

**MEDIA STATEMENT (for immediate release)**

08 November, 2009

**VIRGINITY TESTING "FAILURE" CAUSES A SURGE IN REPORTED RAPE CASES**

"WE ARE overwhelmed by the increase in reported statutory and other rapes in this cluster after every Reed Dance Virginitiy Testing Ceremony," the KwaZulu-Natal MEC for Transport, Community Safety & Liaison, Willies Mchunu heard yesterday.

Mchunu was on his first leg of an anti-crime expedition wherein he intends to visit all policing clusters throughout the province. Yesterday, he held a meeting with the Jozini SAPS Cluster.

**Negotiated justice a nuisance for hard working cops**

The Police management of Mkhuze, Manguzi and Jozini told the MEC that they have noticed a surge in rape cases following the Reed Dance. It is believed that young maidens who fail virginitiy tests, subsequently explain the reason for failure by claiming, "we were sexual assaulted by family members, raped, or had consented to sex (however this becomes automatically statutory rape as they are minors)". Cases are then registered and investigated. "However, the uMkhanyakude community seem to believe in negotiated justice, because, as soon as we apprehend the suspect, some type of payment or lobola is made to the affected family and the cases collapse," police say.

According to this year's crime statistics, sexual offences in the province increased by 1884 when compared with the 11 355 cases that were reported the previous year.

According to the police not only do communities negotiate rape cases outside of the legal prescripts, but, they also negotiate domestic violence matters. Police say these are also unacceptable high. "These cases are registered, but, as soon as the investigation reaches critical stages, they are withdrawn and negotiated outside the law," police say. Police also reported that they are battling stock theft in the area, and requested more manpower.

### **Police on cruise control as thugs feel the pitch of fire**

Despite these setbacks, police say the war against vehicle trafficking via Jozini to Mozambique is being won as over 100 police officers from specialists units are involved in “pitch street/border battles with armed thugs”. “The net effect of our strategy is a huge decrease in this border crime, as we work jointly with Mozambique authorities and communities,” the MEC was told.

### **“Some police do bidding for their political parties”**

In his address, Mchunu praised the police management for their dedication and “frank admission of short comings and intended solutions”.

However, he was at pains to point out that some rogue police members in uMkhanyakude were using police resources to further party political ends. He said: “Serve all people without political bias. Do not discriminate against people on the basis of political affiliation. It is very painful to be discriminated against. Using the instrument of the state for partisan gain tarnishes the good name of the police. Do not get involved in party politics.” Mchunu said the matter of these “very few rogue elements” will be dealt with at the highest level of government and police.

*A formal complaint and investigation is underway after it has emerged that these “very few” police officers were, “allegedly using police resources to further the aims of the IFP”. **(Please note this is not being said by the MEC. It is information gleaned from a high level report in MEC’s possession. Please do not ask for - it won’t be released)***

### **Criminals follow arresting officers immediately after being “locked in prison”**

Mchunu is also set to meet with the management of both the Department of Justice & Correctional Services after it emerged that the whole district does not have proper and secure prison facility. This comes after the MEC was told that Ingwazuma prison facility was dilapidated, insecure and criminals can, “just walk away after being locked”. Police say they are now forced to keep dangerous criminals in police cells.

## **Roving Magistrate frustrate police**

They also said there were no dedicated prosecutors and magistrates for the cluster. "We have a visiting Magistrate. Cases are postponed several times, if not postponed suspects are released on bail. One suspect was given bail 45 times," it was said. In other instances cases are delayed because it takes the Legal Aid Board, "up to six months to appoint legal representatives for qualifying suspects".

## **United Front Against Crime and Criminals**

Mchunu made a commitment to do whatever it takes address all challenges outlined by the police and Community Policing Forum members. These include:

- Strategic interactions with relevant authorities to beef up the Mozambique and South Africa cooperation on cross border anti hijacking initiatives.
- Meeting with the Departments of Justice, Correctional Services and the Legal Aid Board.
- Focussed awareness campaigns around the Domestic Violence Act,
- Teaching communities about the Justice processes, which must clarify that - it is the Courts and not Police grant suspects bail.
- Awareness on issues of sexual offences including statutory rapes.
- Drawing up a programme of action, to be reviewed in November 2010, that will address all matters raised.

*Issued on behalf of the MEC for Community Safety & Liaison, Willies Mchunu.*

*For further information contact MEC's spokesperson Bhekisisa Mncube, 084 928 4412*