



## **Statistics and figures relating to Violence Against Women in South Africa.**

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### **1. Introduction**

Statistics on violence against women can help to indicate the scale of the problem, and provide crucial information for policymakers and those formulating budgets. This paper provides an overview of the data available in Annual Reports, statistical documents, and parliamentary papers.

### **2. Challenges with accessing statistics on violence against women**

Disaggregated information on sexual offences and domestic violence is not readily available or accessible. Where information is available in Annual Reports, reporting across years distorts data as different priority areas are focussed on. Thus, what is reported on in one year may not be reported on in the next.

Regarding Domestic Violence, statistics are almost impossible to access because Domestic Violence is not in itself a crime category. However, according to the National Instructions 7/1999<sup>1</sup> relating to the implementation of the Domestic Violence Act 116 of 1998 in police stations, all domestic violence incidents must be recorded in a Domestic Violence register. Before the third working day of each month the station commissioner at each station must submit a report to the area commissioner detailing the number of incidents of domestic violence reported, the number of cases referred for counselling or medical support services, the number of staff members trained on dealing with instances of domestic violence, and the number of criminal case dockets opened and registered. Before the seventh working day of each month this consolidated data must be sent from the area commissioner to the provincial commissioner, and by the tenth working day, the provincial commissioner should send the statistics to the divisional commissioner. Effectively what this means is that it should be possible to access domestic violence statistics from the South African Police Services (SAPS) monthly. However, the domestic violence register reports are not available anywhere online, nor have they been referenced in the police statistics.

Statistics on sexual offences are reported on each year by the SAPS. These figures reflect the number of cases reported to police stations. It is widely acknowledged that underreporting of sexual offences is common, and that many women do not present at a police station despite surviving a sexual offence. It is almost impossible to track a single case through the criminal justice system, as at each point of interaction the victim is issued with a

<sup>1</sup> The South African Police Services. The National Instructions 7/1999, Domestic Violence. <http://www.tlac.org.za/wp-content/uploads/2012/02/national-instruction-domestic-violence-act.pdf>



different case number.<sup>2</sup> At the police station, health facility, and court, the victim is issued with a number that represents her case. These numbers do not correlate to one another, and if the victim does not make the effort to provide the criminal justice system role players with each of these numbers, they will find it difficult to follow her case through the system. In addition, those monitoring the system will find it difficult to track how long a case takes to proceed. This makes it difficult for those preparing budgets to assess the need for resources at each point of call. In addition, it makes it very difficult to provide accurate statistics on the attrition and conviction rates.

### 3. Available data on domestic violence

Table 1: Protection orders

	2009	2010	2011
New Interim Protection Orders Granted <sup>3</sup>	226 402 <sup>4</sup>	224 486 <sup>5</sup>	217 987 <sup>6</sup>
Protection Orders Finalised <sup>7</sup>	79 098 <sup>8</sup>	80 714 <sup>9</sup>	87 711 <sup>10</sup>
Warrants of arrest issued for breach <sup>11</sup>	15 359	19 426	31 397

Table 2: Criminal Prosecutions for Domestic Violence

	2009	2010	2011
New Matters <sup>12</sup>	3 954	14 761	13 748
Finalised Matters <sup>13</sup>	1 071	4 158	3 726
Matters not finalised <sup>14</sup>	991	2 633	2 491
Withdrawn <sup>15</sup>	1 892	8 402	7 531

<sup>2</sup> Dey, K, et al. (2011).  
<sup>3</sup> Watson, J. (2012). *Justice for Domestic Violence Victims? Key findings of the oversight interventions by the Portfolio Committee and Select Committee on Women, Children and Persons with Disabilities with respect to the Department of Justice and Constitutional Development*. Parliament of the Republic of South Africa.

<sup>4</sup> Average of 18 866 per month  
<sup>5</sup> Average of 18 707 per month  
<sup>6</sup> Average of 18 165 per month  
<sup>7</sup> Watson, J. (2012).  
<sup>8</sup> Average of 6591 per month  
<sup>9</sup> Average of 6726 per month  
<sup>10</sup> Average of 7309 per month  
<sup>11</sup> Watson, J. (2012).  
<sup>12</sup> Ibid.  
<sup>13</sup> Ibid.  
<sup>14</sup> Ibid.  
<sup>15</sup> Ibid.



Finalisation rate <sup>16</sup>	27.1%	28.2%	27.1%
Withdrawal rate <sup>17</sup>	47.9%	56.9%	54.8%

**Table 3: Domestic Violence Training**

	2010/2011	2011/2012
Number of Prosecutors trained on Domestic Violence by the National Prosecuting Authority <sup>18</sup>	102 <sup>19</sup>	108
Number of Domestic Violence Clerks trained by the Department of Justice and Constitutional Development (DOJ&CD) <sup>20</sup>	142	205 <sup>21</sup>
Number of SAPS Members trained on Domestic Violence 2005-2012 <sup>22</sup>	77 897 <sup>23</sup>	

**Table 4: Budgeting for Domestic Violence**

	2010/2011
Amount allocated to conduct Domestic Violence projects at the National Office of the DOJ&CD <sup>24</sup>	R559 000
Appointment of Domestic Violence Clerks (Western Cape, Gauteng, KZN) by the DOJ&CD <sup>25</sup>	R650 232
Domestic Violence Training by the DOJ&CD <sup>26</sup>	R800 000

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> The National Prosecuting Authority (2012). *Annual Report 2011/12*.

<sup>19</sup> The National Prosecuting Authority (2011). *Annual Report 2010/11*.

<sup>20</sup> Watson, J. (2012).

<sup>21</sup> Figures for 1 April 2011 – 31 Jan 2012.

<sup>22</sup> Matthews, T (2012). *Reviewing Domestic Violence and the South African Police Services*. Parliament of the Republic of South Africa.

<sup>23</sup> Of this 53 645 underwent a 5 Day Domestic Violence training Course, 18 547 underwent Domestic Violence training programmes after Basic Training, and 5 705 members underwent Victim Empowerment Training Programmes after Basic Training.

<sup>24</sup> Watson, J. (2012).

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.



#### 4. Available data on sexual offences

Table 5: Reported sexual offences, convictions for sexual offences, and imprisonment for sexual offences

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012
Sexual offences reported to the SAPS <sup>27</sup>	63 818	70 514	68 332	66 196	64 514
Percentage of total sexual offences reported against women 18 years and older <sup>28</sup>	49.09%	42.72%	52.82%	54.11%	48.52%
Sexual offences as a proportion of contact related crimes <sup>29</sup>	12.53% <sup>30</sup>	14% <sup>31</sup>	13.53% <sup>32</sup>	13.73% <sup>33</sup>	13.75% <sup>34</sup>
Number of dedicated sexual offences courts <sup>35</sup>	64	50	42	None	None
Criminal Prosecutions for sexual offences	4 365 <sup>36</sup>	5 300 <sup>37</sup>	- <sup>38</sup>	-	6 913 <sup>39</sup>
Convictions	2 887 <sup>40</sup>	3 535	-	-	4 501 <sup>41</sup>
Conviction rate	66.14% <sup>42</sup>	66.7% <sup>43</sup>	67.7% <sup>44</sup>	-	65.1% <sup>45</sup>

<sup>27</sup> The South African Police Services (2012a), Total Sexual Offences in RSA for April to March 2004/2005 to 2011/2012.  
<sup>28</sup> Calculation: (number of sexual offences committed against women (see table 6) ÷ total sexual offences reported) x 100

<sup>29</sup> Contact related crimes include sexual offences, common assault, murder, attempted murder, and assault with the intention to commit grievous bodily harm. Figure calculated as follows: [Total sexual offences reported + (Total number of sexual offences reported + total number of common assaults reported + total number of murders reported + total number of attempted murders reported + total number of assault gbh reported)] x 100

<sup>30</sup> Total number of contact crimes reported that year: 509253  
<sup>31</sup> Total number of contact crimes reported that year: 503575  
<sup>32</sup> Total number of contact crimes reported that year: 505153  
<sup>33</sup> Total number of contact crimes reported that year: 482122  
<sup>34</sup> Total number of contact crimes reported that year: 469303  
<sup>35</sup> The National Prosecuting Authority (2010).

<sup>36</sup> The National Prosecuting Authority (2008).  
<sup>37</sup> The National Prosecuting Authority (2009).  
<sup>38</sup> Following the decision to disband the sexual offences courts the NPA felt that reporting on these statistics would need a clearer process, and thus did not report on statistics for the years 2009/2010 and 2010/2011. A form was developed in that came into use in 2011, and thus they were able to begin reporting on the statistics again for the 2011/2012 annual report.

<sup>39</sup> The National Prosecuting Authority (2012).  
<sup>40</sup> The National Prosecuting Authority (2008).  
<sup>41</sup> The National Prosecuting Authority (2012).  
<sup>42</sup> The National Prosecuting Authority (2008).  
<sup>43</sup> The National Prosecuting Authority (2009).  
<sup>44</sup> The National Prosecuting Authority (2010).  
<sup>45</sup> The National Prosecuting Authority (2012).



Number of offenders imprisoned for sexual offences and sentenced	17 775 <sup>46</sup>	Figures not clear in AR	18405 <sup>47</sup>	18128 <sup>48</sup>	18040 <sup>49</sup>
Number of offenders imprisoned for sexual offences who received rehabilitative programmes/training	3 355 <sup>50</sup>	Figures not clear in AR	-	-	-

**5. Available data on contact crimes against female adult victims: adult women 18 years or older**

**Table 6: Selected contact reported crime figures against women aged 18 and older<sup>51</sup>**

	2007/2008	2008/2009	2009/2010	2010/2011	2011/2012	Total per category
Murder	2 544	2 436	2 457	2 594	2 286	12 317
Attempted murder	3 016	2 966	3 008	2 842	2 416	14 248
All sexual offences	31 328	30 124	36 093	35 820	31 299	164 664
Common assault	94 286	91 390	94 176	89 956	87 191	456 999
Assault GBH	64 084	61 509	62 143	60 630	57 345	305 711
<b>Total</b>	<b>195 258</b>	<b>188 425</b>	<b>197 877</b>	<b>191 842</b>	<b>180 537</b>	<b>953 939</b>

**6. Gender and age distribution: selected contact reported crime figures 2011/2012. Proportion of selected contact crime<sup>52</sup>**

**Table 7: Selected contact crimes disaggregated by age and gender 2011/2012**

	Children		Adult women		Adult males		Total
Murder	793	5.1%	2 286	14.6%	12 530	80.3%	15 609
Attempted murder	758	5.1%	2 416	16.3%	11 685	78.6%	14 859
Assault GBH	10 630	5.5%	57 345	29.8%	124 676	64.7%	192 651
Common assault	12 645	7.0%	87 191	48.0%	81 834	45.0%	18 1670
All sexual offences	25 862	40.1%	31 299	48.5%	7 353	11.4%	64 514
<b>Total</b>	<b>50688</b>	<b>10.8%</b>	<b>180537</b>	<b>38.5%</b>	<b>238078</b>	<b>50.7%</b>	<b>469303</b>

<sup>46</sup> The Department of Correctional Services (2008). *Annual Report. 2007/2008*

<sup>47</sup> The Department of Correctional Services (2012). *Annual Report. 2011/12*

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> South African Police Services (2012b).

<sup>52</sup> South African Police Services (2012b).



7. SAPS Data on sexual offences cases prosecutions and withdrawal of complaints between 16 December 2007 and 30 June 2011<sup>53</sup>

Table 8: Sexual offences cases withdrawn before trial between 16 December 2007 and 30 June 2011 with reasons for withdrawal<sup>54</sup>

Reason for withdrawal	Number of cases withdrawn
Nolle Prosequi <sup>55</sup>	18257
Withdrawal by victim/complainant	4215
Contradictory evidence	159
Not conclusive evidence	1622
Total number of cases withdrawn before trial	24253

Table 9: Sexual offences cases withdrawn during trial between 16 December 2007 and 30 June 2011 with reasons for withdrawal<sup>56</sup>

Reason for withdrawal	Number of cases withdrawn
Complainant withdrew case in court	13825
Withdrawn in court because not enough evidence	29077
Witnesses/complainant cannot be traced	4681
Primarily (De Minimus Non Curat Lex)	730
Withdrawn in court - not exceeding alcohol limit	35
Child Justice Act	1
Total number of cases withdrawn in court	48359

Table 10: Sexual offences cases that went to trial between 16 December 2007 and 30 June 2011 with their verdicts<sup>57</sup>

Verdict	Number of cases
Guilty	11938
Not Guilty	7611
Total number of cases that went to trial	19549

<sup>53</sup> This data was provided to the Women's Legal Centre by the South African Police Services as a result of a PAIA

<sup>54</sup> application to the South African Police Services.

<sup>55</sup> South African Police Services (2012c).

<sup>56</sup> Nolle Prosequi is used when a prosecutor decides to voluntarily discontinue criminal charges. In this table the decision

<sup>57</sup> was made before trial.

<sup>58</sup> Ibid.



**Table 11: Total number of cases that interacted with the court system<sup>58</sup>**

Verdict	Number of cases
Total number of cases withdrawn before trial	24253
Total number of cases withdrawn in court	48359
Total number of cases that went to trial	19549
<b>Total</b>	<b>92161</b>

## 8. Discussion

Without clear statistics on domestic violence it is difficult to assess the scale of the problem. Figures from the Domestic Violence register should be made publicly available, to ensure that additional resources (such as human capital and training) are allocated to the necessary stations.

The low number of offenders in prison for sexual offences is of concern. Where figures are available for three years (2007/2008, 2008/2009, and 2011/12), 10 923 convictions in sexual offences were achieved by the National Prosecuting Authority. Yet, the figure in prisons provided by the Department of Correctional Services reflects that not even double that amount of offenders are in prison. This is worthy of further investigation.

To ensure that conviction rates do not become inflated, it is important to compare the number of convictions to the number of cases opened. When this is done it indicates that many reported cases of sexual violence do not ever result in a trial, and that those that do have a small chance of conviction.

As an example, in 2011/12 64514 sexual offences were reported to the police, yet only 6913 cases were finalised, with 4501 convictions. Thus when the number of cases that resulted in convictions are compared to the number of cases reported that year, it results an only 6.98% conviction rate. The problem seems to occur in the huge disparity between the number of cases reported and finalised in any one year.

When examined over the 2007 – 2011 period for which data on convictions and withdrawals is available, the result is problematic. As is evident in Table 11, during that period 92161 cases were reported to have interacted with the courts in some way. Yet, between 2007/08 and the 2010/2011 crime statistical periods, 268 860 cases were reported to the police. It is not clear what happened to the 176 699 cases that represent the difference between those two figures.

<sup>58</sup> South African Police Services (2012c).



## 9. Conclusion

Statistics indicate high levels of violence against women in South Africa. When violence against women is examined through the lens of contact crime, it is clear that sexual offences and assault are the most common crimes against women. This is indicative of the high domestic violence rates in South Africa, as well as a problem of sexual violence against women.

## References

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