



RESEARCH REPORT

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JUSTICE DENIED, SILENCE MAINTAINED:

WOMEN'S VOICES FROM THE MARGINS OF SOUTH AFRICA'S JUSTICE SYSTEM

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Introduction

The Centre for the Study of Violence and Reconciliation (CSVR) conducted community dialogues in five townships located in and around Johannesburg, South Africa, where women came together to break the silences held by fear, shame and systemic neglect. Their testimonies exposed the daily reality of navigating gender-based violence (GBV) amid poverty, crime and institutional failure.

Held in Diepsloot (in the far north of the city), Alexandra (north-east), Tembisa (east), Orange Farm (south) and Soweto (south-west) in 2025, these dialogues were acts of resistance and collective truth-telling. They revealed patterns of harm that stretch across generations and geographies: from homes where abuse is hidden to the streets where girls barter their safety for survival.

This report amplifies those voices and highlights the intersecting barriers that deny women their right to safety, justice and dignity.

Background

South Africa faces a severe crisis of gender-based violence (GBV), even described as a 'second pandemic' due to its scale and persistence.¹ Women in economically disadvantaged communities are forced to navigate daily threats to their safety in public spaces and in their own homes. Deep-rooted inequality, poverty, unemployment and patriarchal norms converge to create an environment where violence is both widespread and normalised.

For many women living in townships, GBV is compounded by poor policing, limited psychosocial services and a justice system that is perceived as inaccessible or indifferent. Substance use exacerbates the crisis, serving as a coping mechanism for survivors as well as a trigger for violence by perpetrators.

Legal pathways remain out of reach because of financial constraints, limited legal literacy, fear of retaliation and the burden of repeatedly reliving trauma without adequate support.

Community dialogues become critical in this context. They provide trusted spaces for collective reflection, solidarity and healing, and offer survivors a rare opportunity to identify the violence they endure, challenge stigma and envision practical solutions grounded in their lived realities. Through these dialogues, the CSVR aimed to co-produce knowledge with communities, amplify the voices of women and girls, and advocate for accessible, empathetic and effective justice and public services.

Methodology

A qualitative, participatory and trauma-informed methodology was used for the community dialogues. Rather than collecting information from women as subjects, the dialogues created safe spaces for sharing experiences, reflecting collectively and identifying solutions. The process centred survivor dignity, agency and emotional safety. The aim was not to quantify incidents of violence but to understand the patterns of harm, the barriers to justice and the structural conditions that sustain vulnerability.

The participatory approach positioned women as experts in their own experiences and solutions, rather than as beneficiaries. Discussions were guided yet flexible, allowing participants to shape conversations on their realities. Through collective reflection, individual stories revealed broader systemic patterns and informed community-grounded recommendations.

A trauma-informed lens guided the entire process. Ground rules emphasised consent, confidentiality, respect, the intention to 'do no harm' and voluntary participation. Mental health and psychosocial support practitioners were present throughout to provide screening, emotional containment and referrals.

Data was generated through guided dialogue on experiences of violence, access to justice, institutional responses, social norms and systemic barriers. Facilitator notes were compiled and thematically analysed, with findings grouped into structural barriers, institutional failures, economic vulnerability and psychosocial

1 Ndawonde N (2023) Gender-based violence in South Africa: The second pandemic? In: A Akinola (ed) Contemporary Issues on Governance, *Conflict and Security in Africa*. Cham: Springer Nature Switzerland. pp. 287–307

impacts. Cross-community comparisons strengthened the credibility of the findings.

Findings

A landscape of persistent violence

Barrier	Description
Normalisation of violence	Abuse accepted as part of everyday life
Harmful social norms	Patriarchy, victim-blaming and silence
Financial dependency	Economic reliance on perpetrators
Limited education opportunities	Increased vulnerability and dependency
Justice system failures	Corruption, delays, poor case handling
Mishandling of rape cases	Secondary victimisation and weak responses
Gaps in protection services	Limited shelters and survivor support

GBV is a chronic condition that has become woven into the fabric of daily life in South Africa's townships. For many women, violence is not an isolated event but a daily condition in intimate relationships, in public spaces and from the institutions meant to protect them. Two participants from the community dialogues in Johannesburg shared:

These men beat us until we become unconscious, and we have no one to help us, as long as he will leave you alive.

I sleep with my shoes on, ready to run.

Despite years of advocacy and legislative reform, GBV remains pervasive. Women described husbands who beat them, partners who raped them and police officers who turned them away. Unemployment, overcrowding, under-resourced services and generational poverty create an environment in which violence festers. Economic inequality and structural violence intersect with historical injustices, patriarchal norms and the

absence of state accountability. In this situation, violence becomes both a symptom and a coping mechanism – a means of asserting power in a society where many feel disempowered. Without consistent legal and psychosocial support, cycles of abuse persist.

The cost of silence: Coping in a normalised cycle of violence

Across all five communities, a haunting theme emerged: women have learned to survive, not to heal. The emotional and psychological toll of GBV has become so entrenched that many women no longer recognise it as abnormal. Abuse is normalised, expected and silently endorsed through social norms, economic dependence and cultural silence. One participant said:

We've learned to just survive. The abuse at home, in our communities, even from partners – we don't always see it as wrong anymore. It's just how life is. People say nothing, or blame us. And because we depend on men for basic things, we stay. We endure. Abuse has become normal because speaking out doesn't always help.

This normalisation makes seeking justice feel not only futile but also dangerous. When abuse is framed as 'just how men are' or when women are told, '[I]t's better to have a man who hits you than no man at all,'² then breaking the silence becomes nearly impossible. Reporting is seen as betrayal. Justice, when pursued, is slow, painful and inaccessible.

Many women resort to substance use as a survival strategy. While often condemned, alcohol and drug use represent desperate attempts to endure unbearable emotional weight. One participant shared:

This is not fun. This is survival.

Another added:

I was not born drunk. I never anticipated to be a drunkard either, but life happened. You are seeing me drunk every day not because I love

2 Gqola, PD (2015) *Rape: A south African nightmare*. Johannesburg: MF Books

being like this, but because this alcohol helps me to cope with the everyday pain I endure.

Substance use becomes a temporary shield from trauma, shame and helplessness. Its aftermath worsens vulnerability, pushing women further away from pathways to justice or healing. With few mental health services, scarce shelters and insensitive institutions, women self-medicate in isolation and are then judged for it.³ One participant captured this reality:

There's nowhere to go. No one to talk to, no shelter, and the police don't care. We have to deal with it ourselves, sometimes with alcohol or drugs just to get through. And instead of helping us, people judge us. That makes the silence even heavier, and the violence never stops, because I was not born a drunkard, but drinking helps to numb the pain.

Substance use is not the core problem here but the visible symptom of a deeper societal illness:^{4,5} the normalisation of violence, the silencing of survivors and the failure to protect those most at risk.

Social norms that silence and shame

The combination of patriarchy, poverty and institutional neglect⁶ fuels a culture where women's bodies are systematically devalued.⁷ South Africa's label as the 'rape capital of the world'⁸ reflects a deep-rooted GBV crisis. Despite legislative reform, women in under-resourced communities face the daily threat of sexual and physical violence, driven by weak law enforcement and entrenched patriarchal beliefs.⁹

A 2016 Sonke Gender Justice study found that 56% of men in Diepsloot admitted to beating or raping a woman in the previous 12 months.¹⁰ Consistent with earlier studies, *The First South African National GBV Study, 2022* confirmed that more than one-third of women aged 18 and older have experienced physical or sexual violence in their lifetime – indicating little change over a decade.¹¹ These high rates are compounded by slow justice system responses: despite robust legal frameworks, survivors encounter case backlogs, delays and inconsistent enforcement.¹²

Stigma around GBV, particularly marital rape and domestic abuse, runs deep. Social norms define women by their family roles rather than by their individual rights.¹³ One participant said:

- 3 Southern African Gender Protocol Alliance (2024) Gender-based violence. SADC Gender Protocol Barometer 2024: *Voice and choice*. Available at <https://www.genderlinks.org.za/knowledge-hub/publications/2024-barometer-chapter-6-gender-based-violence> [accessed 31 March 2026]
- 4 Sakaria NE (2022) Access to justice for black women in South Africa: A feminist social justice perspective. PhD dissertation, University of Pretoria
- 5 Centre for the Study of Violence and Reconciliation (CSVR) (2023) *Lived realities: Reconstructing communal ties; community centred GBV responses – A summary of the findings*. Available at <https://www.csvr.org.za/summary-booklet-lived-realities-and-sgbv-responses-copy/> [accessed 31 March 2026]
- 6 Gqola, PD (2015) *Rape*
- 7 United Nations (UN) (2021) South Africa: Failure to tackle domestic violence a violation of women's rights – UN experts. Available at <https://www.ohchr.org/en/press-releases/2021/05/south-africa-failure-tackle-domestic-violence-violation-womens-rights-un> [accessed 31 March 2026]
- 8 Egenasi CK, Benedict MA, Adefuye AO & Madu LU (2024) Epidemiological pattern of rape cases managed at a regional hospital in South Africa. *Health SA Gesondheid* 29: 2434. DOI 10.4102/hsag.v29i0.2434
- 9 George L (2020) Gender-based violence against women in South Africa. *Ballard Brief* 2: 7
- 10 Malan M (2016) Diepsloot: A place of hell for women. Sisonke Gender Justice. Available at <https://genderjustice.org.za/news-item/diepsloot-place-hell-women/> [accessed 31 March 2026]
- 11 Zungu NP, Petersen Z, Parker W, Dukhi N, Sewpaul R, Abdelatif N, et al (2024) *The first South African gender-based violence study, 2022: A baseline survey on victimisation and perpetration*. Cape Town: Human Sciences Research Council. Available at <https://hsrc.ac.za/media-pack-first-south-african-national-gender-based-violence-study-2022/> [accessed 31 March 2026]
- 12 Malambe L & Kumalo L (2025) Justice denied: Gender-based violence crimes remain unpunishable in South Africa. Centre for the Study of Violence and Reconciliation (CSVR). Available at <https://www.csvr.org.za/wp-content/uploads/2025/06/801044-CSVR-Access-to-justice-SA-WEB.pdf>
- 13 Boonzaier F & De La Rey C (2003) 'He's a man, and I'm a woman': Cultural constructions of masculinity and femininity in South African women's narratives of violence. *Violence Against Women* 9(8): 1003–1029



Source: CSVR

When I left my father's house, everyone told me my job was to protect the family, keep its secrets and always obey my husband. They said I must always give him sex. They even told me that in marriage, he cannot rape me because he paid lobola; it is his right.

This testimony illustrates how patriarchal norms socialise women to prioritise family reputation over safety, to accept male sexual entitlement and to internalise submission as part of their marital role – normalising marital rape and silencing survivors.

Women who disclosed being raped by their husbands described being met with blame rather than support and were reprimanded for 'neglecting their marital duties' or 'provoking' their partners. One participant shared:

My partner abuses me sexually. If he wants sex, I have no choice but to give [it to] him, or else he will accuse me of cheating with other men and beat me until I become unconscious.

Deeply entrenched beliefs condition women to accept suffering in silence, reinforcing harmful gender roles

A community dialogue held in Soweto on community-led GBV prevention strategies and local safety. March 2025.



Source: CSVR

A community dialogue held in Tembisa on community-led GBV prevention strategies and local safety. March 2025.



Source: CSVR

and discouraging them from seeking help.^{14, 15} One participant explained:

From the day a woman leaves her father's house to get married, she is told, 'Wena usuphuma endlini, akukho ukubuyela emuva.' [Once you have left home, there is no going back.] She is taught that her duty is to protect her husband's family name at all costs. Even if she is hurting, she must stay silent. Divorce is seen as shameful, and going back home is often not an option. Elders say, 'Umfazi akakhali; uyabekezela.' [A woman does not cry; she endures.] She is expected to be patient, to respect her husband in all things, not to question him, even when he mistreats her. These teachings are passed down by both men and women, and they continue to trap us in abusive marriages, under the banner of culture, respect and endurance.

These norms extend beyond families into community values that prize the family name over individual well-being. Women who report abuse are often accused of bringing shame to the household. Many elders,

religious leaders and even female relatives pressure survivors to stay silent 'for the sake of the children'. One participant noted:

You're told to forgive and forget because a woman who breaks her home is worse than the man who breaks her body.

Survivors face not only the trauma of rape but also the fear of social judgment and secondary victimisation.¹⁶ For lesbian women, this is compounded by homophobia and the myth of 'corrective rape'.¹⁷ Participants shared:

Women suffer from rape, including lesbians, but they are scared to report these incidents because if others know, they will be a laughingstock.

Silence is not consent; it is a survival mechanism in a society that too often punishes the victim. This silence extends to child victims – such as in cases where

14 Gqola PD (2015) *Rape*

15 Mutambo M (2023) Investigating social-cultural factors contributing to low reporting levels of gender-based violence cases. *Journal of Preventive and Rehabilitative Medicine* 5(2): 94–109

16 Muzingili T, Muzondo E, Chidyausiku W & Kahomwe L (2024) The structural and systemic factors influencing underreporting of intimate partner violence among rural married women: A qualitative research. *Journal of Asian and African Studies* 60(8)

17 Tonono B (2020) Corrective rape of black lesbians in South African townships: Cracks in the enforcement of human rights. LLM dissertation, University of Johannesburg

A community dialogue held in Tembisa on the challenges that GBV survivors face when accessing justice. September 2025.



Source: CSV

stepfathers sexually abuse stepdaughters while mothers stay silent to protect their marriages.^{18, 19, 20} One participant said:

When children tell their parents about abuse, especially sexual abuse, families often don't believe them. Sometimes they even silence the child or try to 'cleanses' the family name. Many married women who already have children when they enter a marriage don't report if their kids are raped, because they want to protect their marriage.

Cultural norms that prioritise family reputation over well-being force children to carry the burden of abuse, silenced by those who should protect them. This normalisation perpetuates generational trauma.

Seeking justice becomes equated with disobedience and betrayal.²¹ Women who defy silence are mocked, gossiped about or ostracised. Participants stated:

These men feel like they own our bodies just by paying lobola.

You are taught from a young age that whatever happens in your marriage, you must keep it inside to protect the family name.

The justice system deepens this problem. Many legal professionals carry the same biases as the communities they serve, failing to take marital rape seriously.²² A national cross-sectional study of nearly 4 000 rape cases found that 31% were declined by prosecutors, and only 9% resulted in convictions.²³

18 Zungu NP et al (2024) *The first South African gender-based violence study*, 2022

19 Solomons R (2025) Low conviction rate for child abusers shows urgent need to make Sex Offenders Register public. Build One SA (BOSA). Available at <https://bosa.co.za/low-conviction-rate-shows-urgent-need-for-public-nrso/>

20 Mathews S, Abrahams N & Jewkes R (2013) Exploring mental health adjustment of children post sexual assault in South Africa. *Journal of Child Sexual Abuse* 22(6): 639–657

21 Tener D & Murphy SB (2015) Adult disclosure of child sexual abuse: A literature review. *Trauma, Violence, & Abuse* 16(4): 391–400

22 Karimakwenda N (2018) Where rape does not exist: Tracing the unsettled position of marital rape in South Africa through women's recourse-seeking journeys. PhD dissertation, University of Cape Town

23 Machisa M, Jina R, Labuschagne G, Vetten L, Loots L & Jewkes R (2023) Factors associated with rape case attrition in the South African criminal justice system. *The British Journal of Criminology* 63(3): 588–614

Too many police officers and prosecutors close or decline cases based on gender stereotypes, particularly intimate partner and marital rape. This reinforces impunity and normalises abuse. One participant shared:

How do you even report that your own husband raped you? The moment you get to the police station, they look at you like you're crazy. 'How is that even possible?' they ask. And society? They laugh at you, shame you, and say you're just trying to destroy your own marriage.

Entrenched harmful cultural norms silence women, excuse perpetrators and normalise abuse under the guise of tradition. For many women, breaking the silence means confronting an entire value system that has taught them that their pain matters less than maintaining the impression of peace at home.

Financial dependency and economic control

Financial dependency remains one of the most significant yet overlooked barriers to seeking justice.²⁴ Where the perpetrator controls access to food, shelter and school fees, reporting him means losing everything. One participant said:

He pays for everything – rent, food, the children's fees. Reporting him feels like reporting the whole life I've built.

Economic reliance forces women into silence. One participant explained:

I stayed because I had no income. If I left, I wouldn't have been able to feed my children or make ends meet. So, I kept quiet, even though I was being abused.

Even when women find the will to report, the justice system presents additional hurdles. As Lindokuhle Malambe and Liezelle Kumalo noted in *Justice denied: Gender-based violence crimes remain unpunishable in South Africa* (2025), structural and procedural barriers combined with societal biases prevent survivors from accessing justice, leaving them vulnerable to continued abuse.²⁵ The process is lengthy, emotionally draining and costly – requiring time, transport and legal knowledge that many women cannot afford. For countless survivors, survival itself outweighs justice.

Beyond dependency, many women experience direct financial abuse: a deliberate tactic used to strip women of autonomy and safety.^{26, 27} In communities marked by high unemployment and inequality, financial resources are weaponised to maintain dominance.²⁸ Abusive partners demand cash, threaten eviction or restrict access to food and electricity. One participant shared:

He controlled every cent I earned. If I didn't give him the money he demanded, he would yell, threaten or even hit me. Sometimes he beat me so badly that I would collapse and have to pretend I was dead just to survive. Other times, I had to leave the house just to get a break from the violence. It felt like I was trapped, not just by him, but by the money itself.

Financial and physical abuse operate together, creating a web of control that makes escape nearly impossible. One woman recounted:

After my accident, when my first payout came in, he forced me to spend it all on him and his children. He still beat me – almost to death. When the money was gone, he threw me away like trash. Now that the next payment is on its way, he's back. He's already beating me again, right here in my own shack. I have fresh scars

24 Greenbaum L (2020) Access to justice for all: A reality or unfulfilled expectations? *De Jure Law Journal* 53(1): 248–266

25 Malambe & Kumalo (2025) *Justice denied*

26 Zungu NP et al (2024) The first South African gender-based violence study, 2022

27 Postmus JL, Hoge GL, Breckenridge J, Sharp-Jeffs N & Chung D (2020) Economic abuse as an invisible form of domestic violence: A multicountry review. *Trauma, Violence, & Abuse* 21(2): 261–283

28 Buthelezi S (2025) Economic abuse: The most common yet overlooked form of gender-based violence in South Africa. IOL. Available at <https://iol.co.za/mercury/2025-07-02-economic-abuse-the-most-common-yet-overlooked-form-of-gender-based-violence-in-south-africa/> [accessed 31 March 2026]

A community dialogue held in Alexandra on the challenges that GBV survivors face when accessing justice. September 2025.



Source: CSVR

on my body. Sometimes I disappear for days just to get a break from the beatings – leaving him in my home, just so I can breathe.

The last participant's story speaks to a broader reality: financial insecurity traps women in cycles of abuse while the systems meant to protect them remain unavailable.²⁹ Without financial independence, justice and safety remain out of reach.

Younger women face an equally distressing reality. With limited access to education and no employment pathways, adolescent girls are trapped in environments devoid of opportunity.³⁰ Mothers voiced deep powerlessness, describing how poverty, failing institutions and social neglect have left them with few choices. One parent shared:

Our kids are gallivanting on the streets, as slaves to substance abuse because primary schools and tertiary institutions do not have the capacity to take them.

In this climate of desperation, some parents silently permit transactional relationships between their daughters and older men as a means of survival. Another parent said:

My child is dating an old man, but she still asks me for money and things... Why does she not ask her boyfriend and stop bothering me?

Lack of meaningful access to education and increased vulnerability

Transactional relationships, although driven by necessity, expose young girls to early sexual exploitation and embed cycles of dependency and trauma. While the Children's Act and the South African Schools Act guarantee basic education, the question of access extends beyond enrolment: it requires safe environments, freedom from harassment and the financial support to complete secondary schooling. Although primary enrolment rates are high, dropout rates rise sharply at secondary level, particularly

29 Momentum Financial Planning (2024) Financial abuse: The hidden weapon of gender-based violence. Moonstone. Available at <https://www.moonstone.co.za/financial-abuse-the-hidden-weapon-of-gender-based-violence/> [accessed 31 March 2026]

30 Sithole S (2025) How South Africa's youth unemployment fuels sexual exploitation and gender-based violence among young women. *POST*. Available at <https://thepost.co.za/capeargus/news/2025-06-19-how-south-africas-youth-unemployment-fuels-sexual-exploitation-and-gender-based-violence-among-young-women/> [accessed 31 March 2026]

among girls, due to poverty,³¹ teenage pregnancy, caregiving responsibilities and unsafe school environments.

Schools have become sites of gender-based harassment and coercion, including from educators, eroding girls' sense of safety and contributing to dropout. One adolescent participant reflected:

School is no longer a safe place for us. Even some teachers try to pursue relationships with us, and there is nowhere safe to report them because it is seen as normal. If you speak out, the teacher can threaten to target you or even your family. We live in a small community where everyone knows each other, and it is easy to find you. Many of us come from poor families with no one powerful to protect us if a teacher decides to harm or intimidate you.

Another young woman described how structural barriers intersect with vulnerability:

Getting into tertiary education is not just about passing matric. The whole process is online, and without devices, data or stable internet, we are already behind. Even when we manage to apply, we are told there is no space or no funding. We keep trying every semester, but nothing changes. It makes you feel like there is no future for you.

Teenage pregnancy remains a significant contributor to school interruption.³² While policies allow pregnant learners to continue attending school, stigma, economic hardship and lack of childcare undermine implementation. Without viable alternatives, young women become increasingly vulnerable to age-disparate and transactional relationships. One mother expressed:

It breaks my heart as a mother. Our children finish matric with hope, but they are not accepted into universities or colleges. There is no space, no funding, and no opportunities. Then they sit at home with nothing to do. Some of the girls start looking for older men to support them – these 'blesser' relationships, just to survive. Others roam the streets or get involved in drugs. My own daughter finished matric, but now she is at home with no prospects. At times, out of desperation, I have even told her to find someone who can provide for her, because I do not know how else she will survive.

The issue is not the absence of a legal right to education but the gap between policy and lived reality. Structural poverty, school-based GBV and inadequate social support weaken education's protective function, contributing to cycles of dependency among adolescent girls. One young woman said:

We cannot imagine our lives without these older men in the picture, because dating your peer is just wasting your time. We have lost hope in ourselves and in the system.

Such normalisation perpetuates intergenerational trauma and diminishes the urgency to seek justice.³³ When young women were asked about agricultural programmes on available unused land, they expressed profound distrust in local governance, citing corruption and nepotism. A group explained:

We are not interested in anything now because we are tired of being promised opportunities. They say there is land, they say there will be programmes for youth, but we know how it works: the money comes, and only the leaders and their friends benefit. The rest of us are left

31 CSVR (2023) Lived realities: Empowerment gaps and opportunities for women living in rural communities in South Africa. Available at <https://www.csvr.org.za/lived-realities-empowerment-gaps-and-opportunities-for-women-living-in-rural-communities-in-south-africa/>

32 Commission for Gender Equality (2023) *Learner pregnancy-policy interplay: School dropout of adolescent girls during pregnancy and in the postpartum period in selected South African provinces*. Available at <https://cge.org.za/wp-content/uploads/2023/07/cge-teenage-pregnacy-report.pdf>

33 Butchart A & Mikton C (2014) *Global status report on violence prevention 2014*. Geneva: World Health Organization. Available at <https://www.who.int/publications/i/item/9789241564793>

A community dialogue held in Orange Farm on the challenges that GBV survivors face when accessing justice. September 2025



Source: CSVr

with nothing. That's why some of us depend on older men to survive. At least that feels more certain than waiting for a system that has never chosen us.

The compounded weight of powerlessness, frustration and unacknowledged trauma acts as a barrier to speaking out, reporting abuse or pursuing legal recourse – deepening a culture where justice feels out of reach.

Legal systems that fail

The justice system, meant to be a refuge, often becomes another site of violence and secondary victimisation.³⁴ Women described how institutions tasked with upholding the law deepen their trauma instead of alleviating it.

Many women who report abuse are met with disbelief, insensitivity or ridicule.³⁵ Police officers often downplay

the severity of domestic or sexual violence, opting to 'mediate' rather than act. Instead of protection, women are urged to forgive and return home.

This is worsened by corruption.³⁶ Participants described the issue of 'envelopes' – bribes quietly handed to officers or prosecutors by perpetrators to delay, sabotage or erase cases. In some communities, perpetrators with resources can bribe their way out of arrest or make evidence disappear.³⁷ This erodes trust and reinforces the message that violence against women carries no real consequences. One participant remarked:

You can have someone arrested today, but by tomorrow, they're back on the street. When you ask the police, they say it's not their job to prosecute, that it's up to the court. And sometimes it's not even the person's first offence, but the court won't know that because the systems don't communicate properly.

34 Mills E, Shahrokh T, Wheeler J, Black G, Cornelius R & van den Heever L (2015) Turning the tide: The role of collective action for addressing structural and gender-based violence in South Africa. Evidence report no 118: Empowerment of women and girls. Institute of Development Studies

35 Wieberneit M, Thal S, Clare J, Notebaert L & Tubex H (2024) Silenced survivors: A systematic review of the barriers to reporting, investigating, prosecuting and sentencing of adult female rape and sexual assault. *Trauma, Violence, & Abuse* 25(5): 3742–3757

36 Klugman J (2017) Gender based violence and the law. Background paper for *World Development Report 2017*

37 Bhana A (2025) Government's gender-based violence plan lacks funds. *Mail & Guardian*. Available at <https://mg.co.za/news/2025-06-05-governments-gender-based-violence-plan-lacks-funds/> [accessed 31 March 2026]

Inaccurate case documentation is a further critical barrier. Survivors expect to be heard and accurately represented. Too often, they are not. One participant shared:

When you open a case, they write what they want. Later in court, you realise the story is different from what you told them.

Such discrepancies weaken cases, result in acquittals or lead to total dismissal, even when the harm committed is severe.³⁸ The Omotoso case (see note on page 14) illustrates how systemic weaknesses – poor evidence handling and inconsistent statement recording – can collapse high-profile sexual violence prosecutions, reinforcing the perception that the legal system is unreliable for marginalised women.

Communication is another major barrier. Survivors are often left in the dark about their cases.³⁹ An Amnesty International survey found that 81% of survivors were not updated about their cases, leaving them unable to assess their safety or prepare for court.⁴⁰

Confidentiality failures discourage survivors from seeking help.⁴¹ Women described reporting abuse only to have their stories leaked to their communities, sometimes through those meant to protect them. This breach re-traumatises and silences. One participant said:

You go to report, and the next day your story is all over the street. People laugh at you like you're the problem.

When confidentiality is not guaranteed, reporting heightens harm.⁴² Fear of humiliation, judgment and

retaliation undermines reporting rates and the effectiveness of support systems.

Courtrooms are rarely safe spaces.⁴³ Victims testify with the perpetrator present, often without adequate psychosocial support and in front of strangers. Many feel as if they are not the accused but are on trial. One participant shared:

They ask questions like they are investigating you, not the man who hurt you.

Institutional apathy renders the justice system unsafe. One participant shared:

A lady was brutally beaten and taken to [Chris Hani] Baragwanath Hospital, where she sadly passed away. Despite the postmortem revealing internal injuries, the court refused to proceed with the case, claiming there was not enough evidence.

Betrayed by the system: The mishandling of rape cases

One of the most devastating realities voiced by women is the continued mishandling of rape cases. Survivors described how their trauma was heightened by the indifference, negligence and secondary victimisation they encountered when seeking help. One case shared during the dialogue:

I know a victim who was raped twice. The first time she tried to report it, she wasn't attended to at the police station. When she went to the doctor, she was told the police needed to bring her in. She went back but still got no help. The second time she was raped, she

38 Mutizira F (2025) Many rape survivors won't see justice due to gaps in the system. *Health-e News*. Available at <https://health-e.org.za/2025/11/24/many-rape-survivors-wont-see-justice-due-to-gaps-in-the-system/> [accessed 31 March 2026]

39 Malambe & Kumalo (2025) Justice denied

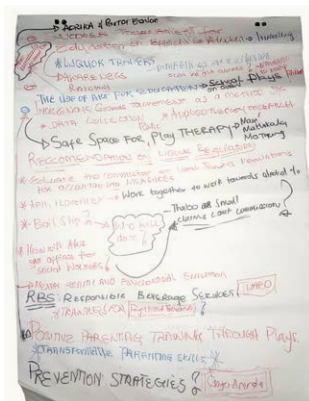
40 Keller M (2021) Is justice for survivors of gender-based violence in South Africa a pipe dream? Amnesty International. Available at <https://amnesty.org.za/4176-2/> [accessed 31 March 2026]

41 Calvino LR & Matadi MT (2023) Enforcement of gender-based violence legislation in South Africa: The need for a paradigm shift. In: N Stamatakis (ed) *Global trends in law enforcement: Theory and practice*. IntechOpen

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A community dialogue held in Alexandra on community-led GBV prevention strategies. March 2025.



Source: CSVR

didn't report it. She blamed herself, thinking the system's failure was somehow her fault. Now, she's living with a violent boyfriend and has absorbed the abuse as part of her life, because she has been failed too many times.

The absence of a trauma-informed, victim-centred response pushed her into silence.⁴⁴ Many survivors reported that rape complaints were ignored or downplayed. Some were asked outright:

Are you sure it was rape? Why were you there?
What were you wearing?

Others had their cases dropped without investigation. Sensitive information was handled without care, details were discussed in front of others and survivors were made to recount their stories in humiliating settings.

Gaps in protection and shelter

When asked why they stay in abusive relationships, many women pointed to the absence of safe alternatives. Shelters are scarce, under-funded and hard to reach. The few that exist cannot meet demand. One participant lamented:

I know he'll hit me, but at least I have a roof over my head.

Even when protection orders are granted, enforcement is weak. Abusers often return without consequence. Without consistent, trauma-informed intervention, many survivors are forced to choose between violence and homelessness.⁴⁵

What justice means for women

What the community dialogues showed is that for women, justice is more than a legal outcome: it is about feeling heard, believed and protected. Survivors want their experiences acknowledged without blame, and assurance that their abuser will face consequences. Justice means clear communication, trauma-informed care and access to safe spaces throughout legal processes. One survivor said:

Justice is not just winning in court; it's being listened to and knowing I am not alone.

For South African women, justice means restoring dignity, ensuring safety and building trust in a system that too often leaves them vulnerable.

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Recommendations

To address the barriers that South African women face in accessing justice, the following is recommended:

- **Improve access to support in disadvantaged communities:** legal help, counselling and income opportunities must be made easy to access. Safe, non-judgmental spaces for women to speak out are essential, alongside police and other services that respond appropriately – so that women who have been abused are safer, less isolated and able to access justice and the resources to rebuild their lives.
- **Promote community-driven education and dialogue:** programmes that challenge harmful cultural beliefs and gender norms must actively engage men, traditional and community leaders, and families. The goal is to reduce stigma around reporting, increase community accountability and foster safer, more equitable relationships.
- **Expand economic empowerment for women:** community-based programmes providing sustainable income opportunities and financial independence reduce women's reliance on abusive partners – decreasing economic control by perpetrators and increasing the likelihood of women seeking safety and justice.
- **Foster safe, inclusive education in disadvantaged communities:** address school-based abuse, improve access to resources and create clear pathways from secondary school into further education or employment – reducing vulnerability to exploitation, improving economic prospects and empowering girls to make independent, safe choices.
- **Strengthen accountability and capacity in the justice system:** proper training, monitoring and enforcement are required to ensure that survivors are treated with dignity, that cases are handled correctly and that perpetrators are held accountable. This will improve trust in the system, increase successful prosecutions and reduce impunity for GBV.

Conclusion

The community dialogues in the Alexandra, Diepsloot, Orange Farm, Soweto and Tembisa townships revealed lives shaped by silence, fear and survival. Women need systems that see them, hear them and act on their behalf; systems that recognise that justice is not only about laws but also about dignity, healing and economic freedom. Their message was clear: justice delayed is justice denied for those already burdened by trauma, poverty and institutional neglect. Women are silenced by financial dependence, systemic failure and the erosion of hope. The barriers to justice are deeply rooted, interconnected and profoundly human.

If this cycle is to be broken, the process cannot end at listening. The justice system must be reimaged. Not only accessible but also responsive. Not serving the powerful but prioritising the vulnerable. The justice system must be one in which healing is not delayed until after harm but woven into every interaction, policy and intervention.

As one participant reflected:

“Justice is not just winning in court; it’s being listened to and knowing I am not alone.”

Another participated added:

“We’ve learned to just survive. The abuse at home, in our communities, even from partners, we don’t always see it as wrong anymore. It’s just how life is.”

These reflections highlight how deeply normalised violence has become, shaping what survivors come to expect from both relationships and institutions. They also point to the urgent need to reframe justice as a continuous, healing-centred process that restores dignity and challenges what has been accepted as “normal” in everyday life. Ultimately, transforming these realities requires interventions that address both the systems that fail survivors and the social norms that sustain harm.

Note

The Omotoso case refers to the high-profile criminal trial of televangelist Timothy Omotoso, who was accused of multiple counts of rape, human trafficking and sexual exploitation involving young women and girls linked to his church. The case, which took several years in the South African justice system, ultimately resulted in his acquittal in 2025 after the court found that the prosecution had not proved its case beyond a reasonable doubt, largely due to concerns about inconsistencies in evidence and how witness testimony was handled. For many women and vulnerable people, the case reinforced perceptions that the justice system is often inaccessible, retraumatising and unreliable in responding to GBV. Survivors are frequently expected to repeatedly recount traumatic experiences, while procedural failures and institutional weaknesses can undermine their credibility and confidence in legal processes. This reflects broader systemic concerns within the criminal justice system, where gaps in survivor-centred approaches, trauma-informed support, accountability and effective case management may contribute to low trust in justice institutions. Within this study on justice denied and silence maintained, the Omotoso case illustrates how institutional failures within the justice system can discourage reporting, deepen fear and hopelessness among survivors, and perpetuate silence around abuse. It demonstrates how marginalised women, particularly those with limited social and economic power, may experience the legal system not as a source of protection, but as another site of vulnerability and exclusion.

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