about visits to the home of family whose child has been physically or sexually abused.
4. Recommend to courts ways to resolve, punish or rehabilitate those found guilty of crimes or negligence in civil actions e.g. after evaluating a defendant to see how he is likely to react to various punishments
5. Mediate between individuals and groups who are involved in disputes or conflicts that might otherwise require extensive intervention in courtrooms e.g. marital disputes and divorce mediation
6. Testify about professional standards of social work to facilitate cases of malpractice
7. Educate social workers and other professions on social work and the law

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Finally, based on our governments past history, with regard to the humungous embezzlement and outright blatant theft of hundreds of millions of Rands from various government departments and associated institutions as in the form of municipalities etc, it is also my opinion that the *TCC's* must be independently managed and not run as a government department.

The reason I say this is the fact that in spite of the *TCC* being a truly brilliant initiative, it has taken government 9/10 years to get the centres to the level they are currently at and this after having spent, what I have been told, an absolute fortune with not one of the centres providing the services they should be.

Factor 4

The South African Police Services

Probably the most shocking bit of information which I learned during my travels and research and which is considered to be a major contributing factor to the horrific number of child rape cases taking place in South Africa on a daily basis, is the fact that the *South African Police Service* is currently in a complete and utter state of confusion regarding the disbanding of the previously functional and notoriously successful '*Child Protection Unit – CPU*', and the unit which subsequently replaced it, namely the '*FCS* unit' which was subsequently disbanded in March of 2009 and the complete and utter state of confusion surrounding the fact as to whether or not this unit (The *FCS*) actually and officially is operational.

In some areas where I have visited police stations, I have been told that the '*FCS* unit' was officially closed in March 2009 and is therefore no longer operational. In other areas and in particular the Western Cape Region where I have been told by senior police officers that the Provincial Commissioner has blatantly defied the National Commissioners order to disband the '*FCS*' unit and that the unit is fully operational in the Western Cape region.

In the areas where the '*FCS*' unit is operational, I have been told that the '*FCS*' unit is operating on a "cluster basis" with a main police station being the "cluster head" with up to seven 'cluster stations' reporting to it, these being police stations which are situated in the outer areas (rural areas) and being supported by the "main cluster" station. The case dockets opened at the outer lying district stations are forwarded to the "main cluster station" from where the investigation of child rape and domestic violence cases are investigated.

In the areas where the '*FCS*' unit is operating on the "cluster" basis, it was also brought to my attention by the residents living in the 'outer areas' as well as by policemen and women working in both the "main cluster" police station, as well as from the policemen and women stationed at the outer lying stations, that because of the distances and the constant and never ending transport problems experienced by the police, it is impossible for the detectives stationed at the "main cluster" station to investigate these cases properly.

This problematic situation, which is enhanced due to the fact that the police appointed to investigate the cases of child rape are not trained for this highly specialised technique of investigation, this obviously results in a very poor investigation being undertaken and which in turn is contributing to our countries ridiculously low conviction rate.

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It has been explained to me, by numerous senior police officers, that the reason for the closure of the *CPU* was because it was entirely focused on the abuse of children only; and this included all forms of abuse.

The 'FCS' unit on the other hand, was established to include the investigation of abuse of both woman and children in all of its forms, however while I can appreciate the need of dedicated policemen and women to investigate this form of abuse, I believe and my sentiments are echoed by many qualified individuals in South Africa, that the investigation techniques required to investigate the rape and sexual abuse of a baby or young child is far different to those techniques and experience required to investigate the assault or even rape of an *adult* woman or man.

In addition to this, the individual appointed to investigate a case of child/toddler rape must be a special *type* of individual. By this I mean, a policeman or woman can be regarded as a "super cop" and have an outstanding record investigating and solving cases of robbery, hi-jacking, murder etc, but when it comes to the investigation of the rape of a child, he or she does not necessarily have the personality and psychological attributes which are needed in order to question a child and to extract the vital information needed in order to succeed with the investigation and subsequent arrest and conviction of the culprit. I am confident that there are many qualified individuals employed in the fields of Child Welfare and Care Centres around South Africa who will agree with me on this point.

With this in mind, I believe that although the concept of the '*FCS unit*' is a good one, it is imperative that there be a specialised sub unit, as in a "*Child Protection Unit – CPU*", specialising in the investigation of child rape and abuse of children, as in children aged between birth and 12 years of age, with investigators being hand picked and chosen from those policemen and women who specifically *want* to work in this department and not be appointed merely because 'someone' simply posted them there.

It is imperative that this specialised 'CPU' group of police officials must be permanently based at all *Thuthuzela Care Centres*, and once the initial reporting of the case has been conducted the case is investigated by specialist investigators appointed to the 'FCS' unit.

It was reported to me that a statement was made by our esteemed minister of police via national television sometime during January 2010 to the effect that the 'FCS' unit was to be officially re-instated as from the 1st April 2010.

The individual providing me with this information was in fact a senior police officer and in fact this information was confirmed by a number of other officers as well and all had the same comment which was: "*It would have been nice if the Minister had perhaps considered informing the senior officers of the Police Service of the intention to officially re-instate the FCS unit, prior to releasing this information to the South African public first*", because it appears that at the time of the broadcast no-one within the Police Service was aware of the fact that the 'FCS' unit was to be officially re-instated.

Factor 5

The Department of Justice

It is widely believed that another problem which contributes to our unacceptably low conviction rate pertains to the answer I invariably get when posing the question to the police, “Why do we have such a pathetically low conviction rate on child rape cases”, and the response invariably being: “Because the experience and qualifications of the prosecutors appointed by the State to prosecute these cases is very low and sub standard when compared to the experience and qualifications of the Defence Council provided and paid for by the State”.

Obviously when I have broached the same question to the Control Prosecutors for Sexual Offences in the Regional Courts where all child rape cases are heard, the response has been: “Because the investigation standards are very bad and the cases which are presented at court are so badly investigated that it is impossible to prosecute them”. So it’s a case of one blaming the other.

I have spoken to many Magistrates and even Judges who agree that the standard of the prosecutors in our Regional Courts, compared to the defence council employed and paid for by the state in the majority of cases, is definitely not on a par. In fact I have been told that in many cases, should the prosecutor resign his or her position, *by law*, he or she is not sufficiently qualified to be employed to defend the accused rapist in our Regional and High Courts.

Another problem associated with our court procedures which is contributing to the pathetically low conviction rate in South Africa is the fact that a child is expected to give evidence on the basis of the interpretation and definition of the law as if it is an adult.

I have been provided information concerning a case which was apparently dismissed due to the fact that a child, 7 years old, after being asked by the defence council to explain to the court precisely; “What exactly did the accused do to you” and the child’s response being, “He put his snake inside me” was dismissed on the grounds that the Act, *at that time*, did not include the act of “Putting his ‘snake’ inside me” as constituting an act of rape. (This Act has fortunately changed with the promulgation of the ‘Sexual Offences Act 32/2007)

This was only one of the many cases which I have been told about which has been dismissed due to the child presenting the facts of what occurred during the rape in his or her *own* words, the words of a child, not an adult who by the way is also not fully *au fete* with the technical vocabulary associated with the law.

Another aspect of our judicial system which has attracted much controversy during discussion with many ‘experts’, is our courts decisions to make multi convictions “run concurrently”. According to the ‘experts’ I have discussed this issue with they are of the opinion that this decision is not helping to stop crime and in particular child rape.

We have often seen multiple convictions being passed down by our courts in which child rapists are convicted on numerous counts of child rape and sexual abuse, with up to four or five convictions, and in some cases even more convictions being handed down with sentences of between 10 and 15 years being passed down for *each* offence only to have the court

pronounce that the sentences will “run concurrently” as apposed to the individual being punished for each offence separately and the sentences to “run consecutively”.

It is widely believed by ‘the experts’ as in psychologists I have interviewed, that for every one conviction handed down on a child rapist, there are up to 15 and even 20 cases he has escaped the law, and for which he has not been held responsible or accountable for.

It has been suggested and recommended by many senior court officials as well as individuals providing support in the form of legal and court procedure support to child rape victims, that specially appointed courts, specifically aimed at handling ‘Child rape and sexually abused children’s’ cases must be established on a national basis to handle only these cases.

Alternatively

Child rape cases must take precedence over all other trial cases and be heard ahead of all other cases. The biggest problem facing our child rape cases is the fact that it takes on average between 18 and 24 months (Sometimes longer) for a child rape case to be heard in our South African courts.

During this period, the child is counselled to forget the trauma it has been exposed to, after all that *is* the purpose of counselling.

However *two years later*, the child is expected to remember in *detail* exactly what occurred during the rape, which occurred up to 24 and 30 months previously, and this while being questioned by a senior defence council appointed and paid for by the State, and then we wonder why we have a miserable 4 – 6% conviction rate!

Finally, and **most** importantly, on the subject of the courts and its procedures, probably the largest factor that can be attributed to the low conviction rate of child rape cases; and domestic violence for that matter, is the question of **bail**.

Throughout my extensive travels and discussions with members of the South African Police Service and court officials as well as family’s of child rape victims, it is believed that the largest contributing factor associated with the pathetically low conviction rate of child rapists in South Africa, is associated with the fact that 95% of individuals arrested for child rape are released, usually within a matter of hours, on bail ranging between R500-00 and R750-00.

The perpetrator on being released, intimidates the victim as well as her/ his family which results in the family, but in most cases the mother and child, being forced to move to a different area without notifying the police of their whereabouts and this obviously, when the case eventually goes to trial, results in the case being withdrawn or struck from the role.

I have been given sight of literally thousands of police dockets in which the accused was granted bail and which resulted in the ‘victim’ (witness) having disappeared and the case going ‘cold’ because the police are no longer interested in investigating it or the suspect has disappeared off the face of the earth or both.

It is therefore imperative that bail, in the case of child rape cases as well as domestic violence cases, is not considered, no matter what the circumstances, and this includes juvenile offenders who are in almost every instance, released into their parents custody.

It has also been pointed out to me by many police officials as well as many senior court officials, that another major contributing factor related to South Africa's ridiculously low child rape conviction rate is the time delay in obtaining DNA test results.

According to evidence shown to me, the average time taken to obtain DNA test results averages between 10 months and 2 years, and in some cases this has taken as long as up to 4 years to obtain.

This time delay results in the cases having to be remanded numerous times resulting in the courts decision to strike the case from the role which subsequently results in the accused being refunded his bail and 'hitting the road'. Obviously by the time the DNA results are received the police are no longer interested in pursuing the case mainly due to the fact that the suspect and the witness have disappeared from the face of the earth.

I have been provided information by a senior official which relates to an amount of something in the region of R250 million Rands having been spent by our authorities on a high tech DNA test machine/unit which was purchased a "few" years ago in order to speed up the DNA testing abilities. However the individuals involved in the investigation and prosecution of child rape cases I have discussed this issue with believe that there has been no improvement whatsoever to the time it takes to provide the vital evidence needed to ensure a conviction in a child rape case and many believe that the service has in fact deteriorated rapidly over the past few years.

Factor 6

The prison or 'Correctional Services' as our government prefers to call it

To start this section I would like to raise the fact that I have been told by many South Africans that this departments name should in-fact be changed to The Department of **Recreational Services**, which I tend to agree is definitely more apt.

I'm sure you are fully aware of the fact that more than 90% of the population of South Africa support the death penalty as a form of a deterrent punishment for anyone who rapes a child, and by child in this proposal I am referring to a child between the ages of birth and 12 years of age.

I am, as is the rest of the country, fully aware of the ANC's stance against the return of the death penalty because they have made it abundantly clear by their statements that they are adamant that the death penalty will *never* be returned, as long as they are in power.

I would however like to convey a message which the public of South Africa during my extensive travels around our country asked me to relay, and this message I must stress is related directly to the rape of children between the ages of birth and 12 years of age only.

In 1994 *due to a national referendum*, South Africa underwent a radical change. This referendum involved the 'white' citizens of South Africa being asked by the previous South African Government to vote whether or not they believed that the status quo of the country as in the 'apartheid system' should go or remain (Yes or No). The results of the referendum

resulted in the old South African 'Apartheid' regime being disbanded and a new 'democratic' South African government being elected.

For this reason every South African I interviewed believes that due to the fact that the raping and sexual abuse of the children in South Africa has reached epidemic proportions and is increasing steadily, a referendum should be held to establish whether the death penalty *or* a prison sentence of 45 years without the possibility of parole or early release of any kind should be applied for child rapists.

It is widely believed that our present government needs to allow the South African public to once again make the decision as to what punishment should be handed down to an individual who rapes a child who is under the age of 12 years of age. It is also my humble opinion that this referendum should be in the following form:

Question: **What do you, as a citizen of South Africa, consider to be a just punishment for a person who rapes or sexually abuses a child who at the time of the offence was under the age of 12 years of age.**

1. **Death penalty**
2. **45 years imprisonment without the possibility of parole or early release for any reason whatsoever**
3. **Continue with the present system – rehabilitation programme**

My research, which involved obtaining the names, the name of the town or city in which the individual resides and what he/she considers should be done to stop the raping of children, involved sum 53 000 South African citizens, and the results revealed that the far majority of the population, and the majority of these opinions were from the black and coloured population residing in the townships, informal settlements and rural areas, believe that the death penalty for a *child rapist* is an appropriate deterrent punishment.

During discussions with citizens of South Africa, they confirmed that they believe that they do not want their hard earned money, which is paid to the Government in the form of taxes, being used to feed, educate, provide sporting facilities for, and pay for medical expenses for the savages who rape and abuse the countries biggest assets, our children.

The next largest percentage of people interviewed believe that a 45 year prison sentence *without the possibility of parole or early release of any kind whatsoever* would be considered to be a deterrent punishment. But on this point I refer to the comment made in the previous paragraph and comments made by the vast majority of citizens of our country regarding the costs associated with keeping them in prison for such a lengthy period of time.

However, whatever the punishment, it is abundantly clear from my research, that the current punishment system (rehabilitation programme) which has been implemented by the South African government for a number of years now is not having any effect on bringing a stop to the child rape situation and is in fact making the situation worse.

This is plainly evident from the number of child rape cases occurring in South Africa on a daily basis as well as the number of repeat rapists who are being jailed for the second, third and sometimes even more times in South Africa. It is abundantly clear that in order to stop child rape the punishment must be a *harsh* and above all, a *deterrent* punishment.

It is common knowledge that rape is not a poverty related crime. An individual does not receive financial gain by raping a child as happens in a case of theft, robbery etc. It is also common knowledge that some of the richest men in the world have been convicted for the

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rape of children. We have also witnessed highly educated men being convicted for child rape; therefore I believe that the current “rehabilitation programme” which the State is insisting on implementing and maintaining for child rapists is a waist of both the tax payer’s money as well as a waist of time.

I have been provided information from our Department of Correctional Services which indicates that individuals convicted of child rape have obtained both university degrees and college diplomas while serving lengthy prison sentences. This practise indicates to certain individuals in our society that by committing crime, including child rape, and being sent to prison, one *can* improve his life style at the expense of the South African tax payer.

I, as well as *all* the South Africans I have interviewed, believe that it is in the best interests of this country that our government admits that it has made a mistake, corrects it, and once again *reverts* to the ‘Prison’ system where on being convicted for a crime against society, the individual must be given a sentence which is considered to be a *deterrent punishment*, and not an *encouragement* for them to commit crimes and benefit by being sent on ‘rehabilitation programs’.

As an example of this, I was provided details of a specific case which involved a savage who raped an 8 year old little girl and on being convicted was sentenced to 15 years imprisonment or as the ‘system’ prefers to call it, detention in a ‘Correctional services’ facility, where he underwent counselling. He was released ‘on parole’ after having served a mere 7 years of his sentence and because of the amount of time on his hands, having his food cooked for him, his washing done for him etc, he studied, at the expense of the tax payers of South Africa, and obtained no fewer than three degrees from UNISA during this time.

The parents of the 8 year old little girl, whose life he destroyed, on the other hand could not afford her *school fees*, and battled to earn enough money to feed and clothe her never mind send her to varsity to study.

Secondly the police officer, who arrested this savage, had his/ her life on the line while earning a miserable salary trying to protect little girls (like the victim) and boys from savages like him, so I ask you, who benefited most by this savages sick act.

I’m sorry I almost forgot to mention the fact that 18 months after being released and after having under gone extensive counselling while in the ‘Correctional Services’ and after being released on parole and continuing with psychiatric counselling as ordered by the parole board and paid for by the State, this savage was rearrested and convicted on the rape of two more small kids, one being a 5 year old little girl and the other a 6 year old little boy. I rest my case!

In an article published in the Citizen newspaper on the 9th October 2009, it was stated that the Commissioner of Police, Mr. Bheki Cele will soon be given the title of “General”, the reason being that the State intends reverting the police to a ‘*force*’ as apposed to a ‘*service*’ related organisation.

According to the article, the South African Police were “demilitarised” in 1995 and this had a detrimental impact on how the criminals perceive the Police Service to be, and for this reason the State/authorities believe that the new rank will form part of a broader move to change the police from a “Service” orientated organisation, to a “Force”. In other words, the criminals identify the “*Police Service*” as a being a soft organisation where as they will identify the “*Police Force*” as a hard no nonsense crime fighting organisation.

I, and I am confident, together with the majority of South African’s, believe that the same has occurred with our ‘Correctional Services’ system. The rehabilitation system/programme

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which the South African government implemented some 12 years ago has failed dismally because a very large sector of our society perceive the 'Department of Correctional Services' to be a 'soft organisation' as opposed to a hard no nonsense deterrent punishment system.

This is plainly evident from the number of repeat criminals appearing in our courts and being convicted for up to 8 and 9 times for the same crime and sometimes worse than the original crime for which they were originally imprisoned.

Crime in general is running rampant through our country and child rape in particular has increased 300% in the last two years alone. (This fact is based on the information released in the media by Solidarity and was confirmed by numerous NGO's I have interviewed through out South Africa who confirmed that during 2006 South Africa was experiencing between 60 and 80 child rape cases daily, in the media report released by Solidarity in July 2009 it was confirmed that South Africa is currently experiencing on average approximately 580 child rape cases per day).

While in Kimberly I was given sight of the latest high technology "New Generation Prison" which was still under construction at the time and was expected to be brought into operation sometime later in 2010 and which has been built at a cost of "mega millions of Rand's" to the South African tax payer.

On this point I would like to present the views of a South African lady who wrote to me via e-mail and expressed her anger and frustrations; which have been echoed by millions of South Africans, at the costs being borne by the hard working South Africans whose hard earned money in the form of tax is being spent to soften the lives of hardened criminals, who by the fact that they have committed crimes against society should have *forfeited* their rights to society yet everything is being done to make their lives easier by granting more and more rights to them.

"Criminals are using the justice system as a means to an end. They struggle to survive in their own communities, hence rendering it viable and justified to commit a crime for the mere reason that human rights are being attended to more frequently and easier in prison than on the streets of South Africa.

They receive lodgings, food, education and sporting facilities as well as the right to vote (this even after having broken society's rules and having been 'removed' from society) as well as the means to generate an income when they are released... All of this while in prison!

It makes one think, "If you were 'in a situation' would you want to stay outside and struggle, or would you rather commit a crime and thrive on all your basic human rights in prison with all of the benefits available?"

*Zelda Pretorius
Frankfort*

During discussions with senior officers of both the police and prison services in Namibia, Botswana as well as a few other African countries I visited, I was told that their countries thugs and criminals are in-fact living and practising crime in South Africa because our prison system is far more lenient and considered to be "soft" when compared to their countries justice and penal systems, and that their criminals don't mind being sent to our South African prisons. I was given the opportunity to visit their prisons and believe me I fully agree with this statement.

In conclusion of this factor, I would like to point out that I have discussed the aspect of the punishment of adult child rapists/paedophiles with many psychologists around South Africa and all believe that it is imperative that the punishment be a *strong deterrent* punishment due to the fact that they (the psychologists) believe that a child rapist cannot be rehabilitated.

I have however discussed this issue with a few psychologists and psychiatrists who claim that rehabilitation “can” work, however this statement has been challenged by many who state that for every one conviction a child rapist/paedophile is convicted on, he has in all likely hood committed anything between 15 and 20 for which he has not been held responsible and accountable for. Therefore it is impossible to confirm whether or not a rehabilitation programme has in fact benefited or helped a child rapist/paedophile, or if he has in fact returned to his ‘evil ways’.

It is believed that in all likely hood he would return to his ‘evil ways’ and we as a society cannot afford to allow this to happen at the detriment of our children.

In terms of my statement made in the opening paragraphs of this *‘Proposal for a Solution to Stopping the Rape and Sexual Abuse of Children’*, regarding the ANC’s insistence on not reinstating the death penalty, I believe the nation supports, and this would be confirmed in a national referendum, the notion that *the sentencing of a child rapists should be stringent and should be a deterrent punishment and this must also be based on his HIV/AIDS status on conviction and must be taken into account when handing down sentence.*

I would also like to conclude this factor with the following statement. We often hear the phrase “He or she can do that because it’s his or her ‘culture’”, whether this is referring to the slaughtering and in-human killing of animals etc or used to hide behind the crime of rape.

I believe that firstly, too often it is allowed to be used as an escape route, because these individuals usually choose what aspects of their ‘culture’ they enjoy and practise, and what aspects of their ‘culture’ they don’t enjoy and discard. (Unfortunately the word ‘culture’ is too often misused for the word ‘tradition’) I further believe that; *“although we must never forget our culture, we don’t have to live it”*.

We must however live according to the rules of today’s society, and these change from time to time as our societies progress. And those committing offences against the peace loving members of our society, destroying innocent lives, must be held responsible and accountable for their actions and punished accordingly.

However, on the point of ‘cultures’, we often even hear members of our government using the phrase, “It’s within our ‘culture’ to do that” and so I would like to remind them that the death penalty was in fact within their ‘culture’ as well and the history surrounding the rock at *‘Chaka’s Rock’* on the Kwa-Zulu Natal North Coast as well as a few other historical sites in our country bares testament to this, hence my comment in the previous paragraph.

So ends the factors which I believe needs serious and urgent attention to in order to convince the public of South Africa that our government is serious about bringing a halt to the rape and sexual abuse of children in our country.

There is however a few other aspects related to this horrific scourge sweeping across our country which needs serious attention and so I would like to mention these in this *‘Proposal for a Solution to Stopping the Rape and Sexual Abuse of Children’*

Further aspects to consider supporting rape and sexual abuse of children

The first and what I consider to be the most important, is:

Crimes being perpetrated by juveniles

A situation which is growing at a horrendous rate in South Africa and which is currently being handled extremely badly by our government and justice department in particular, is the fact that crimes are being committed by juveniles and this includes children between the ages of 8 and 15 years of age and in particular the rape of children and babies *by* children in this age group.

I have participated in many discussions around the country, these being at schools as well as with senior police officers and social workers and everyone agrees that the Government; as in the legislators of South Africa, have been the main cause of the complete breakdown in the family structures and social values in South Africa as well as the rampant crime running amok in our country which is being perpetrated by juveniles.

During the past few years, Government has introduced strict laws banning corporal punishment and the right of parents, teachers and even the police, to punish or discipline a child when the need arises.

Parents and teachers all over South Africa are fully aware of the fact that there is a major difference between the *'punishment, as in disciplining of a child and the physical abuse of a child'* and that by introducing the stringent laws forbidding any form of punishment or discipline of a child, the State, by their actions and legislation have assumed the role of disciplinarians of the children and therefore in their capacity as legislators have directly assumed responsibility for the crimes being committed by the children of our country.

I have been told of hundreds, if not thousands, of situations by police officers of cases in which the perpetrators of numerous serious crimes such as rape, robbery and even murder have been committed by very young juveniles aged between 8 and 15 years of age, some even younger and the punishments handed down by the courts on conviction has been nothing more than a slap on the wrist. (Sorry it can't be that, because that would be construed as an act of child abuse) In all cases the child is "sentenced" to under go counselling and in some cases to do community service but always is released back into the parent's custody.

I have personally witnessed cases in which boys aged between 8 and 15 years of age after having been "arrested" for the rape of young girls and boys and even babies and have not spent so much as an hour in detention having been taken directly to the court on being arrested by the police and then being released back into his parent's custody by the court. This to me, and I'm sure the majority of South Africans will agree with me, is a totally ridiculous and unacceptable situation.

The parent in the first place obviously had no control over the child when considering the fact that he raped a young child and even in many cases, babies, so how is it possible that a court can release this out of control child *back* into his parent's custody?

It has been confirmed to me by police officers all over South Africa that the police do not have juvenile detention facilities available and due to the fact that the law, which forbids a

juvenile to be held in custody for more than 24 hours and also forbids, and rightly so, for a juvenile to be detained with adults, a juvenile therefore cannot be detained.

I have also been told by police throughout South Africa that crime syndicates and other elements are using children to commit serious crimes because of the fact that they are not being held accountable and responsible for their actions and on conviction are going completely unpunished.

A national awareness campaign desperately needs to be undertaken advising the children of South Africa, that although the rights as outlined in the children's act 38 of 2005 as well as those outlined in the United Nations Convention on the 'Rights of Children' are there for their protection, *however, should they violate the rights of other children or commit crimes against society as a whole, they will be held responsible and accountable for their actions and will be punished accordingly.* and appropriate detention facilities and punishments must be established in order to ensure that they *are* held accountable and responsible for their actions.

It is also imperative that the right to discipline a child is returned to parents and teachers in order that parental control can once again be established.

This then brings me to the second point which has been discussed with communities all over South Africa, and that is the question of what is considered to be an appropriate and deterrent:

Punishment

According to public view obtained during my research, and once again this would be confirmed by the public in the form of a referendum, the punishment of an adult child rapist should be based on the following minimum criteria:

- HIV/Aids status negative. 20 years minimum, increasing to 45 years, depending on the age of victim and severity of the rape and in both instances without the possibility of parole or early release for no matter whatever reason,.
- HIV/Aids status positive. 35 years minimum, increasing to 45 years depending on the age of victim and severity of the rape and in both instances without the possibility of parole or release for whatever reason.

It is the opinion of the vast majority of South Africans that all prisoners must be forced to undergo their sentence in a work-factory/farm prison environment and produce food and clothing etc for the benefit of the victims and their families.

When considering the humungous expense the government has curtailed in establishing the new and enormously expensive "New generation" Correctional Services facilities (mentioned in Factor 6, I, and I'm sure the rest of the tax payers of South Africa, are positive that the expense in establishing such prison establishments would be well worth the money spent.

Juvenile perpetrators of child rape:

- HIV/Aids status negative. Minimum 7 years increasing to 45 years depending on the age of the victim and severity of the rape. This to be initially in a juvenile detention centre under going psychiatric evaluation and counselling and changing to an adult facility when the convicted rapist comes of age.

- HIV/Aids status positive. Minimum 15 years increasing to 45 years depending on the age of the victim and severity of the rape. This to be initially in a juvenile facility under going psychiatric evaluation and counselling and changing to an adult facility when of age.

However on the point of child detention facilities, it is imperative that these facilities are not established in such a manner that they become an incentive for juveniles to commit crime in order to gain access to the facilities where they can enjoy the privileges as currently being experienced in our countries adult 'Correctional Service' facilities.

During the recent Christmas period millions of Rands were spent by our government on media campaigns drumming it into road users, as in "drivers", of the "heavy fines" and punishments which were going to be applied in the "Zero tolerance" campaign approach to offenders of drunk driving or driving a vehicle which is not in a proper road worthy condition etc. And it was stated on national television by traffic officials that they were confident that this "Hard line approach *would serve as a deterrent* to drivers and ensure that they obey the law and in so doing reduce the number of deaths being experienced on our roads over the festive period".

This statement therefore proves that the South African government believes and agrees that a hard line approach with the application of a "deterrent punishment" system works.

My question to our esteemed President Mr. Zuma and his government is:

"If a strong deterrent punishment works for road users, how come we don't see our government spending the equivalent amount of money on media campaigns telling criminals of the 'zero tolerance and harsh punishments' which will be dealt out if they commit crime and child rape etc. Could it be because our government believes that traffic offenders are a far greater risk to our society than hardened criminals and child rapists? Or is it perhaps because the government has all their priorities wrong?"

The other aspect believed to be playing a major role in not only the raping of children but also playing a major role in the low conviction rate being experienced in South Africa is:

The ridiculously low age of consent for abortion

One of the factors which is believed to be contributing to the unacceptably low conviction rate is the pathetically low age of consent set by the South African government as being 12 years of age and it is widely believed that there is only *one* reason why anybody would support such a ridiculously low age of consent, and I for one would dearly like to hear from our government as to what *their* reason is???

Parents in many areas, mostly in the rural areas, have related many horrid storeys related to young girls, these being their daughters and grand daughters, having under gone abortions at the ages of between 12 and 15 years of age.

The abortions were carried out without the parent's knowledge and the fact that they were not even aware of the fact that she was even pregnant. Now I am confident that you are aware of the fact that, although it occurred in the bible, but it is impossible for a woman or a young girl to fall pregnant without having sexual relations with a male.

A Solution to stop the Rape and Sexual Abuse of Children in South Africa

It therefore stands to reason that if a young girl between the ages of 12 and 15 years of age, the age of consent for sex being 16 years of age, falls pregnant, she has obviously then been raped as she cannot by law consent to sex. The individual who got her pregnant is therefore guilty of rape and should be held accountable and punished accordingly.

Unfortunately because of our double standards laws in South Africa, this young girl is allowed by law to undergo an abortion without her parents consent and without her parents even being aware of the fact that she has been raped.

In most cases revealed to me, the situation has been that the young girl was raped by a family member and has been convinced by the savage to undergo an abortion in order to avoid a “family” related problem.

In recent media campaigns shown on TV, South Africans have been witnessing a campaign which reflects scholars/kids indulging and participating in sex and which confirms that it is “Okay to participate in this form of activity as long as you use a condom”. Is this really the message that we should be conveying to our kids and scholars in South Africa?

Conclusion

Probably the most disturbing fact that was made evident to me following my visits to the ten other African countries, is the fact that our South African government is spending billions of Rand's on our police service, which includes investigation techniques such as DNA and other high tech forensic investigative techniques which none of the other countries of Africa have.

They are also spending billions of Rands on our court structures and Correctional Services structures, which far exceeds that which is being spent by the other countries in Africa, yet our crime situation and child rape in particular, is far worse here than in any of the other ten countries in Africa I travelled through.

This comment was ratified by many foreign tourists I met on my travels through Africa who had either experienced the wrath of our crime in South Africa first hand or who had heard of the devastating experiences of other tourists as well as South African citizens they have met on their travels.

When considering this 'proposal for a solution to stopping child rape', the amazing thing is that the majority of the requirements needed in order to achieve bringing about a stop to this scourge running rampant in our country, *are already in place*, they are just being applied incorrectly!

I, together with the rest of the citizens of South Africa, are aware of the fact that it will take funding to get these structures properly established and managed and I am fully aware of what our South African government's response will be, as I'm sure the rest of South Africa does as well, and that is, "*There is no money*".

However our government has proved beyond any shadow of a doubt, that when enormous amounts of money are needed for *crucially important* events etc it *can* be found, and so I am going to place my faith in our governments ability to '*find*' the necessary finances needed to implement the basic requirements as pointed out in this 'Proposal for a Solution to Stopping the Rape and Sexual Abuse of Children' in our magnificent country, South Africa.

I was asked to relay a message to our countries government by thousands of individuals from all walks of lives and in many divers' areas around South Africa during my travels and research, which is:

"You made some very big promises to the people of South Africa during the struggle for a 'democratic' South Africa, to-date these promises have still remained unfulfilled. Similar promises were made during all the election campaigns since 1994, which also remain unfulfilled.

We have been hearing how the hundreds of billions of Rand's spent on the 2010 World Cup will generate additional hundreds of billions of Rand's in income which will benefit all South Africans, so we, the citizens of South Africa wait in anticipation to see the major improvements which will benefit 'all South Africans', and when; or if, this occurs we will praise you and raise our hats to you for having had the foresight and courage to entertain such a massive and expensive undertaking.

We therefore wait with baited breath to see and experience these benefits, especially the hundreds of children who are being raped and sexually abused on a daily basis in South Africa”.

For me, probably the saddest part of my discussions during my travels has been with foreigners as well as foreign diplomats who have stated that there are many countries around the world that would joyously support and contribute to a government initiative to bring about a halt to the rape and sexual abuse of children in South Africa.

However due to the enormous amount of money which has been stolen by government employees, with these individuals not being held responsible and accountable and going unpunished, it is very difficult to support an initiative knowing that the funds are in all likelihood going to end up enriching the lives of a few greedy individuals rather than benefiting the children it was intended for.

My message to the mothers and women of South Africa

Due to the nature of my research and the types of discussions I have been involved were discussions related to the issues surrounding domestic violence, as in the physical abuse of woman by husbands and partners. Unfortunately because of my views on the subject I have sustained a certain amount of ‘abuse’ myself and this is for the following reason.

I have always been outspoken on the fact that I believe that there is a very large number of woman and mothers who are the reason and cause of the enormous amount of both physical abuse as well as sexual abuse which is being perpetrated on their children as well as themselves.

It is believed that a mere 15-18% of child rape and sexual abuse cases of children are being reported to the authorities, it is for this specific reason that the rape and sexual abuse of children has risen to its present totally unacceptable rate.

This is because *they*, the woman and mothers of South Africa are *allowing* their cowardly husbands, fathers and uncles to rape and abuse their children as well as themselves.

Having been a police officer for eight and a half years in South Africa, I experienced many occasions in which woman reported the physical abuse of themselves to the police only to withdraw the case the following morning.

Recently we saw a case of a Springbok rugby celebrity, Percy Montgomery who was alleged to have assaulted his wife. Within 24 hours of having laid the charge and after having had him arrested, she withdrew the charges. This is typical of what is happening with the woman of South Africa.

And so based on this, my message to the *woman and mothers* of South Africa is “*If you don’t do something about the situation by reporting it and allowing the law to take its course, do not expect sympathy from the rest of the citizens of the country. YOU are the only ones who can bring a stop to the abuse of woman and children in South Africa; YOU need to stand up and allow the law to take its course and in so doing YOU can stop the abuse of woman and children in South Africa.*”

My closing message to our **South African Government** is that they should give serious consideration to the fact that:

“If all children are given the opportunity to live their lives ‘as children’ and not be abused in anyway, they will grow up to be good people”.

This I believe is proven by the fact that we as Africans have proved to the world, many times, that we can take a Lion cub, a sibling to the wildest and most dangerous animal in the world, raise it by hand so that it eats out of our hand as a domesticated animal, and will lie at our feet on the lounge carpet even when it is fully grown.

However, abuse that Lion cub while it is growing up and it will bite you, and it will not only bite the individual who abused it, but it will bite everyone it sees in it's quest to fulfil the hatred it carries inside it and to extract revenge for the abuse it was subjected to and to release it's hatred on 'man' in general.

I believe that the same applies to a child. No child is born with a bad thought in its mind or the thought of committing crime or evil on society when he or she grows up. But if the child is abused, it will grow up with a heap of hatred and seek revenge not only on the individual who abused it, but will seek revenge and release it's hatred on society as a whole for not having been there to protect it while it was growing up and being abused”.

I would like to re-iterate on the fact that we hear, on a daily basis from criminals appearing in our courts, that ***‘They were abused as children’*** and that for this reason they have extracted the hate and frustration buried inside them out on society by committing crime”.

Based on the information provided in this “proposal for a solution to the rape and sexual abuse of our children” my final message to the South African government is simple:

Stop the Rape and Sexual Abuse of our Children and you will solve most of South Africa’s anti-social and crime related problems.

The Children Are Our Future

This is what we hear government officials saying every day in the media, so

When are you going to listen to yourselves?

Do Something About It - NOW!

Please!

Message from the children

Finally, A message to the President of South Africa
from The children of South Africa



Please Mr. President, help us and do the right thing!