

Candlelight vigil held outside Johannesburg Women's Prison, 2003



VIOLENCE AND ABUSE...

...in the lives of women and girls incarcerated at three Gauteng women's prisons

When battered women kill their abusive partners there is an obvious relationship between the violence inflicted upon them and their subsequent actions. Whether or not other prior experiences of violence or abuse also play a role in women's unlawful acts has not, however, been investigated.

Further, while a body of research is beginning to emerge in South Africa around violence in men's prisons (Haysom, 1981; Gear and Ngubeni, 2002; Steinberg, 2004) no corresponding exploration of the situation in women's prisons has been undertaken.

This research brief presents findings from a study conducted in three women's prisons in Gauteng exploring these two questions. It briefly describes the nature and extent of violence experienced by women and girls in conflict with the law, both prior to as well as during incarceration; and the relationship between such experiences of violence and the commission of unlawful acts. Both sets of questions are important for the prevention of women's offending, as well as the informed sentencing and management of female offenders.

The study and its methodology

This study was conducted at the three prisons in Gauteng which house female prisoners: Johannesburg, Pretoria and Heidelberg. Of these, the first two are female-only prisons while the latter is primarily a men's prison that also houses a separate women's section. All three prisons are considered medium security facilities. At the time of the study, Heidelberg housed women serving short-term sentences of some three years or less while Pretoria housed women serving medium-term sentences of 10 years or less. Johannesburg, the biggest women's prison in the country, not only incarcerated women serving short and medium-term sentences, but also

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those serving sentences in excess of 10 years, including life imprisonment.

When the study began, 565 women (525 adults and 40 juveniles) were held at Johannesburg, a further 146 (137 adults and nine juveniles) at Pretoria and 57 at Heidelberg. The total population across the three prisons was 768. Through random, proportional sampling of both adult and juvenile female prisoners, a sample of 569 female prisoners in Gauteng was selected for the study, calculated at a 99% confidence interval and three per cent margin of error.

Because the prison population is not constant and fluctuates daily as newly-convicted women are imprisoned and others released either on parole or to serve sentences of correctional supervision, we lost some interviewees between the time the sample was selected and the interview conducted. Ultimately, 348 women were interviewed with a further 28 refusing to be interviewed and the remainder of interviews lost to releases. To account for the difference in sample size and the number of interviews ultimately completed, data were weighted to account for instances of over- or under-representation, taking into account the relative sizes of the prisons and the number of juveniles, and was thus proportional to size. Data collection began in March 2003 and concluded on 30 January 2004. Permission to publicly release the findings from the study was received from the Department of Correctional Services in November 2005.

The questionnaire

Prisoners were interviewed using a structured interview schedule that sought background information about the women's lives prior to imprisonment; experiences of violence both prior to as well as during incarceration and the effects of these experiences; and information about the women's various brushes with the law, as well as their sentences. Questions around violence were adapted from the World Health Organisation's (WHO) Questionnaire

on Emotional, Physical and Sexual Violence.

Adaptations were based around the need to tailor the questionnaire to the unique circumstances of imprisonment. The interview was structured and made use of primarily closed-ended, pre-coded questions, interspersed with some open-ended questions which were coded on completion of the fieldwork. Data were captured and subsequently analysed with SPSS. A Fisher's exact test was then performed to test the significance of associations between particular variables.¹

A week before the interviews began, we conducted briefing sessions at each of the three prisons to explain the study and its purpose and provide the women with an opportunity to think about whether or not they wished to participate in the research. It was also made clear that the survey would be anonymous and confidential and that neither positive benefits nor negative consequences were attached to (not) participating in the study. On conclusion of the fieldwork, the preliminary findings were presented to the women who were invited to engage with the findings and recommendations.

Given the sensitive nature of the study's focus, fieldworkers with a background in counselling rape and/or domestic violence survivors were recruited to administer the questionnaires. Training focused on the importance of obtaining informed consent and maintaining confidentiality, as well as dealing with the challenges of working in prisons. On completion of the training, fieldworkers were then selected on the basis of language, cultural and age appropriateness, as well as their ability to conduct the interviews in an empathic manner. To assist the fieldworkers deal with the difficult nature of prison work, as well as the distressing content of the interviews, three debriefing sessions were conducted by mental health professionals.

¹ This statistic was preferred over the more common χ^2 statistic as it is more appropriate where some cells are small.

Thus women in Gauteng prisons are at least seven times more likely to

Limitations

Surveys of this nature rely on self-reporting by participants and are thus vulnerable to exaggeration or misrepresentation, as well as the inevitable distortions of memory. Further, at the time of the interviews at Johannesburg, the Jali Commission was also conducting its investigations into corruption at the prison. Noting that women were starting to confuse the study with the work of the Jali Commission, we temporarily suspended fieldwork and returned to the prison to provide another briefing explaining the differences between ourselves and the Commission. This may have resulted in misrepresentation of certain information, with accounts of prison violence perhaps under-represented.

Although this study was confined to Gauteng, the demographic characteristics of our sample are very similar to those of the women interviewed nationally by the Judicial Inspectorate of Prisons (2004). This suggests that women imprisoned in Gauteng are not very different to those in prisons in other provinces and that findings from this study may be extrapolated to other South African female prisoners.

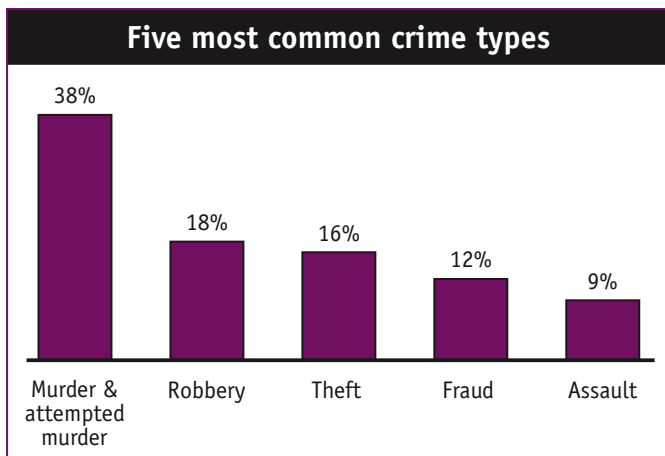
Findings

Description of our study sample

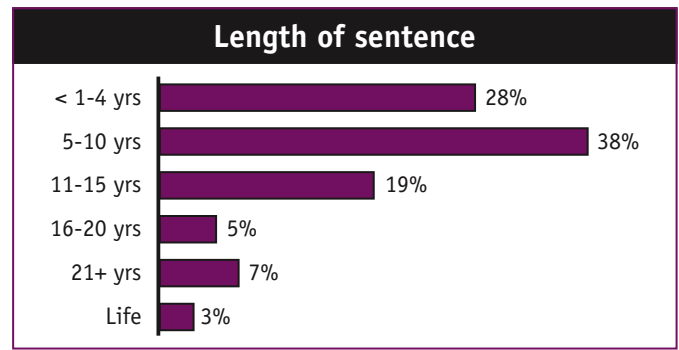
- The age of women in our sample ranged between 16 and 67, with the median average being 33.
- The racial breakdown of the sample was very similar to that of the female population of Gauteng (73% African, 20% white, 6% coloured and less than 1% of Asian descent).
- Six per cent of our sample had no schooling at all. While one in five had matriculated from high school, this proportion is lower than that of the general female population in Gauteng where 28% have completed their matric.
- More than one third of the women (38%) were employed full time before imprisonment and 20% were unemployed.
- One in four women (26%) were employed as domestic workers, 25% were employed in the retail/hospitality sector and 11% were employed as professionals.

Crime and sentence type

More than one in three women (38%) across the three prisons had been convicted for murder or attempted murder, making this the most common offence in prison.



Sentences ranged in length from less than a year to life imprisonment. The median average length of sentence was eight years. The portion of sentences served ranged from one month to over 11 years. More than half of the women (58%) had already served two years in prison at the time of the interviews.



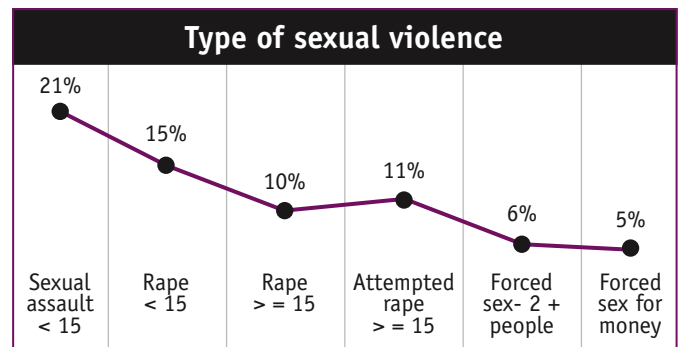
Exposure to and experiences of violence and abuse

The majority of women (56%) lived with their biological parents as children. A further one in three women (29%) was raised by her grandparents and a further one in eight (16%) was raised by other relatives. Seven per cent grew up in foster care, or reformatory environments.

More than one in three (38%) women said that there was violence in their families but did not specify the nature of this violence. Of this group, 51% reported their parents being violent towards each other and 28% reported that their parents were violent towards both them and their siblings.

Sexual violence outside of an intimate relationship

Respondents were asked whether they had suffered any forms of sexual violence both as a child and as an adult with a non-partner.



- Twenty-one per cent of the sample experienced some form of sexual assault (being touched sexually by a man or being forced to touch a man sexually) before the age of 15. The average age at which this was experienced was 10.
- Almost one in eight (15%) women reported being raped before the age of 15. The youngest age at which this occurred prior to 15 years was four, with the median age being 11.
- For both sexual assault and rape before 15, the majority of perpetrators were known to the victims, with strangers accounting for less than 15% of perpetrators.
- One in 10 women was raped outside of her relationship after the age of 15. Almost one-third (31%) of perpetrators were strangers. Similarly, more than one-third (38%) of perpetrators of attempted rape were strangers.

Key finding from this section:

Women and girls in Gauteng's three prisons have experienced a high degree of sexual violence, with almost one in eight (15%) having been raped before they were 15 and one in 10 raped by a non-partner after the age of 15. The South African Demographic and Health Survey found that two per cent of women had been raped before the age of 15 (Department of Health, 1999). Thus women in Gauteng prisons are at least seven times more likely to have been raped as children than the female population generally.

to have been raped as children than the female population generally.

Violence in intimate relationships²

Respondents were asked a series of questions pertaining to violence both in their last relationship as well as in all other prior relationships. The following table describes the prevalence of financial, emotional, sexual and physical violence perpetrated against women in their relationships. The average age at which women first experienced partner/relationship violence was 22, with the youngest age being 12 and the oldest 45.

| Period | Economic | Emotional | Physical | Sexual | Any |
|----------|----------|-----------|----------|--------|-----|
| Last | 48% | 70% | 63% | 33% | 78% |
| All Past | 37% | 46% | 42% | 21% | 56% |

- Emotional abuse was the most prevalent form of abuse across both last and all previous relationships. Prevalent forms of emotional abuse included attempts at preventing women from talking to other men, insults, belittlement, intimidation and threats to hurt.
- The most common form of economic abuse was men's failure to provide money for household necessities and children, whilst having money for other things.
- Physical abuse in the form of slapping, throwing objects and pushing and shoving was common.
- The two categories of sexual abuse, forced sex and engaging in sex out of fear of the consequences for not doing so, occurred with equal frequency.
- Thirteen per cent of women reported other forms of abuse not asked by the questionnaire. Of this group, 10% reported that their partner had threatened to kill them and the children while two per cent of abusers had threatened to kill themselves. Twelve per cent of men perpetrated other perverse forms of violence like tying the woman up and dousing her with petrol and then threatening to set her alight, or throwing her into a bath of ice cold water, or tying her to a car and making her run alongside it.
- Approximately 42% of the women reported that they had sustained injuries, typically to their heads or necks (38%). These injuries most frequently took the form of bruises, lacerations or swellings.
- Just over one in four of the women (26%) who had experienced intimate partner abuse reported fractures or dislocations of their bones: and a further 15% reported gunshot and stab wounds as a result of the violence. While the method of injury in the majority of cases was unrecorded, 17% reported that a sharp object like a bottle or knife was used to injure them while four per cent reported that a gun was used.
- Over two-thirds of the women (78%) did not lay any charges against their intimate partners.
- As a result of the abuse suffered, 16% reported that they had attempted suicide while 23% had suicidal thoughts, 11% tried to hurt themselves, and 13% used anti-depressants to cope.

Lifetime prevalence of violence in their relationships

Over the course of their lifetimes:

- **62%** of women had experienced some form of economic abuse in at least one of their relationships;
- **81%** of women in the study experienced some form of emotional abuse;
- **77%** of women experienced some form of physical violence; and
- **43%** experienced some form of sexual abuse.

How does this compare to women in the general South African population, as well as internationally?

Prior population-based surveys in South Africa have found lifetime estimates of physical violence from intimate partners to range from 13% to 28% (Department of Health, 1999; Jewkes et al, 2000, cited in Dunkle et al, 2003). However, because it is the only other South African study to use the WHO questionnaire, the most appropriate study with which to compare ours is that by Dunkle et al (2003). Their research with 1 395 women attending an ante-natal clinic in Soweto found the prevalence of emotional abuse to range from 51% (last 12 months) to 68% (lifetime), physical abuse to range from 26% to 50% and sexual abuse to range from 30% to 56%.

International literature

- In the USA, prevalence estimates of abuse amongst female prisoners, range from 40% of women in federal prisons to 57% in state prisons (Bureau of Justice Statistics, 1999 & 2000 in Kruttschnitt and Gartner, 2003).
- Findings from a 1991 survey with inmates in the USA show that more than four in every 10 women reported that they had been abused at least once before current incarceration; approximately 34% reported physical abuse and 34% reported sexual abuse. An estimated 50% of women in prison who reported experiences of violence stated that they had experienced such abuse at the hands of an intimate partner (Snell and Morton, 1991).
- In Canada, the prevalence of abuse among imprisoned women has been estimated at between 50% and 80% (Shaw, 1994a, 1994b, Commack, 1996 in Kruttschnitt and Gartner (2003). In England and Wales, abuse histories range from 25% to 80% (Home Office, 1992, Howard League 2001 in Kruttschnitt and Gartner, 2003).

Although the variations in numbers reflect different methodologies, the higher range of estimates suggests that histories of abuse are more prevalent among women in prison than among women in the general population (Kruttschnitt and Gartner, 2003).

Key finding from this section:

Women and girls in Gauteng's three prisons have experienced a higher-than-average degree of violence in their intimate relationships. More than two-thirds (78%) of women had experienced some form of abuse in their last relationship before entering prison. Overall, almost nine in 10 women (87%) had experienced at least one form of abuse in their intimate relationships in the course of their lifetime.

Violence in prison

| Period | Economic | Emotional | Physical | Sexual | Any |
|----------------|----------|-----------|----------|--------|-----|
| Last 12 Months | 11% | 47% | 34% | 3% | 51% |
| Ever | 9% | 37% | 27% | 3% | 41% |

In the same manner as women were asked about violence in their relationships, they were asked about violence in prison, perpetrated by either other prisoners, warders or their intimate partner in prison.

Eleven per cent of women said that they were currently involved in a consensual sexual relationship in prison while five per cent said they had been coerced into a current sexual relationship.

Findings show that levels of violence experienced in prison were much lower than that experienced in relationships outside prison. Still, results indicate that one in three women experienced physical violence in prison. In most cases such violence was perpetrated by another prisoner. Data also revealed that economic abuse was most frequently perpetrated by warders.

² What constitutes intimate partner violence remains a contentious issue. To standardize the data and ensure comparability with other studies, in this study we used the definition of intimate partner violence utilised by WHO which refers to "any behaviour within an intimate relationship that causes physical, psychological or sexual harm to those in the relationship." (WHO 2002: 89).

Exploring the relationship between types of abuse and women's offending

To examine the relation between relationship violence and type of crime, cross-tabulations were performed for each crime type and each category of relationship violence. Only crime types where a reasonable number of women had committed those crimes were considered. Significant relationships were found for murder/attempted murder and theft.

| | Last Relationship Sexual Violence | Past Relationships Emotional Violence | Past Relationships Physical Violence |
|------------|-----------------------------------|---------------------------------------|--------------------------------------|
| Murder | 41% | 40% | 35% |
| Not Murder | 28% | 50% | 46% |

| | Last Relationship Economic Violence | Past Relationships Economic Violence | Past Relationships Emotional Violence | Past Relationships Physical Violence |
|-----------|-------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|
| Theft | 64% | 58% | 61% | 58% |
| Not Theft | 45% | 32% | 43% | 38% |

Women convicted of theft are considerably more likely to have experienced economic violence in their last relationship, a trend which is even more evident in their past relationships.

The top table shows the proportion of women convicted of murder or attempted murder who have experienced relationship violence, compared to those not convicted of these crimes. The results indicate that women convicted of murder are much more likely to have experienced sexual violence in their previous relationship, but by contrast are less likely to have experienced emotional or physical violence in a previous relationship.

Conclusions

Women in Gauteng's prisons, like women prisoners in other parts of the world, have been subjected to substantial victimisation. This study has also shown a significant statistical relationship between the experience of sexual abuse at the hands of a current partner and the committal of murder or attempted murder. It also finds another such significant relationship between the experience of economic abuse and involvement in theft. Thus, to the many health consequences of intimate partner violence must be added involvement in unlawful behaviour as well as imprisonment (albeit for a very small number of domestic violence survivors). It is therefore crucial that further research be conducted to explore and delineate the pathways from intimate partner victimisation to offending. Further, this finding suggests that far from being reactive measures which address symptoms only, counselling services and legal protection may well be important in preventing some women from coming into conflict with the law.

The study has also shown how women's experiences of abuse did not end with entry into prison but continued, although to a lesser degree, during incarceration. While violence and abuse in women's prisons may not be as sensational or prevalent as in men's prisons, it still deserves to be taken seriously and effective programmes should be put in place to help both those women who ill-treat others, as well as those they victimise.

Finally, the study suggests that for the 78% of women who never laid charges against their abusive partners, arrest and imprisonment represents the criminal justice system's only sustained engagement with the circumstances of their lives. Surely a more effective response to gender-based violence is demanded of us.

References

- Department of Health (1999). *The 1998 South African Demographic and Health Survey. Full report.* Pretoria, South African Department of Health.
- Dunkle, K., Jewkes, R., Brown, H., McIntyre, J., Gray, G., and Harlow, S. (2003). *Gender based violence and HIV infection among pregnant women in Soweto.* Technical report by the Medical Research Council to the Australian Agency for International Development.
- Gear, S. and Ngubeni, K. (2002). *Daai Ding: Sex, sexual violence and coercion in men's prisons.* Research report written for the Centre for the Study of Violence and Reconciliation.
- Haysom, N. (1981). *Towards an Understanding of Prison Gangs.* Institute of Criminology, University of Cape Town.
- Judicial Inspectorate of Prisons. (2004). *Women in South African Prisons.* Report prepared in support of the 16 Days of Activism Campaign.
- Kruttschnitt, C. and Gartner, R. (2003). 'Women's Imprisonment' in *Crime and Justice* Vol 30 (1). The University of Chicago, Crime and Justice.
- Steinberg, J. (2004). *Nongolaza's Children: Western Cape prison gangs during and after apartheid.* Monograph written for the Centre for the Study of Violence and Reconciliation, July.



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