



TINTSWALO



NACOSA

P R E S E N T A T I O N

Women who use drugs and the Law

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HISTORICAL CONTEXT

- Gender inequality is greatly perceived among women who use drugs, Boksburg is a city with an estimated size population of + - 420,000 people on the East Rand of Johannesburg.
- It is mostly dominated by middle- and Upper-class population, amongst them is a growing number of women who use drugs. These are not only WWUD, but they are also mothers, partners and grannies.
- Women who inject drugs are often described in terms of their risk for HIV, viral hepatitis and other sexually transmitted infections – with scant emphasis on their human rights and dignity.



Method

- We have conducted parental groups for people who use drugs
- Which includes males and gender diverse groups
- Additionally we have also conducted Female contemplated groups for WWUD
- We used Outreach Peer led model for data collection
- And this involves one on one interventions



Harsh Realities

- Women who use drugs face severe systemic barriers that exacerbate their marginalisation and vulnerability.
- 30% of these females their kids have been taken away from them by Department of social development South Africa.
- These act of violent discrimination and stigma have left women desperate, broken, and humiliated and declared unfit to be mothers by the court of Law.
- Children are taken to foster care programs
- Some to Adoption departments and left to face cold reality of harsh decisions ruled by the court of Law.
- Some women have been coerced to go for rehabilitation programs
- Some have been barred from interacting with or seeing their children

Legal and Child Custody Battles

Based it on real story

- A 29-year-old mother with five children, Jane, was accused of being an unsuitable mother and had one of her children unlawful removed by a private social worker.
- Despite being commanded to appear in court within the next two weeks, her case was ultimately postponed. Access to her daughter was denied, and she was informed that she was unable to make a plea.
- On her initial court appearance, her legal aid counsel declined to make a pitch, however, requested a copy of the court file.



Challenges:

- Unlawful removal of children from WWUD
- Custody of Children granted to unknown guardians without giving WWUD access to see their children.
- Shelters for homeless individual do not admit woman who use drugs.

Legal Literacy and Rights Awareness

- We worked with a Paralegal/ Attorney from Nacosa to render legal literacy groups to women
- Psychosocial team rendered support during this session
- We also assisted with court prep and accompany women to court for support and advocate for Harm Reduction services
- We provided referral pathways for Pro bono services
- We established peer led support groups for continued support through PWUD sector



Successes

- Legal literacy groups to empower women
- Psycho-social support
- DIC for mothers (exhale, shower, a meal, clothes)
- Paralegal services and referrals (Nacosa)
- Partnered with different sectors to protest against stigma and discrimination due to homelessness
- Partnered with Home affairs to assist with documentations
- 15 % of these cases were successful and mothers were given access to their children
- 5% a work in process



Legal Remedies

- One stop shop (model of care)
- Train law enforcement and judiciary on **gender equality, harm reduction** and OST/OAT
- Call for increased **access to justice** and **legal support and representation** for PWUD.
- Encourages **law reform** to address laws that disproportionately impact women on;
 1. *Child custody (revised laws)*
 2. *Harsh sentencing and criminalization for personal use*
- Accelerating Programs like “Know Your Rights” campaigns targeted at WWUD and access to legal recourse.

Call for Action Advocacy

- Advocate for **decriminalization** and legal reforms that prioritize public health and Human Rights over punishment.
- Strengthening coordination between the legal system, healthcare providers, and social services can ensure that WWUD receive holistic support instead of facing criminalisation and exclusion.
- Expanding access to pro bono legal services for WWUD
- Advocate for WWUD have a voice in legal and policy decision-making forums.
- Advocates for alternatives to incarceration such as **community-based treatment** and **harm reduction Centres**,

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A black and white photograph of two hands, one darker-skinned and one lighter-skinned, gently holding a red AIDS ribbon. The ribbon is shaped like a stylized 'A' and is made of small red beads. The background is blurred, showing more hands in a similar gesture.

THANK YOU

We're stronger, together.



NACOSA
COLLECTIVELY TURNING THE TIDE
ON HIV, AIDS AND TB



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