

**THE POLICING OF DOMESTIC VIOLENCE IN THE TSHWANE POLICING
PRESINCT**

by

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submitted in accordance with the requirements

for the degree of

MASTERS TECHNOLOGIAE

in the subject

Policing

at the

UNIVERSITY OF SOUTH AFRICA

SUPERVISOR: PROF M MONTESH

2015

DECLARATION

I, Avhashoni Cynthia Madzivhandila, student number 36505080, hereby declare that this dissertation, entitled 'Policing of domestic violence in the Tshwane Policing Precinct,' is my own work, and that all the consulted sources have been indicated and acknowledged by means of complete references. I further declare that ethical clearance to conduct the research was obtained from the South African Police Service (SAPS) and University of South Africa (UNISA), as well as from the participating organisation.

Avhashoni Cynthia Madzivhandila

30 January 2015

ACKNOWLEDGEMENTS

This study was going to be impossible to complete without the assistance of:

- God almighty for his guidance and direction;
- My supervisor (Professor Moses Montesh) for his expertise, support, professional guidance, and advice;
- The South African Police Service and University of South Africa, for granting me the opportunity to conduct this study;
- My immediate family and extended family members for all the care and support in all testing and exciting circumstances;
- My editor (Dr Charl Schutte) for the patience and proper use of language;
- My friends within the academic world and beyond for believing in me and their encouragement, in particular Mmakosha Joyce Malatji;
- My participants for data collection purposes: thank you all.

This study is dedicated to my late mother Marandela Tshishonga for instilling knowledge and tireless efforts despite all life's challenges that confronted us as a family.

ABSTRACT

In this qualitative study five police stations in the Tshwane Policing Precinct were selected. The objectives were to describe and explore the South African Police Service (SAPS) officials' experiences on the nature and extent of domestic violence and the responsive strategies by relevant stakeholders thereof.

Data collection literature review and key informant interviews were selected. Purposive sampling was adopted to cater for 40 sworn SAPS officials; each station was represented by seven participants. The findings suggest that many academics around the world overlook the importance women and children as core victims. As a result, they become the neglected people in our society. Thus, there is no simple solution to this crime to date. For recommendations a multi-agency approach whereby all relevant stakeholders try to address this scourge is needed to enhance reporting channels, advance SAPS skills and obtain more convictions.

Keywords: Abuse, domestic abuse, domestic violence, policing, physical abuse.

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CHAPTER 1

BACKGROUND TO THE STUDY

1.1. INTRODUCTION

Viano (1992) (cited in Singh, 2004:197) claimed that domestic violence and abuse can be described as a “Fundamental lack of understanding and appreciation of the commonality of our humanity, of what truly makes us human, the bonds that support and nourish us. Patriarchy, sexism, machismo, ageism and racism are different attempts to establish hierarchies; to inflate and exploit superficial differences; to mask one’s weaknesses by denigrating and oppressing others; to deny our interdependence and mutual linkage; and to subdue, oppress, and take a domestic violence advantage of those considered to be inferior”.

This was further corroborated by the American Medical News (1992), where it was reported that domestic violence is a simple phrase, but it encompasses a horrifying list of abusive behaviours, both (physical and psychological, inflicted by one family member on another. The list is endless. There is seemingly no end to the horrors some human beings can inflict on those whom this society calls their loved ones.

Against this background, Vetten (cited in Themistocleous, 2008:2) argued that domestic violence has increasingly become a problematic issue across South Africa and as a result, other researchers argue that that while estimates of the extent of domestic violence vary, the challenge has dominated public debates and galvanised community-based activism and Non-Governmental Organisation intervention. For those without personal experience, appreciating its nature requires the recognition that domestic violence is real and serious and can result in permanent injuries and sometimes death (Home Office, 2005). Therefore, the South African Police Service has been entrusted with the responsibility of ensuring the freedom and security of every person in South Africa.

Combrinck and Wakefield (2009:10) hold the view that the police are one of the primary agencies of the state responsible for the protection of the public in general and women and children in particular against the invasion of their fundamental rights by perpetrators of violent crime. It is argued that legislation that was developed with the noble intention of protecting the victims of domestic violence, was ineffective as victims were not aware of its existence and once women seek legal recourse, the criminal justice system became another avenue for torture as it subjected women to secondary victimisation due to the attitudes of officials (Brown, 2000; Family Violence Prevention Fund, 2001). In South Africa, the South African Domestic Violence Act No.116 of 1998 was therefore developed through a participative forum through the involvement of Non-Governmental Organisations, considering the challenges women are confronted with. The Act was thus seen as a catalyst to address the inhumane challenges confronting women, with the objective of providing them with adequate protection.

In view of the above, the researcher is of the opinion that as researchers and policymakers entered debates about these legislative reforms, the hopes expressed were that the new laws would clearly show the public that exposure to domestic violence is harmful to all victims of it, especially women and children and should not be tolerated as a social norm. Obviously, the real intent was not to bring more people before the courts, but rather to change historic attitudes and patterns of behaviour and educate the community. Other anticipated benefits included the education of front-line professionals (such as police officers) to take special notice of the plight of these victims and improved access to resources. Themistocleous (2008:50) further postulates that the contents of the Domestic Violence Act state:

It is the purpose of this Act to afford the victims of domestic violence the maximum protection from domestic abuse that the law can provide; and to introduce measures which seek to ensure that the relevant organs of the state give full effect to the provisions of this Act, and thereby to convey that the state is

committed to the elimination of domestic violence (preamble to the Domestic Violence Act).

The police are the first agent to be contacted in the legal system by victims of domestic violence, like any crime reported to the police. As a result, Smith and Schnetler (2004:62) state that personal attitude to domestic violence is one of the most significant factors affecting police response to domestic abuse. It is trite that the more a police official believes marital violence to be justifiable or acceptable, the more inclined that official is to respond negatively to the victim.

The researcher's observations revealed that the Tshwane communities lost trust in the police in dealing with domestic violence cases. One of the challenges might be that this kind of crime usually happens indoors and most domestic violence victims do not want to come forward and report it to the police. The researcher therefore became interested in finding out what causes domestic violence, what are the challenges faced by the police in policing domestic violence in Tshwane Policing Area. The general perception of policing domestic violence will be outlined and challenges faced by the South African Police Service as an organisation, with special reference to Tshwane Policing Area. At a later stage the study answered the question regarding whether the police in the Tshwane Policing Area are policing the domestic violence in accordance with Domestic Violence Act as stipulated by the South African Police Service Act No. 68 of 1995.

1.2. STATEMENT OF THE PROBLEM

Bollen, Artz, Vetten and Louw (1999) highlight the challenges of obtaining accurate official statistics regarding domestic violence. According to Bollen et al., (1999) domestic violence is mostly not just a one-off incident, but continuous events, or a series pattern of abuse. Bollen et al., (1999) further assert that domestic violence may also exist as a range of serious violent incidents that lead to multiple abuses aimed at the other. It is argued that this series of abuses is not recognised in South African criminal law, which will eventually be likely to isolate individual incidents.

In addition, they point out that most crimes of domestic violence are not reported to the police for fear of intimidation, shame, and fear of not being believed, self-blame, or fear of retaliation (Bollen et al., 1999). Matthews (2012:2) points out that the Portfolio and Select Committees on Women, Children and Persons with Disabilities conducted public hearings on the Domestic Violence Act on 28 and 29 October 2009. The objective of these hearings was to monitor the implementation of the Act and to come up with recommendations that would enhance its implementation thereafter. Some of the key issues highlighted during the public hearings relating to the South African Police Service were: (1) the behaviour of police officials dealing with victims of domestic violence was reported as being demeaning and discriminatory, (2) the lack of resources of the South African Police Service was noted as an impediment that compromised the ability of the police to act in accordance with the provisions of the Act. There have, for example, been instances where the police have claimed that they had no vehicles available and situations where the areas from which victims call were not in their jurisdiction, particularly in rural areas. Hence the service was not rendered, and, (3) the hearings revealed that there was insufficient training of South African Police Service officials to deal with victims of domestic violence. In addition, once-off training was inadequate to ensure officials were equipped to respond to domestic violence revealed (Matthews, 2012:2).

According to the researcher, it would seem that the findings above suggest that it is possible that South African Police Service does not ensure formal record-keeping is maintained and effective measures are put in place to ascertain that entries made into the domestic violence register are done accurately. Thus, it is the view of the researcher that what is not correctly recorded in the form of accurate statistics, cannot be measured as well as policed adequately. Through the researcher's observation and interaction with other colleagues, it has been found that policing domestic violence remains a serious problem in the Tshwane Policing Area, because this type of crime usually occurs within a private domain and is not visible enough to the public eye. As a result the researcher opted to conduct a study on this scourge.

South Africa has one of the highest incidences of domestic violence in the world. And, sadly, domestic violence is the most common and widespread human rights abuse in South Africa. Every day, women are murdered, physically and sexually assaulted, threatened and humiliated by their partners, within their own homes. Bertus (2014) further reported that organisations estimate that one out of every six woman in South Africa is regularly assaulted by her partner. In at least 46 per cent of cases, the men involved also abuse the children living with the woman. Although the exact percentages are disputed, there is a large body of cross-cultural evidence that women are subjected to domestic violence significantly more than men. In addition, there is broad consensus that women are more often subjected to severe forms of abuse and are more likely to be injured by an abusive partner.

Determining how many instances of domestic violence actually involve male victims is difficult. Some studies have shown that women who assault their male partners are more likely to avoid arrest even when the male victim contacts the police. Another study concluded that female perpetrators are viewed by law enforcement as the victims rather than the actual offenders of violence against men. Other studies have also demonstrated a high degree of community acceptance of aggression against men by women. To make it worse domestic violence also occurs in same-sex relationships. Gay and lesbian relationships have been identified as risk factors for abuse in certain populations. Historically, domestic violence has been seen as a family issue and little interest has been directed at violence in same-sex relationships.

Domestic violence is a pattern of abusive behaviour that transgresses the right of citizens to be free from violence. When one partner in a relationship harms the other to obtain or maintain power and control over them, regardless of whether they are married or unmarried, living together or apart, that is domestic violence. The 'harm' can take a variety of forms, whether it be from verbal abuse like shouting, emotional abuse like manipulation, control and/or humiliation, physical abuse like hitting and/or punching, and/or sexual abuse like rape and/or inappropriate touching of either the woman or her

children. At the time this study was conducted the eyes of the world were directed towards South Africa in the wake of the tragic death of Reeva Steenkamp, allegedly at the hands of her boyfriend, Oscar Pistorius, at the same time as the one Billion Rising campaign draws attention to the high level of gender-based violence on an international scale. If the society can learn anything from this tragedy, it surely must be that violence against women and children is everyone's problem. It is no secret that the eyes of the world are on us as a country yet again, and so far the South African Police Service seems to be falling short in responding to domestic violence. Their determinations leave much to be desired. However, one can only hope that all instances of domestic and gender based violence will be conscientiously pursued in such a manner that the prevalence of violence against women and children is addressed effectively in an attempt to show those who are attacked that their plight is taken seriously.

Furthermore, Freeman (2013) points out that it has been estimated that a woman is killed by her male partner every six hours, the highest rate of death by domestic violence in the world. We have ignored a collective normalisation of violence against women and the horrific truth is that of the 16,000 murders which happen in South Africa each year, many relate to domestic violence. Women in South Africa have more to fear from the people with whom they share their homes than from an outside intruder. Yet there is no sense of fear for our sisters, mothers and daughters.

We try to separate ourselves from the criminals out there, who seek to penetrate our security, but fail completely to appreciate the danger already present in too many homes. South Africa is already internationally notorious for its high crime rate, but domestic violence is swept up along with the other crime statistics, and the intimate nature of these crimes goes largely unreported, but for the attention drawn to it by women's groups. As the South African Police Service does not consider domestic violence as a stand-alone crime when it compiles statistics, it does not have the reliable data necessary to develop effective strategies to tackle domestic abuse.

1.3. OBJECTIVES OF THE STUDY

The central focus of the research was to gather original narrative accounts from South African Police Service officers at police station level by:

- Exploring their experiences on the nature and extent of domestic violence
- Determining the types of service which are found to be helpful in preventing and investigating domestic violence
- Analysing the type of services as rendered to the victims of domestic violence
- Gathering South African Police Service perceptions regarding current strategies to police domestic violence within the Tshwane Policing Area.

A key objective of the study was to broaden our understanding of how best the South African Police Service can respond to the victims of domestic violence. Particular attention is paid to the process of responding to the victims, and this study provides a unique perspective in this regard. Thus, this study investigated and evaluated perceptions of South African Police Service members towards domestic violence at the following five police stations in the Tshwane Policing Area: Atteridgeville, Pretoria Central, Eersterust, Mamelodi East and Sunnyside. Through a literature study, an attempt was made to provide the latest statistical data of the current financial year of 2013/2014 on domestic violence to determine if the recorded incidences of domestic violence were increasing or decreasing, therefore outlining the impact of domestic violence on the victims and the implications thereof for the image of the South African Police Service.

1.4. RESEARCH QUESTIONS

Research questions are questions asked in order to obtain an in-depth understanding of human behaviour and the reasons that control or influence that behaviour (i.e. what, how, and why) Bezuidenhout (2011:40). For the purpose of this study, the research questions are below:

1.4.1. Main question

- Why is domestic violence regarded as a serious crime in South African communities?

14.2. S u b -questions

- What challenges hinder the selected police stations in the Tshwane Policing Area to adequately respond to domestic violence in accordance with the provisions of the Domestic Violence Act?
- Do the current policies or the legislation on domestic violence efficiently empower the police to adequately respond to challenges of domestic violence?
- Are the South African Police Service knowledgeable enough to ensure the safety of the victim by using procedures suited to the level of violence and risk exhibited?
- Do the police have the necessary skills to deal with domestic violence incidences in the Tshwane Policing Area?

1.5. JUSTIFICATION FOR THE STUDY

It is argued that crime against women and children in Gauteng and other provinces deserve extensive research with special emphasis on the current status of South African Police Service responses to domestic violence. Based on the evaluation of the current response standards by the South African Police Service towards the victims of domestic violence, an attempt would be made to make practical recommendations from any weaknesses identified from the findings. Future decisions can then be taken to strengthen these areas and provide more help to survivors and their children and families as well as perpetrators. The study has drawn on a variety of existing information as well as updated research currently underway to help formulate conclusions. This includes the best practices learned from the other law enforcement agencies elsewhere which investigated cases of domestic violence.

Thus, it is envisaged that the findings of this study would also benefit the South African Police Service top Management in terms of formulating strategic policies on future domestic violence to curb incidents of it. The findings will also assist in determining appropriate strategies to respond to the victims of domestic violence at police station level across South Africa and elsewhere; as well as empowering other organisations that are helping victims of domestic violence, such as People Opposing Women Abuse.

1.6. CLARIFICATION OF CONCEPTS

1.6.1. Domestic violence

According to section 1 (iii) (j) of the South African Domestic Violence Act, domestic violence includes a definition of domestic violence which contains the clause: ‘... any other controlling or abusive behaviour towards a complainant, where such conduct harms, or may cause imminent harm to, the safety, health, or well-being of the complainant’. The legislation then describes particular acts of abuse, such as economic abuse and emotional, verbal, and psychological abuse, in more detail. Viitala, et al., (2011:45) went on to define domestic violence as:

“Any use of physical or sexual force, actual or threatened, in an intimate or domicile relationship. It may include a single act of violence; or a number of acts forming a pattern of abuse through the use of assaultive and controlling behaviour. Domestic violence is intentional behaviour. The purpose of domestic violence is to establish and exert power and control over another. The violence is used to intimidate, humiliate or frighten the victim. Men most often use it against their intimate partners, which can include current or former spouses, girlfriends, or dating partners”.

According to the South African Police Service National Instruction 7 of (1999) (in Viitala, et al., 2011:45), further highlighted that domestic violence refers to any one or more of the following acts committed by the respondents against the complainants or victims: physical, sexual, emotional, verbal, psychological, economic abuse and intimidation, harassment, damaging of property in which the complainant has an interest; entry into the residence of the complainant without her consent (where the parties do not share the same residence) or any other controlling or abusive behaviour towards a

complainant. In the study conducted by Hergarty, Elizabeth, Hindsmarsh and Gilles (2000:2) domestic violence was defined as partner abuse, specifically physical violence, between a male and a female partner, most commonly perpetrated by the male partner and it was further argued that the concept 'domestic violence' has been criticised for masking the gendered nature of relationship violence, it is a term that is commonly accepted in Australia as referring to violence perpetrated by one partner or ex-partner upon the other. It is a useful term as it explicitly refers to violence in the home. In reaching consensus the study in question concluded that the concept of 'domestic violence' or 'violence' reflect feminist epistemology that constructs violence as patriarchal domination where women and children are primarily the victims'.

Furthermore, other researchers (cited in Garratt (2012:17) added that there is variation in the terminology used to describe domestic violence and it is necessary to ensure clarity in the way we think about the phenomena. Current terminology includes:

- Family violence.
- Woman abuse.
- Battered women.
- Gender-based violence
- Intimate partner violence.
- Intimate violence.
- Domestic abuse.

1.6.2. Policing

Burger (2007:27) defines this term as the policies, techniques, and practice of the police in keeping order and preventing crime, among other things. Smit et al. (2004:11) further explained that policing refers to a set of processes with specific social functions.

It is a universal requirement of any social order, and may be carried out by a number of different processes and institutional arrangements.

1.7. SCOPE OF THE STUDY

For the purpose of this study five police stations were identified: Atteridgeville, Pretoria Central, Eersterust, Mamelodi East and Sunnyside. The Atteridgeville police station is in the township that comprises mostly Africans and there is informal settlement in the Tshwane Policing Area. The Pretoria Central police station is situated in the Central Business District of Tshwane. Eersterust is the neighbouring station of Mamelodi East which is mainly dominated by the coloured population while Sunnyside in Tshwane is occupied mostly by Africans and a large number of foreign nationals. Domestic violence is a national problem and the researcher has chosen the specific police stations as samples in order to determine the way in which they police domestic violence. Not all the station areas will be covered in this study. Another reason for choosing those specific police stations in the Tshwane Policing Area is to collect or to obtain information from different cultures, including the African culture, the culture of the coloured people, and the foreign nationals who dominate in Sunnyside and the white culture, found mostly in the surrounding suburbs. The purpose is to arrive at different dynamics of domestic violence in those areas.

1.8. LAYOUT OF THE DISSERTATION

Chapter 1: General orientation

This chapter presented the introduction to the study by describing the statement of the problem, study objectives, research questions and the justification for the study. The concepts were clarified and the scope of the study was also outlined.

Chapter 2: Research design and methodology

In this chapter the context in which the study takes place and the overview of the research design and methodology and design were discussed by the researcher. The structure of the research report was also presented.

Chapter 3: Literature review on domestic violence

The researcher provided an overview of the literature of the local and international publications / documents and legislation on the domestic violence problem as researched by other authors. In addition, the literature review contextualised the study and furnished the theoretical framework within which the research was done. It further discussed related research findings from the international arena.

Chapter 4: Review of relevant theories on domestic violence

In this chapter related theories on domestic violence were discussed.

Chapter 5: Data analysis and interpretation

This chapter highlighted the results of the study and how the results were presented, analysed and interpreted by the researcher.

Chapter 6: summary, recommendations and conclusion

This chapter provided a summary, limitation, recommendations and the conclusion to the study.

1.9. CONCLUSION

In this chapter the researcher introduced the reader to the research problem to be investigated. The chapter covered research design and methodology and chapter three will focus on related literature review, documents and legislation covering domestic violence in South Africa and elsewhere.

CHAPTER 2

RESEARCH DESIGN AND METHODOLOGY

2.1. INTRODUCTION

The study was conducted in the Tshwane Policing Area of Pretoria. Five police stations were identified in the study area. A detailed description of the location of the study is given below). Additional information covered in this chapter includes the research design and methodology followed to undertake this study, including study population, sample size, and procedures. This chapter further explains how the data was collected and analysed. Limitations, relating to the problems encountered during the data collection process, the reliability and validity of the data, and ethical considerations, are briefly discussed.

2.2. DESCRIPTION OF LOCATION OF STUDY

The City of Tshwane Metropolitan Municipality was established on 5 December 2000. When founded it consisted of thirteen former city and town councils and managed by an executive mayoral system, incorporating additional neighbouring areas. The Metsweding District Municipality was incorporated into the City of Tshwane Metropolitan Municipality, with effect from 18 May 2011 (the date of the 2011 municipal elections). The municipality also controversially sought to incorporate Midrand, which is part of the City of Johannesburg Metropolitan Municipality, to offset the costs of absorbing Metsweding, amid a financial crisis in the City of Tshwane Metropolitan Municipality. Geographically; the City of Tshwane Metropolitan Municipality's land area increased from 2,198 square kilometres (849 sq mi) in 2010 to 6,368 square kilometres (2,459 sq mi) after the incorporation of Metsweding.

The City of Tshwane has a population of approximately 2,1 million people, which translates to 911 536 households according to the 2011 census. This population grew by 3.1% per annum for the period between 2001 and 2011. The majority of the population of the city is made up of young people aged between 30 and 39 years old with the majority of the population falling within the working age group (15 to 64),

according to the City of Tshwane Integrated Development Plan (2013:11). As a result the City of Tshwane Metropolitan Municipality consists of the following areas, among others:

- Atteridgeville.
- Eersterust.
- Pretoria Central.
- Sunnyside.
- Mamelodi East.

Tshwane Policing Area has got six policing clusters: Pretoria Central cluster with eight police stations, Ga-Rankuwa cluster (five), Mamelodi cluster (six stations), Bronkhorstspuit cluster (five stations), Sunnyside cluster (six stations) and lastly Temba with five stations.

2.3. RESEARCH DESIGN AND METHODOLOGY

Research design is the planning of any scientific research from the first to the last step. In this sense, it is a programme of guiding the research in collecting, analysing, and interpreting data (Bless & Higson-Smith, 1995:63). In view of this statement, it is evident that the aim of the research design is to align the pursuit of scientific research with the practical considerations and limitations of the project being undertaken at an exploratory level. Bezuidenhout (2011:40) maintains that research design is the blueprint, the procedure or the plan of action, which acts as a framework or guideline of the study. Furthermore, Bezuidenhout (2011:40) refers to methodology as the method used to collect and analyse data. This involves the method that is used when the researcher is collecting data. This is further understood as the process used to collect information and data for the purpose of making business decisions. Hart (1998:28) went on to define the methodological section as being 'a system of methods and rules to facilitate the collection and analysis of data. It provides the starting point for choosing an approach made up of theories, ideas, concepts and definitions, for the topic'.

Accordingly, this is positively perceived to dispense the foundations, for a 'competent' and 'efficacious' research project (Bachman & Schutt, 2010:64). On the contrary, Blaikie (2010:84) denotes it as being the most difficult part. Nonetheless, before a concise explanation of the methodology selected, for this critical literature review is mentioned, a more comprehensive definition of 'criminology research' needs to be addressed. In view of the purpose of the study, a qualitative research approach was adopted by the researcher. According to Filstead (1970:6) qualitative methodology refers to those research strategies, such as participant observation, in-depth interviewing, total participation in the activity being investigated, field work and others, which allow the researcher to obtain first-hand knowledge about the empirical social world in question.

This approach has the following advantages:

- The researcher is close to the information.
- The researcher is able to follow up if he or she misses the point.
- The information is valid.

Filstead (1970:6) stated that when qualitative methodological procedures are employed, the problem of validity is considerably lessened and concern over the reliability of the data is increased. The disadvantage of this approach is that qualitative research takes much longer and requires greater clarity of goal during design stages. It cannot be analysed by running computer programmes (Berg, 1998:2).

2.3.1. Target population and sampling

A population is any set of people or events from which the sample is selected and to which the study results will generalise (Marion, 2004). A sample is a group of people or events drawn from a population. A research study is carried out on a sample from a population. The goal is to be able to find out true facts about the sample that will also be true of the population. Bezuidenhout (2011:40) defines sampling as a selection process whereby a smaller, representative part of the larger group is selected for research purpose.

In this study, five police stations around Tshwane Policing Area in Gauteng province were selected, namely Atteridgeville, Eersterust, Mamelodi-East, Pretoria Central and Sunnyside. As a result, the mentioned five were selected basing conclusion to the prevalence of domestic violence. South African Police Service officials as attached to the identified police stations form part of this study; in totality 40 sworn police officials formed a population for this study whereby each station was represented by Seven (7) police officials (i.e. 40:10 ration).

2.3.2 Sampling procedure

The study was based on non-random sampling as not all the participants had an equal chance of taking part in it. If all participants were granted an equal chance, it would be time consuming, more expensive. Castillo (2009) explains that this type of sampling is a sampling technique where the samples are gathered in a process that does not give all the individuals in the population equal chances of being selected. Due to the limited budget of the researcher, it was almost impossible to randomly sample the entire population and it was therefore appropriate to employ another sampling technique, the non-probability sampling technique. Non-probability sampling was applied as this sampling method is more convenient, less complicated, much less expensive and may be executed on a spur-of-the-moment basis to take advantage of available respondents without the statistical complexity of probability sample selection. Although the sample was selected in accordance with a non-probability sampling procedure, it clearly reflects an acceptable degree of diversity. The researcher took cognisance of the fact that the sample must be shaped in such a way that it should represent the population as widely as possible.

2.4. METHODS OF DATA COLLECTION

Various authors suggest a number of strategies that can be employed when collecting data. These strategies include the use of a questionnaire, interview schedules or guides, documents, observation, observation guide, and audio tape or video camera. For the purpose of this study, interviews with open-ended structured interviews were formulated.

These research instruments that relate to participants' experiences, feelings and beliefs and convictions were used for all participants. Biographical information at the time the interviews were conducted was also taken into consideration to validate the information provided by the selected participants, said (Babbie, 1995; Bailey, 1996; Creswell, 1994, 1998, 2009; Bless & Higson-Smith, 2000). During the interviews, the researcher also employed the technique of probing with the aim of obtaining more descriptive responses relevant to the questions. In this regard, Terreblanche and Durrheim (2002:281) state that in-depth information can be derived from semi-structured interviews and probing. Information will be gathered from different sources including internet sites, journal articles, relevant literature, and the South African Police Service intranet for acts and regulations pertaining to the domestic violence and other sources that might be helpful in providing necessary information on domestic violence. Therefore, the following data collection methods were employed in this study.

2.4.1. Literature review

Jackson (2006:27) claimed that once you decide on a topic of interest, the next step is to conduct a literature review. He further maintains that literature review involves searching the published studies on a topic to ensure that you grasp all the research that has been conducted in the area that might be relevant to your intended study. The researcher used different sources to obtain information on the study. Different text will help the researcher to understand the problem of the study and familiarise herself with the ideas of other authors, policies, legislation and national instruction on domestic violence. This will also help the researcher to focus on the study.

2.4.1.1. South African Police Service (SAPS) official documents

A document is something tangible that records communication or facts with the help of marks, words or symbols. A document serves to establish one or several facts, and can be relied upon as a proof thereof. Generally speaking, documents function as evidence of intentions, whereas records function as evidence of activities (Business Dictionary, 2014).

Documents were perused and analysed for the purpose of the study, but this was limited to South African Police Service statistics, the Occurrence Book of the station, the minutes of the station which include the Crime Combating Forum, Community Policing Forum's circulars, domestic violence register, circulars, Domestic Violence Act document, domestic violence and police dockets. The meeting between the researcher and the target groups where information was gathered was also on record (minutes).

2.4.2. Interviews

Denzin (1989:103) citing (Maccoby & Maccoby, 1954) states that the interview is a face-to-face verbal interchange in which one person, the interviewer, attempts to elicit information or expressions of opinions or belief from another person or persons. There are three types of interviews: structured, semi-structured and unstructured. The researcher used the unstructured interview. Unstructured interviews are interviews without any set format but in which the interviewer may have some key questions formulated in advance. Unstructured interviews allow questions based on the interviewee's responses and proceeds like a friendly, non-threatening conversation. However, because each interviewee is asked a different series of questions, this style lacks the reliability and precision of a structured interview.

In the light of the above, structured interview is also called non-directive interview, mentioned (Business Dictionary, 2014). This kind of interview is a one-on-one session and it allows the participant to be free in responding to the question, it also allows privacy and they can express themselves freely. According to Santiago (2009) unstructured interviews have the most relaxed rules of the three. In this type, researchers need only a checklist of topics to be covered during the interview. There is no order and no script and during this process the interaction between the participant and the researcher is more like a conversation than an interview. Unstructured interviews are most often used in ethnographies and case studies which are still viewed by the researcher as one of the types of qualitative research.

They are best used when researchers want to find as much information as possible about their topic. The benefit is that unstructured interviews often uncover information that would not have been exposed using structured or semi-structured interviews and the researcher and participant are not limited by the protocol. Data sets collected using unstructured interviews will be larger than the rest.

2.5. METHODS OF DATA ANALYSIS

After the data has been collected through the use of literature review or documentation and interviews it was analysed by the researcher. The thematic analysis technique was used to aid the notes taken during the interviews; in addition a voice recorder was used by the researcher in order to transcribe the recordings at later stage of data analysis. Themes were classified from the transcribed interviews and field notes. Creswell (1998:144) states that classifying means taking the text or qualitative information apart and looking for categories, themes or dimensions of information and the manual process, or 'Tech's technique', was utilised to analyse the data collected.

The reason for utilising this technique was that the researcher was still learning how to conduct scientific research and it is appropriate to use a technique that will provide an in-depth understanding of the research process. As suggested by Creswell (1998), eight phases were used to analyse data, namely "data collection" and "preliminary analyses": (1)The twofold approach, (2)Managing data, (4)Reading and writing memos, (4)Generating categories, themes and patterns, (5)Coding data, (6)Testing emergent understandings, (7)Searching for alternative explanations and (8) Writing reports.

2.6. STRATEGIES TO ENSURE RELIABILITY

Bezuidenhout (2011:52) argued that reliability means the method of testing and measuring used would give the same result if the test were to be repeated. Shuttleworth (2008) averred that the idea behind reliability is that any significant results must be more than a one-off finding and be inherently repeatable. Other researchers must be able to perform exactly the same experiment, under the same conditions and generate the same results.

This will reinforce the findings and ensure that the wider scientific community will accept the hypothesis. Also Spata (2003:63) mentioned that in this instance, the researcher should think of a friend that he/she would describe as reliable, what is this person like? Most likely the trait reliability implies he or she is dependable, trustworthy, stable and consistent. He further indicated that the same holds true for the reliability of measurement, if the device you are using to measure the dependent variable produces a consistent result each time it is used, you can say that it has reliability. For the purposes of the study, the researcher gathered information from the participants and it was written in the A4 notebook and recorded by a voice recorder which thereafter was neatly typed and saved on a hard drive, memory stick and print-outs were made and safely kept. And the writings and recordings were quoted verbatim in the process of analysis by the researcher.

2.7. ETHICAL CONSIDERATIONS

Bezuidenhout (2011:53) is of the view that researchers should treat others in the way they would like to be treated themselves. Unacceptable treatment of a participant in the research process during any interaction in a communal context has the potential to cause harm or violence to a person's rights as a human being. Bezuidenhout (2009:472-473) defines ethics or ethical behaviour as the moral principles and behavioural expectations that should be adhered to by researchers when they interact with other people, in order to avoid causing harm to them. Therefore, the researcher applied ethical values in this study by adhering into the principles of good conduct and systems of moral values. This was done by relating ethical behaviour to the conduct that conforms to accepted principles of morality and good conduct in the Tshwane precinct. Consequently, the researcher is of the opinion that ethics is defined as the study of what constitutes good or bad conduct, thus, it is of the utmost importance for the police officials to conduct themselves ethically while executing their duties. This thinking was corroborated by Dempsey and Forst (2008:198) who indicated that it is important for police officers to study ethics for many reasons.

Police officers use a lot of discretion and one of their duties is the enforcement of the law. At the same time it is their duty to protect the constitutional safeguards that are the basis of our system, due process and equal protection. They are public servants and their behaviour involves public trust. For the purpose of the study the researcher adhered to some of Unisa's ethical principles as well as the South African Police Service code of ethics in order to obtain necessary information from the target groups. The researcher adhered to some of the University of South Africa's guidelines for ethics review (2007) to protect the participants against any possible harm. This involves among others:

2.7.1. Informed consent

As University of South Africa's guidelines for ethics review (2007) reveals consent needs to be obtained from the participants and they must do that in writing and they should in turn be given written information containing adequate details of the research. The participation of individuals should be based on their freely given, specific and informed consent. Researchers should respect their right to refuse to participate in research and to change their decision or withdraw their informed consent given earlier, at any stage of the research without giving any reason and without any penalty.

2.7.2. Risk minimisation and confidentiality

Researchers should ensure that the actual benefits to be derived by the participants or society from the research clearly outweigh possible risks, and that participants are subjected to only those risks that are clearly necessary for the conduct of the research. Researchers should ensure that the risks are assessed and that adequate precautions are taken to minimise and mitigate risks described in the University of South Africa's guidelines for ethics review (2007).

2.7.3. The South African Police Service ethics

Like any other organisation, the South African Police Service also has its ethics and morale. According to Smith et al, (2004:149-150) The South African Police Service has a code of conduct that guides every member on standards and moral judgement.

It is the responsibility of managers and supervisors to implement the code of conduct in the units, departments or stations. The South African Police Service is regarded as a government organisation and has to adhere to prescribed legislation, regulations and official directives. The National Instruction 1/2006 (cited in Smith et al.(2004) further stated that research in the service stipulates that a person who wishes to conduct research in the service must first apply and if the application is approved, the researcher will be informed in writing that the permission is granted, provided that the researcher signs an undertaking (a copy of which must be attached to the letter) to comply with the condition upon which the research was approved. Furthermore, the researchers are urged to adhere to the governance and protocol of the organization and where access is granted to sensitive information, treat it as such. Like the University of South Africa, the South African Police Service also emphasises the notion of informed consent and confidentiality.

2.8. LIMITATIONS OF THE STUDY

This research was conducted at selected stations within Tshwane Policing Area in Gauteng Province. Information was obtained through a mixed methods or techniques to solicit the views of active police officials as well as victims of domestic violence on how the police respond to complaints of domestic violence cases.

2.8.1. Geographical demarcation

This study was conducted in the South African Police Service environment of Atteridgeville, Pretoria Central, Eersterust, Mamelodi East and Sunnyside police stations within Tshwane, and did not cover the entire area of Tshwane. The selected five police stations in the Tshwane Policing Area was based on that; the researcher is a police women official who has been the permanent resident of City of Tshwane for seven years to date (2015) and has knowledge and the interest at heart about the policing of domestic violence incidences against women and children.

2.8.2. Conceptual limitation

This study focused on domestic violence against women and children(i.e. grown-up women and little girls) only. The male individuals who affected by this scourge were not covered. And the findings and recommendations of this study would not be applicable to incidences of domestic violence in general but would be concentrated on women and children.

2.9. CONCLUSION

This chapter gives details of the location of the study, the research design and methodology, target population and sampling methods, methods of data collection, data analyses, and strategies to ensure reliability, ethical considerations and limitations of the study. The next chapter presented a South African and global literature review, documents and legislative mandates on domestic violence.

CHAPTER 3

LITERATURE REVIEW

3.1. INTRODUCTION

This chapter reviewed related literature and documents on domestic violence in South Africa and in the global arena. It should be noted that Chapter 1 provided a brief overview of the background to the study, including clarification of concept(s) and Chapter 2 provided the research design and methodology. This chapter investigated historical and social complexities of domestic violence specifically in the context of women and children across South Africa and some parts of the world. In this chapter a number of areas of significance to this study will be explored in order to provide an overview of relevant research findings and to locate it within the current context in South Africa. Firstly, there was an overview of related literature and then an exploration of the legislative framework set out to safeguard women and children, the prevalence of domestic violence to women and children, followed, in turn, by a consideration of the different ways the phenomenon being experienced, the potential impact upon their development, and the complexities occurring alongside other crimes in South African communities and elsewhere.

3.2. HISTORICAL PERSPECTIVE ON DOMESTIC VIOLENCE: GLOBAL PERSPECTIVE

Over the last 30 years research into the area of women and children's exposure to domestic violence has gradually increased and continues to increase at an exponential rate, according to Garratt (2012:22). Domestic violence is recognised as a serious, worldwide social problem and a human rights violation.

The consideration of different types of violence present within couples enables the possibilities recently suggested about the gender mutuality of violence to be taken into account, without undermining the historical feminist stance. Domestic violence (or 'intimate terrorism' as described by Johnson, 2006b) (cited in Garratt, 2012:22) is further defined as a process whereby the use of control by one partner is present and is typically gendered with male perpetrators and female victims. Experiences of domestic violence are varied and can include physical, sexual, emotional and financial abuse, usually over a prolonged period of time with increasing severity and the potential consequences can impact on all aspects of life for the victim.

George (2002:3) reports that the history of domestic violence is linked to the patriarchal society view of men always being the perpetrators, as in earlier periods women had fewer rights than men and were subordinate to them in the home. He argues however that 'English historical evidence, and later analysis of it, shows that in the nineteenth century and before there was not only concern for male violence against wives, but also considerable concern for the violation of Patriarchal norms of the violence of wives against husbands' George (2002) researched back into common law of the 18th century to find the much reported legal 'approval' for men beating their wives, but actually found that there were legal restraints and convictions for male abuse of women going back to the 11th century. In the mid-19th century there were a series of laws that gave rise to harsh prison sentences or public floggings for men who committed violence against their wives.

George (2002) further states that the work of Steinmetz (1977) highlighted the '*Chivari*' customs in Central Europe which ridiculed men who were beaten by their wives and included public humiliation. In the West of England during the 16th and 17th century there are recorded examples of the '*Skimmington*' procession where a man is paraded riding backwards on a horse or donkey, incurring the public ridicule of neighbours. This appears to have had the public approval of the senior figures in society as they felt it was against natural law for a woman to be the stronger character in a marriage.

George (2002) citing Johnson (2005) also refers to the work of Steinmetz (1977) who first described 'battered husbands' syndrome and the impact that this had on the view of domestic violence as a solely male against female action. She reported that violence against men by women was as common in the United States (US) as men against women. As reported by Allen-Collinson (2009:1) 'concepts of intimate partner abuse and violence are shifting, complex, situational and multifaceted. Whilst women's narratives of abuse have provided much needed insights into the subjective experience of intimate partner abuse, men's accounts of female perpetrated abuse have been slower to emerge, generating much controversy and hostility.'

The evidence from this research indicates that there are many myths about men having always been the perpetrators of domestic violence and in reality there have been laws against men committing this offence going back many centuries, but if men are being abused they are often vilified. Changes in this perception did not really occur until the 1970s, when the growth of feminism led to a social and criminal justice concentration on violence against women. This gave rise to the work of Steinmetz (1977) who suffered a terrible backlash from her work that indicated that men were also victims. Kelly (2003) describes how Steinmetz received verbal abuse and bomb threats and efforts were made to remove her from her academic posts.

Other researchers in the same field backed away from this area because of the feminist lobby. In the historical context Kelly (2003:801) contends "Criticisms have ranged from personally attacking the researchers, to more academic efforts directed at attacking the work itself by denying the validity of the reports, to an outright defence of the violent behaviour of women or otherwise minimising its significance." However, the evidence demonstrates that there is now recognition that a serious problem exists with every type of domestic violence by whichever gender, although the police and support services have not fully responded to the change.

3.3. THE OCCURRENCE OF DOMESTIC VIOLENCE

Epstein (2003:9-11) suggested that many consider domestic violence to be simply a man beating up his wife, or 'wife-battering' but it is not that simple. The appropriate definition of domestic violence is a purposeful pattern of assaultive and coercive behaviours that adults or adolescents use against their intimate partner causing physical, economic, or psychological harm. Most domestic violence is gender violence, which means it is violence by men directed at women or girls, due to the fact that they are female. Though males can be victims as well, Epstein (2003) refers to the abuser as male and the victim as female throughout his manual.

He said that this is the most common scenario that you will encounter in counselling. In support of this statement the researcher further illustrates that the predominance of domestic violence in South African communities reflects the high levels of inequality between women, children and men. In an attempt of making women, children and men equal by relevant stakeholders remains an impossible task thus far. The researcher goes on record that the primary perpetrators of domestic violence against on women and children are boys and men, and this scourge is becoming a community problem at this stage. However, this assertion is not conclusive.

3.4. FORMS OF DOMESTIC VIOLENCE

Researchers such as Bertus (2014) and Epstein (2003:9) concluded that the concept of domestic violence is rarely a one-time event and usually escalates in frequency and severity and it is necessary to remember that domestic violence is not just physical, but can take many forms. As a result domestic violence appears in various forms and some of them will be discussed briefly. The former researchers both concluded that forms of domestic violence generally include nine acts. These include:

3.4.1. Physical abuse

Any act or threat of physical violence intended to cause physical pain, injury, suffering or bodily harm. Physical abuse can include hitting, slapping, punching, choking, pushing and any other type of contact that results in physical injury to the victim. Physical abuse can also include behaviours such as denying the victim medical care when needed, depriving the victim of sleep or other functions necessary to live, or forcing the victim to engage in drug or alcohol use against his/her will. It can also include inflicting physical injury onto other targets, such as children or pets, in order to cause psychological harm to the victim. This also relates to (see overleaf):

- **Isolation:** From friends and relatives; monitoring or blocking a person's telephone calls or disconnecting the telephone; telling someone where they can and cannot go; making someone a prisoner in their own home.
- **Harassment:** Following a person; checking up on them; opening their mail.
- **Threats:** making angry gestures; using physical size to intimidate; wielding a knife or a gun; threatening to kill or harm someone, their children, their friends and family, or himself; punishing or depriving the children when he is angry with their mother and abusing the pets to hurt someone or their children.
- **Denial:** Saying the abuse does not happen; saying the abused caused the abusive behaviour; being publicly gentle and patient or charming, but privately violent and abusive; crying and begging forgiveness; saying it will never happen again, and; manipulating a person with lies and contradictions.

In response to physical abuse as mostly directed to women and children, the researcher is of the view that women and children become vulnerable to victimisation by men in the majority of cases. These parties are abused every day, the physical evidence within a marriage or abusive relationship bear evidence. However, responding to domestic violence remains a complicated crime to understand.

3.4.2. Sexual abuse

Any conduct that abuses, humiliates, degrades or otherwise violates the sexual integrity of the victim. Sexual abuse is any situation in which force or threat is used to obtain participation in unwanted sexual activity. Coercing a person to engage in sexual activity against their will, even if that person is a spouse or intimate partner with whom consensual sex has occurred previously, is an act of aggression and violence. Sexual violence is defined as: *“any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic, or otherwise directed, against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting, including but not limited to home and work.”* Marital rape, also known as spousal rape, is non-consensual sex in which the perpetrator is the victim’s spouse. As such, it is a form of partner rape, and amounts to domestic violence and sexual abuse. Marital rape has been described as one of the most serious violations of a women’s bodily integrity and yet it is a term that many people still have a problem comprehending, with some still describing it as a ‘contradiction in terms.’ The following categories of rape are further identified by Bertus (2014) and Epstein (2003):

- **Power Rape:** The rapist uses enough physical force to subdue the victim. He uses each assault to prove that he is powerful and competent and to give him a sense of self-worth by deluding himself into thinking that the woman ‘wanted it’ (most common form).
- **Anger Rape:** The rapist brutally beats and degrades his victim. He uses each assault to express his rage against women; usually these rapes are of women he knows. The pleasure he derives is not from the sex but from hurting and humiliating his victims.
- **Sadistic Rape:** The violence becomes eroticised. The victim is stalked and tortured (least common, usually carried out by mentally ill men).
- **Sexual degradation:** Including using abusive insults such as ‘whore’ and ‘frigid’; sexual criticism; making demeaning gender-based comments.
- Forced sadomasochistic practices.
- Insisting on unwanted and uncomfortable touching.
- Forcing a person to strip.

- Having affairs with other people after agreeing to a monogamous relationship.
- Publicly showing sexual interest in other people.
- Withholding sex and physical affection, and;
- Minimising someone's feelings about sex.

It is a well-known fact that acts of sexual abuse go unreported in most cases owing to security and misconceptions that exist in the relationships domain. Women and children are sexually abused every day and their words are not heard. Thus, the researcher concludes that sexual abuse remains one of the important elements of domestic violence.

3.4.3. Emotional, verbal and psychological abuse

Bertus (2014) and Epstein (2003) further highlighted that usually a pattern of degrading or humiliating conduct towards the victim privately or publicly, including repeated insults, ridicule, name calling and/or repeated threats to cause emotional pain; or the repeated exhibition of obsessive possessiveness or jealousy, which is such as to constitute a serious invasion of the victim's privacy, liberty, integrity and/or security. Other acts that fall under emotional abuse include controlling what the victim can and cannot do, withholding information from the victim, deliberately doing something to make the victim feel diminished or embarrassed, isolating the victim from friends and family, implicitly blackmailing the victim by harming others when the victim expresses independence or happiness, and denying the victim access to money or other basic resources and necessities.

Emotional abuse includes conflicting actions or statements that are designed to confuse and create insecurity in the victim. These behaviours lead victims to question themselves, causing them to believe that they are making up the abuse or that the abuse is their fault. Emotional abuse also includes forceful efforts to isolate the victim, to keep them from contacting friends or family. This is intended to eliminate those who might try to help the victim leave the relationship and to create a lack of resources for the victim to rely on if they were to leave.

Isolation eventually damages the victim's sense of internal strength, leaving them feeling helpless and unable to escape from the situation. Women and men undergoing emotional abuse often suffer from depression, which puts them at increased risk for suicide, eating disorders, and drug and alcohol abuse. In view of above, the researcher is of the opinion that words are said to women and children which harm the way they respond to real life situations. This can destroy the way they treat life and view the world. This mostly occurs at homes, schools and in the workplace, to name just three (Bertus, 2014) and (Epstein, 2003).

3.4.4. Economic abuse

This includes the unreasonable deprivation of economic or financial resources to which the victim is entitled under law or requires out of necessity, including household necessities, mortgage bond repayments, rent money in the case of a shared residence, and/or the unreasonable disposal of household effects or other property in which the victim has an interest. Economic abuse may involve preventing a victim from resource acquisition, limiting the amount of resources available to him/her, or exploiting the victim's economic resources. The motive behind preventing a victim from acquiring resources is to diminish his/her capacity to support him/her, thus forcing the victim to depend on the perpetrator financially. In this way, the perpetrator can prevent the victim from obtaining education, finding employment, maintaining or advancing a career and acquiring assets. The abuser may also put the victim on an allowance and closely monitor how he/she spends money (Bertus 2014; Epstein 2003).

Sometimes the abuser will spend the victim's money without his/her consent and create debt, or even completely spend the victim's savings to limit available resources (Bertus 2014; Epstein 2003). Considering the above assertions the researcher is of the view that women and children are victims of economic abuse. Women use money to attract love from their partners by buying them alcohol and they then abuse them in return. And again, the children sometimes suffer when their grant money is wasted by the parents instead of offering them proper support systems.

3.4.5. Intimidation

Uttering or conveying a threat, or causing a victim to receive a threat, which induces fear. The abuser may use a variety of intimidation tactics designed to scare the victim into submission. Such tactics may include smashing things in front of the victim, destroying property, hurting the victim's pets or showing off a weapon. The clear message is that if the victim does not obey, there might be violent consequences. In this regard, the researcher is of the opinion that this is done to enable women and children to be submissive to men's demands and always act according to what the opposite sex requires from them on day-to-day basis (Bertus 2014; Epstein 2003).

3.4.6. Harassment

Engaging in a pattern of conduct that induces a fear of harm in the victim, including repeatedly watching the victim; loitering outside of or near the building/place where the victim resides, works, carries out business, studies or happens to be; repeatedly making telephone calls or inducing another person to make telephone calls to the victim, whether or not conversation ensues; repeatedly sending, delivering or causing the delivery of letters, emails, texts, packages or other objects to the victim. In line with this form of domestic violence, the researcher thinks this occurs everywhere as long as the opportunity to practice such act does exist. The researcher further asserts that we are living in a sexually oriented world in which harassment is becoming common and limited attention is paid to this act (Bertus 2014; Epstein 2003).

3.4.7. Stalking

There is no real legal definition of stalking. Neither is there any specific legislation to address this behaviour. The term is used to define a particular kind of harassment. Generally, it refers to a long-term pattern of persistent and repetitive contact with, or attempts to contact, a particular victim. Examples of the types of conduct often associated with stalking include: direct communication; physical following; indirect contact through friends, work colleagues, family or technology, email or Short Message Service (SMS); and other intrusions into the victim's privacy.

The abuse may also take place on social networks like Facebook, on-line forums, Twitter, instant messaging, SMS, and BlackBerry Messenger or through chat software. The stalker may use websites to post offensive material, create fake profiles or even make a dedicated website about the victim. With the above mentioned borne in mind, the researcher claims we are living in a technologically advanced world. Women and children become victims of stalking through social networks resulting from attention seeking and the consequences at this stage are thereof are minimal.

3.4.8. Damage to property

Bertus (2014) and Epstein (2003) further said that domestic violence can lead to wilful damaging or destruction of property belonging to the victim or in which the victim has a vested interest, forceful entry into property, forceful entry into the victim's residence without consent, where the parties do not share the same residence and any other controlling or abusive behaviour. The researcher is of the view that this occurs when relationships end bitterly. The perpetrators act aggressively to escape from reality and in other cases it is found that women and children end up not having a home and in such incidents women become direct / primary victims while children are secondary victims.

3.4.9. Imminent harm

In conclusion Bertus (2014) and Epstein (2003) assert that the perpetrator is in possession of a firearm and has threatened to use the firearm against the victim, or her dependants or other family members. The perpetrator may have used a weapon against the victim in previous incidences of domestic violence (not restricted to dangerous weapons, such as firearms or knives), the victim may have been critically injured by the perpetrator on a previous occasion, or on the occasion in question. The victim and her children may have been 'kicked out' of the shared residence by the perpetrator or anyone affiliated with him, the victim may have sufficient evidence (i.e. witness statements) that the perpetrator has threatened to harm her, and the victim fears for the safety of her children.

The researcher is of the view that the perpetrators of domestic violence instill physical harm or a psychological conception that harm will occur to woman and children victims. This ensures the latter not fully participating in the relationships, but thinking something bad can happen to them upon attempting to leave them. This can lead to death and serious injuries at some point.

3.5. THE IMPACT OF DOMESTIC VIOLENCE

The effects of domestic violence and abuse on victims are profound, according to Garratt (2012:21). Though domestic violence can happen to anyone irrespective of gender, women and children are in great danger in places where they should be safe within their families. For many, home is where they face a regime of terror and violence at the hand of somebody close to them, somebody they should be able to trust, they are unable to make their own decision or voice their opinion or protect themselves. Their human rights are being denied and their lives are stolen from them by the ever-present threat of violence.

Domestic violence is mostly viewed as violence against women and children and for the purpose of this section of the study the focus will mainly be placed on the impacts of domestic violence on women and children as victims. Harne and Radford (2008:37) revealed that the focus in the first part is on women's experiences because all the research indicates that they are far more likely to experience negative impacts in comparison to male victims regarding anxiety and fear, injury and ill health and depression and in extreme cases, death. The researchers in question held the view that examining the identified issues continues to underline domestic violence as a gendered crime which is used by men to dominate and control women and which in male dominating societies often leave women with few options to escape the violence. Moreover, other researchers such as Garratt (2012:21) assert that domestic violence rarely consists of a single incident but 'typically involves an escalating pattern of coercive and controlling behaviour' and there are many variations in the way that domestic violence can be experienced, and to varying degrees of severity, these can include:

- **Physical violence:** Being hit, slapped, punched, kicked, and having weapons used against them. In the worst cases this can lead to unconsciousness, miscarriages and death.
- **Sexual violence:** Rape, sexual assault, degrading or humiliating sexual acts.
- **Emotional or mental cruelty:** Such as persistent criticism, isolation, and the denial of privacy.
- **Other forms of abuse and controlling behaviour:** Such as damage or theft of property, threats or violence to children or pets, being denied access to work and financial restriction. Consequently, Garratt (2012:22) maintains that domestic violence can lead to a range of physical, emotional, psychological, social and economic consequences for the victims, who are most commonly women and their children. These consequences can include:
 - Problems concentrating;
 - Feelings of shame, despair and hopelessness;
 - Flashbacks;
 - Anger;
 - Increasing likelihood of misusing drugs or alcohol;
 - Fear;
 - Sleep disturbance;
 - Depression;
 - Post-traumatic stress disorder;
 - Loss of self-confidence;
 - Feelings of isolation;
 - Panic or anxiety; and
 - Eating disorders, and wanting to, or actually attempting suicide.

The findings of the study conducted by Dodds (2009) (cited in Garratt, 2012:22) indicate that the psychological impact on a woman's emotional health and well-being remains the cornerstone of domestic violence as the study revealed that all the women interviewed reported mental health support needs related to their experiences of domestic violence.

3.5.1. The Impact of domestic violence on women: South African and global context

Themistocleous (2008:2) suggests that violence against women has been one of the most prominent features of post-apartheid South Africa. Domestic violence and the extent of the problem was recognised by the African National Congress government from relatively early in its tenure. One of the most obvious impacts in relation to women's experience of domestic violence is the physical harm caused through injuries. This can range from bruising to more serious injuries, some of which can result in permanent impairment such as loss of hearing or sight (World Health Organisation, 1997) cited (in Harne et al., 2008). Stanko et al., (1998) as quoted by Harne et al., (2008:39) stated that a local survey in Hackney found that as well as broken bones and bruising these also included burns, miscarriage and attempted strangulation, and ten per cent of women in that study had been knocked unconscious. Therefore, the under-mentioned impacts against women are identified as, among others:

- **General ill health:** Harne et al., (2008:39) point out that only recently has recognition been given to how domestic violence affects women's general health. World Health Organisation studies, which have gathered data from industrialised and developing countries, give some indication of the extent of ill health caused by domestic violence.

For example, the 2002 World Health Organisation (cited in Harne et al., 2008) survey found that women who had experienced domestic violence were more likely to experience chronic pain, gastro-intestinal disorders, irritable bowel syndrome, ocular damage, disability and reduced physical functioning than other women.

The WHO 2005 survey found that in the majority of settings, women who had experienced sexual and or physical partner violence were more likely to report poor or very poor health compared to women who had never experienced domestic violence. Common problems reported by women included difficulties with walking and carrying out daily activities, pain, memory loss and vaginal discharge (Harne et al., 2008). As these were lifetime experiences it is suggested that these findings indicate the cumulative impacts of chronic domestic violence. Other studies have suggested that women experiencing domestic violence are more vulnerable to illness and infections due to lower immunity, caused by the stress of the violence.

- **Sexual and reproductive health:** Harne et al., (2008:38) found that women who experience sexual violence in partner relationships are more likely to have sexually transmitted diseases, urinary tract infections and have more gynaecological complaints than other women. A study from the United States (Plichta & Abraham, 1996) indicated that they were three times more likely to suffer menstrual problems, sexually transmitted diseases or urinary tract infections. Furthermore, women who experience physical and sexual violence in pregnancy are at increased risk of inadequate weight gain, anaemia, miscarriages, infections, premature birth, haemorrhage, and having low birth weight babies. Some perpetrators may also prevent women from attending post-natal care. Women who are subjected to severe domestic violence are most likely to experience negative impacts in pregnancy as has been indicated by a survey of 127 women in refuges in Northern Ireland (McWilliams & Mckiernan, 1993). This study found that 60 percent reported violence in pregnancy with 13 percent losing their babies and a further 22 per cent being threatened with the loss of their baby as a consequence of this violence (Plichta et al., 1996).
- **Deaths:** Harne et al., (2008:40) suggest that it also needs to be recognised that while many women are able to survive domestic violence some women do not.

- United Kingdom homicide statistics indicate that women are five times more likely to be killed by a male partner than men by a woman partner and the numbers of women killed by partners have averaged over one hundred a year.
- **Suicide – ‘a hidden crime’:** Death resulting from suicide among women is a hidden aspect of the most serious impacts of perpetrators’ violence on women. Suicide and suicide attempts are usually carried out when women are so entrapped in relationships as a result of the coercive control carried out by perpetrators that they feel the only control left to them is to take their own lives (Harne et al., 2008).
- **Anxiety, fear and depression:** Harne et al., (2008:42) found that women are more likely to experience increased fear and anxiety than men as a result of their experience of domestic violence. The 1996 British Crime Survey found that 60 per cent of women interviewed were frightened and anxious as a result of their experiences compared with five percent of male victims. Internationally, the fear of being killed by intimate or familial violence perpetrators is high for women. For example, in Canada women fear being killed five times more than men (Statistics Canada, 2003) as cited in Harne et al., (2008). Depression is also a common response amongst women who feel that perpetrators’ control strategies have rendered them powerless and trapped in relationships.
- **Substance dependence:** Harne et al.,(2008:43) has found that substance use and dependence has also been identified as a means for women to cope with domestic violence. Golding’s review (1999) (cited in Harne et al., 2008) found that women experiencing domestic violence were six times more likely than non-abused women to use alcohol to help them cope and were five times more likely to use illicit and licit drugs. Such dependence can have a long-term impact on women’s physical health and ultimately result in death.

Women who are prostituted by partners/pimps as part of an overall pattern of domestic violence can be particularly at risk of substance dependence, either through being forcibly given hard drugs such as crack cocaine or heroin, or they may take these drugs as a means of coping with the violence from the partner/ pimp and from the 'punters'.

- **Medicalisation and revictimisation:** According to Harne et al.,(2008:43),while depression, self-harm, stress and substance dependence can be defined as the 'health' and 'mental health' consequences of domestic violence, responding to these signs of emotional distress by framing women's experience in a medical context can result in their re-victimisation and prolong the violence. For example, women experiencing domestic violence who seek help from General Practitioners or other health workers may have been diverted into mental health services or given anti-depressants or other drugs when what they need is confirmation that their experiences are a result of the violence and so require appropriate support to be able to escape the violent partner.

Some women may fear that drugs will lower their responses and reduce their capacity to protect themselves and their children. There are also problems in diagnosing women's normal emotional distress as a consequence of domestic violence as 'mental illness'. The label carries a social stigma, which can provide perpetrators with further weapons to allege that because women are 'mad' they should not be believed when they report violence to agencies such as the police, as research with disabled women defined as mentally ill has demonstrated. It can also enable perpetrators to allege that mothers are not capable of caring for their children in custody battles post-separation, or where there are child protection concerns. Furthermore, it can reinforce the 'distorted perceptions' of perpetrators and deepen women's sense of disempowerment and loss of self-esteem'.

3.5.2. The Impacts of domestic violence on children: South African and global context

Children who witness domestic violence are often overlooked (Themistocleous, 2008:48). However, the damage done to their psychological and physical health is immense as many authors have proposed that witnessing domestic violence is more destructive than actually being physically abused. These children are subjected to many different experiences and feelings such as confusion related to gender roles, conflicted feelings towards abuser and victim, and adjustment difficulties. Themistocleous (2008:55) indicates that children who experience domestic violence have greater than expected levels of problematic behaviours and social competence deficits Themistocleous, (2008:48).

These children are characterised by emotional problems as a result of feeling torn between a desire for help and the need to maintain the family secret. They begin to feel a sense of responsibility for the violence and believe that if they were better, the 'bad' behaviour would stop. 'The common factors of isolation and male domination that are characteristic of domestic violence serve to prevent children from developing their own interests in school, or with friends,' said (Mahony and Cambell, 1999)(in Themistocleous, 2008:55).

Harne et al., (2008:58) indicated that one of the main consequences for children in witnessing domestic violence is that they are more likely to be fearful and anxious than other children. For optimal development, children and young people need to grow up in a secure and nurturing environment. Where domestic or family violence exists, the home is not safe or secure and children are scared about what might happen to them and the people they love. Furthermore, studies show that children who have witnessed domestic violence are more likely to: show aggressive behaviour, develop phobias and insomnia, experience anxiety, show symptoms of depression, have diminished self-esteem, demonstrate poor academic performance and problem solving skills, have reduced social competence skills, including low levels of empathy, show emotional distress and suffer from physical complaints.

According to Goldsmith (2006) cited in Harne et al., (2008) children who witness or are the victims of violence may learn to believe that violence is a reasonable way to resolve conflict between people. Boys who learn that women are not to be valued or respected and who see violence directed against women are more likely to abuse women when they grow up while Girls who witness domestic violence in their families of origin are more likely to be victimised by their own husbands. Violence and the threat of violence at home create fear and can destroy normal family functioning. Violence in the home also affects children. Children and young people do not have to see the violence to be affected by it.

Harne et al., (2008) went on to say that living with domestic violence can cause physical and emotional harm to children and young people. Children and young people who live with domestic violence are more likely to display aggressive behaviour, experience anxiety, have reduced social skills, suffer symptoms of depression and show emotional distress. Dugan and Hock (2000:139) stated that sadly, many abusive relationships include children in various family configurations. No matter how your children are related to your former abuser, they may be suffering consequences of his actions. Witnessing relationship abuse and violence can have a devastating effect on children. The majority of men who abuse their female partners also abuse their children, approximately one in four incidents of relationship abuse involve injury to children no matter whether the children are directly abused themselves, and they often witness the battering and mistreatment of their mother.

Most children who live in homes where domestic violence occurs are victims. Witnessing their mother being victimised by their father was terribly frightening and confusing for your children. Observing such behaviour from a man who is not their father carries with it differently but equally terrifying reactions. Thus, children faced the following trauma owing to domestic violence:

- **Psychological and Emotional Reactions:** Dugan et al.,(2000:141) indicated that children's psychological and emotional reaction will vary extensively depending on the nature of the abuse, their overall adjustment prior to the abuse, and their individual personality characteristics. Low self-esteem is perhaps the most characteristic to watch for in your children. This is probably the most pervasive and debilitating of all the psychological effects. Children may feel at fault for the abuse and guilty for being unable to stop it. They view themselves as failures. This poor self-image has the potential to affect nearly everything they attempt in school sports, personal goals and relationships with others. Dugan et al.,(2000) further maintain that children may exhibit physical and intellectual problems. For instance, children of abused mothers often show delays in thinking verbally, in motor skills development, they often experience sleeping disorders, stuttering and psychosomatic illnesses that have no physical cause. In addition they tend to be much more impulsive than average, engaging in inappropriate behaviours without regard for potential negative consequences.
- **Behavioural difficulties:** Dugan et al., (2000:144) argue that if your children are unable to work out their psychological problems verbally, you might find they engage in extreme and inappropriate behaviour patterns. 'This is called acting out'. All children will act out on occasion when angry or frustrated but the behaviours mentioned here tend to be more common in children who have witnessed or experienced domestic abuse. These behaviours depend on the age of the child but may include frequent tantrums, greater than normal sibling aggression, running away from home, self-injurious behaviour, violent behaviour towards pets or other animals, drugs and alcohol abuse and sexual impulsivity or promiscuity.

Furthermore, Themistocleous (2008:56) suggests that differences between genders begin to manifest at 1-7 years of age. Males often display overt aggressive behaviour as seen by temper tantrums and non-compliance in a very disruptive manner. Alternatively, the internalising effects of experiencing domestic violence are manifested by frequent crying, sadness, withdrawal and somatic complaints.

Females, on the other hand, develop signs that are less obvious, such as changes in relationships with friends, poor academic performance, somatic complaints, eating disorders and signs of withdrawal. In support of the arguments in paragraph 3.5.1 and 3.5.2; the study conducted by the Vietnamese Law on domestic violence Prevention and Control, as quoted by Viitala et al. (2011:45-46) provides a list of domestic violence-related actions in Article 2[1]);

- (a)** Corporal beating, ill-treating, torturing or other purposeful acts causing injuries to one's health and life;
- (b)** Insulting or other intended acts meant to offend one's human pride, honour and dignity;
- (c)** Isolating, shunning or creating constant psychological pressure on other family members, causing serious consequences;
- (d)** Preventing the exercise of the legal rights and obligation in the relationship between grandparents and grandchildren, between parents and children, between husband and wives as well as among brothers and sister;
- (e)** Forced sex;
- (f)** Forced child marriage; forced marriage or divorce and obstruction to freewill and progressive marriage;
- (g)** Appropriating, demolishing, destroying or other purposeful acts to damage the private properties of other family members, or the shared properties of family members;
- (h)** Forcing dependants and other family members to overwork or to contribute more earnings than they can afford; controlling other family members' income to make them financially dependent;
- (i)** Conducting unlawful acts to turn other family members out of their domicile.

The article referred to above further highlighted that there is no universally accepted definition of emotional abuse. Emotional or psychological violence is often the most difficult to identify for a number of reasons. First, there are no outward signs of harm caused by emotional violence. Second, the tactics or behaviours involved, such as 'insulting' or 'blaming' can happen in any relationship and might not reach the threshold of 'abuse'. To determine whether this type of behaviour is a form of domestic violence, one must look to see whether it is based on power and control.

Generally, psychological or emotional abuse is limited to acts of persistent threatening, demeaning or controlling behaviour, rather than simply creating mental pressure or offending one's pride. The study in question further reveals findings based on the impact of domestic violence (see also section 3.5).

- **Physical violence:** Includes such acts as corporal beating, ill-treating, torturing or other purposeful acts causing injuries to one's health and life.
Small-scale studies in Vietnam conclude that physical violence is the most frequent type of gender-based violence reported, with 16% to 37% of women reporting they have experienced physical abuse. One study of 465 couples reported that 50% of men say they beat their wives, while 37% of women reported being abused, showing women under-report the violence they experience.
- **Psychological / emotional violence:** Includes behaviours that can severely affect a woman's mental health, including using insults, using curses, threatening or other offending behaviours, controlling and prohibiting a woman to participate in social or business activities. Small-scale studies indicate that emotional violence occurs at higher rates than physical violence, at 19% to 55%. A 2006 study of 2000 married women revealed that 25% of women experienced emotional violence in their families. It is difficult to identify psychological violence, because there are no outward signs of harm. It can also be difficult to distinguish between arguments which might involve insults and emotional violence. Each situation must be assessed on its own facts. One factor to consider is whether there is inequality between the husband and wife, and what the power and control relationship is between the couple.
- **Sexual violence:** Includes acts such as forced sex. While there is little research on this type of violence, a 2006 survey conducted by the Parliamentary Committee for Social Affairs of the Vietnam National Assembly in 8 provinces and cities, revealed that up to 30% of women who responded had been forced into unwanted sex by their husbands. Data from a counselling centre in Cua Lo, Nghean Province, indicates that 42 of 107 cases reported sexual violence.

- **Economic violence:** Acts include forcing other family members to overwork or to contribute more earnings than they can afford; controlling other family members' income to make them financially dependent. Little research has been done on this form of violence in Vietnam. However, data from the counselling centre at DucGiang show that 11% (165 of 1884) of clients have suffered from economic violence. United Nations Office on Drugs and Crime is undertaking research on the quality of Criminal Justice Services available for victims of domestic violence in Viet Nam.

Viitala, et al. (2011:46) found that among 900 interviewed women victims of domestic violence, the following forms of violence were reported:

- Threatening to hurt physically (83%).
- Throwing something or hitting with something that hurts or frightens (69%).
- Pushing, grabbing, twisting arm or pulling hair in a way that really hurts or scares (64%).
- Slapping, kicking, biting, or hitting with a fist (90%).
- Strangling, trying to suffocate, burning or scalding (29%).
- Using or threatening to use a knife / sword / gun 37%).
- Using physical violence in some other way (38%).
- Forcing or attempting to force to have sexual intercourse (36%).
- Touching sexually against the will (20%).
- Exploiting economically (32%).
- Harming or threatening to harm or kill children or someone close (33%).

Summarily, almost all of these victims had experienced physical violence, most commonly been slapped, kicked, bitten or hit (90%). Over one-third of the victims had been forced, or attempted to force, sexual intercourse. Harm or threatening to harm or kill children or someone close is also common (33%). Nearly one-third of the victims said they had been exploited economically. During the interviews, the women mentioned that many husbands go out to work but do not give money to their wives to raise the children while some men even asked their wives for additional money and beat them if they refused.

3.6. THE CAUSES OF DOMESTIC VIOLENCE

The researcher is of the opinion that domestic violence is a common manifestation in our society and includes different kinds of abuse within the family setting or private domain. As a result domestic violence is very difficult to address, simply because it mostly occurs behind closed doors and is treated as a private matter. Despite the knowledge of their constitutional rights regarding domestic violence, women and children fail to report cases of this nature out of fear of further victimisation, security and vulnerability, just to name the three. With that noted, other researchers argue that the causes of domestic violence are:

3.6.1. Excessive control

Redcar and Cleveland Borough Council (2014) show that domestic violence is about gaining control, not a lack of control. If an abuser is careful about when, where and to whom they are abusive, then they are showing sufficient awareness and knowledge about their actions to indicate they are not 'out of control'. Abusers use violence and tactics of coercion as a way of exercising control and getting what they want. In this regard, the researcher thinks, perpetrators know the power of their actions and they expect that their actions will enable them to achieve their intended goals. This allows them to exercise control over the opposite sex, for example inciting violence against women and children by controlling women's sexuality through either forced pregnancy or abortion.

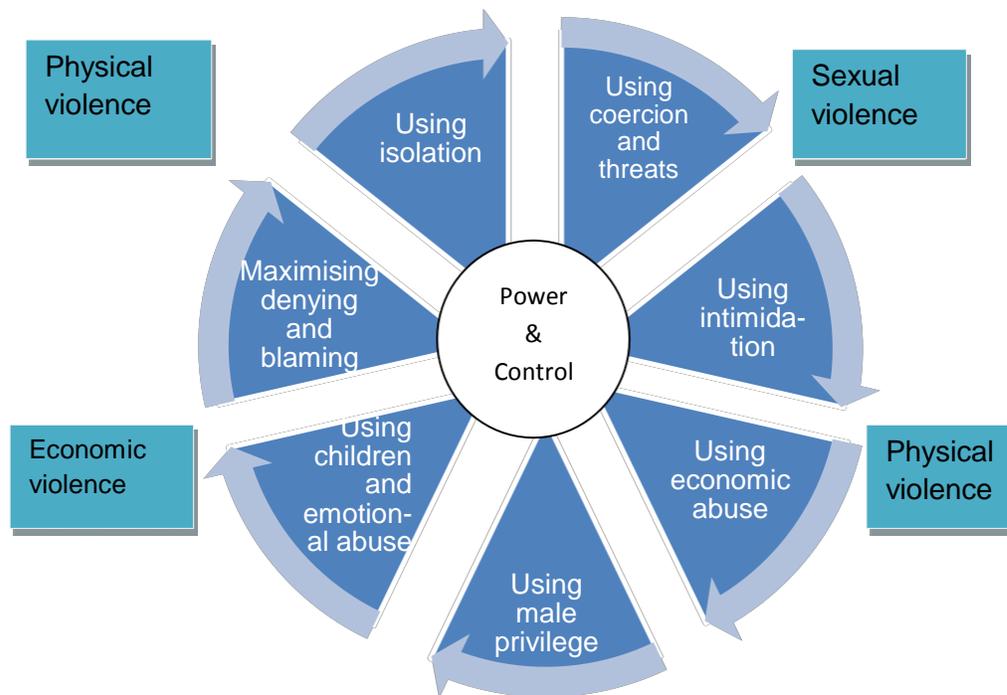


Figure 1: The Wheel of Power and Control (Viitala et al., 2011:47)

For the purpose of this study, the ‘power and control wheel’ of Figure 1 above was designed to depict the primary abusive behaviours experienced by women living with domestic violence in their domain. The behaviours described in the annotated wheel of power and control is not exhaustive while there are potentially unlimited examples of each of the tactics. The wheel of power and control demonstrates the relationship amongst physical and sexual violence and the intimidation, coercion and manipulation of the wife and children that are often used by abusers whereas an abuser uses these tactics to reinforce the power and control established through physical and sexual violence.

Even a single incident of physical violence or threat of physical violence may be sufficient to establish power and control over a partner. This power and control is then reinforced and strengthened by non-physical abusive and coercive behaviours. For example, a verbal attack following a physical attack carries the threat of another physical attack and thus may be sufficient to ensure the abuser’s power and control without additional physical violence. Domestic violence is a pattern of acts.

By themselves, the tactics described in the wheel of power and control may or may not be abusive. When these behaviours are used in conjunction with each other, however, they form a pattern of behaviours that ensure an abuser's control over his partner. The abuser's use of physical or sexual violence, or the threat of such violence, then gives power to these tactics. For example, a verbal attack by someone who has never been physically abusive will have a very different impact on the person who is attacked than a verbal attack by someone who had previously physically assaulted his partner or threatened to do so. Some of these behaviours may be criminal or administrative violations and some may not be criminal or administrative violations. While some of the tactics appear to be directed at children or property, these actions are designed to exert power and control over an abuser's partner (Viitala, et al, 2011:48).

3.6.2. Prostitution

This kind of practice is more dominant in Sunnyside in the Tshwane policing precinct. Women and children are lured by pimps for prostitution purposes. Some are recruited from neighbouring countries such as Zimbabwe, Mozambique and Botswana, just to name three, with the promise of lucrative jobs or better living conditions in South Africa. They end up in abusive environments where the only tool of survival is prostitution (Viitala, et al, 2011:48).

3.6.3. Alcohol and drug abuse

On alcohol and drug abuse, the researcher is of the view that many individuals who drink too much or take drugs do not abuse their partners or family members. Likewise, abuse does not exclusively occur when an abuser is drunk or under the influence of drugs. Substance use is not the underlying cause of domestic violence. Abusers who use alcohol or drugs may use this as an excuse for their behaviour, saying 'I was drunk' or 'I do not remember'. Even if they genuinely don't remember what they did, it does not remove responsibility for their behaviour. The causes of domestic violence are far more deep-rooted than simply being an effect of intoxication or alcohol and drug dependency. If an abuser is alcohol or drug dependent, it is necessary that this is treated in tandem with addressing the violent behaviour.

Addressing only one without the other is unlikely to prove successful (Viitala, et al, 2011:48). Women experiencing domestic violence may also turn to alcohol or drugs as a form of escape from the violence. Sometimes abusers will use their partner's addiction as an excuse for violent behaviour, saying they have been provoked into using violence. Excuses such as these are used by the perpetrator to deflect responsibility from themselves and put the blame for the violence onto the victim. In these situations it is vitally important that women receive the support they need, but also, that the perpetrator is held accountable for their actions and that they are not excused because of the woman's behaviour.

A study of 336 convicted offenders of domestic violence conducted by Gilchrist et al., cited in Mitchell (2003:50), found that alcohol was a feature in 62% of offences and 48% of offenders were alcohol dependent. In support of the above view point, Mitchell (2003) further claims that alcohol and drugs do not cause abuse as is often believed. This is merely an excuse as many men who use alcohol and drugs are not abusive. Thus, the researcher suggests that perpetrators use alcohol abuse as an escape from reality, they abuse the opposite sex, citing alcohol and drug abuse as major contributing factors to their disturbing actions. Therefore, the researcher is of the view that alcohol is just used to reveal preconceived ideas by the abuser. Abusers vent anger on women and children based on past experiences. In addition, other researchers are of the view that alcohol and drugs can result in an increase in frequency and the severity of the abuse. The researcher in question (Mitchell) also maintained that there are different motives behind domestic violence:

3.6.4. Extra-marital affairs

The sexual relationship between husband and wife is a significant aspect of the marital relationship. Extra-marital relationships are not tolerated in any society and particularly in the Indian society. Conjugal unfaithfulness may have serious consequences. According to the researcher women tend to stay in extra-marital relationships in fear of losing their partners.

This impacts negatively on the children's learned behaviour and role modelling. The relationship in question is characterised by money, physical and emotional abuse, to name just three.

3.6.5. Traditional attitudes

In the past, the overriding attitude to domestic violence was the belief that it is a private affair between husband and wife, and nobody should interfere unless it happens constantly and is causing serious and visible injury to the woman or, more importantly, injury to the children. This attitude was combined with reactions which tended to excuse the violence and blame the woman. Traditionally, if people were concerned at all about the man's violent behaviour, they would often put it down to drink (Jha, 2002:29). In response to this practice the researcher suggests that traditionally, women are still viewed and treated as objects. It is believed that they should only answer to their partners' demands and anything that happened behind the closed doors should stay there. Anything that children say, it is treated with a serious caution. And on the other hand the current Western culture reflects that women and children are used as sex symbols for the purpose of entertainment world.

3.6.6. Domestic quarrels

Violence related to domestic quarrels also takes place in the family of orientation because, when the family members are unable to fulfill their desires and expectations of the other each feels hurt and cheated. This becomes a major source of uneasiness, conflict and tension. The researcher holds the view that this happens every day. Quarrels within a family setting as directed towards women and children frequently occur. This practice is perpetuated by gossips by relatives, family members and the immediate society at large. It is believed that families expect women and children to do as they like and to show respect that is deemed unnecessary in some instances.

3.6.7. Cycles of violence

Hague and Malos (1998:52) stated that the 'cycle of violence' theory, also known as the 'inter-generational transmission of violence' suggests that there is a direct transmission of violence down the generations by learned behaviour, creating a cycle in which the violence continuously reproduces itself. This theory has a variant in which it is argued that the behaviour is learned by children who either witness or experience violence within an individual family. There is certainly some evidence that violence can be learned or passed on in this way, but these theories cannot explain why many individuals who observe such behaviour or live in such environments are not violent, or why many people are violent who do not live in this kind of family or social setting. Hague et al., (1998) further states that a comprehensive understanding of the cycle of violence helps the police and other justice professionals when they are assisting the victim. Often, before the first physical assault, the abuser uses control tactics, such as isolation of victim from social or family connections, threats, financial dependency, and by doing this the abuser has degraded the victim to the point that she believes statements made against her and lacks the self-confidence necessary to leave or appropriately respond to the violence.

The researcher concurs and is of the opinion that we are living in a violent world in which domestic violence results in the murder of women and children by perpetrators who are mostly men. Women and children die at the hands of perpetrators and most of these crimes go unpunished. Thus, the cycle of violence against women and children is widespread, leading to physical and psychological trauma, loss of opportunities such as income, depression, low self-esteem, fear of intimacy, post-traumatic stress disorder, as well as the denial of justice (Hague and Malos, 1998:52).

This can be traced back to traditional patriarchal values and behaviours in South African communities and elsewhere – this is where the preservation of social, cultural and religious practices as sustained by power of inequalities perpetuates domestic violence. However, it should be emphasised that the majority of men do not commit violence, although they do nothing or very little, to stop it.

Therefore, the researcher is of the opinion that the cycle of violence against women and children is a continuous process basing conclusions on the fact that in most rural areas women are still viewed as the weak individuals of the society. They do not have a say about their well-being and security. The violence that is directed towards them is not reported owing to different reasons such as security, vulnerability, lack of support systems, information and an ineffective Criminal Justice System, to name just the five and they become victims for lifetime. This starts small and gradually grows to the maximum point of abuse, escalating to children as well. Furthermore, women and children find themselves between rock and a hard place, not knowing what to do and adapting to the abuse. The researcher grew up in a small village in Venda where the prevalence of domestic violence cases was high but those who are abused, especially women and children, remain silent about it. They do not show any sign of worrying even though forms of abuse are clearly visible in the public eye and the entire village tends to view this as a common practice. With that stated, the cycle of violence is depicted overleaf to further illustrate the phases associated with this phenomenon (i.e. see overleaf).

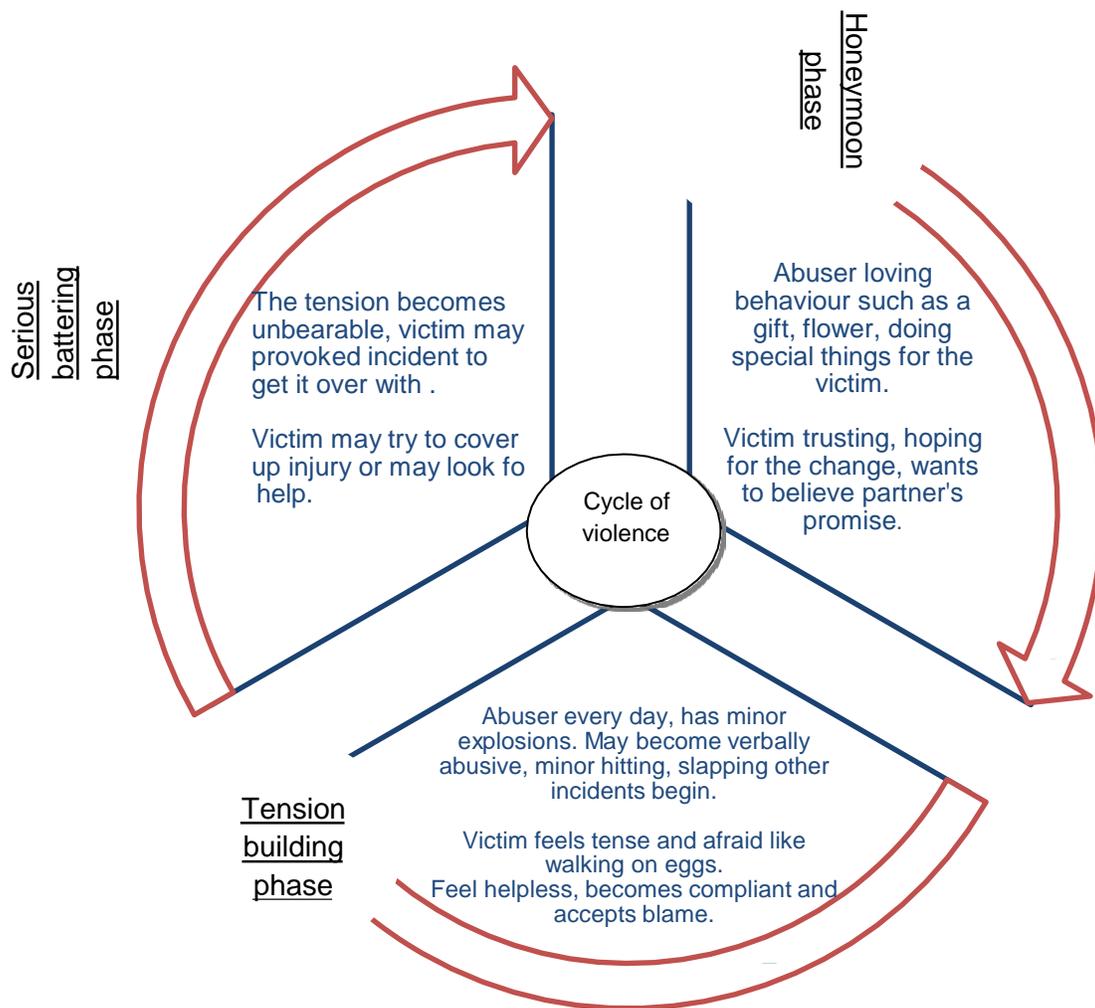


Figure 2 : Cycle of violence:(Viitala et al., 2011:50).

- **The tension building phase** begins with anger, blaming and increased tension. The abuser becomes edgy, irritable, possessive, demanding and more prone to react negatively to any trivial frustration. Many women learn to recognise this tension building phase and try to control it by becoming nurturing and by attempting to 'keep the peace'. There may be bursts of verbal and physical violence. Also there is often a rapid increase in tension prior to a violent incident. The woman may use a variety of techniques, such as withdrawing, trying to accommodate the abuser, avoiding home or avoiding starting an argument, to break the intolerable tension. 'When the rice cooks, turn down the flame' –Vietnamese proverb.

The norm is that this stage is never reported to the police, or if it is reported, the case is ridiculed. This encourages the abuser to proceed to the next stage. It calls upon the police to take seriously all violence-related incidences when they are brought forward, regardless of how petty they may seem. Also, the woman often views the building rage in her husband as being directed toward her and internalises the job of keeping the situation from exploding. If she does her job well, he will become calm; if she fails, it is her fault.

- **The violence phase** is the explosion of violence from the abuser. For a woman who has experienced violence before, the mere threat of violence is disabling. However, the violence may consist of violent threats, slapping, hitting, and threats with weapons, threatening the children, sexual abuse or rape. The violence may be over in a moment or last for minutes or hours. There may be visible injuries, but often the experienced abuser will leave no marks. Most women are extremely grateful when the abuse ends. They might consider themselves lucky that it was not worse, no matter how bad their injuries are. They often deny the seriousness of their injuries and refuse to seek immediate medical attention.
- **The Honeymoon phase** is the contrite and loving stage of the cycle. Following an intensive explosion of violence, the abuser is loving and calm. The abuser begs for forgiveness and promises to change.

Abusers convince the victim and themselves that the promises are genuine. Underlying this is the belief that they were justified in their actions. The victim wants to believe this is the last time. The woman sometimes withdraws charges because of the false hope that the abuser will never do it again. Police should recognise the temporary nature of the 'honeymoon' and counsel the victim to make an informed decision. Tension-building almost always starts again. While many relationships involving violence do exhibit some type of cycle, it is important to be aware that violence relationships may not go through the cycle described above (Viitala *et al.* (2011:51).

Understanding the cyclic nature of an abusive relationship is helpful to understanding how someone can become caught up in a potentially never ending life of violence. Essentially, abusive relationships involve a build-up of tension between two people, a violent explosion that releases the tension, and a temporary return to peaceful interaction. This cycle will continue and violence will become more frequent as the relationship progresses, unless the abuser makes changes to his behaviour (which is unlikely to happen without professional help). The lengths of the cycle and of the three phases will vary from couple to couple. The following is a more detailed description of the phases of an abusive relationship:

- **Phase One: Tension building**

According to the researcher this phase involves instances in which the abuser is reaching a comfort zone regarding of the actions directed to the victims. Also, during this phase the abuser starts to show his true colours to the parties at the receiving end. With that said Epstein (2003:13) has this to say regarding this phase:

- The abuser becomes increasing irritable, frustrated and unable to cope with everyday stresses. He is verbally abusive and there are some 'minor' violent incidents; and
- The victim attempts to stay out of the abuser's way and do whatever she can to keep him calm – this is often referred to as walking on eggshells. She assumes responsibility for his anger and denies that the incidents get progressively worse.

- **Phase Two: Explosion/ serious violence:**

The researcher is of the view that the abuser starts to initiate his actions in practicality and violence tends to lead the role in this regard. In most cases the women and children suffer from this experience. As a result, Epstein (2003:13) states:

- The tension culminates in serious violence – this can be one incident or several;
- While the woman may be able to recall the battering incident in detail, the man cannot;
- It is unknown why the batterer stops the battering; he seems to know how to prolong the battering without killing his target;

- In some relationships the woman is able to tell when the violence is likely to occur and can leave if she has a safe place to go; and
- The abuser feels a release of stress after he has been violent. This feeling becomes addictive and causes him to repeat the cycle when he is next under a lot of stress.

- **Phase Three: Honeymoon period**

In this stage the researcher thinks the abuser tends to lure the victims (i.e. women and children) to his tricks. The victims believe that the abuser is a changed man but this leads to destruction. In addition, Epstein (2003:14) listed the following:

- Some men are resourceful, loving and kind. He is usually afraid that his partner will leave him and so tries to convince her and himself that he will change;
- The man plays dependent and falls apart without her, and she feels responsible for her victimization;
- The woman finds it difficult to leave at this point because she wants to believe him and because this period of the cycle reminds her of the good times that they used to have, and that can be had; and
- In Belize, some women feel that violence from their partner shows that he loves her; this honeymoon phase could help explain why.

3.7. THE CONSEQUENCES OF DOMESTIC VIOLENCE

Domestic violence can have a devastating effect upon the victim, families and the society. Victims suffer physically, emotionally and financially. The violence threatens the stability of the family and negatively impacts all family members, including the children who witness the violence and grow up in a conflict-ridden, unhappy environment. Domestic violence negatively impacts the safety, health and social order of the community, and also negatively impacts the economy through the cost of medical expenses, sick leave, and victims' lost labour productivity, according to Viitala, et al. (2011:52).

Thus, the researcher is of the opinion that although policies and legislation do exist as interventions, to address the occurrence of domestic violence in our communities it remains impossible to ignore the consequences of this scourge. To illustrate the consequences of domestic violence to different individuals, Viitala et al. (2011) highlighted that the following parties are at risk of the identified consequences, among others:

3.7.1. The victims

In connection with the victims of domestic violence; Viitala, et al. (2011) mentioned that they experience effects on physical health, mental health and well-being. In addition; violence is likely to become more frequent and more serious the longer it continues. Violence can result in death. And the other victims may find it difficult to give evidence or report the abuser because of the complex nature of domestic violence.

3.7.2. The family

The danger of domestic violence encompasses economic costs to families, damage to relationships and decreases the working ability of women. They further stated that the women and children who witness violence within a domestic domain tend to experience a decrease in their standard of living (Viitala et al., 2011).

3.7.3. The communities

It was further reported by Viitala et al. (2011) that domestic violence communities decrease the contribution of victim to society, increase pressure on healthcare systems and if the perpetrator is not held accountable by the community, it means that this violent behaviour is acceptable and will likely lead to more serious violence.

3.7.4. The abuser

Administrative or criminal sanctions, loss of face in the community and violence that could result in husband's death (i.e. women's syndrome) were listed as some of the detrimental aspects facing the abuser in the domestic violence cycle, according to Viitala, et al, (2011).

As a consequence of the violence, 83% of the victims were physically injured. The most common injuries were bruises and contusions, cuts, scratches and burns, and head injuries. Almost all victims (98%) also suffered from psychological consequences. The most common psychological consequences are depression, fear, anxiety or panic attacks and difficulties in sleeping. The battered woman syndrome is a syndrome suffered by women who, because of repeated violent acts by an intimate partner, may suffer depression and are unable to take any independent action that would allow them to escape the abuse, including refusing to press charges or accept offers of support (Viitala et al. 2011).

3.8. THE CHALLENGES OF POLICING DOMESTIC VIOLENCE

The researcher is of the opinion that the challenges in policing domestic violence are many and require a holistic community investment which includes relevant stakeholders, women, children and men, just to name four. The research further noted that domestic violence in the Tshwane Policing Area, considering the identified police stations, has escalated despite the introduction of different policies, legislation and programmes. With that noted; other researchers revealed under-reporting as one challenge of policing domestic violence worldwide.

3.8.1. Gender

A study conducted in Belize (a country on the Eastern Coast of Central America) by Epstein (2003:20) found that in general, there is a lot of sexism and sexual inequality in Latin America, the Caribbean and Belize. Thus South Africa is no exception. In many relationships the man earns money and the women does housework and raises children. Through talking to people it is common to find that women as well as men believe this is acceptable. One reason that people believe women should stay at home and look after children is because there is an increase in the number of teenagers becoming involved with gangs, drugs and crime; some blame this on the fact that a growing number of women are leaving the home to find paid work and therefore are unable to give the necessary attention to their children.

There are many other factors involved, but this factor seems to be the most apparent and convenient one to accept. Many women do work outside the home and contribute to the family's income. Many women also work from home or go from house to house selling cakes, pastries, and soft drinks, tamales, to name just a few or take in sewing or laundry to supplement the family's income. However, there are restrictions to what type of work women do because gender still defines what job and position a person is capable of. It is unusual to find women in managerial or political positions, and generally teachers, nurses, domestic workers and secretaries are women.

Through giving workshops to men and women, it becomes clear that men are afraid of notions of gender equality, often because they do not understand what it means. Belizean women who do campaign for equal opportunities want just that, but men regard this as a demand for power and control. Now when doing any type of public awareness, from workshops to publications to media interviews or talk-shows, Cornerstone (cited in Epstein, 2003:20) furthermore makes it clear that gender equality is not about women taking over but about women having the same opportunities that men do. Furthermore, we stress that not all women want these opportunities but argue that they should exist for those that do. With the above mentioned noted; the researcher contends that men are the primary perpetrators of domestic violence and remain of utmost importance as part of the solution to this crime. The epidemic of domestic violence against women and children relates to gender roles as communities often justify and defend male abusers as well as oppressive and harmful traditional practices that reinforce men's authority and dominance over women.

3.8.2. Financial dependency

Epstein (2003:21) asserts that one of the main problems facing Belizean women is dependency on their partners for financial security. Because women work in the home and look after children, an unpaid and full-time job, they lack the opportunity to find paid work. Therefore, women are dependent on their partners to provide household and child-rearing expenses.

However, alcohol and drug addiction is a prevalent problem in society and causes many men to withhold financial support from their partners and families. In the case of domestic violence it is common for the man to control and sometimes deny his partner money. This is a recognized form of domestic violence (i.e. economic or financial abuse). In addition, although each Belizean is entitled to their own plot of land from the government, most women are uneducated about this right. This means that usually property is in the man's name. Thus, if a woman wants to or needs to leave that relationship she has no claim to the house, and further, is in no position to afford one, as she has been financially dependent on her partner.

Also, although a woman may contribute to her partner's business, or a family business, she may not be able to prove this under the law and thereby lose recognition of her contribution and her due. The illustrations above indicate that women together with the children believe that if they do not respond positively to the demands of the perpetrator they can lose their will which will lead to their landing on the street with nothing or having nowhere to go. They stick in abusive relationships for the sake of survival.

3.8.3. Inadequate education and vocational skills

Epstein (2003:21) noted that women's financial dependency stems mainly from a lack of education or vocational training skills. School is compulsory from age five to fourteen and is theoretically free. However, only the tuition fees are paid by the government, parents must pay for registration fees, for uniforms and for all books. Thus some parents are unable to afford to keep all their children at school and if necessary will remove the girls in the family from education first because they are both more help around the house and are not expected to be the breadwinner in their future. If a child completes all the grades early then he or she does not have to attend school further. Financial dependency is further encouraged because once a girl leaves education she is more likely to become pregnant and focus on married life, rather than learn job skills.

In concurring, the researcher is of the view that uneducated women or those who have no training resort to staying in abusive relationships as a security measure. They think if they leave that relationship things may get worse and they might lose everything. Thus, they insist in endangering their lives and those of their children.

3.8.4 Size of family

Epstein (2003:21) mentioned that all schools in Belize are religiously affiliated including those that are government funded. Because of this, family planning is not taught in schools, in fact the use of the word 'condom' is forbidden in nearly all. Family planning facilities are not easily accessible to women in rural villages and are limited where they exist in towns (there are only one or two family planning clinics per district, meaning there are not more than twelve clinics to serve the entire population). Most women do not feel comfortable with unnatural means of family planning, such as condoms and the pill, and they are uneducated on the natural methods, i.e. the rhythm method.

Therefore, family sizes are often very large, meaning women are burdened all their working life with child rearing. Another factor that contributes to large families is that some women hope that getting pregnant will encourage the father to stay with her. If she is pregnant with his child she might believe that he is less likely to completely abandon her, which unfortunately is not always the case. Thus, the researcher contends that within a family setting; women and children constantly look for attention from their males' counterparts, failure to receive that result in confrontation which normally leads to battering in most cases.

3.8.5 Underreporting of domestic violence cases

It is difficult to obtain a complete picture of the full extent of domestic violence as it often remains hidden. A wife who is being abused may endure the abuse for a long time before seeking help, while some victims never tell anyone about the abuse. A woman who is being abused may be reluctant, unable to talk about, or unwilling to report the abuse for many different reasons.

As a result Viitala et al. (2011:53-54), explained that a woman and children who are experiencing domestic violence may use as security reasons:

- Be emotionally attached to the abusive partner.
- Have strong beliefs about keeping their relationship or family together.
- Fear that the abuser will retaliate against her or her loved ones.
- Fear being stigmatised by others.
- Be economically dependent on the abusive partner.
- Live in an isolated area.
- Be socially isolated from others.
- Face communications, language or cultural barriers.
- Do not want the abuser to be removed from the home, go to jail, or have a criminal record.
- Do not believe that involving the police or the criminal justice system will stop the abuse.
- Do not believe that the police or the criminal justice system can help or protect them.
- The victim may use the following coping strategies in domestic violence situations:
 - Minimising or denying the violence.
 - Taking responsibility for the violence.
 - Using alcohol or drugs as a numbing effect.
 - Using self-defence.
 - Seeking help.
 - Remaining in the abusive relationship to avoid escalation of violence.
 - Initiating violence as a means of gaining some control.
- Barriers for victims to access help. Victims of domestic violence generally face a number of barriers to escaping the abuser and accessing assistance, including the legal system (see overleaf):
 - Victims may not report the violence and suffer in silence.

- Violence occurs in the context of an intimate and ongoing relationship and the victim may be reluctant to seek help from the police or other authorities due to shame or stigma, economic dependence on the perpetrator, or fear of revenge.
- If victims do seek help from police or local authorities, often their complaints are not taken seriously.
- In such cases, the police or local authorities reflect traditional values, and they might be reluctant to intervene due to the traditional view (i.e. throughout the world) that domestic violence is an internal family matter.
- Often police do not take full account of the nature and dynamics of violence in an intimate relationship
- Individual abusive acts are viewed in isolation, rather than within the context of power and control in an abusive domestic relationship.
- Police or local authorities might believe in the myths about domestic violence and this has implications for the way the police take statements, manage cases and interact with the victim.
- If victims do seek assistance and the investigation is on-going, the woman may withdraw the complaint.
- Due to the nature and dynamics of domestic violence, many victims seek to withdraw their complaint soon after it is made. When violence takes place, victims may report the violence to stop the violent behaviour. During the honeymoon phase, the victim may withdraw the complaint due to expressions of remorse from the abuser, pressure or threats, concerns about their financial situation or pressure from family members.
- Identifying and responding appropriately to domestic violence cases requires that the special dynamics of the violence and the special vulnerabilities of the victim are understood and taken into account. Where the victim does seek assistance, there must be an effective and efficient legal response that places primacy on protection of the victim and ensures that victims are dealt with in a sensitive manner.

If the abuser is not held accountable for his actions, his sense of dominance and power are reinforced, and the victim is at risk of increased violence in the future.

The researcher concurs and thinks some women and children are not always aware of the legislation that covers them and some do not know what to do resulting from traditional conceptions. Therefore, it should be noted that there are many reasons leading to non-reporting of domestic violence incidences – fear of further victimisation, sense of security / belonging, sense of love / affection and societal prejudice to name just the three leading ones.

3.8.6 Disagreement with in-laws

The inability of the wife to adjust to the demands of her husband and in-laws give rise to domestic quarrels in the family which may end in destructive behaviour due to non-realisation of cherished expectations. Tension between mother in-law and daughter in-law, whether latent or manifest, is found in all societies. It is because the mother in-law expects the daughter in-law to live with her, obey her orders, and act according to her wishes which the daughter in-law may not always like. The resultant conflict of attitudes may ultimately lead to serious domestic quarrels and emotional disturbances. Thus the in-laws in most cases show no love to the wives of the children. They abuse them despite every attempt to show their better sides. They do not value them at all and they treat them as if they are nothing. This creates tension between the husband and wife together with the children.

3.8.7 Theme of masculinity

Kakar (1998:73) stated that another socialised concept relevant to violence is the theme of masculinity. The image of a strong masculine role is known to have a strong impact upon children as they grow up to be adults. In the general attempt to prepare male children for strength against diversity, parents/ adults direct small boys to act like men and refrain from crying when hurt. However, through this process, parents/ adults may be promoting a greater desensitisation to assaults performed on or by them.

In connection to this statement, the researcher is of the view that men still view themselves as strong and they see women and children as weak individuals and whatever they say or do is not treated seriously. Their role is in the kitchen cooking and looking after the children as well as doing house chores.

3.8.8 Socialisation

According to Kakar (1998:73) socialisation is a process of cultural transmission, of relaying a set of beliefs, attitudes, values, habits and verbal expression through the social funnel of family and friends. Violence begins at home and is transmitted to children in their very early years of life through people's child-rearing techniques. Through these parent-child interactions, children come to ingest that the individual who possesses superior force is able to manipulate and dominate others. Children grow up understanding that through physical force they can obtain their own desires and ends.

Further, children are socialised to react violently to violence, to accept violence as a mode of response, and as a problem-solving mechanism. If adults in a society regard violence as valuable and entertaining, younger generations exposed to such values will have heightened acceptance of violence. The above-mentioned implies that this has to do with the interaction of women and children within the social environment they found themselves in. It reflects the manner in which they view the world around them in terms of its functionality and how they should respond to life-threatening situations perpetrated against them.

3.8.9 Media

Kakar (1998:73) reported that reporting of violence in the mass media glorifies violence and promotes it as a desirable means of communication, response, and problem solving. In addition, possession and use of lethal weapons like guns are depicted as bringing power to the individual. Easy access to these weapons tempts viewers to use and attain the conceived power, thus teaching people to use lethal force.

The researcher is of the view that the media portray women and children as parties who attract crimes that are perpetrated against them. They media sexually exploit women by the way in which they review them. They are painted as beautiful and innocent individuals who do not work hard for betterment of their lives and as manipulators of the men's system.

3.8.10. Child abuse

Kakar (1998:74) asserts that child abuse is an important factor found to be associated with transforming children into violent adults. Scholars have hypothesised that children who are abused during the early years of their lives, grow up to victimise family as well as non-family members, particularly through violent acts of delinquency and crime. The notion that children who experience abuse will grow up to have deficits and abuse others makes common sense. The traumatic experiences of abuse by persons who are supposed to love and nurture their children may have several negative long-term effects. Abused children are likely to develop a fixed perception of the world and internalise their experience as appropriate ways of behaving towards others. With that in mind, the researcher suggests that the rights of the children are not protected and secured in our communities as children become victims of many forms of domestic violence in day-to-day situations and their safety is not guaranteed in an immoral society such as that we are living in.

3.9 LEGISLATIVE MANDATES: SOUTH AFRICAN LAW AND DOMESTIC VIOLENCE

According to the researcher laws have been promulgated to criminalise acts of violence against women and children, but the victims of this crime are not aware of legislation that covers them, creating a national challenge in South Africa. The Acts referred to below are designed interventions for victims of domestic violence (see overleaf):

3.9.1. The Constitution

The Bill of Rights, as contained in Chapter 2 of the Constitution of 1996 entrenches the right of every person to equality and to freedom and security. It applies to all people in the country and requires respect for the rights of all people.

In line with its international obligations in terms of the conventions mentioned above as well as the obligations imposed by Chapter 2 of the Constitution, Parliament has adopted the Domestic Violence Act. The Act itself does not declare domestic violence to be an offence. However, if one carefully considers the different forms of behaviour which constitute domestic violence, it becomes clear that all forms of behaviour have one thing in common and that is that they constitute forms of behaviour through which the perpetrator or respondent (as the perpetrator is called in the Act) exercise power and control over the victim (referred to as the complainant in the Act). In support to this Act, the researcher is of the view that this exercising of power and control meted by the perpetrator or respondent becoming physically violent towards the victim or complainant.

3.9.2. Assisting the complainant

According to Singh (2004:200) the first member of the South African Police Service in a case of intimate abuse is at the scene of an incident of domestic violence, or as soon as reasonably possible thereafter or when an incident is reported to render such assistance as may be dictated by the circumstances. The Act imposes certain official obligations on police officials of the South African Police Service to protect, inform and assist the complainant in order to help such a person. Police officials who fail to comply with the Act may face disciplinary proceedings. Thus, the police officials are expected to:

- Protect the victim from further attack.
- Take firm and positive actions against the respondent, vigorously investigate any offence which may have been committed and gather all available evidence in respect of it.
- Inform the complainant of remedies that the Act provides for and how he or she may obtain them.

- Make the complainant aware of such remedies and encourage the complainant to make use of them – for instance to prompt a criminal complainant to apply for a protection order where appropriate, to refer the victim for follow-up support to appropriate agencies.

Intervention requires sensitivity and compassion from a police official. A police official must always treat the complainant with respect and dignity and must try to understand such situation. Speak to the complainant and try to understand such a person's situation in order to be in a better position to assist the complainant.

3.9.3. Application for a protection order

According to Singh (2004:202) the Domestic Violence Act and Regulations contain a detailed outline of the process to be followed in securing protection from domestic abuse, specifically application for a protection order. The victim may apply for protection. Where a victim is unable to apply for one, section 4 (3) make provision for the application to be brought on behalf of the complainant. Any person who has an interest in complainant or another substitute is a member of the South African Police Service. According to Wilson (1997:77) sometimes women may be able to get an immediate, short-term emergency protection order, without the abuser being present on the basis of their own testimony. The temporary order must then be served to the abuser and then followed by a full court hearing at which the respondent has the opportunity to appear before it can be extended for a longer period.

3.9.4. The protection order and warrant of arrest

When a protection order is granted, the court will also authorise the issue of a warrant of arrest, suspended for as long as the respondent abides by the terms and conditions of the order.

3.10. INTERNATIONAL OVERVIEW OF DOMESTIC VIOLENCE

In the British Crime Survey 2007/2008 which covered domestic violence in the United Kingdom (Kershaw et al., 2008) cited in Garratt, (2012:17) revealed that one in six violent incidents were domestic violence with almost one in five women (19%) and one in ten men (10%) reporting experiences of physical force by a partner or ex-partner. As much goes unreported, it is not possible to calculate precisely the prevalence of domestic violence, asserted Garratt (2012). Domestic violence at its most serious results in death and this represents a significant contribution to female mortality rates: on average two women a week are killed by a current or former male partner (Garratt, 2012). Also Garratt (2012) highlighted a particular concern for women from minority groups who had sought legal advice or mediation for issues including domestic violence, and were subsequently abducted, killed or maimed for bringing dishonour to their families and communities. Furthermore, Asian women are more likely to attempt and complete suicide due to pressures to conform to their cultural and religious identity, concluded Garratt (2012) and this makes the likelihood of appropriate support and advice, less likely and more risky.

3.10.1. The Prevalence of domestic violence: global experience

The British Crime Survey (in Resource Manual for Health Care Professionals in Wales, 2001:9) provides a periodic estimate of the number of incidents of domestic violence. However, because the survey uses face-to-face interviewing, it has been recognised that this is likely to produce an under-estimate. The 1996 survey included the use of a Computer Assisted Self-Interviewing questionnaire, designed to maximise confidentiality and anonymity, and therefore to give the most reliable findings to date on experience of domestic violence committed by partners and ex-partners against men and women aged 16 to 59. The Computer Assisted Self-Interviewing questionnaire was not restricted to asking about experiences which had been reported as crimes, but asked about physical assaults and serious threats involving partners, ex-partners, household members and other relatives, both in terms of life time and last year experiences.

The findings indicate the following at some time in their lives:

- Almost one in four (23%) of women aged 16 to 59, and approximately one in seven (15%) of men have been physically assaulted by a current or former partner;
- More than one in four women (26%) and almost one in six men (17%) have experienced physical or non-physical domestic violence from a partner. The use of terminology to describe those subject to domestic violence is controversial the term 'victim' is regarded by some to be meaningless, and there is some preference for reference to 'survivors' of domestic violence throughout this document neutral terms are used wherever possible; and
- The highest incidence of domestic violence was reported by women aged 20 to 24 – (28%) had experienced assault, and one third had experienced assault or threats.

Within the previous year (1995):

- 4.2% of both men and women aged 16 to 59 said they had been assaulted by a current or former partner;
- The likelihood of domestic assault appears to decrease with age for both men and women; around 1% of those aged over 45 reported being assaulted in the previous year, compared with over 10% of women aged 16 to 19, and 9% of men aged 20 to 24;
- Half of those who had experienced violence from a partner or former partner in the previous year were living with children under 16, and 29% reported that the children had been aware of what was happening. However, where women experienced repeated violence, 45% reported that their children had been aware of the latest incident; and
- Women who are separated from a partner are at greatest risk: 29% of separated women had experienced threats or domestic assault from a previous partner in the previous year, compared with only 5% of separated males (Resource Manual for Health Care Professionals in Wales, 1998:9).

3.10.2. The Prevalence of domestic violence: local overview.

Pushing, shoving and grabbing were the most common forms of assault (reported in two-thirds of incidents), and kicking, slapping or punching by the assailant was reported in almost half the incidents (47%).

- Injuries resulted from 41% of incidents, and women were more likely to be injured than men (47% compared to 31%). Women who experienced a chronic pattern of violence were particularly likely to have been injured in the last incident (58%).
- Emotional distress was reported by 90% of women experiencing chronic domestic violence, and three-quarters of women whose experience was of intermittent violence reported being very upset. Women were also very fearful: 80% of chronic female victims and 52% of intermittent victims reported being very frightened during the incident (compared with only 11% of chronic male victims and 5% of intermittent male victims) (Resource Manual for Health Care Professionals in Wales, 2001:10). The British Crime Survey Computer Assisted Self-Interviewing questionnaire estimated the extent of domestic violence incidents involving physical assault, as well as the prevalence of serious threats. Those responsible for the survey conclude the estimates are reasonably accurate, and given the high quality and size of the sample, will give the most reliable estimates for England and Wales (Resource Manual for Health Care Professionals in Wales, 2001:25). The evidence indicates that domestic violence is widespread. Although on first sight, the Computer Assisted Self-Interviewing questionnaire findings might appear to suggest that men are equally as likely as women to experience domestic violence, closer examination indicates that experiences differ both in prevalence and intensity. Incidents reported by men tended to be less serious than those reported by women. Men were also less upset or frightened by their experience, less often injured, and less likely to seek or to need medical help.

However, when men are the focus of domestic violence there are considerable social and cultural pressures which may prevent them disclosing their experiences or seeking help, and these need to be handled with great sensitivity, and services need to be available and accessible for men who have been abused.

Despite some exceptions, the general pattern is one of male violence. Certainly men are less likely to be killed by women while 45% of female homicide victims are killed by present or former male partners, only 8% of male victims are killed by current or former female partners (Resource Manual for Health Care Professionals in Wales, 2001:26). Moreover, women who use violence typically do so to defend themselves, while men are more likely to use violence to control other people. The idea that women are at least as abusive as men is both wrong and dangerous, and can lead to the belief that there is no need to provide dedicated services to protect women and their children against domestic violence.

3.10.3. Other evidence

- Women and domestic violence

The government recognises that women are more likely to experience domestic violence at some point in their lives, more likely to experience repeat victimisation, more likely to be injured and to seek medical help, more likely to experience frightening threats, and more likely to be frightened and upset, revealed (Resource Manual for Health Care Professionals in Wales, 2001:11):

- Every week in the United Kingdom two women are killed by current or former partners.
- Domestic violence accounts for one quarter of all violent crime.
- Domestic violence often starts or intensifies during pregnancy.
- On average a woman will be assaulted by her partner or ex-partner 35 times before reporting it to the police.
- Violence can begin or intensify following separation from an abusive partner.
- Domestic violence occurs at similar prevalence among people at all income levels, and among people from all white, black and minority ethnic backgrounds.

Resource Manual for Health Care Professionals in Wales (2001) further highlighted that being female is the greatest risk factor for experiencing domestic violence. Any woman can experience domestic violence, and one in four will do so.

Domestic violence takes place among all social groups although women from professional backgrounds may be less likely to report violence to the police or other authorities, and more likely to speak to friends and relatives about their experiences. Such women are also more likely than women from non-professional backgrounds to have the options and resources to make choices without recourse to statutory services. A study in Islington in London found 25% of women from professional backgrounds reporting that they had experienced domestic violence at some time in their lives (and 7% during the previous year), compared with 30% of working class women, 10% of whom had experienced violence during the last twelve months and similar proportions of professional and working class males in the survey admitted they had hit their partners.

Studies on domestic violence and poverty indicate that there is not a causal relationship between these factors, although poverty can be a contributory, or exacerbating, factor. Moreover, women with limited financial or other resources face particular difficulties in finding protection which may be reflected in the reporting of incidents to the police. The so-called 'One-year Rule' means that women from abroad may be in the United Kingdom on condition that they stay married for at least one year and claim no 'public funds'. Some women are therefore trapped in abusive relationships which threaten physical and mental health as well as cultural identity. In such circumstances the word of an interpreter or chaperone cannot be relied on completely, and contact with a specialist agency such as Black Association of Women Step Out will be essential.

Women belonging to black and other minority ethnic groups may also face greater difficulties in seeking protection against domestic violence. Experience of racism can have a powerful effect in deterring people from seeking help from services about which they may have low expectations. Services and information need to be culturally sensitive and appropriate. The assumptions and attitudes of some people working in health agencies towards the cultural norms of different ethnic groups may also create further difficulties for women being abused.

Erroneous assumptions, for example, about the acceptability of domestic violence within some cultures or the mechanisms which exist to deal with it, or stereotyped assumptions about the roles of men and women within these cultures, may contribute to poor recognition - or acknowledgement - of domestic violence. Women from black and minority ethnic groups should be entitled to exactly the same protection from domestic violence as all other women. It is often assumed that domestic violence is a reflection of a cycle of violence which is transmitted across generations. However, the evidence on whether people who have grown up with violence, go on to be abused or be abusive in their adult relationships, is inconclusive, (Resource Manual for Health Care Professionals in Wales, 2001:22-23).

3.10.4. Risk factors

Domestic violence does not occur only among certain social classes, family circumstances, or localities. It can, and does, occur in households of all types. Nevertheless, certain groups of people do seem to be at particularly high risk at any one time. The most significant factor is age, with young people most at risk. Although the British Crime Survey (BCS) cannot definitely state the causes of domestic violence, the factors identified indicate the importance of relationships under particular social or economic strain. Key indicators include: marital separation; young children; financial pressures; drug/alcohol abuse; disability/ill health (Resource Manual for Health Care Professionals in Wales 2001:12).

Women belonging to black and other minority ethnic groups may also face greater difficulties in seeking protection against domestic violence. Experience of racism can have a powerful effect in deterring people from seeking help from services about which they may have low expectations. Services and information need to be culturally sensitive and appropriate. The assumptions and attitudes of some people working in health agencies towards the cultural norms of different ethnic groups may also create further difficulties for women being abused.

Erroneous assumptions, for example, about the acceptability of domestic violence within some cultures or the mechanisms which exist to deal with it, or stereotyped assumptions about the roles of men and women within these cultures, may contribute to poor recognition or acknowledgement of domestic violence. It is often assumed that domestic violence is a reflection of a cycle of violence which is transmitted across generations. However, the evidence on whether people who have grown up with violence, go on to be abused or be abusive in their adult relationships, is inconclusive.

3.10.5. Coping with domestic violence

3.10.5.1. Mental preparedness

Someone experiencing or living with domestic violence often pass through five main mental phases in coping with the abuse. It is necessary to move through these phases in order to try to leave a domestic violence situation. These stages are:

- Shock/Denial.
- Bargaining: Tries to talk to or reason with the abuser.
- Anger.
- Depression (and realisation): Rage is turned inwards, in extreme cases it can result in suicide.
- Acceptance: This is the stage where the abused is able to take action (i.e. usually in the tension or explosion stage of the violence cycle).

It may take weeks, months, or years to reach the final stage. It may never be reached. In order to reach this stage it is sometimes necessary to hit rock bottom, to reach the point where you have to move somewhere and the only place is up. Even once the victim reaches this phase, she still needs to:

- Seek emotional support and practical help
- Make a crisis safety plan to help keep her and her children safe
- Get advice about her legal rights and the appropriate procedures

It is extremely important to note that the victim must be the one to move herself through these phases. It is, of course, helpful and almost necessary to have someone they can trust to talk to and rely on for support. However, this does not mean that you should take over the practical aspects of the process for the victim. Resist the tendency to treat her as a helpless child and do everything for her. For her to be able to successfully leave her abuser and rebuild her life she must be in control. This will help her to regain confidence in herself and her ability to be self-sufficient (Epstein, 2003:24).

3.10.5.2. The Criminal Justice System (CJS) process

Wagstaff (2009:176) mentioned that the criminal justice system has an important role in addressing domestic violence, ensuring it is treated as seriously as other violent crime. The system can help protect victims and their families, deter further acts of violence by holding perpetrators accountable for their actions and convey the message to society that domestic violence will not be tolerated and that the abuse is not the fault of the victim. Victims require access to the courts, guidance and support, and often protection, as they proceed through the criminal justice process. Traditionally, the criminal justice system has focused mainly on the most serious cases of domestic violence, such as homicide or involving serious injury requiring hospitalisation, or when the violence has occurred frequently in the past and has not been deterred by administrative penalties.

Even when the case involves serious consequences to the victim, there are high attrition rates. Attrition refers to the sifting out of cases as they move through the criminal justice system, from reporting to the police, investigating the case and laying a charge against a suspect, prosecuting the accused, arriving at a conviction and passing a sentence. United Nations research on drugs and crime involving interviews with 900 women victims of domestic violence in Vietnam found that most cases reported to the police do not lead to a criminal charge against the perpetrator. The study showed that the percentage of perpetrators against whom charges were brought by the police after reporting was low, just 12%. In 81% of the cases where the victim reported the case to the police, no charges were brought against the perpetrator.

Out of the 46 cases that were brought to court, only eight led to a conviction. From these results, one can conclude that the justice system is not handling domestic violence cases very severely. According to this study, only 1 out of 100 instances of domestic violence led to a conviction in a criminal court, went on (Wagstaff, 2009). Domestic violence criminal cases are challenging for criminal justice professionals for a number of reasons. There is the emotional and intimate relationship between the abuser and the victim that adds complexities for the investigation and prosecution that is often not the case in violent situations involving strangers.

Many victims call the police for the sole purpose of stopping the violence and not to have the perpetrator held administratively or criminally liable. Some victims might not be cooperative when the investigator arrives at the scene or as the cases goes through the criminal courts. An understanding of the cyclic pattern of domestic violence and the escalation in severity can help the criminal investigative agency, prosecutors and courts understand the strategic role they can play in preventing future violence. In describing the role of the criminal justice system in domestic violence cases; Wagstaff (2009) cited that one American prosecutor noted: 'We must realise that true success is not prosecuting a murderer, it is preventing the murder. It is not locking up offenders for decades; it is stopping the violence so that escalating violence does not require prison beds for most domestic violence offenders.' Even cases which result in low-level physical injuries must be taken seriously.

This key principle should guide actions in the Criminal Justice System:

- Ensuring the safety of victims; while holding perpetrators accountable for their actions. In this regard offender accountability means appropriate and consistent sanctioning of the abuse, including holding abusers accountable for any breaches or violations of bail conditions or forbidden contact orders and not making excuses for violent behaviour. Thus, the roles of the criminal justice system Institutions in responding to domestic violence are as follows:

- **The police**

The police are at the frontline of the criminal justice system. It is their duty to prevent and respond to crime, maintain public order and enforce laws as section 205(3) of the Constitution of the South African Republic stipulates. At police station level the police are responsible for domestic violence cases. One of their important duties is to effectively investigate all alleged incidents of violence and conduct all investigations in a manner that respects the rights and needs of all the parties involved. Stevens and Cloete (1996:3) mentioned that the South African Police Service is a national police service and an independent state department. The Commissioner of Police is responsible to the Minister of Law and Order. According to the Police Service Act, the functions of the police are to preserve internal security, maintain law and order and investigate crime as well as prevent it.

In support of Cloete et al (1996), Wagstaff (2009:177) said that criminal investigators, by their response to domestic violence situations, have a significant role to play in enhancing the lives of all women. One part of this is in how they respond to incidents and what measures are taken to protect the woman in the immediate aftermath, before and at trial, and afterwards. The criminal investigators can ensure greater access to services such as shelters, counselling, and legal assistance, treat female victims with dignity and sensitivity, improve collection and presentation of evidence, and apply effective measures to protect victims.

- **The Court**

The justice system plays a crucial role in the administration of justice, they are the nexus between the police and the courts. Promoting respect for and compliance with the rule of law, they contribute to a fair and equitable criminal justice system which protects citizens. The court staff also has an important role in building court capacity to support victims in participating in the criminal justice system process. Their efforts can increase the accessibility of court services, facilitate communications among different branches of the court, enhance the efficiency of court procedures and create a safe environment for victims and witnesses, expressed (Wagstaff, 2009:178).

In South African context, it is revealed that although a distinction can be made between different types of courts in South Africa, the functions of all these courts remain the same, namely to accord justice to everybody, to punish the guilty, to safeguard the innocent against further prosecution by acquitting them and to satisfy society's sense of justice by impartial action, further emphasised (Stevens et al., 1996:4).

- **The Department of Correctional Services**

Stevens et al. (1996:4) pointed out that when a person is found guilty of a crime by the court, he or she may be sent to prison for a certain period. The main functions of the Department of Correctional Services are the rehabilitation of the criminal, providing vocational training for prisoners, and keeping them in safe custody in order to protect the community.

3.10.6. International legal framework regarding children and domestic violence

Garratt (2012:22) stated that historically domestic violence was seen as a problem between adults. The United Nations Convention on the Rights of the Child, ratified by the United Kingdom in 1991 outlines the rights of all children. Although domestic violence is not specifically mentioned, a number of articles refer to rights that may be violated or undermined by domestic violence. These include:

- The right to protection from abuse and neglect,
- The right to education, leisure and free association,

The need to promote physical and psychological recovery, and social reintegration of a child victim of abuse, and; and the right to express an opinion and have that opinion taken into account.

3.10.6.1. Police and Criminal Justice System response towards domestic violence: International overview

Kwan (2009:18) states that with regard to domestic violence 'Britain in this respect has been a pioneer to identify the problem, discuss it and have put in place a system to deal with it when there is a need of the criminal justice system.' Robinson (2007) (cited in Kwan (2009) contends that refers to the domestic violence, Crime and Victims Act of 2004 in Britain as 'the biggest overhaul of legislation in over 30 years'. Several aspects of the Act have direct relevance to civil justice. For example, the Act makes the breach of a non-molestation order a criminal offence, punishable with a term of imprisonment, or a fine or both, rather than as contempt of court, which is especially important as it includes same sex couples and couples who are not married or living together.

However Robinson persistently only refers to the effects on women and also comments on the report by Rt. Hon. Dame Elizabeth Butler-Sloss, former President of the Courts service, who stated that 'In dealing with the effects of domestic violence, it would not be unusual for a woman to make multiple visits to a range of courts, at increasing emotional and financial cost' with no reference to similar problems for men. Jaden and Thoennes (2000:146) claim that 'analyses of police and court records in North America and Europe have persistently shown that women constitute more than 90% of partner violence victims reported to the police'.

Corry et al. (2002:9) argue that if a man does call the police having been subjected to partner violence 'If the police ... find probable cause, which is often loosely and subjectively defined, there is an 80-90% chance the male present will be arrested whatever the evidence and circumstances' stating further that most police officers will believe the woman's story. In the Her Majesty Crown Prosecution Service Inspectorate report (2004:82), only five of the 325 cases that they investigated were by males against females. 'However, there were numerous instances where counter-allegations were made by male defendants against female partners either at the time of reporting the incident or later during interview.'

The Crown Prosecution Service Policy (2009:5) on domestic violence further states that 'We are aware that there are a number of myths and stereotypes surrounding domestic violence. We will not allow these to influence our decisions and we will robustly challenge such attitudes in the courtroom.' Whilst the Association of Chief Police Officers (2008:36) policy acknowledges that domestic violence can be against men and women, their guidance on establishing Risk Factors goes on to say: 'Most of the available research evidence, upon which the following factors are based, is focused on male abusers and female victims in a current or previous intimate relationship.' It would seem to be clear that there is considerable research, as evidenced from both academic studies and the British Crime Survey, that there is a significant level of domestic violence against men, which is being ignored by Association of Chief Police Officers.

3.11. CONCLUSION

This chapter introduced the literature review of related literature and documents on domestic violence, followed by the discussion on phenomenon to help experiences of women and children. The literature provided a rich context for the current study and enabled exploration of findings within and between the consulted literatures. The next chapter articulates the theories of domestic violence.

CHAPTER 4

THEORIES ON DOMESTIC VIOLENCE

4.1. INTRODUCTION

This chapter focused on theories covering domestic violence on an international scale. South African communities are no different in this regard. As a South African Police Service member who works closely with a psychologist who daily deals directly with the victims of domestic violence in Gauteng province of South Africa the researcher thinks that while carrying out a study of this magnitude it is essential that the said study is underpinned by appropriate theories, principles and ideas. The domestic violence theories provide a framework for understanding the context of domestic violence perpetrated against women and children in every setting across the globe. Thus, the representation of major psychological theories is aimed at positioning the study within a psychological context of research. The psychological theories include:

4.2. THEORIES EXPLAINING DOMESTIC VIOLENCE

4.2.1. Attachment Theory

Attachment theory, originally formulated by Bowlby (1988, 1980, 1979, 1973, 1969, 1953) (cited in Wagstaff, 2009:48) provided a framework for research into the short- and long-term effects of early relationship experienced by children and attachment patterns relating to the emotional bond between the-said children and their caregivers. This is a very powerful bond that keeps infants close to their main caregivers (usually mothers) which is necessary for their survival through the provision by the attachment figure of feeding, safety and comfort. Babies form attachments with primary caregivers during the first six months of life. According to attachment theory, early relationships allow children to experience a sense of security, develop readiness to explore the world, and provide a solid foundation for the development of self-regulation. Thus experiences in infancy are very important in shaping children's emotional health, resilience and social competence, Wagstaff (2009:49). The researcher shares the sentiments of Wagstaff (2009) in that a secure attachment relationship depends on the consistency of the parenting and the child's ability to identify with the parent.

The attachment behaviour of infants who are insecurely attached can be classified into three categories: anxious-avoidant, anxious-resistant, and disorganised. Estimates of secure attachment among children exposed to risk factors such as domestic violence tend to be significantly lower than found in the general population, as well as such children having a higher level of disorganised attachment. Children, whose needs are met, typically develop models of themselves as competent, effective, and lovable; models of others as predictable and trustworthy; and models of relationships as rewarding and worthwhile.

When living in households with domestic violence, home can become a place of tension and danger which can adversely affect the attachment relationship between parent and child. If children do not experience a secure attachment relationship due to unresponsive or inappropriate parenting it can lead to the creation of negative models of both self and others. Children can potentially develop an internal working model of the self as one unworthy of care and protection. Wagstaff (2009) further argued that a child's internal representation of the self is related to their self-esteem and self-concept, and that these develop alongside working models of attachment figures.

Although parenting capacity / family size has already been discussed in the literature review it is important to revisit it within the context of attachment theory. Women who experience domestic violence can present with higher levels of stress and mental health difficulties, which can lead to a reduction in emotional availability for their children. Good parenting develops through strong attachment relationships and is considered a protective factor which can help children cope with adversity, such as experiencing domestic violence. Valuable lessons can be learned from parents who despite their own negative experiences and trauma, manage to maintain emotional availability for their children.

4.2.2 Social Learning Theory

Social learning theory is based on Bandura's work (1977) (cited in Wagstaff, 2009: 49) and suggests that children develop beliefs and behaviour patterns from observing and interacting with those around them. People are not born with preformed repertoires of aggressive behaviour. They must learn them in one way or another. Some of the elementary forms of aggression can be perfected with minimal guidance, but most aggressive activities – whether dueling with switch-blade knives, sparring with opponents, military combat, or vengeful ridicule – entail intricate skills that require extensive learning.

In the social learning system, aggressive modes of response are acquired either through observation of aggressive models or on the basis of direct experience. The link between childhood experiences of domestic violence and violence in adulthood has been acknowledged by many (Murrell et al.2007; Shlonsky& Friend, 2007; Renner & Slack, 2006; Kashani& Allan, 1998; Henninget al. 1997) (cited in Wagstaff, 2009: 49), and is a phenomenon frequently referred to as the 'intergenerational transmission of violence' or the 'cycle of violence'. The notion of the cycle of violence suggests that children who have experienced domestic violence can learn potentially destructive strategies of problem solving, conflict resolution and communication which they then employ in their daily interactions, explains (Wagstaff, 2009:50).

In connection of the above, Wagstaff (2009) went on to say that the mechanism of this transmission of violence is observational learning, most commonly described as learning from modelling within a social learning perspective. The prominent sources of this transmission of violence for children include family and community members, as well as the media. As it is within their social context that children learn that violence is either acceptable and/or appropriate, or not, the development of self-regulation, which is a prerequisite for the development of social skills needed for healthy and successful relationships, is highly significant. He further mentioned that experience of violence provides a model of behaviour that lacks appropriate regulation of negative emotions.

Thus children from more violent homes are more likely to acquire aggressive modes of behaviour. Where there is both domestic violence and child abuse there are additional opportunities for learning aggressive behaviour patterns. The social learning theory of aggression also suggests that children are more likely to incorporate the values and behaviours of the parent with whom they more closely identify, most typically the same-sex parent. However, it must also be considered that alongside the modelling of negative and violent behaviour during domestic violence, children may benefit from experiencing the strength and courage of the non-violent parent. Such behaviour can include the 'art of survival' as well as modelling 'assertive and non-violent responses to violence.

4.2.3 Resilience Theory

Wagstaff (2009:51) stated that the study of resilience has overturned many negative assumptions and challenges deficit-focused models about children growing up with disadvantage and adversity. The 1970s saw the initial exploration of the phenomenon of resilience with a focus on children considered at risk (genetically or environmentally) of psychopathology and developmental problems. Resilience can be thought of as 'forces that pressure development in a positive direction' and refers to the process of, capacity for, or outcome of successful adaptation despite challenging or threatening circumstances. The author describes resilience as an interactive concept concerned with the combination of serious risk experiences and a relatively positive psychological outcome despite those experiences. Within the area of domestic violence, support for resilience theory comes from findings that some children who have experienced domestic violence do not display any more problems than children who have not been so exposed. Despite the abundant evidence to suggest the many ways children can be affected by their experiences of domestic violence, there are plenty of children who develop successful ways of coping with the most extreme cases of adversity (for example, survivors of uxoricide, suggesting that resilience is a common, rather than an extraordinary feature in the process of human adaptive development. The surprise of resilience research is in the ordinariness of the phenomena.

Resilience appears to be a common phenomenon that results in most cases from the operation of basic human adaptation systems. If those systems are protected and in good working order, development is robust even in the face of severe adversity; if these major systems are impaired, antecedent or consequent to adversity, then the risk for developmental problems is much greater, particularly if the environmental hazards are prolonged. As already mentioned the impact of domestic violence is not uniform and children's responses vary greatly. The developmental psychopathology perspective views the relationship between antecedent risk experiences as moderated by an array of individual and environmental factors, explained Wagstaff, 2009: 52).

Wagstaff (2009) goes on to highlight that this offers an explanation for how even children in the same family are affected in different ways regarding their experiences of domestic violence. Research into resilience tends to focus on two main notions; risk or vulnerability factors (i.e. those associated with an increased likelihood of negative outcomes) and protective factors (which buffer the effects of adversity). Both are shaped by individual influences like, temperament, age, gender and stage of development and family or interpersonal factors such as socio-economic status, quality of attachment with caregivers, lifestyle and family functioning, and cultural, ethnic or community factors are of importance in this regard. In addition, domestic violence is considered a risk factor for children and since it occurs in the home, factors such as parenting and social support will influence how experiences of domestic violence affect children. In addition there are many factors which affect the risks to children who have experienced domestic violence. Children are affected by the severity, nature and extent of the violence within a family setting, whether they were directly abused or witnessed their father murdering their mother. Although there is a term (meriticide) meaning the murder of a husband by a wife, it is rarely used, and uxoricide is generally the term used for any spousal killing. It is known that disabled children are at greater risk of all forms of violence than non-disabled children, and the presence of multiple impairments appears to increase the risk of violence (The Children's Rights Alliance for England and the National Society for the Prevention of Cruelty to Children, 2008), went on Wagstaff, 2009: 53). He further outline that other factors includes the following:

- Age: Young children have not developed many of the skills and functions required to develop potential protective processes, due to their limited life experiences and social opportunities. This includes their comparative lack of communication skills and language to express concerns and make sense of situations; consequently they are often unable to cope as well as older children.
- Gender: Being female reduces the risk of externalising and being male reduces the risk of developing internalising responses.
- Personality or temperamental factors: An example is that high self-esteem acts as a protective factor.
- Attachment and affiliation relationships: A strong, positive relationship with a competent adult is considered a protective factor for children.

4.2.4. Feminist Theory

On this theory Wagstaff (2009:53) said that feminism developed in the early 1970s, giving collective meaning to individual experiences through applying the concepts of domination, oppression, exploitation, and ideology to women's experiences. It was feminism that first brought domestic violence into the public sphere and highlighted the plight of women and children living in abusive situations. Exploring domestic violence within a feminist theoretical framework places issues of violence, power and control at the centre. Feminists claim that men use violence to control their women because they feel entitled to, and are supported by a patriarchal culture.

Although equality between men and women in our society is more visible than in the 1970s, feminists claim that social and institutional power structures continue to support unequal power relations between men and women, and it is this which explains the highly gendered pattern of domestic violence. Most studies of domestic violence have been undertaken within heterosexual relationships and have found that the majority involve men who perpetrate violence against women.

And on the other hand some claim that feminist theories focusing on male domination and control offer the most convincing explanation for the extent and pervasiveness of domestic violence as 'domestic violence is a phenomenon that is embedded in society and in social institutions' continues Wagstaff, 2009: 54). Although this study acknowledges the highly gendered patterns of domestic violence, and recognises the historical, social and institutional patriarchal views that have shaped our society, it is not written from a feminist position: it purports to be inclusive to allow a broader understanding of the subjectivity of each person's experience.

Support for feminist theories of domestic violence is offered through the understanding of the relationship between intimate terrorism and traditional gender attitudes, where control is the motivating variable for the typically male perpetrator. Exploration of control tactics by Johnson (2006b) (as cited in Wagstaff, 2009) included measures similar to the pro-feminist Duluth model. In this context; respect is used internationally to guide work with violent men whilst empowering women, said Wagstaff (2009). In connection to this statement by the author, the researcher is of the point that through challenging the assumptions about why women stay with abusive and violent men.

At the centre of the wheel is the intention to establish power and control, the spokes each represent a particular abusive tactic, while the rim depicts the threat of violence. Each of the tactics depicted on the power and control wheel are typical of behaviours used by groups of people to dominate others. Feminist theory claims that men in particular are taught these tactics through experiences in a patriarchal culture that guides them to dominate. It is this principle of control that is crucial to understand the motivational explanation for domestic violence. The distinction between the four different types of violence defined by Johnson (Johnson, 2006b, 2006a) (as cited in Wagstaff, 2009: 54) enables feminist theory to be positioned within a wider, less gender-rigid understanding of violence.

These distinctions between types of violence can also offer some explanation for the contradictory research findings which simultaneously convey a sense of the mutuality of violence across genders and within same-sex relationships, whilst acknowledging the overwhelming prevalence of male-perpetrated violence. The feminist movements in the United Kingdom, including Women's Aid, have long advocated not only for women, but also for children. They have provided research, intervention and support services that have moved with society. It is through Women's Aid that most of the participants in this study were accessed.

4.3. SUMMARY OF THE PSYCHOLOGICAL THEORIES

Wagstaff (2009: 56) concluded by revealing that domestic violence can disrupt the emotional bond between a parent and a child, which can impact upon the effectiveness of parenting. Attachment theory provides an understanding of the importance of children's early experiences and the need to develop a secure relationship with a main caregiver. It highlights the effective and powerful protective function of such a bond as children are made to feel loved, valued and special and are more likely to think about themselves positively in the future. Due to the methodology employed no historical details about the children's early experiences, including their relationships with caregivers, the onset of the violence, and other contextual information that may have offered insight into the nature of the children's attachment relationships were collected. However in view of the research aims it is likely that the children's attachment figures and relationships with family members, especially their mothers with whom they live, may be prominent.

The concept that children learn through observation from within their home environment is concerning for children who live in households with domestic violence, especially when we consider the high prevalence of this issue. Reassuringly the modelling of positive attitudes, behaviours and beliefs by nonviolent parents and others, including peers, family and community members can ensure that appropriate coping strategies develop.

Although valuable as a framework for consideration of the findings in the current study, social learning theory does not seem to provide a thorough explanation of why some people will decide to live in a non-violent manner as adults despite experiences of domestic violence as a child or how some children do not exhibit violent or aggressive behaviour despite experiencing serious domestic violence. Thus, it cannot be assumed that all children who experience domestic violence will show negative effects and we should be careful not to over-pathologise it.

Resilience theory focuses on the possibility of positive outcomes despite negative experiences and allows individual experiences, characteristics and influences to play a role. Attachment to a competent and emotionally available adult represents a major protective factor. Resilience theory responds more adequately to the variability in responses by introducing the concepts of protective and compensatory factors alongside those that are a risk. Resilience theory and research into risk and protective factors offers a framework to answer questions about the potential negative effects of domestic violence on children and to guide efforts to understand the protective process.

4.4. CONCLUSION

This chapter introduces related theories on domestic violence. The theories in question provided a rich context for the current study and enabled exploration of findings of Chapter Five. They explore the different ways in which the victims of domestic violence suffer at the hands of the perpetrators. According to the social learning theory, behaviour is learned. The violence normally occurs as a result of either /or the past experience wherein the abuser has been abused. Hence other theorists subscribe to the notion that other perpetrators just use power to abuse their victims. The next chapter discusses the data analysis and interpretation.

CHAPTER 5

DATA ANALYSIS AND INTERPRETATION

5.1. INTRODUCTION

The primary aim of this study was to investigate police officials' response to domestic violence incidents at police station level. The objectives were to explore the experiences on the nature and extent of domestic violence, determine the types of service which are found to be helpful in preventing and investigating domestic violence, analyse the type of services as rendered to the victims of domestic violence and gather South African Police Service perceptions regarding current strategies to police domestic violence within the Tshwane Policing Area. The main research question of this study was to answer 'why domestic violence is regarded as a serious crime in South African communities?' The purpose of this chapter is to present the empirical data obtained from individual interviews and the literature study. The researcher conducted ten individual interviews with the identified police officials at police station level. Each interview conducted lasted approximately 30 to 40 minutes. All the interviews were recorded with a voice recorder and manually (i.e. writing of notes).

5.2. DATA OBTAINED FROM THE TARGETED POLICE STATIONS IN THE TSHWANE POLICING PRESINCT

This section presents qualitative data obtained from the police officials as attached Atteridgeville, Pretoria Central, Eersterust, Mamelodi East and Sunnyside (i.e. five identified police stations in Pretoria inner city and township areas). The researcher conducted ten individual interviews per station with South African Police Service officials who directly deal with social crimes in general and domestic violence in particular at police station level. The individual interviews were conducted in order to find out the role of the police officials in responding to domestic violence. In order to measure that, ten questions were asked to the participants as reflected on the next pages of this chapter.

5.2.1. The causes of domestic violence in South African communities

One can argue that there is something seriously wrong with the moral fibre of many South Africans when one looks at the prevalence of domestic violence in South African communities. The causes behind domestic violence in the Tshwane Policing Area by the targeted police station officials are considered to be the following (i.e. in order of importance):

5.2.1.1. Lack of control within society

It was indicated that abusers use violence and tactics of coercion as a way of exercising control and getting what they want. In Atteridgeville police station they indicated that most perpetrators upon arrest claim that they were angry because their female or children victims show disrespect towards them and that caused excessive anger. The study revealed that most victims are women and mostly South Africans. And foreign nationals were reported to be involved (i.e. Mozambicans – who are left stranded by their husbands who left them and fall in love with South African women). In other cases domestic violence involves siblings in Tshwane who usually fight for houses that are left by their parents or grandparents.

It is neither common nor dominant in Tshwane policing precinct. In Sunnyside policing precinct, it is found that the South African women fall in love with the Nigerians and when they don't give them money, the fights usually erupt and the woman threatens to report the man in question that is selling drugs. On a positive note, it was said that the foreign nationals are very respectful towards the police officials in the area, they cooperate very well and they end up solving the matters without even opening dockets. However, in Eersterust area, the victims of the domestic violence are mostly coloured people and Africans and in Atteridgeville, African, coloured and Indian people are reported to be affected by this scourge. Overall, the targeted police officials mentioned that the majority of cases to which they respond on many occasions relate to physical abuse in which women and children are regularly beaten by their partners, it was also highlighted that some children are sexually abused by their fathers; and the pensioners also experience this economically (i.e. their grandchildren used their pension

money/social grant for their personal entertainment and also neglect them as they are not working or willing to work). Some victims are verbally abused, intimidated and harassed.

5.2.1.2. Myths, stigmas, stereotypes and traditional attitudes

In Sunnyside policing area, the practice of prostitution was reported to be high by the time of conducting the study and is usually between the South African citizen and the foreign nationals, predominantly Nigerians– it was further revealed that when prostitutes are not paid by their regular clients or in instances when the clients fail to pay according to agreement. These prices range between R70.00 and R100.00 per session, and it leads to a fight and the prostitutes end up reporting the matter to police. In relation to this revelation it was also stated that some sex workers are alleged to have mentioned the fear of being victimised or being laughed at if they report domestic violence to the police.

The study also found that some males are also suffering from abuse at the hands of their female partners and they are afraid to report the matter to the police as they are afraid of becoming laughing stock of male police officials at police station Community Service Centres. It was also discovered that in Tshwane some of the male victims prefer to be helped by female members as a result of being afraid to be laughed at by males' police officials. The stigma of a man being beaten by a woman is still dominant in the areas under study.

In the past, the overriding attitude to domestic violence was the belief that it is a private affair between husband and wife, and nobody should interfere unless it is happening constantly and causing serious and visible injury to the woman or, more significantly, injury to the children. This attitude went along with reactions which tended to excuse the violence and blame the woman. Traditionally, if people were concerned at all about the man's violent behaviour, they would often put it down to drink.

All the stations interviewed indicated that the community do not get involved in family matters since most of the people in the suburbs do not know each other, but in townships like Mamelodi East and Atteridgeville it is still better because they help one another when one is in trouble but rare in places like Eersterust, Pretoria Central and Sunnyside. This is because they are suburbs and town and each one cares only about his/her own business. Sunnyside and Pretoria Central have flats where it is not easy for people to see what is going on and help, rather than standalone houses.

With all the findings noted by the researcher, it is of great significance to understand that the new Domestic Violence Act specifies how the police should handle victims and offenders of this type of violence, this helps in fighting the myths, stigma, stereotype and traditional attitude associated with this crime. These findings bring back the notion that the police officials would not necessarily have interfered in the case of domestic violence in the past, whereas it is now against the law by state definition and the police are obliged to interfere.

5.2.1.3. Use of illegal substances

The study further indicated that some of the women in Tshwane go around bragging that they can beat their own husbands and this is mainly caused by taking illegal substances, such as alcohol, nyaope, and wogga drugs, to name just three. In all the identified police stations in the Tshwane precinct, they maintained that domestic violence is caused mainly by use of substances like drugs, nyaope and alcohol. While the researcher was in Atteridgeville police station conducting the field interviews, one mother was seen bringing her niece complaining that the boy troubles everyone in the house and he steals her money and she also stated that she is only his foster parent After his mother passed on, the boy confessed that he drinks methylated spirits and after that he feels high and he starts to trouble everyone in the house.

In essence in Tshwane policing precinct has a great problem in usage of drugs, nyaope and other substances that have an influence on the functioning of family. The consequence of this mostly affects teenagers and family members as well as relatives. The use of drugs is dominant in Eersterust and Sunnyside policing areas and is causing domestic violence. The Eersterust area was once a matter of concern in the public eye and it made countless headlines in the media in that parents were reported crying for help as far as usage and prevalence of drugs is concerned in the area. In Sunnyside area drugs are mostly used by South African citizens and distributed by foreigners, especially Nigerians.

5.2.1.4. Urbanisation, migration and population

The majority of people residing in Pretoria/Tshwane have migrated and immigrated to the capital city of South Africa for job opportunities and better living conditions. However, it should be emphasised that we still have permanent native residents of Pretoria inner city and surrounding areas. Pretoria is highly populated by foreign nationals who mostly include the Mozambicans, Nigerians and Zimbabweans, to name just the three, and are branded to be involved in this kind of practice in this way, when they arrive in Tshwane with their spouses they are likely to start cheating on their wives with the South African women. This leads to fights in the family.

5.2.1.5. Ignorance of the legislation

Despite the advent of democracy in South African communities, the equality between males and females is not practised to the fullest extent. The study further confirms that despite progressive legislation such as the Domestic Violence Act, which aims at abuse of women and children, it seems that too many perpetrators still walk free to continue with their practices. This remains unjustifiable and irresponsible as this type of crime is a matter of concern. The application of this Act by the local South African Police Service as identified was ineffective in improving the prosecution and adjudication of domestic violence actions across the communities involved. The police are not in a good position to respond or prevent this scourge or increase the reporting strategies.

5.2.1.5.1. Protection order

How effective is the protection order? This was one of the questions posed to the target groups. Mamelodi East police station officials mentioned that the protection order is not assisting them in fighting domestic violence owing to many withdrawals or cancellations. Their reasoning is that most of the perpetrators are not afraid of the protection order; they say it is just a piece of paper that serves nothing on them. However, the other police stations, namely; Atteridgeville, Mamelodi East, Eersterust, Pretoria Central and Sunnyside claimed that the protection order does help in reduction of this crime and the perpetrators/offenders are now afraid of being arrested. In essence, the police officials in question contended that the protection order does play a vital role in helping victims of domestic violence to feel safe within their policing areas.

In instances where a victim of domestic violence applies for a protection order, the abusers do not take the protection order in question seriously; thus the abuse continues. It was revealed that even though the victims have an option to apply for a protection order or lay a charge, the interventions systems are ignored by the abusers. In some instances a protection order is issued. However, the abuser does not abuse or commit certain acts against their victims. In essence, they do not fear to face arrest, do not change their ways owing to the issuing of a protection order. They break the terms of the Protection Order. It was noted that the victim knows the procedures relating to how to apply for a protection order (i.e. by going to the nearest police station or magistrate's court).

5.2.1.5.2. Withdrawal of charges

The study indicates that the victims who lay criminal charges against the abuser, often decide afterwards to withdraw the charges despite the fact that the abuser's conduct does constitute a crime (i.e. the abuser does not get a chance to appear in court for a civil hearing or oppose the stated allegations in the affidavit), this is done without the permission of the prosecutor, meaning at this point of time; the police do not get a chance to investigate and arrest the abuser. The study found that many abusers persuade their victims to have the protection order cancelled or withdrawn.

Then they abuse their victims again. It was then advised that 'women should be very cautious before setting aside a Protection Order. It is a useful means of protection, and does the job of keeping the abuser in check. If you decide to stay with an abuser, keep the Protection Order for as long as possible' noted one of the participants. The reasons why the victims find it hard to continue with the criminal charges include, according to the participants of the four police stations (not in order of importance):

- Financial dependence;
- Vulnerability to the abuser;
- Fear of further victimisation;
- Fear of further violence;
- Obsession with the abuser;
- Fairy-tale in line with abusive relationship (i.e. thinking that the abuse will end).

5.2.1.6. Cycles of violence

The study reveals that domestic violence is more than a smack, fight or an occasional argument. This has to do with structures we find in our society (i.e. owing to the imbalance or chronic abuse of power where the abuser tortures and controls the victim through calculated threats, intimidation and physical violence and wealth/money/status, historical and classism structure). For the purpose of this study, the researcher concentrated on the structure of the family within the patriarchal society. It was also stated by the participants that in a family there must be that person who makes a final decision. Thus, the indications of the findings were:

- A father is a dominant figure and is viewed as powerful by the family tree and they are not allowed to show emotions in different situations which they may encounter in life.
- A mother's role remains subservience – helpless – she can cry as much as she desires and is also perceived as a housewife whose roles remain in the kitchen and who must look after the children. In most cases they suffer for emotional (psychological), financial (economic) and physical (biological) reasons due to criminal deeds as perpetrated on them by the partners within a family setting.

- Children's roles: owing to the conflict caused by the abuse of power by their father they become domestic violence crime victims, either as primary or secondary victims. In addition, children get biological illnesses resulting from the state of health of their parents. However, it was also said that not in all cases children become dysfunctional biologically.
- In summation, it was further highlighted that as primary victims of domestic violence, women and children suffer the deeds of domestic violence personally, in a first-hand situation. One of the participants said that he sometimes responds to victims who are raped as a result of domestic violence, he mentioned that this crime hurt women and children personally, as the perpetrator is in direct contact with the victim. Another participant said some victims are stabbed or murdered and they suffer physically and they are also biologically harmed likely if they are not dead.

It was revealed that the victims suffer enormous trauma after such events. In contrary to this, the study also states that the victims also suffer as secondary victims, it was said that secondary victims have a direct connection with primary victims (i.e. that could be the family, close-knight friend, children who suffer financially and physically) the study indicated, this encompasses the three stages of cycle of violence; the tension stage, the abusive stage and honeymoon stage.

5.2.1.7. Workplace setting

The study indicated that the ritualism, which the participants referred to as instances where families are happy with their work and the things they do within the work environment. However, the study found out that this practice is not conducive enough within South African workplace setting. The participants revealed that in a workplace setting males are always viewed as bosses/directors and women are sexually harassed (i.e. it was said that this practice can start in the blink of an eye and can lead to rape in some cases and they are afraid to say a word as they think no one will believe them) or experience violence in the workplace. One participant said that on the economic level women earn less than their male counterparts even if they possess same qualification.

This creates binary conflict. It was said, that biologically males and females are different, so it is males versus females. This relates to sexism; instances when a woman is seen as a sex object, always used in pornography, half naked in advertisements. Yet this remains in the workplace.

5.2.1.8. Family setting

It was revealed by the study that domestic violence makes the whole family to suffer. In a home where domestic violence occurs the children also become victims of violence and fear within the family setting. These children grow up in a climate of fear where instability and confusion replace the love, comfort and nurturing that children need, said one of the participants. Another participant revealed that violence may be passed on from generation to generation as a learned behaviour and interaction; learning that the most effective way of resolving conflicts and problems is through the use of violence. The other finding was based on 'in-laws disagreement'. The Tshwane people do not dwell on the notion of respecting the in-laws. The Atteridgeville police officials indicate that victims who have been helped or come to police station indicated that they fight with the in-laws because they want to control their husband's assets. For example, when the mother-in-law claims that her son's property is hers too and the daughter-in-law does not have a say.

5.2.1.9. Additional comment by the participants

In conclusion, the participants all contend that domestic violence can be caused by the under-mentioned (not in order of importance):

- Financial reasons;
- Severe drinking problems;
- Unemployment;
- Suffering from abuse at the hands of the victims;
- The victim wanting to end the relationship – the change in love resulting in jealousy, hate or abuse.
- Lack of love and care for one another;
- Infidelity and suspicion that the victim was unfaithful.

5.2.1.10. Formal recording of domestic violence (registers)

When asked about their views regarding the formal recording of domestic violence incidences in within their policing area, all identified police stations share the same sentiments. They state that when the case is reported at the Community Service Centre, South African Police Service 508A and 508B are completed, it was said that this is the register in which all domestic cases are registered. The officials in questions said that they also complete what is dubbed ‘Form One (1) – this is the form which is used to advise the complainant on what to do including to apply for a protection order.’ They also shared that they have manuals in terms of the Domestic Violence Act that guide them on what to do with domestic violence cases as a formal way of approaching them. It was shown to the researcher that all incidents of domestic violence are recorded in a domestic violence register and kept at the station.

5.2.1.11. Firearms involved

The participants were further asked about their views regarding the South African Police Service procedures relating to domestic violence incidents involving firearms. On this question, three police stations (Pretoria Central, Eersterust and Sunnyside) showed no knowledge of firearms involvement in domestic violence cases in their policing area. Only police officials attached to Atteridgeville police station indicated that in cases where firearms are involved they normally seize the firearms in terms of Section 102 of the Firearm Act No. 60 of 2000 as a way of protecting further victimisation of the targeted victim.

5.2.1.12. Advising of clients

Further question was posed relating to the mechanisms in place at their station level to ensure that they advised the complainant with regard to obtaining a protection order; receiving medical care, retrieving their personal property, and finding suitable shelter? All South African Police Service questioned in the Tshwane Policing Area do consider the domestic violence cases to be a serious crime.

Like any other crime, when it is reported, they do follow the formal procedure of recording in accordance with South African Police Service National instruction 7/1999. Furthermore, they stated that they make two entries, one in the Occurrence Book [South African Police Service 10] and the other one on the member's pocket book (South African Police 206). In terms of National Instruction 7/1999, they also record all the domestic violence incidents in the domestic violence register known as [South African Police Service 508 (b)] in terms of section 12(1), this helps as a referral when a complainant arrives at a police station to open another charge of domestic violence.

The member will ask the complainant to give him or her a copy of the previous incident. If the complainant doesn't have one, they then check in the register in question. They mention that there is also a form dubbed 'Form One (1)' as indicated above, which is completed and the complainant is advised on what to do after the case is reported. The South African Police Service members further advise the victim to get a protection order and, in addition, the victims are referred to social workers and psychologists for counselling purposes. The stations identified are equipped with Victim Support Centres or Victim Empowerment Centres with trained personnel. Where necessary the shelter is arranged and if the victim is injured, he or she is taken to a medical doctor for medical attention.

5.2.1.13. Police commitment to domestic violence victims

The sensitivity and care of treating the victims of domestic violence within the identified police station is still growing. It is not in an advanced stage. However, it was said that they are doing all they can to treat victims with respect and dignity, assist them with empathy, inform them of their rights, decide on the basis of the given statement whether to arrest the abuser or the public and speak with them in an understandable language, to name just five. One of the participants mentioned that they do assist the victim of this crime in obtaining medical assistance, finding a suitable shelter and counselling and they also inform them of their nearby hospitals, medical practitioners, available services, to name just three, added another participant.

5.2.1.14. Domestic violence training initiatives

What type of training is provided to South African Police Service officers, and the number of officials who have undergone training specifically related to domestic violence for the past six months? In every station targeted South African Police Service members are taken for domestic violence courses or training initiatives every year to enhance their skills in responding to domestic violence. That not everyone can be accommodated for these courses in the South African Police Service was highlighted, although there was an attempt to send the members for courses or more training, it was indicated that some of the South African Police Service members do get in-service training as part of their basic training or probation processes, more especially those who are from South African Police Service colleges.

Moreover, the number of South African Police Service members enrolled in the courses referred to was provided though seem to be low; some stations indicated that for the past six months six members were trained, for example; Atteridgeville. However, it was encouraging to note that something was being done at this stage. 'Training and information updates are provided but not regularly, thus we remain ineffective in responding to this crime,' one of the participants revealed.

5.2.1.15. Lack of planning

Data revealed that the police officials at identified police stations concur that lack of planning does exist in responding to domestic violence cases at their disposal. In addition, the participants also indicated that the role of the South African Police Service management team was to promote ways of approaching domestic violence effectively for the betterment of their surrounding communities. The data also revealed that the role of the South African Police Service management team is to lead, coordinate, control and manage all activities of the South African Police Service that involve responding to domestic violence. Lastly, the participants indicated that it is the task of the South African Police Service management team to communicate important aspects pertaining to response to domestic violence.

This implies that the participants have an understanding of the role of the South African Police Service management in policing domestic violence. According to the participants the following should be done at police station level to respond to domestic violence (again not in order of importance):

- All police officials should respond to acts of domestic violence as crimes to achieve good results;
- Police officials' resource support system by South African Police Service management and proper treatment with respect and dignity of victims of domestic violence should be utilised;
- The creation of safety homes for abused victims, and;
- Teaching and learning for inexperienced South African Police Service officials.

According to the participants, planning collectively with various stakeholders is the key to reduce domestic violence successfully. It was also the opinion of the participants that conveying a message with regard to the development of the domestic violence awareness campaigns to the community may also bear fruit in attempting to prevent or respond to domestic violence successfully. Furthermore, to employ competent investigators who will produce good results was viewed as one of the strategies to address this crime. Moreover, the participants are aware that they can adopt open door policy to all stakeholders in order to address domestic violence in their respective communities successfully.

'The arrest rate is minimal in our area, as there is lack of evidence to link the suspected abusers to the crime as committed,' indicated one participant. Another participant indicated that developing a plan for the South African Police Service officials at police station level is important as it can give direction to their functions in line of responding to domestic violence.

5.2.1.16. Challenges of policing domestic violence: Tshwane Policing precinct perspectives

The participants were also asked that 'what are the challenges that compromise the ability of the police to act in accordance with the provisions of the Domestic Violence Act?' Some of the challenges expressed by the target groups were that (not in order of importance);

- Some premises are highly fenced so that the police officials cannot see the house inside the yard. It was indicated that this poses a challenge to them as they do not know if they are also putting their lives in danger.
- Withdrawal of domestic violence cases: It was revealed that in Tshwane Policing Area, the victims have the tendency of opening the cases and after few days they go back to withdraw them, the reason being that they have reconciled with the perpetrators.

But a few months later the very same victims will come to the Community Service Centre to re-open the case. They indicated that this also brings frustration to police who at the time put in an effort to do all the necessary work and compromised some of their other work in order to prioritise the domestic violence.

- Lack of resources to deal with domestic violence cases: According to the police officials as interviewed they do not have resources to tackle domestic violence. In addition, the findings revealed that, according to the participants, lack of resources is regarded as hindrance to conducting proper investigation processes.
- Private domain: In the family context, it was revealed that domestic violence normally occurs within closed doors, and the parties happen to know one another. One of the participants indicated that it is very hard to investigate or respond to domestic violence cases owing to the sensitivity of the matter.

In conclusion, from the information above, the researcher may conclude that most of the participants are not conversant with the domestic violence concept as one of serious crimes in South African communities. Since that is the case, it shows that the causes of this scourge are well known to the public.

Furthermore, the South African Police Service members as identified indicated that challenges are posed by approaching domestic violence cases in the Tshwane Policing Area. However, they indicated that they are doing their best in fighting this scourge and they also give the domestic violence cases the needed attention and treat them as a first priority as they can lead to death if not taken seriously.

5.2.1.17. The relation of relevant stakeholders in policing domestic violence in the Tshwane Policing Area

The participants' views on the adequacy of inter-departmental collaboration (structures such as South African Police Service, National Council for Gender-based Violence established recently by the Department for Women, Children and People with Disabilities, and other Non-Governmental Organisations) were evaluated in terms of their effectiveness, and the mechanisms to be introduced to ensure that they do work. The South African Police Service within the Tshwane Policing Area do work hand-in-hand with other structures because they usually refer victims of domestic violence to the shelters which form part of Non-Governmental Organisations and on the other hand they help in conducting awareness of domestic violence in the community. In every station visited, there is a Victim Empowerment Centre, or Trauma Centre. Most of the members working there are volunteers. They work hand-in-hand with social workers.

The members working at those centres normally go to the Community Service Centre to check reported cases of domestic violence. They also did a follow-up with a victim to check if the person needed further assistance. In instances where the victim needs counselling they normally refer the victims of domestic violence to social workers and in position where they need shelters they arrange accommodation at local shelters which are mostly Non-Governmental Organisations. In this respect, the challenge is that some shelters do not accept children so it becomes a problem to victims with children to find accommodation. Those who need medical attention are helped by arranging or booking appointments with local doctors.

Furthermore, in all the police stations targeted it was found that they conduct domestic violence awareness at schools and in the community to address the prevalence of this crime. They conducted safety talks. They also indicated that a project called 'Men for Change' is already registered in Eersterust and the station there was found to be strongly engaged in a community awareness campaign in an attempt to address this crime. To address the issues relating to domestic violence, the purpose of this project was indicated to be for men to attend workshops on how to bring change in the way they live, more especially with regard to abuse of women and children, and to stop rapes. Men also go all out in conducting community outreach on domestic violence. They have indicated that this brings changes within the thinking of the community towards domestic violence-related crime.

5.3. CONCLUSION

The primary aim of this study was to investigate the role of the police official's response to domestic violence incidents at police station level. In order to achieve that, the researcher selected a sample of forty police officials at police station level in the Pretoria region. The results show that the majority of police officials aware of the Domestic Violence Act as a guide to response to address domestic violence acts against women and children in the Tshwane Policing Area. However, they are failing to prevent or respond effectively to this scourge due to the fact that most of police officials are unable to implement this Act positively. This leads to many withdrawals and ignorance of the legislation.

The researcher discovered that there is a lot to be done in order for the police officials in the Tshwane area to police this type of crime successfully. It was also discovered in this study that the participants understand the dynamics of domestic violence in terms of what they see during their operational duties but they are uninformed as regarding how to police this crime. The study also revealed that the role of the individual police official in policing domestic violence is not yet known. The next chapter will present a summary of the study, its limitations and recommendations.

CHAPTER 6

FINDINGS, LIMITATIONS, RECOMMENDATIONS AND CONCLUSION

6.1. INTRODUCTION

Chapter 1 consisted of an introduction, background to the study, statement of the problem, objectives of the study, research questions, justification for the study, clarification of concepts, scope of the study, layout of the dissertation and conclusion to the chapter.

Chapter 2 comprised a discussion of the research design and methodology utilised in the study, steps taken to ensure the reliability of the data, the ethical considerations taken into account and limitations of the study.

Chapter 3 presented a review of the literature, legislation and theories on domestic violence. This was done in order to provide a theoretical background and framework to the problem under investigation.

In Chapter 4 a number of prominent theories of domestic violence were discussed in detail.

In Chapter 5 the research findings of the study, based on the data analysis and interpretation of it, were presented. A critical integration of literature study findings and empirical research findings were undertaken.

In the present chapter (Chapter 6) the data, theories and findings of the study are integrated.

6.2. FINDINGS

6.2.1. Findings on targeted police stations in the Tshwane policing presinct

The results of the study indicate that the South African Police Service officials are not well equipped to deal with domestic violence incidences in the Tshwane Policing Area. The complexity of this problem was highlighted by the participants. Problems related to this issue such as gender roles, traditional stereotype, cultural violence and stigma remains a serious challenge within the identified areas. These shortcomings were expressed to why police officials lack confidence concerning their mandate regarding policing domestic violence in the identified police stations of Tshwane Policing Area. It was also revealed that their professional capacity to engage with victims of domestic violence is always compromised owing to limited training.

As a result familiarising themselves with the problems that bring about domestic violence in the Tshwane Policing Area in terms of their operational roles and the Domestic Violence Act seems to give the identified members of the South African Police Service difficulties. The police stations in question comprise few policewomen who are experienced in approaching the victims of this crime effectively and efficiently. Thus victims' engagement becomes a constant challenge. It seems that the rights of women and children are not respected at all costs and the responsible police officials are making little contribution to neither prevent nor combat this menace.

Data revealed that many of the interviewed police officials spoke of the fact that they are blank as far as their roles are concerned to respond to domestic violence victims. They failed to identify their roles in policing this crime. This is an indication that the some police officials are not involved in responding to the incidences involved. In addition, the researcher's assumption with regard to the response of the participants is that most of the police officials do not have proper qualifications to police this type of crime. Because not all police officials are involved policing this crime, it was very difficult for them to know exactly what should be done to respond positively to this crime.

It was discovered in this study that the police officials were guessing about how to police domestic violence successfully. The participants revealed that communicating decisions, meeting the needs of the victims and meeting the objectives of the police station in an attempt to police domestic violence can help in policing domestic violence successfully. The data also revealed that some of the participants have no idea of what to do upon receiving complain of domestic violence. The participants are aware that women and children are victims of domestic violence. In order to form a good relationship with the victims of this type of crime, the participants indicated that they should approach them (i.e. the victims) appropriately to gain their trust and cooperation.

It was indicated that victims may then be more willing to provide detailed information about the crime to the police and later, to investigators and prosecutors, which will lead to the conviction of more criminals. Furthermore, in order to keep the good reputation of their (i.e. the police officials') image, the South African Police Service officials indicated that their management should motivate them to work hard. According to the participants it is important for the South African Police Services management at police station level to be well conversant with what is happening within the station and how the community is receiving their offered services in order to identify the strength and weaknesses of their operational duties. Thus the prevailing views of the participants is that domestic violence is rife and serious in the Tshwane Policing Area and the preventive and/or counter-strategies seem unsound at this stage as all the participants seem to agree that more needs to be done to curb domestic violence against women and children in South African communities, those in Tshwane Policing Area included.

6.2.2. Research questions

The opinions of the participants were further tested regarding the research questions below:

6.2.2.1. Main question

- Why domestic violence is regarded as a serious crime in South African communities?

The responses of the study participants reveal that domestic violence is a very serious social occurrence in the Tshwane Policing Area. Domestic violence within the identified areas against women and children is widespread and on the increase owing to many factors, such as none reporting, secretive format, abuse of power and violent practices. During the interviews it also transpired that family violence is a pervasive and frequently lethal problem that challenges the livelihood of residents of Tshwane Policing Area. Some of the responses were focused on the fact that abuse in families has a devastating effect on its victims physically, emotionally, spiritually and financially. In addition, a majority of the participants agreed that violence threatens the stability of the family and has a negative impact on all family members. It is especially true in the case of children who learn from it that violence is an acceptable way of coping with problems and gaining control over another person. Furthermore, it violates the safety, health, welfare and economies of communities as a result of medical expenses, psychological problems and loss of productivity. It concerns governments, international communities and civil society, including Non-Governmental Organisations and the private sector, who should address the problem urgently and effectively.

Other participants emphasised the assumption that more resources need to be introduced within the service. Mentorship programmes and motivation by the superiors also need to be introduced. Recruiting (quadrupling the police budget and training them properly) more police officers to lessen the pressure (workload) and pay them better (the reality is that the police officers are underpaid) are needed. The risks are high and the rewards are minimal. This this leads to bribery and bungling of serious cases involving domestic violence. Therefore, top notch investigators need to be lured and retained by providing better working conditions and salaries.

And investigators need to take control and more responsibility for what happens with their investigation to prevent and respond to domestic violence at four police stations in the Tshwane Policing Area. It was discovered in this study that the majority of the participants are aware of the Domestic Violence Act. However, the implementation process remains a challenge. Thus their roles in policing domestic violence at four police stations in the Tshwane Policing Area are ineffective. Most of the participants do not know what to do or react upon receiving domestic violence complaints at the Community Service Centre. Most of them have the general understanding of the Act as mentioned above from the legislative point of view but in relation to the implementation they have no sound understanding.

6.2.2.2. Sub-questions

- What challenges hinder the selected police stations in the Tshwane Policing Area to adequately respond to domestic violence in accordance with the provisions of the Domestic Violence Act?

Many of the police officers interviewed hinted that domestic violence in the Tshwane Policing Area has dramatically risen and it is of great concern. They revealed that the trend of establishing and improving women's rights in the identified areas, including protecting women and children against various forms of violence, has been observed but is still in its early stages.

As a result, domestic violence is one of the unquestionably underreported crimes in the Tshwane Policing Area. They cited reasons such as it often happens in private and many victims are unwilling to report it, because they are ashamed and they are afraid of revenge if they can speak out. Others suffer from low self-esteem and they think they deserve what they got, or they were raised in violent families, where abuse was normal. Over the years; the police officers recognised extreme rates of domestic violence in the Tshwane Policing Area and their attempts from then to now seem ineffective in dealing with the full extent and range of domestic violence, with the understanding that the purpose of Domestic Violence Act is to 'afford victims of domestic violence the maximum protection from domestic abuse that the law can provide'.

- Are the current policies or the legislation on domestic violence sufficient to empower the police to respond adequately to challenges of domestic violence?

Some of the interviewed police officials know about the existence of Domestic Violence Act and related policies. However, it became clear from their responses that the implementation process is still a challenge and affects the efficiency of the mandate to respond adequately to this crime.

- Is the South African Police Service knowledgeable enough to ensure the safety of the victim by using procedures suited to the level of violence and risk exhibited?

The knowledge of the South African Police Service members at police station level of Tshwane Policing Area was tested and it appears that the current procedures as applied to the victims of domestic violence are not up to standard to persuade the victims to provide detailed information about their experiences of the scene of the crime as it happened.

- Do the police have the necessary skills to deal with domestic violence incidences in the Tshwane Policing Area?

In order to provide answers to the research question, the researcher reviewed information pertaining to domestic violence, locally and on international scale. The researcher discovered in a general overview of domestic violence, that the dynamics of domestic violence results in this type of crime. Theories associated with this crime and the response thereto by the police, were also investigated. Most of the police station officials as identified in Tshwane Policing Area seem to be aware of the Domestic Violence Act. However, the application processes are lacking and they do not perfect their role in policing this type of crime despite the fact that they are supposed to be in the forefront of this important responsibility. The data also revealed that the participants of four police stations in Tshwane Policing Area failed to police violence basing, this conclusion on the following probable reasons (not listed in order of importance):

- The crime in question occurs within the domestic domain (i.e. this might mean that they are not in a position to witness what is happening in every house and they cannot achieve omnipresence in their day-to-day duties).
- Withdrawal of cases.
- Lack of effective partnership among the relevant stakeholders; and
- Lack of resources and training methodologies.

6.2.3. Research objectives

The broad objectives were to determine, judging by the participants responses towards the identified objectives to the study; police officials in the Tshwane Policing Area are armed with different perceptions regarding domestic violence:

- Exploring their experiences on the nature and extent of domestic violence

The members of the South African Police Service at police station level of the Tshwane Policing Area in relation to the nature and extent of domestic violence remains at a low level. They do not know exactly how many women and children are abused within the areas of their operation. The majority of the participants mentioned the fact that crime statistics in South Africa do not cover domestic violence, making it difficult to know the exact numbers and to control it.

- Determining types of services which are found to be helpful in preventing and investigating domestic violence.

The results also revealed that the participants are not aware of the internal (i.e. the police station) and external (i.e. the community) relations which might help them in the reducing domestic violence in the Tshwane Policing Area. The responses of the participants in all identified police stations in the Tshwane Policing Area are that there should be strategies for policing domestic violence effectively for the betterment of the identified police stations and the residents in the Tshwane area. The services which they try to render to the victims of this crime are hindered by many factors.

Some of the reasons cited included: domestic violence is closely related to domestic abuse, spousal abuse, battering, family violence and intimate partner violence and the patterns of behaviour as displayed by the abusers involves violence or other forms of abuse within in the domestic scene, such as in marriage or cohabitation and intimate partners. Thus it is difficult to police that. Further conversation with the police officers in the Tshwane Policing Area revealed that nowadays domestic violence can take place in heterosexual or same-sex relationships and it can also take a number of forms, including physical, emotional, verbal, economic and sexual abuse, which can range from indirect, coercive forms to marital rape and to violent physical abuse that result in disfigurement or death.

Generally, a wife or female partner and children are most commonly the victims of this crime, though we cannot avoid the fact that the victim can also sometimes be the male partners or that both partners may engage in abusive or violent behaviour, or the victim may act in self-defence or retaliation. This crime is the most common and universal human rights abuse. One of the key areas of helpful services as offered by Tshwane police officers to the victims of domestic violence it was noted that they do offer thorough investigations on matters involving abuse of women and children. This is done by working in conjunction with the partners below (see overleaf):

- Department of Social Development;
- Department of Correctional Services;
- Department of Justice and Constitutional Development;
- Department of Department of Health;
- National Prosecuting Authority;
- Civil Society Organisations; and
- Other volunteer Victim Empowerment Programmes.

This is enhanced by offering training of specific volunteers and stakeholders and staging information sessions on the services offered by each department in response to this crime. In addition, door-to-door campaigns are staged to assess the impact of domestic violence within the Tshwane Policing Area.

On the other hand community dialogue on a topic relating to the prevalence of domestic violence and its challenges are rarely organised. The police officers in the identified areas of Tshwane police stations further revealed that public education and awareness where the distribution of stakeholders' pamphlets and posters and educating the public on how to respond to this crime are also staged, but quite rarely. It appears that the police officers in question also form active parties taking part in the 16 Days of Activism on No Violence against Women and Children.

- Analysing the type of services as rendered to the victims of domestic violence

The primary aim of this study was to investigate the police official's response to domestic violence at police station level in the Tshwane Policing Area. Moreover, the success of policing domestic violence effectively in the Tshwane Policing Area depends entirely on how the law guiding domestic violence responses is applied. Furthermore, the image of the police reputation, which should be built purposefully to ensure that it is positive. During the time of this study, the idea of domestic violence has not been given much needed attention. Therefore, in order to stimulate the interest of the South African Police Service management, the researcher formulated the research question enquiring 'Why domestic violence is regarded as a serious crime in South African communities?'

- Gathering South African Police Service perceptions regarding current strategies to police domestic violence within the Tshwane Policing Area

Some of the participants do not have any idea how to police domestic violence successfully. This is because most of the police officials at police stations are not involved in planning processes. This might mean that some members of the South African Police Service at police station level in the four police stations as identified in Tshwane Policing Area are not involved in the planning process.

The findings of the study also revealed that in some of the police stations in the Tshwane Policing Area there are no strategies in place for police to prevent or respond to domestic violence. Furthermore, the participants do not know how to treat of domestic violence victims at police stations levels.

In addition, South African Police Service officials are compelled by legislation to provide a meaningful assistance to the victims of domestic violence. The participants revealed that there are no strategies in place for policing domestic violence at the four police stations in the Tshwane Policing Area. This is a serious problem because the identified police stations are not able to respond to domestic violence incidents in the area and formulate a good relationship with the victims of domestic violence or initiate ways of responding to domestic violence reactively. Since there are no strategies in place for policing domestic violence, most of the identified police stations' functioning cannot be known to the communities and the neighbouring surroundings. It is disconcerting to discover that most of the police stations as identified do not keep the good reputation of their image. Furthermore, the participants failed to give reasons why it is important to police domestic violence. This study further indicates that the South African Police Service management at police station level are not involving the other police officials in planning processes.

It was discovered in this study that all the participants are aware of domestic violence in the Tshwane Policing Area. Many of the participants shared that other stakeholders such as National Prosecuting Authority, Department of Justice and Constitutional Development and Department of Correctional Services play a pivotal role in policing domestic violence in South Africa, just to name the three plays a direct role in responding to domestic violence across South African. In connection to the participants assertions the researcher views the National Prosecution Authority as an institution whose primary role lies in preparing cases for prosecution on behalf of the state, the Department of Justice and Constitutional Development as an organisation responsible for the administration of justice through the court system and the Department of Correctional Services as the centre for keeping those detained in prison in a safe custody until they are legally released.

Furthermore, the members of South African Police Service officials in the Tshwane Policing Area revealed that investigators, doctors and prosecutors have significant control over the initial investigation stage of domestic violence cases. Also, the course of criminal proceedings and judges help to protect victims and ensure batterer accountability in many ways. Whilst in the courtroom, the enforcement and interpretation of existing laws are applied to enhance victims' safety.

Many of the participants commented that outside the courtroom, judges are often community leaders, and can help shape a community's response to domestic violence by mobilising other professionals and through example. Judges, like prosecutors and police, are viewed as a critical part of a coordinated community response. This coordination of justice responses with those of other actors in the legal, medical and advocacy communities is needed to avoid inconsistent responses that undermine victim safety and batterer accountability.

6.2.4. Key findings

The general findings pertaining to targeted police stations in the Tshwane Policing Area can be summarised as:

This report is critical of the issue of policing domestic violence at four police stations in the Tshwane Policing Area and crime prevention. More negative than positive effects were found. Thus, there is a long way to go in attempting to curb domestic violence in the identified police station areas.

- Domestic violence haunts the majority of Tshwane residents, especially women and children;
- Understanding their role on policing domestic violence and whose duty it is to prevent crime this type of crime remains a challenge;
- To some extent poor a relationship between the police and the victims of domestic violence contribute to the high rate of this crime;

- Recognising the importance of prevention and responding positively to domestic violence to promote safety and security in the Tshwane Policing precinct is lacking; and
- The police in the Tshwane Policing Area are faced with serious challenges in preventing domestic violence.

6.2.5. Further research

A number of aspects require further research:

- The relationship between the South African Police Service and the victims of domestic violence in the Tshwane Policing Area;
- A nurturing and supporting a framework to guide and assist the roles and functions of the relevant partners is needed to make prevention and responding to domestic violence a reality;
- Understanding the interaction of several elements in the causes of domestic violence in the Tshwane Policing Area;
- Investigating victims of domestic violence and members' accountability, as well as that of the community and other government agencies in a partnership relationship, as part of a more holistic and effective approach to domestic violence;
- Information needed on more resources, advanced training and better education towards the victims of domestic violence and public members and the police in relation to policing of domestic violence;
- Formulation of a comprehensive research strategy investigating the policing of domestic violence;
- Strengthening the department of police by the government in response to domestic violence incidents;
- Investigation of how the government can ensure that the department of police act independently in decision-making without political interference but working together with the victims of domestic violence the public members; and
- Investigation of different departments / more stakeholders and better integration of them in response to domestic violence in the area.

6.3. LIMITATIONS OF THE STUDY

The researcher selected only five police stations in the Tshwane Policing Area for the purpose of this study. Furthermore, not all police officials at identified police stations were included in the study. The researcher's assumption is that a different understanding might be obtained about the role of the police officials in responding to domestic violence if more respondents were involved in the study. The results of the study cannot be generalised to the larger population.

6.4. RECOMMENDATIONS

In order to encourage the South African Police Service management to be involved in policing domestic violence by the five police stations in the Tshwane Policing Area, the following recommendations are made:

- The study discovered that the South African Police Service officials at police level are aware of Domestic Violence Act. However, the effectiveness in the implementation process is lacking in the identified areas, therefore seminars and workshops should be conducted to empower officials with regard to how to implement the current legislation, departmental policies and prescripts in an integrated manner;
- The study revealed that the participants are not aware of the fact that proper planning can play a significant role in the development of effective ways of policing Domestic Violence Act and relevant other policies in the Tshwane Policing Area. Therefore the Department of Police should conduct workshops that are aimed to empower the South African Police Service officials at police station level in policing the Domestic Violence Act and other relevant policies as well, then joint and integrated planning processes should be conducted with all relevant identified role-players;
- The study revealed that the current strategies as employed by the police officials at police station levels are not effective enough to respond to the challenges posed by policing domestic violence in the areas as identified. Therefore knowledge should be adopted in order to empower the South African Police Service officials at police stations with regard to strategies to be adopted in policing domestic violence.

Their roles should be clarified, and assignment of responsibility and resources allocation should be taken into account when designing an operational plan;

- The study revealed that the participants have no idea about what to do upon receiving a complaint on domestic violence. Therefore, workshops should be conducted to empower the inexperienced police officials in handling domestic violence complainants as intelligence can be a very powerful weapon in the arsenal of the criminal investigator;
- The study also revealed that the participants are not aware of what to do when a crime occurs within a private domain. Therefore, seminars in order to address this matter should be conducted and measurement indicators for success should be identified in order to support the operational plan, and;
- Lack of training remains a challenge. Therefore, community values and education should be taken into account by South African Police Service management. This relates to community pressure and public participation and initiating of domestic violence awareness programmes for public education and school education. In addition, failure of social crime prevention should be addressed. Therefore, educational programmes for children which raise awareness about child abuse/ domestic violence should be staged, community neighbourhood watch programmes, recreational facilities to occupy young children and victim support centres should be considered. This will also investigate activities that are aimed at alleviating unemployment, poor education, poverty, and similar social ills which may reduce domestic violence crime and fear by attending to the underlying causes of deviant behaviour.

6.5. CONCLUSION

This study presented the findings of a qualitative investigation intended to determine the role of police stations in policing domestic violence in the Tshwane Policing Area. This was done by selecting a sample of forty South African Police Service police officials in order to find their views regarding policing domestic violence. The conclusion also suggests that the majority of the participants are aware of the Domestic Violence Act; however the implementation and enforcement processes remain a challenge.

Thus, conducting their roles effectively might be very difficult for the South African Police Service management. The general understanding of responding to domestic violence by the participants cannot help the participants to prevent this menace effectively since there are many principles involved. In conclusion it was discovered that most of the participants have the general understanding of domestic violence from the legislative point of view but in relation to policing they do not have a sound understanding.

The study also concludes that there are no strategies in place for policing domestic violence effectively at five police stations in the Tshwane Policing Area. This is a serious challenge as police officials are not able to police this type of crime and there is a need for the South African Police Service officials at police station level to be trained on how to police domestic violence effectively. Convincingly, since there are no strategies in place for policing domestic violence, the relation between the relevant stakeholders within a communal level cannot be maintained.

Furthermore, the participants at five police stations managed to give reasons why they are failing to police domestic violence in the Tshwane Policing Area. The study concludes that the South African Police Service officials at police station level are not involved in the planning process as they were supposed to be and therefore strategies to expose them to responding to domestic violence effectively should be found.

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ANNEXURE "A": PERMISSION GRANTED BY THE SAPS



PERMISSION TO CONDUCT RESEARCH IN THE SAPS

RESEARCH TOPIC: THE POLICING OF DOMESTIC VIOLENCE
RESEARCHER: AC MADZJVHANDLE

Permission is hereby granted to the researcher above to conduct research in the SAPS based on the conditions of National Instruction 1 of 2006 (as handed to the researcher) and with the limitations as set out below and in the approved research proposal.

This permission must be accompanied with the signed Indemnity, Undertaking & Declaration and presented to the commander present when the researcher is conducting research.

This permission is valid for a period of six months after signing.

Any enquiries with regard to this permission must be directed to Lt Col Moolman at moolman@saps.gov.za or Asst Dir Mkwanzazi at mkwanzazi@saps.co.za

NOTE TO SAPS MEMBERS: This permission does not constitute permission to conduct research during the working hours of the researcher.

RESEARCH LIMITATIONS ■ BOUNDARIES:

Research Instruments: Questionnaires
General observation
Interviews (Unstructured)

Target audience / subjects: Members of the SAPS who work with the policing and investigation of Domestic Violence

Geographical target: Police stations in the Tshwane area

Access to official documents: OG, SCCF minutes, CPF minutes & circulars, Domestic Violence (OV) register and other OV related registers and Closed cases where OV was involved (No names and actual police reference numbers may be published).



NOTE: The researcher will be liable for any costs for these documents as specified by the Minister in terms of the Access to information Act, 2000 (Act 2 of 2000).


MAJOR GENERAL
DEPUTY PROVINCIAL COMMISSIONER: HRM
TM MALOKA

ANNEXURE “B”: INTERVIEW SCHEDULE

PART A: BIOGRAPHICAL INFORMATION

Instructions: Please make a cross next to the most correct answer e.g.

Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
------	--------------------------	--------	--------------------------

1) Police Station Name -

2) Gender

Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
------	--------------------------	--------	--------------------------

3) Age

20-30	<input type="checkbox"/>	30-40	<input type="checkbox"/>	40-50	<input type="checkbox"/>	50-60	<input type="checkbox"/>
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4) What language do you speak most often in your household?

Afrikaans	<input type="checkbox"/>	Sesotho	<input type="checkbox"/>
English	<input type="checkbox"/>	Setswana	<input type="checkbox"/>
isiNdebele	<input type="checkbox"/>	Siswati	<input type="checkbox"/>
IsiXhosa	<input type="checkbox"/>	Tshivenda	<input type="checkbox"/>
IsiZulu	<input type="checkbox"/>	Xitsonga	<input type="checkbox"/>
Sepedi	<input type="checkbox"/>	Other (write in block)	<input type="checkbox"/>

PART B: Policing domestic violence in the Tshwane Policing Area”

SECTION B: VIEWS ON POLICING DOMESTIC VIOLENCE BY POLICE OFFICIALS

With regard to policing domestic violence in your policing area, please indicate the extent to which you agree or disagree with the following statements.

Agreement legend

1: Strongly agree

2: Agree

3: Undecided

4: Disagree

5: Strongly disagree

1. There is a problem of policing domestic violence in your policing area.

1. Strongly Agree	2. Agree	3. Undecided	4. Disagree	5. Strongly disagree

2. Police are not effectively responding to such cases.

1. Strongly Agree	2. Agree	3. Undecided	4. Disagree	5. Strongly disagree

3. Police officers need to get training in handling domestic violence cases.

1. Strongly Agree	2. Agree	3. Undecided	4. Disagree	5. Strongly disagree

3. There are no enough resources to assist in dealing with domestic

1. Strongly agree	2. Agree	3. Undecided	4. Disagree	5. Strongly disagree

1. What is your view regarding the formal recording of domestic violence incidences in your policing area?

2. What is your view regarding the South African Police Service (SAPS) procedures relating to domestic violence incidents involving firearms?

3. What mechanisms are in place at your station level to ensure that the police have advised the complainant with regards to obtaining a protection order; receiving medical care, retrieving their personal property, and finding suitable shelter?

4. What type of training provided to SAPS officers, and the number of officials who have undergone training specifically related to domestic violence for the past six months?

5. In your view, what are the challenges that compromised on the ability of the police to act in accordance with the provisions of the Domestic Violence Act (No 116, 1998)?

6. What is your view regarding the adequacy of inter-departmental collaboration(Structures such as National Council for Gender-based Violence established recently by the Department for Women, Children and People with Disabilities)? Are these effective structures, and what mechanisms should be put in place to ensure that they work?



Astute Editing and Research

29 July 2015

To Whom It May Concern

Dear Sir/Madam,

This is to certify that I have fully edited the MTech thesis of Ms Avashoni Madzivhandila entitled "The Policing of domestic violence in the Tshwane policing precinct" for the University of South Africa. The text was checked for style, clarity and ease of reading, grammar and usage, spelling and punctuation, consistency in the use of text and figures in illustrations and tables, completeness and consistency in references, consistency in page numbering, headers and footers and suggestions were offered. I make no pretension to have improved the intellectual content of the thesis and did not rewrite any text. I presumed the text was in final form when I edited it. My suggestions are to be accepted or rejected by the author. The author effected the final changes herself.

Yours sincerely,

C.D. Schutte (D Litt et Phil, Full Member, Professional Editors' Group)

Telephone 012-342-3518 Mobile 083-310-1806

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