

**EXPLORING POLICING STRATEGIES IN RESPONSE TO VIOLENCE AGAINST  
WOMEN AND GIRLS IN JOHANNESBURG**

by

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## DECLARATION

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I declare that the above thesis is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

I further declare that I submitted the dissertation to originality-checking software and that it falls within the accepted requirements for originality.

I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.



\_\_\_\_\_  
**SIGNATURE:**

2 July 2024

**DATE:**

## DEDICATION

This study is dedicated to:

My late husband, Jan Van Niekerk, and my godfather and godmother, Antonie and Kleintjie Van Rooyen who passed away due to COVID-19 within six weeks of each other in 2021. I miss and love you dearly. My parents, Okker and Ria Vermaak, for raising me, setting a beautiful example and always inspiring me to do more. What a privilege to still have you. I love you. My two beautiful children, Bianca and Albert, always remember that the sky is the limit. I love you dearly.

Every SAPS member who does their best to protect and serve – I salute you! To every victim of the second pandemic (gender-based violence) - may this study empower you with the knowledge to stand up and say enough is enough!

### **Women & Child Abuse**

*Is it just because we're defenceless,  
or is it because we're young,  
that you always use violence against us  
Should that be the way it's done?*

*Why doesn't anyone do anything  
to help keep us alive?  
What will just a sorry bring?  
It won't spare the goodbyes.*

*One day it will have to stop  
before it causes death  
before it causes more tears to drop  
before there's no one left.*

*Can't you just help us  
and take the abuse away?  
'Cos just imagine life without us  
if you killed us yesterday.*

*If you can hear our voices  
and if you can feel our sorrow  
we have the right to make choices  
we have the right to live tomorrow*

*So come help us protect  
the children of the future  
and come help us reject  
the children's abuser.  
Abuse is wrong!*

**Lorraine Lotter (2009)**

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- To my heavenly father who has given me so many second chances and keeps blessing me with so much more than I deserve – *U genade is vir my genoeg!*
- To my greatest achievement, my two children, Bianca and Albert – thanks for allowing me to use your time and for being my rock whilst we all suffered such significant losses during the compilation of this study. I thank God daily for giving me the greatest gift – to be your mother.
- Thanks so much to each participant who allowed me to interview them to share their thoughts, experiences, knowledge, and concerns. And most of all -thanks for the difference you make in so many people's lives.
- My supervisor, Professor Johan Van Graan – thanks for being there for me, guiding me with patience and advice and inspiring me. You are such a good example, and I thank you for that!

## **ABSTRACT**

This study aims to explore policing strategies in response to violence against women and girls in South Africa. Data was collected by conducting in-depth interviews with South African Police Service members from the Johannesburg Central Cluster in Gauteng, who attend to domestic violence complaints as first responders as well as investigators at the station level who conduct domestic violence investigations. The in-depth interviews provide a comprehensive understanding of participants' experiences relating to policing strategies to address violence against women and girls. Moreover, a review of international best practices provides an enhanced sense of policing strategies to combat violence against women and girls.

The research findings reveal the South African Police Services experience numerous shortcomings in its strategies to address violence against women and children, various internal challenges concerning the proactive and reactive policing of violence against women and girls, and inconsistencies in the service that the police service provides to women and girls, which consequently influence its ability to address violence against women and girls effectively. Based on these findings, a procedural framework to enhance policing strategies in response to violence against women and girls is proposed, thus contributing to the current body of knowledge.

## **KEY TERMS:**

Domestic violence; Economic violence; Emotional violence; Femicide; Gender-Based Violence; Physical violence; Policing strategies; Sexual violence; Violence Against Women and Girls.

## **OKUCASHUNIWE**

Lolu cwaningo beluhlose ukuhlola amasu omsebenzi wamaphoyisa ekuphenduleni udlame olubhekiswe kwabesifazane namantombazane. Imininingwane iqoqwe ngokwenza izingxoxo ezijulile namalungu oMbutho Wamaphoyisa aseNingizimu Afrika e-Johannesburg Central cluster eGauteng, abhekana nezikhalazo zodlame lwasekhaya, njengabaphenduli bokuqala ezigamekweni ezifana nalezi, nabaphenyi ezingeni lesiteshi abenza uphenyo ngodlame lwasekhaya and Izingxoxo ezijulile zinikeza ukuqonda okuphelele kokuhlangenwe nakho kwabahlanganyeli mayelana ngamasu omsebenzi wamaphoyisa okuhloswe ngawo ukubhekana nodlame olubhekiswe kwabesifazane namantombazane. Ngaphezu kwalokho, ukuhlola izindlela ezingcono zamazwe ngamazwe kunikeza ukuqonda okujulile ngamasu omsebenzi wamaphoyisa okuhloswe ngawo ukulwa nodlame olubhekiswe kwabesifazane namantombazane.

Imiphumela yocwaningo iveza ukuthi i-SAPS ihlangabezana nezingqinamba ekubhekaneni nodlame olubhekiswe kwabesifazane nezingane, ibhekene nezinsalelo ezehlukene zangaphakathi eziphathelene nokukhuthala komsebenzi wamaphoyisa asebenzayo ekulweni nodlame olubhekiswe kwabesifazane namantombazane, kanye nokungaguququki emsebenzini ohlinzekwa uphiko lwamaphoyisa kwabesifazane namantombazane, okuba nomthelela ekhonweni lawo lokubhekana ne-VAWG ngempumelelo. Ngokusekelwe kulokhu okutholakele, kuhlangozwa uhlaka lwenqubo lokuthuthukisa amasu okusebenza kwamaphoyisa ekuphenduleni udlame olubhekiswe kwabesifazane namantombazane; kanjalo, ukufaka isandla emgudwini wamanje wolwazi.

## **AMAGAMA ASEMQOKA:**

Udlame lwasekhaya; Udlame lwezomnotho; Udlame olungokozwelo; Ukubulawa kwabesifazane; Udlame olusekelwe kubulili; Udlame olungokomzimba; Amasu omsebenzi wamaphoyisa; Udlame locansi; Nodlame olubhekiswe kwabesifazane namantombazane

## **SETSOPOLWA**

Dinyakišišo tše di ikemišeditše go lekola mekgwa ya go šoma ga maphodisa ge go arabelwa dikgaruru kgahlanong le basadi le basetsana. Tshedimošo e kgobokeditšwe ka go diriša dipotsološo tše di tseneletšego le maloko a maphodisa a sehlopha sa Bogareng sa ka Johannesburg ka Gauteng sa Tirelo ya Maphodisa ya Afrika Borwa (SAPS) bao ba šomilego ka dingongorego tša go amana le dikgaruru tša ka malapeng bjalo ka baarabi ba mathomo go ditiragalo tše, lepanyakišiši ka maemong a ka seteišeneng bao ba dirago dinyakišišo tša dikgaruru tša ka malapeng. Dipotsološo tše di tseneletšego di fana ka tsebo ka bophara mabapi le maitemogelo a bakgathatema go amana le mekgwa ya go šoma ga maphodisa ye e ikemišeditšego go šoma ka dikgaruru kgahlanong le basadi le basetsana. Godimo ga fao, go lekodišiša ditiro tše kaone tša boditšhabatšhaba go fana ka tsebo ye e tseneletšego mabapi le mekgwa ya go šoma ga maphodisa ye e ikemišeditšego go lwantšha dikgaruru kgahlanong le basadi le basetsana.

Dikutollo tša dinyakišišo di utolla gore SAPS e kopana le ditlamorago tše di sego tša loka ge e šoma ka dikgaruru kgahlanong le basadi le bana. Ka gare, SAPS e lebane le ditlhohlo tše ntši tša go amana le bobedi mekgwa ya go šoma ga maphodisa ya go ithomela le go arabela seemo ya go lwantšha dikgaruru kgahlanong le basadi le basetsana. Godimo ga fao, go se swane ga ditirelo tše di abjago ke SAPS go basadi le bana go ama kudu bokgoni bja yona bja go šoma ka dikgaruru kgahlanong le basadi le basetsana gabotse. Go ya ka dikutollo tše, motheo wa tshepedišo o a šišinywa ka nepo ya go maatlafatša mekgwa ya go šoma ga maphodisa ge ba arabela dikgaruru kgahlanong le basadi le basetsana; go rago gore, go tsenya letsogo go tsebo ya bjale.

## **MAREO A BOHLOKWA:**

Dikgaruru tša ka malapeng; Dikgaruru tša ekonomi; Dikgaruru tša maikutlo; Polao ya basadi; Dikgaruru tša bong; Dikgaruru tša go betha; Mekgwa ya go šoma ga maphodisa; Dikgaruru tša thobalano; Dikgaruru kgahlanong le basadi le basetsana

## TABLE OF CONTENTS

<b>DECLARATION</b> .....	<b>i</b>
<b>DEDICATION</b> .....	<b>ii</b>
<b>ACKNOWLEDGEMENTS</b> .....	<b>iii</b>
<b>ABSTRACT</b> .....	<b>iv</b>
<b>KEY TERMS</b> .....	<b>iv</b>
<b>OKUCASHUNIWE</b> .....	<b>v</b>
<b>AMAGAMA ASEMQOKA:</b> .....	<b>v</b>
<b>SETSOPOLWA</b> .....	<b>vi</b>
<b>MAREO A BOHLOKWA:</b> .....	<b>vi</b>
<b>TABLE OF CONTENTS</b> .....	<b>vii</b>
<b>LIST OF FIGURES</b> .....	<b>xviii</b>
<b>LIST OF TABLES</b> .....	<b>xviii</b>
<b>LIST OF ACRONYMS &amp; ABBREVIATIONS</b> .....	<b>xix</b>
<b>CHAPTER 1: GENERAL ORIENTATION AND RESEARCH METHODOLOGY</b> .....	<b>1</b>
<b>1.1 INTRODUCTION</b> .....	<b>1</b>
<b>1.2 RESEARCH PROBLEM</b> .....	<b>2</b>
<b>1.3 RESEARCH AIM</b> .....	<b>13</b>
<b>1.4 RESEARCH PURPOSE</b> .....	<b>13</b>
<b>1.5 RESEARCH QUESTIONS</b> .....	<b>14</b>
<b>1.6 VALUE OF THE STUDY</b> .....	<b>15</b>
<b>1.7 STUDY DEMARCATION</b> .....	<b>16</b>
<b>1.8 DEFINITION OF KEY TERMS</b> .....	<b>16</b>
1.8.1 Violence Against Women and Girls/Gender-Based Violence.....	17
1.8.1.1 Domestic violence .....	18
1.8.1.2 Physical violence .....	18
1.8.1.3 Emotional violence .....	19
1.8.1.4 Femicide .....	19
1.8.1.5 Economic violence .....	19
1.8.1.6 Sexual abuse .....	20
1.8.2 Policing Strategies .....	20
<b>1.9 THE PHILOSOPHICAL WORLDVIEW ADOPTED IN THIS STUDY</b> .....	<b>20</b>
<b>1.10 METHODOLOGICAL FRAMEWORK</b> .....	<b>21</b>
1.10.1 Research Approach and Design .....	21



1.10.2	Target Population.....	22
1.10.3	Sampling Procedures.....	23
1.10.4	Data Collection Method.....	24
1.10.4.1	In-depth interviews.....	24
1.10.5	Data Analysis Process.....	25
<b>1.11</b>	<b>TRUSTWORTHINESS.....</b>	<b>26</b>
1.11.1	Credibility.....	26
1.11.2	Transferability.....	26
1.11.3	Dependability.....	26
1.11.4	Confirmability.....	27
<b>1.12</b>	<b>ETHICAL CONSIDERATIONS.....</b>	<b>27</b>
1.12.1	Respect for Human Dignity and Confidentiality.....	28
1.12.2	Prior Voluntary Informed Consent.....	28
1.12.3	Plagiarism.....	29
1.12.4	Avoidance of Harm.....	29
<b>1.13</b>	<b>CHAPTER SUMMARY.....</b>	<b>29</b>
	<b>CHAPTER 2: AN OVERVIEW OF GENDER-BASED VIOLENCE.....</b>	<b>31</b>
<b>2.1</b>	<b>INTRODUCTION.....</b>	<b>31</b>
<b>2.2</b>	<b>AN OVERVIEW OF GENDER-BASED VIOLENCE IN SOUTH AFRICA.....</b>	<b>31</b>
2.2.1	Root Causes of GBV.....	40
2.2.2	Drivers of GBV in South Africa.....	41
2.2.3	Microsystem - Personal History and Individual Factors.....	42
2.2.3.1	Childhood experience and trauma.....	42
2.2.3.2	Psychosocial-related substance abuse.....	43
2.2.4	Mesosystem - Interpersonal Relationships.....	43
2.2.4.1	Relationship insecurities, including cheating and love triangles.....	43
2.2.4.2	Power relationships and dependency.....	43
2.2.4.3	Normalising harmful acts and behaviour in relationships.....	43
2.2.4.4	Peer association and pressure.....	44
2.2.5	Exosystem - Community Factors.....	44
2.2.5.1	Rigid gender roles.....	44
2.2.6	Macrosystem – Societal Factors.....	44
2.2.6.1	Normalised physical chastisement and corporate punishment.....	44

2.2.6.2	Equality and rights dynamics .....	44
2.2.6.3	'Triple challenge' – poverty and unemployment .....	45
2.2.6.4	Religious practices and certain doctrines.....	45
2.2.7	Chronosystem – Significant Changes Over Time .....	45
2.2.7.1	Technological advances.....	45
2.2.7.2	Media transitions (exposure) and reporting.....	46
2.2.7.3	Colonisation and apartheid legacy and remnants .....	46
2.2.7.4	Immigration and xenophobia.....	46
2.2.7.5	Societal pandemics.....	46
2.2.8	Policy Recommendations and Research on VAW must Account for the Real-Life Experience of Women .....	46
2.2.8.1	Lobola .....	47
2.2.8.2	Ukuthwala .....	47
2.2.8.3	Sharia Law .....	47
2.2.8.4	Virginity testing.....	47
<b>2.3</b>	<b>BRIEF OVERVIEW OF GENDER-BASED VIOLENCE DURING THE COVID-19 LOCKDOWN .....</b>	<b>48</b>
<b>2.4</b>	<b>ADDRESSING GENDER-BASED VIOLENCE IN SOUTH AFRICA THROUGH LEGISLATION.....</b>	<b>50</b>
2.4.1	Domestic Violence Act 116 of 1998 .....	51
2.4.1.1	Domestic Violence Amendment Act 14 of 2021 .....	54
2.4.2	The Children's Act 38 of 2005.....	55
2.4.3	The Maintenance Act 99 of 1998 .....	56
2.4.4	The Protection from Harassment Act 17 of 2011 .....	56
2.4.5	Criminal Law (Sexual Offences and Related Matters) Amendment Act 13 of 2021 .....	56
2.4.6	Older Person's Act 13 of 2006 .....	56
2.4.7	The Constitution of the Republic of South Africa, 1996.....	56
2.4.8	The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000.....	57
2.4.9	The Criminal Procedure Act 51 of 1977 .....	57
2.4.10	National Policy Guidelines for Handling of Victims of Sexual Offences of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 14 of 2021 .....	57

2.4.11	National Strategic Plan on gender-based violence and femicide .....	58
2.4.12	National Crime Prevention Strategy (NCPS) of 1996.....	61
2.4.12.1	Criminal Justice Process (Certain and Rapid Deterrence) .....	62
2.4.13	National Police Instruction on Sexual Offences 3 of 2008.....	63
<b>2.5</b>	<b>INTERNATIONAL CONVENTIONS ADDRESSING GENDER-BASED VIOLENCE.....</b>	<b>64</b>
2.5.1	The Maputo Protocol.....	64
2.5.2	United Nations Committee on the Elimination of Discrimination Against Women.....	66
2.5.3	Beijing Declaration and Platform for Action of 1995.....	66
2.5.4	The Istanbul Convention .....	66
<b>2.6</b>	<b>SELECTED EXAMPLES OF GENDER-BASED VIOLENCE INCIDENTS IN SOUTH AFRICA .....</b>	<b>67</b>
<b>2.7</b>	<b>BRIEF OVERVIEW OF POLICY SHORTCOMINGS, ACCOUNTABILITY AND THE CRIMINAL JUSTICE SYSTEM IN SOUTH AFRICA CONCERNING GENDER-BASED VIOLENCE .....</b>	<b>69</b>
<b>2.8</b>	<b>CONSEQUENCES OF GENDER-BASED VIOLENCE .....</b>	<b>71</b>
2.8.1.1	Physical.....	72
2.8.1.2	Psychological .....	72
2.8.1.3	Behavioral effects .....	73
<b>2.9</b>	<b>EFFORTS TO ADDRESS GENDER-BASED VIOLENCE IN SOUTH AFRICA .....</b>	<b>74</b>
2.9.1	Stop Gender-Based Violence: A National Campaign.....	75
2.9.2	National Council on Gender-Based Violence .....	75
2.9.3	The 16 Days of Activism of Violence Against Women and Children .....	76
2.9.4	UNITE .....	77
2.9.5	The Southern Africa Alcohol Policy Alliance and South African Breweries Initiative.....	78
2.9.6	#NoExcuse Movement.....	78
2.9.7	Sonke Gender Justice.....	79
2.9.8	The #TotalShutdown Movement .....	80
2.9.9	The #TotalShutdown March .....	82
2.9.10	#JustNO Campaign.....	82
2.9.11	The World Economic Forum .....	83
2.9.12	Masiphephe Network .....	83

2.9.13	Cape Town University of Technology.....	83
2.9.14	The Saartjie Baartman Centre for Women and Children.....	84
2.9.15	Agisanang Domestic Abuse Prevention and Training .....	84
2.9.16	LifeLine South Africa .....	85
<b>2.10</b>	<b>INTERNATIONAL OVERVIEW OF GENDER-BASED VIOLENCE .....</b>	<b>86</b>
2.10.1	South America .....	89
2.10.2	Canada .....	91
2.10.3	Europe .....	94
2.10.3.1	Key actions .....	96
2.10.3.2	Gender mainstreaming.....	96
2.10.4	Asia .....	97
2.10.4.1	One of the deadliest forms of violence in Asia is VAW, tragically ignored by both the government as well as lawmakers .....	97
2.10.4.2	Asian countries have laws against DV, but most of these laws do not include unmarried intimate partners. ....	98
2.10.4.3	Women’s legal protection is hampered by limited awareness, capacity, and a lack of political will.....	98
2.10.4.4	Violence against women and girls exists throughout their life cycle .....	98
2.10.5	United States of America .....	99
2.10.6	United Kingdom .....	100
2.10.6.1	Preventing violence and abuse .....	101
2.10.6.2	Provision of services .....	102
2.10.6.3	Working partnership .....	102
2.10.6.4	Pursuing perpetrators.....	103
<b>2.11</b>	<b>THE DOMESTIC VIOLENCE ACT: SHORTCOMINGS IN IMPLEMENTATION.....</b>	<b>104</b>
<b>2.12</b>	<b>CHAPTER SUMMARY .....</b>	<b>113</b>
	<b>CHAPTER 3: POLICING STRATEGIES IN RESPONSE TO VIOLENCE AGAINST WOMEN AND GIRLS .....</b>	<b>115</b>
<b>3.1</b>	<b>INTRODUCTION.....</b>	<b>115</b>
<b>3.2</b>	<b>INTERNATIONAL POLICING STRATEGIES TO ADDRESS GENDER-BASED VIOLENCE .....</b>	<b>115</b>
3.2.1	Latin America .....	117
3.2.1.1	Best Practices from Latin America .....	119

3.2.2	Asia .....	120
3.2.2.1	Best practices from Asia .....	122
3.2.3	New Zealand.....	123
3.2.3.1	Best practices from New Zealand .....	124
3.2.4	India .....	124
3.2.4.1	Best practices from India.....	126
3.2.5	Australia .....	127
3.2.5.1	Best practices from Australia .....	128
3.2.6	England and Wales.....	128
3.2.6.1	Best practices from England and Wales .....	130
<b>3.3</b>	<b>CHAPTER SUMMARY .....</b>	<b>131</b>
	<b>CHAPTER 4: PRESENTATION, DISCUSSION, INTERPRETATION AND ANALYSIS OF THE FINDINGS.....</b>	<b>132</b>
<b>4.1</b>	<b>INTRODUCTION.....</b>	<b>132</b>
<b>4.2</b>	<b>OUTCOMES OF INDIVIDUAL INTERVIEWS, ANALYSIS, AND INTERPRETATION OF FINDINGS.....</b>	<b>133</b>
<b>4.3</b>	<b>THEME 1: IMPLEMENTATION OF POLICING STRATEGIES IN RESPONSE TO VAWG .....</b>	<b>135</b>
4.3.1	Sub-theme 1.1: Guidelines for Implementation .....	137
4.3.2	Sub-theme 1.2: Facilities to Accommodate Victims .....	141
4.3.3	Sub-theme 1.3: The role of SAPS in Creating Community Awareness of VAWG.....	143
<b>4.4</b>	<b>THEME 2: SAPS INTERNAL CHALLENGES TO ADDRESS VAWG ...</b>	<b>146</b>
4.4.1	Sub-theme 2.1: Communication Between Members and Management ..	147
4.4.2	Sub-theme 2.2: Training/Knowledge of the Prescribed Policing Strategies .. .....	152
4.4.3	Sub-theme 2.3: The Availability of Resources .....	157
4.4.4	Sub-theme 2.4: Gender and Language Barriers .....	163
4.4.5	Sub-theme 2.5: SAPS Members as Victims or Perpetrators of VAWG ...	165
4.4.6	Sub-theme: 2.6 Negative Approach and/or a Lack of Passion by Some Members .....	167
<b>4.5</b>	<b>THEME 3: LACK OF COORDINATION WITH EXTERNAL STAKEHOLDERS/INTEGRATION OF SERVICES.....</b>	<b>171</b>

4.5.1	Sub-theme 3.1: A Lack of Shelters/Places of Safety for Victims of VAWG ... .....	172
4.5.2	Sub-theme 3.2: Availability of Victim Support Services After-Hours.....	177
4.5.3	Sub-theme 3.3: Integration of Policing Strategies Among Governmental Departments .....	179
<b>4.6</b>	<b>THEME 4: EFFECTIVENESS OF SAPS' IMPLEMENTATION OF POLICING STRATEGIES IN RESPONSE TO VAWG .....</b>	<b>187</b>
4.6.1	Sub-theme 4.1: Hesitancy of Victims to Initiate Legal Proceedings .....	188
4.6.2	Sub-theme 4.2: Victim and Perpetrator Mediation .....	190
4.6.3	Sub-theme 4.3: Withdrawal of Cases by Victims .....	193
4.6.4	Sub-theme 4.4: Recurring VAWG Cases/Regular Complaints.....	196
4.6.5	Sub-theme: 4.5 False Addresses or Statements Provided by VAWG Complainants .....	198
4.6.6	Sub-theme 4.6: Withdrawal of Cases by Victims .....	200
4.6.7	Sub-theme 4.7: Normalisation of Substance Abuse and Crime in Communities .....	201
<b>4.7</b>	<b>THEME 5: MONITORING AND EVALUATION OF POLICING STRATEGIES .....</b>	<b>203</b>
4.7.1	Sub-theme 5.1: Monitoring, Evaluation and Accountability Measures at Station Level .....	203
<b>4.8</b>	<b>THEME 6: SAPS' ENGAGEMENT WITH STAKEHOLDERS .....</b>	<b>206</b>
4.8.1	Sub-theme 6.1: Engaging in Cooperative Relationships to Operationalise Policing Strategies .....	207
4.8.2	Sub-theme 6.2: SAPS Information Sharing with Stakeholders.....	209
<b>4.9</b>	<b>THEME 7: RECOMMENDATIONS ENHANCING POLICING STRATEGIES ADDRESSING VAWG .....</b>	<b>211</b>
4.9.1	Sub-theme 7.1: Mandatory Training Concerning VAWG-related Incidences .....	211
4.9.2	Sub-theme 7.2: Specialised SAPS Members/Units.....	213
4.9.3	Sub-theme 7.3: Resources at Station Level.....	216
4.9.4	Sub-theme 7.4: External Support to Victims of Abuse .....	218
4.9.5	Sub-theme 7.5: Alignment of Strategies Among Stakeholders .....	219
4.9.6	Sub-theme 7.6: Accuracy of VAWG Incidences Recorded by SAPS .....	222

<b>4.10</b>	<b>CHAPTER SUMMARY .....</b>	<b>225</b>
	<b>CHAPTER 5: SUMMARY, RECOMMENDATIONS AND CONCLUSION .....</b>	<b>227</b>
<b>5.1</b>	<b>INTRODUCTION.....</b>	<b>227</b>
<b>5.2</b>	<b>SUMMARY OF THE PRECEDING CHAPTERS .....</b>	<b>227</b>
<b>5.3</b>	<b>A PROCEDURAL FRAMEWORK TO ENHANCE POLICING STRATEGIES IN RESPONSE TO VIOLENCE AGAINST WOMEN AND GIRLS .....</b>	<b>230</b>
5.3.1	Pillar 1: Guidelines and Protocols .....	231
5.3.1.1	Comprehensive training programmes .....	231
5.3.1.2	Dissemination of guidelines and protocols .....	231
5.3.1.3	Integration of non-legislative strategies.....	231
5.3.1.4	Review and revision of national instructions .....	232
5.3.1.5	Enhanced understanding of terminology.....	232
5.3.1.6	Continuous evaluation and improvement.....	232
5.3.1.7	SAPS crime category dedicated to VAWG/DV/GBV .....	232
5.3.2	Pillar 2: Demonstrate Initiative to Showcase Pro-Active Behaviour .....	232
5.3.2.1	Standardised training programmes .....	233
5.3.2.2	Strengthening community engagement.....	233
5.3.2.3	Allocation of resources.....	233
5.3.2.4	Data-driven Decision-making .....	233
5.3.2.5	Interagency collaboration .....	234
5.3.3	Pillar 3: Creating VAWG Awareness in Communities .....	234
5.3.3.1	Develop tailored community awareness programmes.....	234
5.3.3.2	Utilise multi-media platforms .....	234
5.3.3.3	Engage with community leaders and organisations .....	235
5.3.3.4	Implement community dialogues and workshops.....	235
5.3.3.5	Promote reporting mechanisms .....	235
5.3.3.6	Monitor and evaluate awareness campaigns .....	235
5.3.4	Pillar 4: Effective Communication Channels Between SAPS Personnel and Leadership .....	235
5.3.4.1	Understanding the communication gap.....	236
5.3.4.2	Strengthening internal communication .....	236
5.3.4.3	Utilising technology .....	236
5.3.4.4	Promoting interdepartmental collaboration.....	236

5.3.4.5	Creating a culture of accountability .....	236
5.3.5	Pillar 5: Training and Knowledge of Policing Strategies .....	237
5.3.5.1	Incorporation of gender studies into the SAPS curriculum .....	237
5.3.5.2	Continuous professional development .....	237
5.3.5.3	Interdisciplinary collaboration .....	237
5.3.5.4	Monitoring and Evaluation Mechanisms.....	237
5.3.5.5	Cultural sensitivity training .....	238
5.3.6	Pillar 6: Resources to Implement Policing Strategies.....	238
5.3.6.1	Resource allocation optimisation .....	238
5.3.6.2	Multi-sectoral collaboration .....	238
5.3.6.3	Training and capacity building.....	238
5.3.6.4	Community policing initiatives .....	239
5.3.6.5	Technology Integration.....	239
5.3.6.6	Advocacy and awareness campaigns .....	239
5.3.6.7	Research and Evaluation .....	239
5.3.7	Pillar 7: Managing Gender and Language Barriers .....	239
5.3.7.1	Gender sensitivity training programmes.....	240
5.3.7.2	Recruitment and representation .....	240
5.3.7.3	Multilingual support services .....	240
5.3.7.4	Data collection and research.....	240
5.3.8	Pillar 8: SAPS Members as the Victims or Perpetrators of VAWG.....	240
5.3.8.1	Internal reporting mechanisms.....	241
5.3.8.2	Psychosocial support services .....	241
5.3.8.3	Promotion of gender equity .....	241
5.3.8.4	Data collection and research.....	241
5.3.9	Pillar 9: Victim Treatment .....	241
5.3.9.1	Training and sensitisation programmes .....	242
5.3.9.2	Strengthening accountability mechanisms .....	242
5.3.9.3	Creating supportive work environments .....	242
5.3.10	Pillar 10: Places of Safety .....	242
5.3.10.1	Needs assessment and resource allocation.....	243
5.3.10.2	Interagency collaboration .....	243
5.3.10.3	Standardised protocols and procedures.....	243
5.3.10.4	Monitoring and Evaluation.....	243



5.3.11	Pillar 11: Victim Support Services .....	243
5.3.11.1	Dedicated hotline .....	244
5.3.11.2	Mobile victim support units .....	244
5.3.11.3	Technological solutions .....	244
5.3.11.4	Women-led police stations .....	244
5.3.12	Pillar 12: Integration of Policing Strategies among Governmental Departments .....	245
5.3.12.1	Interdepartmental collaboration.....	245
5.3.12.2	Multi-sectoral task forces .....	245
5.3.12.3	Data sharing and analysis.....	245
5.3.12.4	Adoption of Family Violence Interagency Response System .....	246
5.3.13	Pillar 13: Abuse Victims to Pursue Legal Action .....	246
5.3.13.1	Community outreach and education programmes .....	246
5.3.13.2	Trauma-informed approach.....	246
5.3.13.3	Enhanced victim support services.....	246
5.3.13.4	Legal aid and advocacy .....	247
5.3.14	Pillar 14: Victim and Perpetrator Mediation .....	247
5.3.14.1	Specialised mediation units.....	247
5.3.14.2	Collaboration with support networks .....	247
5.3.14.3	Regulate and refine mediation processes .....	247
5.3.15	Pillar 15: Victim Case Withdrawal .....	248
5.3.15.1	Victim-centred approach .....	248
5.3.15.2	Community engagement and awareness.....	248
5.3.15.3	Monitoring and evaluation .....	248
5.3.16	Pillar 16: Recidivism.....	248
5.3.16.1	Enhancing data collection and analysis .....	249
5.3.16.2	Implementing risk assessment tools .....	249
5.3.16.3	National plan to reduce violence against women and girls.....	249
5.3.17	Pillar 17: Monitoring, Evaluation and Accountability Measures .....	249
5.3.17.1	Establish comprehensive data collection mechanisms .....	250
5.3.17.2	Implement regular impact assessments.....	250
5.3.17.3	Ensure accountability mechanisms .....	250
5.3.18	Pillar 18: Cooperative Relationships Operationalising Policing Strategies.... .....	250

5.3.18.1	Strengthening interagency collaboration .....	251
5.3.18.2	Community policing forum empowerment .....	251
5.3.18.3	Data-driven decision making .....	251
5.3.19	Pillar 19: SAPS Sharing Information with Stakeholders .....	251
5.3.19.1	Establishing interagency collaboration platforms .....	251
5.3.19.2	Developing protocols for information exchange .....	252
5.3.19.3	Implementing technology-driven solutions .....	252
5.3.20	Pillar 20: Mandatory SAPS Training.....	252
5.3.20.1	Comprehensive GBV training curriculum .....	252
5.3.20.2	Incorporation of intersectionality .....	252
5.3.20.3	Ongoing professional development.....	253
5.3.20.4	Monitoring and evaluation .....	253
<b>5.4</b>	<b>CONCLUSION.....</b>	<b>255</b>
	<b>LIST OF REFERENCES .....</b>	<b>256</b>
	<b>ANNEXURES.....</b>	<b>276</b>
	<b>ANNEXURE A: SAPS LETTER OF APPROVAL.....</b>	<b>276</b>
	<b>ANNEXURE B: UNIVERSITY OF SOUTH AFRICA ETHICS APPROVAL .....</b>	<b>278</b>
	<b>ANNEXURE C: PARTICIPANT INFORMATION SHEET AND PRIOR INFORMED CONSENT FORM.....</b>	<b>279</b>
	<b>ANNEXURE D: INTERVIEW SCHEDULE.....</b>	<b>284</b>
	<b>ANNEXURE E: OUTCOMES, STRATEGIES AND PILLARS OF THE NATIONAL STRATEGIC PLAN ON GENDER-BASED VIOLENCE AND FEMICIDE .....</b>	<b>285</b>
	<b>ANNEXURE F: CONFIRMATION OF LANGUAGE EDITING .....</b>	<b>288</b>
	<b>ANNEXURE G: TURNITIN REPORT.....</b>	<b>289</b>

## LIST OF FIGURES

Figure 2.1:	An indication of the complicated nature of GBV in South Africa .....	40
Figure 2.2:	Drivers of gender-based violence and femicide.....	42
Figure 2.3:	An analysis of the National Strategic Response to GBV in South Africa .....	60

## LIST OF TABLES

Table 1.1:	Strategies to prevent intimate partner violence.....	6
Table 1.2:	Selected sample of study participants .....	24
Table 2.1:	Principles for implementing the GBVFNSP programmes.....	59
Table 2.2:	Initiatives funded through Canada’s Gender-based Violence Strategy.	92
Table 2.3:	Legislative obligations of police .....	107
Table 2.4:	The GBV compliance levels by SAPS between October 2012 to 2016 .... .....	110
Table 4.1:	Themes and sub-themes resulting from the findings .....	134
Table 5.1:	Procedural framework to enhance policing strategies in response to violence against women and girls.....	254

## LIST OF ACRONYMS & ABBREVIATIONS

<b>ACHPR</b>	Protocol to the African Charter on Human and People's Rights
<b>ADAPT</b>	Agisanang Domestic Abuse Prevention and Training
<b>ADVO</b>	Apprehended Domestic Violence Order
<b>AHF</b>	Aids Healthcare Foundation
<b>AI</b>	Artificial Intelligence
<b>AIDS</b>	Acquired Immunodeficiency Syndrome
<b>ANCWL</b>	African National Congress Women's League
<b>ARV</b>	Antiretroviral Drugs
<b>AU</b>	African Union
<b>AWPS</b>	All Women Police Stations
<b>BME</b>	Black and Minority Ethnic
<b>BOCSAR</b>	Australian Bureau of Crime Statistics and Research
<b>CA</b>	Children's Act 38 of 2005
<b>CAWC</b>	Crimes Against Women and Children
<b>CEDAW</b>	Convention on The Elimination of All Forms of Discrimination Against Women
<b>CFMC</b>	Clinical Forensic Medicine Centre
<b>CGE</b>	Commission for Gender Equality
<b>CIRNAC</b>	Crown Indigenous Relations and Northern Affairs Canada
<b>CMHC</b>	Canada Mortgage and Housing Corporation
<b>Constitution</b>	Constitution of the Republic of South Africa, 1996
<b>COVID</b>	Coronavirus Disease 2019
<b>CPA</b>	Criminal Procedure Act 51 of 1977
<b>CPF</b>	Community Policing Forum
<b>CPUT</b>	Cape Town University of Technology
<b>CSC</b>	Community Service Centre
<b>CSO</b>	Civil Society Organisation
<b>CSPS</b>	Civilian Secretariat for Police Service
<b>CSVR</b>	Centre for the Study of Violence and Reconciliation
<b>CYF</b>	Child, Youth and Family
<b>DA</b>	Democratic Alliance

<b>DAWN</b>	Democratic Alliance Women's Network
<b>DHET</b>	Department of Higher Education and Training
<b>DNA</b>	Deoxyribonucleic Acid
<b>DOH</b>	Department of Health
<b>DOJ&amp;CD</b>	Department of Justice and Constitutional Development
<b>DPP</b>	Director of Public Prosecutions
<b>DSD</b>	Department of Social Development
<b>DV</b>	Domestic Violence
<b>DVA</b>	Domestic Violence Act 116 of 1998
<b>DVAA</b>	Domestic Violence Amendment Act 14 of 2021
<b>DVSTMP</b>	Domestic Violence Suspect Target Management Plans
<b>EAP</b>	East Asia and Pacific
<b>EC</b>	European Commission
<b>EHWP</b>	Employee Health and Wellness Programme
<b>EIGE</b>	European Institute for Gender Equality
<b>ESDC</b>	Statistics Canada, Employment and Social Development Canada
<b>EU</b>	European Union
<b>FCS</b>	Family Violence, Child Protection and Sexual Offences Unit
<b>FGM</b>	Female Genital Mutilation
<b>FRA</b>	European Union Agency for Fundamental Rights
<b>FVIARS</b>	Family Violence Interagency Response System
<b>GBH</b>	Grievous Bodily Harm
<b>GBV</b>	Gender-Based Violence
<b>GBVAF</b>	Gender-Based Violence and Femicide
<b>GBVAW</b>	Gender-Based Violence Against Women
<b>GCIS</b>	Government Communication and Information System
<b>GDP</b>	Gross Domestic Product
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit
<b>GNC</b>	Gender Non-Conforming
<b>GPS</b>	Global Positioning System
<b>HEADS</b>	Higher Education and Training Wellness and Development Centre
<b>HIV</b>	Human Immunodeficiency Virus

<b>HMICFRS</b>	His Majesty's Inspectorate of Constabulary and Fire and Rescue Services
<b>HROT</b>	Domestic Violence High-Risk Offender Team
<b>IDA</b>	International Development Association
<b>IPID</b>	Independent Police Investigative Directorate
<b>IPV</b>	Intimate Partner Violence
<b>IPVAW</b>	Intimate Partner Violence Against Women
<b>IRC</b>	International Rescue Committee
<b>ISC</b>	Indigenous Services Canada
<b>ISC</b>	Interim Steering Committee
<b>KZN</b>	KwaZulu-Natal
<b>LGBTQIA</b>	Lesbian, Gay, Bi-Sexual, Transsexual, Queer, Intersex, Asexual and other Extensions
<b>MEC</b>	Member of the Executive Council
<b>MOU</b>	Memorandum of Understanding
<b>MPF</b>	Myanmar Police Force
<b>NA</b>	National Assembly
<b>NCADV</b>	National Coalition Against Domestic Violence
<b>NCIWR</b>	National Collective of Independent Women's Refuges
<b>NCOP</b>	National Council of Provinces
<b>NCPS</b>	National Crime Prevention Strategy
<b>NDP</b>	National Development Plan
<b>NGO</b>	Non-Governmental Organisation
<b>NPA</b>	National Prosecuting Authority
<b>O-PO</b>	Non-Profit Organisation
<b>NRSO</b>	National Register for Sex Offenders
<b>NSE</b>	National Statement of Expectations
<b>NSP</b>	National Strategic Plan
<b>NSPGBVF</b>	National Strategic Plan on Gender-Based Violence and Femicide
<b>NSW</b>	New South Wales
<b>NZ</b>	New Zealand
<b>OB</b>	Occurrence Book

<b>PCC</b>	Police and Crime Commissioner
<b>PEPUDA</b>	The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
<b>PSHE</b>	Personal, Social, Health and Economic Education Association
<b>RCMP</b>	Royal Canadian Mounted Police
<b>SA</b>	South Africa
<b>SAAPA</b>	The Southern Africa Alcohol Policy Alliance
<b>SAB</b>	South African Breweries
<b>SAFFI</b>	South African Faith and Family Institute
<b>SAHRC</b>	South African Human Rights Commission
<b>SALRC</b>	South African Law Reform Commission
<b>SANCA</b>	South African National Council on Alcoholism and Drug Dependence
<b>SANDF</b>	South African National Defence Force
<b>SAPS</b>	South African Police Service
<b>SBCWC</b>	Saartjie Baartman Centre for Women and Children
<b>SCA</b>	Supreme Court of Appeal
<b>SIDA</b>	Swedish International Development Cooperation Agency
<b>SOA</b>	Sexual Offences and Related Matters Amendment Act 32 of 2007
<b>SONA</b>	State of The Nation Address
<b>STI</b>	Sexually Transmitted Infections
<b>TCC</b>	Thutuzela Care Centre
<b>TDV</b>	Teen Dating Violence
<b>UAGO</b>	Union Attorney General's Office
<b>UCT</b>	University of Cape Town
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations
<b>UN CEDAW</b>	United Nations Committee on the Elimination of Discrimination Against Women
<b>UN WOMEN</b>	United Nations Entity for Gender Equality and the Empowerment of Women
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS

<b>UNDP</b>	United Nations Development Programme
<b>UNFPA</b>	United Nations Development Programme
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USA</b>	United States of America
<b>USAID</b>	United States Agency for International Development
<b>VAC</b>	Violence Against Children
<b>VAW</b>	Violence Against Women
<b>VAWC</b>	Violence Against Women and Children
<b>VAWG</b>	Violence Against Women and Girls
<b>VEP</b>	Victim Empowerment Programme
<b>VUT</b>	Vaal University of Technology
<b>WAGE</b>	Women and Gender Equality Canada
<b>WHD</b>	Women Help Desk
<b>WHO</b>	World Health Organisation
<b>WPS</b>	Women Police Stations
<b>YWCA</b>	Young Women's Christian Association of Canada



# CHAPTER 1: GENERAL ORIENTATION AND RESEARCH METHODOLOGY

## 1.1 INTRODUCTION

In chapter one, the researcher explains the research methodology used in this study. The identified problem statement is also clarified. Thereafter, the aim and objectives and various aspects of the research methodology, such as the research approach and design, target population, data collection methods, and interpretation of data analysis, are discussed. Ethical considerations and the study's credibility, dependability, transferability, and confirmability are also discussed in this chapter.

Gender-based Violence (GBV) has increasingly become a grave concern in South Africa. Incidences of GBV have become a daily phenomenon and include men, women, older persons, and children as victims. Increasingly, those engaged in close personal relationships revert to extreme forms of GBV, which may involve murdering those with whom they are in a romantic relationship, for example, Oscar Pistorius, Jason Rhode, and Don Steenkamp.<sup>1</sup>

Gould, Mufamadi, Hsiao and Amisi (2017:9) refer to the 2017/2018 National Victims of Crime Survey (South Africa, 2018), which indicates household satisfaction with the police service over the past five years. The authors confirm that there is no South African Police Service (SAPS) statistical crime category for domestic violence (DV) because the SAPS does not disaggregate DV from other crimes, for example, assault. In addition, the cost of violence to society is remarkably high. Gould et al. (2017:9), illustrate the 2012/13 budget year cost, ranged between R28.4 and R48.2 billion. It must also be borne in mind that most support services for victims of GBV are provided by Non-Governmental Organisations (NGOs). According to Gould et al. (2017:9), the actual costs of GBV are not borne only by the state, perpetrators, and victims but

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<sup>1</sup> Oscar Pistorius, a well-known South African Paralympian athlete, was found guilty of murder and sentenced to 13 years and five months' imprisonment after killing his girlfriend, Reeva Steenkamp, in a domestic dispute (Franks, 2024:1). Jason Rhode, a property consultant, was found guilty of murdering his wife in 2016 after strangling her and then staging it as a suicide after a domestic dispute. He was sentenced to 20 years' imprisonment (Nombembe, 2021:1). Don Steenkamp was found guilty of murdering his father, mother and 14-year-old sister, and raping his sister, in their farmhouse in Griekwastad in 2012. He was sentenced to 20 years' imprisonment for each of the murders, 12 years for raping his sister and a further 4 years for defeating the ends of justice after he claimed that his family was attacked on their farm (Hendricks, 2015:1).

include the whole of society, which also includes companies whose staff are harmed, parents of harmed children, etc. These costs escalate each year with inflation as well as a rise in the number of people traumatised by witnessing GBV, which consequently has a significant effect on families across generations.

Consequently, efficient policing strategies are crucial to address increasing incidents of GBV. The impact of poorly implemented policing strategies (or total lack thereof) to address DV leads to more severe crimes, such as murder. It is thus crucial that efficient policing strategies are designed and implemented to address DV sufficiently.

## **1.2 RESEARCH PROBLEM**

The problem statement is the heart of the research (Leedy & Ormrod, 2013:27). The problem should address an important question – it should make a difference. It must advance knowledge by leading the way of thinking and suggesting new applications to pave the way for further research. According to Withrow (2014:145), a research question may come from mere curiosity about social phenomena or casual observation of some behaviour, but in all cases, it is an interrogative statement.

In four years (2014 – 2018) in Gauteng Province, 251 children succumbed to GBV, with very few prosecutions (Ngobeni, 2019:2). Thirteen passed away alongside their mother or grandmother. In the same period, 131 210 GBV cases were reported in Gauteng. According to Ngobeni, the Democratic Alliance (DA) spokesperson on community safety, Refiloe Nt'sekhe was deeply worried by this statistic, adding that based on these figures, only 44 522 arrests were made, and 9 786 convictions were recorded. Additionally, no unit within the SAPS is mandated to address GBV. GBV cases and complaints are dealt with at the station level, where they are reported and investigated by one or two identified members. The Family Violence, Child Protection, and Sexual Offences Unit (FCS) only deal with GBV cases involving child victims.

News Reporter (2024:np) reiterates “*Society needs to recognise domestic and gender based violence for what it is – a scourge, wiping out women*”.

Moreover, Bougard and Booyens (2015:1) refer to the fact that South Africa is often referred to as the rape capital of the world. During 2013/2014, 62 649 rapes were reported to the SAPS. Merten (2020:12) indicates that women are killed mainly by men

known to them, for example, estranged boyfriends, husbands as well as friends. Merten further reports that there are 102 sexual offence courts and 55 Thuthuzela Care Centres (TCCs) in South Africa. During 2019/2020, a total of 35 469 survivors received support from these centres, and according to statistics from the SAPS, 2 771 women were murdered, 30 626 raped, and 136 870 assaults occurred from 1 April 2018 to 31 March 2019.

Sibanda-Moyo, Khonje and Brobbey (2017:11) stress the need to establish workable measures and approaches to address violence against women in South Africa as a matter of urgency. Khumalo (2017:1) shares the following statistics concerning violence against women:

- 25% to 40% of women have been the victim of intimate partner violence (IPV) within their lifetime.
- 50% of women have experienced economic and emotional abuse in their lifetime.
- 28-27% of cases involve adult, male perpetrators.

This research explored policing strategies to address VAWG in South Africa to establish whether they are sufficient and whether the police are implementing strategies sufficiently. Wolfe and Jaffe (1999:133) confirm that DV is a global problem and opine that previous responses to DV focussed mainly on the intervention after the occurrence. Wolfe and Jaffe further discuss the emerging prevention strategies and approaches from the public health sector, which may be used as models to develop these strategies further. Firstly, the public health sector needs to identify and address the underlying causes of DV. Secondly, it can be used to identify opportunities to prevent DV.

Chetty and Mkwanazi (2020:17) further highlight the extent of GBV in South Africa, quoting President Cyril Rampahosa as saying:

“We have the means to end violence against women and children”.  
“Now is the time to unite to turn the tide ... the rights of women and men alike must be protected. This time must be different. We, South Africans, must be different”.

“Violence against women has become more than a national crisis; it is a crime against our common humanity”.

Chetty and Mkwanazi (2020:17) further quote the President’s response to GBV, saying, “... *a violent war was on the way against the women of South Africa*”. These authors further highlight the degree of GBV in South Africa, reporting during 2019, 2 700 women and over 1 000 children died at the hand of other persons and that over 100 cases of rape are reported to the police daily. Chetty and Mkwanazi (2020:17) also report that on National Women’s Day, the President acknowledged that GBV was a crisis in South Africa, describing this phenomenon as: “*the worst form of desecration of the Constitution and its promise of protection from gender violence*”. The President admitted that “*women lived in fear, be they in their houses, in church, school or the street and that the headstrong persistence of patriarchy which gives men to believe they are superior to their mothers, wives and daughters need to be acknowledged*”. Additionally, the President said, “*men are of the opinion that they have the right to decide what girls should do, how they should dress and behave*”.

Anon (2019a:8) indicates that the Acquired Immunodeficiency Syndrome Healthcare Foundation (AHF) - the most prominent international human immunodeficiency virus (HIV) and acquired immunodeficiency (AIDS) organisation, urgently requested leaders, specifically the South African President, Cyril Ramaphosa to “*Keep to the promise*” made after the murder of Uyinene Mrwetyana and to take urgent action to prevent GBV in South Africa. Moreover, Nyide (2018a:9) reports that the Deputy Minister of Higher Education and Training, Buti Manamela, was disturbed by the rise in violence against women and children (VAWC). Manamela, a speaker at the Higher Education and Training HIV/AIDS Programme Gender Based Violence Imbizo in KwaZulu-Natal (KZN), supported efforts to address GBV in institutions of higher learning. The Minister felt very strongly about this issue and indicated the importance of exposing perpetrators of rape, violence, and abuse of power and the need for policies to address GBV in tertiary institutions.

Wolfe and Jaffe (1998:133) posit that GBV often goes unnoticed despite its devastating effects. The primary prevention method is to reduce incidences before they occur. Secondary prevention will decrease the prevalence of GBV after early signs of the problem, and thirdly, tertiary prevention will be used to intervene when the

issue is identified. School-based programmes that teach learners about GBV and the alternative solutions to address conflict and public education campaigns to increase awareness of the harms of GBV are examples of primary prevention methods. Examples of secondary prevention programmes include home visits for high-risk families. An example of such an intervention is the Healthy Start Programme implemented in Hawaii, where home visits are undertaken for families identified as high-risk for child abuse and DV. This programme assists mothers in developing safety plans. It assists abusers in registering for socially developed treatment programmes and community-based programmes, which teach students about dating violence for adolescents referred by child protective services (Wolfe & Jaffe, 1998:133). Wolfe and Jaffe further mention the need for a broad, comprehensive prevention strategy supported by proper research and evaluation and the public. Of course, a zero-tolerance policy must exist for DV (Wolfe & Jaffe, 1999:138).

Because the SAPS do not categorise GBV as a separate crime category, it is difficult to ascertain its impact on society. GBV is a crime with far-reaching consequences. Edberg, Shaikh, Rimal, Rasool and Mthembu (2017:56) indicate that of the 21 575 children assaulted in South Africa in 2012, 2 769 incidents were due to trafficking, DV and matters included in the Children's Act 38 of 2005 (CA). In addition, according to Mapumulo (2016:1), one in every four women is physically abused by her intimate partner and a woman is killed every six hours by her current or former intimate partner. According to the Daily Maverick (2015:1), the SAPS does not release details regarding IPV (another form of DV). However, they are supposed to, by law, record cases of DV, keep registers to record these crimes and have victim-friendly rooms available for victims. The Daily Maverick further indicates that the SAPS is not adhering to its policies concerning the Domestic Violence Act 116 of 1998 (DVA), and there is no accurate picture of the extent of DV in South Africa.

Chernick (2017:5) quotes police spokesperson Vish Naidoo, stating, "*Every incident of abuse suffered by a child, or a woman reflects our failure to respond to the cries of the most vulnerable in our midst, and it is in our power to contribute to the fight against the abuse of women and children*". The current Police Minister, Bheki Cele and the former National Police Commissioner, Kehla Sithole announced a new "*high-density stabilisation intervention*", to indicate how the police strategy to curb violent crimes,

including GBV, could work (Faull, 2018:1). Faull (2018:1) believes that to reduce violence and harm in South Africa drastically, the police should expand the strategy in a few ways, one of them being to address GBV effectively. To achieve this, Faull suggests that dedicated police officials should promptly investigate DV reports, specifically in murder hot spots, and work hand in hand with social workers to fast-track interventions, mediations, and prosecutions. Faull (2018:4) further mentions that the strategy is a cause for optimism and that focusing on organised and violent crime is rational and necessary but should be fine-tuned and expanded. Faull (2018:4) further argues that by treating murder and DV as proxies for broader violence and deploying resources and focusing efforts to address them by making use of data-guided methods, the police service could significantly reduce overall violence and harm in South Africa.

Niolan, Kearns, Dills, Rambo, Irving, Armstead and Gilbert (2017:12) indicate that IPV is a significant problem which causes harmful effects on individuals, families, and communities and suggests that the prevention of DV will reduce incidents as elaborated in Table 1.1 below.

**Table 1.1: Strategies to prevent intimate partner violence**

<b>PREVENTING INTIMATE PARTNER VIOLENCE</b>	
<b>STRATEGY</b>	<b>APPROACH</b>
<b>Teach safe and healthy relationship skills</b>	<ul style="list-style-type: none"> <li>• Social-emotional learning programmes for the youth</li> <li>• Healthy relationship programmes for couples</li> </ul>
<b>Engage influential adults and peers</b>	<ul style="list-style-type: none"> <li>• Men and boys as allies in prevention</li> <li>• Bystander empowerment and education</li> <li>• Family-based programmes</li> </ul>
<b>Disrupt the developmental pathways toward partner violence</b>	<ul style="list-style-type: none"> <li>• Early childhood home visitation</li> <li>• Pre-school enrichment with family engagement</li> <li>• Parenting skill and family relationship programmes</li> <li>• Treatment for at-risk children, youth, and families</li> </ul>
<b>Create protective environments</b>	<ul style="list-style-type: none"> <li>• Improve school climate and safety</li> <li>• Improve organizational policies and workplace climate</li> </ul>

PREVENTING INTIMATE PARTNER VIOLENCE	
STRATEGY	APPROACH
	<ul style="list-style-type: none"> <li>• Modify the physical and social environments of neighbourhoods</li> </ul>
<b>Strengthen economic support for families</b>	<ul style="list-style-type: none"> <li>• Strengthen household financial security</li> <li>• Strengthen work-family supports</li> </ul>
<b>Support survivors to increase safety and lessen harms</b>	<ul style="list-style-type: none"> <li>• Victim-centred services</li> <li>• Housing programmes</li> <li>• First responder and civil legal protections</li> <li>• Patient-centred approaches</li> <li>• Treatment and support for survivors of IPV, including teen dating violence (TDV)</li> </ul>

(Source: (Niolan, Kearns, Dills, Rambo, Irving, Armstead & Gilbert, 2017:12))

Violence against women and children is recognised as a priority in South Africa (Maluleke, 2018:5). According to the Centre for the Study of Violence and Reconciliation (CSVr) (2016a:4) and Lopes, Chagutah and Mncwabe (2016:1) the South African government attempts to address DV by laying down strategies to address this crime. Still, although some of these strategies seem impressive, they are ineffective. This is evident as these crimes are escalating, and there are frequent reports of horrific cases in the media. One must also bear in mind that this is only a drop in the ocean, and one often wonders how many cases and incidents occur that are not reported in the media or known by the public. This crime mainly occurs behind closed doors; therefore, it is also challenging to establish the actual extent of domestic violence.

Furthermore, the fact that the SAPS does not have specific statistics available to establish the extent of GBV is a problem. In an article published in The Star (2017:13), South Africans are urged to pause and reflect on the 16 Days of Activism Against Gender-based Violence and add that this crime is still rife despite laws and the publication and promotion of advocacy strategies. This initiative originated in 1991 when the Women's Global Leadership Institute highlighted the many abuses women suffered internationally. For South Africa, the 16 Days of Activism Against Gender-Based Violence is a grim and painful reminder of a significant social problem (Hillcrest Fever, 2017:11). Some of the other strategies to address GBV in South Africa include Child Protection Week under the auspices of the Department of Social Development (DSD) as well as the initiative by the United Nations (UN), known as UNiTE, which

aims to end VAWC. According to Van Niekerk and Makoae (2014:38), there is no proof that prevention strategies, such as Child Protection Week and the 16 days of Activism Against Gender-Based Violence campaigns, work. The same can be said for education programmes that teach primary school children about unsafe situations and inappropriate behaviour.

Other strategies implemented to address GBV and Crimes against Women and Children (CAWC) in South Africa include the National Crime Prevention Strategy (NCPS) of 1996 (South African Police Service, 1996), as well as the Domestic Violence Amendment Act (No 14 of 2021) (hereafter referred to as the DVAA), the National Policy Guidelines for the Handling of Victims of Sexual Offences (3 of 2008) the Policy Framework and Strategy for Shelters for Victims of Domestic Violence in South Africa, 2003, the CA, the Maintenance Act 99 of 1998, the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA) and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 4 of 2021.

A South African Police Service Internal Document, Circular 1/1/4/1 (1), dated 28 March 2012, identifies CAWC as a strategic priority (South African Police Service, 2012). Elizabeth Petersen, staff director at the South African Faith and Family Institute (SAFFI), speaking at a conference on 27 July 2017, indicated that VAWG is one of the worst human rights violations of our times and one of the biggest problems in South Africa (Northern News, 2017:2). The SAPS also has a National Instruction on Domestic Violence, 3 of 2008 (South African Police Service, 2008) and Circular 3/1/5/1/343(11), dated 8 September 2012 (South African Police Service, 2012), which emphasises the importance of public awareness and the fact that the public needs to be educated to fight one of the most significant human right violations in the world, namely, violence against women (VAW). This circular also stresses that community education campaigns might be of great assistance to educating the community on CAWC and how important it is to speak out about these crimes. It also suggests that the media can significantly assist in building awareness. Interestingly, it further mentions that usually, after these campaigns, such as the 16 Days of Activism Against Women and Children, there is a rise in the reporting of cases.



According to Krishna (2016:20), the 16 Days of Activism Against Women and Children is used globally by individuals and groups as an organising strategy to call for the end of all forms of VAW and to:

- Strengthen local work concerning VAWC;
- Establish a clear link between local and international work to eliminate VAW;
- Supply a forum where organisers can develop and share effective strategies to curb VAWC;
- Re-iterate the solidarity of women globally organising against VAWC; and
- Creating tools to pressure the government to implement their promises to end VAWC.

Mpapa (2016:17) posits that the 16 Days of Activism Against Women and Children is an ideal time to reflect on the plan's progress, achievements, and challenges to prevent violence. Mpapa further believes "*Nothing significant has been done to ensure the protection of women and children*", and despite specific preventative measures being implemented, monitored, and evaluated to bring about change, DV incidents keep rising. Mpapa further mentions that "... *nothing seems to have changed for the good of women and survivors of violence*". Moreover, Krishna (2016:20) explains that the 16 Days of Activism Against Women and Children campaign is one of the intervention strategies to create a violence-free society. This author mentions the objectives of the campaign as the following:

- Attracting South Africans to be active participants in fighting and eradicating VAWC.
- Expand accountability to include all government clusters and provinces, not only justice, crime prevention, and security clusters.
- To ensure the buy-in of all communities to promote collective responsibility in the fight to eradicate VAWC.
- To use all kinds of technology to indicate the many ways in which VAWC affects the lives of all communities around the world. This includes combining technology such as social media, arts, journalism, religion, culture, customs, business, and activism.

- To encourage society to acknowledge that this type of violence is a societal problem, and if it is not viewed as such, all efforts to end this will fail.
- To reiterate, the solution lies with all of us.

The SAPS additionally implemented a Policy Document on Domestic Violence (South African Police Service, 2014), which prescribes how SAPS members must handle DV victims and how to treat them with sensitivity and care. This policy document further motivates that:

- Victims must be treated with respect, and their dignity must be protected.
- Members are to listen to what the victims say.
- Victims should not be insulted or blamed for the incident.
- Victims should be assisted with empathy and care.
- Victims must be informed about their rights and options.

This Policy Document on Domestic Violence (South African Police Service, 2014) further states that all officers in the SAPS will adhere to the DVA and reiterates the commitment to address DV by ensuring that members follow the correct approach when dealing with victims. As stated in the Preamble to the DVA, it was previously found that laws regarding DV were ineffective. Therefore, the DVA was implemented. This Act indicates that DV is a grave social evil; there are high incidences of this crime in the country, victims are some of the most vulnerable, and it takes on many forms, and it can be committed in a variety of domestic relationships.

From the researcher's experience, proactive and reactive remedies have been ineffective. The purpose of this Act is to "*afford the victims of DV the maximum protection from domestic abuse that the law can provide and to introduce measures which seek to ensure that the relevant organs of State are committed to the elimination of domestic violence*". However, Artz (1999:np) indicates that the DVA is theoretical because police officers and criminal justice agents inconsistently apply the law.

South African researchers Parenzee, Artz and Moulton (2001:np) indicate that victims of DV are still receiving inadequate support from the police irrespective of the legislation and the fact that VAWC was identified in 1996 as a policing priority as stated in the NCPS of 1996 (South African Police Service, 1996). The National Prosecuting

Authority (NPA) revised a plan in 2011 to visit rural communities in KZN to discuss issues of DV. The *Ndabezitha*<sup>2</sup> Project, a public awareness and legal education initiative, was led by the NPA Sexual Offence and Community Affairs Unit in partnership with the Department of Justice and Constitutional Development (DOJ&CD). This project aimed to empower communities in rural areas on issues relating to DV. Another aim was to educate men in rural areas regarding DV and its laws, to incorporate them to develop strategies to combat and prevent DV and also to encourage them to behave positively in their domestic relationships (Buthelezi, 2011:26). Project *Ndabezitha* was initially launched in July 2004. It forms part of the DV division of the NPA's Sexual Offences and Community Affairs Unit (NPA-SOCA, 2004).

Project *Ndabezitha* has the following aims (South Africa Violence Prevention Model and Action Plan, 2004: 63):

- Creating a pool of registered skills facilitators and assessors within the traditional leadership sector concerning DV.
- To empower traditional leaders with the necessary skills to integrate the management of complaints of DV in a way which promotes the restorative justice system.
- To raise public awareness within the rural communities where traditional leaders are based.
- To promote restorative justice principles to try and reduce the occurrence and re-occurrence of DV and
- To motivate the relevant role players to share information and encourage support between them.

In addition, 'The Orange the World Campaign' was launched because GBV is one of the most severe human rights violations, which is caused by gender, inequality, and discrimination (News Reporter, 2015:1). For the first time, there are now specific targets to end VAWG in the 2030 Agenda for Sustainable Development. The necessary action is demanded, and when 70 world leaders gathered in New York on

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<sup>2</sup>'Ndabezitha' is a Zulu word and a traditional greeting, which is used by traditional leaders in recognition of the inherent honour and respect attributed to their social standing and position of authority in the community.

27 September 2015, most indicated that VAWG was a priority for action (Cape Times, 2015:9).

An article in *The Star* (2017:13) indicates a massive outcry against the escalating level of VAW in South Africa. It emphasises that a comprehensive national strategic plan needs to be developed and implemented to address this crime. The publication further indicates that the criminal justice system (CJS), especially within the SAPS, poses significant challenges to addressing VAW. For this reason, it is of utmost importance that the challenges within the police service be addressed. In addition, this publication mentions that the approaches towards VAW need to motivate healthy parenting practises as a prevention strategy. The CSVr researched strategies to prevent GBV by reviewing existing GBV prevention interventions. The outcomes demonstrated that prevention strategies are non-comprehensive, incoherent, and non-evidence-based. The CSVr also confirmed that GBV is a significant challenge in South Africa (CSVr, 2016b:3).

Sibanda-Moyo et al. (2017:5), confirm that South African women continue to experience extremely high rates of violence despite the various legal protections and interventions by both the state and other role players. Sibanda-Moyo et al. (2017:18), further indicate that the lack of a comprehensive strategy that will coordinate all efforts, combined with funding challenges and organisational isolation, hamper the effectiveness of state-controlled combatting mechanisms and programmes. Sibanda-Moyo et al. (2017:70), further express that a well-co-ordinated multi-sectoral national strategy, which includes government, Civil Society Organisations (CSOs) and the private sector, is crucial for the development and implementation of a clear plan to combat VAW in South Africa.

The current policing strategies employed by the SAPS to address GBV are ineffective. The escalating rates of GBV in South Africa underscore the inadequacy of the existing approach and the urgent need for a comprehensive exploration of the strategies the SAPS employs to address this pervasive issue. The research problem, as elucidated above, reveals harrowing GBV statistics with minimal prosecutions, highlighting a substantial enforcement gap. The alarming figures, coupled with the disparity between reported cases and arrests, highlights a systemic failure in the current policing strategies. Moreover, the absence of a dedicated unit within the SAPS solely focused

on GBV exacerbates the problem. Labelled as the 'rape capital of the world' underscores the severity of GBV in South Africa. The fragmented response to DV and all its forms emphasises the importance of preventative and reactive strategies, mirroring global efforts. The existing legal framework, including the DVA and various SAPS internal documents stressing the prioritisation of CAWG, is recognised. However, its practical application is questioned. Similarly, campaigns and other prevention initiatives, such as the 16 Days of Activism Against Gender-based Violence, are acknowledged, but their impact is questioned. The need for a holistic, multi-sectoral policing strategy becomes evident to address the complex web of GBV.

Consequently, this study aims to scrutinise the efficacy of SAPS strategies in addressing VAWG. This study not only evaluates the existing policing strategies but also proposes comprehensive, evidence-based policing strategies that address VAWG and provide a framework for prevention, intervention, and support for victims. The alarming statistics and objective evidence underscore the urgency of such an inquiry to protect the most vulnerable members of society.

### **1.3 RESEARCH AIM**

Gray (2014:53) and Mills and Birks (2014:204) agree that a research aim is a statement of intent and what the researcher plans to achieve. In conclusion, these authors concur that the research aim provides direction. This study aims to explore and describe policing strategies that are currently implemented to address VAWG.

### **1.4 RESEARCH PURPOSE**

Babbie (2010:92) explains that research aims to identify and explain. Based on Babbie's explanation of the research purpose, the purpose of this research is to:

- Provide a theoretical overview of national and international policing strategies to address VAWG.
- Explore and describe current South African policing strategies implemented to address VAWG.
- Explore and describe the perceptions of role-players regarding the effectiveness of the current policing strategies implemented to address VAWG.

- Investigate and describe factors hindering the effective implementation of policing strategies to address VAWG.
- Suggest recommendations that could facilitate improved policing strategies to address VAWG.

## **1.5 RESEARCH QUESTIONS**

Wagner, Kawulich and Garner (2012:18) indicate the following objectives of a research question:

- Identified the study;
- Assists in narrowing down the research to specific details and criteria that need to be met, such as the sample and particular aspects of the topic being researched;
- Directs the researcher to the hypothesis, especially when testing whether a statement is the truth or not; and
- Provides direction for the methodology that will be chosen.

Furthermore, Gast (2010:70) mentions that the function and purpose of research questions is to align the researcher's focus with the purpose and objectives of the research. Yin (2018:288) refers to a research question as the primary driving force for case studies and adds that the most relevant research questions will start with 'how' or 'why'. According to Flick (2018:83), the crucial benchmark to assess research questions is to include their soundness and accuracy and to establish if they can be answered within the structure of the available and limited resources (e.g. time and money). Flick (2018:84) further says that research questions should be composed in concrete terms to clarify what the researcher is expected to establish.

Based on the guidelines above, this study addressed the following primary research question:

- What are the perceptions of role-players regarding the effectiveness of the current policing strategies implemented to address VAWG?

The following secondary research questions were explored in this study:

- What policing strategies are currently implemented by the SAPS to address VAWG?

- What factors hinder the SAPS from effectively implementing policing strategies to address VAWG?
- How could the SAPS enhance policing strategies to address VAWG efficiently?
- What international best practices exist regarding policing strategies to address VAWG?

## **1.6 VALUE OF THE STUDY**

The significance of a study extends beyond generating new knowledge to include filling important gaps in current literature. Through precise definition of research goals and rigorous methodologies, researchers can explore neglected areas systematically, enhancing theoretical frameworks and informing practical applications. A thoughtfully conducted study not only enriches academic discussions but also provides practical insights that can influence policy-making, professional practices, and future research directions (Johnson & Christensen, 2020).

This study holds significant value for various stakeholders, including the SAPS, relevant NGOs, the academic community, and the public. The research aim, centred on exploring policing strategies in response to GBV, is crucial in addressing a pervasive societal issue.

For the SAPS, the findings of this study have direct implications for their operational effectiveness. Evaluating current policing strategies aimed at addressing GBV allows the SAPS to assess the impact of their efforts and identify improvement areas. Understanding the factors that hinder effective implementation is equally important, as it enables the SAPS to address internal challenges and enhance its responsiveness to GBV. The study's recommendations serve as actionable insights for the SAPS to refine their approaches and strengthen their commitment to combating GBV.

NGOs working in gender advocacy and violence prevention stand to benefit from the study's insights. By comprehensively understanding the current policing strategies and impediments, these organisations can collaborate more effectively with law enforcement agencies, contributing to a more coordinated and holistic response to GBV.

Within the academic community, this study enriches the existing literature on policing strategies related to GBV. The research questions provide a structured framework for future studies, guiding researchers in exploring specific aspects of policing strategies, impeding factors, and potential enhancements. This contributes to the academic discourse on crime prevention and law enforcement methodologies.

The study serves as a transparency tool for the public, shedding light on the efficacy of current policing strategies for GBV. Increased public awareness of law enforcement efforts fosters accountability and encourages community engagement in the fight against GBV. Furthermore, knowledge of international best practices offers a comparative perspective, allowing the public to assess how the SAPS measures against global standards.

This study thus contributes to bridging the gap between academic research and practical application, providing valuable insights that can potentially inform policy improvements, improve SAPS operational strategies, and ultimately contribute to a safer and more secure society.

## **1.7 STUDY DEMARCATION**

This study was demarcated into the following policing districts in the Johannesburg Central police cluster: Sophiatown, Brixton, Langlaagte and Fairland. These stations resort under the authority of the Provincial Commissioner of SAPS Gauteng.

Practically, the study included five chapters, each with a distinct aim and purpose, which will be elucidated later in this document.

## **1.8 DEFINITION OF KEY TERMS**

According to Gomm (2008:25), “... *to be scientifically plausible, researchers are often requested to identify concepts that will capture the essence of the research*”. To provide contextual richness, terms were identified and defined, as recommended by Creswell (2014:42). Leedy and Ormrod (2013:58) believe that these terms must be defined in the way they are used in the context of the identified research problem.

The following key terms form an integral part of this research and warrant clarification:



### **1.8.1 Violence Against Women and Girls/Gender-Based Violence**

Gender-based violence means “violence associated with gender, which includes physical, sexual, verbal, emotional, economic, domestic, educational or psychological abuse or threats of such acts of abuse in public or private life” (South Africa, 2022).

According to Bloom (2008:14), GBV is when violence occurs because of the controlling role expectations connected to each gender, including the unequal power relationships between the genders within the circumstances of a specific society.

Bloom (2008:14), as cited in the National Strategic Plan on GBV and Femicide (2020), defines GBV as the common term used to include violence, which takes place as a consequence of regulating role assumptions linked to the sex allocated to a person at birth, and the different power relations amongst the genders, within the context of a specific society. This violence encompasses physical, emotional, sexual, verbal as well as psychological threats or abuse or acts of abuse, coercion, as well as economic or educational penury irrespective of whether it happens in public or in private, in peacetime or during armed or other forms of clashes and which may result in psychological, emotional, economic, sexual, or physical harm.

The UN Population Fund (1993) indicates that the main targets of GBV are women and adolescent girls. Not only are they at an elevated risk of GBV, but they also suffer severe consequences compared to men in the same position. It further describes that women, because of gender discrimination and lower socio-economic status, have fewer options and fewer resources to avoid or escape these situations or to seek justice. This also influences their sexual and reproductive health, which includes unwanted or forced pregnancies and unsafe abortions, which may lead to death and may also cause sexually transmitted diseases (STIs).

The UN Declaration on the Elimination of Violence against Women (1993) defines GBV as “... *any act that results in, or is likely to result in, physical, sexual and psychological harm or suffering to women, including the threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life*”. This violence can either be in private or public and can include physical, sexual, and psychological violence. The World Bank (2019) synonymously terms GBV as VAWG and explains that GBV knows no social or economic boundaries and affects women

and girls of all socio-economic backgrounds. The Council of Europe's Convention on Preventing and Combating Violence Against Women and Domestic Violence, known as the Istanbul Convention, defines violence against women and girls as "... *any act of GBV that results in or are likely to result in physical, sexual, psychological, or economic harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life*".

In this study, GBV thus refers to violent acts that are primarily or exclusively committed by men or boys against women or girls. These violent acts could occur in private or public, and for this study includes all acts of violence discussed in sections 1.8.1.1 to 1.8.1.6 below. The term VAWG refers to acts of violence or abuse that disproportionately affect women and girls. Consequently, the terms GBV, DV, VAWG, and Gender-Based Violence and Femicide (GBVAF) are used synonymously and interchangeably in this study.

The following acts of violence are forms of GBV:

#### **1.8.1.1 Domestic violence**

The DVA defines domestic violence as:

"... physical abuse, sexual abuse, emotional, verbal and psychological abuse, economic abuse, intimidation, harassment, stalking, damage to property, entry into the complainant's<sup>3</sup> residence without consent, where they do not share the same residence or any other controlling or abusive behaviour towards a complainant where such conducts harms or may cause imminent harm to the safety, health or well-being of the complainant."

Domestic violence is the most known form of GBV. According to both Sigsworth (2009:np) and the Tshwaranang Legal Advocacy Centre (2012:np), domestic violence includes violence or the threat thereof and can also include sexual assault, battery, coercion, and sexual harassment. In this study, DV refers to violent acts that are primarily or exclusively committed by men or boys against women or girls.

#### **1.8.1.2 Physical violence**

GBV in the form of physical violence includes assault by slapping, kicking, punching, pushing, hitting, etc., and weapons such as knives as well as other sharp instruments

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<sup>3</sup>The researcher recognises the inconsistent use of the terms 'complainant', 'victim' and 'survivor' internationally. Throughout this thesis, these terms refer to those affected by VAWG.

may be used in the commission of the act (Sigsworth, 2009: np; Tshwaranang Legal Advocacy Centre, 2012:np).

### **1.8.1.3 Emotional violence**

The DVAA describes emotional abuse as conduct, which is degrading, humiliating, threatening, offensive and manipulating towards a victim, which causes mental and psychological harm towards the victim. Insults, name-calling, and ridicule, as well as obsessive possessiveness, which leads to the invasion of privacy, security, and integrity, are just some of the conducts which fall under emotional abuse. Furthermore, acts by a perpetrator to force the victim to disclose their sexual orientation or other sensitive confidential information, property damage, threatening the victim with injury or death or damaging their property, as well as a threat to commit suicide and/or self-harm, are also included in emotional violence.

### **1.8.1.4 Femicide**

Femicide is known as the killing of an intimate female partner by her male partner. This is of growing concern, especially in South Africa, where it seems to occur regularly and increasingly (Abrahams, Ramsoomar & Shai, 2021:4).

### **1.8.1.5 Economic violence**

The European Institute for Gender Equality (2023) defines economic violence against women as 'any action or conduct that inflicts economic harm on an individual,' which is intertwined with gender inequality and perpetuated by traditional gender roles. Perpetrators of economic violence exert control over a victim's capacity to 'obtain, utilise, and preserve economic resources,' thereby jeopardising their financial stability and independence.

Economic violence is usually the cause for most victims not being able to leave their abuser, as the abuser might be the sole breadwinner, making the victim reliant on food and shelter. The abuser often controls the victim's money and salary and does not allow her to buy things with her own money. In other words, he takes control of her finances (European Institute for Gender Equality, 2017).

### **1.8.1.6 Sexual abuse**

According to the DVAA, sexual abuse is conduct towards a complainant, which includes degrading, violating, and humiliating their sexual integrity.

### **1.8.2 Policing Strategies**

The Longman Dictionary of Contemporary English (1995:1426) defines a 'strategy' as a "*well-planned series of actions to achieve an aim*". In this study, policing strategies entail the series of actions developed and implemented by the SAPS to address VAWG proactively and reactively in the long term. The College of Policing (2022) identifies hot spots policing and problem-oriented policing, for example, as policing strategies that can be effective at reducing a wide range of different crimes, including VAWG.

## **1.9 THE PHILOSOPHICAL WORLDVIEW ADOPTED IN THIS STUDY**

In pursuing policing strategies addressing GBV, this study adopts a constructivist worldview, drawing from the theoretical frameworks of social constructivism and interpretivism. Creswell (2014:9) and Hammond and Wellington (2013:32) assert that the constructivist perspective is particularly relevant in qualitative research, where the emphasis lies on exploring the subjective experiences and meanings individuals attribute to their surroundings. The core tenet of this worldview is the belief that individuals actively seek and construct meaning and knowledge about the world they inhabit.

The elements of constructivism, as outlined by Creswell (2014:6), guide the study's philosophical worldview. Understanding multiple interpretations, social and historical construction and theory generation are foundational pillars. The aim is not only to analyse the current policing strategies in response to GBV but to delve deeper into the nuanced interpretations and social constructions that shape these strategies.

The research questions align with the constructivist perspective, emphasising an exploration of the effectiveness of current policing strategies implemented by the SAPS in addressing GBV. The secondary research questions further illuminate the social and contextual dimensions, investigating the strategy in place, identifying impeding factors and proposing recommendations for enhancing the efficiency of

these strategies. Additionally, the study broadens its scope by examining international best practices, recognising the global context in which policing strategies for GBV operate.

By applying a constructivist lens, the research aims to contribute to a deeper understanding of the complex dynamics surrounding GBV as a societal issue. The findings of this study offer insights that extend beyond surface-level observations, fostering a more comprehensive and socially situated understanding of the strategies employed by the SAPS in addressing GBV.

## **1.10 METHODOLOGICAL FRAMEWORK**

Flick (2018:562) advises that research needs to be planned methodologically and based on principles and reflection. This study is based on the following methodological framework:

### **1.10.1 Research Approach and Design**

According to Wagner et al. (2012:126), the process and the social and cultural contexts shape different behavioural patterns. It also aims to create a logical story, as seen through the story's participants, to understand and represent their experiences and actions encountered, engaged and lived through. Qualitative research is a methodology that addresses social and cultural contexts which shape different behavioural patterns (Wagner et al., 2012:139). Flick (2018:604) defines qualitative research as research focused on analysing subjective meaning, events, or practices by collecting non-standardised data and analysing texts and images instead of numbers and statistics.

According to Leedy and Ormrod (2015:269), qualitative research approaches have the following in common:

- Addressing the phenomena which occur or have occurred previously in natural settings, i.e., the real world.
- It involves capturing and studying the complexity of those phenomena.

Based on the writings of the above authors, the researcher followed a qualitative research approach. In addition to the qualitative research approach, the researcher

followed a collective case study research design to explore the identified research problem. According to Flick (2018:604), a research design is defined as a practical plan for research projects, which includes who to incorporate in the research (sampling), who or what to compare and to what extent. Similarly, Yin (2018:288) believes that research design entails a plan, which logically links the research questions with the evidence, which will be collected and will then be analysed in a case study. Flick (2020:353) postulates a research design to be the systematic planning of a research project, clearly stipulating the integration into the research sampling, inclusive of whom and what to compare for each of the dimensions.

Creswell (2014:34) defines case study research as a qualitative research approach. During this research design, the researcher investigates a tangible, contemporary bounded system (i.e., a case) or multiple bounded systems (i.e., cases) over a period using thorough, in-depth data collection, encompassing various sources of information, such as interviews, observation, and documents. This study was bound to multiple cases: SAPS members of the Johannesburg Central cluster in Gauteng and NGOs in Johannesburg who deal mainly with GBV cases.

The unit of analysis could be multiple cases (a multi-site study) or a particular case within a study (Creswell, 2014:37). The researcher selected multiple cases i.e., selected police stations in the Johannesburg Central policing cluster in Gauteng, and selected NGOs in Johannesburg, who deal mainly with GBV cases, to explore the identified research aim and research questions.

### **1.10.2 Target Population**

Leedy and Ormrod (2013:214) describe the following population characteristics:

- The population usually consists of a homogeneous group of individual elements;
- The population needs to contain specific levels which are roughly equal in size;
- The population needs to contain specific levels, which will appear in different quantities within the population, and
- The population needs to comprise carefully chosen clusters with similar characteristics. These units need to be heterogeneous as units in the population.

The target population included SAPS members of the Johannesburg Central cluster in Gauteng who attend to DV complaints, first responders and members in the client service centre as well as investigators at the station level who conduct DV investigations. The following police stations were included in this study as the target population because they record high numbers of DV incidents: SAPS Brixton, SAPS Langlaagte, SAPS Sophiatown, and SAPS Fairland. In addition, this study included NGOs in Johannesburg, who deal mainly with GBV cases.

### **1.10.3 Sampling Procedures**

The use of sampling procedures depends on the purpose of the sampling and the careful consideration of the parameters of the population (Leedy & Ormrod, 2015:177). Flick (2018:173) explains that the typical use of sampling is to select cases or examples from a wider population (as it is impractical to study the entire population) to ensure that, in the end, the researcher can make statements which relate to all participants of the study. Flick (2020:353) also refers to sampling as a collection of cases/materials for studying a more significant population or variation of prospects.

In this study, the researcher applied the purposive sampling method to select the participants from the multiple cases as identified. Wagner et al. (2012:93), indicate that with purposive sampling, the researcher relies on their own experience, previous research, or ingenuity to identify the participants and usually uses specific selection criteria to identify the most suitable participants. According to Leedy and Ormrod (2015:183), people or other units are purposively chosen for research for a particular purpose. Matthews and Ross (2010:154) define purposive sampling as a sample of selected cases, which will best assist the researcher in exploring the questions in depth. Flick (2018:605) further describes sampling as a selection of cases or subject matters for the study from a larger population or various possibilities.

The selected sample was purposively selected since these participants are regularly exposed to incidences of DV on various levels and the subsequent management and care of victims. As a result, the selected sample was the most suitable to provide information regarding policing strategies addressing VAWG. The sample size was determined based on data saturation, where additional participants did not yield new information relevant to the research questions. Table 1.2 below illustrates the sample of participants selected for this study.

**Table 1.2: Selected sample of study participants**

SAMPLE	SAMPLE SIZE	INCLUSION CRITERIA
<b>SAPS FIRST RESPONDERS</b>		
SAPS Brixton	n=3	These SAPS members attend to GBV and DV complaints as first responders.
SAPS Langlaagte	n=2	
SAPS Sophiatown	n=4	
SAPS Fairland	n=3	
<b>SAPS INVESTIGATORS</b>		
SAPS Brixton	n=2	These SAPS investigators are mandated to investigate GBV cases at the station level.
SAPS Langlaagte	n=3	
SAPS Sophiatown	n=1	
SAPS Fairland	n=2	
<b>NGOs</b>	n=5	These NGOs assist with life-changing opportunities for vulnerable women and children as well as those who have been victims of GBV by supporting their physical, social, moral, and professional development.
<b>SAMPLE TOTAL</b>	<b>n=25</b>	

(Source: Compiled by the researcher)

#### 1.10.4 Data Collection Method

Maxfield and Babbie (2005:209) emphasise that the value of research depends on how the data is gathered. How the data is collected will depend on the type of research. Punch (2011:57-59) further states that, during qualitative research, observations are made, questions are asked, and an investigation is undertaken into the topic (research question). In qualitative research, one moves from data to concepts. Data collection is to gather information which assists the researcher in answering research questions (Wagner et al., 2012:269).

##### 1.10.4.1 In-depth interviews

The researcher used the in-depth semi-structured interview method to collect data from participants. Kumar (2011:81) asserts that case studies provide an in-depth understanding of a case(s). In-depth interviews are used to understand complex activities and matters, for example, decisions, motivations, and outcomes (Ritchie, Lewis, McNaughton-Nicholls & Ormston, 2014:59).

By employing the in-depth interview approach with participants, the researcher enabled them to openly share their experiences and insights regarding policing



strategies to address VAWG. Participants' responses have provided an in-depth understanding of the phenomenon.

A pilot interview was conducted with a non-participant of the study to assess the interview questions and the interview's structural framework to ensure clarity, relevance, and the capability to solicit pertinent information necessary for the study.

#### **1.10.5 Data Analysis Process**

Wagner et al. (2012:269), describe data analysis as making sense of the data used to answer research questions. It further includes examining data and establishing how it fits together and makes meaning. Qualitative analysis is explained by Flick (2018:420) as the explanation and categorisation of linguistic or (visual) material. According to Flick (2018:420), data analysis aims to make statements regarding direct or indirect aspects and their meaning.

The spiral method of data analysis was used in this study, as described by Leedy and Ormrod (2015:315). With this approach, the data was reviewed several times using the following steps:

- Organising the data.
- Going through all the data on several occasions to become familiarised with the content.
- Identifying categories, sub-categories, themes, and sub-themes and then classifying the data accordingly. This process gave the researcher a good idea of the meaning of the data.
- Integrating and summarising data which included giving propositions and hypotheses describing the relationships between the distinct categories and packaging the data in an organised scheme (a table, matrix, figure, etc).

The information gathered by the researcher through in-depth interviews was methodically arranged. The researcher took care to comprehend the organised data thoroughly, capturing all concepts and opinions. Subsequently, the data was meticulously categorised into specific themes and sub-themes to ensure accuracy. These identified themes and sub-themes were employed to interpret the gathered data, leading to well-founded and structured conclusions. Additionally, an independent

co-coder was engaged to aid in the coding process, contributing to validating the resulting analysis.

## **1.11 TRUSTWORTHINESS**

The researcher ensured the trustworthiness of this study by adhering to the following criteria:

### **1.11.1 Credibility**

Wagner et al. (2012:269), define credibility as the extent to which evidence can be trusted and accepted, i.e., it is undistorted, sincere, error-free, and evasion-free. Gray (2014:185) defines credibility as constant observations and triangulation, including data, methods, investigations, theories, and participant checks, where the data are tested with the participants.

To ensure credibility in this study, the researcher allowed participants to view the research to validate and approve the findings and interpretation.

### **1.11.2 Transferability**

Wagner et al. (2012:275), describe transferability as the extent to which methods and results of a qualitative study can be understood within the reader's context. Transferability deals with exchanging information and engaging with the individual reader rather than with general rules. Leedy and Ormrod (2010:421) further describe transferability as the scope of which a research study's findings can be alike or relevant to other human beings, settings, contexts, and terms used mainly by other researchers.

The researcher communicated the findings by articulating participants' responses verbatim and unedited. Such meticulous accounts enable readers to transfer to the research setting, resulting in a degree of mutual experience. These thorough narratives permit readers to evaluate the transferability of the research findings.

### **1.11.3 Dependability**

According to Matthews and Ross (2018:476), dependability measures research quality and meaning, for example, to indicate that all data is included, and that no data was lost through unreliable audio-visual recorders or incorrect transcription. According to

Leedy and Ormrod (2019:414), dependability means the ongoing change of concepts within which research studies are taking place, requiring researchers to supply a thorough account of the data collection methods used.

The researcher kept complete records of the interview transcripts and electronic recordings of the interviews. The researcher used an independent co-coder to verify the data analysis to ensure dependability. This ensured that should the research be repeated with the same participants and environment, the outcome and results would be precisely the same as the research results found in this study.

#### **1.11.4 Confirmability**

Confirmability is the degree to which others can establish or verify the results. Confirmability will only be feasible if the researcher follows the same process to compare the results (Kumar, 2014:185). According to Leedy and Ormrod (2019:413), confirmability is when a researcher goes through the effort to make decisions based on the data they gathered and to describe the data collection as well as data analysis with enough detail that other researchers can make the same or similar conclusions.

To ensure confirmability, the researcher kept proper records of all the data, interviews, and transcripts to ensure that the research would lead to the same findings if undertaken again with the same participants.

### **1.12 ETHICAL CONSIDERATIONS**

Ethical research ensures integrity, quality, respect, confidentiality, and anonymity with voluntary consent and ensures the safety of the participants (Wagner et al., 2012:271). *"Research ethics explores the ethically significant factors that may be influenced by the researcher's interventions on the individuals involved in or related to the research"* (Flick, 2018:135). Flick adds that ethical research includes the procedures that need to be followed by the participants in the study. Matthews and Ross (2010:476) further describe ethics as rules by which individuals and societies maintain moral standards.

The researcher abided by the Policy on Research Ethics of the University of South Africa (Unisa, 2007:7). In addition, the Singapore Statement on Research Integrity (2010) was used. The Singapore Statement on Research Integrity emphasises the

importance of honesty, accountability, and transparency in all aspects of research. It underscores the need for researchers to conduct their work with integrity, avoiding plagiarism, fabrication, falsification, and other forms of research misconduct. The statement also advocates for responsible research practices, including proper attribution of sources, rigorous methodologies, and open communication to maintain the trust and credibility of the scientific community and the public. Moreover, the following ethical aspects were taken into consideration:

### **1.12.1 Respect for Human Dignity and Confidentiality**

Readers of a research report should not be able to identify which persons took part in the research (Flick, 2018:144). It is thus of utmost importance that data gathered are stored safely and securely to ensure that no one else has access to it (Flick, 2018:145).

The researcher informed the participants that no information (private, personal, or otherwise) gathered during the interviews would be given to other parties. All information and data received were confidential and only used for this study.

### **1.12.2 Prior Voluntary Informed Consent**

Matthews and Ross (2010:476) explain that informed consent ensures that the research participants know what they consent to participate in. According to Wagner et al. (2012:271), an individual voluntarily consents to participate in a research study when they fully understand the processes that will be carried out, the possible risks or benefits involved, and for what the findings will be used.

Flynn and Goldsmith (2013:np) similarly indicate that informed consent means that participants know and understand the advantages and risks of their research participation.

Flick (2018:601) also defines informed consent as the willing agreement of participants to work together with a researcher who has explained the research to them in a way they can comprehend. Flick (2020:350) further indicates that informed consent is the consensus of participants to participate in a study based on details given regarding the research. Voluntary informed consent is thus necessary for ethically sound research.

Before the interviews, the researcher informed the participants about every facet of the research and their role. Participants were informed that participation was voluntary and that they could choose not to participate or withdraw from this study at any stage without any consequences. Participants were also informed that the information they supplied would be kept confidential.

### **1.12.3 Plagiarism**

Wagner et al. (2012:272), describe plagiarism as the use of ideas, language, and the thoughts of someone without the necessary acknowledgement. Matthews and Ross (2010:478) similarly describe plagiarism as someone else's work presented as if it is one's own, copying, and failing to refer to its source or origin. In agreement, Leedy and Ormrod (2010:418) opine that plagiarism is misrepresenting someone else's work as one's own. Flick (2020:99) refers to plagiarism as the use of articulation by another author without admitting and quoting that it is another author's work. In line with Wagner et al., Mathews and Ross and Leedy and Ormrod, the researcher ensured that all sources consulted were included in the reference list and appropriately acknowledged in the text.

### **1.12.4 Avoidance of Harm**

According to Gray (2014:14), 'harm' can include physical, mental, or emotional harm. The researcher took the necessary steps to avoid actions that cause physical, mental, or emotional harm to participants or undesirable emotional reactions.

Since VAWG is a subtle subject, the information collected through in-depth interviews could cause emotional reactions in participants. As a result, the researcher took sufficient actions to alleviate harm to participants by making the services of a social worker available to assist participants if required.

## **1.13 CHAPTER SUMMARY**

Chapter one delved into the critical issue of GBV in South Africa. The chapter began by elucidating the research methodology and meticulously detailing the problem statement, aim, and objectives upon which the research is based. The selected research approach, design, target population, data collection methods, and data analysis were thoroughly explained. Ethical considerations were addressed, and the study's trustworthiness was thoughtfully discussed.

In chapter one, the researcher provided an overview of the alarming prevalence of GBV in South Africa, affecting individuals of all ages and genders, as exemplified by high-profile cases like Oscar Pistorius and Jason Rhode. The chapter concluded by emphasising the need for efficient policing strategies to address GBV effectively. Chapter two presents an overview of GBV in South Africa and selected comparative jurisdictions.

## **CHAPTER 2: AN OVERVIEW OF GENDER-BASED VIOLENCE**

### **2.1 INTRODUCTION**

This chapter investigates the multifaceted dimensions of GBV in South Africa, a pervasive issue that continues to afflict the nation's social fabric. By examining the historical backdrop of GBV and contextualising it within the global discourse, this chapter aims to understand the prevailing challenges and complexities associated with this deeply rooted societal problem. With a specific focus on the impact of COVID-19 on the incidence of GBV, the chapter navigates through the labyrinth of South African legislation and international conventions addressing GBV. The selected examples of GBV in South Africa serve as poignant illustrations of the stark reality faced by many individuals, highlighting the urgency for effective policy interventions. Additionally, the chapter scrutinises policy shortcomings, accountability issues, and the functioning of the CJA in the South African context. Unveiling the consequences of GBV, the narrative also explores the ongoing efforts to combat this issue within South Africa and on the global stage. The examination extends to an international overview of GBV, emphasising interconnectedness across borders. The chapter concludes with an analysis of the implementation of the DVA, identifying critical shortcomings that hinder its efficacy in addressing the complexities of GBV.

The following discussion provides background information on GBV in South Africa, cognisant of its entrenched and pervasive nature which requires urgent attention.

### **2.2 AN OVERVIEW OF GENDER-BASED VIOLENCE IN SOUTH AFRICA**

South Africa has grappled with alarmingly high rates of VAG, often rooted in a complex interplay of historical, cultural, and socioeconomic factors. Francke (2019:1) mentions that the President of South Africa admitted that the country is facing a national VAW crisis after a three-day protest by the community in Cape Town. The President also indicated that GBV laws would be reviewed to prioritise survivor's interests and needs. The President introduced a plan of action to address this phenomenon, which included the following:

- A proposal that the National Sex Offender Register must include a list of men convicted of VAWC.

- Eleven new courts and a review of cold cases with harsher penalties and sentences for offenders. Ninety-two courts have been dedicated since 2013 for sexual offences.
- Cases closed or inadequately investigated will be reviewed.
- To curb GBV, a national plan will be introduced in schools, workplaces, and community initiatives.

The country has never been more aware of GBV than during the COVID-19 lockdown in 2020. Before the advent of the pandemic, NGOs and the community-initiated protest actions and programmes. However, the extent of this age-old problem was placed at the forefront during the pandemic, especially after GBV statistics were released. Chapter 12 of the National Development Plan (NDP) 2030 envisions that all South Africans should live a crime-free life and women and children, particularly, should feel safe and secure (South Africa, 2012). However, the UN Special Rapporteur on Violence Against Women (Special Rapporteur, 2016) noted that women and girls who are most often the victims of violence in informal settlements and under-resourced communities are unprotected and unable to make use of the CJS to hold perpetrators accountable. A gender-based command centre, which falls under the DSD, was established in November 2013. This facility operates nationally 24 hours/seven days a week. Social workers take calls and do referrals. Several options include a please call me, Skype, etc., and calls can be directly referred to the SAPS 10111 line. The centre has social workers and other personnel, and they also supply trauma counselling telephonically. The DSD has introduced a National Emergency Response Team to ensure a rapid response to the availability of psychosocial services after traumatic incidents (DSD, 2020).

It is difficult to ascertain the extent and level of GBV in South Africa, as there are no official SAPS statistics, particularly for GBV. Currently, GBV is classed as assault, assault with the intent to do grievous bodily harm, attempted murder, etc. South Africa nonetheless has elevated levels of GBV despite several laws, policies and procedures put in place to protect women and children.

The South African Human Rights Commission (SAHRC) (2018) indicates that there is no categorical police data available on GBV which directly affects the right to access



information. The SAHRC believes that because of this, it is impossible to produce interventions to combat GBV. Therefore, it is a challenge to determine whether the state is complying with their obligation to protect the women and girls of South Africa from all forms of GBV. In 2016, Gerber (2016:1) reported that the former Minister in the Presidency for Women Youth and Persons with Disabilities, Bathabile Dlamini, wanted changes to be made to criminal justice legislation to ensure that DV will be categorised as a separate crime category. This commitment by the former minister included revisiting the Sexual Offences Act, the Criminal Procedure Act 51 of 1977 (CPA) and the DVA. The former minister also indicated, according to Gerber (2016:1), that in 2017/2018, women were the victims of 2 390 murders, 3 554 attempted murders, 36 731 sexual offences, 53 263 assaults and 81 141 common assaults. Meokgo (2017:5) further provided statistics that women in Limpopo (77%), Gauteng (51%), Western Cape (45%) and KZN (36%) have experienced violence at the hands of men.

According to a review by the CSV (2016c:6), reliable data regarding GBV are mainly derived from research information from the Medical Research Council and specifically under the leadership of Professor Rachel Jewkes and her colleagues. The CSV added that conducting qualitative studies regarding GBV is challenging due to the topic's sensitive nature. However, Jewkes and her colleagues are progressing and supplying much-needed data regarding GBV, but much more information and data are needed. In 2017, well-known radio presenter and celebrity Elana Afrika-Bredenkamp reported that one out of every four women in South Africa is abused and that a woman is raped every 25 seconds, with DV being rampant. This phenomenon is a pandemic (Anon, 2017:1). Moreover, Merten (2017:1) emphasised the extent of VAW reporting that one in five women older than 18 in South Africa experience physical violence, whilst four in every ten women are divorced or separated. Merten further highlighted that the SAPS Annual Report for 2015/2016 illustrates that police failed to reach the target of detecting one in three crimes against women and children. This figure includes murder, sexual offences, and assault. According to Merten, police detected 73-74% of crimes committed against women, which is less than the set target of 75.42% of all crimes against women.

Gass, Stein, Williams and Seedat (2010:np) mention that men who perpetrate DV in their intimate relationships are 3.5 times more likely to have experienced physical abuse whilst growing up and four times as likely to have been witness to DV between their parents than men who do not commit DV. The CSVR (2010:11) also indicates that DV is frequently committed by children raised by fathers who were violent towards their partners and that children who grew up without fathers could also become violent towards their partners when they are adults. Additionally, StatisticsSA (2016) indicated that 21% of women above 18 years old have experienced physical violence by a partner, whilst 6% have experienced sexual violence by their partners. StatisticsSA, however, cautions that it must be kept in mind that these figures are inaccurate as many cases are not reported. Torerai (2017:8) similarly emphasised the high incidences of GBV, indicating a rise in GBV in the North-West Province. The former Member of the Executive Council (MEC) for the Department of Community Safety and Transport Management, Dr Mpho Mothlabane, correspondingly acknowledged there was an increase in DV, femicide, sexual offences as well as child murders. Dr Mothlabane suggested that public dialogues are necessary to consult with internal and external stakeholders, such as the Saamtrek-Saamwerk Dialogue, to overcome this “*disease*” (Torerai, 2017:8).

Activists from the inaugural Women’s Global Leadership Institute started a worldwide campaign known as the 16 Days of Activism Against Gender-Based Violence in 1991, held annually from 25 November until 10 December to fight and eliminate GBV (Hlathi, 2019:4). Hlathi further mentions that there were different initiatives to support this campaign such as an initiative from former Cape Town Mayor, Dan Plato to set R2 million aside for funding of task teams, the Saartjie Baartman<sup>4</sup> Foundation in partnership with Fair Cape Dairies to raise awareness of the Six-Pack Project Against

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<sup>4</sup> Saartjie Baartman, born in 1789, was a South African Khoi-San woman who was sold into slavery and worked as a domestic servant in Cape Town. In October 1810, the illiterate Saartjie signed a contract with a ship surgeon, William Dunlop, that she would travel the world with Dunlop and Hendrik Cezar (the person who sold her into slavery). When in England, she was captured as a slave and became an object of racism and exploitation. She was then forced to publicly display her unusual physical features (which, although not unusual, were larger than Europeans). After four years, she was taken to Paris, where an animal trainer exhibited her. Upon her death, her body was cast in wax, the body was dissected, and her skeleton articulated. Her brain and genitalia were preserved in a bottle and displayed at the Museum of Mankind in Paris. The late former South African President Nelson Mandela requested the French government to return her remains for her to be laid to rest in South Africa. Her remains arrived in March 2002, and she was finally laid to rest on 9 August 2002, National Women’s Day in Hankey (Eastern Cape), Encyclopaedia Britannica, 2024).

GBV where 50 cents from each purchase will be donated to the Saartjie Baartman Centre. As part of the South African 16 Days to End Violence Against Women and Children, the Independent Media launched the #DontLookAway campaign, which focuses on sexual harassment. Hlathi (2019:4) further indicates the sad reality that due to the prevalence of GBV, women cannot walk the streets without fear of falling prey and becoming victims of several types of violence.

In response to GBV in South Africa, President Cyril Ramaphosa indicated in 2019 that over three years, extra funds will be allocated to provincial governments to combat GBV to make an immediate and permanent difference (Maqhina, 2019:4). These funds will be added to provincial budgets to combat GBV and the SAPS funds will also be re-allocated to implement an integrated justice strategy regarding GBV. The funds will be used to improve the capacity of prosecution and sexual offences and community affairs units dealing with GBV. Subsequently, the NPA received R1.8 billion from the government to fight GBV. This funding will be used to enhance the prosecution capacity as well as for the establishment of a sexual offences and community affairs unit which will focus on GBV against women and children (Mkwanazi, 2020:2).

Sidimba and Mkwanazi (2019:5) further highlight the extent of GBV in SA, reporting that President Ramaphosa addressed the nation after protests because of the horrendous killing of women and children all over the country. Consequently, the President undertook the following measures:

- A national register will list all GBV offenders.
- Funds will be supplied (in consultation with the Minister of Finance) for the government's campaign against GBV.
- Harsher sentences for GBV offenders and the necessary measures taken by police and prosecutors as well as correctional services to oppose bail.

In support of actions against GBV, Gouws (2018:18) discusses the demands of the #TheTotalShutdown protests at the beginning of Women's Month. Gouws describes the demands as follows:

- To prevent secondary victimisation and implement consistent sentencing of perpetrators in sexual violence matters.

- Psychosocial support is needed, as well as sufficient resources for TCCs as well as one-stop centres at police stations where rape can be reported.
- Chapter 9 bodies, such as the Commissioner for Gender Equality, should be more involved in monitoring GBV.
- The Joint Monitoring Committee on the Quality of Life and the Status of Women must be re-established.

In agreement with Gouws (2018:18), Mutanha (2019:6) believes that prevention of GBV should include the following:

- Ensuring the implementation of a GBV curriculum from an early age in schools allows children to identify acts of GBV and refrain from normalising the conduct.
- To form networks between critical stakeholders to ensure an effective response.
- To create sustainable communities by including males and females in GBV activities to develop unbiased norms, behaviour, and attitudes.

However, Gouws (2018:18) raises questions about why no action has been taken to support the above demands, even though women have been pleading for over a decade. Gouws also indicated that the #TotalShutdown protesters demanded action against GBV to last 365 days. In 2019, several organisations including the CSV, Sonke Gender Justice, Teddy Bear Foundation, Lifeline South Africa, Hlanagnisa Institute for Development in Southern Africa, Soul City Justice for Women, as well as the National Institute for Crime Prevention and the Reintegration of Offenders, requested President Cyril Ramaphosa to declare GBV a national priority (Sokutu, 2019:3). These organisations expressed concern over how the presidency addressed issues identified at the Gender-Based Violence and Femicide Summit. These organisations furthermore posed the following questions and made the following statements:

- Why do the wheels of the justice system turn so slowly when it comes to CAWC?
- When will the government start to take action to end GBV?
- Women suffer atrocious acts and deaths at the hands of men.
- President Ramaphosa was commended for taking a stand against GBV, but the pace at which action was taken was questioned. However, the Office of the

President was quick to convene a Gender-Based Violence and Femicide Summit in November 2018 after receiving 24 demands from women in South Africa.

- The summit's outcome was the establishment of a national multi-sectoral council, which would be preceded by a declaration to establish an adequately funded interim structure immediately.

Regarding the multi-sectoral council, the NGOs requested the President sign a declaration indicating the government's seriousness about ending GBV. The multi-sectoral council should include the following:

- To be established within six months.
- Allocated with sufficient sources to function optimally.

After the establishment of this council, it needs to be:

- Transparent about appointing people to serve on the council.
- Championed by the chairperson himself/herself.

According to Matlala (2020:4), the Democratic Alliance Women's Network (DAWN) in Limpopo was greatly concerned that GBV had increased to about 2 320 cases in South Africa during the first week of the COVID-19 lockdown. The Alliance's spokesperson believed these numbers might escalate during the lockdown because women were fearful or unable to report these matters. Consequently, DAWN requested the following:

- An update about GBV cases reported in Limpopo Province.
- Updated statistics of calls made to the National Hotline regarding GBV.
- A provincial breakdown regarding all complaints received.

The Alliance further proposed that should GBV be reported, all dangerous weapons should be removed from the property to ensure the safety of women and children and requested that permits be supplied to people reporting GBV to be able to visit the court and apply for a protection order. Moreover, DAWN indicated that GBV was increasing and that there was a lack of visible policing. The Alliance called for all police officers to be adequately trained, asked for specialised courts, and said that SAPS members

need extensive knowledge of the legislative frameworks for the rights of women and children (Matlala, 2020:4).

The economy can also play a part in GBV. When poverty exists, and women rely on partners to survive, it will be difficult for them to leave an abusive relationship, as they will not be able to survive without money, food, and a place to stay. These women, therefore, remain in abusive relationships because they have no other option. The CSVR (2016:12) also indicates that economics can be a risk factor. They mention that the economic empowerment of women may also be a risk factor because it threatens masculinity, especially when men are suffering job losses and rely on their female partners to support them financially. They then use violence to try and stay in control and have power over the female partner.

The researcher was a detective in the SAPS, and from her experience, the misuse of alcohol also leads to GBV. This opinion is also shared by the CSVR (2016:12).

Firearms are often the cause of fatalities when women are shot and killed by their intimate partners. Jealousy and possessiveness are the main risk factors of femicide (Mathews, Abrahams, Jewkes, Martin, Lombard & Vetten, 2008:np). Moreover, Mokati (2019:10) mentions that the triggers of GBV are 'going off' and that the UN General Assembly passed resolution 61/271 in 2007 to ensure that countries keep with the rule of law to endeavour "*a culture of peace, tolerance and an understanding of non-violence*". Mokati further proffers that VAW is so severe in South Africa that a state of emergency must be declared by the government and that the same opportunities must be given to young women and girls as available to men. Mokati is further of the opinion that women are taken advantage of when disempowered. They become depressed because they feel powerless and have no sense of belonging or purpose in life. They then feel vulnerable, and then triggers start to 'go off', and they wreak havoc. Lastly, Mokati (2019:10) asks, "... *protect our women and girls so that our children will not live in a society where their mothers are fully loaded and ready to go off*".

Parenzee (2018:2) indicates that SAPS statistics for the 2016/2017 budget year confirm that 53 263 women reported assaults, and 2 930 women were murdered. Many of these were injured and killed at the hands of their intimate partners. She further mentions that different researchers have made the following findings:

- It is not easy to find shelters for women.
- Victims are often not assisted by court clerks when applying for protection orders.
- Shortage of staff at police stations as well as at the courts.
- There are systematic challenges between role-players when these incidents are reported.
- There are insufficient budget allocations for dealing with GBV.
- Effective accountability mechanisms are either inadequate or absent.
- The Civilian Secretariat for Police does not have the authority to investigate or enforce compliance or recommendations as supplied by the police.
- Police audits are inconsistent and unequal.

In his foreword of the National Strategic Plan on Gender-Based Violence and Femicide (2020), President Cyril Ramaphosa mentions the following: “*South Africa holds the shameful distinction of being one of the most unsafe places in the world to be a woman. We have amongst the highest rates of IPV, and recently released data from Statistics SA show that rape and sexual violence have become hyperendemic*”. The President further mentions that it is an evil affecting everyone “... *young and old, black, or white, rich, and poor, rural, or urban. It pervades every sphere of our society*”. In closing, Ramaphosa undertakes, “*We will spare no effort until this country’s women and children are safe, can live, work and play in freedom, and their rights upheld*”.

Figure 2.1 below, taken from the National Strategic Plan on Gender-Based Violence and Femicide, demonstrates the complicated nature of GBV in South Africa. It shows the contributors to GBV by demonstrating the interrelated nature of factors contributing to the occurrence of VAWC.



**Figure 2.1:** An indication of the complicated nature of GBV in South Africa  
 (Source: National Strategic Plan on Gender-Based Violence and Femicide, 2020)

### 2.2.1 Root Causes of GBV

Gordon (2016:1) describes IPV as “a silent public health epidemic in South Africa”. He indicates that it is right behind HIV/AIDS and the second most burdened disease. Gordon also mentions that IPV is a disease stretching over generations, with far-reaching consequences. It has an immense effect on the economy as well as a considerable effect on the health services in SA, spanning all medical disciplines.

The Swedish International Development Cooperation Agency (SIDA) (2015:10) explains that the ‘ecological’ framework means that no single factor can indicate that certain groups may be at a higher risk for IPV than others or why others are more protected/resilient. The ecological framework concludes that IPV is the outcome of reaction among many factors at the following four levels: individual, relationship, community, and society.



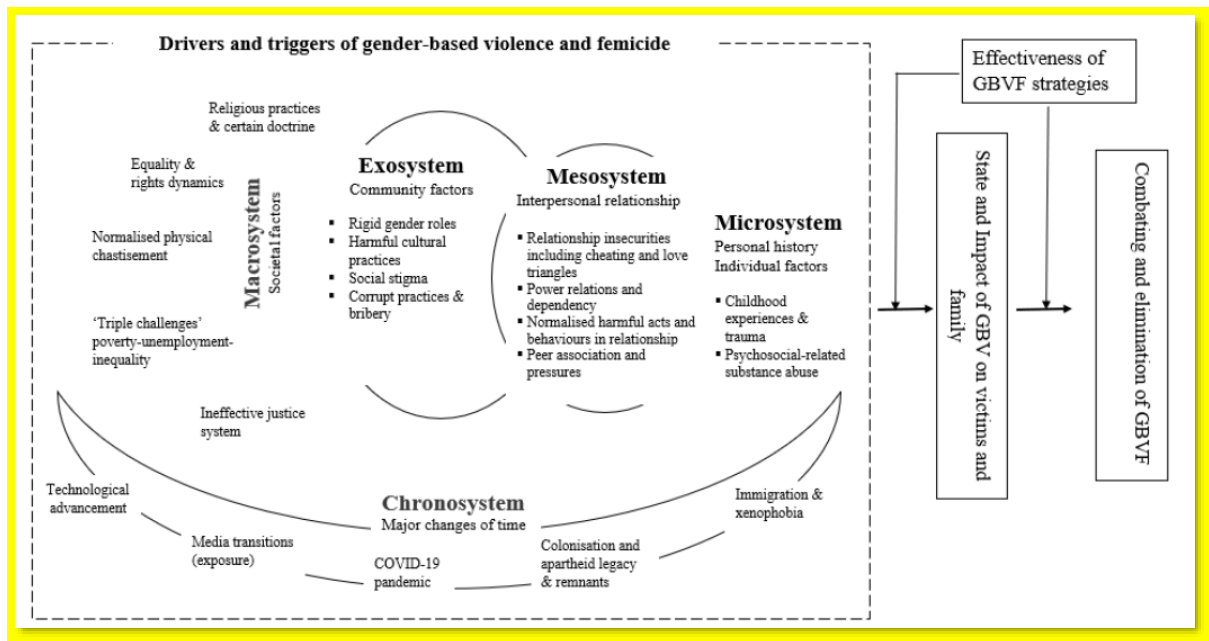
However, the cause of GBV cannot be determined by one or two factors alone. Krug, Dahlberg, Mercy, Zwi and Lozano (2015:np) indicate that varied factors can be responsible for DV at an individual level, such as growing up in a house where violence occurs, leading to normalisation in later life, an absent father or a father not playing a positive role model can also be an influence on DV. Growing up in a community where VAW is allowed or seen as normal because of culture and religion, alcohol is used freely, and firearms are a sign of hegemonic masculinity, all contribute to DV. Economic factors that can add to this problem include poverty, unemployment, and changes in financial status between women and men.

Mutanha (2019:5) describes the economic losses due to GBV as substantial. These are the result of decreased productivity, lower earnings, and absenteeism. The costs spent by the government to address and respond to GBV (establishing trauma centres, addressing perpetrators of GBV, as well as keeping perpetrators in custody) are just as astronomical.

### **2.2.2 Drivers of GBV in South Africa**

Mtotywa, Ledwaba, Mambo, Nkondo, Ntshagovhe and Negota (2023:325) indicate that there are several elements which contribute to trends in a country, some of them being development, strength, social, psychological realities, and implementation of institutional policies as well as reaction to uncontrollable elements such as a pandemic such as COVID-19. They suggest that using an integrated ecological framework, and a multi-level approach, is a guide that is extremely important to understanding the drivers of GBV.

Mtotywa et al. (2023:316), explain that they took into consideration the origins and structures which profile particular behaviours and focussed on Bronfenbrenner's ecological systems theory (Bronfenbrenner,1994:37), also known as the bio-ecological theory to underpin their conceptual framework. These authors mention that understanding the drivers allows for understanding the main drivers of GBVF and the impact it has on both victims and families. It can assist in combating and eliminating GBVF by moderating policies and strategies.



**Figure 2.2: Drivers of gender-based violence and femicide**

(Source: Mtotywa et al., 2023:317)

Mtotywa et al. (2023:321-323), explain the drivers of GBVF in Figure 2.2 above. It is divided into a microsystem, mesosystem, exosystem, macrosystem and chronosystem, which can be described as follows:

### 2.2.3 Microsystem - Personal History and Individual Factors

Focus is placed on personal history and individual factors, which include substance abuse, stress, upbringing, childhood experiences, trauma, violence, and stereotypical role modelling. This is the immediate context in which abuse takes place, for example, family or other intimate relationships, which offers a conducive setting for sexual coercion, sexual abuse during childhood, as well as physical abuse towards women (Mtotywa et al., 2023:317).

#### 2.2.3.1 Childhood experience and trauma

Experiencing violence during childhood adds to violence being normalised later in life (CSVR, 2016:9). Weil (2016:1127) posits that trauma suffered from GBV leads to psychological health problems, for example, fear, anxiety, depression, mental illness, and thoughts of suicides as well as suicide in serious matters.

### **2.2.3.2 Psychosocial-related substance abuse**

According to the Department of Social Development (2021:198), many communities are victims of crime and elevated levels of substance abuse, and GBV continues to be extremely high. The researcher agrees with this as there are hourly crime reports in the media and community groups. Behaviours such as cruelty to animals, a bad temper, unpredictability, and abuse of other family members and placing the blame for something that happens on the victim are mentioned by the National Coalition Against Domestic Violence (NCADV, 2022:1).

### **2.2.4 Mesosystem - Interpersonal Relationships**

Interactions, which include friends, neighbours, and church members, are normalised as, over time, GBV is normalised by any relationship insecurity such as cheating and love triangles, power relationships and dependency. Harmful acts and pressures are also normalised within relationships and peer associations (Mtotywa et al., 2023:317).

#### **2.2.4.1 Relationship insecurities, including cheating and love triangles**

GBVF are driven by interpersonal relationship pathology between married parties or those who have a relationship. It includes jealousy, relationship insecurity, as well as normalising harmful acts, for example, forcing a partner into sexual intercourse, rape, and entitlement (NCADV, 2022:1).

#### **2.2.4.2 Power relationships and dependency**

The CSV (2016:np) indicates that the consequences of GBV are immense, which leads to a ripple effect on the victim, the perpetrator (sometimes), the family and friends of both the perpetrator as well as the victim, as well as the larger community and the economy.

#### **2.2.4.3 Normalising harmful acts and behaviour in relationships**

Rape is used as punishment against girlfriends and other women with no remorse, and according to Mtotywa et al. (2023:318), it stems from an accentuated gender hierarchy in South Africa.

#### **2.2.4.4 Peer association and pressure**

Peer pressure is a problem as information is shared and advice sought from peers and friends in a group, and advice often perpetuates muscularity or dominance (Mtotywa et al., 2023:18).

#### **2.2.5 Exosystem - Community Factors**

According to Mtotywa et al. (2023:318), this system includes community factors and harmful cultural practices, for example, forced marriages, 'Ukuthwala', and the misrepresentation of 'lobola'. It also includes stigmatisation, which causes non-reporting because victims are afraid or ashamed and believe that if they even mention an incident, it will be thought of as their fault. In South Africa, corruption and bribery are a severe concern, and include leading to the protection of the perpetrator and rigid gender roles and male entitlement and ownership of women are problematic.

##### **2.2.5.1 Rigid gender roles**

Mtotywa et al. (2023:319), state that men are favoured above women in relationship dynamics. The influence of men over women is evident in many aspects of life, such as decision-making, inflexible gender norms and the lack of cooperation in negotiating.

#### **2.2.6 Macrosystem - Societal Factors**

##### **2.2.6.1 Normalised physical chastisement and corporate punishment**

Men using physical force is accepted as the norm in South Africa (Morrel, Jewkes & Lindegger, 2012:17) and even though it constitutes GBV, verbal and/or physical abuse by parents/guardian (specifically the male figure) and his partner or children are accepted by many (Dawes, Kropiwnicki, Kafaar & Richter, 2005:9; Breen, Daniels & Tomlinson, 2015:1).

##### **2.2.6.2 Equality and rights dynamics**

Men do not accept gender equality. Legacy and culture which recognise the headship of men drive GBV, specifically in cases where role is threatened (insecurity) by equality (Mtotywa et al., 2023:320).

### **2.2.6.3 'Triple challenge' – poverty and unemployment**

Poverty and unemployment are reasons for GBVF, which includes dependency, power relations, targeting and instances of high GBVF in the homes of unemployed women. Furthermore, the availability of pubs and shebeens are all critical factors contributing to GBVF (Mtotywa et al., 2023:320). They further state that in SA, most families are met with unemployment and poverty, making economic provision in these households exceedingly difficult. It also leads to women being more exposed to GBV and dependent on male partners.

### **2.2.6.4 Religious practices and certain doctrines**

Religion is an integral part of South Africa, and Mtotywa et al. (2023:321), indicate that women would rather pray than report abuse because they regard a good woman to be obedient and preserving. They further continue that the macrosystem deals with harmful religious doctrines, an example being that LGBTQIA+ marriages are not recognised, despite being constitutionally entrenched and legislated. A further example is the belief in some religious doctrines, that divorce is sinful even in cases of extreme abuse.

## **2.2.7 Chronosystem - Significant Changes Over Time**

Mtotywa et al. (2023:321), state that this system includes technological advances, media exposure, colonisation, and apartheid legacy and remnants. It also includes migration, xenophobia, and pandemics such as the recent COVID-19 pandemic.

### **2.2.7.1 Technological advances**

Mtotywa et al. (2023:321), explain that technology is changing, which causes changes to how we live, work, and organise. We now make use of cellular phones, internet communication, global positioning system (GPS) devices, wireless video cameras and other digital devices which abusers can use to frighten, stalk, monitor and control their victims. In addition, social media platforms ensure that abusers can follow partners/ex-partners' and obtain information regarding new romantic relationships.

### **2.2.7.2 Media transitions (exposure) and reporting**

The media influence gender-based discourse in two ways – firstly, how they report GBV incidences and secondly, by shaping acceptable norms via entertainment and social commentary (Mtotywa et al., 2023:322).

### **2.2.7.3 Colonisation and apartheid legacy and remnants**

Concerning South Africa, Snodgrass (2016:57) states that the chronosystem includes historical injustices of colonialism and apartheid, which created strong patriarchal transitions where women of all races and cultures were oppressed, exploited, and kept in positions of subservience for generations. The author further mentions that GBV in South Africa is supported by the ideologies of apartheid (racism) and patriarchy (sexism).

### **2.2.7.4 Immigration and xenophobia**

Female migrants are seen as easy targets for harassment and abuse by men in host countries. These women often fall into the trap of prostitution, where they are at risk of becoming victims of GBV from clients who are abusing alcohol and drugs and sometimes even from the police who are supposed to protect them (Mbiyozo, 2019:8).

### **2.2.7.5 Societal pandemics**

COVID-19 had an immense impact on South Africa, and the restrictions added another problem as women were trapped in their homes. According to South African Police Crime Statistics for 2019/2020, there were 53 293 sexual offence cases reported. It must be noted that the figure cannot account for unreported cases and thus the total is likely much higher (Mtotywa et al., 2023:322).

## **2.2.8 Policy recommendations and research on VAW must account for the real-life experience of women**

Women's life experiences must be researched and considered when policy recommendations or implementation plans are created.

According to Saferspaces (2020:3), GBV is more frequent in societies where male superiority exists and where a culture of violence is the norm.

In certain cultures, men have a more powerful position compared to women, which can be seen in certain practices such as *Ukuthwala*, *Lobola*, male circumcision, virginity testing and Sharia law.

#### **2.2.8.1 Lobola**

*Lobola* is a tradition in African cultures where the husband ‘pays’ the parents of his ‘bride’, giving gifts such as cattle or money to thank them. According to the CSVr (2016:8), some men misconceive this payment as entitlement and then see their bride as their property and thus believe they are entitled to abuse and assault their wives.

#### **2.2.8.2 Ukuthwala**

*Ukuthwala* is the cultural abduction of a woman to marry her (CSVr, 2016:8) legally. Although a cultural practice it can be misconstrued to include acts of violence on the part of the ‘kidnapper’.

#### **2.2.8.3 Sharia Law**

“*Sharia women are not equal to men, but are considered inferior*” (Al Manteeqi, 2016:1). Islam imposes a system of Sharia Law, which regulates the private and public lives of Muslims. It permits a Muslim man to marry more than one wife, provided he can take care of them. Muslim marriages are also not recognised under this Law. The Women’s Legal Centre has been trying, since 1996, to force the South African Parliament to make the Muslim Marriages Bill a law which will protect the rights of Muslim women, specifically in divorce cases (CSVr, 2016:10).

#### **2.2.8.4 Virginity testing**

Virginity testing is a long-standing tradition which disappeared over time but witnessed a resurgence with the start of HIV/AIDS to encourage girls to abstain from sexual activities. Bhana and Pattman (2011:2) found it to be sexist because only girls are tested, whilst, for boys, it is an achievement and necessary for their social status to experiment and be sexually active. Monama (2019:24) emphasises that GBV is a massive problem in South Africa and is deeply rooted in cultural, organisational, and traditional backgrounds.

The following discussion delves into GBV during the COVID-19 lockdown. It explores the interconnected factors that have contributed to this distressing phenomenon and

the imperative need for comprehensive strategies to address and prevent such violence in times of crisis. The COVID-19 pandemic not only posed a global health crisis but also exacerbated existing social challenges, notably the surge in GBV during international lockdowns. As countries implemented restrictive measures to curb the spread of the virus, individuals found themselves confined to their homes, where pre-existing inequalities and power dynamics often intensified.

### **2.3 BRIEF OVERVIEW OF GENDER-BASED VIOLENCE DURING THE COVID-19 LOCKDOWN**

Since the COVID-19 lockdown, it seems that both the public and the government have realised the actual extent of GBV. During the COVID-19 lockdown, radio stations broke new ground by airing anti-GBV advertisements for the first time, emphasising the urgency of addressing this critical issue during the pandemic.

Court (2020:6) emphasises the increase in GBV during the lockdown period. He refers to the shelters and the GBV command centre, and the shelters that admit at-risk victims of crime and violence. The non-profit organisation Sonke Gender Justice has introduced a national social media campaign, #SPEAKOUT, to address the countrywide rise in GBV since the lockdown started, urging the community to report GBV (Tshuma, 2020:5). According to Given Sigauqwe, communication manager of Sonke Gender Justice women, children, and vulnerable persons are amid two pandemics, namely GBV as well as COVID-19. Consequently, Sonke Gender Justice requested that the rapid response to the increase in GBV should also be prioritised (Sokutu, 2020:4). Sokutu further emphasises the request of Antonio Guterres (UN Secretary-General) that all governments around the globe should protect women as part of their response to the COVID-19 pandemic and make the prevention and redress thereof an essential part of their response plans.

Molyneaux and Alexander (2020:12) emphasise the extent of GBV in South Africa during the COVID-19 lockdown by referring to a protest in Cape Town by the AntiGBV movement, where protesters lay on the ground to observe five minutes of silence for the victims of GBV. The movement handed over a memorandum which included a formal accusation against the government's failure to act despite demands. Merten (2020:12), in agreement with Sokutu (2020:4), believes that South Africa faces another



pandemic, namely GBV. Merten further reported that the President spoke up against GBV during the COVID-19 pandemic, describing this phenomenon as “*unthinkable brutal violence committed against our women and children*”. While this utterance is true, it nonetheless remains little more than lip-service.

Mosaic, a Wynberg-based centre which assists in addressing GBV, was shocked that the alcohol ban was lifted during the lockdown whilst the number of GBV incidences was mounting (Edwardes, 2020:1). The organisation expressed their concern about the ongoing rise in GBV incidents as well as the increase in femicide and the failure of the justice system to address it. The organisation also mentioned that alcohol is one of the reasons for the scourge of GBV.

Mahlalela (2020:np), Deputy Minister of Tourism, addressed the Women Dialogue in Mpumalanga regarding the COVID-19 pandemic, GBV and femicide, where he confirmed that these issues are disastrous to both survivors of violence as well as their families. He further enumerated that GBV impacts society and has high economic costs. Mahlalela confirmed that GBV affects women and children of all social and economic backgrounds, calling for a community-based approach between all stakeholders, which entails multi-faceted support to reduce VAWG. The Minister further signified it is essential that initiatives focus on underlying risk factors for violence, which include social norms and gender roles, as well as the fact that society accepts violence. Additionally, the Minister added that a strategic plan to end GBV was developed, which supports national capacities to prevent violence, put an end to impunity for perpetrators of violence, ensure access to justice, protect women and girls, and provide multi-sectoral support and services to survivors. The Minister also acknowledged that GBVF has increased since the beginning of the lockdown and that an end must be put to the belief that patriarchal men are superior and may infringe on other people’s rights.

Masungwini (2023:1) reports on the collapse of the GBV command centre, which was established in 2013, where victims of GBV could call in and speak to social workers. The centre was also supposed to trace, assist, and refer victims to shelters. Masungwini (2023:1) further mentions that then Minister of Social Development Lindiwe Zulu and her Deputy Minister Hendrietta Bogopane-Zulu disagreed in their accounts of the collapse of the command centre, which apparently occurred because

of a contractual dispute between the DSD and a service provider. Minister Zulu indicated that the command centre was operational and commented that she was unhappy with the decreasing number of social workers and that they are not performing to their maximum. Deputy Minister Bogopane-Zulu contradicted Minister Zulu, stating that the centre collapsed.

In response to the pressing concern of GBV, legislative measures have been introduced to combat and prevent GBV, reflecting a growing global recognition of the need for comprehensive legal frameworks. These legislative measures encompass a range of strategies, from defining and penalising specific forms of violence to promoting awareness and support for survivors. In the following discussion, South African legislation addressing GBV is explored.

## **2.4 ADDRESSING GENDER-BASED VIOLENCE IN SOUTH AFRICA THROUGH LEGISLATION**

According to Klugman (2017:20), 127 countries have specific laws against DV compared to previous years, where only one country had legislation for DV. In alignment with global efforts to combat GBV and DV, South Africa has implemented stringent legal measures to address this pervasive issue.

Parenzee (2018:3) emphasises that accountability measures must change, suggesting they should be strengthened so that all stakeholders can report to Parliament on the measures taken to ensure justice for all DV incidences. However, according to the SAHRC (2018:np), the Department of Women, Youth and Persons with Disabilities does not reach any targets regarding empowering the women of South Africa.

Mutanha (2019:6) acknowledges there are a lot of treaties and policies in place to address GBV. However, implementation remains a challenge. On 28 August 2020, the Women's Parliament hosted an event to advance collective efforts to end GBV and femicide (Mputing, 2020:np). During this event, Lucas (2020), the Deputy Chairperson of the National Council of Provinces (NCOP), indicated that Parliament endeavours to serve as a strategic platform for leaders to communicate constructively, share ideas and devise ways to address GBV. In agreement with Lucas (2020:np), Nkoane-Mashabane (2020:np), the then Minister of Women, Youth and Persons with

Disabilities, mentioned that the Women's Parliament needed to identify tangible measures, responses, resources and plans to address GBV and was further of the opinion that after the announcement of the National Strategy on Gender-Based Violence, the number of care centres has increased and the SAPS has enhanced the capacity to deal with VAWG through the justice system. Nkoane-Mashabane opines that the President's decision to include women in the economy through public procurement will improve their financial capacity and ensure that they will not have to depend on abusive men (Tsenoli, 2020:np). The Deputy Speaker of the National Assembly (NA) also stressed the need for a joint effort to fight GBV.

The following legislation addresses GBV in South Africa. The discussion delves into the intersection of legislation and the responsibilities of the SAPS, specifically focusing on how the police play a pivotal role in preventing, investigating, and combating GBV. Examining the legal framework guiding police actions is imperative to understanding the efficacy of measures and identifying potential improvement areas in the ongoing fight against GBV.

#### **2.4.1 Domestic Violence Act 116 of 1998**

The DVA was implemented to protect women and children (and, in some cases, men) against this countrywide pandemic. DV is defined by the Act and the different forms which it can take, such as emotional, stalking, threatening violence, and economic abuse. It also clearly explains the role of the police and what is expected of them, including the use of protection orders. Furthermore, it clearly describes the roles and steps to be followed when serving a protection order.

A domestic relationship, as defined in DVA, can be the following:

- Parties in the relationship who are/were married to each other (including custom, law, and religious marriages).
- The parties live(d) together in a relationship which is the same as marriage, even though they are/were not married or are/were not able to marry each other.
- The parties are parents of a child or have parental responsibility for a child.
- The parties are family members, either related by affinity, adoption, or consanguinity.

- The parties are/were engaged, dating, or having a customary relationship, no matter how long the duration.
- They share(d) the same place of residence.

DV, according to section one of the DVA, includes physical, economic, emotional, sexual abuse, stalking, psychological abuse, verbal abuse, harassment, malicious damage to property, intimidation, trespassing (where the property is entered without permission if the parties are not sharing the same house) as well as any other abusive or controlling behaviour towards a complainant, where it can harm or cause imminent harm, to the safety or well-being of the complainant.

Section 2 indicates that it is compulsory for a member of the SAPS when dealing with DV to:

- Establish whether the complainant is in immediate danger and then take the necessary steps to secure the scene.
- Enter a property/building where they suspect an offence has been committed, obtain the necessary information about the offence, and obtain a statement from the complainant.
- Protect the complainant and any other person(s) from imminent physical harm should they be in imminent danger.
- Secure the scene and separate the complainant, witnesses and participants and arrest the alleged offender in terms of section 3 of the Act and section 40(1)(q) of the CPA.
- Should the member believe that a person used a firearm or a dangerous weapon, they may seize the weapon without a warrant of arrest.

SAPS should also bear in mind that a complainant of DV may suffer imminent harm and that there might be a risk to the complainant's safety, health, or well-being. They should also consider the seriousness of the conduct, which may be in breach of the conditions contained in an existing protection order, as well as the duration since the violation occurred.

This section also stipulates that when a member receives a report of DV, they must:

- Render the necessary assistance to the complainant depending on the specific circumstances – this includes arranging for the complainant to find a suitable shelter and obtaining the required medical treatment.
- Supply a notice to the complainant in the language of their choice.
- Explain to the complainant what the contents entail and the solutions available regarding the DVA.

Section 3 grants permission for police to arrest the alleged offender without obtaining a warrant. It also states that a victim of DV can be male or female and that although mainly associated with female victims, males can also be victims of this crime.

Section C of the Act explains the following remedies available to the complainant:

- The right to lay a criminal charge.
- The right to apply for a protection order.
- The right to lay a criminal charge and apply for a protection order.

The DVA stipulates the responsibility of a member of SAPS concerning policing and managing DV. It prescribes that police can also supply a copy of the notice, as mentioned in the Act, in the relevant language to the complainant. The complainant must sign the relevant entry in the SAPS Occurrence Book (OB) or the pocketbook of the specific member. Of utmost importance is the fact that each incidence of DV must be recorded in the Domestic Violence Register (SAPS 508(b)). The police enter the response to each DV incident on a Report of Domestic Violence Form (SAPS 508(a)).

The Act also provides specific procedures to be followed when protection orders are issued. It provides measures to supply maximum protection to victims of DV. SAPS is responsible for informing the complainant or victim of their rights and rendering the necessary assistance to find suitable shelter and medical assistance. They also need to be informed of the procedures that must be followed and the solutions available.

The provision of this Act enables a member of SAPS to arrest a suspect and explain the procedures that must be followed by a victim when applying for a protection order, how to serve a protection order and the process to obtain a warrant of arrest. It further includes the processes when seizing exhibits, which include firearms and dangerous

weapons (used in the commission of the offence related to DV). These measures include the following:

- The SAPS officer will, after obtaining the statement, decide whether to affect an arrest, seize exhibits and assist the victim.
- The SAPS member will keep a copy of the protection order and, if necessary, the arrest warrant.
- The member of the SAPS will make an entry in the Incident Register that the matter has been reported.

The Act also explains the procedures that must be followed at a DV scene, including other assistance that will be provided. Should the SAPS not adhere to the policies, this Act also provides for reporting. According to Parenzee (2018:2), the DVA is seen as one of the most progressive in the world, and it sets out precisely what needs to be done by the SAPS and other role players when responding to and receiving an incident of DV.

#### **2.4.1.1 Domestic Violence Amendment Act 14 of 2021**

The DVAA amends the DVA in the following way:

- Definitions are amended and inserted.
- Provide information on the procedure that needs to be followed with acts and matters related to DV.
- It also addressed the regulation of protection orders in response to DV.
- It includes matters relevant to and linked to DV.

Definitions in the DVAA are more comprehensive and include electronic communication. It widens the definition of economic abuse, emergency monetary relief, as well as emotional, verbal, and psychological abuse. Other definitions have also been amended to include a more detailed description, such as sexual harassment, spiritual abuse, and stalking.

Section 2 of the DVA is amended, and sections 2A and 2B, which deal with the obligations of functionaries relating to DV, are inserted.

A substitution is made for section 3 of the DVA, which deals with the arrest by a peace officer without a warrant.

A substitution is also made for section 4 of the DVA. The substitution includes that any other functionary or person may apply for a protection order on behalf of the complainant. This includes a police officer, health service provider, social worker, or any other person with a material interest in the well-being of the complainant, provided that it is done with the written permission (consent) of such complainant except when the complainant is either a minor, mentally incapable, unconscious, or unable to provide consent.

Section 4A is inserted into the DVA and deals with the DV monitoring notice.

#### **2.4.2 The Children's Act 38 of 2005**

The provisions of the CA resemble the definition of DV as set out in the DVA. It deals explicitly with incidents of DV committed against children. It prescribes the necessary care and protection for children exposed to (or reasonably believed to be) circumstances that could seriously harm their physical, mental, or social well-being.

Section 150(f) stipulates that a child needs care and protection if the child lives in or is exposed to circumstances which may seriously harm the child's physical, mental or social well-being and if there is any reason to believe that the child lives in or will be exposed to circumstances which may seriously harm the physical, mental, or social well-being of the child, should the child be returned to the parent, guardian or caregiver. Paragraph (i) further includes the protection for children who are being maltreated, abused, deliberately neglected, or degraded by a parent, caregiver, a person who has parental responsibility and rights or a family member or by a person under whose control the child is. Section 151 permits the removal of the child and placement into temporary safe care without obtaining a court order, should there be reason to believe that the child needs care and protection or immediate emergency protection. Section 153 stipulates that a member may remove an alleged perpetrator from the home or place of safety where the child resides, should it be in the child's best interest. The police officer needs to issue a written notice (SAPS 581) to the alleged perpetrator, requiring them to leave the premises and restricting them from

entering the property or having contact with the child until court proceedings commence.

#### **2.4.3 The Maintenance Act 99 of 1998**

Section 15 of the Maintenance Act prescribes that parents must support their children who cannot support themselves and ensure they are supported for a proper living and upbringing, including food and clothing, medical care, and education.

#### **2.4.4 The Protection from Harassment Act 17 of 2011**

The Protection from Harassment Act also makes provision for instances of harassment regarding DV, and an application can be made for the issuing of a protection order against the respondent.

#### **2.4.5 Criminal Law (Sexual Offences and Related Matters) Amendment Act 13 of 2021**

The Criminal Law Amendment (Sexual Offences and Related Matters) Act aims to combat sexual offences and related matters, which include crimes regarding pornography, and protect all victims of sexual offences, including victims with intellectual disabilities. It provides services to victims of sexual offences as well as the compulsory HIV testing of alleged perpetrators of sexual offences. This Act also makes provision for the National Register for Sex Offenders.

#### **2.4.6 Older Person's Act 13 of 2006**

Although the focus of this study is on women and children as victims of GBV, it is a well-known fact that older persons (male and female) are often the victims of violence. Chapter 5 of the Older Person's Act makes provision for crimes of violence against older persons as well as the abuse of these fragile victims.

#### **2.4.7 The Constitution of the Republic of South Africa, 1996**

The Constitution warrants the following protection regarding GBV:

- Section 9 guarantees the right to equality, equal protection, and benefit for everyone before the law and the prohibition of unfair discrimination by the state and individuals, based on various traits including gender.
- Section 10 guarantees the right to human dignity.



- Section 11 guarantees the right to life.
- Section 12 deals with the right to freedom and security of any person. This includes the right to be free from any form of violence.

#### **2.4.8 The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000**

Section 8 of the PEPUDA guarantees that there may be no unfair discrimination against any person concerning gender, including GBV.

#### **2.4.9 The Criminal Procedure Act 51 of 1977**

Section 50(1) of the CPA allows for the arrest of a suspect without a warrant if there is a reasonable suspicion that an act of DV, as included in the DVA, was committed by the alleged offender.

#### **2.4.10 National Policy Guidelines for Handling of Victims of Sexual Offences of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 14 of 2021**

The National Policy Framework makes provision for the following four principles:

- **Adopting a victim-centred approach to sexual offences** - which stresses the importance of the role of the victim in the total management of sexual offence cases. It also aims to enhance the emotional and psychological health of the victim. It provides for all spheres, including cultural diversities, gender power imbalances, disability, age, and sexuality, and ensures that all role-players offer an effective service.
- **Adopting a multi-disciplinary and intersectional response to sexual offences** - can be achieved with the participation of service providers (social workers, SAPS, health care professionals, prosecutors, correction services, traditional leaders, and educators) and support from organisations that will address interventions against sexual violence. The collaboration between different role players will provide oversight, feedback, and evaluation.
- **Providing specialised services to victims of sexual offences** - it is of utmost importance to offer specialised services to victims of sexual offences (specifically DV, rape and crimes related to GBV) by personnel with specialised knowledge and skills relating to these matters. These specialised services include the SAPS FCS,

Clinical Forensic Medicine Centre (CFMC), TCCs founded by the NPA, court preparation officers, specialised sexual offences courts equipped with Witness Testifying Rooms with one-way mirrors, intermediaries and anatomical dolls and One-Stop Centres under the DSD.

- **Equal and equitable access to quality services for victims of sexual offences**
  - both victims and perpetrators, irrespective of race, gender, class, creed, or sexuality, must have equal access to all services and service providers' sensitive to marginalised groups such as LGBTQIA+ victims. Equitable services must be supplied to all people, including people with disabilities who need ramps, special doorways for their specific disability, interpreters who can use sign language for people with impaired hearing and braille material for the visually impaired.

#### **2.4.11 National Strategic Plan on Gender-Based Violence and Femicide**

The long-awaited and much anticipated National Strategic Plan on Gender-Based Violence and Femicide (NSPGBVF) (2020) was developed by the Interim Steering Committee (ISC) on GBVF with the cooperation of several stakeholders between society and government and other partners. It was developed to create a SA free from GBV and femicide. The government stakeholders who partnered to make it a reality include the Department of Women, Youth and Persons with Disabilities, the DSD, and the Department of Planning, Monitoring and Evaluations. Developmental partners who were involved in this process include the National Lottery Commission, United National Population Fund (UNFPA) and UN Women, the Ford Foundation, UNICEF, the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) South Africa, civil society organisations and South Africans all participated in consultation meetings.

Table 2.1 below illustrates the principles that led to the implementation of the NSPGBVF programmes.

**Table 2.1: Principles for implementing the GBVFNSP programmes**

1.	<b>Multi-stakeholder approach</b> – utilisation of roles, responsibilities, resources and commitment between government departments, civil society, youth organisations, structures based on faith and traditions, the media, private and academic sectors, developmental agencies, and other shareholders.
2.	<b>Adding and increasing current strategies</b> and national drives relating to GBVF as well as general safeness in South Africa
3.	<b>Functional and relevant participation</b> of all stakeholders (civil society movements, communities and those affected by GBV in designing, implementing, and evaluating the strategies.
4.	<b>Inspired a gender-responsive and modified approach that addresses and understands the inequality and gender differences that drive and cause GBVF</b> , reiterating the need to transform men.
5.	<b>Approach based on human rights, centred on victims, and focused on survivors</b> and accessible by everyone, irrespective of their financial situations.
6.	<b>The inter-generational approach is focused on the youth.</b>
7.	<b>Progressive realisation of results</b> whilst prioritising reforms and strategic collaboration to address all challenges in the system.
8.	<b>Progressive co-establishment</b> of a different approach to the reaction of society, which will include respect, compassion, and human dignity.
9.	<b>Joint liability for changes</b> will ensure that all stakeholders – government, civil society, social movements, private and other development partners- work together to meet the required results.
10.	<b>Comprehensiveness, accepting diversity and togetherness</b> will focus on the significance of focusing on the experiences of women most affected by poverty, race, age, sexual orientation, gender identity, disability, and nationality.

(Source: National Strategic Plan on Gender-Based Violence and Femicide, 2020)

The NSPGBVF (2020) aims to efficiently respond to GBVF, freeing South Africa from all forms of VAWC.

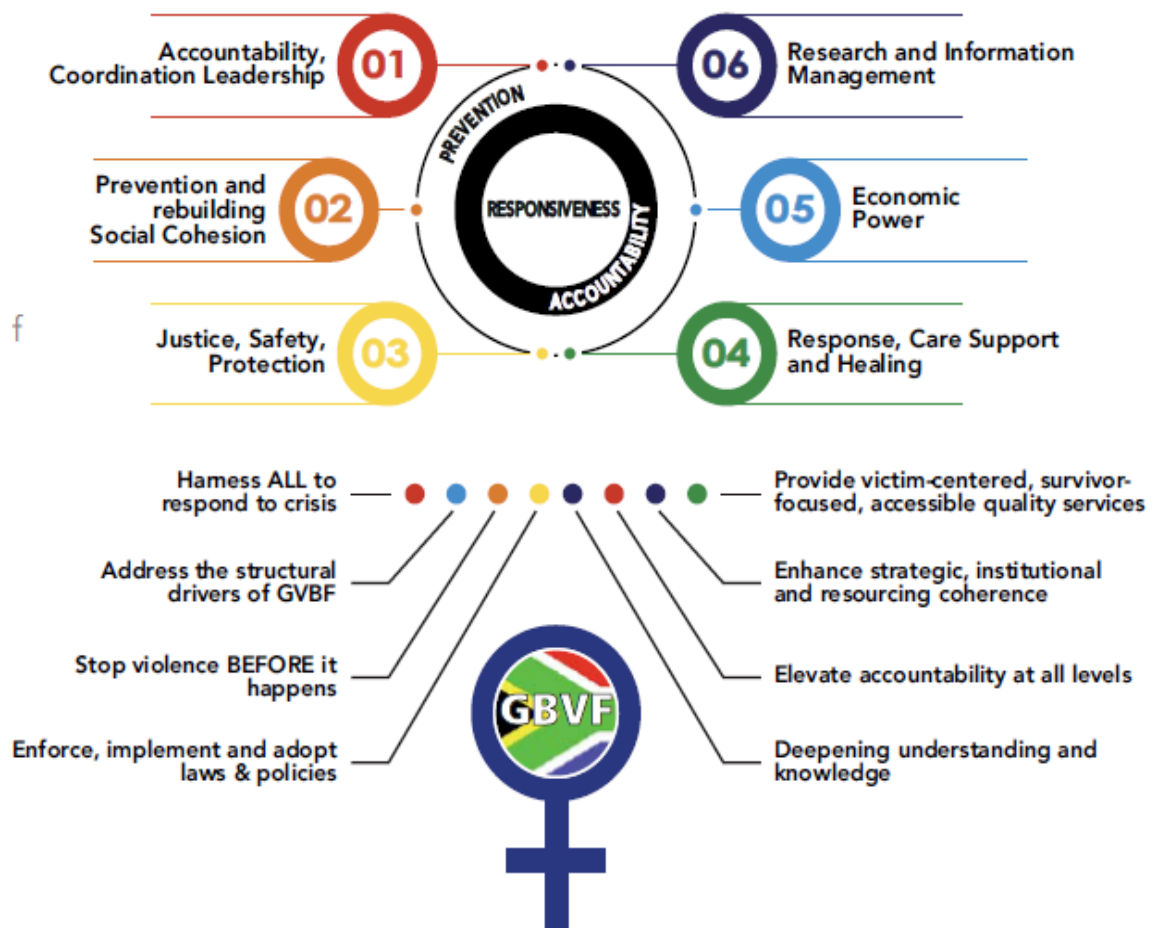
It will include and address the following:

- The severe lack of accountability by all parties (government, individuals, and society as a whole).
- System inconsistency causing levels of vulnerability and a lack of safety for women, children and LGBTQIA+ persons.
- The horrifying, insensitive and ineffective response towards survivors and those who support them.
- Historical, individual, and collective trauma continuing the levels of violence.

- To highlight a proper response to social norms, inequalities, and structural drivers that cause the rising levels of GBVF in South Africa.
- To create a better understanding of the severity and the nature of GBVF in South Africa whilst endeavouring to improve all systems to support the effective implementation of the NSPGBVF.

A clear description of what the NSPGBVF seeks to achieve to address GBVF is attached as Annexure F, including a discussion on the different pillars and interventions and the periods involved in eliminating GBVF.

Figure 2.3 below outlines the six key pillars from where the NSPGBVF was developed. It indicates a higher sense of accountability and response to GBVF, and measures and efforts to prevent it.



**Figure 2.3:** An analysis of the National Strategic Response to GBV in South Africa (Source: National Strategic Plan on Gender-Based Violence and Femicide, 2020)

The NSPGBVF endeavours to ensure a multi-sectoral response, increased accountability, and higher levels of coordination and collaboration. Prevention is emphasised, and structural and economic drivers are addressed. It also stressed that the judicial system needs to be strengthened and that services need to be focused on the victim and survivor. These pillars need to speak to one another to ensure a focused understanding of the severity of the problem and a cohesive process to ensure that social cohesion is rebuilt (NSPGBVF, 2020).

#### **2.4.12 National Crime Prevention Strategy (NCPS) of 1996**

The South African Government introduced the NCPS in 1996 to address the country's high crime level. This strategy has the following objectives:

- An extensive policy framework which allows the government to address crime using the assets of all relevant government agencies.
- It promotes and has a shared vision of how the nation will address crime. This includes national and provincial initiatives.
- A set of national programmes was developed to initiate and focus on the programmes of different government departments to supply quality service to solve the problems that precede high crime levels.
- To ensure the optimal participation of civil society to mobilise and sustain initiatives to prevent crime.
- An established, committed, and united crime prevention capacity to undertake constant research and evaluation of both departmental and public campaigns to ensure effective crime prevention programmes on national and provincial levels.

Although all crimes are connected, the government must focus resources on the most prevalent crimes, and therefore, seven crime categories were selected. Amongst these are crimes where firearms were involved, which has increased and escalated the physical and psychological costs of crime to society. It also includes and mentions that GBV and crimes against children are broadly spread and harm their rights and future well-being. The researcher believes this would have been the top priority if this strategy had been developed today, especially regarding the COVID-19 pandemic and the current high rate of VAWC in SA.

The NCPS is a long-term initiative and an ongoing programme of action implemented by various departments to establish circumstances and inspiration for crime reduction.

The SAPS, South African National Defence Force (SANDF), National Intelligence Co-ordination Committee, the DOJ&CD, Correctional Services and Welfare are all participants in the ongoing actions, and all these departments have programmes to address crime. As mentioned in the NCPS, gender violence and crimes against children receive increased concentration from specialised units which were established to investigate crimes against women and children and victim aid centres where interdisciplinary services are available for victims. An example of this is the Ikhaya Lethemba Centre, situated in Johannesburg. Specialised court facilities were established to protect young witnesses, and specialised prosecutors handle these cases (NCPS, 1996). Both government and non-governmental programmes are currently used to educate children to deal with abuse and to raise awareness regarding gender violence and crimes against children. Examples of some of these organisations and programmes are discussed in section 2.9 below.

The Government introduced a four-pillar approach to indicate the model by which crime prevention should be developed.

These four pillars include:

#### **2.4.12.1 Criminal Justice Process (Certain and Rapid Deterrence)**

A compelling and legitimate CJS is of utmost importance. The objectives of these programmes aspire to:

- Use an efficient and effective CJS as an instrument to prevent crime and use it as an aid and support to victims.
- Supply disempowered groups (women and children) with the necessary access to a proper criminal justice process.
- Utilise resources on priority crimes.
- Ensure the effective and sound use of sources, proper planning, and inter-departmental integration of policies.

Of importance in this pillar is the Victim Empowerment Programme, which aims to make the criminal justice process more victim-friendly and to protect from continuing victimisation. Several departments and agencies such as the DOJ&CD, Department of Safety and Security, Defence, Welfare, Correctional Services, the private sector, SAPS, NGOs, the South African Law Commission, local health and service groups work together to strengthen this pillar.

#### **2.4.13 National Police Instruction on Sexual Offences 3 of 2008**

The SAPS National Instruction on Sexual Offences was developed to assist members of the SAPS dealing with victims (victim support, a pillar of community policing) of sexual offences. According to the Instruction, anyone can be a victim of these crimes, and it can be reported telephonically or in person and describes in detail what the responsibilities of the SAPS members are when receiving and dealing with these complaints as well as the different responsibilities when children are the victim. These responsibilities include speaking to the victim about how and where these interviews should be conducted, comforting the victim, and explaining the necessary procedures, including the medical examination. It is essential that the victim is not left alone, and that the victim trusts the SAPS member. It further details all procedures like the completion of the SAPS 308 and what needs to be done with exhibits such as clothes and prescribes that parents or guardians may accompany a child. An accredited healthcare practitioner will perform the medical examination, and the specific procedures and processes regarding the medical examination will be indicated. Thereafter, the guidelines also deal with obtaining the victim statement and provide a checklist of what information must be included in the statement. Furthermore, the responsibilities when arresting and dealing with the suspect and the medical examination and procedures are also included, as well as procedures for the identification parade as a manner of identification. Finally, it informs the reader about the victim aftercare and the assistance given to victims during court proceedings. International conventions addressing GBV follow for discussion.

## **2.5 INTERNATIONAL CONVENTIONS ADDRESSING GENDER-BASED VIOLENCE**

International conventions addressing GBV play a pivotal role in shaping global efforts to combat VAWG. These conventions serve as essential frameworks for fostering international cooperation and promoting the protection of women and children. These agreements aim to address the multifaceted challenges surrounding GBV by establishing standards and guidelines.

The Maputo Protocol of 2003 follows for discussion.

### **2.5.1 The Maputo Protocol**

The Maputo Protocol of 2003, also known as the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (ACHPR) (African Union, 2005), came into effect in November 2005 to address the human rights of women and children in Africa. It was also adopted by the African Union (AU), which publicly committed to uplifting the status of women in Africa and protecting their human rights.

Section 1, article 4 prohibits all forms of exploitation, cruel, inhumane, or degrading punishment, as well as ill-treatment towards women. It states that every woman will be entitled to respect for life and integrity and security of her person.

Section 2 provides that State parties will take the necessary measures to:

- Pass and enforce laws to prevent all forms of violence against women (including unwanted/forced sex in private or in public).
- Endorse legislative, administrative, social, and economic measures to guarantee the prevention, punishment, and elimination of all forms of VAW.
- To identify the reason for and the consequence of VAW and ensure that the necessary measures are implemented to prevent and eliminate violence.
- To use social communication to promote peace and education to eliminate elements in culture, as well as traditional beliefs, practices, and stereotypes that permit and aggravate the persistence and tolerance of VAW.
- To penalize perpetrators of VAW and introduce programmes to rehabilitate victims.



- To introduce mechanisms and services that are easily accessible for the proper information, rehabilitation, and reparation for female victims of violence.
- The prevention and condemnation of trafficking against women, including prosecution of perpetrators and protection of women who are most vulnerable to being victims of trafficking.
- To ban all experiments, be they medical or scientific, on women without their permission (informed consent).
- To supply a sufficient budget and other necessary resources to implement and monitor programmes to prevent and eliminate VAW.
- Ensuring that death sentences are not carried out on pregnant or breastfeeding women (in countries where the death sentence still exists).
- Ensuring that both female and male refugees enjoy the same rights regarding refugee status and are afforded complete protection as guaranteed under international law; this also includes their identity and other documents.

Section 12(a) provides protection for women and the girl child from all forms of abuse, which includes sexual harassment in schools and other educational institutions and provides for the necessary punishment against the perpetrators of violence.

Section 12 (d) ensures the necessary access to either counselling or rehabilitation services for women who are victims of abuse or sexual harassment.

Section 22 (b) provides for the right to freedom from violence, sexual abuse and discrimination against older women based on their age, as well as the right to be treated with dignity.

With the 15<sup>th</sup> anniversary of the Maputo protocol in 2018, South Africa, which adopted the protocol many years ago, was one of only nine countries presenting their second reports within the required reporting cycle (Ikpo, 2018:2).

A brief overview of the UN Committee on the Elimination of Discrimination Against Women follows for discussion.

### **2.5.2 United Nations Committee on the Elimination of Discrimination Against Women**

The UN CEDAW was established in 1982. Its mandate includes monitoring the implementation of national measures implemented by state parties to the 1979 Convention of Elimination of All Forms of Discrimination Against Women. These countries have a legal obligation to prevent discrimination against women.

### **2.5.3 Beijing Declaration and Platform for Action of 1995**

The Beijing Declaration and Platform for Action of 1995 (Beijing Declaration, 1995:11) is a policy framework and blueprint for ensuring gender equality and the rights of women and girls globally. One of its commitments is to prevent and eliminate all forms of VAWC. The Beijing Declaration and Platform for Action of 1995 (1995:30-31) expects all governments, international communities, civil society, NGOs, and the private sector to act against VAWC.

The Beijing Declaration (1995:78) further indicates that it is necessary, possible, and achievable to develop a holistic and multi-disciplinary approach to assist families, communities, and the state to ensure the elimination of violence against women and girls and to ensure that men respect the human rights and dignity of women. This declaration further states that creating intervention strategies to address DV is challenging due to the absence of documentation and research.

Lastly, the Istanbul Convention follows for a brief overview.

### **2.5.4 The Istanbul Convention**

The Committee of Ministers of the Council of Europe adopted the Istanbul Convention in 2011 to prevent and combat VAW as well as DV (Klugman, 2017:9). This Convention calls upon state parties to take the necessary steps to prevent and investigate GBV and deal with perpetrators. It requires state parties to supply access to services, which includes legal and financial assistance, sexual trauma services, hotlines, and psychological counselling to GBV victims (Istanbul Convention, 2014).

Gender-based violence in South Africa presents a grim reality that continues to demand urgent attention and comprehensive intervention. The prevalence of GBV in South Africa is a complex interplay of factors. Despite strides made with legislation

and awareness, the country still grapples with GBV. The following discussion of selected examples of GBV in South Africa sheds light on the specific occurrence and patterns that highlight the pressing need for sustained efforts to address this alarming crisis.

## **2.6 SELECTED EXAMPLES OF GENDER-BASED VIOLENCE INCIDENTS IN SOUTH AFRICA**

According to Zuzile (2020:1), police minister Bheki Cele, in his reply to a parliamentary question from the DA, mentioned that only 130 of a total of 4 058 people arrested for allegedly committing GBV since the start of the COVID-19 lockdown in March 2020 were convicted, meaning that the conviction rate is only 3%.

In his speech, Minister Cele indicated 30 hotspots were identified based on the following:

- Crimes reported: including rape, human trafficking for sexual offences, kidnapping for sexual offences and domestic-related human trafficking.
- Calls received relating to DV and GBV.
- Data received from TCCs, health facilities and other institutions with information on GBV in specific areas.

As reported by Maseko (2018:1-2), 22-year-old Karabo Mokoena was stabbed and killed, and her body burned beyond recognition and buried in a shallow grave in April 2017 by her ex-boyfriend, Sandile Mantsoe. Mantsoe was sentenced to 32 years imprisonment - 30 years for murder, five years for assault (3 years suspended), and four years for defeating the ends of justice (two years suspended). The two years for assault and defeating the ends of justice will run concurrently, according to Shange (2018:2).

Another GBV case which made headlines in national media was that of Jaco Swart, who assaulted his estranged wife, Nicoleen. However, this case was removed from the court roll, and after presentations made by the civil rights organisation AfriForum to the Director of Public Prosecutions (DPP), Swart was charged. Swart pleaded guilty and footage of the actual assault was available. The court disallowed the surveillance footage after the defence questioned its authenticity. Swart was sentenced to a

R20 000 fine and a three-year prison sentence, suspended for five years (Afriforum, 2022).

Another highly publicised GBV case was that of the property mogul Jason Rohde, who was convicted of killing his wife and staging the scene to look as if she committed suicide. Rohde tried everything to have his judgement overturned and finally appealed to the Supreme Court of Appeal (SCA). According to Nambembe (2021:1), the Appeal Court found that “*The sentence ... must reflect the abhorrence of society regarding violence against women. [Rohde] is unrepentant and takes no responsibility for his crimes*”. The court reduced his sentence to 15 years imprisonment and acknowledged that VAWC is on the increase in South Africa.

Moreover, Cruywagen (2022:1) refers to six life sentences which were handed down to a convicted serial killer and mentions three other harsh sentences which were handed down in courts throughout the country for GBV. He indicates that serial killer and rapist Brian Mudyiwana was sentenced to six life sentences by the Swellendam High Court. The court found that the murder of his victims, Moleboheng Mafatha, Gladys Ntondini, Grace Nyasha Hondo, Naume Gwengwe, Lungelwa Dangatye and Michael Pekaam was premeditated. Judge Derek Wile commented during the sentence that “*GBV in South Africa has regrettably reached pandemic proportions. In my view, an unambiguous message needs to be sent to the offenders who participate in gender-based violence and crime*” (Cruywagen, 2022:4).

Cruywagen further mentions that the High Court in Limpopo (Polokwane) gave two life sentences to Tshepo Boshielo (34) for raping and murdering his 14-year-old girl victim. Matlala (2022:1) explains that the accused received this sentence for three cases. The accused was arrested in 2019 for these crimes committed in 2015 after being linked to the cases by Deoxyribonucleic Acid (DNA). Matlala also mentions that the former MEC for Social Development in Limpopo, Nkakareng Rakgoale, was shocked by the level of GBV and femicide in the province.

In another incident, an ex-traffic officer, Fanele Nxuseka (38), received a life sentence in the Eastern Cape High Court for murdering his girlfriend. The Reporter (2022:1) explains that the married Nxuseka was in an abusive extramarital affair with the deceased. The deceased did not tell him that she was on antiretroviral drugs (ARVs)

and he and his wife were infected. He then went to her house on 24 May 2020 and forced her to leave with him. The deceased informed her sister that she might not return alive. Her body was found by her family the following day after the accused was arrested. Nxuseka used his official state firearm to commit the crime and was linked through ballistic testing.

The Northern Cape High Court sentenced Caiphus Hinana, a former SAPS police constable, to 18 years imprisonment for killing his girlfriend, Genevieve Chantell Assegaai (Cruywagen, 2022:1). On 1 June 2019, Hinana and his girlfriend were driving in his vehicle. He stopped the vehicle, and the deceased got out. He then followed her, assaulted her with a baseball bat and drove over her with his vehicle (Reporter, 2022:3).

In South Africa, the persistent and alarming rates of GBV have brought to the forefront the critical examination of existing policies, accountability mechanisms, and the CJS. Despite various legislative measures implemented to address GBV, the country grapples with significant shortcomings in their efficacy and implementation. The following discussion explores the multifaceted challenges surrounding GBV policies, the lack of accountability mechanisms, and the failures within the CJS, shedding light on the urgent need for comprehensive reforms to protect and support victims of GBV in South Africa.

## **2.7 BRIEF OVERVIEW OF POLICY SHORTCOMINGS, ACCOUNTABILITY AND THE CRIMINAL JUSTICE SYSTEM IN SOUTH AFRICA CONCERNING GENDER-BASED VIOLENCE**

According to the SAHRC (2018:12), GBV remain unacceptably high in South Africa due to the failure of the CJS to protect women and children against all forms of GBV as well as the failure of the different government departments to sufficiently deal with prioritising and implementing the different policies and programmes which may minimise as well as prevent GBV. They further mention that despite the passing of the DVA and Sexual Offences and Related Matters Amendment Act (SOA) as well as policies and programmes to enhance their implementation, there are numerous gaps which cause a lack of accountability for perpetrators. The SAHRC further mention that GBV victims face difficulties in accessing the CJS, that the SAPS regards GBV as a private matter and that members have a negative attitude toward it, victims do not

want to report GBV matters or want to withdraw cases as they feel discouraged because of the secondary victimisation they encounter. Some of these cases have resulted in the victims being killed due to IPV.

The researcher was a detective in the SAPS for 21 years, and in her experience, victims often open cases against perpetrators when these incidences have just occurred just to withdraw them shortly after as they feel remorseful for their perpetrators, or the perpetrator begs forgiveness and promises never to do the same again. However, shortly after the withdrawal, the perpetrator commits violence again and then the cycle of reporting and withdrawing is repeated. This often makes SAPS members hostile as they work hard to prepare cases, make arrests, and obtain the necessary witness statements just for the victim to withdraw the case again.

The SAHRC (2018:16) recommended the following to address the gaps and challenges to address GBV in South Africa:

- An update on the Draft Regulations relating to Sexual Offences Courts: Criminal Law (Sexual and Related Matters, Amendment Act, 32 of 2007) should be provided by the DOJ&CD.
- A national strategic plan should be considered to prevent GBV. The UN Special Rapporteur also previously recommended this.
- A detailed budget analysis of the state allocation and the expenditure on legislation, programmes and policies aimed at preventing GBV should be conducted annually. The greater public must have access to this.
- Priority budgets for allocated funding of initiatives, processes, and systems to end GBV must be set to eliminate this phenomenon.
- Commitments from trade agreements with businesses need to advocate the prevention of GBV for employees and/or communities in which these private businesses operate.
- The Department of Women's progress, and targets for the promotion of gender equality should be monitored by the Department of Planning, Monitoring and Evaluation.

Because of the lack of proper data on GBV, it is impossible to earmark specific interventions to prevent GBV. It makes it challenging to monitor how well the state is

complying with the obligation to protect women and girls from all forms of GBV (SAHRC, 2018:17).

GBV is a deeply pervasive and alarming global issue. The consequences of such violence extend far beyond immediate physical harm, permeating various aspects of victims' lives and communities. From profound psychological trauma and long-term health implications to hindering economic opportunities and perpetuating cycles of inequality, the repercussions of GBV underscore the urgent need for comprehensive societal responses and preventive strategies. The following discussion deliberates on the consequences of GBV.

## **2.8 CONSEQUENCES OF GENDER-BASED VIOLENCE**

GBV has far-reaching consequences on society, women, and girls in particular. Gordon (2016:2) mentions but a few, such as the female homicide rate, the harming of sexual and reproductive health and the possibility of contracting HIV and other sexually transmitted infections (STIs). According to Gordon (2016:2), these victims are also less likely to report the abuse or request medical care for fear of being rejected. Other consequences included unwanted and illegal abortions, miscarriages, pre-term births, stillbirths, and unintended increases in pregnancy rates.

Apart from these consequences, DV affects normal family circumstances. Children who experience DV in their households can either become victims or perpetrators themselves when they are adults. According to Gordon (2016:2), IPV can also influence the working environment, such as being late, deficient performance, absenteeism, and abuse of resources (when perpetrators constantly phone the victim for example), thus impacting the economy. Mewa (2013:10) indicates that one in four women in SA is battered by a partner, husband, or boyfriend and that one out of every four women is a survivor of DV. She also indicates that abused women stay in abusive relationships for ten years on average and that a woman is battered approximately 39 times before asking for assistance. Mewa (2013:1) also indicates that the children in these abusive relationships are also likely to be abused by the perpetrator.

According to Mpani and Nsibandé (2015:8), there are different drivers of violence, such as biological and personal factors, for example, how a person behaves that causes them to become a victim or perpetrator. Other factors that play a role are

demographic factors such as age, income, education, personality disorders, substance abuse and childhood experiences of GBV. Mpani and Nsibande (2015:18) further indicate that interpersonal relationships, such as friends who commit and motivate violence and engage in gang activities, are risk factors for committing violence or being the victim thereof. Gender violence manifests in the male being in control of family wealth, age, education, and decision-making.

Additionally, Saferspaces (2020:5) indicates that GBV is an extreme human rights violation with developmental impact on survivors, their families, the community as well and the broader society. Saferspaces further explains that there are also profound individual impacts on survivors, such as psychological, physical, and behavioural consequences.

According to the CSVR (2016a:15), the consequences of GBV can include the following:

#### **2.8.1.1 Physical**

- Injuries to the head from constant assaults, kicking and stabbing with a knife or a sharp object.
- Causing damage to internal organs in the body due to physical blows by the fist or hard objects.
- Unwanted pregnancies.
- Miscarriages due to assaults and blows to the body.
- HIV because women are scared to discuss safe sex in an abusive relationship.
- Back and joint pain due to assault.
- Cardiovascular problems.
- Being blinded or deafened as a result of assault.

#### **2.8.1.2 Psychological**

These can include:

- Post-traumatic stress disorder, nightmares, and flashbacks.
- Major depression, temper outbursts, irritability, insomnia, and helplessness complex trauma such as sadness, self-mutilation, and anger.



### **2.8.1.3 Behavioral effects**

This includes:

- Ideas of suicide to get away from the abuse.
- Lowered confidence because victims are made to feel worthless and stupid.
- Alcohol abuse to be able to forget the trauma associated with the abuse.
- Having low self-esteem as they are made to believe that they are useless and stupid.
- Living in fear of the abuser due to constant violence within the relationship.

Moreover, Ndwalaza (2018:39) believes that a critical driver in the increase of new HIV infections is GBV. Ndwalaza further reports that the UNFPA, in partnership with Mail and Guardian, was the host of a Critical Thinking Forum where HIV infections, specifically in higher learning institutions, were identified as a key driver of GBV. Members of the Department of Higher Education (DHET), the Higher Education and Training Wellness and Development Centre (HEADS), and a representative of the Vaal University of Technology (VUT) attended (Ndwalaza, 2018:39). The forum also looked at experiences of students with GBV and the response received from higher education institutions to address this problem. Dr Ramneck Ahluwalia from HEADS added that alcohol and substance abuse is also a driver of GBV at institutions of higher learning, specifically with exploitation, violence, and sexual abuse against women. The Forum suggested increased investments in funding the prevention of GBV and response programmes by the private sector, public enterprises, and civil society. It indicated the need to strengthen coordinating mechanisms to ensure the sustainability of interventions and the success of response and prevention programmes.

Consequently, the former minister of Higher Education and Training, Dr Naledi Pandor, appointed a ministerial task team in 2019 to advise on matters of GBV and sexual offences across the country (Anon, 2019a:4). In addition, the Commission for Gender Equality (CGE) requested that the scope and terms of reference should include all institutions of higher learning. Anon (2019b:8) agrees that one of the many challenges women face is HIV and AIDS. Furthermore, it is unfair that they must be terrified wherever they go. Ndwalaza suggests that girls can be empowered by empowering boys and discussing GBV with them. Ndwalaza (2018:39) further believes

that the GBV pandemic is also intricately linked to the HIV epidemic in South Africa, which has one of the highest rape rates in the world.

Recognising the alarming rates of GBV and VAWC, various stakeholders, including government bodies, NGOs, and grassroots movements, have mobilised to address this pressing concern. Despite concerted efforts, challenges persist, necessitating a nuanced examination of the multifaceted strategies employed to combat GBV in South Africa. The following discussion addresses efforts to address GBV in South Africa.

## **2.9 EFFORTS TO ADDRESS GENDER-BASED VIOLENCE IN SOUTH AFRICA**

South Africa has advanced laws for GBV, but the statistics continue to increase. The researcher believes that the insufficient implementation of GBV-related legislation might be one of the reasons why GBV statistics are growing. The implementation of these laws lies in the hands of the SAPS, the NPA, and the different government departments such as the DOH. The SAPS is responsible for obtaining statements from victims and perpetrators and assisting with the application for a protection order. The SAPS is furthermore responsible for referring the victims to places of safety and arresting the perpetrator. The NPA is responsible for prosecuting, and the different health services are responsible for further assistance to GBV victims. The President of South Africa, in his State of the Nation Address (SONA), said that the government was working together with CSOs to end GBV and femicide. He said that the government intended to establish a Gender-based Violence and Femicide Council as well as a Strategic Plan, which will be used as a guide to eliminate the national scourge (Ramaphosa, 2019). Ramaphosa again touched on GBV in 2020 and mentioned in his SONA that in the afore-going six months, South Africa experienced an outcry from all over, across communities, government, civil society, judiciary, parliament, as well as religious groupings to end GBV perpetrated by men against women. He added that the government was determined to work together on this matter, that an emergency action plan was implemented, and that R1.6 billion was available to support the plan. The President further indicated that the DVA and Sexual Offences and Related Matters Act would be amended to offer better protection to victims. The amendment of these acts will broaden the various categories of sex offenders, which will be included in the National Register for Sex Offenders (NRSO). The DVAA and the

Criminal Law (Sexual Offences and Related Matters) Amendment Act were discussed in par. 2.4.1 and 2.4.5 above.

Minister Cele (SAPS, 2020) indicated that GBV is a priority for SAPS and that 30 police stations (GBV hotspots) in the identified areas will have a permanent desk dedicated to GBV, which will be responded to by trained members. The Minister further indicated that GBV desks and victim-friendly rooms are a necessity at all police stations. Miza (2023:2) suggests that too few desks have been implemented, so there is still no desk at each of the 1154 police stations in South Africa. He further mentioned that addressing the backlog of GBV cases is a long-term goal of SAPS and that they will also be looking at cold cases. FCS specialised units dealing with all GBV and femicide cases, as well as training of members, will be addressed. The researcher does, however, not agree with the Minister as GBV and DV cases and femicides are dealt with by the local stations and not the FCS units.

The following discussion provides an overview of selected organisations and campaigns implemented to address GBV in South Africa. In South Africa, where GBV remains a pervasive and deeply rooted issue, concerted efforts are necessary to address and combat this alarming phenomenon. This phenomenon has sparked nationwide campaigns to raise awareness, challenge societal norms, and advocate for comprehensive legal reforms. With a backdrop of persistent challenges, these initiatives strive to create a more inclusive and secure society, emphasising the urgency of collective action to dismantle the structures perpetuating GBV in South Africa.

### **2.9.1 Stop Gender-Based Violence: A National Campaign**

Due to the escalating rates of GBV in South Africa, the government tried to address this phenomenon. Unfortunately, these efforts have been flawed by ineffectual coordination and the fact that no provision was made regarding the budget for the prevention and services (Sonke, 2020:np).

### **2.9.2 National Council on Gender-Based Violence**

According to Sonke Gender Justice (2020:np), the council was established to draft, cost, and implement a National Strategic Plan (NSP) to fight GBV. But from its inception, it has been undermined by political changes and the absence of funding to

carry out its mandate. Since 2014, there has also been no official response from the Minister of Women, Youth and Persons with Disabilities, Susan Shabangu. The Ministry could also not reconstruct and supply an update on the status of the NSP.

Civil Society Organisations nationwide came together in 2014 and established the National Strategic Plan on Gender-Based Violence (NSPGBV). The mandate and objectives of the campaign were renamed in 2016 to Stop Gender Violence: A National Campaign (Sonke Gender Justice, 2020:np).

This campaign has done the following since its establishment:

- Research and policy work on the framework of the civil society's NSPGBV.
- Engagements were undertaken with provincial stakeholders to ensure the grassroots participation of organisations and enable the compilation of the NSPGBV agenda.
- Civil society groups were supported with capacity building and administrative support to advance the campaign's efforts.
- A petition demanding an NSPGBV was signed in 2014 by many South Africans.
- Individual personal stories of women affected by GBV formed part of a postcard campaign in 2014 and posted to the Minister of Women, Youth and Persons with Disabilities pleading for action.
- Demands for an NSP on GBV were exemplified with countrywide marches, which also called for an end to empty promises, lip service, and unfunded mandates (Sonke Gender Justice, 2020:np).

According to Sonke Gender Justice (2020:np), the shadow framework of the NSPGBV campaign was launched in 2017, which included a diagnostic review of government strategies to address GBV.

### **2.9.3 The 16 Days of Activism of Violence Against Women and Children**

The 16 Days of Activism against Gender-Based Violence campaign is an international campaign held annually. It begins on 25 November, the International Day for the Elimination of Violence against Women, and ends on 10 December, Human Rights Day. This campaign was launched by activists at the inaugural Women's Global Leadership Institute in 1991 and is still coordinated by the Centre for Women's Global

Leadership. This campaign is an organising strategy to call upon organisations and individuals worldwide to call for the prevention and elimination of VAWG.

The annual 'Take Back the Night' march held in Gugulethu, as part of the 16 Days of Activism for No Violence Against Women and Children, themed 'Reclaiming Our Streets' aimed to combat violence against women and children in the greater Cape Flats and community took place on 30 November 2017. The initiative was also attended by the UN Women Director as well as the former deputy president Phumzile Mlambo Ngcuka, quoted as saying that should children reach her age, violence against women needs to be a thing of the past and "*There must be proper policies in place which must be implemented by those in power for the common good of all, especially young girls and women*" (Kalipa, 2018:1).

Meokgo (2017:5) mentions that the 16 Days of Activism of Violence against Women and Children campaign is a reminder of "*how we have failed to protect the most vulnerable among us*". The author is the secretary general of the African National Congress Women's League (ANCWL) and feels that the nation would be mobilising in the workplace and home to educate boys and young men about respect and the value of life. Meokgo adds that "*we are living in a patriarchal world, with the stereotyping of male and female fermenting an unacceptable imbalance on how gender, gender politics and the role of men and women are viewed*". She further indicates that "*the government spends millions on programmes as well as safety nets, but it is in our homes and communities that we can make a real difference*".

On 5 December 2018, organisations in Philippi, Western Cape, joined the 16 Days of Activism Campaign, where different organisations, including SAPS Nyanga, the Desmond Tutu Foundation, Sonke Gender Justice, the City of Cape Town, and the Triangle Project, participated. These organisations assisted the community by educating, providing referrals, opening cases, and creating awareness. They also intended to implement programmes, such as the Soul Buddyz Club Programme, in 50 primary schools in the Klipfontein and Mitchells Plain areas (Mlamla, 2018:4).

#### **2.9.4 UNITE**

To support this civil society initiative and under the leadership of the UN Secretary-General, Antonio Guterres, the UNITE to End Violence against Women initiative is a

multiyear effort to prevent and eliminate violence against women and girls around the world. This initiative calls for global action to increase awareness regarding GBV, motivate advocacy efforts, and share knowledge and innovations. In 2019, the UNITE campaign marked the 16 Days of Activism against Gender-Based Violence under the theme 'Orange the World: Generation Equality Stands Against Rape' (Sonke, 2020:np).

### **2.9.5 The Southern Africa Alcohol Policy Alliance and South African Breweries Initiative**

Khumalo (2017:1) refers to research that the high consumption of alcohol is the reason for the high violence rates in SA. He explains the Southern Africa Alcohol Policy Alliance (SAAPA) a collaborative initiative between eight southern African countries. The SAAPA is concerned with the South African Breweries (SAB) campaign against GBV because researchers, practitioners and public health opine that government departments appear to be in partnership with the SAB. He mentions the Black Label woman abuse campaign in particular. They also believe that organisations, including private, government and NGOs, each have their part to play in addressing VAW. Therefore, they do not support the role of SAB especially when considered against governmental efforts to restrict the advertising of alcohol precisely because of its link to health and social harms. They feel that the alcohol industry should instead contribute funds to address VAW instead of the direct marketing of their brands. Consequently, SAAPA, according to Khumalo (2017:1), feels this causes a conflict of interest.

### **2.9.6 #NoExcuse Movement**

Khumalo (2017:1) explains that a #noExcuse movement was established by the SAB with a relevant advertisement to make people aware of GBV and its effects. The SAB also put the following measures in place in the organisation:

- A #NoExcuse website.
- Men are called upon to take a stand against GBV.
- A constant presence on digital and social media creates community awareness and informs them about the programmes available to address GBV.
- A campaign to educate consumers on their role on the radio and social media.

- Assisting NGOs in creating an online tool which will function as a virtual counsellor and will always be available.
- Make use of the Smart Drinking Squad to educate and challenge men.

### **2.9.7 Sonke Gender Justice**

This organisation, founded in 2006, is based in South Africa but works globally. It plays a vital role in South Africa and internationally and endeavours to create the necessary change for women, men, children, and young people to enjoy healthy, happy, and equitable relationships, contributing to developing a democratic society. This organisation pursues its goal to prevent GBV and to reduce the spread of HIV and AIDS by using a human rights framework to build capacity in government, citizens, and civil society organisations (Sonke, 2019:2). This organisation's vision is a world where women, men and children can enjoy equitable, happy and healthy relationships which contribute to the development of just and democratic societies and their mission is to work across Africa to strengthen capacity, promote gender equality, reduce the spread and impact of HIV and AIDS and to prevent domestic and sexual violence (Sonke, 2019:2).

Sonke was also actively involved in the #TheTotalShutdown movement, which led to the Inaugural Presidential Summit on Gender-based Violence and Femicide. During the Summit, President Ramaphosa signed a commitment to the Development of the National Strategic Plan (NSP) on GBV and Femicide and to steer the response of South Africa to GBV (Sonke, 2019:31).

In the Eastern Cape, the executive mayor committed to working with Sonke and local government departments and counterparts to respond effectively to GBV. An extension was the Mnquma GBV Forum, which is a first of its kind, multi-sectoral structure for the prevention and response to GBV at a local level (Sonke, 2019:31). The establishment of this forum is necessary to effectively prevent and respond to GBV locally. The Eastern Cape further participates in the monthly case-flow-efficiency committee meetings in Butterworth, Mnquma. Sonke is the only CSO invited to participate in these meetings, where the committee is responsible for the efficient flow of GBV cases throughout the courts in the district (Sonke, 2019:31).

### **2.9.8 The #TotalShutdown Movement**

The #TotalShutdown movement (2018) honoured victims of GBV in South Africa by giving a set of demands called '24 Steps to Stop GBV' in a memorandum to the government.

These demands are as follows:

- A commitment from the government to not appoint any individual who has been incriminated or who decreases the cause and the outcomes of GBVAW to Cabinet or to lead a state institution as well as the announcement of the dates for the national gender summit.
- To task the Ministry of Women in the Presidency to manage a review of the past national action plans to end GBVAW and why it failed.
- To develop criteria and screens for appointing individuals responsible for leading efforts to respond to and end GBVAW.
- To develop a National Action Plan on GBV, the terms of reference will fall under the review process by the Minister of Women, Youth and Persons with Disabilities in the Presidency.
- To revive the Joint Monitoring Committee on the Quality of Life and Status of Women, under the condition that to be a committee member, a proven record of accomplishment of working in GBVAW and gender diversity issues must be available.
- To establish procedures of responsibility and oversight to guarantee that the appropriate National Action Plan is implemented.
- To establish a well-equipped national hotline to enable survivors to call for and receive information on support services. This is done to prevent re-victimisation and re-traumatisation of the victims.
- To supply prevention services as well as information on GBVAW to create awareness about the different forms of GBVAW, to prevent violence, and to ensure changed attitudes in this regard.
- Training needs to be supplied to lawmakers to develop laws intended to fight GBVAW and encourage gender diversity and equality.



- There needs to be consistent enforcement current laws and sentencing. The minimum sentencing legislation regarding sexual and domestic violence needs to be adhered to, and the judiciary needs to refrain from harmful gender stereotyping.
- To supply and provide GBVAW victims with legal aid. This includes the victims who intend to hold the state accountable for the failure to be protected against violence and the victims who were subjected to lawsuits for naming perpetrators publicly.
- To supply the necessary training and sensitisation to the judiciary about gender identities and LGBTQIA+ minorities.
- To provide psycho-social support to both victims and survivors of GBVAW, as well as publishing a list of where these services can be accessed.
- To commit to starting the process where a comprehensive law on GBVAW is developed, which will include engagement with the South African Law Reform Commission (SALRC) to begin a consultation process.
- To take into consideration that divided forms of oppression increase the vulnerability of women to GBVAW which must be considered during investigation, prosecution, and sentencing.
- Vacant posts should be filled at the current TCCs, and their resources should be developed. They also need to be accepted as places of safety and care for all survivors of GBV, irrespective of their identities.
- An automated national registry for protection orders needs to be launched.
- To provide gender-inclusive shelters as well as interim housing for women to get out of abusive relationships. A confidential list of these shelters needs to be made available to service providers.
- To register GBVAW cases in hospitals, provide the necessary information on available support services to survivors, and implement a proper referral system.
- To publish a monthly list of both police stations as well as members who have been reported to the Independent Police Investigative Directorate (IPID) for failing to provide services to GBV survivors.
- To ensure a policy is implemented to guarantee compulsory prosecutor-led investigations of GBVAW. This will ensure proper guidance and assist with gathering evidence to ensure that cases go through the judicial system.

- To supply a national training schedule on GBVAW and gender diversity to all applicable government departments such as Home Affairs, Social Development, health, safety, security, and justice.
- To provide information and awareness by implementing a 365-day media campaign by all departments led by the Government Communication and Information System (GCIS).
- The government must comply with laws, practices, and systems as well as policies which are sensitive to gender diversity to protect the physical, psychological, bodily, and emotional integrity of transgender and Gender Non-Conforming (GNC) people from GBV.

#TotalShutdown indicated that each demand was assigned a deadline, and some have passed without being met.

### **2.9.9 The #TotalShutdown March**

Women in KZN also took part in the #TotalShutdown march (Nyide, 2018b:3), and the spokesperson, Ncumisa Ndela, said that women are saying no to GBV and must not wait until incidents are reported in the media. According to her, women were calling on men to speak up against GBV, and if a man knows about violence, or its commission, and keeps quiet, he is also guilty. She urged the community to inform the police and authorities and not ignore it.

### **2.9.10 #JustNO Campaign**

According to Githahu (2019a:2), the University of Cape Town (UCT) launched and ran a campaign against GBV called #JustNO from July to December 2019, where they spread the news that they would not tolerate GBV. With this campaign, they explained their response to GBV through improved systems to deal with it by advocating and awareness and with research on the topic. The institution also endeavoured to inform both staff and students about the policies of the university and where they can seek assistance and guidance. The campaign was started with a silent protest, which was peaceful to show solidarity with survivors of rape and to advertise the right to be free from any form of GBV. Githahu (2019b:2) further indicates that the former Vice-Chancellor of the UCT, Professor Phakeng, posited that a higher learning institution needs to play a role in leading research as well as conversations on GBV and sexual

violence and simultaneously starting to put policies and systems in place to address all forms of GBV.

Anon (2013:1) reported on an exhibition by female artists at UCT's Centre for African Studies. Meghna Singh, one of the artists and curators, indicated the importance of representing work and voices not necessarily represented by big commercial galleries. The exhibition included videos, sculptures, poetry, audio-visual fragments, performances, discussion groups, and workshops regarding the theme of VAW.

### **2.9.11 The World Economic Forum**

Githahu (2019a:4) reports on a special session convened by the World Economic Forum to address GBV. During this session, Namhla Mniki-Mangaliso, the Director of Pan-African Monitor, said that businesses and governments took a stand and suggested that technology companies create a free emergency response system for women.

### **2.9.12 Masiphephe Network**

The Masiphephe Network works towards reducing vulnerability to GBV and strengthening local governance, GBV prevention and response. Community-based stakeholders from government, civil society, community media and the private sector collaborate to improve the capacity of local structures to lead, coordinate, cultivate, advocate for, provide needed services, sustain multisectoral action, and manage a community response to GBV prevention and mitigation in South Africa. 'Masiphephe' is a Nguni word meaning 'Let's be safe'. (Masiphephe Network, 2021). On 11 October 2019, the Masiphephe Network, funded by the United States Agency for International Development (USAID), was launched in Diepkloof, Soweto. It focuses on decreasing GBV in Mpumalanga, KZN and Gauteng. Its objectives are to prevent GBV and improve access to the CJS (Monama, 2019:24).

### **2.9.13 Cape Town University of Technology**

Gool (2019:5) reports that students at the CPUT participated in a silent strike and wrapped purple ribbon around more than 400 trees on its campuses to create awareness about GBV.

#### **2.9.14 The Saartjie Baartman Centre for Women and Children**

The Saartjie Baartman Centre for Women and Children (SBCWC), the first one-stop centre in South Africa, opened in 1999 to address the unacceptable rates of VAWC on the Cape Flats (Cape Town). The centre provides a multi-disciplinary service and the opportunity for other organisations to join to provide all the essential services to abused women and children, free of charge, 365 days a year and work in partnership with government departments and NGOs (Gontsana, 2022:1).

Their vision is to create a safe and secure society within a human rights culture where women and children are empowered and live in a society free of violence.

The centre's mission includes the following:

- To work in partnership with organisations advocating the end of VAWC.
- To provide a 24-hour emergency shelter, short and medium-term care, and childcare services.
- To provide mental health support and legal and economic empowerment services.
- To conduct research which will lead to intervention strategies and best practices regarding GBV.

#### **2.9.15 Agisanang Domestic Abuse Prevention and Training**

Agisanang Domestic Abuse Prevention and Training (ADAPT) was founded in 1994, and its vision is to be an NPO of choice in GBV awareness and training in Southern Africa (ADAPT, 2020:1). Its mission is to use the creative participation of all community members to ensure a GBV-free society.

The organisation aims to achieve both its vision and mission by:

- Supplying support (individual as well as group) to survivors of physical, sexual, and psychological violence.
- Supplying support to perpetrators of GBV (individual as well as group).
- Providing training for community change agents as well as health workers, court and police officials, teachers, and priests on the relevant identification of and intervention for abused women.
- Assisting unemployed abused women to begin and run an economic business.

- Gathering information by documenting and disseminating relevant information regarding the various aspects of GBV.
- To create forums to oppose and rethink cultural, socio-political, and economic factors, which are underlying factors of violence against women.
- To educate the community by hosting workshops and seminars and using the media – posters, pamphlets, talk shows on radio, television, theatre, etc.

According to ADAPT (2020:1), the organisation uses a white ribbon to symbolise a commitment to no violence against women. The organisation believes that the 16 Days of No Violence against Women and Children is insufficient, and that support needs to be shown every day.

### **2.9.16 LifeLine South Africa**

LifeLine South Africa was established in 1970 because of a need for community members to have access to counselling on a 24-hour basis. This NPO also has a Stop Gender Violence Toll-free Helpline (LifeLine, 2020:1). Many people, organisations, churches, and schools have joined the fight against GBV. These initiatives educate and inform communities that GBV is unacceptable. However, it continues daily behind closed doors. One often reads and hears about yet another incident, which often also results in the death of the victims (LifeLine, 2020:1). The Helpline is a national project. Its beneficiaries are women (to a considerable extent), men, girls and boys who become witnesses, victims, survivors, and perpetrators of GBV from various communities in all 9 Provinces across South Africa. The Helpline answered an estimated total of 329 721 calls from 2017-2019 (LifeLine, 2023).

The following discussion explores the various dimensions of GBV internationally, shedding light on the challenges and patterns of this pervasive and deeply rooted problem in selected countries. The international landscape of GBV is a critical and multifaceted issue that demands global attention since the prevalence of GBV transcends borders, impacting individuals across diverse societies and cultures.

## **2.10 INTERNATIONAL OVERVIEW OF GENDER-BASED VIOLENCE**

GBV is a worldwide pandemic which affects one out of three women in their lifetime (World Bank, 2019:1). The World Bank further mentions that globally, 38% of murders are committed by intimate partners and that GBV is not only disastrous for survivors and their families, but it has a considerable impact on the economy which is estimated in some countries to be up to 3.7% of their gross domestic product (GDP) (this is double the cost of what is spent by most countries on their education systems). Klugman, Hanmer, Twig, Hazan, McCleary-Sills, and Santamaria (2014:14) estimate the cost of IPV in different countries is between 1.2% and 3.7% of the GDP. The World Bank (2019:2) also states that the issue of GBV needs to be addressed and reduced in developing and under-developed countries with an ongoing community-based, prolonged approach which includes sufficient support from all the relevant stakeholders.

The World Bank (2019:2) is committed to preventing and addressing GBV and has engaged with different countries and support projects. They have identified GBV as a World Bank priority with specific commitments stated under both the International Development Association (IDA) and the World Bank Group Gender Strategy. The World Bank undertakes analytical work on GBV with its partners at the community and national levels to address GBV.

The UN Joint Global Programme on Essential Services for Women and Girls Subject to Violence, a partnership by UN Women, UNFPA, WHO, UNDP and UN Office on Drugs and Crime (UNODC), for example, aims to provide greater access to a coordinated set of essential and quality multi-sectoral services for all women and girls who have experienced GBV. The Programme identifies the critical services provided by the health, social services, police, and justice sectors, guidelines for coordinating essential services and the governance of coordination processes and mechanisms. Service delivery guidelines for the core elements of each essential service have been identified to ensure the delivery of high-quality services, particularly for low- and middle-income countries, for women and girls experiencing violence (UN Women, 2022:np).

In addition, SIDA follows directives from the Swedish Parliament and Government. Sweden assists different countries in Europe, Asia, Latin America, and Africa to address GBV and to also protect and supply justice to survivors (SIDA, 2015:16). The Agency has an enveloping strategy consisting of preventing violence, strengthening legal and policy frameworks as well as the improvement of response services for survivors. They also support the various projects and programmes with other stakeholders to end GBV, a priority for SIDA's development cooperation. According to SIDA (2015:5), GBV is violence against human rights. It is reflected in different international agreements, which include the Declaration on the Elimination of Violence against Women, as reiterated in the UN Fourth World Conference on Women in Beijing in 1995 and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

The prevention of GBV is a crucial priority for SIDA as it is rooted in gender norms and gender-based power inequalities. The prevention of GBV is linked with the endeavours to increase gender equality. According to SIDA (2015:16-17), these prevention strategies include the following:

- Women must be seen as survivors, not victims.
- Women's political participation and influence in peace, conflicts and humanitarian crises must be increased. In many countries, women's political representation is meagre, and women are not included in formal peace negotiations, damaging opportunities to reach sustainable development, peace, and human security.
- Economic empowerment must be increased in such a manner that women have the power and ability to leave abusive relationships. Equal employment opportunities, improving women's rights to own land and property rights, strengthening entrepreneurship and access to quality education are essential in the long term to prevent GBV.
- To prevent GBV effectively, sexual, and reproductive health efforts need to be increased. This means that women have the right to make decisions about their sexuality and reproductive health, family planning, as well as the prevention of HIV/Aids.

- Incorporating men and boys as perpetrators, victims, and survivors and as agents of change. The needs and vulnerabilities of men need to be recognised, and it needs to be acknowledged that men can also be victims of violence.
- The transformation of norms and behaviour. Efforts to eliminate GBV need to start at an early age (boys and girls) through formal and non-formal education, which will create an opportunity to address gender inequalities as well as GBV.

In addition, SIDA (2015:18) is further of the view that the primary responsibility to end VAWG, and provide an extensive service to survivors, lies with the state. General Recommendation No. 19 of the UN Committee on the Elimination of Discrimination against Women in 1992 accepted this as a 'due diligence' standard. While strengthening the legal and policy frameworks, which form an essential part of the response and prevention of GBV, justice for survivors and increased punishment for perpetrators may create norms in society and deter GBV. According to SIDA (2015:18), the accountability and strengthening of legal and policy frameworks can be achieved with the following:

- Improving GBV legislation. The current laws and policies are primarily due to the efforts of sustained and strategic advocacy from women's rights organisations globally.
- Improving legislation indirectly linked to GBV. The legal rights of women regarding property, inheritance, land, employment, and income will strengthen a woman's ability to leave an abusive relationship to start her own household.
- To address the gap between law and practice collaboration is required, thus ensuring that proper accountability measures are in place to monitor the implementation of laws, is essential.
- GBV – the rule of law and impunity. Laws need to be adhered to and bring perpetrators of GBV to justice. Convictions (deterrence), legal actions, and prevention efforts must be combined to address GBV.

The SIDA (2015:19) furthermore suggested the following regarding response services for GBV survivors:

- Multi-sectoral services must be strengthened and enhanced at all levels. The state is responsible for these services, but GBV organisations also have resources.



These services have knowledge and experience in the support and service of victims of GBV and need to be well coordinated:

- Health sector response (reproductive, health, medical and psychosocial).
- Safe shelters and services (run by the state) need to be available for survivors of GBV.
- Independent shelters/counselling centres, e.g. LGBTQI+ organisations.
- Sufficient response from police and justice, which includes legal aid for survivors.
- Economic services.

An overview of GBV in South America follows for discussion.

### **2.10.1 South America**

Murray (2020:1) posits that VAW has increased immensely, especially during the COVID-19 pandemic. In Columbia alone, it increased by 50% as the lockdown placed many women in danger and in April 2020, femicide increased by 65% in Venezuela. Murray further informs prosecutors, victim support groups, advocates, and the UN then raised concerns that women would be locked in at their homes with their abusers and unable to leave to get assistance. Moreover, Murray mentions that in Mexico, data from the government indicates that emergency calls reporting attacks on women increased by more than 50% in the first four months of the 2020 COVID-19 lockdown. However, Murray further mentions that the president of Mexico denied the rise in violence against women. Still, the numbers may even be higher since, because of the lockdown, women found it more challenging to seek assistance or report the abuse.

In addition, Murray (2020:2) highlights VAW in El Salvador, reporting an increase of 70% in reported complaints of VAW by the Organisation of Salvadoran Women for Peace in Central America between mid-March and late May 2020. Data from the International Rescue Committee (IRC) (2020:1) indicate a soaring increase in GBV figures across Latin America since the start of the COVID-19 pandemic. The IRC suggests that:

- In El Salvador, GBV increased by 70%. The Organisation of Salvadoran Women for Peace reported about 200 complaints were received for VAW from 17 March to 22 April 2020, which is 70% more than in 2019.

- In March and April 2020, femicides in Mexico increased by 65%. The Presidential Counsellor for Equity for Women indicated that there was an increase of 51% in DV against women during the first days of the COVID-19 pandemic in 2019.
- In Venezuela, during April 2020, a 65% increase in femicides was reported compared to 2019.
- Reported cases of domestic -and intra-family violence increased by 4.1% per week in Honduras in 2020.

In addition, the IRC (2020:1), an organisation that supplies a multi-information hub with two-way messaging (*CuentaNos*), provides services to GBV victims where users in Honduras and El Salvador can search for information and essential service providers, including services for GBV protection. Since 31 May 2020, searches, and requests for assistance with GBV increased immensely. Before the COVID-19 pandemic, in February 2020, 1 574 users visited *CuentaNo's* Facebook page on GBV, and in May, this number increased over 30-fold to 38 902. Using the two-way communication on WhatsApp with Twilio technology, one *CuentaNos* user reached out to a trained IRC moderator in March, whilst in May 2020, 121 users requested support from this service. The Regional Director of the Latin America IRC, Meghan Lopez, said that during the COVID-19 pandemic, women and adolescent girls took on double and triple responsibilities in the spaces. They were confined 24 hours a day, some were stuck with the perpetrators in soaring, vulnerable situations without any breathing space. To worsen this situation, local and government services were closed in El Salvador, and this placed women and girls at a higher risk of severe harm and even death. Lopez added that the supply of more funds to support efforts, for example, the IRC Women's Protection efforts from Mexico to Northern Central America to Venezuela, will ensure accessibility and safe response services needed during the pandemic, as well as information about shelters and clinical care regarding GBV.

Moreover, the IRC (2020:3) increased and supplied strategies to combat GBV across Latin America during the pandemic, including the following:

- In El Salvador, the IRC team began with a new initiative in response to the urgent needs of women and girls who are at risk for GBV. The programme supplies access to information, telephonically or by messaging, about services available for GBV

survivors as well as protection services, the supply of life-saving and safe multi-purpose cash transfers as well as basic supplies and the immediate availability of psychosocial support to women and girls who are at risk of experiencing GBV.

- In Mexico, a public health awareness and psychosocial support campaign was launched by the IRC, with the assistance of local authorities for shelters at the Mexico-US border in Ciudad Juarez, which benefits 17 shelters and about 10 000 people. The IRC also provided a hotel where asylum seekers can be quarantined in Ciudad Juarez for 14 days before moving to shelters. Women are provided with virtual case management in these shelters. Group sessions to prevent GBV in a clinic in Cucuta were also offered. In Venezuela, the IRC and their partners supplied a hotline which survivors of GBV could call to receive psychosocial support, referrals, and service options.

An overview of GBV in Canada follows for discussion.

### **2.10.2 Canada**

According to the Young Women's Christian Association of Canada (YWCA) (2020:1), more than 75,000 women and children in Canada are driven from their homes because of violence and abuse. However, Anand (2020:1) thinks that some of the best systems to address GBV are found in Canada. The police are very responsive to challenges with the investigation of VAW, and the government, as well as non-government departments, are committed to supplying the necessary support to victims. Anand (2020:1) further reports that in 2016, Manitoba was the first province to provide job-protected leave to survivors of DV, giving them more social support and increasing job security. Furthermore, the Canadian Women's Foundation (2020:1) reports that every six days, a woman in Canada is killed by her intimate partner, whilst \$7.4 billion is spent yearly after these crimes are reported.

Canada's strategy to prevent and address GBV, the Gender-based Violence Strategy (2020), came into effect in 2017 and included three pillars, namely:

- The prevention of gender-based violence.
- Supporting the survivors as well as their families.
- Promoting a responsive legal and justice system.

The strategy addresses the gaps and supports the needs of diverse populations, which include women and girls as well as Indigenous women and girls, LGBTQIA+ and gender non-binary individuals. It also includes women from communities from the North, rural as well as remote areas and those with disabilities, immigrants and refugees, the youth, and older women (Anand, 2020:1). A budget of over \$500 million was provided between 2017-2023 with over \$40 million per year used for establishing, launching, and expanding the strategy and creating a GBV Knowledge Centre which will fall under Women and Gender Equality Canada (WAGE), (Canada, 2020).

An online platform that encompasses resource programmes and research evidence was launched in 2018 by the GBV Knowledge Centre. It supplies all the necessary information relating to GBV, including information on federal funding, research, valuable information in provinces and territories, and what is available to the people affected by GBV. It includes all initiatives to prevent and address GBV (Anand, 2020:1).

Table 2.2 below illustrates the various initiatives/ awareness of GBV (pillars in GBV in Canada) funded through this strategy (Canada, 2020).

**Table 2.2: Initiatives funded through Canada’s Gender-based Violence Strategy**

<b>PILLAR 1: PREVENTION OF GENDER-BASED VIOLENCE</b>	
<b>Initiative and federal organisation</b>	<b>Funding and budget year</b>
National Youth Awareness Strategy on Gender-based Violence	\$5.7 million for five years \$1.3 million per year as from the 2017 budget
Creating awareness of child sexual exploitation (PS)	\$1 million for five years \$0.3 million per year as from the 2017 budget
To develop and test innovative practices in parent support programmes to prevent the maltreatment of children	\$6 million for five years \$1.3 million per year as from the 2017 budget
To develop and test innovative practices to prevent violence in youth/teen dating (PHAC)	\$3.5 million for five years \$0.7 million per year from the 2017 budget \$26.7 million for five years \$6.2 million per year ongoing from the 2018 budget
The prevention of both bullying and cyberbullying (PS)	\$4 million for five years \$1 million per year from the 2018 budget

The development of a framework to address gender-based violence in post-secondary institutions (WAGE)	\$5.4 million for five years from the 2018 budget
<b>PILLAR 2: SUPPORTING SURVIVORS AND THEIR FAMILIES</b>	
GBV programme: It will be used to identify, pilot as well as adapt interventions used to address the shortcomings in support for Indigenous and underserved groups of survivors (WAGE)	\$29.4 million for five years \$6.2 million per year from the 2017 budget \$25.6 million for five years \$66 million per year from the 2018 budget
Support for the Canadian Centre for Child Protection (PS)	\$5 million for five years \$1 million per year from the 2017 budget
To enhance Family Crisis Teams (DND)	\$4 million for five years \$0.8 million per year from the 2017 budget
To enhance the Settlement Programme (IRCC)	\$1.5 million for five years from the 2017 budget
To train the health and allied professions (PHAC)	\$4.5 million for five years \$1 million per year from the 2018 budget
To render support to Sexual Assault Centres near Canadian Armed Forces Bases & Wings (DND)	\$2 million for five years from the 2018 budget
<b>PILLAR 3: PROMOTING RESPONSIVE AND LEGAL JUSTICE SYSTEMS</b>	
To supply cultural competency training to Royal Canadian Mounted Police (RCMP) employees	\$2.4 million for five years \$0.6 million per year from the 2017 budget
To enhance the capacity to combat online child sexual exploitation and transnational child sex offenders (RCMP)	\$19.3 million for five years \$2.5 million per year from the 2017 budget
To supply support to the Sexual Assault Review Team as well as the Victim Support Action Plan (RCMP)	\$10 million for five years \$2.5 million per year from the 2017 budget
<b>GENDER-BASED VIOLENCE KNOWLEDGE CENTRE</b>	
<ul style="list-style-type: none"> <li>✓ Lead and coordinate the Strategy</li> <li>✓ To develop multifaceted approaches to the mobilisation of knowledge</li> <li>✓ To report on the progress and results of the Strategy</li> <li>✓ To create and manage the GBV Knowledge Centre's online platform</li> </ul>	\$12.3 million for five years \$2.5 million per year from the 2017 budget
To undertake data collection as well as research in priority areas	\$30.1 million for five years \$6 million per year from the 2017 budget

(Source: (WAGE Canada, 2020)

Before the launch of this Strategy, the 2016 approach and budget made remarkable progress concerning GBV, which included the following:

- An independent National Inquiry into Missing and Murdered Indigenous Women and Girls was launched, which took over two years to the value of \$40 million.
- \$10.4 million was used to support the renovation and construction of new shelters for victims of family violence in First Nations Communities in Indigenous and Northern Affairs Canada.
- \$33.6 million was given over five years, and up to \$8.3 million was given to Indigenous and Northern Affairs Canada to enhance support shelters and the service to victims of family violence living in First Nation communities.

The 2017 budget also catered for the following:

An amount of \$5 billion was given to the Canadian Mortgage and Housing Corporation to start a National Housing fund which will ensure that critical housing issues are addressed, the prioritising of support to vulnerable citizens (which includes seniors, Indigenous people and survivors who need to get away from DV as well as persons with disabilities, mental health and addiction issues and veterans). To add to this, the following departments and agencies undertook GBV-related initiatives which were not funded under this specific strategy and critical to ending GBV, namely: Indigenous Services Canada (ISC), Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Statistics Canada, Employment and Social Development Canada (ESDC), Sports Canada, as well as the Canada Mortgage and Housing Corporation (CMHC), (Canada, 2020).

Gender-based violence in selected European countries follows.

### **2.10.3 Europe**

Despite Nordic countries in Europe being some of the most gender-equal nations globally, their IPV rates are incredibly high (Leahy, 2016:1). Leahy further adds that an average of 22% of women are lifetime victims of IPV, including 32% in Denmark, 20% in Finland and 28% in Sweden. These figures are much higher than the rest of Europe. Gracia and Merlo (2016:1) indicate that equality may lead to a higher level of

disclosure in these countries. These authors also defined the high prevalence of IPV against women as the Nordic Paradox.

In addition, the European Union Agency for Fundamental Rights (FRA) did a survey on VAW (in which there were respondents from 28 European Union (EU) states in two countries, namely Sweden and Spain), which indicated that the frequentness of physical and/or violence by partners (whether it be current/previous) started at the age of 15 (Gracia, Martin-Fernandes, Marisol & Merlo, 2019:13). This indicator further shows that the lifetime occurrence of physical and/or sexual violence against women and perpetrated by any partner is 13% in Spain and 28% in Sweden. Gracia et al. (2019:13), additionally indicated that there is a higher percentage of Intimate Partner Violence Against Women (IPVAW) in Sweden than in Spain and that the results contribute to the idea of the Nordic Paradox, in that even though there are elevated levels of gender equality, the IPVAW figures remain excessively high.

Wemrell, Marisol, Gracia and Ivert (2019:2) reported in 2017, 12 000 incidences of assault in Sweden, where the victim was in an intimate relationship with the perpetrator, of which 10 100 were females. This data can be established because specific crime codes exist for these crimes. Wemrell et al. further indicate that Sweden has several measures to address these crimes, such as national strategies, acts, trained investigators, government, assistance from police and prosecutors and shelters for women. Furthermore, Sweden has municipal services to provide programmes for perpetrators of IPV. This is per the Swedish Social Services Act (Wemrell et al., 2019:7). NGOs in Sweden also have centres where men can seek voluntary assistance. According to these authors, the consumption of alcohol is a common factor associated with IPV. This assumption is also shared by Reichel (2017) and Caman, Howner, Kristiansson and Sturup (2017). According to the European Commission (EC) (2020), the EU uses legislation to protect women and children from GBV. The EU signed the Istanbul Convention in 2017 (European Commission, 2020). The EU Gender Equality Strategy 2020-2025 provided complete guidelines to end GBV. It was established to indicate what the commission will do to work towards a union of gender equality across all policy areas to ensure that sexual discrimination and structural inequality between men and women end in Europe. The strategy and vision ensure that European women, girls, and boys are equal despite their diversity.

All people are free and able to choose their different paths in life, have equal opportunities for participation, and can be leaders in Europe.

The European Commission (2020) further illustrates the key principle of the strategy, namely:

### **2.10.3.1 Key actions**

These include combating GBV and gender stereotypes, boosting women's economic empowerment, and ensuring equal opportunities in the labour market, such as equal payment and leadership opportunities for both men and women, as well as participation in all sectors of the economy and politics.

### **2.10.3.2 Gender mainstreaming**

The European Commission (2020) further highlights that to ensure mainstreaming, a gender perspective needs to be included in all EU processes and policies. Mainstreaming consists of a gender perspective which ensures that both policies and activities address the needs and utilise the potential of women, men, boys, and girls in all their diversities.

According to the EU gender strategy (2020), 33% of women in Europe have experienced physical and/or sexual violence, 22% have experienced IPV, and 55% have been victims of sexual harassment.

The critical action of the European Commission includes the following:

- To achieve the same objectives as in the Istanbul Convention.
- If the EU's accession to the Istanbul Convention is blocked, the commission will suggest new measures in 2021 with limits of EU competence.
- Violence against women will be added to the list of EU crimes (Euro crimes). Extra measures will be suggested in the prevention and combatting of specific crimes such as particular forms of GBV, sexual harassment, woman abuse as well as female genital mutilation (FGM).
- Forced abortions and sterilizations, early forced marriages and 'honour-related violence' are forms of severe violation of the rights of women and children. The EU will make recommendations on the prevention of these harmful practices.



- An EU network of member states and stakeholders will be established to discuss good practices, training funding, capacity building, and support services.
- A Digital Services Act defining the responsibilities of online platforms will be suggested to ensure an adequately developed framework for cooperation among internet platforms and to address illegal online content.
- The introduction of an EU victim's rights strategy and improved strategy against sexual abuse of children and human trafficking.
- An EU survey will be published in 2023 to supply more data on GBV. Other forms of IPV will also be included in the study.
- An EU-wide communication campaign will be introduced to address gender stereotypes.

A discussion of GBV in Asia is presented next.

#### **2.10.4 Asia**

Rodriguez, Shakil and Morel (2018:2) attended a panel discussion on why gender-based violence prevails in Asia and the legal frameworks which are needed to protect women and girls. These authors indicate that one in three women have experienced physical and/or sexual violence in their lifetime. The following was identified and discussed during this presentation:

##### **2.10.4.1 One of the deadliest forms of violence in Asia is VAW, tragically ignored by both the government as well as lawmakers**

A report by the Asia Foundation, 'The State of Conflict and Violence in Asia', found GBV to be one of the deadliest forms of violence, which often kills more people than armed conflict, as well as other forms of escalated violence, which receives more attention from both development actors and policymakers. Moreover, 40 000 dowry-related deaths were reported between 2011 and 2015, which amounts to 10 times more than all the fatalities (all genders) of the Naxalite rebellion, the Kashmir conflict, and the Northeast India insurgencies during the same period. The Asia Foundation indicated that GBV is the first and second cause of intentional homicides in Bangladesh and Nepal.

#### **2.10.4.2 Asian countries have laws against DV, but most of these laws do not include unmarried intimate partners.**

Research conducted by the World Bank's Women, Business and Law Team against DV, and sexual harassment, found that all countries in South Asia (five), as well as East Asia and the Pacific (17), have laws against DV, although they differ. Half of the countries which have DV laws do not include protection against economic violence. Domestic laws in South Asia include protection against economic abuse. 74% of women (age 15+) in East Asia Pacific are not protected from sexual violence, and 76% are not protected from economic violence. One out of three countries worldwide protect unmarried intimate partners from DV. However, 88% of women in the East Asia and Pacific (EAP) and 100% of women in South Asia are not protected against violence by an unmarried partner.

#### **2.10.4.3 Women's legal protection is hampered by limited awareness, capacity, and a lack of political will**

Sufficient laws, legislation, and awareness campaigns exist to address this issue, and human rights organisations and activist organisations lobby for justice. Articles in the Constitution of Pakistan form part of the legal framework to address these crimes, namely the Punjab Protection of Women against Violence Act, Act XVI of 2016, Domestic Violence (Prevention and Protection) Act, 2013, Acid Control and Acid Crime Prevention Act, 2011 (Criminal Law Second Amendment Act) as well as the Protection against Harassment of Women at the Workplace Act (2010). However, the implementation is hampered due to the low public awareness regarding the existence and contents of these acts, archaic legal systems, and the insensitivity of courts toward the needs of victims.

#### **2.10.4.4 Violence against women and girls exists throughout their life cycle**

Gender-based violence exists throughout the lives of women and girls. One of the most appalling of these forms of VAWG is child marriage, of which Asia has the highest rates. This is linked to lower education, inferior employment chances and higher numbers of DV. Although the legal age to get married is 18, many countries still make exceptions to the rules.

A brief overview of GBV in the United States of America (USA) is presented next.

### **2.10.5 United States of America**

The lives of numerous women and their families in the USA are impacted by GBV (YWCA, 2017:1). GBV occurs across all races, ages, classes and ethnic backgrounds and is a widespread problem in the USA. Frye, Bleiweis and Phadke (2019:1) also indicate that GBV reaches every corner of the USA and affects people of all backgrounds. Frye et al. (2017:1), suggest that about 1 in 4 women in the USA experience IPV in their lifetime. These authors suggest that the government needs to see to it that protecting survivors is a top priority and it needs to take the necessary steps to keep stakeholders accountable. They also need to increase the support for research on GBV and its causes, perpetrators, and survivors, as well as prevention.

The USA supports various programmes to prevent and respond to GBV globally, in conjunction with the Department of State and USAID funds. The Department of State and USAID also developed new classifications for USA foreign activities which address gender and include gender equality/women's empowerment, GBV and women, peace, and security (United States of America, 2012:11). The USAID focuses on programmes addressing the prevention of GBV, programmes focusing on the root causes of GBV, the improvement of protection services, supporting legal frameworks and responses to health and economic needs of people affected by GBV. Specific attention is given to gender equality issues as included in the revised Gender Equality and Women's Empowerment Policy. The USAID also established a GBV working group chaired by the Office of Gender Equality and Women's Empowerment (United States of America, 2012:10).

Moreover, the USA has made progress in addressing GBV with the 2023 Women, Peace and Security Strategy and National Action Plan. With this Strategy, the USA renewed its commitment to UN Security Council Resolution 1325, consistent with the country's Women, Peace, and Security Act of 2017, which codified its decades-long, sustained commitment to the principles of the Women, Peace, and Security agenda. This updated Strategy reflects critical shifts in the USA's global landscape – including geopolitical changes, a rise in climate-related crises, and advancements in technology. It maintains a focus on, among other efforts, the promotion and protection of the human rights of women and girls and preventing and responding to all forms of GBV across the continuum of peace, conflict, and crisis contexts, including conflict-related

sexual violence (United States Strategy and National Action Plan on Women, Peace, and Security, 2023).

Lastly, an overview of GBV in the United Kingdom (UK) is presented.

### **2.10.6 United Kingdom**

According to Tudor (2023:np), statistics show that in England and Wales in the year ending March 2022:

- 9% of women aged 16 and over were victims of domestic abuse in the last year.
- 3% of women aged 16 and over were victims of sexual assault in the last year.
- 9% of women aged 16 and over were victims of stalking in the last year.
- 8% of women aged 18 to 74 experienced abuse before the age of 16.

In addition, Grierson (2021:np) highlights that women and girls are being subjected to an epidemic of violence that requires a “*radical and bold*” shift in how authorities in England and Wales tackle crimes that disproportionately affect female victims. Moreover, in an interim report, His Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) calls for councils, schools, health and social care bodies and all areas of the criminal justice system to work together to address the problem, as police “*cannot solve this alone*”. Among the inspectorate’s recommendations were a call for an “*immediate and unequivocal commitment*” that the response to violence against women and girls is an “*absolute priority*” for government, policing, the criminal justice system, and public sector partnerships – backed up by funding. According to the European Institute for Gender Equality (EIGE) (2020:1), the cost of GBV against in the UK is more than €32.5 billion, compared to the cost of GBV in the EU, which is nearly €226 billion. This amounts to 87% of the total cost of GBV to the EU, estimated to be nearly €256 billion.

The Violence Against Girls Strategy 2016-2020 was published in March 2016. The Home Secretary, Theresa May, indicated in her foreword that “*Behind our strategy was this simple proposition: no woman should live in fear of violence, and every girl should grow up knowing she is safe so that she can have the best start in life*”. May (2016) explains that the strategy includes strengthening the legislative framework, introducing new offences including stalking, and ensuring that forced marriages are now a crime. She also indicates that the legislation intends to change attitudes to

prevent these crimes and provide funding for specialist support services and national helplines. May (in UK Government, 2016) wants to ensure that assistance is available to victims and indicates that transformation and service provision are necessary to supply support to local commissioners. She suggests that the government will ensure that the best examples of local practice are accessible, together with the necessary data, information, and tools to lead to an integrated, effective, and complete family approach to end violence and abuse. May (in UK Government, 2016) indicated that government pledged £ 8 million to assist with the services needed as well as frontline work, for example, refuge and rape crises centres, as well as the launch of a dedicated Service Transformation Fund to ensure that new approaches are met and to ensure that victims, and their families have access to the best options of assistance and to assist offenders to avoid recidivism.

The Minister for Preventing Abuse, Exploitation and Crime, Karen Bradley, echoes the sentiments of the Home Secretary and adds that all forms of VAWG will be tackled. Bradley further reiterates that services need to be accessible to victims when needed and that the necessary support must be provided to local commissioners, which will include a local and international approach of both local and international experts to drive the transformation.

According to the UK Government (2016:np), the strategy framework has the following pillars, which were identified in 2010, namely: prevention, provision of services, working partnership and tracing perpetrators.

#### **2.10.6.1 Preventing violence and abuse**

Social norms, attitudes and behaviour which is against women and limit them will be challenged. An investment of £3.85 has been made towards a new national campaign to educate, inform, and challenge young people and inform them about healthy relationships. It will be in partnership with, e.g. the Personal, Social, Health and Economic (PSHE) Education Association, leading head practitioners and partners to ensure that schools have access to the necessary resources regarding healthy relationships.

The new strategy will assist professionals in identifying as well as dealing with the early signs of abuse, putting an end to violence before it starts and averting abusive behaviour from becoming part of perpetrators (UK Government, 2016:9).

#### **2.10.6.2 Provision of services**

The aim of this strategy is that early intervention and prevention will be the norm and not the response to a crisis. This will be possible if there is a change across all vital services such as support centres, Forced Marriage Units, and refugee support services. Victims will be afforded collaborated assistance from critical services and agencies nationally and locally. The primary purpose of this strategy is that all services meet the needs of both women and girls who are the victims of violence. A National Statement of Expectations (NSE) will be published for all parties to know and understand what is expected of them.

The needs of all victims, including girls from Black and Minority Ethnic (BME) Communities, LGBTQIA+ women, adults who were victims of childhood abuse, disabled women, and female offenders who are victims of violence and abuse, will be addressed. The UK Government will supply £80 million to assist with providing services. This will be used to ensure that no woman will be turned away when she needs assistance. It will also cover core support for refugee services and specific provisions will be made for women from BME backgrounds. Assistance will also be provided with the funding of rape support centres and national helplines. Other programmes from the UK government were used to address VAWG, which included the £200 million invested previously in The Troubled Families Programme and another £720 million for this programme up until 2020.

#### **2.10.6.3 Working partnership**

To address VAWG, national, local, and regional partnership arrangements are necessary, which will run across these boundaries to aid and support victims of abuse and violence. Earlier intervention will also be created with the assistance of voluntary sector partners. The government has the ambition to ensure that awareness and response are everyone's business across all professions, agencies, and the public.

#### **2.10.6.4 Pursuing perpetrators**

To address VAWG, a proper CJS is necessary. The new crime, namely domestic abuse, concentrates on a shortcoming in the law and will address the gap by focusing on coercive and controlling behaviour. Data analytics will be used for a more targeted approach, and body cameras will be used to ensure that evidence is gathered to be used. GPS technology will ensure the timely protection of victims. Focus will also be placed on protecting victims from online abuse and stalking – to ensure this, the abilities of police and prosecutors will be strengthened to identify these crimes as well as ensure the prosecution of perpetrators. The government intends to support interventions that will lead to the sustainability of behaviour and changes in perpetrators to reduce VAWG and prevent re-offending.

The Inter-Ministerial Group, which the Home Secretary will chair, will oversee this strategy. Performance transparency will include local democratic accountability, monitored by Police and Crime Commissioners (PCCs), elected mayors and local authorities. Data needs to be published and supplied to ensure accountability (UK Government, 2016:13). The UK government also intends to establish a programme in developing countries to put an end to the use of sexual violence in conflict. The government plans to cooperate with international partners to assisting with the sustainability of VAWG work in developing countries with UN agencies, CSOs, and other governments to ensure that international action is taken to implement the Global Goals Targets on all forms of VAWG and harmful practices.

“Ending Violence against Women and Girls is a top priority for the UK Government both at home and abroad. In the last parliament, we made significant steps to bring previously hidden crimes to light, but more must be done. In my role as Ministerial Champion for Tackling Violence Against Women and Girls overseas, I will focus on all forms of violence, including domestic violence, sexual violence, FGM, and child, early and forced marriage. I am committed to playing my part by engaging with leadership across the UK Government and international partners to deliver our commitments in this refreshed strategy”. Baroness Verma is the Ministerial Champion for Tackling Violence Against Women and Girls Overseas. (UK Government, 2016:13).

The vision of this strategy (2016:14) includes the following:

- A decrease in VAWG victims is made possible by challenging social norms, attitudes and behaviours which discriminate and limit women and girls. To educate

and inform and challenge young citizens regarding healthy relationships, abuse, and consent.

- Intervening and prioritising, identifying women and girls who may be in a situation to avert a crisis and ensure that women and their children are afforded the assistance needed.
- To afford women and girls access to support when necessary and supply the necessary information when making decisions.
- Vulnerable victims can access specialist support, accommodation, and other necessary services.
- Strong partnerships will ensure that services will be able to identify the signs of abuse in families on a local level and to do the necessary intervention.
- It will be possible for victims of violence and abuse to have access to public services, and trained personnel will be able to supply the necessary assistance in these matters.
- Representatives with leadership, the necessary political will, and senior accountability will be elected in Wales and England.
- Local leaders will be held accountable through the necessary data to establish whether needs are met.
- With an improved judicial system, offending will decrease, and emphasis will be placed on changing the perpetrator's behaviour by disruption and support.

Shortcomings concerning the implementation of the South African DVA follow for discussion. The DVA was a crucial step towards addressing and preventing DV. However, its implementation has faced significant challenges, revealing shortcomings hindering its effectiveness. From issues surrounding awareness and education to gaps in enforcement mechanisms, the discourse on implementing the DVA underscores the need for comprehensive reforms to better protect victims and promote a safer society.

## **2.11 THE DOMESTIC VIOLENCE ACT: SHORTCOMINGS IN IMPLEMENTATION**

In 2016, a workshop was hosted by the Western Cape Police Ombudsman and the Western Cape Department of Community Safety, partnering with the Gender, Health, and Justice Research Unit of UCT, where the shortcomings concerning the effective implementation of the DVA were discussed.



Pikoli (2016:np), the Western Cape Police Ombudsman, mentioned in his presentation that collective failures need to be acknowledged to improve the implementation of the DVA. Pikoli suggested a need for excellence when implementing the Act, not only in certain areas. He further indicated that the DV rate is alarming and the measures which exist need to be used by victims, communities as well as those affected by the Act. Pikoli also mentioned that underreporting is a challenge but stressed that the reported cases need professional attention, including full support and cooperation from the system. According to him, each stakeholder must have a renewed and continued commitment to the obligations in the Act to ensure effective implementation.

Artz (2016:5), a Professor from the Gender, Health, and Justice Unit at UCT, mentioned that since the proclamation of the DVA, about 19 000 women have been murdered by their intimate partners. This excludes the number of children who died in these incidents or were direct victims of DV. Artz (2016:np) further indicated that compliance with the DVA and SAPS National Instructions is problematic and that there is an explicit duty placed on the SAPS by legislation and instructions. However, according to Artz, these expectations lose effect when:

- The oversight mechanism is weak.
- There is no monitoring or reviewing of case disposition.
- Too much police discretion is allowed by the law.
- SAPS National Instructions are not reviewed, practised, or enforced regularly.
- National instructions seem to be too difficult for police to enforce.
- The emphasis on compliance is placed on numbers instead of service.

Current training and systems prove to be problematic according to research evidence indicating the following:

- The quality of training is not up to standard compared to the number of people trained.
- The necessary documents, such as the Occurrence Book (SAPS 10), Incident Forms (SAPS 508(a)) AND the SAPS 508(b)-Domestic Violence Register are not completed correctly (Artz, 2016:6).

Moreover, Artz (2016:7) suggested that both the SAPS DV Incident Report (SAPS 508 (a) and SAPS 508 (b) DV Register need to change. The Incident Form confuses the current and past events and accepts that police are the first point of contact, which is not always correct. Artz suggests that members need to be supplied with comprehensive instructions on how to fill out both the DV Incident Report (SAPS 508(a) and the DV Register (SAPS 508(b)). The SAPS members also need training on how these records must be appropriately utilised.

Additionally, Artz (2016:7) proposed that the SAPS 508(b), which is a remarkably effective management tool, needs to include the following:

- A section for the complainant and the SAPS member must be signed.
- A section to verify if the complainant was informed of their rights.
- A section indicating if (i) the accused is in possession of either a firearm or a dangerous weapon, as well as (ii) if the complainant wants the firearm to be removed.

Paule (2016:np), SAPS Section Commander of Gender-Based Violence and Victim Empowerment, in his presentation, included the following four central focus areas:

- The legislative framework regarding DV.
- The SAPS programme of action.
- Flow charts indicate the duties of first responders, Community Service Centre Commanders, and the Domestic Violence Co-coordinator.
- Critical issues regarding policing DV cases.

He further indicated the streamlining of efforts by SAPS for reporting complaints and service practices. Paule (2016:8) further acknowledged that the efforts on the ground level are not always comparable with policy-level initiatives. He presented the ideal-services level practices that the SAPS should undertake, indicating that outcomes will improve should these services be followed. The Legislative framework places certain obligations on the police.

**Table 2.3: Legislative obligations of police**

<b>ACT</b>	<b>OBLIGATION</b>
<b>Domestic Violence Act 116 of 1998</b>	Supplies instructions to members of SAPS receiving complaints of domestic violence
<b>SAPS National Instruction 7 of 1999</b>	Provides clear instructions on how members of SAPS should respond to domestic violence complaints per the DVA
<b>Contents of National Instruction 7 of 1999</b>	<ul style="list-style-type: none"> <li>• Supplies a definition of DV</li> <li>• Describes responsibilities of members, Community Service Centre (CSC) as well as Station commander</li> </ul>

(Source: (Paulse, 2016:np)

Paulse (2016:np) also mentioned the various efforts by SAPS to improve compliance with the DVA, namely:

- Ongoing training of members: the 5-day training offered in 2016 needs to be extended to 2 weeks.
- Visits to stations to ensure compliance.
- The appointing of DVA coordinators at all stations.

Paulse further mentioned the following Directives were circulated to the different stations within the province:

- Appointment of the DVA and VEP Coordinators.
- Provincial Instructions.
- A DV Procedure Guide.
- The implementation of the Non-Compliance Notification.
- Members involved in DVA implementation.
- The administration of Protection Orders.
- The standard operational procedures must be followed against members for alleged non-compliance with the Act, Regulations, and National Instructions.
- Provincial instruction 29/2013 deals with non-compliance by members.
- Provincial Instruction 29/2013, where SAPS members are alleged perpetrators of DV.

- Provincial Instruction 1/2014 deals with the registration of cases relating to DV.
- Flow charts indicated the responsibilities of first responders, the CSC commander, and the DVA coordinator.

Singh (2016:np) from the DOJ&CD discussed the following in her presentation:

- Several violence prevention initiatives from DOJ&CD are awaiting comments.
- The department acknowledged and needed to deal with the effects on children, older people, and families.
- The number of withdrawal rates in these cases was of great concern.
- Victims of DV do not return to finalise orders.
- Victims do not know the court process.
- The Form 4 (application for a Protection Order) was translated into 11 official languages and a braille booklet for people who are blind.
- Victims of DV lose faith in the systems due to a lack of knowledge.
- Further research on the implementation of the DV was needed.
- Under-reporting of these cases, as victims do not seek assistance.
- Fifty-one courts were dealing with these cases at the time of the workshop in the Western Cape, and most of them were equipped with CCTV cameras and 55 clerks who specifically dealt with DVA protection orders. These clerks are trained regularly.

Africa (2016:np), an advocate and then acting head of the Sexual Offences and Community Affairs Unit at the NPA, acknowledged that the DVA is a multi-disciplinary issue and needs a comprehensive approach. The response needs to be a coalition by all stakeholders at each stage when dealing with DV. She also mentioned the following challenges she experienced:

- Withdrawal of DV cases by complainants, which leads to police and prosecutors not responding positively on these matters.
- The fact that the different crimes such as assault, assault (GBH) and attempted murder are not always indicated as DV.
- Different challenges are experienced but not always reported or understood by monitoring forums.

- Protection orders are not served on time or not served at all.
- Insufficient shelters with the necessary support structures.
- Insufficient socio-support for complainants.
- Communities do not take responsibility for reporting DV matters and look the other way.
- There is a lack of accountability amongst stakeholders regarding DV.

Africa suggested the following interventions and responses:

- Awareness raising and education.
- Training of frontline staff.
- Departmental policies, circulars, national instructions, and monitoring of complaints about DV.
- Specific criteria before prosecutors withdraw DV cases.
- *Imbizo*, as well as sessions to be held with traditional and religious leaders regarding DV.
- Training of prosecutors regarding DV.
- Thuthuzela Care Centres see few victims of DV.
- The DSD launched one-stop centres, i.e. Khusuleka Centres.

Africa also suggested the following to address DV:

- A more comprehensive approach is needed.
- Possible cooperation with the sheriff's board and other law enforcement agencies to assist with serving protection orders.
- Communities, ward councillors, and other leaders should play a more significant role.
- Response teams within corporate structures and the government should supply prevention and response.
- Domestic abuse and harassment policies need to be developed by corporate businesses.
- Supervisors need to take responsibility in the workplace to deal with DV.

Xongwana (2016:np), the then Deputy Director of Monitoring and Evaluation of the Civilian Secretariat for Police Service (CSPS), responsible for monitoring and evaluating the compliance to the DVA by the police as well as making recommendations to the police regarding disciplinary procedures and measures to address non-compliance of the DVA, discussed findings from the DVA Compliance reports. Xongwana further discussed the challenges the CSPS faced concerning monitoring compliance. The CSPS is also responsible for supplying regular reports to the Minister regarding implementing and complying with the directives and instructions.

Regarding compliance with the DVA, Xongwana (2016:np) indicated that compliance levels by SAPS are unacceptable. Xongwana added that the SAPS needs 100% compliance; over the years, things have improved, but they are not 100% yet. She further discussed specific non-compliance by SAPS members and indicated that the figures showed that non-compliance by members had increased as follows:

Table 2.4 below illustrates SAPS's GBV compliance levels between October 2012 and 2016.

**Table 2.4: The GBV compliance levels by SAPS between October 2012 to 2016**

<b>NON-COMPLIANCE</b>	
<b>Fiscal year</b>	<b>Number of non-compliance</b>
Oct 12 – March 13 2012/20133	15
2013/2014	237
2014/2015	218
2015/2016	235

(Source: Xongwana, 2016:np)

Xongwana (2016:np) mentioned that the figures might be increasing due to improved recording and reporting mechanisms. The sanctions imposed are minimal and may also contribute to figures not decreasing. Xongwana believes that the SAPS needs to improve its non-compliance measures and that some staff members also commit DV, which poses a severe challenge to the SAPS. She said that the SAPS need to take quick and proper action to repair the negative impact on their image. Lastly, she commented that the handling of incidents remains poor regarding removing firearms,

disciplinary/criminal processes, and referral to the Employee Health and Wellness Programme (EHWP).

Moreover, Xongwana (2016:np) indicated that the number of SAPS members committing DV increased in the 2015/2016 fiscal year, and the CSPS recommended that these cases must not be investigated at the station level but at the cluster or provincial level. She further mentioned that there are challenges, such as delays in the amendment of the DVA and the national instructions, which negatively impact the role of oversight by the CSPS and that the understanding and interpretation of the national instructions are inconsistent within the SAPS. Xongwana further identified gaps in the SAPS administrative systems and the fact that incidences are not correctly recorded in the Register (SAPS 508(b)). According to the author, the SAPS is the first responder in the CJS, and they must supply victim-friendly service, but she adds that other role players also need to play their part.

Xongwana (2016:np) indicated other challenges:

- The transition process to change the mandate from the Independent Police Investigative Directorate (IPID) (formerly known as the Independent Complaints Directorate (ICD)) to the CSPS has not been a proper process.
- The National Instruction is unaltered and still refers to the ICD.
- Monthly reports were not received from stations, which caused statistical anomalies and irregularities.
- Unlike the IPID, the SCPS does not have the power to investigate matters.
- Getting the investigative powers will be a lengthy process because an amendment to the IPID Act is needed.
- The SAPS did a review of its training in 2014, but at the time of the workshop, the report was still not made available.
- A joint report regarding the DVA, which will provide an overall picture, needs to be presented to Parliament by all stakeholders.

The following recommendations were made by Xongwana (2016:np):

- The workshop hosted in 2012 by SAPS, where critical areas of interventions were identified for SAPS registers and national instructions, need to be finalised.

- The amendment of the DVA and the National Instruction need to include a clause on coordination and cooperation, and consequences must be implemented for failure.
- Stakeholders should share a coordinated accountability with a joint report.
- The SAPS must collaborate with local CSOs who can assist in capacity-building initiatives and provide psychosocial services, which must be included in the National Instruction.
- The CSPS, SAPS, and NPA need to coordinate awareness campaigns.
- The CSPS will explore the SAPS handling of non-compliance by its members by embarking on an in-depth study, which will include an analysis of the directives issued, an analysis of the sanctions imposed on members as well as the role of management and this report needs to be finalised by December 2017.
- The SCPS will be visiting stations around the country to make a census approach for 2016/2017 regarding station monitoring of the compliance of the DVA.

What is more, Mogstad, Dryding and Fiorotto (2016:12) highlight the challenges in implementing the DVA, stating the complexity of this issue makes it difficult for police as it is a private matter and for the police to intervene, the victim needs to identify the abuse as a crime and deem it necessary to report it as such. Mogstad et al. (2016:13), are further of the view that steps need to be taken to minimise social costs related to GBV victims seeking assistance from the police. These authors believe there is a need for empathic and sensitive policing when it comes to GBV and that both internal and external oversight regarding the implementation of the DVA is necessary.

SANews (2023a) reports that the children of South Africa called for a review of the NSP-GBVF. According to the article, children believe that the document should have a seventh pillar which will deal with violence against children. They were further of the opinion that the drafters of the document only made a glossary of issues relating to LGBTQIA+ communities, not understanding the experiences of children who are non-binary or have various sexual identities.

SANews (2023b) also reported that there is a need to prioritise the implementation of the National Strategic Plan (NSP) for dealing with this second pandemic, namely gender-based violence and femicide.



Miza (2023:1) states that although the government launched a ten-year National Strategic Plan in 2020, it has not been implemented. He further mentions that three new laws have been passed to improve the CJS's response to GBV, enhance the protection of survivors, and strengthen prevention strategies. He said President Cyril Ramaphosa also pledged R1.6 billion to counter GBV. According to Miza (2023:2), challenges such as insufficient funding, budgetary constraints, and the lack of effective coordination among government departments hinder the implementation of the GBVF-NSP. Inadequate training on the legislative changes, too few GBV shelters, too few rape kits, and financially strapped shelters, where also mentioned as obstacles to assisting GBV survivors. Hlathi (2023:1) states that the National Assembly finally unanimously passed the National Council on Gender-based Violence and Femicide Bill. This needs to be sent to the National Council for Provinces for concurrence and has thus not been implemented yet.

According to McCain (2023:1), President Cyril Ramaphosa signed off on three legislations that amended critical areas in the fight against GBV. The three include the Criminal Law (Sexual Offences and Related Matters) Amendment Bill, the Criminal Law and Related Matters Amendment Bill, and the Domestic Violence Amendment Bill. This new legislation will ensure that all sexual offenders are listed on a national register. It will also make it much easier for victims to testify in court and provide a support structure for implementing protection orders.

## **2.12 CHAPTER SUMMARY**

This chapter dissected the phenomenon of GBV in South Africa, spanning various critical aspects. It began by exploring the country's historical roots and prevalence of GBV. The discussion then shifted to a focused analysis of GBV during the COVID-19 lockdown, shedding light on the exacerbation of existing challenges. The chapter examined legislative approaches, both domestically and through international conventions, aimed at addressing GBV. Drawing from selected instances of GBV in South Africa it underscored the urgency for effective policy interventions. A critical evaluation of policy shortcomings, accountability issues, and the CJS formed a pivotal section, highlighting systemic challenges. The consequences of GBV were elucidated, emphasising the profound impact on individuals and society. The narrative also explored ongoing efforts to combat GBV within South Africa and on the global stage.

An international perspective on GBV underscored its transnational nature. The chapter concluded with a comprehensive overview of the implementation of the DVA, exposing significant shortcomings that impede its ability to address the intricate dimensions of GBV effectively.

In the next chapter, the researcher turns her attention to policing strategies in response to GBV.

## **CHAPTER 3: POLICING STRATEGIES IN RESPONSE TO VIOLENCE AGAINST WOMEN AND GIRLS**

### **3.1 INTRODUCTION**

Addressing VAWG requires a nuanced understanding of the multifaceted challenges across diverse societies. Law enforcement agencies worldwide have recognized the urgency of implementing effective strategies to combat VAWG, considering it a pervasive violation of human rights. Current international policing strategies, identifying best practices, and exploring challenges and gaps will be explored in this chapter. Thus, this chapter explores the complex landscape of policing strategies in response to VAWG within the context of contemporary societal challenges, aiming to contribute to the evolving discourse surrounding effective policing interventions against VAWG.

The following discussion will probe international policing strategies to address VAWG, exploring successful initiatives and the ongoing challenges in fostering a safer and more equitable global community for women and girls.

### **3.2 INTERNATIONAL POLICING STRATEGIES TO ADDRESS GENDER-BASED VIOLENCE**

GBV is a pervasive global issue that demands a comprehensive and nuanced response from police organisations internationally. Various policing strategies have been implemented across continents, countries, and regions to address this pressing concern. Recognising the urgency of addressing GBV, international police organisations have implemented a range of strategies to combat GBV. A significant aspect of these efforts involves developing and implementing specialised policing strategies tailored to the unique challenges associated with this phenomenon. Countries around the world have adopted diverse approaches. One notable strategy is community policing, which emphasises building trust and cooperation between law enforcement agencies and local communities.

Countries like Sweden and Canada have successfully integrated community policing models to address GBV by fostering open dialogue, encouraging survivors to come forward, and promoting community education on the signs and consequences of GBV. Canada has adopted a victim-centred approach, prioritising survivor support and

rehabilitation, while in Europe, efforts have been made to harmonise legal frameworks and enhance cross-border cooperation to tackle transnational aspects of GBV. Additionally, the establishment of specialised units within police forces dedicated to handling GBV cases has proven effective in countries such as the UK and Australia. These units, equipped with specialised training and resources, enhance the sensitivity and responsiveness of law enforcement to the unique needs of GBV survivors. Furthermore, international police organisations have increasingly embraced technology as a tool to combat GBV. The UK has implemented multi-agency response models, bringing together law enforcement, healthcare, and social services to create a comprehensive support network for survivors. Innovations such as hotlines, mobile applications, and online reporting platforms have been employed to provide accessible and confidential avenues for reporting incidents of violence.

In South America, initiatives have been developed to strengthen the police's capacity to handle GBV cases, emphasising the importance of collaboration between police and social services. In Asia, the focus has often been on community engagement and awareness programmes to challenge deeply rooted cultural norms perpetuating GBV. In the USA, various districts have implemented specialised units and task forces to address DV and sexual assault, emphasising a collaborative approach involving law enforcement, NGOs, and community organisations. Scandinavia, known for its progressive social policies, has significantly emphasised prevention through education and awareness campaigns. India has witnessed the introduction of specialised units and dedicated helplines to enhance the reporting and investigation of GBV cases. Despite these diverse strategies, shared challenges persist, such as underreporting, stigma, and inadequate resources.

While these strategies have demonstrated successes, challenges persist. Variability in legal frameworks and cultural norms across different countries can impede the uniform implementation of best practices. Additionally, resource constraints and inadequate training for law enforcement personnel may hinder the effective response to GBV cases. International collaboration and information-sharing mechanisms become paramount to address these challenges. Collaborative efforts, such as exchanging best practices and joint training programmes, facilitate a more cohesive global response to GBV. As international police organisations continue to evolve their

strategies to address GBV, a comprehensive approach that integrates community engagement, specialised units, and technological innovations emerges as a promising avenue. Lessons learned from successful initiatives and ongoing efforts to overcome challenges contribute to the collective pursuit of a world free from GBV.

Lessons learned from successful interventions underscore the importance of an integrated approach, combining legal reforms, community engagement, and victim support. Best practices often involve inter-agency collaboration and integrating GBV training into law enforcement curricula. Challenges include the need for cultural sensitivity, overcoming deep-seated patriarchal norms, and addressing gaps in legal frameworks. As international police organisations navigate these complexities, a collective learning process emerges, providing valuable insights into effective strategies while reinforcing the urgent need for a global commitment to eradicate GBV.

In the global pursuit of eradicating GBV, international policing strategies have emerged as crucial benchmarks, offering a nuanced framework that transcends borders. The following discussion provides an overview of policing strategies implemented by various international police organisations to address GBV. Best practices from diverse contexts underscore the importance of a multifaceted approach, combining law enforcement, community engagement, and victim support. Challenges encountered in implementing these strategies shed light on common pitfalls and inform tailored solutions, fostering a collective learning experience.

Policing strategies in response to GBV in Latin America follow for discussion.

### **3.2.1 Latin America**

When DV was criminalised in countries like Australia, the USA, and the UK, many saw this as a victory, as the state took responsibility for VAW. The problem was that its policing was delegated to a masculinised police force ill-equipped to respond to survivors of gender violence. However, Latin America took a different path, establishing women-led police stations explicitly designed to respond to the survivors of gender violence (Carrington, Sozzo, Ryan & Rodgers, 2022:577). These women-led police stations were intended explicitly to receive women victims of GBV, which emerged in Latin America in the 1980s, the first one in São Paulo, Brazil, in 1985 (Hautzinger, 2002:2007).

In Argentina, the establishment of women's police stations marks a pioneering initiative aimed at transforming the landscape of justice and safety for women. These specialised stations, predominantly staffed by female police officers, play a crucial role in addressing and preventing GBV. Their inception was driven by a profound commitment to empower women to break free from the clutches of DV, offering a haven where victims can seek assistance without fear or judgment.

These police stations serve as more than just law enforcement hubs; they embody a comprehensive approach to justice. The stations operate as pillars of empowerment, equipping survivors with the tools and resources needed to reclaim their lives. Through community outreach and education, they strive to respond to instances of GBV and prevent such occurrences, fostering a culture of respect and equality. In this multifaceted endeavour, the collaboration of both female and male officers underscores the collective commitment to creating a safer, more equitable society for all.

Carrington, Guala, Puyol and Sozzo (2020:1) highlight Women Police Stations (WPSs) in Argentina, which, according to these authors, increase access to justice, prevent GBV, and empower women to release themselves from the domination of DV. These police stations deal primarily with female victims of violence but also cater for male victims and members of the LGBTQI+ community (Carrington et al., 2020:52). These police stations, operated mainly by female police officers, also have male members, and their primary purpose is to respond and prevent GBV. These police stations are situated in houses within neighbourhoods and shop fronts, which is victim-friendly, where children are kept busy whilst mothers discuss the circumstances of violence experienced.

Carrington et al. (2020:1), further explain the costs involved in establishing these police stations are less as there are no holding cells and other logistics needed by regular police stations. They differ in appearance, protocols, policies, and ways of responding to gender violence. They operate on a 24-hour basis and provide an emergency response. These police stations are explicitly designed to deal with victims and function in multi-disciplinary teams with social workers, psychologists, lawyers, and police members (Carrington et al., 2020:48). They are designed specially to receive victims and not offenders and are situated within the community (Carrington

et al., 2020:49). Victims are provided with food, clothes, and support, which are donated by either the community or police members. Moreover, these police stations also have monthly community prevention campaigns where they engage with communities and organisations (e.g., women's groups, religious organisations, schools, and hospitals). These community prevention campaigns are held to raise awareness and build local networks and partnerships with the community (Carrington et al., 2020:56).

However, Carrington et al. (2020:58), found that insufficient resources, such as budget constraints, adverse working conditions, excessive workload, and inadequate vehicles hamper these police stations. In addition, it was found that support services, such as social workers, are also not available on a 24-hour basis. Moreover, it was found that the police members experienced elevated levels of stress, needed more assistance from frontline workers, and needed counselling themselves as they dealt with violence daily.

According to Carrington et al. (2020:60), the strategies to respond to and prevent GBV are as follows:

- Dealing with high-risk cases which lead to femicide.
- They aim to break the cycle of violence by using specific interventions to work with both victims and offenders to change violence.
- These police stations specialise in the criminal justice response and respect the wishes of the victims, who might not want to follow the criminal justice route (Carrington et al., 2020:60).

Carrington et al. (2020:63), suggest that other nations should take this specific model of policing GBV into consideration to prevent gender violence.

### **3.2.1.1 Best Practices from Latin America**

The SAPS can draw valuable lessons from the Latin American initiative of establishing women-led police stations to address DV, GBV, and VAWG. Firstly, the SAPS can learn the importance of creating specialised police stations exclusively dedicated to responding to survivors of gender violence. These stations should be staffed predominantly by female officers trained to handle such cases sensitively and

effectively. By establishing these specialised stations, SAPS can ensure survivors have a safe space to seek assistance without fear of judgment or retribution.

Moreover, SAPS can adopt a comprehensive approach to justice, like the one implemented in Latin America. These women-led police stations should not only focus on law enforcement but also provide survivors with the necessary resources and support to reclaim their lives. This may include collaborating with social workers, psychologists, and lawyers to offer holistic assistance to survivors.

Additionally, SAPS can prioritise community outreach and education to prevent instances of GBV. By engaging with local communities and organisations, SAPS can raise awareness about the issue of gender violence and build partnerships to address it effectively. Community prevention campaigns, like those conducted in Latin America, can be crucial in fostering a culture of respect and equality. However, the SAPS must also be mindful of the challenges faced by these women-led police stations, such as budget constraints and inadequate resources. Efforts should be made to address these issues and ensure the stations have the necessary support to carry out their mandate effectively. By adopting the lessons from the Latin American initiative, SAPS can enhance its policing strategies to better respond to and prevent VAWG in South Africa.

Policing strategies in response to GBV in Asia follow for discussion.

### **3.2.2 Asia**

All Women Police Stations (AWPS) established in South Asia increased the reporting as well as the satisfaction of survivors of GBV, according to Nair, Darak, Bhumika, Darak, Matthews, Ratheebai and Anjali (2017:9). Nair et al. (2017:21), further indicate that WPS which engages and provide psycho-social support to women are well established in a few South Asian countries which includes India and Pakistan, but most of them function in a limited way. They also indicate that AWPS need to be empowered, making sure that they have sufficient infrastructure to ensure that more women are attracted to joining the police service. In addition, gender discrimination in the workplace must be eliminated and the safety of female police officers must be ensured. Nair et al. (2017:27), suggest that gender-sensitive training is needed to address gender bias as well as cultural practices within police services in Pakistan



and South Asia. These authors believe that fully equipped, one-stop service centres (preferably situated in hospitals) are essential to providing different services to GBV victims. Additionally, there is evidence of the feasibility of special police units in the South Asia region, and the intervention has been accepted by communities, increasing the level of reporting of GBV cases. Most often, special units are situated within the police station. Hence, efforts are required to make the community aware of them and to address the stigma associated with visiting a police station. However, accessibility and availability of services and infrastructure would be critical in ensuring its impact (Nair et al., 2017:9). In agreement, Tahir (2013:np) believes that women's participation in law enforcement services improves the quality of the services and enhances operational effectiveness. Tahir further highlights a study conducted by the UN on women in South-East Asian law enforcement, which has found that "*agencies with more representative workforces benefit from higher levels of trust from the populations they serve*".

In addition, in response to policing GBV in Myanmar, the UNODC (2023) coordinated a series of trainings on effective police responses, reaching more than 1700 frontline police officers across each of Myanmar's states/regions between mid-October 2019 and the end of January 2020. The orientation training, which was a joint initiative led by UNODC in collaboration with UNICEF, UNFPA and UN Women, developed the ability of participating Myanmar Police Force (MPF) officers to respond effectively to incidents of GBV, as well as provided them with tools to assist in the prevention of GBV before it occurs. Frontline police officers have a pivotal role to play in overcoming these challenges, as they are often the first responders following GBV. These police officers' positioning is therefore critical to ensuring cases are reported, that survivors can access necessary services and that perpetrators of GBV are prosecuted in line with the law. Additionally, as figures of authority working closely with communities, the police have a significant role in facilitating conversation around GBV and in determining community attitudes about appropriate responses. The GBV response trainings are part of an ongoing partnership between UNODC and the MPF to reduce the incidence of GBV and to ensure perpetrators face justice more frequently. Since 2016, UNODC has worked with the MPF towards developing standard operating procedures for police following cases of GBV, creating Myanmar-specific manuals, implementing a female officer recruitment and retention strategy, and holding several

trainings to improve coordination between the MPF and other relevant actors, including the Union Attorney General's Office (UAGO), health officials and civil society (UNODC, 2023).

### **3.2.2.1 Best practices from Asia**

The SAPS can draw valuable lessons from initiatives implemented in South Asia and Myanmar to enhance their strategies in addressing DV, GBV, and VAWG. Firstly, establishing specialised units such as AWPS can increase reporting and survivor satisfaction, as seen in South Asia. These units should provide law enforcement and comprehensive psycho-social support to victims. To ensure their effectiveness, SAPS must empower these units with sufficient infrastructure and resources while also promoting gender equality within the police force itself. Moreover, gender-sensitive training is crucial to address biases and cultural practices within the police service. By implementing training programmes like those conducted by the UNODC in Myanmar, the SAPS can equip frontline officers with the necessary skills to respond effectively to GBV incidents. These training initiatives should address incidents, prevention, and community engagement.

Furthermore, the SAPS should prioritise the establishment of one-stop service centres, preferably situated within hospitals, to provide holistic support to GBV victims. These centres should offer assorted services, including medical assistance, legal support, and counselling, in a safe and accessible environment. Additionally, increasing women's participation in law enforcement, as Tahir (2013) advocates, can improve the quality of policing services and enhance operational effectiveness. SAPS should implement recruitment and retention strategies to attract more women to the police service. Overall, by adopting these lessons from successful initiatives in South Asia and Myanmar, SAPS can strengthen its efforts in combating domestic violence, GBV, and VAWG, ultimately ensuring justice for survivors and accountability for perpetrators.

New Zealand's Family Violence Interagency Response System (FVIARS), which aims to enhance the management of family violence, follows for discussion.

### **3.2.3 New Zealand**

The FVIARS is a collaborative initiative to enhance the management of family violence cases reported to the New Zealand (NZ) Police. The FVIARS strives to facilitate coordinated responses among various agencies to address family violence incidents effectively. The model offers guidelines for agencies regarding initial response, post-incident assessment, risk response planning, cross-sector support for victims, child safety, and offender accountability. A key feature involves regular interagency meetings to evaluate reported cases, plan responses, and monitor progress. Implemented nationwide in December 2006, FVIARS operates across NZ. The development and national rollout involved three core agencies: Child, Youth and Family (CYF), NZ Police, and the National Collective of Independent Women's Refuges (NCIWR). Notably, FVIARS has fostered improved relationships between agencies through consistent face-to-face meetings and formal agreements, such as memorandums of understanding (MOUs) and confidentiality agreements, delineating information-sharing protocols, and agency expectations (Ministry of Social Development, 2010).

For the NZ Police, FVIARS is an essential strategy for addressing VAWG. It provides a structured framework for multi-agency cooperation, enabling police officers to work alongside social workers, healthcare professionals, and other relevant stakeholders to respond comprehensively to family violence. This collaborative approach allows the sharing of information, resources, and expertise, facilitating more effective risk assessment and management. Additionally, FVIARS emphasises early intervention and prevention strategies, which can help reduce the prevalence and severity of VAWG over time.

By participating in FVIARS, police agencies can improve their capacity to identify and respond to cases of violence against women and children more efficiently and holistically. Moreover, it promotes a victim-centred approach, ensuring that the needs and safety of survivors are prioritised throughout the process. Overall, FVIARS represents a crucial initiative for enhancing the police's role in addressing family violence and fostering safer communities for women and children in NZ.

### **3.2.3.1 Best practices from New Zealand**

The SAPS could learn valuable lessons from NZ's FVIARS to bolster its strategies against VAWG. Firstly, SAPS can benefit from adopting a collaborative approach like FVIARS, encouraging partnerships with relevant agencies like social services, healthcare providers, and women's shelters. Establishing regular interagency meetings would facilitate information sharing and coordination, enabling a more comprehensive response to family violence incidents. Furthermore, SAPS could learn from FVIARS' emphasis on early intervention and prevention strategies. By prioritising proactive measures and addressing root causes of violence, SAPS can work towards reducing the prevalence and severity of GBV over time.

Additionally, implementing formal agreements, such as MOUs and confidentiality agreements, would delineate protocols for information-sharing and clarify agency expectations, fostering improved relationships between SAPS and partner organisations. Moreover, SAPS can adopt FVIARS' victim-centred approach, ensuring that the needs and safety of survivors are prioritised throughout the process. This would involve providing comprehensive support services and ensuring survivors have access to resources for healing and protection. By drawing inspiration from FVIARS, SAPS can enhance its policing strategies to effectively address VAWG, ultimately contributing to safer communities for women and children in South Africa.

Women's Help Desks in India follow for discussion.

### **3.2.4 India**

The police in India implemented a gender-targeted intervention in the form of Women's Help Desks (WHDs) to provide more responsive and accountable services to women. The WHDs are dedicated spaces in local police stations staffed by officers trained to assist women in registering cases and pursuing other legal and social assistance. This intervention is coupled with sustained police training and community outreach programmes. The reform aimed to mainstream (rather than segregate) police efforts on GBV by establishing help desks within regular stations (rather than all-women stations), while in some stations increasing women's representation within the police force (Mangla, Kruks-Wisner & Sukhtankar, 2022:np).

Mangla et al. (2022:np), further explain the WHD intervention consists of four components:

- The creation of physical spaces within police stations designed to offer some privacy to women complainants.
- The provision of standard operating procedures on how to receive and assist women complainants, along with training on these procedures and gender sensitisation for officers assigned to run the WHDs and other officers in the station.
- Outreach to local women's networks to socially embed the WHDs in their communities.
- The allocation of female officers assigned to run the WHDs.

An impact assessment of WHDs conducted by Mangla et al. (2022), indicates overall positive implementation, albeit with some gaps. Key findings include that 94% of stations in the treatment group established a physical space for WHDs, with regular monitoring by senior police officers. While all treatment stations received some training, only 67% conducted full training at the station level. Additionally, 87% of stations held at least one community outreach event, and 90% of those designated to have a female officer running the desk complied.

The results suggest that gender-targeted police services like WHDs, integrated within regular police stations, enhance responsiveness to women's needs, especially when combined with mainstream support and training, even in resource-constrained settings. Furthermore, the study underscores the importance of gender representation within the police force; stations with more female officers demonstrated increased criminal case registration, indicating their sensitivity to WHD training and pivotal role in improving police responsiveness to women.

In addition, the Delhi Police in India implemented Artificial Intelligence (AI) in 2015 to reduce violence against women and girls. The Delhi Police implemented a mobile phone-based application called 'Himmat', which integrates AI technology. The application allows women to alert police in emergencies by simply shaking their phones or pressing a button. Once activated, the application sends the user's location to the police control room, enabling swift response to potential threats. Additionally, the application features a 'Himmat Plus' feature, which employs facial recognition

technology to identify and track repeat offenders, providing an added layer of security for women in Delhi. This initiative highlights how law enforcement agencies can harness AI technology to enhance the safety and security of women and girls in urban areas (Delhi police give 'Himmat' to women, launch safety app, 2015).

#### **3.2.4.1 Best practices from India**

In the wake of rising concerns over VAWG, the SAPS can draw significant lessons from India's innovative WHD initiative to bolster its policing strategies. Firstly, the establishment of dedicated spaces within police stations, designed to afford privacy to female complainants, could be replicated by SAPS. Creating such safe havens within existing infrastructure would make it more accessible for women to seek assistance without feeling intimidated. Secondly, providing comprehensive training to officers assigned to run WHDs is crucial. SAPS could develop standardised procedures for assisting complainants and ensure officers undergo gender sensitivity training. Additionally, extending this training to all officers within the station would foster a culture of sensitivity towards gender-based issues across the board.

Moreover, community outreach is paramount for embedding WHDs within the fabric of society. SAPS could engage with local women's networks to raise awareness about the services offered at WHDs and encourage trust and participation from the community. Lastly, enhancing gender representation within the police service is essential. Increasing the number of female officers, especially within WHDs, could lead to a more empathetic and responsive approach towards women's needs. Studies have shown that female officers are often more attuned to addressing VAWG issues, thus highlighting the significance of gender diversity within law enforcement agencies. By adopting these principles and integrating gender-targeted interventions like WHDs into its policing strategies, the SAPS can strive towards a more effective and inclusive approach to tackling VAWG in South Africa.

Additionally, the SAPS can draw valuable lessons from the Delhi Police's implementation of AI technology through the 'Himmat' mobile application to combat VAWG. Firstly, SAPS can prioritise developing and integrating similar technology-driven solutions tailored to their local context. Implementing mobile applications like 'Himmat' could enable swift responses to emergencies, enhancing overall safety for

women. Secondly, SAPS can explore integrating facial recognition technology, like 'Himmat Plus,' to identify and track repeat offenders efficiently. This would deter potential perpetrators and aid their apprehension, reducing VAWG incidents. Moreover, fostering partnerships with technology experts and stakeholders can facilitate law enforcement adoption and optimisation of AI solutions. By leveraging such initiatives, SAPS can significantly enhance its policing strategies to address and combat VAWG in South Africa effectively.

A new National Plan to Reduce Violence against Women and Children in Australia with an emphasis on proactive policing follows for discussion.

### **3.2.5 Australia**

The New South Wales (NSW) Police Force employs a proactive three-tiered model to hold domestic and family violence offenders accountable, addressing varying levels of risk (Department of Social Services, 2021). The model consists of the following tiers:

- Apprehended Domestic Violence Order (ADVO) compliance checks.
- Domestic Violence Suspect Target Management Plans (DVSTMP) II.
- Domestic Violence High-Risk Offender Teams (HROT).

The state-wide implementation of the ADVO compliance check programme began in 2017 to ensure accountability among defendants by verifying their adherence to ADVO conditions. Additionally, the programme involves monitoring the safety of the protected individual and taking appropriate action in the event of a breach. The DV STMP II, introduced across NSW in 2016, employs a coordinated approach to identify and manage repeat offenders of domestic and family violence. In November 2020, the implementation of STMP III began, utilising AI to assist in identifying potential nominees for STMP. An evaluation conducted by the Australian Bureau of Crime Statistics and Research (BOCSAR) found that STMP II and DV STMP II led to a decrease in crime among targeted offenders. The HROT are operational in NSW's six police regions, comprising several police officers and an intelligence analyst. These teams proactively investigate high-risk domestic and family violence offenders through covert and overt means. The overarching aim of the NSW Police Force's perpetrator accountability strategies is to reduce domestic and family violence rates by preventing reoffending and safeguarding victim-survivors. Ultimately, the model endeavours to

deter perpetrators from engaging in violent and abusive behaviour (Department of Social Services, 2021).

### **3.2.5.1 Best practices from Australia**

South Africa's police service can draw significant lessons from the proactive three-tiered model implemented by the NSW Police Force in Australia to enhance its strategies in addressing DV, GBV, and VAWG.

Firstly, the SAPS could benefit from implementing a similar programme to ADVO compliance checks. This initiative would ensure accountability among offenders by verifying their adherence to protection orders, thereby increasing the safety of victims. Regular monitoring and swift action in case of breaches would enhance victim protection and discourage offenders from violating court orders. Secondly, adopting a structured approach like the DV STMP II would enable SAPS to identify and manage repeat offenders more effectively. By coordinating efforts across different departments and utilising AI, SAPS could improve its capacity to identify high-risk individuals and intervene early to prevent further violence. Lastly, establishing HROT's within SAPS could enhance its ability to investigate and monitor high-risk offenders proactively. These specialised teams, equipped with the necessary resources and training, could focus on preventing reoffending and safeguarding survivors through targeted interventions and surveillance.

By incorporating elements of the NSW Police Force's model into its practices, SAPS can strive towards reducing domestic and family violence rates in South Africa, ultimately fostering safer communities, and protecting vulnerable women and girls from harm.

### **3.2.6 England and Wales**

In mid-September 2021, an inspection from HMICFRS concluded that, while significant improvements have been made in the policing response to VAWG over the last decade, these were not enough. The report also found substantial inconsistencies in the services provided to women and girls across England and Wales. The inspectorate recommended a fundamental shift in prioritisation to bring greater consistency and universally higher standards. The resultant VAWG National Framework is another part of a national policing response to this recommendation.



The framework is the first of its kind and aims to coordinate and standardise the policing of VAWG. It has been developed in partnership with the College of Policing and informed by consultation with stakeholders, as well as a review of existing relevant strategies, plans and recommendations. It has also been sense-checked by the specialist officers and staff working on these cases daily. While policing cannot solve VAWG alone, year one's framework focuses on the areas that can help improve immediately. Years two and three will focus on the wider community and partnership approaches needed for sustainable change (College of Policing, 2021).

The actions required from every force in this framework are wide-ranging. They span from better prevention activity in public places and online to more relentless disruption of perpetrators and more robust offender management. They are designed to help make all women and girls safer, regardless of their age, although there are differences in the response required to crimes committed by and against young people. The delivery framework requires every police force to prioritise concentrated and determined action to get the basics right and achieve a common standard, culture, and approach in preventing and responding to VAWG. This will give victims a consistent service and ensure that policing is better placed to respond to evolving types of offending and to understand these offences in the future (College of Policing, 2021).

The framework was developed for delivery to help bring consistently exacting standards to the police response to VAWG offences. In this first framework, a deliberate focus is on the areas where policing can make the most significant impact in the shortest time. The aim is to reduce the prevalence of these harmful and devastating crimes. The framework sets out priority actions for policing built on the following pillars (College of Policing, 2021):

- **Pillar 1: Build trust and confidence**

1. Respond unequivocally to allegations of police-perpetrated abuse, learning from mistakes and best practices.
2. Challenge and address sexism and misogyny within policing.
3. Involve VAWG organisations, including charities supporting Black and minoritised women and girls, as well as individual women and girls with lived experience.

4. Collect consistent local and national information on the availability of specialist VAWG investigators to build the right capability and capacity.

- **Pillar 2: Relentless perpetrator pursuit**

1. Relentlessly pursue and actively manage and target the most dangerous and prolific perpetrators.

2. Better use of police powers to protect women and girls and to manage and disrupt perpetrators.

3. Adopt a trauma-aware approach at all levels to better support victims through the criminal justice process and focus on evidence-led prosecutions where appropriate.

4. Enhanced supervision of VAWG investigations.

- **Pillar 3: Safer spaces**

1. Immediate and unequivocal prioritisation of VAWG.

2. Focus prevention work on the most dangerous online, private, and public spaces.

### **3.2.6.1 Best practices from England and Wales**

The framework underscores crucial lessons the SAPS could integrate to enhance its strategies. Firstly, the SAPS could adopt the framework developed in England and Wales, emphasising coordination, standardisation, and higher standards across all policing precincts. By prioritising consistency and universally higher standards, SAPS can address the significant variations in their service delivery to women and girls.

Secondly, the SAPS should focus on immediate actions within their capacity while planning for long-term sustainable change through community engagement and partnerships. This phased approach ensures both short-term impact and enduring transformation. Thirdly, SAPS must build trust and confidence by involving VAWG organisations and individuals with lived experiences in their strategies. Relentlessly pursuing perpetrators, adopting a trauma-aware approach, and prioritising VAWG across all levels are essential for SAPS to emulate.

The SAPS can learn from England and Wales's initiative by prioritising consistency, engagement, and decisive action in addressing VAWG. By implementing similar frameworks and focusing on building trust, pursuing perpetrators, and creating safer

spaces, SAPS can enhance its policing strategies to serve women and girls in South Africa better.

### **3.3 CHAPTER SUMMARY**

Addressing VAWG on an international scale necessitates an inclusive comprehension of the multifaceted challenges persisting across diverse societies. Law enforcement agencies worldwide have acknowledged the imperative of implementing effective strategies to combat VAWG, recognising it as a pervasive violation of human rights. This chapter explored the intricate landscape of policing strategies deployed in response to VAWG within contemporary societal challenges.

This chapter delineated the current international policing strategies to address VAWG, offering insights into the varied approaches adopted globally. It identified best practices and emphasised the importance of successful models that could be replicated or adapted across different socio-cultural contexts. Moreover, the chapter delved into the challenges and gaps within these strategies, shedding light on the complexities encountered in effectively combating VAWG. Through this exploration, the chapter endeavoured to contribute to the evolving discourse surrounding effective policing interventions against VAWG, underscoring the urgency of collaborative efforts in addressing this pressing human rights issue on a global scale.

In the next chapter, the researcher turns her attention to the results of the in-depth interviews conducted with members of the SAPS and NGOs regarding their experiences of DV and police strategies in place to address VAWG.

## **CHAPTER 4: PRESENTATION, DISCUSSION, INTERPRETATION AND ANALYSIS OF THE FINDINGS**

### **4.1 INTRODUCTION**

This chapter commences with the presentation, discussion, analysis, and interpretation of the research findings, which emerged from in-depth interviews conducted with participants. Verbatim (unedited) quotes from interview transcriptions serve as a foundational element, enriching the narrative with the authentic voices of the participants. Through thematic analysis, distinct themes and sub-themes crystallised from the data, providing a nuanced understanding of the policing of VAWG. Each theme encapsulates a specific aspect of the participants' experiences, attitudes, and perspectives, elucidating the multifaceted nature of the research topic. By examining the range of responses within each theme, patterns, contradictions, and nuances are elucidated, fostering a comprehensive understanding of the research findings.

The identification of themes was guided by a systematic approach, wherein recurring ideas, concepts, and sentiments across interviews were identified and categorised. This methodological rigour ensured the reliability and validity of the findings, anchoring them firmly within the context of the research setting. Furthermore, integrating these findings with relevant literature sources, as presented in chapters 1 -3, enriches the discussion, offering theoretical insights and contextualising the empirical findings within existing scholarly discourse. This synthesis facilitates a deeper analysis and interpretation of the conclusions presented, illuminating underlying dynamics, implications, and potential avenues for further inquiry. This chapter is a critical juncture, synthesising empirical data with theoretical frameworks to offer a robust understanding of policing strategies addressing VAWG. A rigorous examination of themes and incorporation of participant voices advances scholarly knowledge and contributes to the broader academic discourse on policing strategies to address VAWG.

The results from the interviews are presented in the following section.

## **4.2 OUTCOMES OF INDIVIDUAL INTERVIEWS, ANALYSIS, AND INTERPRETATION OF FINDINGS**

This chapter explores the outcomes derived from the comprehensive analysis of individual interviews, aiming to illuminate the nuanced perspectives and experiences of the study participants. The core focus is identifying and interpreting themes and sub-themes from these in-depth interviews. Through an intricate examination of participants' verbatim responses, this chapter seeks to unravel the rich tapestry of their thoughts, feelings, and reflections, providing a profound understanding of their unique narratives.

The thematic analysis transcends the mere categorisation of data; instead, it strives to illuminate the interconnected web of meanings woven throughout the participant responses. A holistic and nuanced portrayal of the multifaceted nature of the phenomena under investigation is constructed by weaving together the intricate threads drawn from the interviews. Participant voices, articulated in their own words, serve as the cornerstones upon which the interpretation of findings is built. The harmonisation of literature sources, as presented in chapters 2 and 3, is seamlessly interwoven into the fabric of this analysis, enhancing the depth and contextual relevance of the interpretation of findings. Drawing upon an extensive array of scholarly works, this synthesis facilitates a nuanced understanding of how the identified themes align with or deviate from existing theoretical frameworks. This scholarly dialogue fortifies the credibility of the research findings and positions this study within the broader academic discourse.

The labyrinth of individual interviews, verbatim quotes, and literature harmonisation stands as a testament to the process of sense-making and meaning extraction. In doing so, it contributes to the scholarly understanding of policing strategies in response to VAWG, paving the way for informed discussions, theoretical advancements, and practical applications in the field of VAWG.

The identified themes are:

**Table 4.1: Themes and sub-themes resulting from the findings**

THEMES	SUB-THEMES	CATEGORIES
1. Implementation of policing strategies in response to VAWG	<ul style="list-style-type: none"> <li>• SAPS members do not have guidelines to implement policing strategies</li> <li>• SAPS members using their initiative at Station Level</li> <li>• SAPS members are creating awareness of VAWG in communities</li> </ul>	
2. SAPS challenges to address VAWG	<ul style="list-style-type: none"> <li>• A lack of communication between members and management</li> <li>• A lack of training/knowledge of the prescribed policing strategies</li> <li>• A lack of resources to implement policing strategies</li> <li>• Gender and Language barriers</li> <li>• SAPS members are often victims or perpetrators of VAWG themselves</li> <li>• SAPS members are not passionate about VAWG</li> <li>• Lack of (emotional) support from management</li> </ul>	<ul style="list-style-type: none"> <li>• SAPS lack cars/transport to implement policing strategies</li> <li>• SAPS are short-staffed/ manpower</li> <li>• SAPS lack a Victim Empowerment Room or it is poorly equipped</li> <li>• SAPS lack Victim Support Services after-hours</li> </ul>
3. The lack of coordination with external stakeholders/integration of services	<ul style="list-style-type: none"> <li>• There is a lack of shelters/places of safety for Victims of VAWG</li> <li>• Victim Support Services are not available after-hours</li> <li>• Policing strategies are not integrated between the different Governmental Departments</li> </ul>	<ul style="list-style-type: none"> <li>• Department of Social Development</li> <li>• Department of Health</li> <li>• Department of Justice</li> </ul>
4.1 Lack of shelters/places of safety for victims of VAWG 4.2 Availability of victim support services after-hours 4.3 Integration of policing strategies between Governmental Departments	<ul style="list-style-type: none"> <li>• Abused victims are hesitant to initiate legal proceedings</li> <li>• Mediation between the victim and perpetrator is unsuccessful</li> <li>• Victims withdraw cases</li> <li>• Regular complaints/repeated cases</li> <li>• False addresses or statements</li> <li>• SAPS members experience that victims get paid to withdraw cases</li> <li>• Substance abuse and crime are normalised in communities</li> </ul>	
5. Monitoring and evaluation of policing strategies	<ul style="list-style-type: none"> <li>• Monitoring and evaluation and accountability take place at station level</li> </ul>	
6. SAPS' engagement with stakeholders	<ul style="list-style-type: none"> <li>• SAPS engage cooperative relationships to address GBV</li> <li>• SAPS shares information with their stakeholders</li> </ul>	
7. Recommendations enhancing policing strategies addressing VAWG	<ul style="list-style-type: none"> <li>• SAPS members recommend more training</li> </ul>	

THEMES	SUB-THEMES	CATEGORIES
	<ul style="list-style-type: none"> <li>• VAWG needs to be allocated to specialised SAPS members/ sections</li> <li>• SAPS members recommend resources at station level (internal, i.e. VEP rooms, transport, manpower, etc.)</li> <li>• Provision of external support, i.e. shelters, after-hours, Victim Empowerment</li> <li>• Strategies to address VAWG need to be aligned by all the relevant stakeholders (i.e. all departments and NGOs)</li> <li>• Crime Codes for VAWG</li> </ul>	

(Source: Compiled by the researcher)

The first theme demonstrates participant knowledge regarding policing strategies currently implemented by the SAPS to address VAWG. Participant insights were explored to understand their knowledge of policing strategies that the SAPS implements to address VAWG.

The first theme explores whether policing strategies to address GBV are currently implemented by the SAPS.

#### **4.3 THEME 1: IMPLEMENTATION OF POLICING STRATEGIES IN RESPONSE TO VAWG**

Policing strategies in response to VAWG, though well-intentioned, often face significant challenges in practical implementation. Despite the severity of the issue, numerous factors contribute to the shortcomings, impeding their ability to address and prevent VAWG incidents adequately. One key challenge lies in the complexity of VAWG cases, where the dynamics can be intricate and multifaceted, requiring a nuanced and specialised approach from law enforcement. Additionally, resource constraints, both in terms of funding and training, can hinder the development and execution of comprehensive policing strategies. Moreover, societal stigmas surrounding VAWG may discourage victims from reporting incidents or seeking assistance, further complicating the implementation of policing strategies. Addressing these obstacles is crucial to fostering a more robust and responsive system that protects and supports those affected by VAWG.

The answers to the following question gave rise to the following theme and its sub-themes:

- According to your knowledge, what policing strategies are currently implemented by the SAPS to address VAWG?

The motivation for this question was to establish whether SAPS members know what the strategies are and to identify whether they are implementing the strategies. The researcher further seeks a comprehensive understanding of the policing strategies in place, hoping to gauge the effectiveness of the SAPS's efforts and contribute to the ongoing discourse surrounding protecting vulnerable women and girls. It reflects a genuine interest in the measures the SAPS take to address a critical problem, aiming to advocate for or contribute to improving policing strategies to address VAWG in South Africa.

This theme was divided into three sub-themes to provide a clear understanding of participant knowledge regarding policing strategies currently implemented by the SAPS to address VAWG, as deliberated below.

The analysis of the data obtained from the interviews reveals the existence of policing strategies to address VAWC. However, an important observation is that not all SAPS members are fully aware of these strategies. The SAPS predominantly rely on the DVA and acknowledges the presence of related legislation and National SAPS Instructions. This implies a potential gap in knowledge or awareness among SAPS members regarding a broader range of policing strategies beyond the DVA. These findings highlight the importance of enhancing awareness and knowledge dissemination within the SAPS regarding effective policing strategies for addressing VAWC. It suggests a need for further research or training initiatives to ensure that SAPS members are well-informed about the diverse approaches available in response to the complex issue of policing VAWG. Additionally, the findings may have implications for policy development within the SAPS to ensure a more comprehensive and informed response to VAWC cases.



The first sub-theme discussed, under Theme1, namely 'guidelines for SAPS members to implement policing strategies in response to VAWG', follows for interpretation and analysis.

#### **4.3.1 Sub-theme 1.1: Guidelines for Implementation**

Comprehensive guidelines for SAPS members to efficiently implement policing strategies are paramount in shaping the organisation's VAWG landscape. These guidelines would serve as a compass, directing the SAPS's efforts towards community safety and the prevention of VAWG. By adhering to these strategic guidelines, SAPS members would create a cohesive and standardised approach to the policing of VAWG, fostering public trust and collaboration. These guidelines would delineate operational procedures and emphasise the importance of community engagement, intelligence-driven tactics, and ethical conduct. Through the implementation of these strategies, the SAPS could proactively address VAWG, enhance responsiveness, and ultimately contribute to the well-being of South African women and girls. In essence, these guidelines underscore SAPS's vital role in policing VAWG.

The literature presented in paragraph 2.4 highlights various legislation focussing on VAWG and related offences, which provide legislative and policy guidelines for the implementation of policing strategies, for example, national police instructions and procedures available to the SAPS to address VAWG adequately. Some of these include the DVA, CA, Maintenance Act, Protection of Harassment Act, Criminal Law (Sexual Offences and Related Matters) Act, and Older Person's Act.

Except for the relevant legislation addressing VAWG, several campaigns exist to address VAWG, which are primarily initiated by NPOs, NGOs, government departments and universities, as discussed in paragraph 2.9, which includes, for example: Stop Gender-Based Violence; National Council on Gender-Based Violence, 16 Days of Activism of Violence Against Women and Children; #JustNO campaign; University of Cape Town; and the Saartjie Baartman Centre.

Moreover, international policing strategies in response to VAWG, as discussed in paragraph 3.2, illustrate various policing strategies implemented internationally. These are primarily based on the prevention of VAWG, supporting the survivors and their families, and promoting a responsive legal and justice system.

It was deduced from the data that participants believe they implement these strategies. However, it became evident that participants understood policing strategies only as legislation such as the DVA, the Harassment Act, and the Older Persons Act. Some participants referred to the GBV Act. However, no GBV Act exists in South Africa. According to SAPS participants, there seem to be GBV guidelines. However, members have not seen them yet. They also mention that they make use of guidelines and SAPS National Instructions.

One SAPS participant indicated that SAPS members are not informed about what the policing strategies in response to VAWG entail, stating:

“... we've only got guidelines ... not an act or even a national instruction or a station order to guide the members ... hanging in the air around that, ... don't always know exactly what to do, where ... when to do it ... only guidelines at this stage and I don't think it is enough to guide the members to inform them exactly how to deal with a GBV situation properly at this stage”.

Another SAPS participant demonstrates her lack of knowledge as to what the strategies are by responding as follows: “... *about two or three strategies that I personally know of that is implemented to help gender-based violence crimes [victims]...*”. In addition, the lack of knowledge concerning policing strategies implemented by the SAPS to address VAWG is also demonstrated in the response of the following SAPS participant, who does not know what these strategies entail:

“Yes, they [SAPS] have them [strategies] ... all of us are working the same and get instructions from national [SAPS Head Office]. ... from national you will have like a booklet or whatever training in on how to treat the victims and, where to take them and what to do concerning them”.

Another SAPS participant indicated that she does not know any of the policing strategies: “*I must tell you that I haven't even seen the guidelines yet ...*” whilst another SAPS participant highlighted that there are only guidelines about DV and not GBV: “*Currently there are only guidelines for GBV and no National Instruction*”. Interestingly, this participant believes there is a lack of knowledge among SAPS members regarding these policing strategies: “*The police themselves they still don't understand some of the policies*”.

Another SAPS participant's response painted a clear picture of the frustration experienced by members of SAPS concerning the implementation of policing strategies to address VAWG:

“... some of those changes to the law have still not addressed long-standing problems.... many instances, it is not the law that is the problem, it is implementation. Rather than address the implementation, people go and rush and make a new law which again will not be implemented. There are a lot of problems around understanding violence, and then you get ill-informed policies and ill-informed interventions”.

It further surfaced that members of the SAPS find it challenging to differentiate between the terms 'gender-based violence' and 'domestic violence', which further complicates the implementation of policing strategies to address VAWG. Some literature refers to DV, whilst the more recent literature refers to GBV. Some SAPS participants commonly use the terms GBV and DV synonymously. In contrast, other SAPS participants incorrectly regard GBV only as verbal abuse, emotional abuse, and mental abuse, whilst DV is regarded only as physical violence. The response of the participants illustrates the confusion of SAPS members between these two terms:

“If you can check in GBV and domestic violence. These people are two people married together because the GBV guidance will simply guide you that there must be a room, a special room at the police station where you are going to interview the victims of gender-based violence. ... then you must have things like a vehicle ... person need to be transported somewhere ... a telephone .... must be accessible by this victim, so it's the same that applies to domestic violence. It's one and the same thing”.

“... gender-based violence is broad – there's verbal abuse, emotional abuse, there's mental abuse. That's gender-based violence. Domestic violence is seen as physical act. It is more criminal to hit somebody, then it's criminal to swear at somebody, call them names, belittle them, or make them feel small”.

One NGO participant acknowledges and describes the confusion and challenges that exist, not only among SAPS members but in general, to differentiate between the terms 'domestic violence' and 'gender-based violence'. This participant further provided an explanation of her thoughts concerning these concepts as follows:

“I think it's very unhelpful to call something gender-based violence. In practice, firstly, ... term is very broad. It means different things to different people. People ... show an absolute analytical and conceptual confusion. ... talk about gender-based violence and femicide. If you talk about gender-based violence and femicide, that means you think they are two different ... it is not. Using a concept of gender as informing violence, then femicide is

by definition a form of gender-based violence. One of the issues that we are grappling with and why our responses are so poor is that we don't understand the basic concepts of what we are talking about. I think when people use the term GBV they are actually really talking about sexual violence. And domestic violence keeps on getting short shifted and getting overlooked in favour of sexual violence. I use domestic violence... to me, it boggles the mind. The police response is in terms of the law. They are not social workers to go and do things differently. They work within the scope of the law... therefore the instructions ... within the scope of the law. Domestic violence legally is not the same thing as rape unless you're dealing with rape within the context of a relationship. To mush them together is a profoundly unhelpful thing. It does a disservice to domestic violence...this again goes back to concepts. I used the word 'domestic violence' taken from the Act deliberately, as opposed to intimate partner violence. ... research I've done where at least 1/4 of Protection Orders come from predominantly women towards other family members. Their violence, their experiences doesn't even get the time of day because it can't be fitted into this understanding of GBV. .... There is no recognition for the fact that we live in South Africa. Family and households do not look like what they do in the global north. ... You're neglecting the way of household formation. You're neglecting the way domestic cases itself out in South Africa and you are providing inadequate protection to a range of different people. There's no adequate thinking given to the abuse of older women, for example .... I get very frustrated .... Not everything is GBV. ... nothing is and there is no good analytical understanding going on how violence is gendered in a range of different kinds of ways and in the context of different kinds of relationships. I no longer know what people talk about or talking about when they are referring to GBV”.

In addition, another NPO participant acknowledged that, although policing strategies exist to address VAWG, it is not efficient:

“... the existing policing strategies are not making a difference... not making a dent ... talking about general policing strategies ... I am not saying that the individual officers themselves are not doing their jobs ... many officers and detectives who do fight this head on. But as a whole, the strategies are not making a difference. If you look at the statistics which are rising, it stands to reason that the strategies aren't working”.

Analysing the reviewed literature and participant responses reveals a nuanced perspective, emphasising concerns about the lack of a comprehensive legal framework and the perceived insufficiency of existing guidelines. The absence of clear national instructions for the SAPS members is highlighted, creating uncertainty in handling VAWG cases, and indicating a need for a more robust legal foundation. The analysis further suggests a potential gap between policy formulation and practical application, even when awareness of national protocols exists. It points out that policing strategies to address VAWG may not be uniformly implemented, contributing to challenges in addressing VAWG effectively. Additionally, the focus on creating new

laws is criticised for potentially overlooking underlying issues like inadequate implementation. Moreover, there is a call for a more nuanced understanding of VAWG, emphasising the importance of differentiating between diverse types of violence within the legal framework.

The analysis also reveals a critique of the terminology surrounding GBV and DV, citing perceived conceptual confusion. The critique suggests that the term might be overly broad, leading to a focus on sexual violence while neglecting other forms like DV. This linguistic critique extends to the perception that existing policing strategies are insufficient, with a call for more targeted approaches to address the increasing incidences of VAWG.

The second sub-theme of Theme 1 for interpretation and analysis is titled 'SAPS members using their station-level initiatives'.

#### **4.3.2 Sub-theme 1.2: Facilities to Accommodate Victims**

The proactive engagement of police members in addressing VAWG is crucial for fostering a safer society. Initiating actions beyond reactive responses will enable SAPS members to effectively combat and prevent such crimes. Police officers, using their initiative, can enhance community trust by demonstrating a commitment to safeguarding vulnerable populations. By actively seeking out and addressing potential threats, SAPS members contribute to the deterrence of violence, creating an environment where women and girls feel secure. This approach aligns with a broader societal shift towards prevention and intervention strategies, acknowledging that the responsibility of policing extends beyond responding to incidents. Initiatives prioritising the safety of women and girls exemplify a commitment to social justice, promoting a culture of accountability and protection within the SAPS. In essence, the proactive involvement of SAPS members is indispensable in the collective effort to eradicate VAWG.

The reviewed literature in chapters 2 and 3 highlights the resources necessary to address VAWG. In paragraph 2.2, Gouws (2018:np) underscores sufficient resources at TCCs and police stations to support abused women and girls adequately. In paragraph 2.4, Minister Nkoane-Mashabane (2020) echoes the need for tangible measures and increased resources to combat GBV, citing the expansion of care

centres and enhanced police capacity. The Maputo Protocol (African Union, 2005), as discussed in 2.5.1, further emphasises state obligations to allocate sufficient budgets for VAWG prevention programmes. Chapter 3 highlights the effectiveness of specialised police units in handling GBV cases, although Carrington et al. (2020), note resource constraints in WPSs in Latin America, illustrating ongoing resource challenges in addressing VAWG globally.

The researcher's visit to one of the sampled SAPS police stations found there are adequate facilities for VAWG victims, including a victim-friendly room with comfortable furniture. The member in charge of the section has a cell phone, a vehicle, a computer, and assistance from the Community Policing Forum (CPF). The participant also made it clear that her station is privileged to have such co-operation and have everything needed for victims and that she is aware that other police stations are not that privileged to have adequate facilities responding as follows:

“... a special room whereby if the victim comes to the CSC – we take the victim to this room so she can be comfortable... we will interview her to see what took place and what needs to be done. In that room ... you interview a person. ... the charge office [CSC], you don't expect to interview a person like this in front of everybody. Other people, they are sensitive. Maybe during that time, they are in tears. You are not going to interview a person while everybody's watching”.

The analysis shows that certain police stations are making commendable efforts to address VAWG. The provision of dedicated facilities, collaboration with the community, and the awareness of the need for sensitivity in handling VAWG cases are all positive aspects. Such collaboration can enhance the effectiveness of policing strategies by involving the community in identifying issues and implementing solutions. However, the acknowledgement of privilege and the awareness of disparities among police stations suggest room for improvement in ensuring that all stations have access to adequate resources for addressing such crimes. This insight could be valuable for policymakers and leaders in developing more inclusive and standardised strategies across all SAPS stations.

The third sub-theme of Theme 1, titled 'SAPS members are creating awareness of VAWG in communities', follows for interpretation and analysis.

### **4.3.3 Sub-theme 1.3: The Role of SAPS in Creating Community Awareness of VAWG**

The active involvement of SAPS members in raising awareness about VAWG within communities holds paramount significance in fostering a safer and more equitable society. By leveraging their authoritative positions, SAPS members can effectively disseminate information, challenge societal norms, and encourage a collective commitment to eradicating VAWG. This proactive engagement amplifies visibility and establishes a foundation for community-wide dialogue, education, and prevention. Police-led initiatives create a sense of accountability, signalling to the community that the SAPS is dedicated to response, proactive prevention, and advocacy. This collaborative approach strengthens the bond between police and the community, fostering an environment where the fight against VAWG becomes a shared responsibility, ultimately contributing to the creation of safer spaces for women and girls.

The significance of creating awareness of GBV is illustrated by Wolfe and Jaffe (1998) in paragraph 1.2. These authors suggest school-based programmes that teach learners about GBV and alternative solutions to address conflict, as well as public education campaigns to increase awareness of the harms of GBV, as examples of primary prevention methods that can be used to address awareness. In addition, the SAPS draws attention to public awareness of GBV in National Instructions and Circulars in paragraph 1.2. Moreover, as illustrated in 2.9.3, Philippi, Western Cape, values the importance of creating awareness of GBV through community involvement during the 16 Days of Activism Against Women and Children campaign, where various organisations, including SAPS, provided education, referrals, and raised awareness on DV and GBV. In paragraph 2.9.4, the UNITE to End Violence against Women initiative, led by UN Secretary-General Antonio Guterres, is recognised, calling for global action to increase awareness and eliminate violence. In addition, the UK Government highlights the need for national, local, and regional partnerships to address VAWG, as discussed in 2.9.6. Africa (2016) suggests interventions like awareness raising and education of safety plans, emphasising coordinated campaigns by SAPS and the NPA, as illustrated in paragraph 2.12. Carrington et al. (2020:56), furthermore draw attention to the significance of creating awareness of VAWG in 3.2.1, as illustrated by police stations conducting monthly community prevention campaigns.

These initiatives engage with diverse groups, such as women's organisations, religious bodies, schools, and hospitals. Through these campaigns, awareness is raised, local networks are built, and crucial partnerships with the community are formed.

In the responses to interviews conducted, participants from SAPS agree that awareness campaigns and operations in addressing VAWG are undertaken by SAPS as illustrated in the following answers: *"We've got awareness campaigns ... run in the community ... 16 days of activism every year ... other campaigns every month"*. The following responses from SAPS participants echo this: *"We have got members ... informing the public by going to schools – primary schools, high schools shopping malls and distributing pamphlets, letting the community know about gender-based violence"*. Another SAPS participant is of the view that not only does South Africa do enough concerning GBV, but sufficient awareness campaigns are hosted by the SAPS:

"I think SAPS has done a lot – even the country. December is that 16 days of activism [16 Days of Activism of Violence Against Women and Children]. Coming to the SAPS – we have social crime prevention. They do all these awareness campaigns whereby they issue the public with pamphlets. We are doing good in terms of awareness".

In contrast to the above SAPS participants, a social worker participant at a public hospital disagrees with the sentiments of the SAPS participants by indicating that GBV-related awareness campaigns are only undertaken at certain times of the year. This participant further reiterates that these campaigns need to be executed permanently:

"In my opinion, I think it [awareness campaigns] should be 365 days - it should be ongoing because if we only make it 16 days and it's only that time [of the year] and then we forget about it, then I feel like we didn't do any justice. You know to protect or to give information to our community.... for us it's really 365 days we give because we do talks in our different sections at hospital extensions where women are in the antenatal clinics and our gynae patients - we always give them information on domestic violence ...with the children, we're always giving them information on child abuse, so it's ongoing".

There were, however, SAPS participants who thought that awareness campaigns were not sufficient or successful. One participant believes that awareness is undertaken only if a VAWG-related incident occurs that reaches the media:



“Certain times when an incident happens, it's on TV, it's on the media, and then you will hear that there's a PC [Provincial Commissioner] instruction that we must do operations. So, at certain times, especially when the media is involved there will be instructions left, right and center ... so at certain times, it's not”.

Interestingly, one participant from the police sample group expressed scepticism about the effectiveness of the 16 Days of Activism Against Violence on Women and Children, viewing it as a public relations and marketing effort. This participant argues that addressing GBV requires more than just symbolic gestures, emphasising the importance of concrete actions such as providing support for abuse victims, ensuring follow-through in legal cases, and addressing various steps in the process, such as transportation to hospitals and counselling referrals. The participant suggests that GBV has become a marketable issue in the country, generating attention and funds without sufficient attention to the practical steps needed for meaningful change.:

“I think 16 days [16 Days of Activism of Violence Against Women and Children] is optimistic. Women's month and the 16 days of activism are great PR [public relations]. It is marketing. But that is a starting point. You cannot market or advertise a product if there's no follow-through on the product. ... unfortunately, GBV has become a marketable product in this country. It creates funds, it trumps up emotion ... when you get down to the black and white of it without the case number without the follow through, the report from the social worker, without an abuse victim having transport to get to the hospital and then transport to go back for the results of her test without being referred to a counsellor, psychiatrist, psychologist, we are missing many steps.”

Another participant from the police sample group emphasised that the focus was solely on the 16 Days of Activism of Violence Against Women and Children in December. The reason is the workload and human resource limitations, suggesting that these activism efforts are not sustained throughout the year but concentrated within a specific timeframe.: *“We only focus on the 16 days of activism ... in December, ... that's when we do it. There is too much work; we are human, and we do not do it 365 days”.*

The analysis of the participant responses reveals a mix of positive efforts and scepticism about the effectiveness of specific VAWG-related awareness campaigns, and concerns about the sustainability of initiatives. The perspectives of SAPS members highlight both positive initiatives and critical problems. While there are

commendable awareness campaigns, there are also issues about the reactive nature of some efforts, scepticism about the effectiveness of symbolic campaigns, and challenges in maintaining sustained year-round efforts. The analysis suggests a need for a more comprehensive and sustained approach to addressing VAWG, involving practical steps and consistent efforts beyond symbolic campaigns.

Theme 2, namely the 'internal and external challenges experienced by SAPS to address VAWG,' follows for interpretation and analysis.

#### **4.4 THEME 2: SAPS INTERNAL CHALLENGES TO ADDRESS VAWG**

Police organisations encounter internal challenges when addressing VAWG, reflecting broader societal issues. A crucial challenge lies in ingrained cultural biases within police organisations, perpetuating gender stereotypes and hindering the empathetic understanding of victims. This could result in a systemic failure to effectively implement policing strategies in addressing VAWG as well as investigating and prosecuting cases, exacerbating the cycle of violence. Moreover, police organisational structures often lack gender-sensitive policies and training programmes, leading to a deficiency in the skills required to handle such cases. The absence of comprehensive policing strategies to address VAWG further impedes the creation of a supportive environment for survivors within police departments. This hampers reporting, as victims may fear scepticism or victim-blaming. Internal resistance to change, influenced by deeply rooted traditions and power dynamics, poses another challenge. Efforts to implement reforms are met with resistance from those resistant to altering established norms. To address these issues, police organisations must undergo cultural transformations, implementing gender-sensitive training, policies, and mechanisms to ensure a more compassionate and effective response to VAWG.

In addition, police organisations face formidable external challenges in VAWG. Societal norms, ingrained biases, and inadequate legal frameworks often impede effective law enforcement responses. Insufficient resources, training, and coordination compound these hurdles. Additionally, cultural factors and underreporting hinder accurate data collection. To enhance the efficacy of policing strategies, a comprehensive approach involving legislative reforms, community engagement, and

targeted training is imperative. Addressing external barriers is essential for fostering a safer environment and ensuring justice for victims of VAWG.

The following question led to the theme:

- From your experience, does the SAPS experience internal or external challenges that hinder effectively implementing policing strategies to address VAWG?

The motivation for this question was to understand the intricate challenges faced by the SAPS, which is paramount for crafting effective policing strategies against VAWG. Participant experiences and insights were explored to illuminate whether SAPS encounters internal obstacles within its structure or external challenges from the broader societal context in addressing VAWG. By unravelling these complexities, the way is paved for targeted improvements, ensuring that policing strategies are implemented and tailored to overcome the hurdles hindering the fight against VAWG.

The first sub-theme of Theme 2, namely the 'lack of communication between members and managers', follows.

#### **4.4.1 Sub-theme 2.1: Communication Between Members and Management**

Effective communication between SAPS members and management is crucial in addressing VAWG. This collaboration would ensure a unified approach to effectively police this pervasive issue. Constant feedback from frontline SAPS officers would allow management to adapt strategies, allocate resources efficiently, and implement targeted training programmes. Transparent communication fosters a culture of accountability, enabling the service to address challenges promptly. Moreover, an open dialogue would assist in identifying gaps in current procedures and facilitate the development of more effective protocols. By prioritising communication, SAPS can enhance community trust and encourage survivors to come forward and report incidents. This collaborative effort could create a holistic and responsive framework, ultimately promoting a safer environment for women and girls. Through consistent and open communication channels, SAPS can evolve its strategies, strengthen its response, and contribute significantly to the national fight against VAWG.

The literature reviewed in chapter 2 draws attention to the significance of effective communication in the fight against VAWG. The Maputo Protocol of 2003 (African Union, 2005), as discussed in 2.5.1, emphasises utilising social communication to promote peace and education to eliminate cultural and traditional elements that perpetuate VAWG. Additionally, initiatives like *CuentaNos* in Latin America, use Facebook and WhatsApp to offer crucial communication services to GBV victims, facilitating access to information and essential service providers (IRC, 2020:1). Moreover, the European Commission's Gender Equality Strategy 2020–2025, discussed in 2.5.2, highlights the importance of communication campaigns in addressing gender stereotypes. Considering the above emphasis on effective communication, in the context of SAPS, effective communication between members and management is vital in combating VAWG, ensuring coordinated efforts and holistic support for victims.

From the participant responses, the researcher observed a sense of frustration from the members regarding the issue of communication between SAPS members and management, as illustrated in the reaction of an NPO participant: *“I have personally heard from police officers ... there is a huge sense of frustration ... a lack of follow-through and a lack of communication”*. This lack of communication is also evident in the following answer provided by a SAPS participant: *“I think the people on top [SAPS management] need to understand how we work. I think they just implement stuff, not knowing what we deal with regularly. It's not as easy as they think”*. This sentiment is echoed by another SAPS participant expressing scepticism about the government's commitment to VAWG, suggesting the government's seriousness is confined to televised statements. Criticising senior management for misplaced priorities, the participant contends they excel in media but lack effective planning. Long-term goals, particularly addressing issues like GBV, are discussed without tangible outcomes. The participant laments the inconsistency as officials change, leading to a lack of continuity in addressing VAWG. Overall, the participant highlights frustration with the government's apparent lack of dedication and effectiveness in implementing lasting solutions to VAWG:

“I don't think the government is serious about this matter. The only time the government is serious is when they talk on TV. ... like most of our seniors, they are in the wrong career, they were supposed to be on TV. They like the

media; they do things for the media. There's no planning, and the long-term goals are not met. These things exist; they discuss it, but nothing happens. ... the person is talking about, let's say, gender-based violence today, and we must do ABC and then tomorrow that person is out of the office, another one is sitting in the office. But now, this one is no longer talking about what was said. This means that no long-term goals are met or solutions for the problem”.

The frustration concerning the lack of communication is highlighted in the following response from this SAPS participant. This participant expressed frustration with ineffective communication between SAPS top management and other government departments, such as the NPA and frontline officers dealing with VAWG. This participant cited instances where important directives, like the President's statement on bail for those assaulting women, are not adequately communicated, leading to confusion. The sentiment emphasises the need for a two-way communication channel to ensure that policies and measures implemented at the top are informed by the real-world challenges faced by officers dealing with VAWG-related concerns:

“... it goes with communication. SAPS needs to communicate with the NPA. The other day the president said. You hit a woman, you get no bail, right? But it was not said to us. It was not communicated properly to us. We are not informed of these measures that are implemented from the top. It goes to communication. I think the top management needs to come down and ask us what exactly our challenges are when it comes to domestic violence. The domestic violence changes, and, in some areas, it will never be the same ... Let the top management communicate with their members, not just implement something when they do not know our challenges on the ground”.

Another SAPS participant similarly shares the same sentiment, pleading for SAPS top management to engage with SAPS members to understand their challenges and experiences on the ground:

“They need to come down to us. As the constables, the sergeants who work on the street, they need to find out what is our challenges ... We are experiencing the things on the ground, and they must listen to what we are experiencing...”

The response of the following SAPS participant emphasises the importance of SAPS management actively listening and comprehending the challenges in working conditions experienced by operational members, particularly in responding to DV complaints. Highlighting the critical need for swift responses, the participant advocates for a hands-on approach, urging a ground-level assessment of operations rather than merely enforcing top-down directives in tackling DV issues:

“They need to listen and understand the working conditions. ... every domestic violence complaint has a reaction time. Now you have to run to the complaint within 9 minutes ... stay there for two hours. Once you're there, another complaint is coming of domestic violence. ... need to check how we are working on the ground. Not just implement things from the top”.

During the interviews, it became evident that SAPS members expressed considerable frustration towards external and internal SAPS legal and policymaking entities. This frustration stems from the perception that laws are formulated by knowledgeable individuals who may lack a comprehensive understanding of on-the-ground realities and the requisite expertise to address pertinent issues. The frustration is visible in the following SAPS participant statement:

“... a lot of learned people, lawyers, advocates are normally writing these acts like the legislation and the national instructions. They've got a lot of experience and background to compile these documents and guidelines which are implemented, but normal police members - the constables, the sergeants, the warrant officers need to implement these acts and legislation. We don't have their knowledge or the know-how when it comes to these documents and instructions”.

Moreover, additional SAPS participants shared similar viewpoints, venting frustration over the lack of involvement of frontline staff in decision-making processes within the SAPS. One participant emphasised the perceived disconnect between the SAPS National Head Office, the legal department, and those implementing laws on the ground, highlighting a previous lack of input from those directly dealing with situations daily. Another participant echoed the sentiment, desiring a consultative approach where officers working at CSCs are asked for their insights on issues like GBV. Another participant criticises SAPS top management for inadequate communication and exclusion of frontline perspectives when making amendments to laws like the DVA, resulting in impractical implementations that fail to consider the challenges faced by staff at the grassroots level:

“I think internal because it would be our National Head Office and our legal department who compiles the National Instructions in conjunction with the people that's implementing the Act. Previously when they were compiling the National Instruction, it would come from our National Office and also our Provincial office. I think our legal services also give their point of view – instead of the members or employees that are working on the ground and dealing with the situations on the ground level on a daily basis”.

“... I would love it if ... SAPS would ask the people on the ground what is happening. Let's say I am working at the CSC. I would love for someone to ask me about gender-based violence – “Constable, what do you think can happen to make a difference?” “Or what do you think can be done to be successful?” We are not included yet it is us working with these matters ... it's so discouraging because we know what needs to be done. ... because you are just the person working at the CSC, you are not allowed to say - “I think this is how we can do this thing for us to win”.

“I know there are new amendments on [to] the Domestic Violence Act. ... I don't know how [is] our police officers [are] aware of this. ... it's on top [SAPS top management]; it's just nice to say that this is what can happen, and this must be done and then when it gets to be filtered down to the bottom, it is not done properly. Somebody from the community might know the Domestic Violence Act and that there's amendments and that it is supposed to be happening. ... you as a professional, don't even know that this was supposed to be happening. ..., then I'm going to go back again to that lack of communication, even from the top, and also lack of asking the opinions from people that is working at the bottom like how is it going to work for you guys if we are going to implement this ... how is it going to affect you – are you guys able to do this? ... I think the people on top, just feel like, OK, this must be done, or this is what we think must happen. ... they forget what is happening on the ground. ... there's maybe - lack of staff, lack of resources and all of those things, ... they don't think things through, and they do not include everybody when they make these amendments or laws or plans that they want to implement to keep the community safe, or just to keep the community quiet”.

Analysing the above verbatim responses reveals deep frustration with the government's approach to addressing VAWG. The SAPS's commitment to VAWG is questioned, attributing its seriousness to implementing concrete actions. The lack of effective communication between SAPS and government departments exacerbates the problem, hindering the implementation of policing strategies and directives. A common theme emerged of disconnect between top management, legal entities, and frontline officers, leading to impractical implementations and a failure to consider on-the-ground realities. The frustration extends to the perceived exclusion of frontline perspectives in decision-making processes, highlighting the importance of a consultative approach to address GBV effectively. A pressing need for a more cohesive and collaborative approach to combat VAWG within SAPS and the broader government framework is underscored.

The second sub-theme of Theme 2, namely ‘a lack of training/knowledge of the prescribed policing strategies’, follows for interpretation and analysis.

#### **4.4.2 Sub-theme 2.2: Training/Knowledge of the Prescribed Policing Strategies**

In the intricate tapestry of law enforcement, the profound significance of training in prescribed policing strategies for addressing VAWG emerges as a beacon of societal progress. Comprehensive knowledge among SAPS members in this domain is pivotal and could be the cornerstone for safeguarding vulnerable populations. Policing strategies tailored to the unique dynamics of GBV could empower police officers to respond with empathy, sensitivity, and effective intervention. These strategies enable police officers to navigate the nuances of such cases, ensuring survivors find justice and support. Beyond reactionary measures, a well-trained police service becomes proactive, engaging in community outreach, prevention, and education. This protects individuals and reshapes societal norms, fostering an environment where VAWG is opposed. A commitment to prescribed policing strategies heralds a transformative era where police organisations become formidable allies in the battle against VAWG.

The literature reviewed in chapters 2 and 3 draws attention to the significance of adequate training in the fight against VAWG. Minister Cele (SAPS, 2020), in paragraph 2.9, highlighted the priority of addressing GBV with specialised units and training for SAPS members. In 2.9.9, the #TotalShutdown movement demanded training for lawmakers and government departments to combat GBVAW. In addition, organisations like ADAPT focus on training community agents and professionals to identify and intervene in abuse cases, as discussed in paragraph 2.9.15. International strategies, such as Canada's Gender-based Violence Strategy and the EU Gender Equality Strategy, as mentioned in 2.10.2 and 2.10.3, value the significance of cultural competency training and network establishment for funding training initiatives. Suggestions from Artz (2016), Paulse (2016) and Africa (2016), in 2.11, underscore the importance of training SAPS members and frontline staff to improve compliance and response to DV.

Moreover, in paragraph 3.2.2, Nair et al. (2017), stress gender-sensitive training for police in South Asia. The UNODC coordinated training in Myanmar drew attention to the importance of equipping police officers in GBV response, while Justice for Her developed training programmes to protect and support victims of abuse.



Consequently, adequate training remains pivotal in implementing prescribed policing strategies in SAPS for addressing VAWG.

The experiences of participants unveil a multifaceted scenario within the SAPS regarding training related to GBV and DV. One SAPS member stated that the SAPS manual on handling DV is highly informative but remains non-mandatory, creating a significant issue. While the content is valuable, the optional nature and lengthy two to three-week training, including exams and mock dockets, deter members from participation. The elective system leads to a lack of enthusiasm among members, impacting the effectiveness of the training. This non-mandatory system highlights the challenge of making crucial courses on GBV and DV appealing to all SAPS members, emphasising the need for a more engaging and mandatory approach to ensure comprehensive training:

“The study manual that we are given for dealing with and responding to domestic violence is so powerful and so brave and so educational. However, it's not mandatory for members. It's not compulsory. ... whereby you get elected to attend courses and training, but it's optional and because of that members don't want to do it and they don't need to. They are not forced. ... a problem because the training is two to three weeks long. Who wants to go sit in class for two to three weeks and you get tested, because there's an examination. And the examination also has what they call a mock docket. ... they teach you how to do a gender-based violence, domestic violence docket, which is excellent, but not everyone wants to do it”.

In agreement with the above participant, another SAPS participant highlights a lack of interest among members of the SAPS in attending training sessions related to GBV and DV. The members express that the absence of financial incentives, coupled with the perception that such training is time-consuming and strenuous, contributes to the low turnout. While SAPS is making efforts to provide training through workshops, these sessions are not mandatory, resulting in minimal attendance. The participant suggests that making the training mandatory or establishing a specialised unit within SAPS that requires specific qualifications for handling GBV cases could improve participation and effectiveness. The participant, who attended a three-week workshop, notes that only a few individuals were present, emphasising the problem of low engagement in these critical training sessions.

“There's like a lack of interest. Members are not gonna get paid for going to do it. ... members feel like it takes away some of their time, and it's strenuous to sit in the class, be tested, and so forth. ... there is training - SAPS is trying

their best to train the members. There are workshops as well, .... not mandatory. Nobody wants to attend them unless you are an academic and you have a curious mind that you want to attend. I have attended the three-week workshop ... there were only 6-7 of us in the class ... is a problem. If maybe it was mandatory or if maybe if there was a specific unit within the SAPS which deals specifically with gender-based violence or DV and for you to work in this unit, you need to have these courses and academic qualifications it will be much better”.

In contrast, another SAPS participant acknowledges the repeated commitment to change but highlights the absence of corresponding training. Despite the anticipation of impending changes, the lack of proper preparation is acknowledged, suggesting a recurring pattern of unfulfilled promises. The phrase underscores a sense of scepticism or frustration, recognising a need for training to accompany the promised changes, emphasising the importance of aligning intentions with concrete actions:

“... because year by year, it is said that changes is [are] going to happen and there's no training, but you know this is supposed to happen”.

However, other SAPS participants highlighted concerns about the effectiveness and adequacy of training in dealing with DV. They emphasise that training programmes, specifically those addressing DV, have been prolonged from three days to two weeks. However, there is a shared belief that even this extended duration might not be sufficient to grasp the complexities of the issue entirely. The need for practical, day-to-day experience in handling such matters is emphasised, suggesting that true expertise develops through continual exposure to real-world situations. The caution is that what is learned in training may not universally apply to the diverse and dynamic scenarios encountered in the field. This sentiment is echoed by the assertion of another SAPS participant that there is an insufficiency in the amount of training received, indicating a perception among those involved that there is a gap between theoretical knowledge and the practical demands of addressing DV effectively. These participants reacted as follows:

“... trained on domestic violence ... The training course has been extended from three days to two weeks. But you won't be able to learn everything in two weeks. You need daily experience working with these issues. And it does not mean that whatever you have learned will work in the specific situation you are dealing with”.

“We don't receive sufficient training”.

In addition to the above SAPS participant responses, another SAPS participant emphasised the importance of VAWG-related training, particularly for detectives. While acknowledging that it is not mandatory, the participant highlights its value, especially when dealing with more specialised cases, such as VAWG, rather than general investigations. The participant contends that such training is crucial for all detectives, as it equips them with the knowledge and skills to handle cases involving victims effectively. The emphasis is placed on the necessity of this training to ensure proper treatment of victims, underlining the significance of understanding, and addressing the complexities associated with VAWG.

“It’s [VAWG-related training] not compulsory, but it’s good to have. You must have it, especially when you are detective ... because you don’t know what this is, especially when you work [investigate] with general dockets [and not VAWG-related cases]. Most of us get the training. In my opinion everybody must have the training ... Training is a must because how will you treat the victim if you do not know how?”

The opinion of an NGO participant highlights the varied actions of the police, emphasising that SAPS members lack proper guidance in certain situations. The participant mentions explicitly a noteworthy addition to the DVA, the safety monitoring notice, which can potentially be a significant directive in addressing DV. However, the participant expresses concern that there is a lack of clear guidance provided to members of the SAPS on how to utilise this directive effectively. The participant suggests that without proper guidance, both the police and the court may struggle to navigate and implement the new provisions, leading to a less-than-optimal handling of DV cases.:

“... there are some things that the police do and other things they don’t do. ... they sometimes don’t get the guidance they need. One of the interesting new provisions in the amendment to Domestic Violence Act is the safety monitoring notice, that’s potentially quite a powerful tool. ... I don’t see any substantive guidance [offered to SAPS members] on how to use something like that. I really don’t. So, you’re gonna leave the police to muddle along, you’re gonna leave the court to muddle along”.

What is clear from the interviews with the participants is that SAPS members must deal with these issues without formal training. One participant explicitly stated having never participated in any formal training specifically focused on GBV. The response was negative when asked if the participant attended a formal course. However, the participant clarified that although having not undergone a formal training programme

concerning GBV, in-service training was received, suggesting that knowledge on the subject may have been acquired through on-the-job learning or internal training sessions:

“I’ve never attended anything [any training] about gender-based violence ...”;  
“No, I did not attend a [formal training] course. I did receive in-service training”.

Another NPO participant acknowledged SAPS efforts in implementing ‘sensitivity training’ for its members, particularly in handling GBV cases. However, the participant expressed concern based on the experiences shared by female victims who have approached their organisation. According to the participant, despite the intended SAPS protocol of having trained police officers take GBV victims to a secure and private space for discussion, this does not consistently occur. This participant further stated that from the perspective of NGOs and NPOs, there is a perceived gap in the seriousness with which the SAPS addresses these issues. The participant further highlights instances where GBV victims are questioned in the back of police vehicles without the expected sensitivity and understanding of the emotional turmoil victims may be going through:

“I do know that there has been a lot of effort put into what they call “sensitivity training” for the police. I have had many women [victims] come to our organisation who do not feel that they were treated very sensitively [by SAPS]. I do know that with SAPS there are meant to be trained police officers who would then take these GBV victims to a separate room somewhere where they could feel safe and protected in order to speak about what is happening. Unfortunately, this does not seem to be happening as much. I know that it is in the mandate for [of] SAPS to do this, but our experience from NGO and NPO perspective ... is not being taken seriously. A lot of women are being questioned in the back of police vehicles by whoever responded to the call, and there seems to be a lack of emotion or understanding of what these GBV victims are going through at the time”.

The above discussion reveals a complex landscape within the SAPS concerning training on GBV and DV - the critique centres on the non-mandatory nature of the training, which hinders widespread participation. Concerns about the elective system leading to a lack of enthusiasm and low turnout for GBV-related training was revealed. Lack of financial incentives and the perception of training being time-consuming contribute to this issue. The need for more engaging and mandatory SAPS training to ensure comprehensive education on handling GBV and DV cases is acknowledged.

The recurring theme is scepticism about the effectiveness of existing SAPS training programmes and the anticipation of changes without corresponding preparation. There is also a call for practical, day-to-day experience handling DV cases, emphasising the gap between theoretical knowledge and real-world demands. The analysis suggests a perceived insufficiency in the training received, hinting at a disconnect between theoretical understanding and practical application. The importance of specialised training for detectives, particularly in dealing with VAWG, is highlighted. However, concerns are raised about the lack of clear guidance on new directives, potentially impacting the optimal handling of DV cases. The perspectives of NGO participants shed light on SAPS actions, pointing out instances where the protocol is not consistently followed, leading to a perception of insufficient seriousness in GBV-related training, suggesting that gaps in guidance and inconsistent implementation may hinder the effective handling of DV cases. Overall, the analysis paints a picture of the SAPS grappling with challenges related to the voluntary nature of training, scepticism about its effectiveness, and gaps in practical experience and guidance. The varied responses from participants underscore the need for a more comprehensive and mandatory training approach, especially in addressing VAWG.

Sub-theme 2.3, 'the lack of resources to implement the policing strategies', follows for interpretation and analysis.

#### **4.4.3 Sub-theme 2.3: The Availability of Resources**

In the ongoing pursuit of eradicating VAWG, allocating and utilising resources play a pivotal role in shaping effective policing strategies. Adequate funding, personnel, and technology are indispensable in developing and implementing initiatives that address this pervasive issue. Sufficient resources would empower the SAPS to conduct thorough investigations, provide specialised training for officers, and establish dedicated units focused on handling cases of VAWG. Furthermore, financial support enables the integration of advanced technologies for evidence collection and analysis, fostering a more comprehensive and nuanced approach to combating such crimes. In essence, the commitment of resources not only signals a societal determination to confront GBV but also serves as the backbone for the implementation of robust policing strategies that protect and empower vulnerable women and girls.

The reviewed literature in chapters 2 and 3 draws attention to the significance of sufficient resources in the fight against VAWG. Faull (2018) highlights the potential for reducing overall violence by directing resources towards addressing DV as a proxy for broader violence in South Africa. Gouws (2018) underscores the importance of resources for TTCs and one-stop centres at police stations to support victims and streamline reporting processes. Nkoane-Mashabane (2020) stresses the need for tangible measures and increased resources, noting enhancements in care centre numbers and SAPS capacity. The Maputo Protocol (2003) mandates adequate budgetary allocations to combat VAWG. The #TotalShutdown movement (2018) demands resource development and filling vacant posts to implement and monitor programmes to prevent and eliminate VAWG. Conversely, Carrington et al. (2020), highlight challenges in Latin America due to resource constraints affecting women police stations and support services. Consequently, effective policing strategies rely on allocating and utilising sufficient resources to combat VAWG effectively.

From the interview responses, the common sentiment among these participants is insufficient resources to adequately implement policing strategies in addressing VAWG. The members almost unanimously indicated the lack of resources, especially human resources, and vehicles, to attend to VAWG-related cases. The response of a SAPS participant summarises the sentiments of other SAPS participants expressing concerns about the challenges faced by the SAPS in effectively implementing a policing strategy to address VAWG. The participant highlights issues related to human resources and vehicles, emphasising a shortage of resources in the SAPS nationally. The participant also points out that the current strategy might not be fully executed within the SAPS. One significant challenge mentioned is the overwhelming caseload for investigating officers. The participant describes a scenario where officers receive multiple additional dockets daily, making it difficult to give individual attention to each victim. The participant further stresses the importance of treating each victim with care and understanding but acknowledges the practical difficulties when dealing with a high volume of cases. To address these challenges, the participant suggests establishing a dedicated SAPS unit focused explicitly on cases related to VAWG. This specialised unit would concentrate on supporting and addressing the unique needs of these victims, particularly in situations as sensitive as those involving rape:

“Manpower and vehicles hinder a lot of us. I don't think this strategy is fully implemented in the SAPS. ... unfortunate to say ... but it's true. We are short [of resources] all-over South Africa ... another big problem is that sometimes people don't understand the situation. If you, as an investigating officer, receive maybe 10 dockets in the morning that need attention, it is a problem. A victim wants to be treated as if she is the only one... is not possible if you have ten cases at once. ... I think they can set up a [SAPS] unit only for that [VAWG-related cases] to just concentrate on these victims, because it's a difficult situation for a woman like [for example] a rape victim?”

This viewpoint is further supported by another SAPS participant who stated: *“We don't have sufficient resources”*.

The responses of other SAPS participants further highlight the challenge of having limited official vehicles available to attend to complaints and victims despite the expansive service area. This limitation results in delayed responses to emergency calls, causing victims to wait for assistance in the CSC for extended periods, sometimes exceeding an hour or two. The participant emphasises the importance of prompt response, stating that due to resource constraints, they often cannot meet the expected speed in reaching victims who require urgent assistance:

“Let's say now we only have two cars outside, even though we have such a big [geographical] area [to serve] and are also dealing with many other issues ... you'll find that, at times, a victim can stay in the CSC for more than an hour or two ... let's say the person calls, you'll find that you cannot respond as fast as you are supposed to because ... if a person phones in such a situation, you're supposed to be there as soon as possible ... most of the time, we cannot”.

“You might find out that maybe we are short-staffed in the shifts, and then the complainant comes, they have to sit for a long time. ... no one who's attending. ... others are busy outside, or vehicles are busy attending to the complaints, so they must wait a long time”.

“We have challenges. It's more like with everything in the police. Our biggest challenge is basically manpower”.

“... a lack of manpower”

“We have a lack of manpower to do the job”.

The responses of the following SAPS participants echo the sentiment shared by most of the other SAPS participants concerning the lack of vehicles to implement policing strategies effectively: *“... we have a lack of vehicles”*; *“We normally don't have cars”*; *“There is also a lack of vehicles to do the job”*.

This response highlights a systemic issue where DV incidences tend to receive lower priority in the SAPS compared to other crimes, such as murder and illegal mining activities. The participants suggest that when multiple patrol vans are on a shift, a murder occurs, or illegal miners start shooting, the murder case and illegal mining case take precedence over a GBV case. This practice reflects an internal challenge within the system, where DV is often relegated to a lower priority, potentially hindering the prompt and effective response to such cases:

“... domestic violence will always take a back seat when it comes to crimes being reported ... if there's three [patrol] vans working in the shift and there's a murder that takes place, murder [case] will then go [receive preference] before [the] gender-based violence [case], so those would be our internal challenges.”

“If the Zama Zamas<sup>5</sup> starts shooting and stuff, we are utilising most of our members on that side. So, they're busy trying to stop those crimes. Whilst sometimes, there is not enough strength left behind to do all the work. It causes a big problem for us”.

Another SAPS participant sums up what is endeavoured with the strategies and the implementation thereof if looked at and addressed correctly. This participant acknowledges that the policing strategies to address VAWG are theoretically effective, emphasising the importance of passionate, caring implementation with adequate staff and knowledge. Optimism is further expressed that, if executed properly, the system could be remarkable. However, the participant also points out the crucial need to address the well-being of SAPS members, including permanent members, reservists, and volunteers. The participant then highlights a shift in perception, stating that SAPS members are no longer driven by passion, but the service is now viewed as a source of employment and income.

“The strategies are good, on paper. If implemented correctly - with passion and love and care, and [if] there is enough staff provided with the knowledge to do so - It's gonna be amazing. And then the needs of the staff members - the permanent members, the reservists, the volunteers need to be looked after. Then it can work. SAPS is no longer a passion. SAPS is employment and money in my [one's] pocket”.

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<sup>5</sup>A colloquial term which stems from Zulu, meaning “to try again” or “take a chance”. The term now refers to artisanal miners who conduct illegal mining in mines that have been discontinued (Campbell, 2016).



As seen in the above discussion, the lack of human resources in the SAPS is of great concern. Without enough of its most essential assets - human resources - this institution will not function or implement any policing strategy sufficiently.

During this study, the researcher observed a significant challenge during visits to the various police stations, specifically, the inadequacy of resources and equipment to address cases under consideration. Some police stations feature designated VERs, while others comprised minimally furnished offices with basic amenities such as a table, wooden bench, and possibly a single chair. These spaces often exhibit unclean walls and an unwelcoming atmosphere, typically near a noisy CSC. A notable exception was identified at one police station, where a VER was well-equipped due to collaboration with the local CPF, featuring all essential equipment and items necessary for aiding victims. Conversely, SAPS members contribute funds to procure these items in various locations.

Additionally, closed doors restrict access to certain offices after regular hours. At one office, the continuous influx of members engaged in activities such as photocopying adjacent to the CSC with an interconnecting door for member entry and exit posed disruptions while personnel attended to victims. Notably, there is a lack of adequate facilities, including hygienic and functional toilets, which denies both police members and victims a fundamental human right to dignity.

The response of another SAPS participant expresses the challenges members face in their role, highlighting a constant struggle with limited resources. The participant emphasises the inadequacy of their equipment, pointing out that despite efforts to provide necessary resources, the situation is often compromised by theft, specifically citing incidents where the police station is broken into, and essential items are stolen:

“We obviously battle with resources. We are not as well equipped as we should be. Sometimes you equip the place, and they break in [at the police station] and steal whatever we have available, that type of thing”.

The following SAPS participant expressed concern about the conditions of the VER, which is situated in the CSC. Initially, the office was well-equipped with furniture, curtains, and other necessities. However, due to some unspecified misunderstanding or reason, all these items were removed. The participant recalls when the office was

aesthetically pleasing with tables, chairs, and curtains. The details surrounding the removal remain unclear, but the office's current state is not well-equipped. The participant emphasises that, as a victim, she would not appreciate being interviewed in the current conditions or the specific room designated for such purposes:

“Let me ... explain ... the GBV office. It is allocated in the CSC and was well equipped in the beginning. But all the furniture, curtains, and everything was removed due to some misunderstanding or whatever. ... it was quite nice at one stage with the curtains, table and chairs, everything inside. I don't know exactly what happened and why they had to remove everything, but now at this stage, it is not well equipped, and I don't think as a victim I would appreciate to be interviewed in that conditions or in that specific room that's allocated”.

Another SAPS participant reflected on the VER in the police station. Initially mistaking it for a canteen due to the constant presence of people eating there, the participant questions the use of the term 'victim' and its impact on victims' identity. The participant expressed discomfort with the room's location in the centre of the CSC, describing it as more akin to an interrogation room than a supportive space. The participant wishes for a more welcoming environment with additional furnishings, colourful decor, and amenities like tissues, emphasising the need for improvement in the design and perception of the VER for the well-being of those who use it:

“At some point I thought it was a canteen because everybody was eating there. So here they don't call it the GBV room, they call it a victim empowerment room. And I spoke to my commanders. I'm like, why are you calling this a victim empowerment room? Because, yes, I know I'm a victim, but now you already saying victim. Go in that room and why am I being labelled automatically as a victim even though I know I am a victim? But now you have this big placard that says, “Victim empowerment room”. You are taking me there. It is in the centre of the charge office. Now and again... I made a joke and I said everybody thinks of it as a canteen now and again people open the door and goes in to go and eat and then they realise “Oh, there's somebody inside” then they leave. ...[when] the victim leaves, they go back in again to go and eat. ... I wish the location of this room at the police station was at a different place and not in the centre of the charge office [CSC]. I wish it was more welcoming. I would have liked it to have more furniture, not just stools. And a desk because it feels more like an interrogation room... then you will see this room does not feel like a victim empowerment room. Nothing about that room is empowering. ...me even as someone who's not even a victim. ... more posters and more colour, more comforting, a box of tissues for crying out loud. Accommodating ... A lot needs to be done about this room”.

One SAPS participant mentioned the existence of a secured room. This designated space bears similarities to a room dedicated to victim empowerment: *“We have a secured room, a specific room, almost like victim empowerment [room]”*.

The analysis of the above discussion illustrates a common sentiment among SAPS participants: the acknowledgement of insufficient resources, particularly human resources, vehicles, and equipment. The overwhelming caseload for investigating officers further emerged as a significant challenge, impacting the ability to provide individual attention to each victim. There's recognition that existing policing strategies could be effective if implemented passionately and with adequate staff and knowledge. However, a shift in perception is noted, with certain SAPS members viewing their service more as a source of employment than a passion-driven profession. The inadequacy of resources is further illustrated through the state of police stations and VERs. Some VERs lack essential equipment, creating unwelcoming atmospheres, while others are repurposed for activities like eating and questioning. There is also a question about the use of the term 'victim' when dealing with VAWC and DV. This analysis underscores the need for dedicated units, improved facilities, and a shift in the organisational culture to better address VAWG and support victims and SAPS members.

Sub-theme 2.4 of Theme 2, namely, 'challenges members experience concerning gender and language barriers,' follow for interpretation and analysis.

#### **4.4.4 Sub-theme 2.4: Gender and Language Barriers**

The challenges surrounding gender and language barriers are pivotal in implementing effective policing strategies against violence targeting women and girls. In the complex policing landscape, communication is paramount, yet linguistic disparities can hinder the seamless exchange of information. Misunderstandings due to language barriers can impede victims' ability to report incidents and officers' capacity to comprehend nuances in their statements. Moreover, gender-specific issues demand a nuanced understanding that linguistic challenges often exacerbate. Sensitivity to diverse cultural contexts becomes imperative, as language can shape perceptions of abuse and influence the response of both victims and the police. Bridging these gaps is essential for fostering trust and ensuring that policing strategies are not only inclusive

but also attuned to the unique vulnerabilities of women and girls. Overcoming these challenges is fundamental to creating a protective environment where victims feel empowered to seek justice, contributing to a society free from GBV.

The literature reviewed in chapter 2 draws attention to the significance of eradicating language barriers in the fight against VAWG. Section 2 of the DVA values the importance of addressing language barriers, mandating SAPS members to provide notices in the complainant's preferred language during DV incidents. Additionally, the National Policy Guidelines for Handling Victims of Sexual Offences draws attention to language issues by ensuring equitable services, including sign language interpreters. Singh (2016) highlights the DOJ&CD's commitment to overcoming language barriers by translating Protection Order Applications into South Africa's 11 official languages and providing braille booklets. Addressing language barriers is pivotal for effective policing strategies in combating VAWG, as emphasised in paragraph 2.4.1. It ensures victims can access support and justice, regardless of linguistic or sensory impairments, thereby strengthening the implementation of VAWG policing efforts.

The SAPS participants of a particular police station believe several other barriers challenge them to do what they should. These participants consistently mention the challenges posed by language barriers within a community, particularly among individuals from the Coloured community. The speaker highlights how these linguistic differences contribute to problems, emphasising that many victims or complainants from the Coloured community come to her office specifically since she understands their language. This community uses a language regarded as very informal and is typically restricted to these communities. The issue extends beyond language, encompassing cultural differences and the negative impact of gossip, eroding confidentiality. The speaker notes that most of the affected individuals in this community are Afrikaans-speaking, and the lack of understanding from others further complicates matters. Additionally, there is an acknowledgement that cultural factors are becoming increasingly significant in exacerbating the existing challenges. The responses from these participants demonstrate these viewpoints:

“... language barrier and things like that”.

“In our community, language is also a barrier”.

“Yes, the external problem with the community ... most of them are coloureds [sic]. The language barrier, culture and gossip create problems. There is no confidentiality. Most of the coloured complainants come to my office to report, especially because of the language barrier. Most of them are Afrikaans and the other people do not understand them. Culture [barriers] is coming in more”.

The above interpretation underscores the profound impact that language barriers could have within a community. These challenges stemming from linguistic differences are highlighted, drawing attention to police officers’ role in hindering effective communication and understanding. One SAPS participant’s ability to bridge this gap by comprehending the informal language of the Coloured community underscores the importance of linguistic sensitivity. Furthermore, this analysis reveals that the issue extends beyond language to include cultural disparities and the damaging effects of gossip, eroding confidentiality. Acknowledging cultural factors emphasises the need for a comprehensive approach to address these complex issues.

Sub-theme 2.5 of Theme 2, namely ‘SAPS members are often the victims or perpetrators of GBV themselves,’ follows for interpretation and analysis.

#### **4.4.5 Sub-theme 2.5: SAPS Members as Victims or Perpetrators of VAWG**

In an unfortunate paradox, members of the SAPS find themselves entangled in the web of GBV as both victims and perpetrators. These officers, entrusted with upholding law and order, grapple with the same societal scourge they are meant to combat. The intricate interplay of power dynamics within the police service often perpetuates a culture of silence, hindering the reporting of VAWG. Victims among SAPS members face unique challenges accessing support as institutional structures struggle to address internal GBV issues. Recognising and rectifying this internal crisis is pivotal not only for the well-being of the officers involved but also for fostering a police service that can effectively combat GBV in the broader community.

The literature reviewed recognises that SAPS members are often perpetrators of VAWG themselves. Consequently, Gould et al. (2017), highlight in 1.1 that the societal costs of GBV are not solely shouldered by the state, perpetrators, or victims but impact society at large. In 2.11, Paulse (2016) discusses SAPS initiatives to enhance compliance with the DVA, such as circulating directives like SAPS Provincial Instruction 29/2013, to address SAPS members implicated in DV cases.

More than one SAPS participant mentioned the fact that some of the members dealing with VAWG-related cases are also victims of these crimes or the perpetrators thereof, which makes it exceedingly difficult to be objective and have the correct attitude towards victims. These participants expressed the challenges SAPS members face as being victims of DV within their community. Some SAPS members who are victims of DV find it challenging to open up about their experiences, fearing discomfort in sharing such personal matters with colleagues - this reluctance to disclose leads to a build-up of emotions, ultimately impacting their work. Moreover, the prevalence of DV complaints among these members serves as a constant reminder of their struggles with such issues. The collective weight of these personal battles has a noticeable effect on their professional lives, underscoring the intricate connection between personal well-being and work performance. These participants uttered their experiences as follows:

“We have members who are victims. Sometimes they don't want to disclose because disclosing to your colleague makes you feel uncomfortable, and in the end, you are just bottling up, and then it affects your work”.

“With the complaint of domestic violence, it keeps on reminding them [SAPS members] of what they also experience themselves [victims of DV] – it is affecting their work”.

In addition, the following three SAPS participant responses further highlight a concerning aspect within the police service, where some members are not only witnesses to GBV but may also be victims or even perpetrators themselves. This situation adds a complex layer to addressing such crimes, as officers deal with cases involving their colleagues. The lack of confidentiality and fear of judgment make it difficult for affected individuals within the service to speak out or seek help. The stigma surrounding these issues is exacerbated by a culture where privacy is compromised, and victims are reluctant to report incidents due to the potential for mockery or insensitive jokes from their peers. The following quotes shed light on the challenges faced by police officers in addressing GBV within their ranks, emphasising the need for a more supportive and confidential environment:

“Some of the police members are also the victims or the perpetrators of these crimes as well ... now you deal with somebody's gender-based violence complaint and you have to arrest the perpetrator and you yourself you don't understand”.

“Some members are too ashamed to reach out, especially because they do not want their colleagues to know. Privacy is a problem. There is no help, and men, will make jokes about their colleagues if they are victims”.

“If they are victims, they are afraid to talk out because I think there's no confidentiality. They are scared people are gonna joke ...”.

Sub-theme 2.6 of Theme 2, namely that ‘SAPS members are challenged by the negative approach/lack of passion’, follows for interpretation and analysis.

#### **4.4.6 Sub-theme: 2.6 Negative Approach and/or a Lack of Passion by Some Members**

Dedicated members of the SAPS face a profound challenge – combating VAWG amidst a negative work culture and lack of passion. Despite their commitment to upholding justice, these officers grapple with systemic issues hindering their ability to address VAWG effectively. The impact is felt in communities where survivors often find themselves unheard and unsupported. The struggle against VAWG demands a shift in mindset, a reinvigorated passion within the police service, and a united front against societal norms that perpetuate harm. Only through collective determination and a renewed sense of purpose can SAPS members make lasting strides in safeguarding the vulnerable and reshaping the narrative surrounding VAWG.

As presented in paragraph 1.2, the reviewed literature recognises that adherence to the DVA is imperative within the SAPS, as outlined in the Policy Document on Domestic Violence (2014). This document emphasises the importance of treating DV victims with sensitivity and respect, safeguarding their dignity throughout interactions with SAPS members. Moreover, Mutanha (2019) draws attention to developing unbiased norms, behaviours, and attitudes to prevent GBV in 2.2. As presented in paragraph 2.9.8, the #TotalShutdown movement (2018) in South Africa demands government commitment not to appoint individuals implicated in GBV to Cabinet. Furthermore, in 2.9.6, Grierson (2021) underscores the necessity for an unequivocal commitment to addressing VAWG across governmental, policing, and public sector partnerships. Pikoli (2016), in paragraph 2.12, stresses the ongoing dedication required from all stakeholders, including SAPS, to implement the DVA effectively. Additionally, the establishment of women's police stations in Latin America, as discussed in 3.2.1, reflects a profound commitment among police members to address DV.

From the interview responses, it appears that the SAPS participants reached a consensus on the crucial need for respectful and compassionate treatment of victims of VAWG. Several SAPS participants emphasised the importance of treating VAWG victims with respect and dignity during interviews. The statement underscores the need for police officers to extend this respectful treatment to all individuals who visit police stations, regardless of their occupation or appearance. The overarching message is that the SAPS should adhere to a policy of protecting the community without discrimination based on the person's background or attire. The emphasis is on fostering an inclusive and unbiased approach to law enforcement, ensuring that all individuals receive fair and respectful treatment from the police. The need to treat individuals who have experienced abuse with knowledge and compassion is emphasised, highlighting a commitment to avoiding victim-blaming. The significance of treating survivors with respect and maintaining a supportive approach when dealing with cases of DV are stressed:

“A victim needs to be treated with respect, and dignity when interviewed by us [SAPS members]” “... police should treat all people who come to the police station with respect. It doesn't matter what type of work they do, and it doesn't matter what type of clothing they present with at a police station. ..., they [SAPS] should implement their [its] policy of protecting the community irrespective of what type of person presents in front of them”.

“We've been taught that domestic violence is a priority. In our community, we have to treat the people who are abused with the knowledge that we have received, and we must not victimise them, we must always treat them with respect”.

One of the SAPS participants believed that SAPS members tend to be pessimistic or resistant to change. The participant suggests that despite receiving national instructions, updated strategies, and attending courses, the negativity within the police service persists. The comment implies a perception that the police may not fully embrace or internalise the guidance provided, leading to a cycle of forgetfulness and a lack of sustained positive change. The participant also hints at the importance of individual work ethic in determining how effectively the instructions and strategies are implemented within the SAPS:

“I think we police are just negative. Let me just be honest with you. They'll put up signs ... national instructions. We'll read it today. Tomorrow, we forget. It goes from person to person. It's how your work ethic is, right? They send National Instructions and updated strategies on what to do and how to



handle a specific situation, and they send you to courses. But we are just negative”.

One SAPS participant suggests the key issue is the prevalent ‘don't care attitude’ among individuals within the SAPS. This implies a lack of commitment, dedication, or responsibility, which could potentially hinder the effectiveness and professionalism of the police service. The emphasis on attitude suggests that addressing this mindset is crucial for improving the overall performance of the SAPS concerning VAWG:

“... it's about attitude. ... the, don't care attitude of individuals in the SAPS”.

Twelve SAPS participants expressed a shift in members’ perspective towards their work. Initially, these participants highlighted that the SAPS used to be a passion but has become primarily about employment and earning a salary for many members. The participants suggest that this change is widespread, mentioning a lack of knowledge at the station level and a limited understanding of various laws. They conclude by emphasising an overall absence of passion for the work within the SAPS. The responses below collectively convey a sentiment of disillusionment and a perception that the initial enthusiasm for the job has been replaced by a more pragmatic focus on employment and financial compensation:

“SAPS is no longer a passion. SAPS is employment and money [salary] in my pocket”.

“... I think there is a lack of knowledge on station level ... also with the understanding of the different laws. I don't think there's a passion for it [the work]”.

“... there is a lack of passion for the work”.

Most SAPS participants highlight the sensitive nature of addressing VAWG, emphasising that it is a matter dealt with regularly. They suggest that dealing with such issues requires a compassionate approach and a genuine concern for the well-being of the victims. The participant implies that members may become pessimistic about addressing this severe concern without a heartfelt commitment to helping those affected by VAWG. The importance of passion in one's chosen field is further emphasised, asserting that genuine passion is a driving force. Initially, there might be a clear intention to serve the community. However, participants noted a shift in morals

and values over time, suggesting that the original sense of purpose may evolve or erode, altering the nature of the commitment to community service.

“This [VAWG] is a sensitive matter. Part of what we deal with regularly. It goes with passion. If you don't have the heart for these people [victims of VAWG], you are going to be negative as well”.

“But the willingness – again, it comes back to your passion for the field you fall under .... Maybe in the beginning you know that you will serve the community, but certain individuals – I think the morals and the values have changed, so it's not the same anymore”.

Moreover, many SAPS participants expressed frustration with the existing gap between strategies formulated on paper and their actual implementation within the SAPS. Despite having a passion for the work, there is a perceived lack of knowledge, care, and commitment from team members, hindering the effective execution of strategies. The participants acknowledge the challenge of conveying this passion to others, emphasising that passion would drive successful implementation in an ideal scenario. The hope is that such a shift would alleviate pressure on police stations and inspire individuals to make a positive difference even in tasks not aligned with their passion. However, the participants acknowledge the difficulty of explaining this to those who do not share the same level of passion:

“... strategies are made on paper. But due to a lack of knowledge and care and passion from members, it's not implemented ... Not the way it might be at other stations because of their passion ...”.

“In a perfect world, it would work. I wish it will happen ... will not only release the pressure from stations, for example that I am making a difference and doing this because it is my passion and even though this is not my passion, I will still do it ... It is difficult for them to explain to someone who doesn't have the passion ...”.

It is clear from the above responses that the importance of extending respectful and compassionate treatment to all individuals visiting police stations and promoting an inclusive and unbiased approach is valued. A participant candidly addresses the prevailing pessimism within the SAPS, suggesting resistance to change and a lack of internalisation of guidance. The emphasis on a ‘don't care attitude’ raises concerns about commitment and professionalism within the police service. The shift from passion-driven service to focusing on employment and financial compensation is a shared observation, reflecting disillusionment. Despite a passion for the work, the

struggle to bridge the gap between formulated strategies and actual implementation adds a layer of frustration, emphasising the challenge of instilling commitment and knowledge throughout the SAPS.

Theme 3, namely, 'Policing strategies are not effectively implemented due to a lack of coordination with external stakeholders/integration of services', follows for interpretation and analysis.

#### **4.5 THEME 3: LACK OF COORDINATION WITH EXTERNAL STAKEHOLDERS/INTEGRATION OF SERVICES**

In the battle against VAWG, the failure to implement policing strategies effectively due to a lack of coordination with external stakeholders and integration of services represents a critical setback. This breakdown in collaboration hampers the seamless exchange of information and resources, hindering the integrated approach required to combat such pervasive issues. The absence of a unified front dilutes the impact of preventive measures and victim support initiatives. Effective policing strategies necessitate a symbiotic relationship with community organisations, social services, and advocacy groups. Only through harmonious collaboration can the fight against VAWG be elevated to a level where comprehensive solutions are realised, emphasising the imperative role of coordinated efforts in addressing this societal menace.

The answers to the following question gave rise to this theme:

- Does the SAPS sufficiently implement existing policing strategies in response to VAWG?

The rationale for posing this question to participants was to explore the intricate dynamics surrounding the efficacy of policing strategies in addressing VAWG by establishing whether the SAPS confronts impediments from within its organisational structure or external factors, thereby contributing to a nuanced understanding for the enhancement of future interventions.

Sub-theme 3.1 of Theme 3, namely 'a lack of shelters/places of safety for victims of VAWG', follows for interpretation and analysis.

#### **4.5.1 Sub-theme 3.1: A Lack of Shelters/Places of Safety for Victims of VAWG**

The absence of places of safety for victims of VAWG creates a dire landscape where suffering amplifies. Denied a refuge, survivors endure a haunting cycle of fear and vulnerability, trapped in the shadows of their tormentors. The absence of safe spaces magnifies the trauma, suppressing voices that yearn for liberation. This scarcity endangers lives and perpetuates a culture of silence, impeding societal awareness and intervention. Places of safety serve as sanctuaries, offering solace and empowerment. Without them, the battle against VAWG becomes an uphill struggle, with victims left defenceless against the relentless tide of abuse.

The reviewed literature in chapters 1, 2 and 3 values the importance of adequate shelters for abused women and girls. The Policy Framework and Strategy for Shelters for Victims of Domestic Violence in South Africa (2003), as presented in paragraph 1.2, emphasise the provisioning of shelter services to victims of DV. In addition, Paresee (2018:2) acknowledges the challenge of finding shelters for women. As presented in 2.9.8, the #TotalShutdown movement (2018) emphasises gender-inclusive shelters and interim housing for victims. The SIDA (2015:19), as presented in 2.10, values the importance of available safe shelters run by the state for survivors of GBV. The discussion in section 2.10.1 recognises a public health campaign in Mexico assisting local authorities with shelters at the Mexico-US border, which benefitted 17 shelters and about 10 000 people (IRC, 2020:3). Furthermore, the discussion in section 2.10.2 gave attention to significant funding in Canada that supported shelter renovation and construction for victims of family violence, particularly in First Nations communities.

The responses of SAPS participants suggest that there is a reluctance among GBV victims to open formal cases, with many opting to inform the SAPS without formally pursuing legal action. However, places like *Ikhaya Lethemba*, a place of safety for GBV victims, require a formal case for victims to access their services, posing a significant obstacle as many victims simply want to have the incident recorded without pursuing legal recourse. Participants emphasised that shelters or places of safety generally prefer victims with official case numbers. This preference may be due to needing a documented legal basis to offer assistance or accommodation. The

combination of reluctance to open cases and the requirement of case numbers by places of safety creates a notable challenge in providing support to individuals affected by GBV:

“Ikhaya Lethemba [place of safety], for example, they will tell you a victim of GBV must open a case, and a majority of the victims do not want to open a case. They just want to inform us of it ... They want it on record. With Ikhaya Lethemba you must have a case with them, otherwise, they cannot offer a place, you understand? That's a challenge”.

“They [places of safety] prefer those [victims] that have case numbers, I know the shelters prefer case numbers”.

One SAPS participant discusses the challenges members face in ensuring the safety of individuals in distress by highlighting the difficulties in finding suitable places of safety for victims, which involves making phone calls to secure beds and assistance. The process involves coordination with organisations to address the victim's needs, emphasising the collaborative efforts required to place individuals in a secure environment. This participant explains the challenge as follows:

“... we [SAPS members] have challenges of places of safety. We have to make phone calls, try to find a place, and try to find a bed for the victim, which, in turn, we have to call Victim Support to assist us. We have to call social crime to assist us. We have to place this lady somewhere”.

The fact that places of safety are mostly not located in the police station's precinct places a further burden on the members and the station's functionality. Should these victims be transported, service delivery is compromised as vehicles used to investigate complaints in the station area are used to transport the victims. This means that in some instances, there is no vehicle to attend to matters in the station area until the specific vehicle returns. The SAPS participants highlighted the limited availability of safe spaces or shelters for victims in their precincts, emphasising the need to travel to other areas. One participant mentioned that if a 'place of safety' is needed for a victim, SAPS members would have to transport them to Johannesburg, implying that there is no suitable shelter in the current policing precinct. Another SAPS participant echoed this sentiment, stating that there is only one NGO in their area that provides a place of safety for children, and for additional places of safety options, they must look outside their immediate community:

“Not here [Fairlands] but somewhere in Joburg. [If a place of safety is] Somewhere in Johannesburg [it] means that we have to drive to Johannesburg and leave our area”.

“In my area, there's no shelter, except one NGO that I know takes children. We have to use the shelters outside the area”.

Furthermore, SAPS members acknowledged the responsibility of dealing with child victims, emphasising that it is a ‘problem’ that the SAPS members must handle. Participants also highlighted the challenges in transporting child victims, explaining that it requires unmarked police vehicles, which the department currently lacks. In such cases, they rely on assistance from members who have access to unmarked vehicles to address the transportation needs of the affected children. The responses of these participants reflect the awareness of the unique challenges involved in dealing with child victims and the improvisation required to ensure their safety and well-being:

“...[victims] remains my problem and is sitting here with me”.

“We have to transport them [abused children] which is a challenge. If you transport children, you have to be in an unmarked [police] vehicle, which we don't have currently. But if we encounter such problem with children, we ask members who have unmarked vehicles to assist”.

SAPS participants expressed concerns about the limitations and challenges faced by victims of VAWG when seeking places of safety. Participants suggest that places of safety should be more inclusive, as victims without support from family or friends might struggle to find assistance. Participants highlight issues with the current procedures for accessing shelters, noting that certain conditions, such as laying charges and having a case number, can restrict admission. Additionally, the speaker emphasises the difficulties posed by shelters that only accept specific groups, such as males or females, or have age restrictions. This selective approach may force families to be separated, causing further trauma for the victims. Overall, participants’ responses underscore the need for more comprehensive and flexible support systems for GBV victims seeking refuge:

“I think maybe they [places of safety] should try and accommodate everyone because if I [victims] don't have a family member or a friend or whoever that can assist these victims, where do I take this person?”

“The victim of the GBV case might need a shelter to stay at. ... there are specific procedures that need to be followed. The problem we have is that the shelters do not take all the victims. They accept them on certain

conditions, provided that they need to have laid a charge and have a case number”.

“Sometimes they will tell you we're only taking males or females. ... and others will say they take children, but they cannot take boys and girls at the same time. ... how does a mother separate her children? Sometimes she will go with the girl, and the boy must go somewhere else. They are so traumatised, and now we have to separate them because it's what the shelter is saying”.

“Another problem is that some shelters only take persons up till the age of 59. If the victim is older than this, it also becomes a challenge”.

From additional SAPS participant responses, it appears that there is a connection between having a case number and accessing places of safety for victims. Participants highlighted a challenge where shelters lack sufficient space for all victims, prompting them to request a case number as a prerequisite for assistance. This suggests a dependency on case numbers for victim support, and the shortage of space in shelters adds complexity to the situation. While addressing the critical issue of providing places of safety for those women and children facing abuse, SAPS members encounter various challenges. One obstacle is the inconsistency in the availability of shelters, with instances of non-functioning contact numbers or shelters reaching full capacity. If securing a shelter proves futile, SAPS members contact the DSD. Another complication arises when victims, without a protection order or unwilling to open a case, find themselves excluded from shelters, further highlighting the external challenges in providing refuge for women and children in need.

“Before we can go to the issue of case number or not a case number. The shelters also do not have space for all the victims, so they ask for a case number”.

“Other times if you call a shelter, the number is no more [longer] working or there is no space. If we fail to get a shelter, we contact the Department of Social Development”.

“Another external challenge is that shelters are always full and if a person does not want to open a case and do [does] not have a protection order, the shelters does [do] not take them”.

However, one of the SAPS participants indicated a secure location, accessible around the clock, designed to offer safety for individuals, including mothers, fathers, and children. The speaker mentions a private facility in the local area, distinct from government and NGOs, that specialises in assisting children. This facility serves as a

refuge for abused children when government places of safety are unavailable, providing temporary protection until alternative arrangements can be made.

“There is one [place of safety]. It is available 24/7. You can bring the mother, the father, or the child. And then we've got a private one [place of safety] ... not government-based and nonprofit, which is based here in the area ... specifically deals with children. So anytime when we have a [abused] child, and we are unable to find a space in the government shelters, they can help us keep the child until we can arrange another place”.

Another SAPS participant highlighted the complexity of women with substance abuse problems gaining access to places of safety. This response underscores the need for specific strategies and support systems to address the unique circumstances women face in this context.

“I think you also have a problem in that women themselves have substance abuse difficulties. You know, and it's very, very difficult to get women with substance abuse difficulties into shelters”.

Several SAPS participants suggested establishing a centralised and comprehensive service for addressing VAWG. These participants advocate for a one-stop centre, citing the example of Ikhaya Lethemba, where all necessary services and investigations related to abuse cases are consolidated in one location. The current system, which involves multiple offices and referrals, is criticised for causing unnecessary delays and inconvenience for victims. These participants highlighted the need for a dedicated centre for VAWG, where victims can receive immediate assistance in a secure environment, separate from other non-abuse cases. This approach aims to streamline the process, provide specialised care, and eliminate the need for victims to navigate various offices and locations for support.

“A one-stop service will help, let's go back to Ikhaya Lethemba [place of safety]. They've got everything in one place. If they conduct an investigation on, for example, this type of [abuse] case, it will move from one office to another one and then transfer to the next to get another service. It's a chain of command, yes, up until they conclude their investigation. And then the matter is ready for decision, the court is also there. The victims don't have to suffer to be referred, to go to town, come back and go to Pretoria. The service will all be at one place. I think that is a very wonderful strategy”.

“That is why we need a centre for gender-based violence, right where everybody goes directly. You don't go to a station and will be assisted immediately”.



“... so that they only deal with gender-based violence victims where they can be secure. They don't have to deal with other victims and only concentrate on them. They are separated from the rest and treated on a separate basis”.

The responses from SAPS participants revealed a predominant theme is the reluctance of GBV victims to open formal cases, hindering their access to places of safety. These safe havens often demand official case numbers, creating a problematic situation where victims who want incidents recorded without legal pursuit face obstacles. The shortage of safe spaces in police precincts necessitates transporting victims to distant locations, compounding the difficulties. The analysis highlights the struggles in dealing with child victims, including transportation hurdles due to the lack of unmarked police vehicles. The responses advocate for a more inclusive and flexible support system, emphasising the need for centralised services to streamline assistance for GBV victims.

Sub-theme 3.2 of Theme 3, namely that ‘victim support services are not available after hours’, follows for interpretation and analysis.

#### **4.5.2 Sub-theme 3.2: Availability of Victim Support Services After-Hours**

The absence of after-hours victim support services for victims of VAWG amplifies the anguish of those in crisis. The need for emotional and practical victim support services often intensifies after hours. Without around-the-clock support, victims face isolation, heightened vulnerability, and delayed access to crucial resources. Timely intervention is pivotal in breaking the cycle of violence and aiding recovery. The absence of after-hours support compromises immediate safety and hinders the restoration of shattered lives. Establishing a continuous lifeline of assistance is imperative, ensuring victims find solace and guidance whenever the shadows of abuse loom.

The reviewed literature draws attention to the commitment of police organisations to prioritising victim support. The SAPS National Instruction 3 of 2008 values the importance of aiding SAPS members in helping victims of sexual offences in South Africa in paragraph 2.4.11. Meanwhile, the Madhya Pradesh state police force draws attention to victim support by establishing 51 victim support centres for women, as documented by Toor (2018) in 3.2.4. These initiatives highlight a concerted effort to address the needs of victims, emphasising the importance of providing specialised care and support within policing frameworks.

SAPS participants expressed frustration over the lack of support from places of safety in assisting around the clock. The officers highlighted the limitations of a private social office that operates irregularly and does not work on weekends. The challenge is exacerbated during after-hours when professional social workers are unavailable. In such cases, the officer mentions referring individuals to places of safety to connect them with a social worker the following day. The unavailability of social workers during night hours poses a significant challenge for police officers in addressing VAWG cases effectively.

“I, the police officer, I'm around 24 hours a day. The people [places of safety] should offer me assistance but are not”.

“... we also have a social office which is a private organisation on its own, but they don't work every day and they don't work on weekends”.  
“The challenge is even worse after hours”.

“If the case is reported at night and we can't get a professional social worker, then, we can refer them to a shelter and let them see a social worker the following day”.

“So, if the social worker is not available after hours it poses a challenge for us during the night”.

However, one SAPS participant mentioned the convenience of coordinating with social workers, who are readily available 24 hours a day to assist victims at the police station. However, the participant pointed out a significant hurdle when dealing with other agencies, such as the DSD, especially after regular working hours. During these times, there is a notable lack of availability and no standby contact for assistance. As a result, the participant often must wait until the next day to receive the necessary help for their victims.

“I'm in charge of Victim Support. When I've got a client [victim of abuse] that needs a service, it's easy for me to get those people [social workers] because they are available 24 hours. In a minute they will be here at the station and attend to my client [victim of abuse]”.

“But if I have to go to places like [Department of] Social Development, for instance, after hours, it's a struggle. Those people are not there, and there's no one on standby whom I can contact to assist. Then I'll have to wait for the next day to get help”.

SAPS participants voiced frustration over inadequate support from places of safety, particularly after-hours. The irregular operation of private social offices and their non-

functionality on weekends create limitations for officers addressing VAWG cases. The absence of professional social workers during night hours intensifies the challenge, forcing officers to refer victims to safety to connect them with social workers the next day. While coordinating with 24/7 available social workers at police stations, in limited instances, proves convenient, collaboration with other agencies, like the DSD, faces significant hurdles after regular working hours. The absence of standby contacts leaves officers waiting until the next day for crucial assistance.

Sub-theme 3.3 for Theme 3, namely that 'policing strategies are not integrated between the different governmental departments', follows for interpretation and analysis.

#### **4.5.3 Sub-theme 3.3: Integration of Policing Strategies Among Governmental Departments**

In the absence of integrated policing strategies among various governmental departments, the fight against violence targeting women and girls remains fragmented. This disjointed approach hinders the efficient exchange of information, coordination, and collaborative efforts crucial for tackling these pervasive issues. Siloed strategies result in gaps where perpetrators can exploit jurisdictional boundaries, escaping accountability. Victim support, preventive measures, and law enforcement are compromised without a unified front. It is imperative to bridge these institutional divides, fostering collaboration and aligning resources to create a comprehensive framework that protects the most vulnerable members of society. Integrated policing strategies are beneficial and indispensable in ensuring the safety and well-being of women and girls.

The literature reviewed values the importance of stakeholder collaboration to integrate policing strategies against VAWG efficiently. As presented in paragraph 2.4.10, the National Policy Guidelines for Handling of Victims of Sexual Offences, section 62(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, emphasise a multi-disciplinary approach involving social workers, law enforcement, healthcare professionals, prosecutors, correctional services, traditional leaders, and educators to enhance services and oversight. Similarly, the GBVF-NSP, as presented in 2.4.11, emphasises strategic collaboration among stakeholders to tackle challenges

effectively, stressing the need for multi-sectoral responses and increased accountability. Women's police stations in Latin America draw attention to cooperation, involving female and male officers in implementing this policing strategy in 3.2.1. Moreover, collaborative initiatives in Asia, as per 3.2.2, led by UN agencies, enhance the capacity of law enforcement officers to respond adeptly to incidents of GBV, highlighting the significance of global partnerships in combating VAWG.

Several NGO participants emphasised the importance of an integrated policing strategy to address GBV, involving various fields such as law enforcement, medical professionals, and social services. The intended approach includes seamless coordination from the police station through medical assessments to social and psychological support. However, one participant notes that this integration is lacking, particularly at the NGO level. Police officers dealing with GBV victims share frustration with the participant due to overwhelming caseloads, exacerbated by a drastic increase in GBV cases in South Africa. The follow-through process, from reporting to providing a safe place for victims and ensuring necessary medical and social interventions, is hindered by a lack of support and infrastructure. Another NGO participant identified a breakdown in communication and collaboration between government branches mandated to address the GBV epidemic, highlighting territorialisation and a notable absence of information sharing and support among different departments at a governmental level. Participants' responses were as follows:

"The policing strategies is [are] meant to be an integrated support system across all the fields that deal with GBV. So, in saying that, it would be the first contact, say at the police station - the policeman or policewoman. Then ... the medical contact, the assessments, the right kits, and all that is done. ... also, the social and psychological aspects. My understanding is that these are meant to be integrated, starting from SAPS all the way through. This is not what we are seeing at an NGO level".

"The police officers that we deal with, who literally bring GBV victims to our houses of safety, are extremely frustrated because they have extremely large caseloads. We know the statistics of GBV in South Africa have spiked drastically. ... the officers are dealing with huge caseloads; they do not have the support or the infrastructure to be able to deal with these caseloads effectively. ... we are going back to the follow-through from reporting the case to finding a place of safety for the woman to making sure the medical checks are done and there is social intervention. ... it is the lack of communication between the different government branches who are all, as far as I understand, mandated to deal with what has been considered a GBV epidemic in this country. ... it seems to become territorialised by the different departments. It seems to be very territorial and there's a lack of information

sharing. There is a lack of communication and a lack of support among the different departments on a governmental level”.

The responses from NGO participants reveal concerns about the DSD's approach to addressing GBV. According to one participant, the DSD seems to focus more on collaborating with schools to combat other crimes, such as drug abuse, rather than focusing on combating GBV. However, significant criticisms exist regarding the collaboration between the SAPS, medical services, and the DSD. The participant notes a lack of effective cooperation and coordination among these entities. Detectives lack motivation and apathy, possibly due to a perceived lack of results.

Another NGO participant experienced that despite the intention to engage in multi-faceted collaborations, a perceived absence of an internal structure to support these efforts exists. Instances are mentioned where police officers bring GBV victims to NGO places of safety without proper coordination, leading to a breakdown in communication. The DSD is implicated in this communication breakdown, with claims that information about government-funded places of safety is not effectively shared with police officers.

Furthermore, the response from another NGO participant also suggests that information about these places of safety is not readily available, even to organisations willing to assist. There is an apparent reluctance to share details about the shelters for the safety of GBV victims. This lack of transparency hinders NGOs and social workers from referring victims to appropriate government-funded facilities, as they lack essential details such as names and locations. An additional NGO participant criticises government-funded facilities' criteria, turning away victims who do not meet specific standards and have limited availability, especially after hours or on weekends. This leaves police officers in a difficult position when dealing with GBV cases, especially in urgent situations occurring outside regular working hours. Overall, NGO participants' responses paint a picture of systemic issues, including a lack of communication, coordination, and transparency among stakeholders meant to combat GBV.

“... [Department of] social development, but their main target what I've realised and noticed now at this station, is they target schools, not actually GBV. ... that's because of the crime in our area, like the big drug problem, so they believe that if they then work hand in hand with schools and young youth ... minimising the use of drugs and gangsters in our country”.

“... with regard to the medical services and the Department of Social Development, who are meant to be working very closely with the SAPS in order to combat these systems. This is not happening, ... it just seems to be falling through the cracks. What I've seen from detectives that I personally have dealt with ... there seems to be a lack of motivation. ... an atmosphere of apathy where it's almost as if the police officers we deal with don't seem to be motivated to follow it through because they know that there will almost never be a result”.

“... the intention to engage in these multi-faceted cooperations is there. I think there is possibly an internal structure that should be there, but in our experience, it is not. We are often having police officers who would come to one of our houses of safety 9:00 o'clock at night with the woman covered in blood ... say... we've got nowhere to take her. She's been abused. We're dropping her off here ... the cooperation between SAPS and NGOs needs to be more transparent ... less aggressive. Working agreements with stakeholders ... with regard to Department of Social Development, my understanding is that they should be one of the major stakeholders in this epidemic that we are facing. ... from personal experience, we've been told directly by Department of Social Development that there are GBV shelters and facilities, that have been made known to the police stations. But, literally three days later, we had police officers come to us with GBV victims and we questioned them and said: “Are you aware of these government-funded shelters?” ... police officers have said no, we know nothing about it, whereas DSD, they have told us that ... the police are only supposed to take GBV victims to these government-funded shelters. ... there seems to be a major break in communication between these stakeholders who need to have the same ultimate goal”.

“From our perspective, we have even tried to research and find these shelters. ... they cannot give us the numbers; they cannot give us the names or the locations of these shelters in order to protect the residents. ... we are to refer people that come to us to them. And now we say we cannot refer them as we don't have the details. “Can you give them to us?” We said no, we cannot give it to you for the safety of the GBV victims. Many of the officers that we've spoken to do not know these details. Social workers. The government social workers who are paid by the government through the different organisations refer GBV cases to NGOs and NPOs, not just us but all around the country. And if we ask them, why they are being referred to us and not the government-funded facilities, some of the social workers say well, because you get results. A lot of GBV victims who do not meet the criteria of government-funded facilities are turned away. And they're not available after hours and on a Friday, they close at 1:00. So, if a woman gets beaten up at 2:00 on a Friday afternoon, there is no help. Where do the police take her?”

Moreover, SAPS participants revealed the challenges faced by police officers dealing with such cases, for example, instances where officers had to use their own money to buy essentials for children in need when other organisations were unavailable. One participant points out the limited support from external agencies like the DSD, which operates only during specific hours, making it difficult for law enforcement to handle

serious issues that arise after hours and on weekends. Frustration is expressed with the unavailability of trained social workers and the challenges in dealing with paperwork and finding suitable places of safety for abused victims in distress. Despite acknowledging the persistence of these issues for years, the participant notes that many problems remain unresolved both internally and externally.

“There is no cooperation between government and non-government level to turn this [VAWG] tide”.

“... you know when you're working late. You can sometimes come to the CSC. You'll find a mother with a small baby. There was a time when a father came here with a one-week-old child. We [police officers] had to pop up money to go and buy milk for that baby because the mother was nowhere to be found, so the other organisations they do not come to the party. We do not find them to assist on weekends. They are not available”.

“If we look at external - the Department of Social Development - they only work 8:00am to 16:00pm, Monday to Friday. ... situations which become serious problems after hours and ... weekends ... they are not available, ... difficult because we are not trained social workers, we don't exactly know what to do for example how certain documents need to be completed and what to do if a place of safety is full. ... although there is list with details of places of safety if we try to contact them, we discover that they closed down after COVID. Some of the places don't exist, although we update our list every six months ... it's difficult and members don't exactly know what to do. There are a lot of things that still need to be ironed out both internally and externally. As I mentioned, these issues have been coming on for a few years and we are still experiencing the same problem”.

An additional SAPS participant expressed frustration with delays in obtaining J88 medical reports at hospitals, which are crucial for legal cases. The participant mentions waiting periods of up to three or four months for these reports, highlighting that the doctor on duty during the incident often does not immediately complete and sign the J88. This delay leads to cases being thrown out of court, as the necessary medical documentation is unavailable. The participant further emphasised the need for a faster process and suggested that the doctor on duty promptly endorse the J88 with their signature to expedite the legal proceedings. Additionally, the participant discusses the challenges of coordinating between different departments and the impact on the abused victims, who may be afraid of the perpetrator returning during the prolonged legal process.

Moreover, other SAPS participants experience neglect faced by the health sector in providing services. One participant emphasises the overall neglect of the health sector

as a source of essential services to abused women and children. Another SAPS participant similarly points out a lack of services from the Department of Health for victims of DV, suggesting a notable gap in support for victims experiencing such abuse. Together, these participants' responses underscore the challenges and deficiencies in the provision of health services, particularly in addressing the needs of those affected by DV.

“Even at hospitals, ... we will wait for a J88 [medical report] and sometimes it can take up to three months, four months for us to get the J88. When you go to the hospital, the doctor on duty that night is not on duty. The problem is the doctors don't immediately complete and sign the J88. We now have to wait, and some of these cases get thrown out of court because the J88 is not there, and it is a struggle because it's two different departments. You need to beg them for assistance. But somebody needs to do something ... that this process is speeded up. Although the doctor on duty that night is busy, he/she needs to endorse the J88 with his signature so that we can get that J88 immediately ... a lot of the time we take the dockets without the medical report into court. And then ... they get struck off the roll for further investigation to get the J88 ... the problem is that the victim, in the end, is afraid. Is this guy [the perpetrator] gonna come back, and also, is he going to come back to court?”

“The health sector is a really neglected source of services”.

“The Department of Health never ever gives services to the victim of domestic violence”.

Other SAPS participants expressed a need for better collaboration between the SAPS and the DOJ&CD, particularly with prosecutors and magistrates. They highlight a disconnect between the police and the DOJ&CD, leading to individuals being released without adequate follow-up. The participant further emphasises the importance of regular meetings to foster understanding and cooperation. Another participant also mentioned challenges arising from lack of information, citing a case where changes in protection order forms were not communicated effectively. This lack of awareness extended to the amendment of the DVA, requiring self-training for compliance. Due to time constraints, the participant acknowledges their team's difficulty, especially in the CSC. As a proactive measure, the participant personally conducts internal training sessions to address these challenges.

“If we can work with the Department of Justice, especially the prosecutors and the magistrates, because there's seems to be a line between the police and the Department of Justice when the person goes to court. The next thing you will see is that the person is out on the street [released]. ... if that thing



repeats itself [re-offend], it comes back to us ... we can work hand in hand with the Department of Justice by having regular meetings with them to understand ... Sometimes it's because of lack of understanding. I remember now they say there are new forms for protection orders ... we were never informed ... only heard it from people.

"... we only heard about it [changes concerning completing of protection orders] ... myself to go to court and then I found out that the forms were changed because the Domestic Violence Act has been amended. We have to use the new forms ... we never got training on that. I trained myself by reading through the forms and practising. ... it's still difficult even for the members.... they are busy in the Client Service Centre; they don't have enough time to go through all these forms. So, I do the internal training with regard to these forms".

In addition to the above SAPS participants, other participants emphasised the need for collaboration among various stakeholders, particularly SAPS, the Department of Correctional Services, and the Department of Health, to address DV and GBV. These participants express that while the police play a crucial role in making arrests, the involvement of other entities is essential for a comprehensive response. One participant advocated for a united front, suggesting that the Department of Correctional Services should not only imprison perpetrators but also communicate clearly about the consequences. Additionally, these participants propose involving the Department of Health to address the increasing incidence of GBV and DV, emphasising that these issues are not solely the responsibility of the police but require a collective effort from all stakeholders.

"I think it would make us [SAPS] even more powerful if other stakeholders joined us. And I think because it's one thing to say the police arrested somebody for domestic violence or GBV, but it's another thing when the Department of Correctional Services then says, we convicted him for 15 years, the criminal justice says that if you do this you will be dealt with. ... the voice of criminal justice is clear and ... says that the police have played their part this much, now the court will do the sentencing.

"I don't know how many years the sentencing is for domestic or gender-based violence because the Department of Criminal Justice is very quiet about it. ... We don't know what are the repercussions of it. ... if we can go hand in hand with these stakeholders, even the Department of Health can come in and say – "You know what? We're getting an influx of this crime against men, women, children and LGBTQ and it is a problem. And then they can also assist with the other stakeholders to address the problem, like even [Department of] Correctional Services can be involved. Maybe correctional services can say perpetrators of GBV and DV also need to be detained at the C-Max prison [highest maximum security in South Africa] as it is a crime against humanity. It is not only an obligation for the police to do something but all these stakeholders. The police do the arrest, and the other stakeholders need to get involved".

In addition, SAPS participants recount instances of frustration and disillusionment in dealing with GBV cases. Despite efforts to provide detailed statements and evidence to prosecutors about the dangerous nature of certain accused persons, the courts consistently release them. In one case, the participant wrote a statement warning the court about a particular accused who continued to abuse a woman after being released. The participant feels helpless as the courts often ignore police officials' statements and fail to consider the facts presented. These participants further highlight the disconnect between the police and the courts, emphasising the need for collaboration. One participant suggests that the current system is flawed, leading to a perception that the police are failing victims of abuse when it is the courts that are releasing accused individuals without apparent justification. Another participant concludes that the courts are failing victims of abuse, leaving both the police and the community frustrated and dissatisfied with the handling of GBV cases.

"... I had a case like this [GBV-related], and I wrote a statement to the prosecutor... to inform them that ... keep on letting this guy [accused] come out [released]. And then he [perpetrator] abused the woman again. ... many cases were opened. They [the court] did not even look at my statement and the facts therein. I was feeling so despondent. I wanted to assist, and they [the court] are actually failing about this issue".

"... I was doing the gender-based-violence cases .... I would always go in the previous record – SAPS 69<sup>6</sup> and write a statement to say this person [the accused] has previous convictions as well as other statements from people for the court not to give bail. They [the accused] still get bail, and then the community feels like the police are failing them. And I say no, this is just the system that is failing you ..."

"If we can get the courts to work with the police. I feel we are working in totally different directions. The courts are working on their own. We [SAPS] are working on our own. ... thought that we were supposed to work together. Police do arrest but then you'll find the court letting a person [accused] go [free]. I really don't buy that thing, of course ... the courts are always saying to the police the statement is not right. If we were working together, we would have a common goal, we're supposed to work together. ... if I'm not writing the statements in the correct way, you're [prosecutor] supposed to tell me and show me. This is how you're supposed to write the statement, not say no the statement was not right, and then the next thing you're [the court] letting the suspect [accused] go. So, most of the time the suspects are let out by the court ... we [police officers] don't know why".

"The courts are failing the people".

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<sup>6</sup> SAPS 69 is a document that lists an accused's previous convictions. The content of the SAPS 69 is linked to the fingerprints of an accused.

The NGO and SAPS participant responses highlight systemic issues in addressing GBV. Concerns arise regarding the DSD's focus on collaboration with schools for non-GBV issues, potentially neglecting GBV-related concerns. Criticisms extend to poor cooperation among SAPS, medical services, and DSD, impacting effective response. NGOs face challenges due to insufficient information sharing about government-funded shelters, hindering victim referrals. Additionally, SAPS participants grapple with limited external support, delayed medical reports crucial for legal cases, and frustration with the health sector's neglect. Furthermore, a disconnect between SAPS and the DOJ&CD leads to the release of accused individuals, undermining efforts to combat GBV. Participants' responses collectively underscore the urgent need for improved communication, coordination, and collaboration among stakeholders to address GBV comprehensively.

Theme 4, 'The implementation of policing strategies in response to GBV', follows for interpretation and analysis.

#### **4.6 THEME 4: EFFECTIVENESS OF SAPS' IMPLEMENTATION OF POLICING STRATEGIES IN RESPONSE TO VAWG**

Implementing policing strategies in response to VAWG is pivotal in fostering safer communities. These policing strategies curb VAWG and signify a societal commitment to protecting the vulnerable. By integrating specialised training for law enforcement, fostering collaboration with support organisations, and leveraging technology for swift interventions, these strategies create a formidable defence against VAWG. Beyond immediate safety, their impact resonates in societal transformation, challenging ingrained norms and reinforcing the message that such atrocities will not be tolerated. Implementing efficient policing strategies marks a collective endeavour to build a society where women and children are safe.

The answers to the following question gave rise to the following theme:

- Does the SAPS sufficiently implement existing policing strategies in response to VAWG?

The rationale for posing this question was to explore the efficacy of the SAPS in addressing VAWG. In a society grappling with persistent GBV, understanding the implementation of existing policing strategies becomes imperative. The question seeks to uncover the practical aspects of the SAPS efforts, probing whether strategies formulated to combat VAWG are effectively executed. By delving into the experiences and perspectives of those directly involved, this research aims to shed light on potential gaps, challenges, and successes, contributing valuable insights to enhance the overall effectiveness of policing strategies in safeguarding women and girls from violence.

Sub-theme 4.1 of Theme 4, namely 'abused victims are hesitant to initiate legal proceedings', follows for interpretation and analysis.

#### **4.6.1 Sub-theme 4.1: Hesitancy of Victims to Initiate Legal Proceedings**

Victims of VAWG often hesitate to initiate legal proceedings against their perpetrators, caught in the web of fear and societal stigma. Their reluctance perpetuates a cycle of impunity, hindering justice and perpetuating a culture of silence. Policing strategies are pivotal in breaking this cycle, requiring sensitivity, empathy, and tailored responses. Implementing community-oriented approaches, such as specialised police units and outreach programmes, fosters trust and encourages victims to step forward. By prioritising victim-centred investigations and dismantling barriers to justice, the police can create a safer environment, empowering victims and sending a resounding message against impunity for perpetrators of VAWG.

The literature reviewed in chapters 2 and 3 draws attention to the significance of victims seeking assistance without fear or judgment. Gordon (2016) highlights the reluctance of abused victims to report abuse due to fear of rejection in paragraph 2.8 of chapter 2. In Argentina, establishing women's police stations (paragraph 3.2.1) signifies a pioneering effort to transform justice and improve safety for women. These specialised stations staffed by female officers provide crucial support in addressing GBV, offering a haven for victims. Furthermore, Justice for Her developed a training programme (see 3.2.9) for police officers and lawyers, aiming to protect and support women and girls experiencing violence, ensuring their safety and empowerment without the fear of further victimisation (Toor, 2018:np).

From the responses from participants, it became evident that multifaceted challenges exist, hindering victims of abuse from pursuing legal recourse. Several SAPS participants highlight the difficulties faced by victims of abuse in taking legal action against their perpetrators. Many victims hesitate to proceed with legal proceedings against their abusers due to concerns about the financial support provided to the victim by the abuser, fearing that the arrest could jeopardise their livelihood and living situation. Additionally, other participants confirmed the emotional dilemma of separating the father, who is the abuser, from their children often deters victims from reporting cases, leading to the withdrawal of charges within a few days. Participants agreed a recurring issue is the reluctance of some victims to pursue legal avenues, opting only to have the abuse documented without seeking legal action. In addition, another participant pointed out that the lack of awareness, knowledge, and support exacerbates the problem, as victims struggle to navigate the complexities of reporting abuse that often occurs behind closed doors, making it difficult for the police to intervene effectively.

“... a challenge, because “it’s just I don’t want to open a case, he’s the father of my kids”. That’s what they [abused victims] say. “He [the perpetrator] supports me financially. If he gets arrested, he’s gonna lose his job. Where am I going to live? What am I going to eat? What are my children going to eat?”

... sometimes you find that you go to a complaint, and then the victims are afraid and say to themselves “If I report a case, do I want my children to grow up without a father?” and you know sometimes the father is removed from the house and then the victim feels bad and then within 2 to 3 days they withdraw the charges. These are the hindering factors for us”.

“The problem is this one [the abused victim] who doesn't want to open [a legal case against an abuser]. They [abused victims] come today, they come next week, and they come with the same problem. Even if you refer these people, you tell them, to go and get a Protection Order or open the case. They say no, we do not want to. We only want it on record”. But are we going to do a record up until when?

“The victims experience challenges, they do not know what to do where to go, or who to approach. Sometimes people hide these things and keep it in their minds. These things happen between husband/wife and family and behind closed doors. It is difficult as the police cannot police something that happens behind closed doors”.

Another SAPS participant suggests that some individuals who are victims of abuse may seek assistance from the police but may not be fully committed to helping

themselves or utilising the information provided to them. The implication is that despite the desire for support, some victims may struggle to take proactive steps or empower themselves in addressing their situation. The frustration experienced by members of the SAPS about the withdrawal of cases or non-registering of legal proceedings against their abusers is summed up by the reaction of another SAPS participant:

“Sometimes people [victims of abuse] want us [police] to help them, but they don't want to help themselves or they don't want to equip themselves or make use of the info we give them”.

The responses from SAPS participants shed light on multifaceted challenges hindering victims of abuse from pursuing legal recourse. Financial dependency on abusers creates a precarious situation, deterring victims who fear jeopardising their livelihoods. The emotional toll of separating abusive fathers from their children amplifies the reluctance to report cases. Furthermore, a recurring issue emerges - victims opting for documentation of abuse only over legal action. Lack of awareness, knowledge, and support compounds the problem, making it harder for victims to navigate the intricacies of reporting hidden abuse. Some victims, though seeking police assistance, exhibit hesitancy or lack of commitment, reflecting a struggle to empower themselves in addressing their plight. This underscores the complexity of fostering effective legal avenues for abuse victims.

Sub-theme 4.2 of Theme 4, namely ‘mediation between the victim and perpetrator is unsuccessful’, follows for interpretation and analysis.

#### **4.6.2 Sub-theme 4.2: Victim and Perpetrator Mediation**

Mediation between victims of VAWG and their abusers holds profound significance in fostering healing and long-term change. Mediation focuses on open communication, empathy, and accountability, unlike traditional punitive measures. Bringing both parties together in a controlled environment encourages sincere reflection, understanding, and the possibility of rehabilitation. Policing strategies, when complemented by mediation, can enhance community safety by addressing root causes and preventing recurring VAWG incidents. This approach aims to break the cycle of violence, promoting a more compassionate and effective response to VAWG ultimately fostering a society where respect and equality prevail.

The literature reviewed emphasises the significance of mediation between victims of VAWG and their abusers. Carrington et al. (2020:60), per 3.2.1, draw attention to the strategies of WPSs in Latin America in response to and prevention of GBV. One of the aims of these police stations is to break the cycle of violence by using specific interventions to work with both victims and offenders. The approach highlights the importance of addressing root causes and engaging both parties in rehabilitation and prevention, ultimately aiming for long-term societal change.

A few SAPS participants provided perspectives on the effectiveness of mediation in resolving conflicts between victims and their abusers. One participant acknowledges the success of mediation but emphasises its dependency on the victim's or complainant's willingness and cooperation. Another participant shares a similar sentiment, expressing belief in the success of mediation. This participant recognises the limitations of the police's role, highlighting that while officers attempt to mediate between victims and abusers, success is not guaranteed in every case. Both participants' perspectives emphasise the parties' importance and openness to the mediation process for its success.

“... I will say it [mediation] works, but it will depend on the victim or complainant

“I think mediation is successful. Even us [police officers] we will try we are not social workers or lawyers, but we do try to talk to people [victims and abusers] and try to mediate. If we can resolve the issue, it is working, but not in all cases”.

In addition, there is a shared concern among all the SAPS participants about the effectiveness of mediation in cases involving DV. One participant expressed a belief that mediation is not a comprehensive solution, especially in high-pressure situations involving abuse. There is dissatisfaction with the perceived leniency of the courts in opting for mediation, which the participant views as insufficient punishment for abusers. Another participant's concern is that mediation might not address the root of the problem, allowing abusers to repeat their actions. The participant also highlights instances where complainants, pressured or not fully supported, withdraw cases, leading to the quick closure of case dockets without addressing the underlying issues. The viewpoint is critical of the court's perceived tendency to rush into mediation, potentially neglecting the seriousness of the abuse suffered by victims.

Another SAPS participant emphasises a desire for harsher punishments to deter abusers and send a strong message against violence. Moreover, another participant believes that the mediation system may be ineffective and that it could give abusers a false sense of security, allowing them to resume their harmful behaviour once the process concludes. Overall, there is a call for a more stringent approach among participants, suggesting that the current mediation services in court are not seen as effective and might distract police officers from their primary duties.

"I do think there's a challenge ... it's [mediation] not a full-on solution. The courts ... [has] a lot of cases and high-pressure situations. But ... for the type of work that the police put in and then the courts come and say ... let's mediate and then we accept it. What is the real punishment? To me... not a real punishment. ... they [the court] probably see it in a different light, the courts. But I would like to see a harsher punishment. So that it sends out a proper message [to abusers]. You know, don't lift your hands to women. Don't be violent to your kids".

"End of story and to mediate. You leave the back door open".

"... it is an external challenge because why I'm saying it is, you know, the police are doing what they can do in order to get the perpetrator. And then after that one gets dockets back from court and I'm not saying all the courts are at fault or are part of it, but then they mediate. But that's not sorting the problem out because tomorrow, that same party can do the same thing to the same victim again, and then it starts all over".

"You receive a case ... arrested someone who slapped the wife. The husband is in the cells. ... take the suspect to court. The wife will come and want to withdraw .... In my experience, I feel like the court rushes to mediate there. They just want to get the docket out of the court roll. ... if there's possible mediation, they will do that.... the court rushes to mediate and close the docket if the complainant says I want to withdraw. I feel that they don't take into consideration that this woman was actually abused. They just want to just throw it off the court roll. Meanwhile, we were, I feel wasting state resources. We [police] go and attend [the complaint], open the [case] docket, and make sure we may drive the victim to another area which is not even close to us. Make sure she's safe. Arrest the culprit".

"... not believe in the mediation system. It's almost like you're covered in life. And in order for you [the abuser] to learn that lesson, you need to hit rock bottom. ... the only way for you to fully understand the consequences of your action, is to feel the consequence of the law. Because mediation is good in certain circumstances. But not in all ... it then makes the perpetrator feel that "I must just behave good during that time and create the impression that I am not as bad as what they think ... tomorrow I can continue with my behaviour". In certain circumstances, it is good. Yes, but I believe 90% of the time it [mediation] is not working, and I feel that it shouldn't be used".

"Mediation services at court is not effective".



“... it [mediation] makes police officers lose focus in their work.

The SAPS participants diverge on the efficacy of mediation in resolving conflicts between victims and abusers. While some acknowledge its success, they stress its dependency on the victim's willingness to cooperate. Concerns surfaced regarding the limitations of police mediation, with no guaranteed success in every case. Shared apprehension centres on mediation's effectiveness in DV cases. Dissatisfaction arises from perceived leniency in court-mediated resolutions, seen as insufficient punishment for abusers. Criticism extends to the quick closure of cases, potentially neglecting underlying issues. Some call for harsher punishments, asserting that current mediation services distract police from their primary duties, emphasising a need for a more stringent approach.

Sub-theme 4.3 of Theme 4, namely the 'withdrawal of cases by victims', follows for interpretation and analysis.

#### **4.6.3 Sub-theme 4.3: Withdrawal of Cases by Victims**

The withdrawal of cases against abusers by victims in cases of VAWG carries profound implications. It often underscores systemic challenges in policing strategies, revealing gaps in victim support, legal processes, and societal attitudes. Victims may retract due to fear, societal pressure, or inadequate protection mechanisms. Such withdrawals hinder justice, perpetuate cycles of abuse, and erode trust in the police. Policymakers must address these complexities by enhancing victim-centric approaches, fortifying legal frameworks, fostering a supportive environment to empower victims, and creating a society where justice prevails over impunity.

The reviewed literature draws attention to challenges experienced by SAPS concerning the withdrawal of abuse cases by victims. As discussed in paragraph 2.7, the SAHRC (2018:12) highlights victims' reluctance to report GBV matters and their inclination to withdraw cases due to secondary victimisation. From the reviewed literature, as per 2.12, Singh (2016:np) and Africa (2016:np) confirm and emphasise the alarming withdrawal rates in DV cases. Africa (2016:np) stresses that complainants withdrawing DV cases hinders police and prosecutors' responsiveness. To address this, Africa (2016:np) proposes implementing specific criteria for

prosecutors to consider before allowing the withdrawal of DV cases, aiming to mitigate the adverse effects of withdrawal on justice outcomes.

The responses provided by SAPS participants shed light on the challenges faced by the SAPS when dealing with cases of DV. One SAPS participant divulged that initially when victims of abuse do come forward to open a case, police officers react swiftly, especially when the victims are mothers and children. This participant added that identifying suspects in such cases tends to be easier, facilitating quicker arrests. However, a significant challenge arises when victims later withdraw their cases, which happens frequently. This pattern of withdrawal becomes frustrating for law enforcement, particularly when victims return with the same complaints within a brief time. Similarly, another SAPS participant echoed other participants' experiences, confirming that the repetitive nature of complaints compounds the challenge for officers, who become disheartened by the frequent withdrawals. This negativity is exacerbated by the realisation that they often know the addresses associated with these recurring complaints, indicating a pattern of abuse within certain families.

Another SAPS participant cited that one of the primary reasons victims withdraw from cases is their lack of education regarding the legal ramifications and support available. Moreover, financial dependence on the perpetrator, often the breadwinner, further complicates matters, as victims fear the economic repercussions of pursuing legal action. In summary, the cycle of abuse, withdrawal of cases, and victims' socio-economic dependence on perpetrators contribute to the persistence of DV cases and pose significant challenges for the police striving to aid and provide justice to victims.

“... you may find that the victim comes to open a case.... We [police officers] react swiftly ... we know who the suspect is when a mother and children are the victims. ... it's easy to make an arrest because we know who we are looking for. But now the challenge that we sometimes come across is that they [victims of abuse] just want to withdraw the case later on”.

“... in a month, she's [victim of abuse] back and having the same complaint, and that's also a challenge for us”.

“... [withdrawal of cases by victims of abuse is] a challenge because now, we [police officers] become negative. Because we tried to assist you [victim of abuse] the first time and you said no. We actually know now the addresses of the regular complaints. If they say this is 09/2 which is our code, then we know it's the family where we made complaints before”.

“Withdrawals is a big problem because most of the victims, especially the females, are uneducated concerning these cases ... the reason to withdraw is that the perpetrator is the breadwinner”.

Additionally, several SAPS participants highlight frustration and challenges faced by individuals working with cases of DV and GBV. There is a suggestion that the NPA should implement a policy where a DV case cannot be withdrawn once opened. There should be an instruction that these cases may only be withdrawn by the courts. This proposal arises from the observation that some individuals exploit the ability to withdraw cases strategically, such as causing the abuser to spend a weekend in custody. The participants' responses emphasise the difficulty of addressing DV, as victims often withdraw cases at courts, leading to demotivation among police officers who invest time and effort in each case, only to see them withdrawn later. The overall sentiment is one of exasperation with the high frequency of case withdrawals despite efforts to provide support and pursue legal actions against the abusers.

“... they [the NPA] should implement something that says there is no withdrawal if you open a case”.

“If it was up to me, if you open domestic violence, you couldn't withdraw”.

“... if you have opened a domestic violence case and you withdraw the next time you open it, there's no withdrawing. ... I know of women who just open dockets on a Friday so that the husband can stay in the cells the whole weekend because she wants to go somewhere else. We experience such things .... We know that on Monday, she ran to court and withdraws the charge”.

“... the whole paperwork again, with the thought that this person [victim of abuse] is either going to withdraw or not open the case, or she just wants us to drive, they actually ask us, just drive around with the man [abuser husband] until he becomes sober.... they use us in another way. They're like, no, just calm him down or I just want to frighten him with the police ... don't want to get him arrested ... just want to show him that he mustn't do it again. But he will do it again. There are a lot of challenges, yes, when it comes to domestic violence and gender-based violence”.

“According to my experience, when a victim comes, you take it seriously. You want to make sure that the perpetrator is put behind bars... to find out later that it was a waste of time as the victim withdrew the case. All those efforts that you have done, you know, were for nothing. I will still give the proper attention to the case. It can be the same victim that comes in every Friday, but you need to treat it as if it's the first time as if it's serious. Although you know, she was here last week and chose to withdraw. So, it's demotivating, and I am not allowed to tell her that this is nonsense ... So, I must give the same attention”.

“Most of the time, complainants withdraw the cases. You can advise someone on what to do, but at the end of the day, they want to withdraw the cases. 80% of the time, they withdraw the cases”.

Participants' responses suggest that some abusers exploit the option of withdrawing cases strategically, causing temporary detainment for the abuser. The proposal aims to curb manipulative withdrawals, acknowledging the demoralising impact on police officers. Officers invest time and energy only to witness frequent case withdrawals, creating exasperation. The sentiment underscores the challenge of addressing DV, emphasising the need for structural changes to sustain efforts and ensure justice for victims.

Sub-theme 4.4 of Theme 4, namely ‘SAPS members experience challenges with repeated cases by regular complainants’, follows for interpretation and analysis.

#### **4.6.4 Sub-theme 4.4: Recurring VAWG Cases/Regular Complaints**

The impact is profound as frustrations escalate within the ranks of the SAPS due to the relentless tide of VAWG cases. Burdened by repeated VAWG complaints, officers face a disheartening cycle challenging their efficacy. The significance lies in the strain on mental health, resources, and the erosion of public trust. The urgent need for innovative policing strategies to combat this phenomenon is evident. Investment in training, community engagement, and collaborative partnerships to break this cycle is crucial, fostering a safer society while restoring faith in the SAPS's ability to combat this pervasive issue.

The literature reviewed reveals challenges associated with repeat victimisation of abuse, leading to the withdrawal of cases against abusers. Sibanda-Moyo, Khonje, and Brobbay, as presented in paragraph 2.2.2, recommend a lifecycle approach to address violence against women, recognising that abuse can persist from childhood into adulthood. As per 2.10.4, Rodriguez, Shakil, and Morel confirm the pervasive nature of violence against women and girls in Asia across their lifespan. Carrington et al. propose strategies to respond to GBV, emphasising interventions aimed at breaking the cycle of violence by working with both victims and offenders to enact lasting change, as presented in paragraph 3.2.1.

From the responses of SAPS participants, it appears that officers encounter a familiar dynamic with regular VAWG complainants. One participant experiences these victims, whether showing up every Friday or monthly, requiring the same attentive treatment as if it were their first interaction with the police. Despite this officers' awareness that these recurring clients will eventually withdraw their cases, each instance is approached with fresh diligence. Over time, the seasoned officers develop a deep understanding of the community they serve. Through this experience, they expect recurring conflicts, recognising that certain individuals engage in disputes regularly. In the officers' parlance, these familiar faces are called 'regulars', implying a certain predictability in their behaviour. The narrative encapsulates the delicate balance of familiarity and professionalism that law enforcement must navigate, acknowledging the recurring patterns in their community while maintaining a vigilant and unbiased approach to each unique situation.

"... regular clients, someone that comes every Friday or once a month, and obviously then you have to treat them as if it's the first time. Whilst you know every time, they will withdraw the cases".

"If you are long in the policing area, you start to know the community, then you know that the people fight every time".

"... we call them regulars. "Oh, it's the regular complainant. OK, it's weekend. Somebody has already had something to drink?"

Moreover, SAPS participants emphasise the importance of treating each regular complainant interaction in the CSC as a new matter. These participants stress that regular complainants may be following up on previous complaints or reporting new issues, and it is crucial to approach each encounter as if it is the first time seeing the complainant. One participant also highlights the Batho Pele<sup>7</sup> principles, which guide police officers to treat people respectfully. Additionally, another participant underscores the significance of consistently treating GBV cases as serious matters, regardless of whether it is the second or third time dealing with similar complainants, as any incident can have severe consequences.

"Remember that every time a client walks in the client service center it's a new matter. It's either that they are following up on what has already happened [a complaint laid against an abuser]. Or they're coming to give the statement on the new thing [a new complaint] ... always need to treat the

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<sup>7</sup> Meaning "people first".

client as if it's the first time you see them. Remember we have the Batho Pele principles that is guiding us. We need to treat people with respect at all times. We need to follow the principles”.

“The second and third time, you must do the same [treat each complaint as a new matter] as gender-based violence cases they are all serious because anything can happen”.

The SAPS participant responses show that officers encounter familiar dynamics with regular VAWG complainants. Despite anticipating potential case withdrawals, officers approach each interaction with renewed diligence, fostering a delicate balance between familiarity and professionalism. Seasoned officers develop a profound understanding of their community, recognising recurring conflicts and labelling familiar faces as ‘regulars’. This narrative underscores the SAPS's challenge in navigating predictable community patterns while maintaining an unbiased and vigilant approach to each unique situation, emphasising the importance of treating each encounter with regular complainants as a new matter, guided by principles like Batho Pele and a consistent commitment to addressing GBV cases seriously.

Sub-theme 4.5 of Theme 4, namely that ‘members experience challenges with false addresses and false statements will follow.

#### **4.6.5 Sub-theme: 4.5 False Addresses or Statements Provided by VAWG Complainants**

SAPS members grappling with false addresses or statements from VAWG complainants face a critical challenge in combating GBV. These inaccuracies hinder effective policing, diverting resources and compromising victim safety. The significance lies in the erosion of trust between law enforcement and survivors, hindering the pursuit of justice. Addressing this issue necessitates nuanced policing strategies, including community engagement programmes, victim support networks, and advanced investigative techniques.

In a series of statements, SAPS participants’ express concerns about the abuse of the legal system in cases of GBV and DV. One SAPS participant mentions a specific incident where a wife accused her husband of assault, leading to his arrest. However, discrepancies between her initial statement and the application for a protection order raise suspicions of manipulation for personal gain. The participants emphasise the need for accountability, stating that false accusations waste state resources and result

in unjust arrests. They highlight the lack of consequences for complainants providing false information, expressing frustration with the manipulation of the police by individuals who feign seriousness and emotion. The officials acknowledge the difficulty in proving when a complainant is lying but stress the importance of holding them accountable to prevent false arrests. They also mention specific measures, such as immediate arrests without bail, mandated by the Provincial Commissioner to address the urgency in handling such cases.

“The wife made a case and said in her statement that she was assaulted by the husband. He was arrested. She then applied for a protection order ... what she said there [in her application for a protection order] was different to what she mentioned in her statement [of her abuse]. ... they are abusing the system for their own benefit”.

“You know sometimes you can see that this complainant is lying, but sometimes you cannot prove it. They need to be held accountable for it and the time the state spent on it [the case], driving long distances to trace the suspect, etc.”

“... look at the fact that people [VAWG complainants] come to the police and lie – there must be a consequence for them if they do ...”

“Nothing happens to those people [VAWG complainants who provide false information]. They will tell you something, and when you speak to witnesses, they will say something different. These people are manipulating the police and that leads to false arrests. The people who are lying, you will find that type of person was so serious. They were even crying here only to find that this person was lying”.

“... tell you things which you can see and know that person [complainant] is not talking the truth and when you ask them questions ... you find that whatever this person is saying it's not true but ... you cannot say it like that to the person ... because you will be labelled as a police officer who doesn't care.”

“The detectives would interview the complainant to make sure all the details are correct because we do also get cases where the complainant is lying. There is an instruction from the Provincial Commissioner that ... suspects need to be arrested immediately and ... no bail must be given at station level. Therefore, the detective or other members effects an arrest immediately”.

The above responses reveal SAPS participant concerns regarding the abuse of the legal system in GBV and DV cases. Participants stressed the need for accountability, citing the waste of state resources and unjust arrests due to false accusations. These participants further express frustration with the lack of consequences for those providing false information.

Sub-theme 4.6 of Theme 4, namely that ‘SAPS members experience that victims are paid to withdraw charges against their abusers’, follows for interpretation and analysis.

#### **4.6.6 Sub-theme 4.6: Withdrawal of Cases by Victims**

SAPS members encountering victims who are being paid to retract abuse cases against their abusers highlights a critical flaw in addressing VAWG. This unethical practice undermines justice, perpetuates abuse, and erodes public trust. Comprehensive policing strategies should be prioritised to combat VAWG.

One issue mentioned by many SAPS participants is the influence of financial incentives on complainants, leading them to withdraw cases against abusers. The police officers express awareness of this pattern, anticipating that individuals may be paid to retract their complaints. Additionally, these participant responses underscore societal pressures on complainants, with families sometimes blaming them for reporting abuse. The complexity is further revealed when individuals, especially those in court, face familial influence compelling them to withdraw cases, only to reopen them later, creating a cyclical pattern of legal intervention and withdrawal.

“... negative when clients [complainants] are paid by someone to withdraw [cases against abusers] ... because at the end of the day, we [police officers] know that eventually, they [complainants] will withdraw”.

“... the community are not well informed about the danger of domestic violence ... do not know that a person who commits this type of crime might need professional help before he can be sent back into society at large ... The families just mention that yes this will be sorted out ...”.

“...Others will say the family is blaming me [the complainant], by saying “Why I make cases against my husband?”

“... the problem will start once the suspect goes to court and appears there will always be that one family member that will influence the victim to go and say go and cancel the case. You know - he's the provider. You are not able to live without him. You know such things make people end up going to court, behind our backs and then asking you to withdraw the case, yes. And then the same person will come back after a week or two to open the same case for the same offence”.

Sub-theme 4.7 of Theme 4, namely that ‘substance abuse and crime are normalised in communities’, will follow.



#### **4.6.7 Sub-theme 4.7: Normalisation of Substance Abuse and Crime in Communities**

Substance abuse intertwines with crime in communities, creating a toxic cycle of normalisation. This dangerous normalisation hampers social cohesion and perpetuates a cycle of VAWG. Substance abuse fuels aggression, impairs judgment, and exacerbates power imbalances, often leading to increased incidents of domestic violence. The normalisation of crime perpetuates a culture of impunity, hindering efforts to break the cycle of abuse and protect vulnerable individuals within these communities.

The reviewed literature, as discussed in paragraph 2.8, confirms substance abuse as a critical driver of violence and abuse, as noted by Mpani and Nsibande (2015:8). These authors identify several factors contributing to violence, with substance abuse being significant. Dr. Ramneck Ahluwalia further emphasises this, highlighting alcohol and substance abuse as drivers of GBV. These findings underscore the complex interplay between substance use and violent behaviour, calling for comprehensive strategies to address both issues effectively.

The responses of SAPS participants highlight the pervasive issues of substance and drug abuse, as well as gangsterism in their community. One participant emphasises that these problems are primarily normalised among community members, becoming a part of daily life, and contributing significantly to VAWG. The normalisation of violence leads to underreporting of VAWG cases, as some victims no longer recognise the abusive nature of the acts. Substance abuse is frequently intertwined with cases of VAWG, and many families in the community are grappling with drug and substance abuse among their children.

Additionally, another SAPS participant points out the broader social challenges in their community, such as poverty, a specific cultural context, and the prevalence of child-headed homes. Poverty is identified as a significant factor contributing to the severe problems of GBV and DV in their area. The participant further mentions absent fathers, some of whom are in jail, and mothers who are often drug addicts. The combination of poverty, unemployment, and social issues like gangsterism and substance abuse

compounds the challenges, exacerbating the prevalence of GBV and DV in their community.

“... there's a huge problem of substance and drug abuse around the area that we live in and there's a huge gangsterism happening around ... mostly normalised among community members. ... part of life for them and ... a contributing factor [to VAWG]. Some of them [victims of VAWG] are not even reporting cases because they no longer see something as abuse, they normalise the violence. And mostly, there would be substances involved. In most cases, most families are experiencing drug and substance abuse in their children ...”.

“But I think also in our specific community we've got things that's playing a big role, like poverty. We have a specific culture in our community and deal with poverty as well as gangsterism, drugs and alcohol. We also have child-headed homes with no mother and no father, with 16-year-olds looking after a family of younger brothers and sisters. Some of the fathers are completely absent, some are in jail. A lot of the mothers are drug addicts. Poverty and unemployment are big contributing factors to the serious problem of GBV and DV experienced in our area”.

The responses of SAPS participants indicate a concern that efforts to address GBV are being undermined in communities facing significant challenges related to gang activity, GBV, DV, child abuse, neglect of children and older people, and drug-related issues. A SAPS participant criticises a tendency to avoid confronting these issues directly, resulting in misleading statistics that downplay the severity of the situation. Victims of abuse often lack the necessary support networks and resources to escape their circumstances. Despite various prayer meetings and awareness campaigns, the participant believes the impact on the statistics is minimal, as the underlying problems persist.

“Due to beating around the bush and sweeping things under the carpet for the Greens, Red and yellows on the stats. Then you are not dealing with the actual issue, it is watered down. This is a gang-ridden area with huge problems with regard to GBV/DV, child abuse, child neglect and neglect of the elderly. Drugs are also a big problem in the area. We need to acknowledge that it is serious crimes”. Some of them [victims of abuse] do not know go where to go. They do not have the contacts and means to do something to their circumstances. There is many prayer meetings and awareness campaigns, but it does not make a difference to the stats. Everything is watered down, and it makes it acceptable for them to misuse and sell drugs”.

Theme 5, ‘the existing monitoring and evaluation of policing strategies are ineffective’, will follow.

## **4.7 THEME 5: MONITORING AND EVALUATION OF POLICING STRATEGIES**

Monitoring and evaluating policing strategies play a pivotal role in combating VAWG. By systematically assessing the effectiveness of implemented measures, the SAPS can refine policies, enhance response mechanisms, and allocate resources efficiently. This scrutiny ensures accountability, transparency, and a continual commitment to eradicating VAWG. Effective monitoring and evaluation foster a culture of learning within police organisations, enabling the identification of successful interventions and the rectification of shortcomings. Ultimately, this process not only strengthens the trust between communities and the police but also contributes significantly to the broader societal goal of eradicating VAWG by refining strategies to better protect and empower women and girls.

The answers to the following question gave rise to the following theme:

- From your experience, does the SAPS continuously monitor and evaluate its policing strategies to determine the impact on VAWG?

Sub-theme 5.1 of theme 5, namely 'monitoring, evaluation and accountability measures takes place at station level', will follow.

### **4.7.1 Sub-theme 5.1: Monitoring, Evaluation and Accountability Measures at Station Level**

Monitoring, evaluation, and accountability measures are pivotal in shaping policing strategies against VAWG. By systematically assessing the effectiveness of interventions, these mechanisms ensure a proactive response to emerging challenges. They empower law enforcement agencies to identify successful tactics, refine approaches, and allocate resources judiciously. Furthermore, accountability fosters transparency and trust between communities and the police, creating a culture of responsibility. In the battle against VAWG, robust monitoring and evaluation not only gauge progress but also serve as a compass guiding the evolution of policing strategies towards a safer, more secure society for all.

The reviewed literature highlights the importance and challenges concerning monitoring, evaluation, and accountability measures. Gouws (2018:np) underscores

the need for Chapter 9 bodies to be more involved in monitoring GBV, as advocated by the #TheTotalShutdown campaign presented in paragraph 2.2. Additionally, the UN CEDAW emphasises national measures against violence in per 2.5.2. In contrast, the SAHRC (2018), in paragraph 2.7, recommends monitoring the Department of Women's progress to address GBV effectively. As presented in 2.9.8, the #TotalShutdown movement (2018) calls for the revival of the Joint Monitoring Committee. Moreover, Artz (2016) highlights the ineffectiveness of DVA and SAPS National Instructions without proper monitoring, while Africa (2016:np) and Xongwana (2016:np) stress the importance of monitoring complaints about DV and addressing challenges faced by monitoring forums, as presented in paragraph 2.12.

The SAPS participants acknowledged that a new monitoring system has been implemented to address GBV at both the cluster and head office levels. Under this system, weekly reporting on the progress of GBV cases is mandatory, including updates on suspect arrests and court proceedings. However, one participant pointed out that if a victim decides not to open a case officially and requests SAPS intervention without formal registration, the incident will not be reflected in official statistics, and no arrests will be made. Another SAPS participant concurs the SAPS DV registers are subject to regular monitoring and evaluation, occurring approximately every four to six months. Another participant confirmed inspection from the provincial head office involves scrutinising the DV registers, ensuring accuracy and compliance with established protocols. The SAPS Provincial Head Office is particularly stringent regarding GBV issues, conducting thorough checks on station registers and demanding correction of any identified mistakes or discrepancies in the SAPS DV register.

“... a new system [has been introduced] with gender-based violence from the cluster [level] and I think [SAPS] head office where, if it's a gender-based violence case, you must weekly report ... [provide] movement of the case ... whether a suspect is arrested ... [or] on the court roll ...”.

“... now the victim says no, I don't want to open the case, I just want you to talk to him [abuser] and reprimand him. ... it means that it [the incident] won't appear on the stats because it is not reported [registered], and nobody will be arrested”.

“They [SAPS DV registers] are monitored and evaluated I think ... every four ... six months... inspection from the [SAPS] provincial [head] office ... they would come in and monitor our books. The domestic violence registers”.

“...when it comes to GBV.... [SAPS Provincial Head Office are] very strict. ... [they] come to the station and check ... registers ... everything. ... province [SAPS Provincial Head Office] ... come and check the books [SAPS DV register]. ... if there are mistakes that we are doing ... it needs to be rectified”.

Several SAPS participants highlighted the consequences one may face if they neglect their duties in the context of GBV. One participant emphasises the potential charges that can be brought against an individual for neglecting their responsibilities, leading to a full departmental trial. The consequences may include sanctions, fines, or a suspended sentence if found guilty. Furthermore, another participant emphasises the process that follows instances of misconduct. This process suggests a thorough investigation and disciplinary procedure to ensure accountability for wrongdoing.

“... [if] you neglect [your] duties ... you can be charged. A full departmental trial ... [if] found guilty, you can get a sanction or a fine or a suspended sentence...”.

“They will register misconduct [against one]. And then they will follow that misconduct. They will open a file for you. They will go to the hearings and everything. They will make sure of that”.

One SAPS participant emphasises the importance of compliance in dealing with GBV, highlighting that failure to adhere to guidelines and instructions could result in disciplinary action for law enforcement officers. The speaker underscores the seriousness of GBV, stressing the need to prioritise the well-being of individuals affected and ensure they receive necessary help. However, another participant expresses uncertainty about the existence of an internal forum to assess whether cases of GBV were handled appropriately by officers. The participant questioned whether officers always showed respect and dignity, collected evidence appropriately, and followed through with cases. The participant further suggests that implementing accountability measures and assessments could lead to improvements in the services provided, ultimately benefiting the victims of GBV. However, concern is expressed that such accountability measures may not currently be in place, leading to a lack of justified follow-through for the victims.

“It will be non-compliance if you're not doing what you're supposed to be doing. Remember GBV is a serious matter and we're dealing with emotions of people here; we're dealing with people's lives. So, we have to ensure that the person get[s] help. If you are a police officer and do not comply with the National Instruction or the guideline, disciplinary action will be taken”.

“I don't know if there is a forum internally to check if cases were followed through, if officers dealt with the case with respect and dignity, if evidence was collected properly? I don't know .... “... I feel ... if these accountability measures and ... assessments were done, there would be an improvement in the service. There would be a more justified follow-through for the victims. We do not see that end result. So, internally, I don't know if there is accountability”.

On closer analysis of participants' responses, it is evident that the SAPS has instituted a monitoring system to combat GBV. Mandatory weekly reporting and regular evaluations of DV registers demonstrate the commitment to addressing the issue. However, the concern arises regarding unregistered cases, potentially skewing official statistics. Participants stress the repercussions for neglecting GBV duties, including departmental trials and strict consequences. Calls for an internal forum to assess officer conduct highlight the need for continuous improvement and accountability in handling GBV cases.

Theme 6, 'SAPS engaging with stakeholders to address VAWG', follows for discussion.

#### **4.8 THEME 6: SAPS' ENGAGEMENT WITH STAKEHOLDERS**

The SAPS is pivotal in combating VAWG, a pervasive societal issue. Engaging with stakeholders is crucial as it fosters collaboration between law enforcement and the community. This two-way communication ensures a more comprehensive approach to tackling VAWG, incorporating diverse perspectives and local insights. SAPS gains valuable support in prevention, reporting, and victim support by actively involving NGOs, advocacy groups, and citizens. This collaborative effort strengthens the fight against VAWG and enhances trust in law enforcement. SAPS, through strategic engagement, can better address the root causes of VAWG, creating a safer environment and promoting a culture of intolerance towards violence.

The answers to the following question gave rise to the following theme:

- From your experience, does the SAPS engage in multi-faceted cooperative relationships, interaction, and working agreements with stakeholders to facilitate, identify and sustain policing strategies to address VAWG?

Sub-theme 6.1 of theme 6, namely 'SAPS's engagement in cooperative relationships to operationalise policing strategies to address VAWG', follows for interpretation and analysis.

#### **4.8.1 Sub-theme 6.1: Engaging in Cooperative Relationships to Operationalise Policing Strategies**

Police engagement in cooperative relationships is pivotal in operationalising policing strategies against VAWG. Collaborative efforts enhance trust between law enforcement and communities, fostering a supportive environment for victims. By actively involving various stakeholders, such as NGOs, social services, and advocacy groups, police can access a broader range of resources and expertise. This multi-faceted approach ensures a more comprehensive response to VAWG, from prevention to intervention. Moreover, community engagement empowers individuals to report incidents, dismantling the culture of silence surrounding GBV. Ultimately, the significance lies in building a collective front against VAWG, creating safer communities, and promoting a society where everyone feels protected and heard.

The reviewed literature in chapters 2 and 3 signifies the importance of cooperative relationships among stakeholders addressing VAWG. International conventions, highlighted in paragraph 2.5, are crucial in shaping global efforts and providing frameworks for cooperation and protection. Paragraph 2.10 emphasises SIDA's commitment to collaboration, prioritising GBV in its development projects. In Section 2.10.6, the UK government's international programme aims to end sexual violence in conflict zones through cooperation with partners like UN agencies and CSOs. Moreover, Xongwana (2016:np), in 2.11, advocates for cooperation amendments in legislation and SAPS instructions. Paragraph 3.2 additionally underscores international policing strategies, particularly in Europe, emphasising the need for cross-border cooperation to combat transnational GBV effectively.

Various SAPS participants highlight the positive collaboration between their police station and CPF members. The police station actively works with CPF members, appreciating their assistance in various situations, such as locating missing persons. The sense of unity and teamwork is emphasised, with the CPF being described as an active and engaged group that extends its support beyond just policing matters.

However, another participant raised concerns about the slow dissemination of information after CPF meetings and workshops, suggesting improvement in communication strategies to ensure a more effective impact.

“In our [police] station, we do work with the CPF members most of the time ... helping a lot ... if there is something outside and we want help... if there's a missing person, they will help. Last time, there was one who found a missing person somewhere in the last month. They do help with such things”.

“You see what I like my CPF is active, and we do have meetings ... it doesn't end there. ... the security companies looking after my area, my local clinic, everybody here, my NGO. Here we are one; if we have a project, we come together and work as a team. That's what I like about this place. I don't know whether it's because it's too small or what. But whatever we need to do, we do it”.

“It goes in a very slow pace when it comes to the CPF. They do not spread the word after attending the meetings and workshops”.

Addressing VAWG requires collaboration with various stakeholders. Various SAPS participants acknowledged the need for support from the community, NGOs, victim support services, social workers, and other entities. One participant emphasises that the SAPS cannot tackle the issue alone due to resource limitations and the complexity of addressing VAWG. Another SAPS participant underscores the importance of building relationships with stakeholders, including NGOs and victim support organisations, as they possess expertise that the police may lack in dealing with the psychological and social aspects of VAWG. In addition, another participant stresses the cooperation required from both stakeholders and victims to effectively combat VAWG and create a safer environment for women and children in South Africa.

“SAPS cannot do it [address VAWG] alone. ... not without the cooperation of stakeholders”.

“The relationship with other stakeholders is necessary:”

“... we cannot do it [address VAWG] alone. We need them [stakeholders]”.

“I think definitely we [SAPS] need everybody's support. We need a community, we need stakeholders. We need everybody that can come aboard to make South Africa a better place, because the police can't do it on its own because we don't have all the resources”.

“... you [SAPS] can't win the battle [against VAWG] alone. ... you [SAPS] do need these relationships with NGOs... with the victim support with social workers because we [SAPS] are not councillors ... psychologists ... not



social workers. We do not know how to address it [victims of VAWG] ... We [SAPS] need to work with these people [stakeholders] ... it goes both ways with the victims. The victims must be willing to work with these people [stakeholders]”.

A positive collaboration between SAPS and CPF members emerges in a closer analysis of participants' responses. The unity and teamwork are evident, with CPF actively assisting in locating missing persons. However, a concern is raised about slow information dissemination after CPF meetings, hinting at the need for improved communication strategies. Regarding VAWG, SAPS participants recognise the necessity of collaboration with various stakeholders, emphasising the importance of community, NGOs, victim support services, and social workers. The complex nature of VAWG requires partnerships to acknowledge resource limitations. Building relationships with NGOs and victim support organisations is crucial, given their expertise in addressing psychological and social aspects. Cooperation from stakeholders and victims is stressed for effective combat against VAWG, promoting a safer environment in South Africa.

Sub-theme 6.2 of theme 6, namely 'SAPS sharing information with stakeholders', follows for interpretation and analysis.

#### **4.8.2 Sub-theme 6.2: SAPS Information Sharing with Stakeholders**

The SAPS is pivotal in combatting VAWG by sharing crucial information with stakeholders. The SAPS is a critical player in fostering stakeholder collaboration and awareness. Through transparent communication channels, SAPS could ensure stakeholders, including government agencies, NGOs, and the public, are well-informed about VAWG trends, prevention strategies, and support mechanisms. This exchange of information not only bolsters the collective effort against GBV but also enhances community engagement. By keeping stakeholders abreast of challenges and progress, SAPS establishes a foundation for a united front, fostering a safer environment for women and girls across South Africa. The significance lies in forging partnerships and empowering the community to actively participate in eradicating VAWG.

The reviewed literature signifies the importance of sharing information among stakeholders in addressing VAWG. As presented in paragraph 2.2, Torerai (2017:8)

underscores the necessity of public dialogues to engage internal and external stakeholders, as suggested by a former North-West Province MEC, to combat VAWG effectively. Mutanha (2019:6) advocates forming networks between key stakeholders as a crucial strategy for preventing GBV presented in 2.2. Mahlalela (2020:np) further stresses the need for multi-faceted support from all stakeholders to reduce VAWG, per 2.3 of chapter 2. In addition, paragraph 2.4.11 highlights the NSP-GBVF (2020), developed through collaboration among various stakeholders, including society, government, and partners, illustrating the vital role of shared information in shaping comprehensive strategies against gender-based violence.

From the responses of SAPS participants, it appears that the service actively engages with various stakeholders, including NGOs, the Department of Health, the DSD, and SANCA, particularly in addressing GBV. One participant confirmed regular meetings to update these partners on new developments, discuss challenges and explore collaborative solutions. SAPS strives to support NGOs by transporting victims to the necessary facilities. Additionally, another participant acknowledged essential information is regularly shared with stakeholders like the CPF, NPOs, and NGOs. Both the Health Department and CPF conduct visits to police stations, where discussions focus on issues relevant to the community, as stated by another participant.

“We [SAPS] have regular meetings with our stakeholders such as the NGOs, the Department of Health, Department of Social Development, SANCA [South African National Council on Alcoholism and Drug Dependence] who specifically deals with gender-based violence to inform them if there are new things that can be done and what the challenges are and how it can be addressed and how we can help each other and to always be there for them. Sometimes we find that the NGO they don't have transport to take somebody to a centre. When they ask us to assist, we do help them as we are partners”.

“The necessary information is shared with the stakeholders such as the CPF, NPO and NGOs”.

“The Health Department also visits the [police] station and if there's a meeting maybe ... they then talk about the things that are fitting the community. The CPF also has meetings”.

However, an NGO participant emphasises the shortcomings in sharing information about GBV cases among NGOs and other stakeholders. While there is an initial attempt to provide information, the lack of follow-through is evident. The complexity of GBV cases demands ongoing communication, but due to the overwhelming number

of cases, information is often only passed forward without comprehensive back-and-forth communication. This hinders the investigation process, as stakeholders are provided with limited information, and there is minimal effort to revisit and explore additional details or leads in previously handed-over cases. The participant suggests that information sharing is inadequate from the NGO perspective and calls for improved collaboration and follow-up procedures.

“... there is an attempt to give information [by NGOs to other stakeholders], but again there is no follow-through ... do not think that there is adequate sharing of information and it's not just passing it forward to the next stakeholder. These cases [GBV-related] are intricate, so it needs to be a back-and-forth and back and forward communication between the different stakeholders. That is not happening. This is because of the flood [large number] of cases. So, if a case is handed over to the next stakeholder, you're given just the information you have ... then there's a new case. There is no going back to that case and investigating more and following up on a lead, there seems to be very little of that, so the sharing of information from our [an NGO] perspective is definitely not done”.

Theme 7, namely ‘SAPS members’ recommendations to enhance policing strategies concerning VAWG’, follows for interpretation and analysis.

#### **4.9        THEME 7: RECOMMENDATIONS ENHANCING POLICING STRATEGIES ADDRESSING VAWG**

During participant interviews, individuals were allowed to supplement their responses with any pertinent comments they deemed necessary regarding the execution of policing strategies aimed at addressing VAWG. The resultant recommendations proffered by these participants are delineated within the ensuing sub-themes.

The first sub-theme of Theme 7, ‘SAPS members recommend additional training concerning GBV-related incidences’ follows below.

##### **4.9.1     Sub-theme 7.1: Mandatory Training Concerning VAWG-related Incidences**

The imperative for comprehensive training of SAPS members in addressing GBV is paramount, bearing profound societal implications. Adequate training equips officers with the skills to sensitively handle GBV cases, ensuring survivors receive empathetic support and justice prevails. By fostering a nuanced understanding of the complexities surrounding GBV, SAPS members can more effectively prevent, investigate, and

prosecute such offences. This enhances public trust and contributes to dismantling the deeply ingrained cultural barriers perpetuating GBV. In essence, investing in the education and preparation of SAPS members represents a crucial step towards creating a safer, more equitable society where the eradication of GBV becomes a tangible reality.

The reviewed literature in chapters 2 and 3 signifies the importance of training interventions in addressing VAWG comprehensively. Minister Cele's commitment to training FCS specialised unit members is crucial (SAPS, 2020), as highlighted in paragraph. The #TotalShutdown movement in 2.9.8 of chapter 2 emphasises GBV-related training for lawmakers to draft effective legislation and promote gender diversity (2018). Moreover, Canada's Gender-based Violence Strategy includes cultural competency training for RCMP employees (2020), as discussed in section 2.10.2 of chapter 2. The EU Gender Equality Strategy, as mentioned in section 2.10.3, advocates for establishing a network to discuss funding and training (2020–2025). In 2.11, Artz reveals challenges in DVA training quality (2016), while successful international policing strategies highlight specialised training conducted in Pakistan and South Asia (Nair et al., 2017:np). As presented in section 3.2.4 of chapter 3, Toor underscores the significance of training programmes in India for police officers and lawyers (2018), echoing the necessity for ongoing, tailored education to effectively combat VAWG worldwide.

Several SAPS participants recommended additional training interventions to equip members with the necessary knowledge and skills to manage and police GBV-related incidences. One participant summarised several other participant sentiments, strongly encouraging the SAPS to prioritise and implement mandatory training on GBV for its members. The emphasis is on urging SAPS to take proactive measures in educating its personnel about GBV, indicating a perceived need for comprehensive and obligatory training to address this critical issue within the police community:

“I would really urge the SAPS to take its members on [GBV] training on the mandatory level”.

On closer analysis, the imperative for comprehensive training of SAPS members in addressing GBV is paramount, bearing profound societal implications. Adequate training equips officers with the skills to sensitively handle GBV cases, ensuring

survivors receive empathetic support and justice prevails. By fostering a nuanced understanding of the complexities surrounding GBV, SAPS members can more effectively prevent, investigate, and prosecute such offences. This enhances public trust and contributes to dismantling the deeply ingrained cultural barriers perpetuating GBV. In essence, investing in the education and preparation of SAPS members represents a crucial step towards creating a safer, more equitable society where the eradication of GBV becomes a tangible reality.

The second sub-theme of theme 7, 'policing and investigation of GBV requires specialised SAPS members and units', follows for interpretation and analysis.

#### **4.9.2 Sub-theme 7.2: Specialised SAPS Members/Units**

The demand for specialised police units addressing GBV underscores a pivotal shift in policing. Recognising the unique dynamics of such crimes, specialised officers receive targeted training to navigate the complexities of GBV cases sensitively. Their expertise ensures survivors are treated empathetically, fostering an environment conducive to disclosure. These units investigate with a nuanced understanding of power dynamics, cultural contexts, and trauma-informed approaches, amplifying the likelihood of justice. By addressing GBV comprehensively, these specialised units not only contribute to a safer society but also challenge societal norms, promoting a culture of intolerance towards gender-based crimes. Their existence signals a commitment to dismantling systemic issues and building a society where the safety of women and children is a universal right.

The reviewed literature in chapters 2 and 3 highlights the significance of establishing specialised capacity within police organisations to address GBV-related incidences. Matlala (2020:4) underscores the importance of specialisation, echoing DAWN's advocacy for proper training of all police officers, specialised courts, and extensive knowledge of legislative frameworks protecting women and children by SAPS members, as presented in section 2.2 of chapter 2. Additionally, the National Policy Guidelines for Handling Victims of Sexual Offences, detailed in section 2.4.10 of chapter 2, stress the need for specialised services for victims of sexual offences, including DV, rape, and GBV crimes, delivered by personnel equipped with specialised knowledge and skills. International examples highlighted in section 3.2 of chapter 3

further illustrate the effectiveness of specialised units within police forces, seen in countries like the UK, Australia, the USA, and India, where such units have enhanced reporting and investigation of GBV cases, underscoring the global imperative for specialised response mechanisms within law enforcement agencies.

An NGO participant advocates for creating a specialised unit within the SAPS to address GBV. The unit would receive specific training to handle GBV cases with both toughness and sensitivity, considering the emotional toll on police officers exposed to such disturbing incidents. The goal is to ensure that the police prioritise GBV issues, providing victims with a dedicated and supportive environment. The participant suggests modelling this SAPS specialised unit after TCCs for abused children, which are one-stop stations equipped with police, social workers, prosecutors, and lawyers. Implementing such specialised units in police stations, the participant believes, will encourage victims to report incidents and help overcome the underreporting of GBV.

“... we must have a special [SAPS] unit that will be trained in this [GBV]... trained in gender-based violence matters. ... sometimes the police ... they feel that they see so many horrific things that is happening ... now they also need to deal with the gender-based violence issue - So they are going to be hard, but they are going to need to be sensitive to deal specifically with these victims of gender-based violence. I don't think they must feel like they have other things to deal with except gender-based violence. ... that would work. ... then people [victims of VAWG] will be more open to go to their police station when they know there is a section [specialised unit] that is only for gender-based violence like the Thutuzela centres for abused children, which is like a one-stop station where everything is there – the police, the social worker, the prosecutor, the lawyer everything is there. If we could have that in our police stations, I think we would be able to overcome this underreporting of gender-based violence. I think that would really work well”.

Moreover, a SAPS participant emphasised the need for improvement in policing strategies addressing VAWG. This participant suggests that SAPS members who are appointed to handle VAWG cases undergo scrutiny and vetting. The participant highlights the significance of selecting members with genuine interest and compassion for working with victims, suggesting that these qualities are crucial in addressing GBV effectively. In addition, the participant advocates for a shift in attitudes within the police service, prioritising the community's well-being and placing members who genuinely care in roles related to VAWG. The overarching message is that a people-centric approach is essential to bring about positive change in handling VAWG cases.

“... policing strategies [addressing VAWG] can be improved ... people [SAPS members] that you put there [who are appointed to address VAWG], especially with the gender-based violence matters, people(members) need to be scrutinised. People need to know what they are dealing with.... They need to have compassion. I'm not saying they're going to cry for everything ... People [SAPS members] who really have an interest [to work with victims of VAWG] need to be placed in these posts. They will look after the community as they are supposed to because our call in the police is to serve the community ... we need to put people first. It's people first and then us to serve the community. ... then that's going to change everything. Attitudes need to change”.

In addition, a SAPS participant highlights the importance of collaboration between different entities in addressing GBV. This participant suggests that having representatives from the court or NGOs (places of safety) present at police stations to offer services related to victim empowerment or GBV would be beneficial. The participant cites an example where individuals from the FCS unit collaborated with Rahima Moosa Hospital to handle cases of abuse against women and girls. Additionally, the participant mentions a past initiative where court personnel assisted SAPS with applications for protection orders directly at the police station. The participant concludes by expressing the belief that having similar facilities across Johannesburg would significantly contribute to combating GBV effectively.

“... if we [SAPS] can have people from the court [prosecutors] or people from the shelters [places of safety] available at the police station providing services from your victim empowerment or your GBV office ... there is a need, and it can work ... we actually had people from the FCS unit sitting at Rahima Moosa hospital assisting us with cases [of abuse against women and girls] coming in there because that hospital deals with cases from everywhere. We also at one stage had people from a court sitting here [at the police station], assisting us [SAPS members] with applications for protection orders ... I think if we have facilities like that all over JHB it will obviously be great”.

On closer analysis from participants' responses, it appears that there is a consensus among the participants on the necessity of a specialised unit within SAPS to address GBV. Advocating for a comprehensive approach, the suggestion is to model it after TCCs for abused children, providing a one-stop solution for abused women and girls. Emphasis is placed on selecting empathetic officers for VAWG cases, fostering a people-centric approach. Collaboration with NGOs and courts at police stations is also recommended to empower victims and combat GBV effectively.

The third sub-theme of theme 7, namely, 'SAPS members recommend sufficient resources at the station level to enhance the implementation of policing strategies Addressing VAWG', follows for interpretation and analysis.

#### **4.9.3 Sub-theme 7.3: Resources at Station Level**

Adequate resources at the station level are paramount for effectively implementing policing strategies against VAWG. Law enforcement can establish specialised units, provide comprehensive training, and deploy advanced technologies to combat VAWG with proper funding. Sufficient resources empower officers to respond promptly, investigate thoroughly, and support victims sensitively. Community outreach and awareness campaigns also become feasible, fostering trust and collaboration. The impact extends beyond immediate interventions, influencing societal attitudes towards VAWG. By prioritising resource allocation, authorities enhance their capacity to address VAWG and contribute to a safer and more equitable environment for women and girls.

The reviewed literature in chapters 2 and 3 highlights the impact of sufficient resources in response to GBV across various contexts. As discussed in section 2.2 of chapter 2, Gouws (2018) emphasises the #TheTotalShutdown campaign's demand for resources, particularly for TCCs and one-stop centres at police stations for reporting rape. Nkoane-Mashabane (2020), the Minister of Women, Youth, and Persons with Disabilities, in section 2.4, stresses the importance of resources in addressing GBV effectively, urging the Women's Parliament to allocate resources for this purpose. The NSP-GBVF (2020) identifies adequate resources as a fundamental principle for implementing GBVF-NSP programmes, as presented in section 2.4.11 of chapter 2. Additionally, the Maputo Protocol (2003), presented in section 2.5.1 of chapter 2, mandates state parties to allocate necessary resources for VAW prevention and elimination. Section 3.2 further highlights the effectiveness of specialised units within police forces dedicated to handling GBV cases, underscoring the role of adequate resources in enhancing law enforcement sensitivity and responsiveness to GBV survivors' needs.

One SAPS participant emphasises the importance of adequate resources for implementing effective policing strategies at various police stations. Another SAPS participant highlights the disparities in privilege among police stations, pointing out that



some lack essential facilities like victim-friendly rooms, hindering officers from performing their duties effectively. Another SAPS participant emphasised the need to improve the victim empowerment room's comfort to encourage complainants to report cases more comfortably. Additionally, another SAPS participant underscores the significance of language in communication, emphasising that understanding the cultural context and language is crucial for effectively policing VAWG. Lastly, one SAPS participant calls for improvement in how police officers respond to reported cases, focusing on addressing delays and issues such as the unavailability of official vehicles during emergencies.

“If you don't have the resources at a certain station. You cannot implement the correct policing strategies”.

“... we [police stations] are not all privileged. Some of the stations, they don't have an office [victim friendly room]. How are they [police officers] going to do the job?”

“The comfortability of our victim empowerment room needs to be dealt with to make the complainant more comfortable in coming in to report the case”.

“The language spoken in our culture - another culture won't understand”.

“... our police officers [need] to improve. How they respond to the reported cases in terms of timeline, you would find cases where a victim would say, “I called one hour ago, and I was told there's no van [official SAPS vehicle]”.

On closer analysis of participants' responses, it appears that adequate resources at the station level are paramount for the effective implementation of policing strategies against VAWG. Proper funding would enable specialised units, comprehensive training, and advanced technologies to address VAWG. Adequate resources would empower officers to respond promptly, investigate thoroughly, and support victims sensitively. Community outreach and awareness campaigns foster trust, influencing societal attitudes. However, disparities in resources among police stations, lack of essential facilities, the standard of victim empowerment rooms, cultural understanding, and improvements in police response must be addressed for comprehensive efficacy.

The fourth sub-theme of theme 7, namely ‘provision of external support to victims of abuse’, follows for interpretation and analysis.

#### **4.9.4 Sub-theme 7.4: External Support to Victims of Abuse**

In the harrowing journey of abused women and girls, external support emerges as a lifeline, offering solace and empowerment. Places of safety become sanctuaries, shielding them from the torment of DV. Social workers who are compassionate and vigilant, bridge the chasm between despair and hope, navigating intricate paths to recovery. These external pillars provide physical protection and foster emotional healing, dismantling the shackles of silence. As beacons of empathy, they redefine shattered narratives, propelling survivors towards resilience. Their significance is profound, shaping destinies and breaking the cycles of abuse, ushering in a new era where abused women and girls find strength in solidarity.

The reviewed literature in chapter 2 draws attention to the value of support services external to police organisations to abused women and girls, spanning various dimensions and stakeholders. Section 2.2 highlights the #TheTotalShutdown campaign's emphasis on psychosocial support at police stations, extending beyond SAPS's involvement in addressing GBV. Sibanda-Moyo, Khonje and Brobbay (2017:np) stress the necessity of improving access to support services to aid abused victims and prevent recurring violence in 2.2.1 of Chapter 2. Mahlalela (2020:np) underscores the importance of a community-based approach involving multi-faceted support from all stakeholders to combat VAWG effectively in 2.3 of chapter 2. Furthermore, legislative frameworks such as the National Policy Guidelines and the NSPGBVF (2020) emphasise adopting multi-disciplinary responses and enhancing support systems, as per paragraphs 2.4.10 and 2.4.11. Anand (2020) highlights Canada's exemplary support systems for addressing GBV, displaying responsive policing and government commitment to victim support in section 2.10.2 of chapter 2. This collective emphasis on comprehensive support signifies a crucial aspect of combating GBV.

NGO participants highlighted a lack of support for victims during non-office hours within the SAPS. This participant emphasises the dependency on external community members, mainly volunteers, who often face challenges due to insufficient salaries. In addition, a SAPS participant reveals that even when cases are reported at night, the SAPS may be unable to provide a professional social worker immediately, leading to

referrals of victims to places of safety. This delay in accessing social workers raises issues of timely assistance for victims in need.

“... there's no support [for victims] after hours. They [SAPS] rely on the external community members, if any, is available. There are volunteers. But these guys also don't earn a sufficient salary. Sometimes volunteers are also being abused because it depends on what you can get out of the situation”.

“If the case is reported at night and we [SAPS] can't get a professional social worker then, we can refer them to a shelter and let them see a social worker the following day”.

On closer analysis of participants' responses, it appears that external support is a vital lifeline in the harrowing journey of abused women and girls. Despite their significance, a lack of support during non-office hours within the SAPS hampers timely assistance, revealing gaps in victim care and emphasising the role of dedicated community members in the victim support and recovery process.

The ‘alignment of strategies among stakeholders to address VAWG’, as the fifth sub-theme of theme 7, follows for interpretation and analysis.

#### **4.9.5 Sub-theme 7.5: Alignment of Strategies Among Stakeholders**

The alignment of policing strategies among stakeholders is paramount in combating VAWG. This cohesive approach fosters effective communication and resource utilisation, creating a united front against VAWG. By synchronising efforts, law enforcement, NGOs, and communities enhance victim support, streamline investigations, and improve prevention initiatives. This strategic alignment strengthens the fight against VAWG and sends a powerful message of solidarity, fostering a safer environment for women and girls.

The reviewed literature emphasises the importance of aligning strategies and stakeholder cooperation to address VAWG. Chetty and Mkwanazi (2020:17) stress the necessity of a united front against VAWG, echoing President Cyril Rampahosa's call to action, as presented in paragraph 1.2 of Chapter 1. The NCPS of 1996, detailed in section 2.4.12 of chapter 2, underscores the value of unified efforts in research and evaluation to ensure effective crime prevention programmes on both national and provincial levels. Additionally, the UNITE to End Violence Against Women initiative, discussed in section 2.9.4 of chapter 2, advocates for global action to increase

awareness, advocacy efforts, and knowledge sharing to combat GBV. International conventions addressing GBV, highlighted in section 2.5 of chapter 2, serve as crucial frameworks for international cooperation, emphasising the necessity of coordinated strategies to tackle VAWG effectively.

A SAPS participant suggests a discussion about addressing VAWG through collaborative efforts involving the court, SAPS, and the Department of Health. In addition, another participant proposed to hold regular meetings between these departments, similar to justice meetings, to address VAWG issues collectively. The participants emphasise the need for coordination and problem-solving, highlighting the importance of dedicated meetings focused on GBV. Additionally, a suggested solution by another SAPS participant involves increasing the number of places of safety for victims and allocating a higher budget to prevent victims from enduring abuse due to a lack of places of safety.

“To get the court involved?”

“Yes, get the court in and let them assist”.

“I suggest that we [SAPS] must meet with the Department of Health (hospitals) like we have justice meetings. ... these meetings with the hospitals - maybe once a month or quarterly, we can address a problem, like the situation [VAWG] that we sit with. All the departments have a lot of things on their plate and a lot of work, but we need to get together to solve this matter [VAWG] to have more success rates, especially in these crimes”.

“... it would be a nice thing if your medical department, your hospitals, justice, and the police could have a separate meeting for gender-based violence where we can address the problems we are encountering from each department. And that can bring a higher success rate to gender-based violence”.

“... the solution is to increase the number of shelters. The government can intervene and increase the budget for shelters. Then the victims will not be surrendering themselves to abuse because of the lack of space at shelters”.

In the effort to combat VAWG, participants emphasised the widespread dissemination of information. A SAPS participant believes that by consistently communicating about the issue, more individuals will grasp the nuances of VAWG, equipping them with the knowledge necessary for empowerment to act thereon. As another SAPS participant suggested, the strategy involves diverse methods such as billboards, awareness campaigns in shopping malls, and active community engagement. Additionally, a

SAPS participant recognised the importance of contacting schools and collaborating with community leaders to raise awareness about VAWG as a societal 'disease'. The overarching philosophy is that knowledge is potent in addressing and preventing VAWG.

"... because the more you put the word out there, the more people will understand what is happening on domestic violence. Knowledge is power".

"... we can put up billboards and do awareness in shopping malls and engage with the community. We can spread the word. Knowledge is power.... Also do awareness at schools. We can engage with the community leaders so that the people can be aware of this disease [VAWG]".

Moreover, a SAPS participant emphasises preventing victims from withdrawing cases before the legal process is completed. A second SAPS participant suggested room for improvement in the system and recommended that the National and Provincial SAPS offices conduct inspections of the numerous stations to ensure they are adequately equipped and staffed. This participant further emphasises the need for station commanders and social crime prevention commanders to enforce and adhere to guidelines at each station, promoting a thorough implementation of protocols.

"If a victim has opened a case, they must not be allowed to withdraw cases until it's finished".

"... it can be improved. The National and Provincial office need to inspect the stations - I know that there's quite a lot of stations - 142 to visit. If every province ... visit the stations to make sure that everything is in place and offices are there and properly equipped it will be good. ... the station commander, social crime prevention commander at every station, must ensure that the guidelines are implemented and adhered to".

On closer analysis of participant responses, addressing VAWG requires collaborative efforts among the court, SAPS, and the Department of Health. Proposed solutions include regular meetings between these entities, an increase in places of safety for victims, and a higher budget allocation. Emphasising information dissemination, participants advocate diverse strategies such as billboards, mall campaigns, and community engagement. Recognising VAWG as a societal 'disease', participants stress the importance of school outreach and collaboration with community leaders. Knowledge dissemination is seen as a powerful tool, complemented by efforts to prevent case withdrawals and enhance the system through inspections and adherence to guidelines.

The last sub-theme of theme 7 presented for interpretation and analysis speaks to the 'accuracy of GBV incidences recorded by the SAPS that are questioned'.

#### **4.9.6 Sub-theme 7.6: Accuracy of VAWG Incidences Recorded by SAPS**

The accuracy of GBV incidences recorded by the police holds profound significance in shaping societal responses. Precise data ensures targeted interventions, resource allocation, and policy formulation. Reliable statistics empower advocacy groups, policymakers, and law enforcement to address the issue effectively, fostering a safer environment. Accurate reporting not only reflects the true scale of the problem but also aids in dismantling societal norms that perpetuate GBV, fostering a collective commitment to eradicating this pervasive issue.

The reviewed literature draws attention to GBV-related statistics and their reliability, particularly in South Africa. Bougard and Booyens (2015) underscore South Africa's alarming rape statistics, often labelling the nation as the 'rape capital of the world', as presented in section 1.2 of chapter 1. Similarly, Khumalo (2017) highlights disturbing statistics regarding VAWG. Despite the severity of the issue, section 2.2 reveals the difficulty in accurately determining the extent of GBV due to the absence of official SAPS statistics specifically addressing GBV. The categorisation of GBV incidents under broader crime categories further complicates data collection and analysis. As discussed in section 2.2 of chapter 2, the SAHRC (2018) emphasises that without reliable GBV statistics, it is challenging to develop targeted interventions to combat GBV effectively. Xongwana (2016), as per section 2.12 of chapter 2, further emphasises this unreliability of statistics, citing discrepancies in monthly reports from accountable police stations, which leads to inconsistencies in reported statistics. This lack of reliable data hampers efforts to assess compliance with obligations to protect women and girls from GBV in South Africa.

In decision-making and reporting within law enforcement, participants' focus appears to be centred on the statistical outcomes of GBV incidences. One SAPS participant's concern is highlighted by the emphasis on what information will be presented during forums, parliamentary sessions, or in response to queries from department heads. The participant suggests that the accurate recording of GBV incidences by the police, rather than the nature of the cases, is crucial in these situations. Furthermore, another

SAPS participant's response indicates a systematic categorisation of cases within the SAPS, including those initiated by females or involving children. The cases are colour-coded as red, blue, or green. The participant implies that this categorisation system is not solely based on the type of crime but also considers the gender or age of the complainant. Additionally, the participant's mention of meeting targets suggests a performance metric to ensure that the reported GBV incidences decrease compared to previous periods, focusing on achieving specific numerical goals rather than solely addressing the nature and severity of GBV cases.

"... what seems to matter most is the statistics. What you are [are you] going to present when you have a forum or go to Parliament, or your head of department queries you".

"... remember at this stage they [SAPS] calculate any case that a female or child opens as red, blue, or green. They would actually pick up whether the complainant of, for example, a theft of motor vehicle is a female. It is sorted under Red, blue, and green and then you also need to meet your targets. You have to see that it is lower than the previous year, or previous month, that type of thing".

"We mustn't start by assault and then GBV with this - remember it is a human being who is typing in the information into the system... can make mistakes due to human error. ... I don't go through the system and check everything and just print the stats – it will not be easy to determine whether the case might be GBV related or not. ... it's important to check, every morning, how many cases were reported, and which ones are GBV or DV...".

One SAPS participant expresses concern about the 'catchphrase' GBV, stating that it is too broad and suggests a lack of understanding among SAPS members regarding the issue. The participant further emphasises that GBV encompasses various forms of abuse, such as domestic violence, emotional abuse, financial abuse, and psychological abuse, occurring on multiple levels. Consequently, the participant critiques the reliance on statistics alone, highlighting the need for a deeper understanding of the complexity and depth of GBV among SAPS members to address the problem effectively.

"... this catchphrase of GBV is too broad. I think we [SAPS members] are [do] not understanding [understand] the problem enough. GBV is, you know, domestic violence. There's violence, and there is emotional abuse, there's financial abuse and psychological abuse. This goes on to so many levels. And it goes so deep ... to get the correct stats ... that is not helping our understanding of what this is".

Several SAPS participants suggest that the SAPS should establish a crime code specifically for GBV. One participant suggested such a crime code should detail descriptions such as assault, GBH, or attempted murder, for example. This would help differentiate and categorise GBV cases more effectively on dockets. The participant emphasises the importance of having distinct crime codes for different components of GBV to improve the accuracy of case classification. Additionally, another participant believes that creating a separate crime code for DV would be beneficial, ensuring proper categorisation and distinguishing it from other types of assault cases. Overall, participants advocate for implementing specific crime codes to enhance the identification and handling of GBV and DV cases within the SAPS system.

“... [SAPS should] set up a crime code for gender-based violence with a description that says either assault, GBH or attempted murder ... can work perfectly because now you'll get a gender-based violence case, and we need to write on the docket GBV we know those dockets are gender-based violence cases because there's no specific crime. ... can work if there's a specific crime code underneath the different components of gender-based violence”.

“... if DV is indicated separately on a crime code or cases... [it] would assist in placing it [DV] under the correct category and some of the normal assault and assault GBH cases are also correctly categorised as some of the complainants are men”.

“I think it will be better if there is a specific crime code for GBV or DV”.

In addition, an NGO participant criticises the SAPS for its inadequate analysis of crime statistics, emphasising that statistics can be a valuable source of information. The participant expressed frustration with the perception that statistics merely serve as a measure of police performance rather than a tool for understanding and addressing issues. The speaker believes that a shift in mindset is necessary, urging authorities to treat statistics as information that can guide effective policing strategies. Specifically, the participant highlights a lack of competence in utilising and interpreting data related to forms such as those associated with the DVA. The participant further points out the absence of efforts by both the police and the DOJ&CD to investigate cases where women with Protection Orders have died, emphasising the need to understand why these protective measures may have failed. The participant suggests that fear of legal consequences might hinder the authorities' strategic and critical abilities in addressing these issues.



“... they [SAPS] analyse these statistics so poorly ... statistics are a very rich source of information. ... if people stopped screaming and started treating the statistics as information, rather than as a guide to police performance ... we will get a lot further. ... I don't think the police has any sense of knowing how to utilise and interpret their data. I see no ability to think about how they could use those form 2s and the other forms that are associated with the Domestic Violence Act, and how they could use that to inform policing domestic violence. I see no attempt from them and from the Department of Justice as well, to track and inquire into cases where women who had Protection Orders have died. No reason to understand why the protection order would have failed, none whatsoever. Maybe because that's because they're scared of being sued, I think their abilities, strategically and critically, are very poor”.

On closer analysis of participant responses, it appears that the accuracy of recorded GBV incidences by the police is pivotal in shaping societal responses. Precise data enables targeted interventions, resource allocation, and effective policy formulation. However, within law enforcement, participants' focus on statistical outcomes seems to overshadow the nuanced nature of GBV cases.

#### **4.10 CHAPTER SUMMARY**

This chapter presented, discussed, analysed, and interpreted the research findings from in-depth interviews conducted with participants. Verbatim (unedited) quotes from interview transcriptions were utilised, providing authentic voices that enriched the narrative. Thematic analysis revealed distinct themes and sub-themes, offering a nuanced understanding of the policing strategies in addressing VAWG. Each theme captured specific aspects of participant experiences, attitudes, and perspectives, illustrating the complexity of policing VAWG. Patterns, contradictions, and nuances within themes were examined, facilitating a comprehensive understanding of the findings.

The themes were identified systematically, drawing from recurring ideas, concepts, and sentiments across the interviews. This methodological rigour ensured the reliability and validity of the findings, firmly situating them within the research context. Integrating the research findings with relevant literature, as presented in chapters 1-3, enhanced the discussion, offering theoretical insights and contextualising empirical findings within scholarly discourse. This synthesis facilitated a deeper analysis, illuminating underlying dynamics, implications, and avenues for further inquiry. Overall, this chapter represented a critical juncture, synthesising empirical data with theoretical frameworks to provide a robust understanding of the policing of VAWG.

Rigorously examining themes and incorporating participant voices advanced scholarly knowledge and contributed to the academic discourse on policing strategies addressing VAWG.

The chapter concludes this study and will provide an overall summary and conclusions and recommendations.

## **CHAPTER 5: SUMMARY, RECOMMENDATIONS AND CONCLUSION**

### **5.1 INTRODUCTION**

This chapter commences by summarising the essence of chapters 1-4. Subsequently, this chapter offers recommendations from the findings disclosed within the themes and sub-themes explored in chapter four. These recommendations aim to enrich the SAPS's strategies to combat VAWG.

The recommendations outlined in this chapter can potentially enhance the SAPS's strategies for mitigating VAWG. The value of this research lies in its thorough examination of these policing strategies, offering pragmatic suggestions to bolster the current SAPS approaches in addressing VAWG. As a result, a procedural framework tailored to enhance policing strategies aimed at addressing VAWG is suggested. This framework is built on 20 pillars, each with practical actions for implementation. This framework furnishes concrete solutions to address policing strategies in response to VAWG, thereby advancing the collective understanding of such strategies.

### **5.2 SUMMARY OF THE PRECEDING CHAPTERS**

Chapter 1 described the research methodology employed in this study and provided a synopsis of the study's contextual background. The identified problem statement was expounded upon, followed by a clarification of the study's aim and objectives, alongside an exploration of various components of the research methodology utilised, encompassing the research approach and design, target population, data collection methods, and interpretation of data analysis. Moreover, this chapter delved into ethical considerations and scrutinised the study's credibility, dependability, transferability, and confirmability.

The aim of this study was accomplished, namely, to explore the policing strategies in response to VAWG.

This study achieved the following purposes:

- Explored if the current policing strategies implemented to address VAWG are effective.

- Examined current policing strategies implemented to address VAWG.
- Investigated factors that hinder the effective implementation of policing strategies to address VAWG.
- Suggested recommendations that could facilitate improved policing strategies to address VAWG.
- Investigated international best practices of policing strategies addressing VAWG.

The following primary research question was answered in this study:

- Are the current policing strategies implemented by the SAPS to address VAWG effective?

The following secondary research questions were answered in this study:

- What policing strategies are currently implemented by the SAPS to address VAWG?
- What impedes the SAPS from effectively implementing policing strategies to address VAWG?
- How could the SAPS enhance policing strategies to address VAWG efficiently?
- What international best practices exist regarding policing strategies to address VAWG?

Chapter 2 provided an overview of the multifaceted dimensions of GBV in South Africa. By exploring the historical context of GBV and placing it within the broader global discourse, the aim was to comprehensively understand the intricate challenges and complexities associated with this deeply ingrained societal issue. This chapter specifically focused on how the COVID-19 pandemic lockdown affected the prevalence of GBV, examined the various legislative frameworks in South Africa and international conventions aimed at combatting GBV, and highlighted specific instances of GBV in SA to underscore the stark realities faced by many individuals, thereby emphasising the urgent need for effective policy interventions. Furthermore, this chapter examined the shortcomings in policies, issues of accountability, and the functionality of the CJS within the South African context. The chapter also delved into the implications of GBV and explored the ongoing efforts, both within South Africa and on the global stage, to combat this phenomenon. The discussion extended to an

international perspective on GBV, stressing the interconnected nature of the problem across borders. Finally, the chapter concluded with an analysis of the implementation of the DVA, pinpointing critical deficiencies that hinder its effectiveness in addressing the complexities of GBV.

Chapter 3 explored international policing strategies designed to combat VAWG, providing insights into the diverse approaches adopted worldwide. It analysed the identification of exemplary practices and stressed the significance of recognising successful models that can be reproduced or adjusted across various socio-cultural settings. Additionally, the chapter investigated the obstacles and deficiencies present in these strategies, illuminating the complexities involved in effectively tackling VAWG. Through this examination, the chapter aimed to enrich the ongoing dialogue on efficient policing interventions against VAWG, emphasising the critical need for collaborative actions to address this urgent human rights concern globally.

Chapter 4 presented, discussed, analysed, and interpreted the research findings from extensive participant interviews. Direct verbatim (unedited) quotations from interview transcripts were utilised, lending authentic voices that enriched the narrative. Through thematic analysis, distinct themes and sub-themes emerged, offering a nuanced comprehension of policing strategies in combating VAWG. Each theme encapsulated specific facets of participant encounters, attitudes, and viewpoints, portraying the intricate nature of VAWG policing. Patterns, discrepancies, and subtleties within these themes were scrutinised, facilitating a comprehensive grasp of the findings. The themes were systematically identified, drawing from recurrent notions, ideas, and sentiments across the interviews. This methodological rigour ensured the reliability and validity of the findings, firmly embedding them within the research framework. Integrating the research findings with pertinent literature, as discussed in chapters 1 to 3, enriched the discourse, providing theoretical insights and situating empirical results within the academic dialogue. This amalgamation facilitated an in-depth analysis, shedding light on underlying dynamics, ramifications, and avenues for further investigation. This chapter served as a pivotal juncture, amalgamating empirical evidence with theoretical frameworks to assess VAWG policing comprehensively. Meticulous examination of themes and integration of participant perspectives

propelled scholarly understanding and contributed to the academic dialogue surrounding policing strategies addressing VAWG.

The research findings revealed shortcomings and inconsistencies in the service that the SAPS provide to women and girls, which necessitate the formulation of recommendations regarding policing strategies implemented by the SAPS to address VAWG. The analysis and interpretation of the research findings revealed that the SAPS experiences numerous shortcomings and faces various challenges concerning policing strategies that influence its ability to address VAWG effectively. The best practices and challenges of policing strategies to reduce VAWG implemented in Latin America, Asia, NZ, India, Australia, and England and Wales as a response to VAWG were explored and may serve as best practices for the SAPS.

Consequently, a procedural framework to enhance policing strategies in response to violence against women and girls is recommended below.

### **5.3 A PROCEDURAL FRAMEWORK TO ENHANCE POLICING STRATEGIES IN RESPONSE TO VIOLENCE AGAINST WOMEN AND GIRLS**

This framework aims to coordinate and standardise the policing of VAWG and set universally higher standards. It is acknowledged that policing cannot solve VAWG in isolation. Therefore, this framework focuses on actionable recommendations where policing can make the most significant impact. This framework is thus developed to provide consistently exacting standards to the SAPS strategies in response to VAWG.

The actions recommended in this framework are wide-ranging, spanning from better prevention activities to more persistent disruption of perpetrators and more vigorous offender management. The actions in this framework aim to achieve a common standard, culture, and approach in the SAPS to prevent and respond to VAWG. These standardised actions will provide victims with a consistent service. They will ensure the SAPS is better positioned to respond to and prevent VAWG and to gain an improved understanding of these offences in the future. All these actions were identified as potentially leading to widespread improvements in the SAPS's response to VAWG if adopted and implemented consistently across South Africa.

### **5.3.1 Pillar 1: Guidelines and Protocols**

Guidelines and protocols for SAPS members to implement policing strategies to reduce VAWG are paramount in fostering the safety of women and girls. With VAWG representing a pervasive issue in South Africa, law enforcement is crucial in combating such crimes. By adhering to these guidelines and protocols, SAPS members can effectively prioritise the prevention, investigation, and prosecution of VAWG cases while ensuring survivors receive appropriate support and justice.

The following actions are recommended:

#### **5.3.1.1 Comprehensive training programmes**

Comprehensive training should be developed for and implemented by SAPS members to increase awareness and understanding of diverse policing strategies to reduce VAWG beyond legislation, such as the DVA. These programmes should cover international best practices, such as those observed in Latin America, Asia, New Zealand, Australia, England, and Wales. Training should focus on recognising different forms of violence, supporting survivors, and promoting a responsive legal and justice system.

#### **5.3.1.2 Dissemination of guidelines and protocols**

Clear SAPS guidelines and protocols related to VAWG should be disseminated to all SAPS members. This includes guidelines on handling diverse types of violence, supporting survivors, and collaborating with other agencies and organisations. Efforts should be made to bridge the gap between policy formulation and practical application by providing accessible and updated guidelines.

#### **5.3.1.3 Integration of non-legislative strategies**

Non-legislative strategies and campaigns to reduce VAWG should be initiated by NGOs, government departments, and academic institutions, and they should be recognised and integrated by the SAPS. SAPS should collaborate with these entities to leverage their expertise and resources effectively in addressing VAWC. SAPS should actively support and promote campaigns like the 16 Days of Activism of Violence Against Women and Children.

#### **5.3.1.4 Review and revision of national instructions**

The SAPS should review existing national instructions and guidelines within the service to ensure alignment with international best practices and the evolving nature of VAWC. These instructions should be revised and updated to provide clear guidance on addressing VAWC comprehensively. Aspects from successful international models should be considered for incorporation into national instructions, such as the Family Violence Interagency Response System in New Zealand or the AWPS in Asia.

#### **5.3.1.5 Enhanced understanding of terminology**

The SAPS should address conceptual confusion regarding GBV, DV, and VAWG by clarifying terminology within SAPS training programmes and guidelines. It should be ensured that SAPS members understand the nuances between different forms of violence and their respective legal frameworks. The importance of an integrated approach to addressing all forms of violence against women and girls should be emphasised.

#### **5.3.1.6 Continuous evaluation and improvement**

Mechanisms for continuously evaluating and improving policing strategies related to VAWG should be established. This includes gathering feedback from SAPS members, survivors, and relevant stakeholders to identify areas for enhancement. Regular review meetings and consultations with experts in the field can help SAPS adapt and refine its strategies over time.

#### **5.3.1.7 SAPS crime category dedicated to VAWG/DV/GBV**

The SAPS should create a specific crime category dedicated to VAWG, DV, and GBV. This measure will ensure accurate crime statistics and establish the true impact of these crimes on the residents of South Africa. By having such a distinct crime category, the SAPS could better track and address VAWG, DV, and GBV incidents, thereby improving responses and support services for victims.

### **5.3.2 Pillar 2: Demonstrate Initiative to Showcase Pro-Active Behaviour**

At the forefront of combating VAWG, the initiative demonstrated by SAPS members at the station level holds paramount importance. These individuals primarily serve as the first point of contact for victims, where their proactive engagement and



resourcefulness play a pivotal role in providing timely assistance and support. By exercising initiative, SAPS members can effectively identify, respond to, and prevent instances of VAWG within their communities, fostering safer environments and promoting the well-being of vulnerable women and girls.

The following actions are recommended:

#### **5.3.2.1 Standardised training programmes**

The SAPS should implement standardised training programmes and enhance existing programmes for all officers, focusing on gender sensitivity, trauma-informed approaches, and the legal framework related to VAWG. This would ensure that officers at all stations possess the necessary skills and knowledge to handle VAWG cases with sensitivity and efficiency.

#### **5.3.2.2 Strengthening community engagement**

Collaboration between SAPS and local communities in addressing VAWG should be encouraged and facilitated. Community forums or advisory groups should be established where residents can provide input on policing strategies, report incidents, and participate in awareness campaigns. This grassroots involvement fosters trust and enables a more targeted approach to addressing VAWG within specific communities.

#### **5.3.2.3 Allocation of resources**

Increased resources and budgets allocated to VAWG prevention and response initiatives within SAPS should be advocated. All stations must be equipped with the necessary resources to be able to efficiently deal with victims and cases of VAWG, such as enough unmarked vehicles to transfer women and their children to shelters and elsewhere, cellular phones for proper communication and sufficient items to be able to supply victims with what they need before being sent home or to a shelter. This includes adequate funding for specialised units, such as the SAPS Family Violence, Child Protection, and Sexual Offenses units, and provisions for dedicated facilities equipped to handle VAWG cases sensitively and effectively.

#### **5.3.2.4 Data-driven decision-making**

Data collection systems should be implemented to track VAWG incidents and trends at the station level. Analysing this data will enable SAPS to identify hotspots, allocate

resources efficiently, and tailor interventions to address specific forms of VAWG prevalent in different communities.

#### **5.3.2.5 Interagency collaboration**

Strengthen partnerships between SAPS and other relevant agencies, such as social services, healthcare providers, and NGOs specialising in gender-based violence. Coordinated efforts can provide holistic support to survivors, streamline referral processes, and enhance the effectiveness of interventions aimed at preventing VAWG.

### **5.3.3 Pillar 3: Creating VAWG Awareness in Communities**

The SAPS could be crucial in combatting VAWG by creating community awareness. By engaging in educational initiatives and outreach programmes, the service could shed light on the prevalence and impact of VAWG, empowering individuals to recognise, report, and prevent such incidents. SAPS raises awareness and fosters a culture of accountability and support for survivors through their presence and advocacy. The service's efforts could contribute significantly to shifting societal norms, promoting gender equality, and reducing VAWG within communities.

The following actions are recommended:

#### **5.3.3.1 Develop tailored community awareness programmes**

SAPS should design community awareness programmes specifically targeting different demographics and geographic areas. These programmes should utilise culturally sensitive and contextually relevant messaging to reach diverse communities effectively.

#### **5.3.3.2 Utilise multi-media platforms**

The SAPS should leverage various multimedia platforms such as social media, radio, television, and community events to broaden awareness campaigns' reach. These platforms offer opportunities to disseminate information, share resources, and engage with the public on issues related to VAWG.

### **5.3.3.3 Engage with community leaders and organisations**

SAPS should collaborate with local community leaders, NGOs, women's groups, and other relevant stakeholders to co-create and implement awareness initiatives. Engaging with trusted community leaders can enhance the credibility and effectiveness of SAPS' messages.

### **5.3.3.4 Implement community dialogues and workshops**

Organising community dialogues, workshops, and training sessions can foster open discussions about VAWG, challenge harmful attitudes and beliefs, and empower community members to act against violence. These platforms also provide opportunities for SAPS to listen to the concerns and feedback of community members.

### **5.3.3.5 Promote reporting mechanisms**

The SAPS should promote and facilitate access to reporting mechanisms for survivors of VAWG. This includes raising awareness about how to report incidents of violence, ensuring confidentiality and safety for survivors, and providing support throughout the reporting process.

### **5.3.3.6 Monitor and evaluate awareness campaigns**

Continuous monitoring and evaluation of awareness campaigns are essential to assess their impact and effectiveness. Consequently, the SAPS should collect data on reach, engagement, and changes in attitudes and behaviours related to VAWG to inform future strategies.

## **5.3.4 Pillar 4: Effective Communication Channels Between SAPS Personnel and Leadership**

Effective communication between SAPS members and management is paramount in tackling the pervasive issue of VAWG. The absence of clear communication channels inhibits the implementation of efficient policing strategies aimed at reducing VAWG incidents. Collaboration and transparency between frontline officers and senior members are essential to identify, address, and prevent instances of VAWG effectively. A breakdown in communication hampers the coordination of resources, compromises community trust, and undermines efforts to create safer environments for women and girls.

The following actions are recommended:

#### **5.3.4.1 Understanding the communication gap**

In-depth interviews and surveys among SAPS members and management should be conducted to identify specific communication challenges. In addition, existing communication channels and protocols within SAPS should be analysed to pinpoint deficiencies hindering adequate information flow.

#### **5.3.4.2 Strengthening internal communication**

Regular training programmes and workshops on practical communication skills should be implemented for SAPS members and management. Moreover, clear, and transparent feedback mechanisms should be established to encourage dialogue and exchange of ideas between frontline officers and higher management.

#### **5.3.4.3 Utilising technology**

User-friendly digital platforms or applications for reporting and documenting VAWG incidents should be introduced, ensuring real-time data sharing and analysis. The SAPS should invest in advanced communication technologies such as secure messaging systems or video conferencing for improved coordination and collaboration among SAPS units.

#### **5.3.4.4 Promoting interdepartmental collaboration**

Partnerships between SAPS and relevant governmental and non-governmental organisations working on gender-based violence issues should be fostered. Additionally, joint task forces or committees should facilitate information sharing and coordinate multi-sectoral responses to VAWG cases.

#### **5.3.4.5 Creating a culture of accountability**

It is suggested that the SAPS develop performance metrics and indicators related explicitly to VAWG prevention and response, integrating them into SAPS' performance evaluation systems. Open discussions about challenges and successes in addressing VAWG within SAPS are encouraged, emphasising a shared responsibility among all members.

### **5.3.5 Pillar 5: Training and Knowledge of Policing Strategies**

The absence of adequate training and expertise regarding prescribed policing strategies to combat VAWG among members of the SAPS holds profound significance. Without proper training, law enforcement personnel may struggle to effectively identify, handle, and prevent instances of VAWG, perpetuating a cycle of impunity and injustice. This deficiency not only undermines trust in the police service but also perpetuates societal norms of VAWG.

The following actions are recommended:

#### **5.3.5.1 Incorporation of gender studies into the SAPS curriculum**

Integrating gender studies into the curriculum of SAPS training academies should be compulsory and enhanced. This would provide officers with a deeper understanding of GBV, DV and VAWG, its root causes, and societal implications. By incorporating and imbedding gender studies, officers can develop a nuanced perspective on VAWG and its intersectionality with other social factors.

#### **5.3.5.2 Continuous professional development**

A system of continuous professional development for SAPS members should be established, including refresher courses and ongoing education on best practices for addressing VAWG. This will ensure that officers stay updated on evolving strategies and remain equipped to handle complex cases sensitively and effectively.

#### **5.3.5.3 Interdisciplinary collaboration**

Collaboration between SAPS and relevant stakeholders, such as social workers, psychologists, and community organisations specialising in VAWG prevention and support, should be fostered. Joint training sessions, workshops, and information sharing can enhance SAPS' capacity to address VAWG comprehensively and holistically.

#### **5.3.5.4 Monitoring and Evaluation Mechanisms**

Robust monitoring and evaluation mechanisms should be implemented to assess the effectiveness of training programmes and strategies in reducing VAWG. Regular feedback, surveys, and performance evaluations can help identify areas for improvement and inform future training initiatives.

#### **5.3.5.5 Cultural sensitivity training**

Regular and ongoing cultural sensitivity training for SAPS members should be implemented to understand better and navigate diverse cultural norms and practices that may influence perceptions and responses to VAWG within different communities. This training should emphasise respecting cultural diversity while upholding human rights and gender equality.

#### **5.3.6 Pillar 6: Resources to Implement Policing Strategies**

The absence of adequate resources to implement policing strategies to address VAWG presents a critical challenge in combating this pervasive issue. Insufficient resources hinder the SAPS ability to effectively respond to and prevent such crimes, resulting in gaps in protection, delayed justice, and perpetuation of systemic inequalities. Addressing this shortfall is imperative to ensure the safety and well-being of women and girls.

The following actions are recommended:

##### **5.3.6.1 Resource allocation optimisation**

It is recommended that the SAPS should conduct a comprehensive assessment of existing resources to identify inefficiencies and reallocate them to prioritise VAWG prevention and response. This may involve reallocating personnel, equipment, and funding to units dedicated explicitly to addressing VAWG.

##### **5.3.6.2 Multi-sectoral collaboration**

It is recommended that the SAPS establish partnerships with other government agencies, NGOs, and community organisations to pool resources and expertise in combating VAWG. Collaboration can enhance SAPS' capacity to access additional resources, including funding, training, and support services for survivors of VAWG.

##### **5.3.6.3 Training and capacity building**

It is recommended that specialised training programmes be developed for SAPS officers on VAWG awareness, sensitivity, and effective response techniques. Training should emphasise trauma-informed approaches and intersectionality to address the diverse needs of survivors. Additionally, capacity-building initiatives should include

ongoing professional development to ensure officers remain updated on best practices.

#### **5.3.6.4 Community policing initiatives**

The SAPS is recommended to enhance community policing strategies prioritising engagement with local communities to understand their unique VAWG challenges and needs. By fostering trust and collaboration, SAPS can leverage community resources and support to augment its VAWG prevention and response efforts.

#### **5.3.6.5 Technology Integration**

It is recommended that the SAPS invest in technology solutions such as data analytics, digital reporting systems, and mobile applications to streamline VAWG documentation, reporting, and response. Leveraging technology can enhance SAPS' efficiency in resource utilisation, data management, and monitoring of VAWG trends.

#### **5.3.6.6 Advocacy and awareness campaigns**

The SAPS is recommended to launch public awareness campaigns to educate the community about VAWG, SAPS services, and available support resources. By raising awareness and reducing stigma, SAPS can encourage survivors to report incidents and seek assistance while fostering community support for anti-VAWG initiatives.

#### **5.3.6.7 Research and evaluation**

It is recommended that resources be allocated for research projects to evaluate the effectiveness of SAPS strategies in combating VAWG. Research findings can inform evidence-based decision-making, identify areas for improvement, and justify resource allocations to address VAWG more effectively.

### **5.3.7 Pillar 7: Managing Gender and Language Barriers**

Addressing challenges related to gender and language barriers is pivotal in the effective implementation of policing strategies aimed at combatting VAWG. These barriers intersect, creating complex dynamics that hinder access to justice and support services for victims. Inclusive language and gender-sensitive approaches are essential for fostering trust between law enforcement and marginalised communities. Overcoming these challenges ensures equitable protection and upholds fundamental human rights, fostering safer and more inclusive societies for women and girls.

The following actions are recommended:

#### **5.3.7.1 Gender sensitivity training programmes**

It is recommended that mandatory gender sensitivity training programmes for all SAPS personnel be implemented to raise awareness of gender issues, challenge stereotypes, and promote empathy towards VAWG survivors.

#### **5.3.7.2 Recruitment and representation**

It is encouraged to recruit more female officers and officers from diverse backgrounds to reflect better the communities they serve, fostering trust and understanding among victims.

#### **5.3.7.3 Multilingual support services**

Establishing language support units within SAPS stations equipped with translators or officers proficient in local spoken languages is recommended to ensure effective communication with victims, regardless of linguistic background.

#### **5.3.7.4 Data collection and research**

It is recommended that data collection systems be improved to capture VAWG incidents accurately, including disaggregated data by gender, age, ethnicity, and language, to inform evidence-based policymaking and resource allocation.

### **5.3.8 Pillar 8: SAPS Members as the Victims or Perpetrators of VAWG**

SAPS members, as both potential victims and perpetrators of VAWG, occupy a critical nexus in societal dynamics. The significance lies in their dual roles as enforcers of law and potential subjects of it. When SAPS officers perpetrate acts of VAWG, it undermines public trust and exacerbates systemic issues. Conversely, when they become victims, it highlights vulnerabilities within law enforcement structures and underscores the pervasive nature of VAWG. Addressing this dynamic is crucial for fostering a culture of accountability and equality within law enforcement agencies.

The following actions are recommended:



#### **5.3.8.1 Internal reporting mechanisms**

It is recommended that confidential and accessible reporting mechanisms within SAPS are established for members who are victims of VAWG, ensuring protection from retaliation or victim-blaming. Additionally, robust systems for investigating and addressing complaints of VAWG perpetrated by SAPS members should be implemented, with clear consequences for perpetrators.

#### **5.3.8.2 Psychosocial support services**

It is recommended that comprehensive psychosocial support services for SAPS members who are survivors of VAWG should be prioritised, including sufficient access to counselling, trauma-informed care, and support groups. Addressing the mental health needs of survivors who are members of SAPS is crucial for their well-being and continued effectiveness in their roles.

#### **5.3.8.3 Promotion of gender equity**

It is recommended that a culture of gender equity within SAPS is fostered through targeted initiatives such as mentorship programmes, leadership development opportunities, and recruitment strategies to increase women's representation in policing. Empowering women within SAPS can contribute to a more inclusive and responsive approach to addressing VAWG.

#### **5.3.8.4 Data collection and research**

It is recommended that the SAPS invest in robust data collection systems and research initiatives to understand better the prevalence and dynamics of VAWG within SAPS, including factors contributing to underreporting and barriers to accessing support services. This data should be used to inform evidence-based policies and interventions.

### **5.3.9 Pillar 9: Victim Treatment**

The negative approach and lack of passion exhibited by certain SAPS members in providing respectful and compassionate treatment to victims of VAWG underscore a deeply concerning systemic issue. In a society where GBV remains a pervasive problem, law enforcement's role in supporting survivors is pivotal. When officers fail to demonstrate empathy and dedication in these cases, it not only perpetuates trauma

but also erodes trust in the justice system, hindering efforts to combat this epidemic and providing much-needed support to those women and girls in vulnerable situations.

The following actions are recommended:

#### **5.3.9.1 Training and sensitisation programmes**

It is recommended that mandatory training programmes on gender sensitivity, human rights, and trauma-informed approaches be implemented for all SAPS members. These programmes should include interactive workshops and real-life case studies to enhance understanding and empathy towards survivors.

#### **5.3.9.2 Strengthening accountability mechanisms**

It is recommended that clear guidelines and protocols for handling VAWG cases are established, emphasising the importance of respectful and compassionate treatment. Regular performance evaluations and monitoring systems should be introduced to assess SAPS members' adherence to these guidelines, with consequences for non-compliance.

#### **5.3.9.3 Creating supportive work environments**

A culture of empathy and support within SAPS should be promoted by providing ongoing psychological support and debriefing sessions for officers dealing with VAWG cases. Open communication channels should be fostered where members can raise concerns and seek guidance without fear of reprisal.

### **5.3.10 Pillar 10: Places of Safety**

The absence of adequate places of safety for victims of VAWG presents a dire societal challenge with profound implications. These spaces serve as sanctuaries where survivors can seek refuge, support, and resources crucial for their recovery and safety. Without such havens, victims face heightened risks of continued abuse, trauma, and even fatal consequences. The dearth of accessible shelters not only exacerbates the vulnerability of survivors but also reflects systemic failures in addressing GBV, underscoring the urgent need for comprehensive interventions and support mechanisms.

The following actions are recommended:

#### **5.3.10.1 Needs assessment and resource allocation**

The SAPS should conduct a thorough needs assessment to identify regions with the highest prevalence of VAWG and inadequate safe spaces. Resources should be allocated accordingly to establish safe shelters within police stations or in proximity.

#### **5.3.10.2 Interagency collaboration**

Partnerships with local NGOs, community-based organisations, and government agencies should be fostered to leverage resources and expertise in establishing and managing safe spaces. Collaborative efforts can enhance the sustainability and effectiveness of these initiatives.

#### **5.3.10.3 Standardised protocols and procedures**

Standardised protocols and procedures should be developed to identify, refer, and support VAWG survivors accessing safe spaces within police premises. Clear guidelines will streamline processes and ensure consistent quality of care across different locations.

#### **5.3.10.4 Monitoring and evaluation**

Mechanisms for continuously monitoring and evaluating safe space initiatives within SAPS should be established. Regular assessments will identify challenges, best practices, and areas for improvement, leading to informed decision-making and programme refinement.

### **5.3.11 Pillar 11: Victim Support Services**

The absence of adequate places of safety for victims of VAWG presents a dire societal challenge with profound implications. These spaces serve as sanctuaries where survivors can seek refuge, support, and resources crucial for their recovery and safety. Without such havens, victims face heightened risks of continued abuse, trauma, and even fatal consequences. The dearth of accessible shelters not only exacerbates the vulnerability of survivors but also reflects systemic failures in addressing GBV, underscoring the urgent need for comprehensive interventions and support mechanisms.

The following actions are recommended:

#### **5.3.11.1 Dedicated hotline**

A dedicated hotline operated by trained personnel to provide immediate support and guidance to victims outside regular office hours should be established. This hotline should offer various services, including emotional support, safety planning, and referrals to shelters or healthcare facilities.

#### **5.3.11.2 Mobile victim support units**

Mobile victim support units should be introduced and equipped with trained personnel and essential resources to provide on-the-spot assistance to victims in remote or underserved areas. These units can respond promptly to distress calls and offer immediate support until formal aid arrives.

#### **5.3.11.3 Technological solutions**

Technological solutions such as mobile applications or online platforms that allow victims to access support services discreetly and securely at any time should be implemented. These platforms can also facilitate remote counselling sessions and information dissemination on legal rights and available resources.

#### **5.3.11.4 Women-led police stations**

Inspired by successful models in Latin America, Asia, and India, the SAPS should consider establishing women-led police stations. These stations, staffed predominantly by female officers, have demonstrated effectiveness in providing a safe and supportive environment for survivors to report incidents of VAWG. Additionally, these stations can offer specialised services tailored to the needs of women and girls, fostering trust and encouraging reporting. These stations can be one-stop centres providing comprehensive support services, including legal assistance, counselling, and medical aid. By centralising resources and expertise, women-led police stations can streamline the response to VAWG cases and ensure survivors receive holistic care. In addition, building on the model from India, SAPS should consider creating WHDs within police stations. These dedicated desks, staffed by trained officers sensitive to gender issues, can provide a welcoming space for survivors to seek assistance. These WHDs can offer immediate support, referrals to relevant services, and information on legal rights, empowering survivors to navigate the justice system.

### **5.3.12 Pillar 12: Integration of Policing Strategies among Governmental Departments**

The non-integration of policing strategies to address VAWG among different governmental departments poses a significant obstacle in combating this persistent issue. As violence knows no boundaries, a disjointed approach hampers the effectiveness of law enforcement efforts. The failure to synchronise strategies across departments results in fragmented responses, hindering the provision of comprehensive support and protection to victims. Such fragmentation not only undermines the accountability of perpetrators but also perpetuates the vulnerability of women and girls, highlighting the urgent need for cohesive, cross-sectoral collaboration.

The following actions are recommended:

#### **5.3.12.1 Interdepartmental collaboration**

The SAPS should establish formal mechanisms for collaboration with other governmental departments, including the Department of Social Development, Department of Health, and Department of Justice and Constitutional Development. Regular meetings, joint training sessions, and information-sharing protocols should be established to ensure a coordinated response to VAWG.

#### **5.3.12.2 Multi-sectoral task forces**

Multi-sectoral task forces at the national, provincial, and local levels should be created to address VAWG comprehensively. These task forces should include representatives from SAPS, relevant government departments, civil society organisations, and community leaders. These representatives' mandate should be to develop and implement integrated strategies to prevent and respond to VAWG.

#### **5.3.12.3 Data sharing and analysis**

Systems for sharing data on VAWG cases among SAPS and other relevant departments should be established. These systems will facilitate a more comprehensive understanding of the scope and nature of VAWG and enable targeted interventions. Additionally, develop regular data analysis and evaluation mechanisms to assess strategies' effectiveness and identify improvement areas.

#### **5.3.12.4 Adoption of family violence interagency response system**

Emulating the successful approach in New Zealand, the SAPS should implement a system similar to the FVIARS. This collaborative framework involves multiple agencies working together to coordinate responses to VAWG cases. By fostering interagency cooperation and sharing resources, this system can improve the efficiency and effectiveness of SAPS interventions while ensuring a victim-centred approach.

#### **5.3.13 Pillar 13: Abuse Victims to Pursue Legal Action**

Victims of VAWG often face profound hesitancy when contemplating legal action. The trauma inflicted upon them, whether physical, emotional, or psychological, can create significant barriers to seeking justice. Fear of retaliation, societal stigma, and concerns about not being believed or supported by the legal system can all contribute to their reluctance to initiate proceedings. These complex dynamics underscore the critical need for comprehensive support networks and advocacy efforts to empower survivors and facilitate their access to justice.

##### **5.3.13.1 Community outreach and education programmes**

The SAPS should implement community outreach and education programmes to raise awareness about legal rights, available support services, and the importance of reporting incidents of VAWG. These programmes should be culturally sensitive, multilingual, and accessible to various communities.

##### **5.3.13.2 Trauma-informed approach**

The SAPS officers should receive specialised training in trauma-informed approaches to interact with victims of VAWG sensitively. This training should equip officers with the skills to recognise signs of trauma, provide appropriate support, and facilitate trust-building with victims.

##### **5.3.13.3 Enhanced victim support services**

The SAPS should collaborate with relevant stakeholders, including NGOs and healthcare providers, to establish comprehensive victim support services. These services should offer emotional support, legal guidance, and referrals to counselling and shelter services, ensuring victims feel supported throughout the legal process.

#### **5.3.13.4 Legal aid and advocacy**

The SAPS should facilitate access to legal aid and advocacy services for victims, ensuring they are informed about their rights, legal procedures, and available options. This includes aiding in obtaining protection orders and facilitating legal representation during court proceedings.

#### **5.3.14 Pillar 14: Victim and Perpetrator Mediation**

Mediation between victims of VAWG and their perpetrators can be a complex and sensitive process, often yielding varied outcomes. While some cases see successful resolution and reconciliation, others may fail due to deep-seated issues, power imbalances, or unwillingness to acknowledge wrongdoing. The effectiveness of mediation hinges on factors such as the commitment of both parties, the skill of mediators in navigating emotional complexities, and the support systems in place to ensure the safety and well-being of victims.

##### **5.3.14.1 Specialised mediation units**

The SAPS should establish specialised mediation units equipped with trained mediators who understand the nuances of VAWG cases. These mediators should possess cultural sensitivity, gender awareness, and proficiency in conflict resolution techniques. The SAPS should regularly evaluate and refine its mediation processes based on stakeholder feedback and case outcome data. Continuous improvement is essential to ensure that mediation remains an effective tool in the fight against VAWG.

##### **5.3.14.2 Collaboration with support networks**

The SAPS should collaborate with community organisations and support networks to provide ongoing counselling and rehabilitation services for both victims and perpetrators post-mediation. This holistic approach addresses the root causes of VAWG and fosters long-term behavioural change.

##### **5.3.14.3 Regulate and refine mediation processes**

The SAPS should regularly evaluate and refine its mediation processes based on stakeholder feedback and case outcome data. Continuous improvement is essential to ensure that mediation remains an effective tool in the fight against VAWG.

### **5.3.15 Pillar 15: Victim Case Withdrawal**

Cases withdrawn by women and girl victims of violence and abuse represent a complex and concerning aspect of our legal and social landscape. Despite the efforts to provide avenues for justice and support, many survivors face formidable barriers that lead to the withdrawal of their cases. These withdrawals often reflect systemic issues such as fear of retaliation, lack of resources, social stigma, and institutional failures. Understanding the dynamics behind case withdrawals is crucial for crafting effective interventions and policies to safeguard survivors' rights and well-being.

The following actions are recommended:

#### **5.3.15.1 Victim-centred approach**

A victim-centred approach within the SAPS should be established, emphasising empathy, support, and respect for victims' choices. This entails providing comprehensive victim support services, including trauma-informed care, counselling, and legal assistance, to encourage victims to stay engaged with the justice process.

#### **5.3.15.2 Community engagement and awareness**

The SAPS should closely collaborate with community leaders, NGOs, and grassroots organisations to raise awareness about VAWG, debunk myths surrounding victim-blaming, and promote a culture of accountability for perpetrators. Community-driven initiatives can empower victims to come forward and seek justice.

#### **5.3.15.3 Monitoring and evaluation**

The SAPS should establish mechanisms for ongoing monitoring and evaluation of its interventions to track progress, identify gaps, and make data-driven improvements. Regular review of case outcomes, victim satisfaction surveys, and feedback mechanisms can inform policy adjustments and enhance service delivery.

### **5.3.16 Pillar 16: Recidivism**

Recidivism of VAWG represents a distressing and persistent societal challenge. Despite efforts to address such egregious behaviour, individuals who perpetrate violence repeatedly against women and girls continue to evade justice and perpetuate cycles of harm. Their actions not only inflict physical and psychological wounds but also erode trust in the justice system and undermine efforts toward gender equality.



Understanding the complex factors contributing to recidivism in these cases is crucial for developing effective prevention strategies and supporting survivors in their journey toward healing and justice.

The following actions are recommended:

#### **5.3.16.1 Enhancing data collection and analysis**

The SAPS should enhance data collection methods to improve the tracking of recidivism rates in VAWG cases. A centralised database should be implemented that allows for the sharing of information among relevant stakeholders to identify patterns and trends, enabling targeted interventions.

#### **5.3.16.2 Implementing risk assessment tools**

The SAPS should introduce risk assessment tools to identify individuals likely to re-offend in VAWG cases. These tools should consider factors such as prior history of violence, substance abuse, and mental health issues to inform proactive intervention strategies.

#### **5.3.16.3 National plan to reduce violence against women and girls**

The SAPS can learn from Australia's NSW Police Force model to combat VAWG. Implementing ADVO compliance checks would ensure offenders adhere to protection orders, enhancing victim safety. Structured approaches like the DV STMP II can help identify and manage repeat offenders through coordinated efforts and technology like AI. Establishing a capacity like the Australian HROT's within SAPS would enable proactive investigation and monitoring of high-risk offenders, focusing on prevention and victim safeguarding. By adopting elements of the NSW model, SAPS could reduce violence rates, create safer communities, and protect vulnerable individuals.

#### **5.3.17 Pillar 17: Monitoring, Evaluation and Accountability Measures**

Monitoring, evaluation, and accountability measures are indispensable components in assessing the effectiveness of policing strategies to combat VAWG. These measures encompass systematic tracking, rigorous analysis, and transparent reporting to gauge the impact of interventions. By scrutinising the implementation process and outcomes, stakeholders can ensure accountability, refine approaches, and allocate resources efficiently. Establishing robust monitoring and evaluation frameworks not only

enhances the efficacy of policing strategies but also fosters a culture of accountability and continuous improvement in addressing VAWG.

The following actions are recommended:

#### **5.3.17.1 Establish comprehensive data collection mechanisms**

The SAPS should establish robust data collection mechanisms specifically focused on violence against women and girls. This includes collecting disaggregated data on types of violence, demographics of victims and perpetrators, and geographical hotspots. Integrating data from various sources, such as crime reports, hospital records, and victim surveys, can provide a comprehensive understanding of the problem.

#### **5.3.17.2 Implement regular impact assessments**

Regular impact assessments by the SAPS of its strategies are essential to gauge their effectiveness in reducing violence against women and girls. These assessments should not only measure crime rates but also assess the perceptions of safety and trust in the police service among women and girls. Utilising both quantitative and qualitative methods can provide a holistic evaluation.

#### **5.3.17.3 Ensure accountability mechanisms**

Establishing clear accountability mechanisms within SAPS is imperative. This includes developing protocols for handling misconduct or negligence complaints in VAWG cases. Regular audits and independent reviews of SAPS actions and responses should be implemented to promote transparency and accountability.

### **5.3.18 Pillar 18: Cooperative Relationships Operationalising Policing Strategies**

In the ongoing battle against violence targeting women and girls, effective policing strategies are pivotal. Establishing cooperative relationships between the police and the community is crucial for operationalising such a strategy. By fostering trust, collaboration, and mutual understanding, police engagement becomes a cornerstone in the fight against GBV. Through proactive initiatives, including community outreach, education, and responsive enforcement, the police can create safer environments where women and girls are protected and empowered to live free from fear and harm.

The following actions are recommended:

#### **5.3.18.1 Strengthening interagency collaboration**

The SAPS should foster and strengthen collaborative relationships with relevant stakeholders such as social services, health departments, and NGOs specialising in GBV. Establishing formalised protocols for information-sharing and joint interventions can enhance the effectiveness of responses to VAWG cases.

#### **5.3.18.2 Community policing forum empowerment**

Empowering CPFs with training on identifying and addressing VAWG can amplify community-based interventions. The SAPS should actively engage with CPFs, providing resources and guidance to enable them to address VAWG within their communities effectively.

#### **5.3.18.3 Data-driven decision making**

Enhancing data collection and analysis mechanisms within SAPS can provide valuable insights for designing targeted interventions. Implementing systems in the SAPS to track VAWG trends, hotspots, and perpetrator profiles can inform proactive policing strategies and resource allocation.

### **5.3.19 Pillar 19: SAPS Sharing Information with Stakeholders**

Effective communication and collaboration are paramount in the ongoing efforts to combat VAWG. Police sharing information with stakeholders is pivotal in fostering a multidimensional approach to prevention and response. By facilitating dialogue and exchange between law enforcement agencies, community organisations, and support services, vital insights are gained, resources are optimised, and targeted interventions can be implemented. Such collaborative efforts enhance victim support and create safer, more resilient communities for women and girls.

The following actions are recommended:

#### **5.3.19.1 Establishing interagency collaboration platforms**

The SAPS should initiate and actively participate in interagency collaboration platforms involving relevant stakeholders such as government agencies, NGOs, community leaders, and healthcare professionals. These platforms should facilitate

the sharing of information, resources, and best practices to address VAWG comprehensively.

#### **5.3.19.2 Developing protocols for information exchange**

The SAPS should develop clear protocols and guidelines for information exchange with stakeholders, ensuring confidentiality, data security, and compliance with relevant laws and regulations. These protocols should outline the types of information to be shared, the mechanisms for sharing, and the roles and responsibilities of each stakeholder.

#### **5.3.19.3 Implementing technology-driven solutions**

Through leveraging technology, the SAPS should develop and implement digital platforms or systems for secure information sharing among stakeholders. This could include centralised databases, mobile applications, or online portals accessible to authorised personnel, enabling real-time data exchange, analysis, and collaboration.

### **5.3.20 Pillar 20: Mandatory SAPS Training**

Mandatory GBV training for SAPS members is imperative to address the pressing issue of VAWG. Officers can better understand GBV dynamics, sensitivity in handling cases, and effective intervention strategies through specialised instruction. This initiative not only enhances the police's ability to combat GBV but also fosters trust within communities, fostering a safer environment for all citizens.

The following actions are recommended:

#### **5.3.20.1 Comprehensive GBV training curriculum**

A standardised GBV training curriculum explicitly tailored for SAPS members should be developed. This curriculum should encompass topics such as the dynamics of GBV, DV, VAWG, trauma-informed approaches, victim-centred techniques, and the legal frameworks governing GBV cases.

#### **5.3.20.2 Incorporation of intersectionality**

The SAPS should ensure that GBV training acknowledges the intersectional nature of violence, considering factors such as race, class, sexual orientation, and disability.

This approach will enable SAPS members to recognise and address the diverse experiences and vulnerabilities of women and girls in different communities.

### **5.3.20.3 Ongoing professional development**

The SAPS should establish a system for ongoing professional development in GBV-related topics, including regular refresher courses, workshops, and seminars. This continuous learning approach will ensure that SAPS members remain updated on emerging trends, best practices, and legislative changes in the field of GBV.

### **5.3.20.4 Monitoring and evaluation**

A robust monitoring and evaluation framework to assess the impact of mandatory GBV training on SAPS practices and outcomes should be implemented. Regular evaluations will enable the identification of strengths, weaknesses, and areas for improvement in VAWG response strategies.

**Table 5.1: Procedural framework to enhance policing strategies in response to violence against women and girls**

Pillar 1: Guidelines and Protocols	Pillar 2: Demonstrate Initiative to Showcase Pro-Active Behaviour	Pillar 3: Creating VAWG Awareness in Communities	Pillar 4: Effective Communication Channels between SAPS Personnel and Leadership	Pillar 5: Training and knowledge of policing strategies	Pillar 6: Resources to implement policing strategies	Pillar 7: Managing Gender and Language Barriers	Pillar 8: SAPS members as the victims or perpetrators of VAWG	Pillar 9: Victim Treatment	Pillar 10: Places of Safety
Comprehensive training program	Standardized training programs	Develop tailored community awareness programs	Understanding the communication gap	Incorporation of gender studies into SAPS curriculum	Resource allocation optimization	Gender sensitivity training programs	Internal reporting mechanisms	Training and sensitization programs	Needs assessment and resource allocation
Dissemination of guidelines and protocols	Strengthening community engagement	Utilize multi-media platforms	Strengthening internal communication	Continuous professional development	Multi-sectoral collaboration	Recruitment and representation	Psychosocial support services	Strengthening accountability mechanisms	Interagency collaboration
Integration of non-legislative strategies	Allocation of resources	Engage with community leaders and organizations	Utilizing technology	Interdisciplinary collaboration	Training and capacity building	Multilingual support services	Promotion of gender equity	Creating supportive work environments	Standardized protocols and procedures
Review and revision of national instructions	Data-driven decision making	Implement community dialogues and workshops	Promoting interdepartmental collaboration	Monitoring and evaluation mechanisms	Community policing initiatives	Data collection and research	Data collection and research		Monitoring and evaluation
Enhanced understanding of terminology	Interagency collaboration	Promote reporting mechanisms	Creating a culture of accountability	Cultural sensitivity training	Technology integration				
Continuous evaluation and improvement		Monitor and evaluate awareness campaigns			Advocacy and awareness campaigns				
SAPS crime category dedicated to VAWG/DV/GBV					Research and evaluation				

Pillar 11: Victim Support Services	Pillar 12: Integration of Policing Strategies among Governmental Departments	Pillar 13: Abuse Victims to Pursue Legal Action	Pillar 14: Victim and Perpetrator Mediation	Pillar 15: Victim Case Withdrawal	Pillar 16: Recidivism	Pillar 17: Monitoring, Evaluation and Accountability Measures	Pillar 18: Cooperative Relationships Operationalizing Policing Strategies	Pillar 19: SAPS Sharing Information with Stakeholders	Pillar 20: Mandatory SAPS Training
Dedicated hotline	Interdepartmental collaboration	Community outreach and education programs	Specialized mediation units	Victim-centred approach	Enhancing data collection and analysis	Establish comprehensive data collection mechanisms	Strengthening interagency collaboration	Establishing interagency collaboration platforms	Comprehensive GBV training curriculum
Mobile Victim Support Units	Multi-sectoral task forces	Trauma-informed approach	Collaboration with support networks	Community engagement and awareness	Implementing risk assessment tools	Implement regular impact assessments	Community Policing Forum empowerment	Implementing technology-driven solutions	Incorporation of intersectionality
Technological solutions	Data sharing and analysis	Enhanced victim support services	Regulate and refine mediation processes	Monitoring and evaluation	National Plan to Reduce Violence Against Women and Girls	Ensure accountability mechanisms	Data-driven decision making		Ongoing professional development
Women-led police stations	Adoption of Family Violence Interagency Response System	Legal aid and advocacy							Monitoring and evaluation

## **5.4 CONCLUSION**

In conclusion, this chapter served as a link between the preceding chapters and the crucial recommendations for advancing SAPS efforts in combating VAWG. This chapter commenced by briefly summarising the essence of chapters one to four, providing a comprehensive overview of the research. Building upon this foundation, the chapter delved into the recommendations from the findings unveiled within the themes and sub-themes explored in chapter four.

The recommendations presented in this chapter hold significant promise for enhancing the SAPS strategies for mitigating VAWG. By examining policing strategies, this study has yielded pragmatic suggestions to reinforce current SAPS strategies. Central to this research is the proposed procedural framework for enhancing policing strategies in response to VAWG, comprising 20 pillars, each delineating actionable steps for implementation. This framework offers concrete solutions and represents a significant leap forward in advancing the collective understanding of policing strategies concerning VAWG. By integrating these recommendations into practice, the SAPS stands to enhance its efficacy in addressing this pervasive issue, thereby fostering safer communities for women and girls in South Africa.

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## ANNEXURES

### ANNEXURE A: SAPS LETTER OF APPROVAL

SUID-AFRIKAANSE POLISIEDIENS  SOUTH AFRICAN POLICE SERVICE

Privaatsak/Private Bag X 84

Verwysing/Reference:	3/34/2
Navrae/Enquiries:	Lt Col Joubert AC Thenga
Telefoon/Telephone:	(012) 353 3118
Email Address:	JoubertG@saps.gov.za

THE HEAD: RESEARCH  
SOUTH AFRICAN POLICE SERVICE  
PRETORIA  
0001

The Provincial Commissioner  
GAUTENG

**PERMISSION TO CONDUCT RESEARCH IN SAPS: EXPLORING POLICING STRATEGIES IN RESPONSE TO DOMESTIC VIOLENCE: UNIVERSITY OF SOUTH AFRICA: DOCTORATE STUDY: RESEARCHER: MT VAN NIEKERK**

1. The above subject matter refers.
2. The researcher, Ms MT Van Niekerk, is conducting a study titled: Exploring policing strategies in response to domestic violence, with the aim to explore *policing strategies in response to domestic violence*.
3. The researcher is requesting permission to interview police officials of the Johannesburg Central cluster, who attend to and investigate domestic violence complaints at station level, and investigators at Family Violence, Child Protection and Sexual Offences (FCS) unit at the following police stations: Britton, Langlaagte, Sophiatown, Johannesburg-Central, Booyse, Mondor and Mofhele. Approximately ten (10) respondents per police station will be included in the research.
4. The proposal was perused according to National Instruction 1 of 2006. This office recommends that permission be granted for the research study, subject to the final approval and further arrangements by the office of the Provincial Commissioner: Gauteng.
5. We hereby request the final approval by your office if you concur with our recommendation. Your office is also at liberty to set terms and conditions to the researcher to ensure that compliance standards are adhered to during the research process and that research has impact to the organisation.
6. If approval is granted by your office, this office will obtain a signed undertaking from researcher prior to the commencement of the research which will include your terms and conditions if there are any and the following:

**PERMISSION TO CONDUCT RESEARCH IN SAPS: EXPLORING POLICING STRATEGIES IN RESPONSE TO DOMESTIC VIOLENCE: UNIVERSITY OF SOUTH AFRICA: DOCTORATE STUDY: RESEARCHER: MT VAN NIEKERK**

- 6.1. The research will be conducted at his/her exclusive cost.
- 6.2. The researcher will conduct the research without the disruption of the duties of members of the Service and where it is necessary for the research goals, research procedures or research instruments to disrupt the duties of a member, prior arrangements must be made with the commander of such member.
- 6.3. The researcher should bear in mind that participation in the interviews must be on a voluntary basis.
- 6.4. The information will at all times be treated as strictly confidential.
- 6.5. The researcher will provide an annotated copy of the research work to the Service.
- 6.6. The researcher will ensure that research report / publication complies with all conditions for the approval of research.
7. If approval is granted by your office, for smooth coordination of research process between your office and the researcher, the following information is kindly requested to be forwarded to our office:
  - Contact person: Rank, Initials and Surname.
  - Contact details: Office telephone number and email address.
8. A copy of the approval (if granted) and signed undertaking as per paragraph 6 supra to be provided to this office within 21 days after receipt of this letter.
9. Your cooperation will be highly appreciated.

  
MAJOR GENERAL  
THE HEAD: RESEARCH  
DR PR VUMA

DATE: 2021-02-26



Privaatsak Private Bag X94	Pretoria 0001	Faks No. Fax No.	(012) 334 3518
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Your reference/U verwysing:

My reference/My verwysing: **3/34/2**

THE HEAD: RESEARCH  
SOUTH AFRICAN POLICE SERVICE  
PRETORIA  
0001

Enquiries/Navrae: **Lt Col Joubert  
AC Thenga  
(012) 393 3118  
JoubertG@saps.gov.za**

Tel:  
Email:

**APPROVED**

Ms MT Van Niekerk  
UNIVERSITY OF SOUTH AFRICA

**RE: PERMISSION TO CONDUCT RESEARCH IN SAPS: EXPLORING POLICING STRATEGIES IN RESPONSE TO DOMESTIC VIOLENCE: UNIVERSITY OF SOUTH AFRICA: DOCTORATE STUDY: RESEARCHER: MT VAN NIEKERK**

The above subject matter refers.

You are hereby granted approval for your research study on the above mentioned topic in terms of National Instruction 1 of 2006.

Further arrangements regarding the research study may be made with the following office:

The Provincial Commissioner: Gauteng:

- **Contact Person:** Col Peters
- **Contact Details:** (011) 547 9131
- **Email Address:** PetersNS@saps.gov.za
  
- **Contact Person:** SAC Mphatse
- **Contact Details:** (011) 547 9131
- **Email Address:** MphatseB@saps.gov.za

Kindly adhere to paragraph 6 of our attached letter signed on the **2021-02-26** with the same above reference number.

MAJOR GENERAL

THE HEAD: RESEARCH  
DR PR VUMA

DATE: 2021-04-23

# ANNEXURE B: UNIVERSITY OF SOUTH AFRICA ETHICS APPROVAL



## UNISA 2022 ETHICS REVIEW COMMITTEE

Date: 2022:11:07

ERC Reference No.: P18-2022

Name: Ms Van Niekerk

Dear Teresa Van Niekerk

**Decision: Ethics Approval from 2022:11:07 to 2025:11:07**

**Researcher:** Ms Teresa Van Niekerk

**Supervisor:** Prof Johan van Graan

*Exploring policing strategies in response to gender-based violence*

**Qualification:** Doctor of Philosophy (Criminal Justice)

Thank you for the application for research ethics clearance by the Unisa 2022 Ethics Review Committee for the above mentioned research. Ethics approval is granted for 3 years.

*The medium risk application was reviewed by the CLAW Ethics Review Committee on 07 November 2022 in compliance with the Unisa Policy on Research Ethics and the Standard Operating Procedure on Research Ethics Risk Assessment.*

The proposed research may now commence with the provisions that:

- 1. The researcher will ensure that the research project adheres to the relevant guidelines set out in the Unisa Covid-19 position statement on research ethics attached.**
2. The researcher(s) will ensure that the research project adheres to the values and principles expressed in the UNISA Policy on Research Ethics.
3. Any adverse circumstance arising in the undertaking of the research project that is relevant to the ethicality of the study should be communicated in writing to the CLAW Committee.
4. The researcher(s) will conduct the study according to the methods and procedures set out in the approved application.



University of South Africa  
Pretorius Street, Matieland Rd, City of Tshwane  
PO Box 392 UNISA, 0003 South Africa  
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www.unisa.ac.za

5. Any changes that can affect the study-related risks for the research participants, particularly in terms of assurances made with regards to the protection of participants' privacy and the confidentiality of the data, should be reported to the Committee in writing, accompanied by a progress report.
6. The researcher will ensure that the research project adheres to any applicable national legislation, professional codes of conduct, institutional guidelines and scientific standards relevant to the specific field of study. Adherence to the following South African legislation is important, if applicable: Protection of Personal Information Act, no 4 of 2013; Children's act no 38 of 2005 and the National Health Act, no 61 of 2003.
7. Only de-identified research data may be used for secondary research purposes in future on condition that the research objectives are similar to those of the original research. Secondary use of identifiable human research data requires additional ethics clearance.
8. No field work activities may continue after the expiry date **2025:03:03**. Submission of a completed research ethics progress report will constitute an application for renewal of Ethics Research Committee approval.

**Note:**

The reference number P18-2022 should be clearly indicated on all forms of communication with the intended research participants, as well as with the Committee.

Yours sincerely,

Prof L Fitz  
Chair of CLAW ERC  
E-mail: [lfitz@unisa.ac.za](mailto:lfitz@unisa.ac.za)  
Tel: (012) 433-9504

Prof G3 Kole  
Acting Executive Dean: CLAW  
E-mail: [koleo@unisa.ac.za](mailto:koleo@unisa.ac.za)  
Tel: (012) 429-8365

## **ANNEXURE C: PARTICIPANT INFORMATION SHEET AND PRIOR INFORMED CONSENT FORM**

**10 August 2023**

**Title: Exploring policing strategies in response to violence against women and girls in Johannesburg**

**Dear Prospective Participant**

My name is Mrs Teresa Van Niekerk. I am researching with Prof J Van Graan, a professor in the Department of Police Practice, towards a Doctor of Philosophy degree in the subject of Criminal Justice at the University of South Africa. We invite you to participate in a study entitled "Exploring policing strategies in response to violence against women and girls".

### **WHAT IS THE PURPOSE OF THE STUDY?**

I am conducting this research to:

- Explore if the current policing strategies implemented to address violence against women and girls are effective.
- To examine current policing strategies implemented to address violence against women and girls.
- To investigate factors hindering effective implementation of policing strategies to address violence against women and girls.
- Suggest recommendations that could facilitate improved policing strategies to address violence against women and girls.
- To investigate international best practices of policing strategies to address violence against women and girls.

### **WHY AM I BEING INVITED TO PARTICIPATE?**

You were referred to me by your manager. You were chosen to participate in this study since you have the necessary knowledge and experience of violence against women

and girls as well as domestic violence and could thus provide insightful information. Approximately 40 participants will participate in this study.

### **WHAT IS THE NATURE OF MY PARTICIPATION IN THIS STUDY?**

The study involves in-depth interviews. You will be expected to answer questions about policing strategies addressing violence against women and girls. The expected duration of the interview will be more or less 45 minutes.

### **CAN I WITHDRAW FROM THIS STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE?**

Your participation is voluntary, and there is no penalty or loss of benefit for non-participation.

Participating in this study is voluntary, and you are under no obligation to consent to participation. If you decide to participate, you will be given this information sheet to keep and asked to sign a written consent form. You are free to withdraw at any time and without providing a reason.

### **WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?**

This study could have the following possible benefits:

- Ascertain if the current policing strategies implemented to address violence against women and girls are effective.
- Examine current policing strategies implemented to address violence against women and girls.
- Identify factors that hinder the effective implementation of policing strategies to address violence against women and girls.
- Suggest recommendations that could facilitate improved policing strategies to address violence against women and girls.
- To identify international best practices of policing strategies to address violence against women and girls.

### **ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?**



I do not foresee any potential inconvenience and/or discomfort to you as a participant. Your anonymity will be ensured. Thus, there will be no risk that others will identify your participation in this research. There is no risk of injury or harm attributable to participating in the.

### **WILL THE INFORMATION I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?**

You have the right to insist that your name will not be recorded anywhere and that no one, apart from the researcher and identified members of the research team, will know about your involvement in this research. Your name will not be recorded anywhere, and no one can connect you to the answers you give. Your answers will be given a code number or a pseudonym, and you will be referred to in this way in the data, any publications, or other research reporting methods, such as conference proceedings.

Your answers may be reviewed by people responsible for ensuring that research is done properly, including the transcriber, external coder, and Research Ethics Review Committee members. Otherwise, records that identify you will only be available to people working on the study unless you permit others to see the records. Your anonymous data may be used for other purposes, such as a research report, journal articles, and/or conference proceedings. However, your privacy will be protected in any publication of the information.

### **HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?**

The researcher will store hard copies of your answers for five years in a locked cupboard/filing cabinet at the researcher's office for future research or academic purposes; electronic information will be stored on a password-protected computer. Future use of the stored data will be subject to further Research Ethics Review and approval if applicable. Electronic copies will be permanently deleted from the computer's hard drive through a relevant software program.

### **WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY?**

You will receive no payment or any incentives for participating in this study.

## **HAS THE STUDY RECEIVED ETHICS APPROVAL**

This study has received written approval from the Research Ethics Review Committee of the College of Law, Unisa. A copy of the approval letter can be obtained from the researcher if you so wish.

## **HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?**

If you would like to be informed of the final research findings, require any further information, or want to contact the researcher about any aspect of this study, please get in touch with Mrs Teresa Van Niekerk at 082 853 3609 or [vniekmt@unisa.ac.za](mailto:vniekmt@unisa.ac.za).

Should you have concerns about how the research has been conducted, you may contact Prof J van Graan at [vgraaig@unisa.ac.za](mailto:vgraaig@unisa.ac.za) or contact the research ethics chairperson of the College of Law Research Ethics Sub-Committee, Prof L Fitz at [fitzlg@unisa.ac.za](mailto:fitzlg@unisa.ac.za) if you have any ethical concerns.

Thank you for taking the time to read this information sheet and for participating in this study.

Thank you.

Mrs M.T Van Niekerk

## CONSENT TO PARTICIPATE IN THIS STUDY

I, \_\_\_\_\_ (participant name), confirm that the person asking my consent to take part in this research has told me about the nature, procedure, potential benefits, and anticipated inconvenience of participation.

I have read (or had explained to me) and understood the study as explained in the information sheet.

I have been able to ask questions and am prepared to participate in the study.

I understand that my participation is voluntary and that I can withdraw without penalty (if applicable).

I am aware that the findings of this study will be processed into a research report, journal publications, and/or conference proceedings. Still, my participation will be kept confidential unless otherwise specified.

I agree to the recording of the in-depth interview.

I have received a signed copy of the informed consent agreement.

Participant Name & Surname..... (please print)

Participant Signature..... Date.....

Researcher's Name & Surname.....(please print)

Researcher's signature.....Date.....

## **ANNEXURE D: INTERVIEW SCHEDULE**

1. According to your knowledge, what policing strategies are currently implemented by the SAPS to address VAWG?
2. From your experience, does the SAPS experience internal or external challenges that hinder effectively implementing policing strategies to address VAWG?
3. Does the SAPS sufficiently implement existing policing strategies in response to VAWG?
4. From your experience, does the SAPS engage in multi-faceted cooperative relationships, interaction, and working agreements with stakeholders to facilitate, identify and sustain policing strategies to address VAWG?
5. In your opinion, does the SAPS share information with stakeholders to operationalise policing strategies to address VAWG efficiently?
6. From your experience, does the SAPS continuously monitor and evaluate its policing strategies to determine the impact on VAWG?

## ANNEXURE E: OUTCOMES, STRATEGIES AND PILLARS OF THE NATIONAL STRATEGIC PLAN ON GENDER-BASED VIOLENCE AND FEMICIDE

	<b>Table 1: VISION: Women, A South Africa free from GBV aimed at women, children &amp; LGBTQIA+ persons</b>					
	<b>IMPACT STATEMENT: Decreased levels of GBVF for women, children and LGBTQIA+ - South Africa</b>					
<b>Ten-year outcomes</b>	A-All residents of South Africa are responsible for ensuring a safe and GBVF-free society (whether in government, private sector, workplace, schools, churches, or cultural institutions).  ACCOUNTABILITY AND A MULTI-FACETED RESPONSE SHOULD BE PROVIDED	B- To ensure the buildup of social bonds to add to the healing process from trauma (whether caused by individual, social, historical, or familial violence).  PROMOTE HEALING AT ALL LEVELS	C- Women and girls must be free everywhere, be it in public or other places, and make their own choices accordingly.  SPACES MUST BE SAFE, AND CHOICES REAL	D -The country has managed to ensure our society where it is clear that GBV and femicide are not acceptable.  REBUILDING SOCIAL CONNECTION		
<b>Key strategies</b>	Ensuring leadership and commitment from the government to enlarge accountability from the state and society.	Pushing for accountability, reacting to detrimental social and gender standards, and palating and restoring a cohesive society.	To unearth the same reaction to GBV is as fundamental as the reaction to violence, poverty, and inequality.	Expanding the viewpoint, working toward a better perception and a response from the nations.		
<b>Pillars</b>	<b>PILLAR ONE:</b>  ACCOUNTABILITY, COORDINATION & LEADERSHIP	<b>PILLAR TWO:</b>  PREVENTION & REBUILDING OF SOCIAL COHESION	<b>PILLAR THREE:</b>  JUSTICE, SAFETY & PROTECTION	<b>PILLAR FOUR:</b>  RESPONSE, CARE, SUPPORT & HEALING	<b>PILLAR FIVE:</b>  ECONOMIC POWER	<b>PILLAR SIX:</b>

						RESEARCH& INFORMATION MANAGEMENT
<b>Five-year outcomes</b>	<p>1.The response to GBVF must reveal strong leadership and increased accountability both from government and society. Sufficient resources, including financial and technical, must be availed to bring over a strong message.</p> <p>2. The pillars of the NSP needs to be mounted on encouragement, cooperation, and collaboration of many departments in different branches of government and society based on trust.</p>	<p>1.To introduce essential prevention initiatives in South Africa to address delivery capacity.</p> <p>2.The introduction of evidence-based preventative measures needs to lead to changed behaviour and social norms within certain groups.</p> <p>3.The shift needs to be moved from toxic masculinity to adopting more positive ways of presenting masculinity as well as other gender identities, within certain groups of society.</p> <p>4.VAC programmes which will address the elimination of GBV need to be embraced.</p> <p>5.There should be an increase in the relationship of different programmes on prevention of violence</p>	<p>1.Survivors of GBV must have access to an efficient, sensitive justice system which responds rapidly, is within reach, reactive and gender inclusive.</p> <p>2.Impunities must be addressed by an optimized criminal justice system which adequately addresses their response to GBV and femicide and ensures justice for GBV survivors.</p> <p>3.The Emergency Response Plan must include amended legislation w r t areas of GBV</p>	<p>1.To ensure recovery and healing current reactions to response, care and support services need to be strengthened.</p> <p>2. An end needs to be put to secondary victimization by directing particular and systematic details driving it.</p> <p>3.Victims need to be embraced by systematic access to much needed psycho-social and other support to address their healing process.</p> <p>4.Responses, be it by the community or institutions needs to support survivors and vulnerable persons.</p>	<p>1.The unequal social and economic situation of women needs to be addressed by providing them access to procurement, supplying employment and housing, finances and establishing means and ways to ensure the implementations of programmes to provide them with the skills to earn their own income.</p> <p>2.To ensure that workplaces are free from violence against women and LGBTQIA+ persons and sexual harassment.</p> <p>3. Policies need to be applied which shows the commitment of government, private and other stakeholders to</p>	<p>1.To provide a better understanding of the nature and extent of GBVF with regards to specific cultures and groups in South Africa.</p> <p>2.To implement policies and programme interventions derived and available from current research.</p> <p>3. Challenges in the system needs to be resolved by making use of the GBVF information to ensure the necessary solutions and responses thereto.</p>

		<p>committed against LGBTQIA+ persons.</p> <p>6. Programmes should be embraced which focus on rebuilding human dignity and communities needs to be built to care and react to trauma.</p> <p>7. All community spaces needs to be safe and free from violence for all women and children</p>			<p>reduce the effect of the economic drivers of GBV.</p> <p>4. The vulnerability of women needs to be focused on and resolved by enhancing child maintenance as well as support mechanisms.</p>	
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**(National Strategic Plan on gender-based violence (GBVF), 2020).**

## ANNEXURE F: CONFIRMATION OF LANGUAGE EDITING

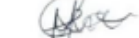
### **CONFIRMATION OF ENGLISH EDITING**

To whom it may concern

This is to certify that the thesis with the title "Exploring Policing Strategies in Response to Violence against Women and Girls," submitted for examination by MT van Niekerk (University of South Africa student number 37839918), was edited for language under my hand. Neither the research content nor the researcher's intentions were altered during editing.

I applied standard South African English language conventions during the editing process. I suggested relevant changes, where I saw fit, using the 'Track Changes' function in MSWord, which could be accepted or rejected by the student at her discretion. I stand by the quality of the English language in this document, provided my amendments have been accepted, and further changes made to the document have been submitted to me for review.

Dr MG Karels



[karelsmg@outlook.com](mailto:karelsmg@outlook.com)



## ANNEXURE G: TURNITIN REPORT

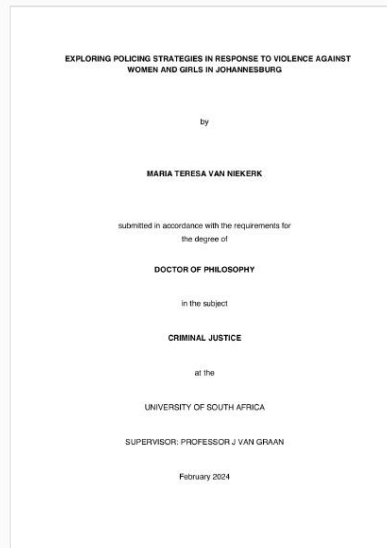


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