

NATIONAL INSTITUTE FOR CRIME PREVENTION AND THE REINTEGRATION OF  
OFFENDERS

# Exploring Female Offender Profiles and Social Reintegration Service Delivery

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## **1 ABSTRACT**

The National Institution of Crime Prevention and the Reintegration of Offenders (NICRO) has been rendering crime prevention and offender reintegration services since 1910. As part of ongoing monitoring and evaluation, NICRO maintains an annual statistics database of people who have been in conflict with the law to whom NICRO has rendered services.

Much of the research and programming that is available for offenders focuses on male offenders. This is an inevitable result of the fact that the majority of South African offenders are male. Nevertheless, it is vitally important that closer attention be paid to the situation and specific needs of female offenders. Evidence suggests that while male and female offenders have similar social reintegration needs, they are not identical. It is important that responsive and flexible programming is developed and implemented that meets the needs of female offenders as well as male offenders.

This paper focuses on the patterns and dynamics seen amongst 4 810 female offenders receiving NICRO services between 2012 and 2013. This paper explores the demographic profile of female offenders, the comparative dynamics between male and female offenders for both aggressive and sexual offences, and reviews the most common offences found amongst female offenders. The paper concludes with a discussion of the implications of the data for service delivery to female offenders for the purpose of enhancing social reintegration and reducing the likelihood of female recidivism.

## **2 INTRODUCTION**

The National Institution of Crime Prevention and the Reintegration of Offenders (NICRO) has been rendering crime prevention and offender reintegration services since 1910. As part of ongoing monitoring and evaluation, NICRO maintains an annual statistics database of people who have been in conflict with the law to whom NICRO has rendered services.

The statistics database allows for data analysis of various patterns, trends and dynamics of offenders in South Africa. This paper focuses specifically on female offenders who received NICRO services between 2012 and 2013. The aim of this paper is to make a contribution to the developing South African literature on the subject of female offenders. This paper will conclude with a brief discussion on the practice implications of the findings.

### **3 METHODOLOGY**

The data for this article was extracted from the NICRO 2012 -2013 service statistics. These statistics are compiled at the seventeen NICRO offices and submitted to Head Office on a quarterly basis. The statistics are derived from a variety of pro formas and service tasks which include intake forms, assessment interviews, and assessment reports, programme monitoring, evaluation, aftercare and tracking. The final dataset was cleaned through the removal of entry duplicates and the removal of incomplete entries where the bulk of the data was still outstanding in terms of data capture. Entries that were missing only one or two items were left in the dataset.

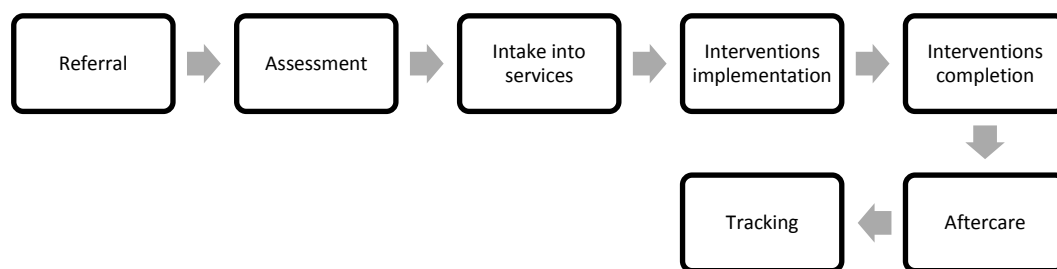
In addition to duplicated and invalid entries, there are a number of entries which contain no data. Missing data can be dealt with in different ways, depending on the nature of the missing data and whether or not the missing data can be justified.<sup>1</sup> In the case of the NICRO dataset, the data is recorded and captured on a monthly basis and then sent through to Head Office for collation. The collation is done on a quarterly and annual basis. Offenders in the NICRO services are in the process of moving through the various stages of service implementation - from referrals to tracking.

The diagram below illustrates the different stages of NICRO service implementation:

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<sup>1</sup> Osborne, J.W., 2013. Dealing With Missing Or Incomplete Data: Debunking The Myth Of Emptiness. 103.

Figure 1 : NICRO Service Stages



The diagram above illustrates that fact that offenders move through the stages as part of a process that spans multiple financial years (the year structure that NICRO uses for reporting purposes). Therefore, certain data will not be available for all offenders at any given point in time because they have not yet reached the relevant process stage by the time the dataset underwent annual collation, or the social worker still has to complete entering data for each client. This is a legitimate reason for data being absent from the dataset. It can be concluded that the missing data does not compromise the validity or reliability of the dataset as a whole.

#### 4 LIMITATIONS

As a result of the data cleaning process described above, this dataset does not contain full and complete information for every offender who received services during the period in question. Data entry errors are also a reality when multiple people are working on a dataset compiled over a period of 12 months. All possible reasonable attempts have been made to ensure data integrity, constrained by the resource-limited environment in which NICRO works.

#### 5 CONTEXT

##### 5.1 Women in South Africa

Women constitute 51% of the South African population.<sup>2</sup> The overall population growth rate is 1.45% for females, compared with 1.71% for males.<sup>3</sup> 61.6% of South

<sup>2</sup> Statistics South Africa. (2014). *Mid Year Estimates 2014*. 7.

<sup>3</sup> Statistics South Africa. (2014). *Mid Year Estimates 2014*. 8.

African females are adults over the age of 20, and 38.3% are under the age of 19.<sup>4</sup> Approximately 37.5% of households are headed by women. Female-headed households are more likely to be extended, non-nuclear households.<sup>5</sup> Approximately 44% of female-headed households receive income from salaries and wages, followed by 35.6% from pensions and grants. Female-headed households are more likely to be poor than male-headed households, and are more likely to report experiencing hunger.<sup>6</sup> 80.9% of women are functionally literate, compared with 83% of men.<sup>7</sup>

## 5.2 Women in the Criminal Justice Sector

As of March 2013, there were 3 380 incarcerated women in South African prisons, 2.2% of the total population. Of this figure, 988 are unsentenced awaiting trial, and 2 392 are sentenced. Since 1995/6, the female prison population has increased by 33%, peaking in 2002/02 at 4 253 women.<sup>8</sup> Regarding the types of crimes committed by sentenced and unsentenced female offenders, 44.80% of women are incarcerated for economic crimes, followed by 35.71% for aggressive crimes, 11.74% for narcotic crimes, 6.84% for other crimes not specified and 0.90% for sexual crimes.<sup>9</sup>

Female offenders have specific social reintegration needs that differ from male offenders. In NICRO's experience, the incarceration of women has very different societal outcomes than the incarceration of men, and female offenders have markedly different needs from male offenders:

1. **Trauma victimization and abuse:** female offenders are generally more likely to experience physical and sexual abuse.<sup>10</sup>
2. **Mental health:** Depression, anxiety and self harm are more prevalent among female offenders than male.<sup>11</sup>

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<sup>4</sup> Statistics South Africa. (2014). *Mid Year Estimates 2014*. 9.

<sup>5</sup> Statistics South Africa. (2012). *Social Profile of Vulnerable Groups 2002 - 2012*. 64, 65.

<sup>6</sup> Statistics South Africa. (2012). 70, 72, 77.

<sup>7</sup> Statistics South Africa. (2012). 81

<sup>8</sup> South African Institute of Race Relations. (2013). *South Africa Survey 2013*. 831, 833.

<sup>9</sup> Department of Correctional Services. (2011). *Incarceration Levels*.

<sup>10</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). *Achieving Accurate Pictures of Risk and Identifying Gender Responsive Needs: Two New Assessments for Women Offenders*. 4.

<sup>11</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). 5.

3. **Parental stress:** female offenders who are also mothers have additional sources of stress and anxiety. Maternal demands may add to reoffending if they are accompanied by substance, abuse, poverty and poor social support.

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In addition, female offenders' social reintegration needs are also different from male offenders:

1. Family reunification
2. Foster care support
3. Urgent financial support to escape abusive relationships
4. Housing safety
5. Parental stress
6. Child and family centred general services.<sup>13</sup>

Despite the special needs of female offenders, there are few specialised programmes available in South Africa designed to meet these needs. This paper hopes to make a contribution towards an improved understanding of female offenders with the view to enhancing the social reintegration services available to them.

## 6 GENDER

Women constitute 24.6% (4 810) of the total offenders who received services from NICRO between 2012 and 2013.

**Table 1: Gender Breakdown**

Row Labels	#	%
Female	4810	24.66%
Male	14 682	75.26%
No data	17	0.09%
<b>Grand Total</b>	<b>19 509</b>	<b>100.00%</b>

<sup>12</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). 5.

<sup>13</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). 21.

## 7 AGE

Adult female offenders constitute 82.16% of all female offenders in the dataset. The largest age group category for female offenders is ages 19 - 25, or young adults. Female children account for 17.82%. 95 women over the age of 60 years were referred to NICRO for services.

Table 2: Female Offenders By Age

Row Labels	Under 18	19-25	26-29	30-39	40-49	50-59	Over 60	No Data	Grand Total
#	857	1504	649	1027	462	215	95	1	4 810
%	17.82%	31.27%	13.49%	21.35%	9.60%	4.47%	1.98%	0.02%	100.00%

## 8 RACE

Black female offenders constitute the largest percentage of female offenders in the dataset at 75.38%, followed by Coloured women (12.27%), White women (8.38%) and Asian women (3.24%).

Table 3: Female Offenders Disaggregated by Race

Row Labels	Black	Asian	Coloured	White	No Data	Grand Total
#	3626	156	590	403	35	4 810
%	75.38%	3.24%	12.27%	8.38%	0.73%	100.00%

## 9 PROVINCE

KwaZulu-Natal has the highest percentage of female offenders, followed by Gauteng, and then the Western Cape. The table below is useful to show the wide variation between provincial access to services by female offenders. The Northern Cape has the least number of female offenders accessing NICRO services, at 104 women or 2.16%.

**Table 4: Female Offenders Disaggregated by Province**

Row Labels	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	Western Cape	Grand Total
#	734	323	1197	1366	146	187	104	753	4810
%	15.26%	6.72%	24.89%	28.40%	3.04%	3.89%	2.16%	15.65%	100.00%

## 10 PROVINCE AND RACE

KwaZulu-Natal has the largest number of Black female offenders, followed by Gauteng. KwaZulu-Natal also has the largest number of Asian female offenders (70.51%). 54.58% of Coloured female offenders come from the Western Cape, followed by the Eastern Cape (24.75%). Gauteng refers the most White female offenders (30.27%) followed by the Western Cape (26.55%).

**Table 5: Female Offenders Disaggregated by Province and Race**

Row Labels	Black	Asian	Coloured	White	No Data	Grand Total
Eastern Cape	14.78%	4.49%	24.75%	11.17%	0.00%	15.26%
Free State	7.36%	0.64%	1.53%	11.41%	0.00%	6.72%
Gauteng	26.83%	15.38%	7.46%	30.27%	97.14%	24.89%
KwaZulu-Natal	32.57%	70.51%	4.75%	11.66%	0.00%	28.40%
Limpopo	3.83%	1.28%	0.17%	0.99%	0.00%	3.04%
Mpumalanga	4.52%	1.92%	0.17%	4.71%	0.00%	3.89%
Northern Cape	1.43%	0.00%	6.61%	3.23%	0.00%	2.16%
Western Cape	8.66%	5.77%	54.58%	26.55%	2.86%	15.65%
<b>Total %</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

## 11 CRIMINAL HISTORY

85.47% of female offenders are first time offenders, compared with 82.17% of male offenders. Repeat female offenders account for 4.93%, while repeat male offenders account for 11.35%. The dataset indicates that of the female offenders sent to



NICRO, the majority (85.86%) received a non-custodial sanction such as diversion or a community-based sentence, versus 81.95% of males.

**Table 6; Offender Criminal History**

Row Labels	First Offender	Recidivist	Unknown	Grand Total
<b>Female</b>				
#	4111	237	462	4810
%	85.47%	4.93%	9.60%	100.00%
<b>Male</b>				
#	12064	1666	952	14682
%	82.17%	11.35%	6.48%	100.00%
<b>No Data</b>				
#	8	9	0	17
%	47.06%	52.94%	0.00%	100.00%
<b>Total #</b>	<b>16 183</b>	<b>1 912</b>	<b>1 414</b>	<b>19 509</b>
<b>Total %</b>	<b>82.95%</b>	<b>9.80%</b>	<b>7.25%</b>	<b>100.00%</b>

## 12 SANCTION

Half of female recidivists received a diversion order, compared with 41.12% of male recidivists. Incarceration rates for female recidivists are 9.70%, compared with 29.29% of male recidivists. It may be possible to conclude that the courts are more lenient with female offenders, than with male offenders.

Table 7: Criminal History, Sex Differences and Sanction Outcome

Sanction	Female				Male			
	First Offender	Recidivist	Unknown	TOTAL	First Offender	Recidivist	Unknown	TOTAL
Awaiting Sentence	2.43%	10.97%	0.43%	2.66%	2.99%	7.50%	0.63%	3.35%
Correctional Supervision	0.10%	0.00%	0.43%	0.12%	0.31%	1.26%	0.42%	0.42%
Detained -Awaiting Sentence	0.85%	8.44%	0.22%	1.16%	0.81%	2.52%	0.21%	0.97%
Discharged 297 (1)(c) <sup>14</sup>	0.00%	0.00%	0.00%	0.00%	0.00%	0.18%	0.11%	0.03%
Diverted	88.76%	50.21%	41.13%	82.29%	85.17%	41.12%	37.92%	77.11%
Imprisoned	0.97%	9.70%	7.14%	2.00%	3.83%	29.29%	12.08%	7.25%
Suspended with conditions	3.09%	16.46%	0.00%	3.45%	3.45%	13.87%	0.21%	4.42%
No Data	3.79%	4.22%	50.65%	8.32%	3.44%	4.26%	48.42%	6.45%
<b>Grand Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### 13 EDUCATION

Female offenders who have completed school account for 27.03%, compared with 21.74% of male offenders. Slightly more female offenders have never received any form of formal schooling (2.08%) compared with 1.96% for male offenders. Fewer female offenders have dropped out of school (34.57%) compared with 40.10% of male offenders. Fewer female offenders are still in school than male offenders (20.19% and 23.42% respectively). A higher number of female

<sup>14</sup> Caution / reprimand with a conviction.

offenders have tertiary education when compared with male offenders (11.58% and 8.06%). This data shows the relatively higher standard of education amongst female offenders versus that of male offenders in general.

**Table 8: Education**

Row Labels	Completed School	No Schooling	School Drop out	Schooling	Tertiary Education	No Data	Grand Total
<b>Female</b>							
#	1300	100	1663	971	557	219	4810
%	27.03%	2.08%	34.57%	20.19%	11.58%	4.55%	100.00%
<b>Male</b>							
#	3192	288	5888	3439	1184	691	14682
%	21.74%	1.96%	40.10%	23.42%	8.06%	4.71%	100.00%
<b>No Data</b>							
#	3	0	1	3	1	9	17
%	17.65%	0.00%	5.88%	17.65%	5.88%	52.94%	100.00%
<b>Total #</b>	<b>4 495</b>	<b>388</b>	<b>7 552</b>	<b>4 413</b>	<b>1 742</b>	<b>919</b>	<b>19 509</b>
<b>Total %</b>	<b>23.04%</b>	<b>1.99%</b>	<b>38.71%</b>	<b>22.62%</b>	<b>8.93%</b>	<b>4.71%</b>	<b>100.00%</b>

## 14 EMPLOYMENT

Unemployment for female offenders is 40%, 7.32% higher than male offenders (32.68%). 28.48% of female offenders have employment of some kind, either formal, self or casual. This is lower than males, 33.26% of which are employed.

**Table 9: Employment**

Row Labels	Casual Employment	Formally Employed	Scholar	Self employed	Unemployed	No Data	Grand Total
<b>Female</b>							
#	427	789	860	154	1924	656	4810
%	8.88%	16.40%	17.88%	3.20%	40.00%	13.64%	100.00%
<b>Male</b>							
#	1376	2818	2946	689	4798	2055	14682

%	9.37%	19.19%	20.07%	4.69%	32.68%	14.00%	100.00%
<b>No Data</b>							
#	2	3	3		1	8	17
%	11.76%	17.65%	17.65%	0.00%	5.88%	47.06%	100.00%
<b>Total #</b>	<b>1 805</b>	<b>3 610</b>	<b>3 809</b>	<b>843</b>	<b>6 723</b>	<b>2 719</b>	<b>19509</b>
<b>Total %</b>	<b>9.25%</b>	<b>18.50%</b>	<b>19.52%</b>	<b>4.32%</b>	<b>34.46%</b>	<b>13.94%</b>	<b>100.00%</b>

## 15 SUBSTANCE ABUSE

21.75% of female offenders indicated substance use either through a urinalysis drug test or through self-reports during the assessment. This is significantly lower than male offenders, of which 41.83% indicated substance use.

Table 10: Substance Abuse

Row Labels	No	Yes	No Data	Grand Total
<b>Female</b>				
#	3418	1046	346	4810
%	71.06%	21.75%	7.19%	100.00%
<b>Male</b>				
#	7381	6141	1160	14682
%	50.27%	41.83%	7.90%	100.00%
<b>No Data</b>				
#	4	3	10	17
%	23.53%	17.65%	58.82%	100.00%
<b>Total #</b>	<b>10 803</b>	<b>7 190</b>	<b>1 516</b>	<b>19 509</b>
<b>Total %</b>	<b>55.37%</b>	<b>36.85%</b>	<b>7.77%</b>	<b>100.00%</b>

## 16 OFFENCE TYPE

The most common offence for female offenders is theft / attempted theft. This is followed by shoplifting, assault with the intent to commit grievous bodily harm, common assault, possession of narcotics, and malicious damage to property / trespassing.

**Table 11: Top Ten Offences for Female Offenders**

#	Row Labels	#	%
1.	Theft/Attempted Theft	1738	36.13%
2.	Shoplifting	616	12.81%
3.	Assault Grievous Bodily Harm	524	10.89%
4.	Common Assault	421	8.75%
5.	Possession of Dagga/Other Narcotics	172	3.58%
6.	Malicious Damage To Property / Trespassing	136	2.83%
7.	Domestic Violence	118	2.45%
8.	Other	111	2.31%
9.	Fraud	94	1.95%
10.	Defeating the Ends of Justice/Perjury/Crimen Injuria	84	1.75%

## 17 AGGRESSIVE OFFENCES

Female offenders account for almost 70% of child abuse cases referred to NICRO. This is probably the result of the fact that women have more regular contact with children. Female offenders make up 22.07% of offenders who committed assault with the intent to commit grievous bodily harm, 18.44% of offenders who have committed offences related to domestic violence, 9.41% of murder or attempted murder, and 33.3% of public violence offences.

**Table 12: Aggressive Offences and Sex Differences**

Row Labels	Female		Male		No Data		Total #	Total %
	#	%	#	%	#	%	#	%
<b>Assault Grievous Bodily Harm</b>	524	22.07%	1850	77.93%	0	0.00%	2374	100.00%
<b>Culpable Homicide</b>	0	0.00%	1	100.00%	0	0.00%	1	100.00%
<b>Domestic Violence</b>	118	18.44%	521	81.41%	1	0.16%	640	100.00%
<b>Hijacking</b>	0	0.00%	8	100.00%	0	0.00%	8	100.00%
<b>Murder/Attempted Murder</b>	35	9.41%	328	88.17%	9	2.42%	372	100.00%
<b>Public Violence</b>	17	33.33%	34	66.67%	0	0.00%	51	100.00%
<b>Robbery/Armed</b>	6	1.43%	414	98.34%	1	0.24%	421	100.00%

Row Labels	Female		Male		No Data		Total #	Total %
	#	%	#	%	#	%	#	%
Robbery								
Child Abuse	37	69.81%	16	30.19%	0	0.00%	53	100.00%

The data shows that while male offenders account for the majority of offences referred to NICRO, quite significant percentages of female offenders commit criminal acts of aggression. The literature draws attention to the fact that not all violent or aggressive female offenders are homogenous. Three main types of intimate partner violent female offenders have been identified: (i) Self defence; (ii) bidirectional and mutual, and (iii) dominate or primary aggressor.<sup>15</sup> This observation speaks to the importance of accurate offender assessment and individualised intervention planning.

According to Van Dieten et al (2014: 2), the highest proportion of violent offences committed by women occurs within the context of an intimate relationship. Unfortunately, South African data to support or refute this is not generally available. Identified violence risk factors for women include younger age, unemployment, low socioeconomic status, lack of social support and poverty.<sup>16</sup>

## 18 SEXUAL OFFENCES

Raw numbers of female offenders referred for sexual offences are very low - between one and two people. Offenders referred to NICRO for sexual offences are generally very low. For example, rape and attempted rape account for 1.66% of total offences.

<sup>15</sup> Van Dieten, M., Jones, J. & Rondon, M., 2014. *Working With Women Who Perpetrate Violence: A Practice Guide*. 10.

<sup>16</sup> Van Dieten, M., Jones, J. & Rondon, M., 2014. 3.

**Table 13: Sexual Offences and Sex Differences**

Row Labels	Female		Male		Total #	Total %
	#	%	#	%	#	%
<b>Indecent Assault</b>	1	7.69%	12	92.31%	13	100.00%
<b>Public Indecency</b>	1	11.11%	8	88.89%	9	100.00%
<b>Rape/Attempted Rape</b>	2	0.62%	321	99.38%	323	100.00%
<b>Sending Pornographic Material</b>	2	66.67%	1	33.33%	3	100.00%
<b>Sexual Harassment</b>	0	0.00%	25	100.00%	25	100.00%

## 19 IMPLICATIONS FOR PRACTICE

Some evidence suggests that the use of standardised risk assessment tools may serve to inadvertently amplify risk of female offenders, which may result in them being classified more high risk than they actually are.<sup>17</sup> The literature also suggests that while female and male offenders share very similar risk and protective factors, the predictive value of certain factors differs between the sexes. For example, trauma, anger, parenting-related issues and mental health appear to be more salient predictive factors for female offenders.<sup>18</sup> The literature has identified various areas where female offenders can benefit from interventions and programming. These include general social functioning skills development, conflict manager, anger management, trauma therapy and cognitive behavioural therapy.<sup>19</sup>

South Africa would benefit from the locally-developed easy-to-use standardised culturally-sensitive assessment tools for male and female offenders, in a variety of languages that are available at low or no cost to criminal justice service practitioners. Gathering and analysing large-scale data from female-orientated assessments would also assist in the development of relevant programming and auxiliary services to female offenders that would place a greater emphasis on integrated family work and

<sup>17</sup> Blanchette & Brown cited in Van Dieten, M., Jones, J. & Rondon, M. (2014). 13.

<sup>18</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). 13.

<sup>19</sup> Van Voorhis, P., Salisbury, E., Wright, E. & Baumann, A. (2008). 11,22.

parenting skills. Such assessment data would also be extremely useful for informing early prevention work with schools and parents for female children and adolescents.

In a non-custodial setting, more research needs to be done to ascertain whether female offenders would benefit more from being in a female-only programme group when general application programmes such as adult lifeskills are delivered. Consistent quality assurance as well as monitoring and evaluation of female-orientated offender services are also lacking. Cross-sectoral collaboration and cooperation is also not consistently present between government and civil society, between civil society organisations, between government departments, and amongst the different academic and practice professions, such as health, educational, legal and welfare.

The question could be asked whether there is sufficient legislation and policy around the issue of female offenders. South African has several pieces of legislation and policy and is signatory to declarations that are relevant for the care of and service delivery to female offenders. These are (i) The White Paper on Corrections, (ii) The White Paper on Families, (iii) and the Bangkok Rules.

The White Paper on Corrections sets out the mandate of Correctional Services regarding offender rehabilitation and reintegration regarding the following core components:

1. Corrections
2. Development
3. Security
4. Care
5. Facilities
6. After-care.<sup>20</sup>

The White Paper on Corrections mentions women as a special category of offender, as well as a vulnerable group.<sup>21</sup> The White Paper also makes specific reference to

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<sup>20</sup> Department of Correctional Services. (2005). *White Paper on Correctional Services*.

<sup>21</sup> Department of Correctional Services. (2005). 12,29.



the “...inadequate service offered by the criminal justice system to women”.<sup>22</sup> Section 11.4 of the White Paper on Corrections focuses specifically on female offenders, but is largely confined to addressing the needs of female offenders who have babies or small children with them in prison.<sup>23</sup> The White Paper was scheduled to undergo a review process and researchers were appointed to carry out this task. However, since the Correctional Service Portfolio Committee meeting on the 26 February 2014, no further progress reports on the review of the White Paper have been published.<sup>24</sup> Since then, the Correctional Services Portfolio Committee has been merged with the Justice and Constitutional Development Portfolio Committee, and is now called Justice and Correctional Services.

Cabinet approved the White Paper on Families on 26 June 2013.<sup>25</sup> The White Paper on Families has the following objectives:

1. Enhance the socialising, caring, nurturing and supporting capabilities of families so that their members are able to contribute effectively to the overall development of the country;
2. Empower families and their members by enabling them to identify, negotiate around, and maximize economic, labour market, and other opportunities available in the country; and
3. Improve the capacities of families and their members to establish social interactions which make a meaningful contribution towards a sense of community, social cohesion and national solidarity.<sup>26</sup>

The White Paper on Families contains references to offenders that are of relevance to female offenders:

1. Families also play an important role in the reintegration of offenders back into society.

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<sup>22</sup> Department of Correctional Services. (2005). 52.

<sup>23</sup> Department of Correctional Services. (2005). 82.

<sup>24</sup> Parliamentary Monitoring Group. (26 February 2014). *Department of Correctional Services progress report; White Paper on Corrections Review Process.*

<sup>25</sup> Parliamentary Monitoring Group. (17 Sep 2013). *White Paper on Families; Department performance 3rd & 4th quarter 2012/13: Ministerial briefings.*

<sup>26</sup> Department of Social Development. (2013). *White Paper on Families.* 8.

2. Families should be involved in rehabilitation programmes for family members who are prisoners.
3. DCS should facilitate and support contact between families and prisoners, particularly children.
4. DCS should strengthen its relationship with other departments, especially DSD, in order to effectively involve families in rehabilitation programmes for prisoners and to facilitate family contact successfully.
5. Offenders should be reintegrated back into communities with the support and help of programmes which address their attitudes towards violence and gender transformation concepts should be used to address recidivism.<sup>27</sup>

It remains to be seen whether the White Paper on Families will result in tangible improvements to social reintegration services for female offenders.

The Bangkok Rules seek to draw specific attention to the needs of incarcerated female offenders. The Rules state that care and attention must be given to the child caretaking responsibilities of female offenders, and afford them the opportunity to make provisions for their children. The Rules also require that special measures are taken to ensure the needs of female offenders are met with regards to:

1. Hygiene
2. Childcare
3. Physical health
4. Gender-sensitive programming
5. Prior victimisation and trauma
6. Safety and security
7. Emotional wellbeing
8. Use of restraints
9. Contact with families
10. Juvenile female offenders
11. The use of gender-sensitive risk assessment and classification tools

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<sup>27</sup> Department of Social Development. (2013). 47.

12. Pregnant offenders

13. Mothers in prison with their children (United Nations, 2010, pp.10-19).

The above summary of policy and legislation indicate that the foundational framework already exists for specialised attention to be given to female offenders. However, the allocation of adequate resources remains a challenge.

## **20 CONCLUSION**

In conclusion, it is hoped that the information and analysis contained in this paper is able to make a contribution towards the improved understanding and treatment of female offenders in South Africa, both in prison and in non-custodial settings. It is suggested that improvements to the care and treatment of female offenders lies not in the developing of additional policies and legislation, but rather in the investment of resources into the development of female-orientated and culturally-relevant risk assessment tools and social reintegration programming and services at the early, primary, secondary and tertiary crime prevention levels.

Even though female offenders comprise a relatively small percentage of the overall offender population, they are, nonetheless, an important group in their own right. Social functioning deficits that are not addressed are likely to manifest themselves in the mother-child relationship, which will have an inter-generational impact. Substantial evidence exists that show the negative effects of parental incarceration on children in terms of educational problems, behavioural difficulties and increased likelihood of being in conflict with the law.<sup>28</sup> In the South African context, these negative effects are all the more salient because of the intersection of class, race and historical social marginalisation.

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