

What to do and know if you are **RAPED**

The Gender Research and Advocacy Project at the Legal Assistance Centre has been working for many years to increase awareness about rape and what to do if you have been raped. The department's most recent project has been to produce a series of pamphlets designed to give rape survivors the key information they need after a rape.

What to do if you are raped

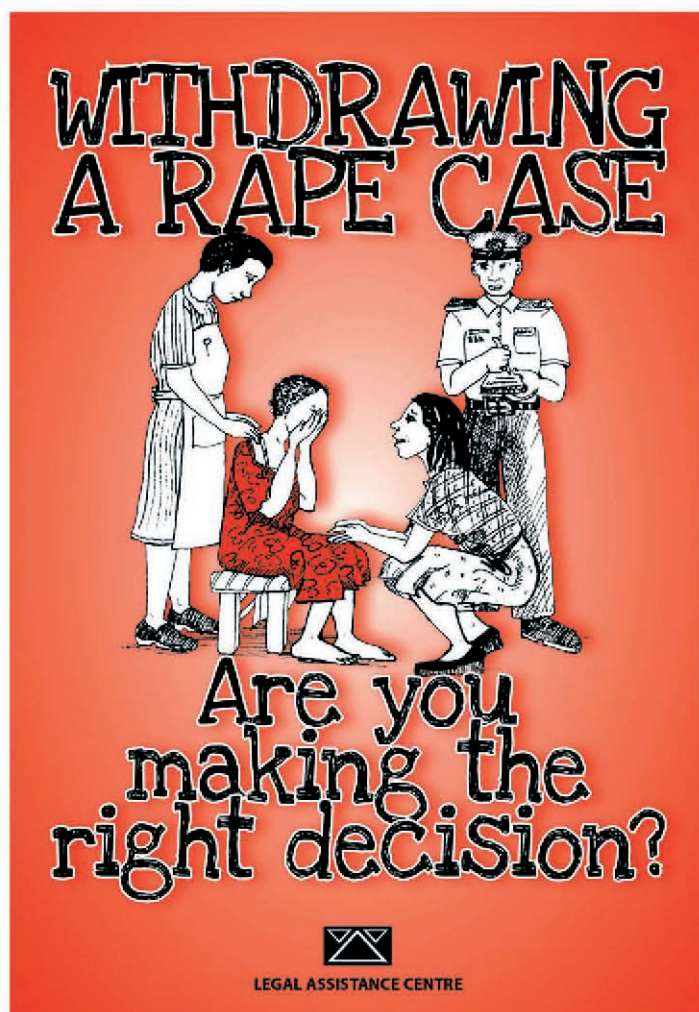
The first pamphlet provides information about what a rape survivor should do immediately after a rape. For example, a rape survivor should not to wash him or herself until after a doctor has performed a medical examination. The pamphlet also recommends that a person who has been raped should take a spare pair of clothes to the police station as the police are likely to keep the clothes the rape survivor was wearing as evidence. The pamphlet also gives information about the healthcare a rape survivor should receive. For example, a doctor should discuss with the rape survivor whether he or she should take post-exposure prophylaxis (PEP). PEP is medication that may help to prevent HIV infection. The doctor should also discuss with a female rape survivor whether she needs to take medication to prevent pregnancy.

Bail in cases of rape and domestic violence

The second pamphlet explains how bail is managed in these cases. Bail is the conditional release of a person charged with a criminal offence. Being "free on bail" is not the same as being free because the Magistrate will often set conditions that the accused must follow. For example, in all cases of bail given for crimes of rape and domestic violence, the accused may not have contact with the complainant (the rape survivor). In cases of rape, the police also have a duty to inform the complainant of the court date of the bail hearing. This is because the complainant has the right to ask the prosecutor to present relevant information at the hearing. For example, if the accused had threatened to kill the complainant, the complainant should tell the prosecutor. The Magistrate will consider this information when deciding whether or not bail should be granted and what conditions should be set.

A rape complainant's guide to being a witness in court

The third pamphlet, explains the process of a rape trial. For example, the prosecutor has a duty to meet with the complainant before the trial. The purpose of this meeting is to explain what will happen during the trial. The pamphlet also explains what the term "vulnerable witness" means. A rape complainant is a vulnerable witness. Vulnerable



witnesses are allowed to ask for special arrangements in a trial to make the process easier. Possible arrangements could include holding the trial in a less formal setting whilst the rape complainant gives evidence, holding the trial in the courtroom but placing a screen between the complainant and the accused, or allowing the rape complainant to give evidence by closed circuit television, if such equipment is available.

Withdrawing a rape case

The fourth pamphlet,, provides information for a complainant who is not sure whether he or she wants to continue with the case. The pamphlet explains the process that must be followed to withdraw a case and gives reasons why it is a good idea to continue with a rape case. For example, the pamphlet explains that rape is a serious crime and should be punished. If the accused is found guilty, the minimum sentence may be five, ten or fifteen years in prison. The pamphlet also explains that a rape trial is private. This information can help reassure complainants who are concerned that people from the community will come to the trial.

The set of four pamphlets provide important information about rape in an easy-to-read format. The pamphlets will be distributed across the country by the Legal Assistance Centre at workshops and trainings, and will also be gradually available at police stations and courts. Community-based organisations and social workers will also receive copies to distribute to the public. The pamphlets are available in English, Afrikaans, Otjiherero and Oshiwambo. ♀

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A RAPE COMPLAINANT'S GUIDE TO BEING A WITNESS IN COURT



LEGAL ASSISTANCE CENTRE



BAIL IN CASES OF RAPE AND DOMESTIC VIOLENCE

LEGAL ASSISTANCE CENTRE



Contact for more information!!!

For more information about the Combating of Rape Act or to obtain copies of our publications, please contact the Legal Assistance Centre:

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