

**CHALLENGES FACING THOHOYANDOU MAGISTRATE COURT IN MANAGING THE PROCESS
OF ELIMINATING FAMILY VIOLENCE AND CHILD ABUSE**

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MINI -DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE OF

Master of Public Management

SCHOOL OF PUBLIC MANAGEMENT SCIENCES /OR TAMBO INSTITUTE FOR GOVERNANCE AND POLICY STUDIES

UNIVERSITY OF VENDA

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2015

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ABSTRACT

The study was carried out at Thohoyandou Magistrate Court in Limpopo province of South Africa. The study investigated the challenges facing Thohoyandou Magistrate Court in managing the process of eliminating family violence and child abuse.

The study used descriptive research design. The sample group was made up of respondents: Judicial Officers, prosecutors, investigating officers, domestic officers, social workers, victim empowerment officers, administration officers. The study used non-probability sampling and the participants were selected using purposive sampling. The methodologies used in this study were mixed methodologies in that data collection methods employed in this were quantitative and qualitative in nature. Questionnaire and an interview schedule were used to collect data. Data collected through questionnaire was analysed using descriptive statistics after data cleaning and coding. Data collected through interview was analysed using thematic representation and presented in a narrative form whereas quantitative data was analysed using SPSS version 11.5. Quantitative data was analysed using frequency counts and percentages while qualitative data was analysed by tallying the numbers of similar responses.

The findings of the study were that withdrawal of the cases by the applicant/complainant, dishonest of the victims, poor monitoring and evaluation of the implementation of domestic violence, non-existence of non-profit organisations responsible to educate domestic violence and child abuse and lack of coordination between the stakeholders are the main challenges faced by the Thohoyandou Magistrate court in the elimination of family violence and child abuse. The study found that protection orders are not issued during after-hours. The study also found that there is a lack of resources e.g. shortage of cars used by the police is one of the challenges faced by the Thohoyandou Magistrate court in the elimination of family violence and child abuse. Police are not everywhere to can quickly respond on the domestic violence and child abuse.

The study recommends that in a case where the victims withdraw the case, the prosecutors must first assess whether there is an influence of abusers. There must be detaining sentence and punishment to those who are dishonest. There should be an effective monitoring and evaluation of the implementation of domestic violence. The study recommends that

Education and awareness-raising by non-profit organisations should focus on laying complaints at magistrates' courts, police stations, and through local and national representatives. Non-profit organisations and departments should evaluate their awareness raising and education programmes on an ongoing basis. All stakeholders need additional resources for the effective implementation of the Act. This includes human resources, equipment and supplies. Service providers such as the SAPS, courts and places of safety should increase budgets to ensure that the basic provisions of the Act are implemented. The budget should provide for the recruitment and training of staff and acquiring or renting the necessary resources and infrastructure (vehicles and buildings). Such training should be ongoing to ensure that all service providers are kept abreast of new developments. There must be more police satellite stations.