

An Exploratory Evaluation of Peacemaking Mediations Offered at Khulisa Social Solutions Victim Empowerment Centres in Gauteng, South Africa

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Abstract

This article records the findings of a qualitative study in which circle dialogue sessions and questionnaires were used to explore and evaluate the experiences of victims who participated in peacemaking mediations offered at Khulisa Social Solutions victim empowerment centres in Gauteng, South Africa. The findings highlight that the overall facilitation of the peacemaking mediation offered at Khulisa victim empowerment centres was conducted in a fair and respectful manner. The participants expressed their satisfaction with the facilitators, the facilitation, and the peacemaking agreements. Reconciliation was achieved in some cases, but the most significant result was that the victims were empowered, informed and strengthened through their experiences. Moreover, the participants expressed their appreciation for the restorative approach owing to its support and protection of the family unit. The findings showed that reconciliation was hindered in some cases by a lack of accountability, voluntary participation and needs-based interventions which could have been foreseen or resolved through adequate preparation and follow-ups. Moreover, the need for intervention and awareness in the community context was highlighted. However, the findings revealed that Khulisa is limited in providing preparation, follow-ups and interventions owing to a lack of staff, resources and time, because of limited funding. A call is made for funding to be provided to Khulisa and similar organisations by government and/or private enterprises, so that outreach, awareness and needs-based interventions may be provided. Furthermore, research should be conducted focusing on broader scale experiences of all stakeholders participating in services offered at Khulisa victim empowerment centres.

Keywords: restorative justice, victim–offender mediation, domestic violence, victim empowerment



Introduction

Crime is often devastating to its victims, and in this regard, they require assistance to deal with trauma, to participate in the criminal justice process, and to resume their lives (SAPS n.d.a, 1; South Africa 2020). However, in many cases the victims do not receive the necessary recognition or intervention, thereby resulting in continued traumatisation, re-victimisation, and even at times criminalisation (Roy 2020, 118; SAPS n.d.a, 1).

The National Crime Prevention Strategy (NCPS) of 1996 provided recognition to the plight of victims and the cyclical nature of crime and violence, and advocated a victim-centred crime approach (South Africa 2020; SAPS n.d.a, 1). In this regard, the victim empowerment programme (VEP) was developed, which was led by the Department of Social Development (DSD) and included the South African Police Service (SAPS), the Department of Justice, the Department of Health, the Department of Correctional Service, the Department of Education, non-governmental organisations (NGOs), community-based organisations (CBOs), and academics (SAPS n.d.a, 1–2).

Khulisa Social Solutions (Khulisa) is mandated by the DSD to manage victim empowerment centres (VECs) in four police stations in the Gauteng province of South Africa. Khulisa is a non-profit organisation focused on community and individual empowerment that, since its establishment in 1997, have focused on crime response using inclusive and restorative approaches (LinkedIn 2020). In this regard, Khulisa-managed VECs offer peacemaking mediation as an intervention for victims. In fulfilment of its obligation to the DSD and the VEP, Khulisa required that an evaluation be done of the peacemaking mediation intervention. Limited research of this scope is available in the South African context.

Therefore, a qualitative study was conducted to explore the experiences of the victims who participated in peacemaking mediations at Khulisa VECs to evaluate the implementation and effectiveness of the intervention.

Victim Empowerment Programme

The VEP aims to make the criminal justice system (CJS) more accessible to victims, to provide for greater and more meaningful involvement of the victims in the CJS, and to redress the negative effects of crime through the offering of counselling and support services at a local level (SAPS n.d.a, 1–2). In keeping with the VEP, the Service Charter for Victims of Crime in South Africa (Victims' Charter) (Department of Justice and Constitutional Development 2004b), the Minimum Standards on Services to Victims of Crime (Minimum Standards) (Department of Justice and Constitutional Development 2004a)), and the relevant legislation provide a framework by which victims of crime are to be treated when coming into contact with the CJS (SAPS n.d.b, 3–4).

The Minimum Standards (Department of Justice and Constitutional Development 2004a) note that restorative justice principles are embodied in the rights and regulations

forwarded by the Victim's Charter and the Minimum Standards. The Victims' Charter (Department of Justice and Constitutional Development 2004b) and the Minimum Standards state their aims as to provide victims with a policy by which they can demand their rights, and by which service providers can be held accountable in fulfilling the said rights.

The Minimum Standards (Department of Justice and Constitutional Development 2004a, 1) define a victim of crime as:

a person who has suffered harm, including physical or mental injury; emotional suffering; economic loss; or substantial impairment of his or her fundamental rights, through acts or omissions that are in violation of our criminal law. The term 'victim' also includes, where appropriate, the immediate family or dependants of the direct victim. A person may be considered a victim regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted, and regardless of the familial relationship between the perpetrator and the victim.

A rights framework for implementation of the VEP is set forth in the Victims Charter which is inclusive of the rights of victims of crime, namely, the rights to be treated with fairness and with respect for dignity and privacy, to offer information, and to receive information, protection, assistance, compensation, and restitution.

Most often, the SAPS is the first point of contact a victim has with the CJS. In this regard it is necessary to ensure that the SAPS provides a "victim-friendly" service in which the rights and dignity of the victims are protected, the victims experience empowerment, and re-victimisation does not occur (SAPS n.d.b, 3–5). Victim empowerment encompasses four main elements, namely, emotional support, practical support, information, and referral to support services (SAPS n.d.b, 3–5). The SAPS is ideally situated to refer victims to the appropriate support services and should be well informed regarding what services are available. In this regard, the Minimum Standards mandate the SAPS to refer victims of crime who have reported the crime to service providers for support, on-site crisis intervention, and counselling or medical attention if required (SAPS n.d.b, 16).

The VEP mandates the creation of support services for victims. Local level victim support involves victim support services offered by the government, civilian, organisational, or community providers. Local level support service providers are tasked with providing victims with assistance, referring victims if necessary, ensuring training is conducted to maintain high standards, conducting research and statistics generation, and the initiation of community awareness campaigns (SAPS n.d.a, 9).

In fulfilment of the above directives, the DSD provides sheltering for victims and ensures that each police station has a VEC (Western Cape Government 2020). Khulisa is mandated by the DSD to manage VECs in four police stations in Gauteng: Langlaagte, Moffatview, Sophiatown, and Johannesburg Central. Khulisa VECs offer three main

services: peacemaking mediation, psycho-social services (including trauma debriefing, counselling, and referrals to professional counselling if necessary), and awareness campaigns (in accordance with the VEP calendar and inclusive of the SAPS and the Department of Community Safety). Victims may access the services offered by the VEC if they are 18 years or older. As discussed above, the VEP tasks local support service providers to produce research, and in this way an evaluation of the peacemaking mediation offered by Khulisa VECs was conducted through exploration of victim experiences.

Peacemaking Mediation: A Restorative Justice Intervention

Restorative justice considers crime to be the result of a conflict in relationships that harms both individuals and relationships and thus justice should repair relationships and redress the harm caused (Schoeman 2014). Restorative justice considers processes and practices characterised by dialogue, reconciliation, accountability, restitution, reparation, forgiveness, inclusiveness, transformation, honesty, healing, fairness and the maintenance of the dignity and respect of each person affected by the offence as ideal to achieve justice (Fraser 2017, 162; Schoeman 2014; Ward and Langlands 2008, 358; Weitekamp 2010, 780–781; Zehr 1990, 182–211).

Three main dialogue practices are associated with restorative justice, namely, mediation, conferencing, and sentencing circles (Schoeman 2014; Wilson, Olaghere, and Kimbrell 2017, 4). Peacemaking mediation is of specific reference to this research and is comparable to victim–offender mediation (VOM). VOM is the bringing together of the victim and the offender to seek healing, resolution, restoration and agreement through dialogue (Schoeman 2014; Zehr and Gohar 2002, 49). Although defined to include only victims and offenders, at times in practice other parties may be included, such as family members, pastors, friends and other individuals who have been affected by the offence, or who attend to offer support (Roy 2020, 118).

Restorative justice interventions such as VOM gather stakeholders of a crime together and provide a space for open and equal dialogue regarding the effect of the crime on each party, the needs as a result of or a causal factor of the crime, and also the agreement as to restitution or resolution of the conflict (Dzur 2017, 485; Kuo, Longmire, and Cuvelier 2010, 319; Zehr and Gohar 2002, 25). It is necessary for the offender to own accountability for the offence and once responsibility is acknowledged, the opportunity is given to make amends, show remorse and apologise, commonly resulting in healing through forgiveness, reconciliation and empowerment (Braithwaite 2000, 14; Gxubane 2012, 109; Zehr 1990, 186–211; Zehr and Gohar 2002, 6–10). Furthermore, although not the main aim, recidivism is often reduced (Zehr and Gohar 2002, 6–10).

Restorative justice interventions generally have three stages (Steyn and Sadiki 2018, 231; Tshem 2009, 65–66). The first stage, after the participants have agreed to participate voluntarily without force or coercion, is the preparation phase in which the

facilitators ensure the offenders' own accountability, explain the purposes and processes of the intervention, inform the participants of their rights, and ensure that the participants are emotionally prepared (Steyn and Sadiki 2018, 231; Tshem 2009, 65–66). This is followed by the facilitation phase in which the offender and victim enter into dialogue which aims for, among other things, restoration and reconciliation. If an agreement can be reached, the facilitation ends with the creation of a restitution agreement (Steyn and Sadiki 2018, 231; Tshem 2009, 65–66). A restitution agreement contains reparation conditions agreed upon by all present stakeholders (i.e. a supervision order, formal apology, community service etc.) and appropriate needs-based interventions for both victims and offenders (therapy, substance abuse intervention, anger management etc.) (Schoeman 2014). Lastly, the monitoring stage begins in which follow-ups and aftercare are offered to all the participants to ensure that the agreement has been kept and that all participants are coping emotionally and do not require any further assistance (Steyn and Sadiki 2018, 233; Tshem 2009, 65–66). All proceedings must be conducted in a fair and respectful manner in which all the participants are provided a safe space and chance to talk and listen (Kuo, Longmire, and Cuvelier 2010, 319).

Methodology

The aim of this research was to consider the experiences of the victims participating in peacemaking mediations offered by Khulisa VECs in order to assess their effectiveness and implementation. A qualitative approach was followed, and the nature of this study was both exploratory and evaluative.

The sample was chosen by using the purposive technique and consisted of the Khulisa VEC head social worker in Gauteng and seven victims who had participated in a peacemaking mediation within the six months before the research and who were available for participation. The data collection process started with an interview with the head social worker who provided the researcher with background information regarding the Khulisa VECs. This was followed by three circle dialogues guided by the researcher and included the Khulisa head social worker, social workers and volunteers from each station and the participants. The first circle dialogue took place at Langlaagte station with three participants, the second at Sophiatown station with three participants, and the last at Moffatview station with one participant, thus overall, seven experiences were explored.

Circle dialogues are a restorative practice in which the participants are gathered in a circle with a facilitator who guides equal and respectful conversation. This focus group is able to communicate with the facilitator and also with each other affording a safe space for shared experience and openness (De Vos et al. 2011, 360–361; Zehr and Gohar 2002, 52). The discussions were about the experiences of the victims before the mediation, during the mediation and after the mediation, and also the evaluation of restorative justice and Khulisa. The participants were also requested to fill out a

questionnaire recording basic information regarding their case. Social workers assisted with translations where language barriers existed.

The data were analysed according to the steps proposed by Creswell (2014, 245), in which themes were identified and reported narratively with concluding recommendations. The limitations of the study included a low number of participants owing to time constraints and employment commitments of both the researcher and the participants, resulting in data saturation not being achieved. Language barriers presented a challenge during some circle dialogues which was overcome by translations by social workers or volunteers, however, it is acknowledged that this could have limited the understanding on both the part of the researcher and the participants.

With regard to ethical considerations, participation was voluntary without force or coercion and the participants were informed in their own language of the nature of participation and afforded full confidentiality through the protection of all data and the use of pseudonyms. Protection against harm was crucial owing to the sensitive nature of the study and in this regard social workers were present during circle dialogues and all the participants had access to debriefing and counselling by social workers if necessary. The participants did not suffer psychological harm and it was observed that they felt safe in the space owing to existing relationships with the Khulisa staff.

Presentation of Findings

The majority of the victims who participated were female, with only one male victim (refer to Table 1). Although most cases of domestic violence involve female victims, domestic violence is occurring more often in the South African male population, however, research and statistics regarding these occurrences are limited (Victor and Olive 2019, 13411). According to the head social worker of the Khulisa VECs in Gauteng, 41 cases were referred to the VEC by men from August 2019 to January 2020, the majority of which were for domestic violence. Men are less likely to report domestic violence owing to the prevalent patriarchal “rules for masculinity” imposed on men, such as “men do not cry”, which have created a stigma in society and the CJS, making it uncomfortable for men to report abuse in these settings (Victor and Olive 2019, 13411). It is therefore a positive finding that men are reporting and finding assistance through the Khulisa VECs.

Almost all the offences involved verbal, mental and psychological abuse (refer to Table 1). The Domestic Violence Act (South Africa 1998) includes emotional, verbal and psychological abuse in its definition of domestic violence, because of the harm caused to the safety, health and well-being of the person.

Partners were found to be the most common offenders, followed by family members (refer to Table 1). It is not surprising, thus, that the indirect victims were almost always the immediate relatives living in the same house as the victim. The indirect victims refer

to persons who, although not the direct victim of the crime, have also been affected through their relationship to the victim (Schoeman 2012, 82–83). Restorative justice is especially important with regard to both the above findings in that it acknowledges the negative effect of crime on relationships and provides intervention that assists in healing broken relationships for direct and indirect victims and also the offender (Zehr and Gohar 2002, 40).

The findings revealed that the offence reoccurred more often than not (refer to Table 1). All the participants, however, would recommend a restorative justice approach and rated the services of Khulisa as “very good” or “excellent” (refer to Table 1).

Table 1: Participant responses to questionnaire

	Gender	Offence	Offender	Reoccur- rence	Report	Indirect victims	Recom- mend RJ?	Rating of Khulisa
Moffatview								
P1	Female	Verbal, mental, psychological abuse	Partner	Yes	Yes	Immediate family living in house	Yes	Excellent
Langlaagte								
P2	Female	Verbal, mental, psychological abuse	Partner	Yes	No	Immediate family living in house	Yes	Very good
P3	Female	Verbal, mental, psychological abuse	Partner	No	N/A	Immediate family living in house	Yes	Excellent
P4	Female	Domestic violence	Family member (husband and father-in-law)	Yes	Yes	Immediate family living in house	Yes	Excellent
Sophiatown								
P5	Female	Verbal, mental, psychological abuse	Partner	Yes	No	Immediate family living in house	Yes	Very good
P6	Female	Verbal, mental, psychological abuse	Family member (son)	No	N/A	One unnamed person	Yes	Excellent
P7	Male	Son's behaviour	Family member (son)	No	N/A	Immediate family living in house	Yes	Very good

As discussed in the previous section, restorative justice interventions generally have three stages: the preparation stage, the facilitation stage, and the monitoring stage. The exploratory evaluation of the peacemaking mediations offered by the Khulisa VECs through circle dialogues thus focused on participant experiences before, during and after the peacemaking mediation. Furthermore, the participants were asked about their opinions on the restorative approach, and to provide any recommendations for improvement.

Victim's Experiences before the Mediation

The participants were asked whether they felt prepared for the peacemaking mediation and if participation was voluntary. All the participants affirmed that participation was voluntary and that they were in no way forced to take part in the peacemaking mediation.

However, it became clear that this may not have been true for the offenders. P2 and P4 felt that their partners did not want to take part but felt they had to out of fear of the police, and that their partners did not own accountability for their actions:

He felt like he didn't want to do it. Ja it's a matter of he just saw Langlaagte police station then he was scared of, that's why today he said you are taking me back to police station I'm not going, tell them to come and fetch me with a van. He feels like because it says police station, I'm not sure why he can't understand it because he's a lecturer, and then he's old enough, he knows these things. He's saying I'm embarrassing him. He felt that he participated in the mediation, but it was forced. He does not own accountability for his actions. (P2)

Participation should be fully voluntary, and the parties should be allowed sufficient time to consider participation (Anderson 2017, 175; Department of Justice and Constitutional Development 2011, 4–5; Steyn and Sadiki 2018, 231). Non-voluntary participation results from force or coercion, but also includes participation based on fear of prosecution or the use of pressure, guilt or persuasion (Ward and Langlands 2008, 362; Zernova 2007, 498–502). The findings present that at times offender participation was based on fear of prosecution, rather than being voluntary and that accountability was lacking, which can negatively affect results.

With regard to preparation, over half of the participants (P1, P2, P6, and P7) felt prepared. In contrast, P3, P4 and P5 noted feelings of anxiety before the peacemaking mediation. P3 and P5 attributed this to a fear of the way in which their partners would react and to their personal safety:

I didn't know exactly know what was going to happen per se but I was nervous for other reasons, like my ex is very passive aggressive and all so I was more afraid of what he would do to me if I were to stand up for myself. (P3)

P4 communicated that a lack of preparation and understanding of the peacemaking mediation purpose and process had caused her children to feel anxious as they were concerned that they would be removed from the care of their parents. In this regard, the effect of a lack of adequate preparation on indirect victims is expressed:

They were a bit traumatised about it 'cause they were like oh they going to take us mommy please don't. They were a bit traumatised because like I said I wasn't also sure what was going to happen. (P4)

Numerous studies highlight the importance of adequate preparation for all parties in which the participants are informed regarding what to expect and their rights, and they are also counselled to ensure voluntary participation, accountability of offenders, and emotional readiness (Department of Justice and Constitutional Development 2011, 4–6; Steyn 2010, 116–117). The head social worker of the Khulisa VECs communicated that, ideally, the staff would like to spend preparation time with all participants before

the peacemaking mediations but are hindered by a lack of time of both the staff and the participants. The capabilities of the staff are limited owing to the high caseloads spread among a few persons. Owing to limited funding, Khulisa is only able to employ a limited number of social workers. In addition, the participants are limited in the time they can offer owing to work commitments.

Victims' Experiences during the Mediation

The participants were asked if they felt peacemaking mediations were fair and respectful, if their peacemaking agreement was fair, and if forgiveness and reconciliation had been achieved. All the participants experienced the peacemaking mediation as fair and respectful. It was also communicated by all the participants that the peacemaking agreements were fair. Most of the participants (P2, P3, P5, and P7) attributed this to the facilitator providing the participants with an equal chance to talk and express their feelings, and creating an environment that felt safe for them to be honest and open:

I was comfortable, and she was very honest and straightforward . . . both of us chatted and she managed, like if there's person there who want to come on board while the other one is speaking, then like let's give them a chance. (P2)

Although the participants expressed satisfaction with regard to the facilitation of peacemaking mediations, the outcomes were varied. P3, P6 and P7 noted that there had been both forgiveness and reconciliation in their relationships. P3, who had experienced conflict with her partner, noted that it "felt like a new love". P6 and P7 had experienced conflict with their children and communicated that the relationships were restored.

However, for the most part with regard to romantic partnerships, reconciliation and forgiveness were not resultant from the peacemaking mediations. P1, P2, P4 and P5, who all partook in the peacemaking mediations owing to the conflict in their romantic relationships, all acknowledged that there was no reconciliation and that they were in the process of, or wanted to start the process of, divorcing or leaving their partners. The findings from the questionnaire (refer to Table 1) highlight that P1, P2, P4 and P5 all also noted that the offence had reoccurred.

Although the peacemaking mediation was ineffective in its reconciliation aims in these cases, it was successful in building the confidence of, empowering, and informing the participants (P1, P2, P4, P5), which further assisted them in making the decision to leave their abusive partners:

This mediation really gave me some personal woman pride and self-esteem. (P4)

I was a victim but now I don't feel like quite the victim, I don't feel like such a victim because I was very emotional, I almost finished a tissue, I come here, I cry, was so helpless. But now honestly, I feel strong and most of his threats, the stalking, the things

that he used to do, I don't pay much attention to them now because I'm now well informed. (P5)

One of the aims of restorative justice is to empower the victims by providing them with a voice, and in this regard, the peacemaking mediations were successful (Department of Justice and Constitutional Development 2011, 4–6). The importance of victim empowerment is clear by P2 and P4 specifically communicating that their partners were a threat and that they wanted to leave and, in this regard, required assistance from Khulisa:

My way forward now, what I was about to say is that can you help me, to tell me which way, should I file for divorce because there's no turning back. It's not healthy. I have accepted I love him very much, but one doesn't cooperate and it's dangerous for me now. (P2)

He is the type of person that I also don't know what he can do because he was a gunman before. I'm not sure if I can trust him or not. He looks quiet but he's very very undercover agent. Even if you guys can just help me get out of there. And I want to be on my own with my two kids. 'Cause even my kids don't want to stay there because he's fighting in front of them, they screaming, it's unhealthy for them, it's really unhealthy. (P4)

Violence against woman and children is prevalent in South Africa, with many women remaining in abusive relationships out of fear, and others being murdered because they leave (The Centre for the Study of Violence and Reconciliation 2016). It is noteworthy that both P2 and P4 have children and answered in their questionnaire (refer to Table 1) and in the interviews that their children had been affected by the abuse. Services offered to women who find themselves in abusive relationships where leaving poses a threat to them and their children are of paramount importance. In this regard, peacemaking mediation is not enough, rather further services such as sheltering, counselling and intervention are needed.

Victims' Experiences after the Mediation

The participants were asked if they had received a follow-up call and their experience of the follow-up call. P1, P2 and P4 received follow-up calls and all noted that at the time they were helpful. P1 recalled specific needs that were met as a result of the follow-up call:

Ja, he did and he even said he will come and give us a visitation because I ask him to come and check the condition of the place and how it looked so that he can take pics before I do anything and that's what we did. (P1)

P2 and P4 communicated that they had received follow-up calls but had avoided returning to the VEC owing to threats to their families. P2 felt threatened by her partner and P4 was concerned as her children were traumatised by her initial attendance:

Another thing is while I was supposed to come, even if I was busy at work, there were threats that I was trying to avoid . . . there was this thing that I was afraid, but I feel like I was supposed to come back. (P2)

The reason I stayed away was for my daughter's sake because she even said something about running away, she's gonna run away, and then I told her no man they not coming that's why I stayed away. But I did give (volunteer) some follow-up to give to (social worker) and said no I'll come. (P4)

As previously discussed, P2 and P4 both requested assistance from Khulisa in leaving their partners. It is necessary to deal with situations in which women feel threatened to seek help, even if follow-ups are conducted. In this regard, external support groups and unscheduled house visits could be valuable.

About half of the participants (P3, P5, P6, and P7) did not receive follow-up calls. P3 noted that she would have liked a follow-up call as it would have showed her that someone cared about her well-being. P5 and P6 felt that although they did not receive follow-up calls, they felt confident in the knowledge that they could contact the VEC, as the staff had provided them with contact details if the need arose and had been extremely helpful and caring:

Right after the mediation she gave us her contact details so that I can also contact her, maybe never have to wait for her to call me back. And if there was like a problem like then I'd immediately contact her. (P5)

It was noted by the head social worker of the Khulisa VECs in Gauteng that staff shortages and the resultant lack of time hinder effective follow-ups.

Participant Opinions regarding Restorative Justice

In concurrence with the questionnaire's findings (refer to Table 1), in which all the participants stated they would recommend a restorative approach, all the participants except P4 communicated during the circle dialogue sessions that the restorative option was a better option. Several reasons were provided for this, the most common being that incarceration would have negatively affected family relationships (P1, P3, P5, and P6):

It really affects my daughter and her daughter, my granddaughter, she really misses her grandfather a lot. Those are the two people that's very, you know, it's hard, and uh it affects my granddaughter you know. She's now seven and she really speaks a lot about oupa. Oupa just needs help, he's not a bad person. Even in our neighbourhood where he can help you, he can help you. (P1)

Although P4 found value in the punishment offered by a retributive response, it was also acknowledged that incarceration would have had a negative effect on her family:

I think the court and the jail would have brought more sense into his brain because firstly he doesn't respect me as a woman, even the next woman, it's like there's no way of speaking to a woman. Even discrimination where he, it's very ugly. (P4)

It would have broken them badly, especially my daughter. Emotionally it would have break them. But then sometimes when he's doing this then she will say mom let him go to jail, but it just comes out because she angry that he's doing this. (P4)

P3 and P5 linked the negative affect on family with economic challenges, by which incarcerated fathers are unable to provide financially for their children. P1, P2 and P6 felt that their families would blame them for the incarceration and feared judgement and anger from family members:

You took daddy to jail, you were the one. (P1)

Dit sal nie lekker gewees het nie. Miskien sal die whole family dan kwaad wees vir my. (P6) [Translation: It would not have been good. Maybe the whole family would then be angry with me.]

Lastly, P5 and P7 felt that incarceration would have been too harsh. Restorative justice was considered the better option as it gave the offenders the necessary push to change while still holding them accountable, without the negative effects of incarceration:

The jail is very bad. When he comes out, he's going to be worse, I don't him to must go to jail. They are happy now. They saw the change its better than giving her punishment. (P7)

The findings highlight that the participants considered incarceration more detrimental in some cases as it negatively affects the emotional well-being of family members, the family unit as a whole, and the financial status of families, and it is also too harsh and damaging. Restorative justice holds offenders accountable while allowing them to change their behaviour without the acquisition of a criminal record or exposure to and in many instances the development of violent and criminal behaviour due to incarceration with hardened criminals (Anderson 2017, 169; Gxubane 2012, 101). Thus, the participants acknowledged that restorative justice, through peacemaking mediation, was a better option for their families.

Participant Recommendations for Improvement

In correspondence with the questionnaire findings (refer to Table 1), in which all the participants rated the services offered by Khulisa as "very good" or "excellent", with the exception of P4, all the participants were satisfied with the peacemaking mediation experience and had no recommendations:

Whether I come crying or I come frustrated or I come just happy it still works. (P5)

Although satisfied with the experience, P4 expressed the need for offenders to be handled in a “stricter” manner by which they are held accountable for their behaviour through communication that their behaviour and disrespect are unacceptable:

To the men’s [offenders] side only I feel that maybe you guys should be a bit more strict to them so that they can know that you need to respect these women. (P4)

Furthermore, she requested supplementary services from Khulisa to the community:

They should maybe come to the house unexpected, that’s when you will see what we are talking about. Or maybe when he is doing this wrong, this, you just send the SMS, you just send unexpected guys, and then you’ll see. Because here they’re so quiet and humble but when we got out there it’s a different story. Because we don’t want to run back here, so we just go with the flow. (P4)

Restorative justice interventions are reliant on the accountability of the offender as a requirement for participation (Holler 2015, 106-107; Naylor 2010, 665-666; Zehr and Gohar 2002, 22). Furthermore, restorative justice interventions are more successful when combined with other interventions, and when part of the mediation is to assess and provide for participant needs (for example, therapy, substance abuse intervention, and anger management) (Zehr and Gohar 2002, 29). This is emphasised by the findings of this study regarding participants P1, P2, P4 and P5, who experienced that both reoffending occurred and relationships were not reconciled as a result of restorative justice intervention.

P2 and P4 noted that their partners were not necessarily compliant when participating, but rather felt that they had to participate. In addition, it was communicated that no accountability was owned by their partners for their actions. Reconciliation or restoration of relationships was not achieved in either of these cases with the participants directly attributing this to their partners’ lack of accountability, and the resultant lack of desire to change behaviour. Rather, P2 and P4 stated that their partners only partook in the peacemaking mediation as they feared the police.

Furthermore, both participants expressed that they required further intervention in the form of counselling or peacemaking mediation for themselves and their children, and also assistance and support when leaving their partners. P4 noted that her partner was also in need of counselling. P1 communicated that her husband held himself accountable for his actions, however, he did reoffend, was incarcerated and she was filing for divorce. She noted that her husbands’ actions were the result of substance abuse and a head injury. In this regard, a peacemaking mediation cannot be successful if it does not provide intervention for the rehabilitation of the offender, for example, in this instance substance abuse rehabilitation, and medical attention or appropriate therapy.

Discussion, Recommendations and Conclusions

Overall, the participants expressed their satisfaction with the facilitation of the peacemaking mediation offered by Khulisa, and also the restorative justice approach. The participants expressed that the mediations were conducted in a fair and respectful manner, in which each party had an equal chance to talk and felt safe to be open and honest. It was observed that the participants interacted with the staff in a manner that expressed trust, and also that the staff genuinely cared about the participants and were well acquainted with them and their circumstances. The findings further noted that peacemaking agreements were experienced as fair and equally considerate of the opinions and needs of all the participants. The value of restorative justice, as opposed to incarceration, in supporting and protecting the family unit was communicated.

The findings furthermore revealed that reconciliation and forgiveness were sometimes resultant from peacemaking mediations. However, this was negatively affected by a lack of accountability from the offenders, and causal risk factors that require needs-based interventions. In this regard, it was noted that a lack of adequate preparation resulted in peacemaking mediations being conducted in cases in which the offenders took part out of fear rather than voluntary participation. In addition, it was noted that these offenders were not willing to change their behaviour or accept accountability for their actions. These factors negatively affected reconciliation. Moreover, a lack of adequate follow-ups and the provision of needs-based interventions also inhibited positive results. A lack of resources and time due to limited funding was highlighted as causative factors of inadequate preparation and follow-ups.

The importance of linking peacemaking mediation and needs-based intervention emerged from the findings. Reconciliation was hindered by offender circumstances and victims expressed the need for counselling for themselves, their partners and their families, as well as the need for information and protection with regard to leaving abusive relationships. In addition, the need for community work also emerged from the findings, by which the necessity for support groups, home visits, and external services that negate the stigma of the police station was highlighted. Moreover, there is a need for awareness campaigns informing the community of services and creating awareness about issues such as males being victims of domestic violence.

With consideration of the above, the necessity for funding to be made available by government and/or private enterprises to organisations such as Khulisa is put forward. Khulisa is well situated to provide services to victims and offenders, but hindered owing to a lack of staff, resources, and time as a result from limited funding. With sufficient funding, Khulisa and similar organisations could ensure that restorative justice interventions take place with adequate preparation and follow-ups, provide needs-based interventions for offenders and direct and indirect victims, develop community support groups and home visits, and engage the community with a range of awareness campaigns aimed at various populations (i.e. female and male victims of domestic violence).

Of importance is the finding that, although reconciliation was not always achieved, peacemaking mediation succeeded in empowering victims, especially the women. The victims were given a voice, were informed of their rights and the processes available to them, felt that they had support, and were empowered to leave abusive relationships. The importance of considering the impact of peacemaking mediation on the internal and external realities of women cannot be stressed enough. Although some relationships could not be healed, the women were strengthened, and many expressed the desire to reach out to other women in similar situations in post circle dialogue discussions. In this regard, it is recommended that Khulisa and similar organisations be enabled through funding to provide the victims with the opportunity to reach out to other victims, thereby broadening the efforts to break the cycle of abuse.

In closing, it is noted that this study was limited in its exploration of only a small sample of participants in the peacemaking mediation offered by Khulisa. Khulisa conducts between 10 and 20 mediations per month per station, which highlights that there are still numerous unheard experiences of both victims and offenders who have participated in peacemaking mediations. It is recommended that further research be conducted on the experiences of victims and offenders who have participated in peacemaking mediations to further evaluate the interventions and to provide an in-depth exploration of the daily realities, crime risk factors and needs of the participants for improvement and development of interventions that promote victim empowerment and prevent crime.

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