

Rape in South Africa

To the Editor: Dr Naidoo is to be commended for reminding readers of the scourge that is rape.^[1] However, he has overlooked the main reason for the abysmally low conviction rate. In many, if not most, allegations of rape there is no witness, and no material evidence. He says that consent was given; she denies it. The magistrate has the unenviable task of deciding who is the more convincing of the two.

A further problem is that rape was recently declared to be a Schedule 5 or Schedule 6 offence, which makes it very difficult, if not impossible, for the accused to get bail. This encourages any person to dispose of a burdensome male relative for a temporary period.

I have elaborated on these topics for a legal audience.^[2]

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1. Naidoo R. Rape in South Africa – a call to action. *S Afr Med J* 2013;103(4):211-212. [<http://dx.doi.org/10.7196/SAMJ.6802>]
2. Craven SA. Medical, legal and financial aspects of rape in South Africa. *Med Law* 2004;23(4):889-896.

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