

GENDER-BASED VIOLENCE

# 'Murderers, abusers not deterred by harsh jail sentences'

LETHU NXUMALO  
lethu.nxumalo@ini.co.za

A WEEK into Women's Month and KwaZulu-Natal has already begun counting the bodies of women killed at the hands of perpetrators who were not deterred by the harsh sentences they were previously handed.

While gender-based violence (GBV) activists believe hefty sentences are necessary, they say they are not enough to prevent the killing of women.

Last month, Njabulo Ndlovu from Pietermaritzburg was handed five life terms for two counts of rape and three of murder. Last Friday, Ntuthuko Shoba received a life sentence for the premeditated murder of his then-girlfriend, Tshogofatso Pule, who was found hanging from a tree in June 2020 with stab wounds.

Mpumalanga serial killer Shaun Oosthuizen was already serving three life sentences for killing three elderly women when he confessed to more crimes. He was handed a fourth life term in May.

But this has not discouraged killers who have instead become more brutal in their attacks.

Professor Amanda Gouws, political science professor at Stellenbosch University, said with hefty jail terms not proving to be effective deterrents, large-scale interventions with young boys in schools were vital to change processes of socialisation.

She said the country was failing its women on a massive scale and unless there was a serious attempt to design intervention, GBV would continue on the current trajectory, with more women living in fear.

"We are all already living in fear and GBV has increased, but more worryingly it has become normalised. The brutality of attacks has also increased through brutal violence and the maiming of women's bodies.

"We cannot only deal with crimes after they have occurred, but we need to work in a preventative way. Attitudes of men and toxic masculinity need to be addressed. Men need to become involved with their children and high levels of crime need to be brought under control," she said.

In light of the Krugersdorp gang rapes last week, the ANC Women's League proposed chemical castration as a punishment for rapists. However, Gouws feels the idea to be misplaced as it was a response after the problem had occurred.

"This is a social problem that will not be addressed by castrating individual men. Research has shown that chemical castration does not lower levels of violent rape, because rape is not about sexual desire, but about power and entitlement.

"Furthermore, (chemical castration) violates perpetrators' rights to bodily integrity. These rights do not disappear because they are found guilty of rape. It is also an unconstitutional solution," she said.

Legal Assistance Centre gender advocate Dianne Hubbard's research suggested that the courts had heeded the call for stiffer sentences. Although punishment was important, she said, it was not the key to prevention.

"The hope that stiffer sentences will aid in the prevention of GBV does not seem to be bearing fruit, as the courts have realised. One judge commented in a 2011 case which imposed a 45-year sentence for the murder of a cohabiting partner that in spite of the heavy sentences we impose, those who perpetrate these heinous crimes seem to devise ways of raising the bar of brutality," said Hubbard.

Dr Judy Dlamini, chairperson of the Gender-Based Violence and Femicide (GBVF) Response Fund, said it was not the systems that failed the country, but leaders from all sectors who put the systems, policies and practices together.

She said the fund would be working with young men in combating gender-based violence. "Men need to play a meaningful role in building social cohesion and eradicating GBVF and gender inequality," Dlamini said.