Evaluating the legal protection system for survivors of intimate partner violence using the Normalisation Process Theory: A Case study of MOSAIC

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COMPULSORY DECLARATION:

This work has not been previously submitted, in whole or in part, for the award of any degree. It is my work. Each significant contribution to, and quotation in, this research proposal from the work or works of other people has been attributed, cited and referenced.

Signature: Signed by candidate Date: 20th of September 2023

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Contents

List of Abbreviations

DV	Domestic violence
DVA	Domestic Violence Act
GBV	Gender based violence
IPV	Intimate partner violence
NGO	Non-government organisation
NPT	Normalisation Process Theory
PO	Protection order
IPO	Interim Protection Order
DOJ	Department of Justice

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Executive Summary

Intimate partner violence (IPV) is a complex and multifaceted societal issue. It is deeply rooted within all levels of society. South Africa has among the highest rates of IPV and femicide worldwide (UN, 2021). Moreover, the country's history of apartheid has left a legacy of unique contextual factors that feed violence (Lelaurain et al., 2017; Sere et al., 2021). Most of the population lives in low-income rural areas, with a higher incidence of IPV yet fewer resources to ameliorate, adding another socio-economic complexity to tackling IPV in South Africa (Albanesi et al., 2021).

The Domestic Violence Act, 116 of 1998 (DVA), was drafted in governmental response to violence against women. The DVA grants protection orders (PO) to IPV survivors to protect against future acts of violence. However, despite the DVA being in place for over two decades, IPV and femicide rates in the country continue to rise (Britton, 2021). Considered contributory to this is that survivors do not understand the procedure to access DVA protection in court (Artz, 2016b; John et al., 2020). Additionally, there has been criticism of the implementation of the DVA through police failure to serve and enforce POs and low levels of prosecution in IPV cases (Artz, 2016a).

Consequently, only around 35% of applications for permanent POs are granted yearly, indicating that most survivors who report IPV are not getting the required protection (Britton, 2021). Moreover, despite this, there appears to be little published peer review literature in the last decade which explores the challenges to judicial processes from IPV survivors' perspectives.

IPV has complex medical, psychological, social, and legal implications (Albanesi et al., 2021; Britton, 2021). Therefore, programmes incorporating holistic interventions are the most successful at improving survivors' lives. One such non-governmental programme (NGO) is within the Mosaic Training, Service and Healing Centre for Women (MOSAIC). Who operates across South Africa to assist IPV survivors in disadvantaged communities. The Access to Justice programme is the judicial arm and one of several interventions implemented by MOSAIC. They provide legal rights education and PO application assistance to IPV survivors in court. In addition, MOSAIC provide counselling and medical support, referring survivors to other support agencies where necessary.

However, IPV rates continue to remain concerningly high, whereas rates of POs made permanent are alarmingly low (Smythe & Artz, 2005). Yet South African policy is considered adequate. As such, focus turns to implementation of the DVA as the barrier to improving PO outcomes (Artz, 2016b). Based on this, an evaluation was carried out to investigate the implementation of the MOSAIC Access to Justice programme processes.

This process evaluation focused on qualitative research, incorporating interviews and observations in two low-income courts surrounding Cape Town, comprising the survivors of IPV, key players, and contextual factors applicable to the PO process. The aims were to 1. investigate whether the legal processes within MOSAIC's Access to Justice programme were working towards successfully routinising practices to assist survivors in obtaining permanent POs. In utilising The Normalisation Process Theory (NPT) to understand the practice of what people do and how they work as a framework of interpretation. In addition, Part 2. explored the barriers and facilitators to survivors obtaining permanent POs. In utilising the socio-ecological model to investigate the complex interplay between the multiple social levels that could determine PO outcomes.

Results indicated that the Access to Justice referral system implementation within MOSAIC needs work. Moreover, MOSAIC care is limited by the larger societal-level systems within which it operates. Consequently, implementational challenges within MOSAIC must be addressed. Further, a more direct focus on larger governmental systems is required to enact societal-level change.

Several recommendations are made to improve implementation systems within the Access to Justice programme. Suggesting ways MOSAIC referral systems could better support survivors in the PO process. As well as incorporating ways to alleviate overburdened MOSAIC staff by expanding into group counselling and more prevention-based care. Further, MOSAIC should build relationships and extend training to inter-agency role-players in the PO process. Add to this is the need to gather evidence-based data to present to the South African government to highlight the need for governmental-level accountability in PO outcomes.

Chapter One

Introduction

IPV involves patterns of behaviour intending to exert control over an intimate partner (UN, 2021). IPV is the physical, psychological, or economic abuse threatening an intimate partner's safety, health, or well-being (Meer et al., 2018). Intimate partner violence (IPV) is the most prevalent violence against women (Albanesi et al., 2021; Gouws, 2016; Kate et al., 2018).

Three primary forms of IPV cause psychological, physical, and economic harm (Britton, 2021). An individual can experience one or all forms of IPV. IPV is cyclical, happens over time, and worsens as time progresses (Albanesi et al., 2021; Britton, 2021).

Intimate partner violence in South Africa

Extensive studies have positioned South Africa among the uppermost IPV and femicide rates worldwide (Albanesi et al., 2021; Artz et al., 2020; Gouws, 2016; Lopes, 2016). Correspondingly, intimate partners are responsible for most femicides in South Africa (Mpondo et al., 2019; Sere et al., 2021).

South Africa is a developing country with a history of inequality. More than half of the population lives in low-income rural areas. In line with this, IPV is twice as common in rural settings (Britton, 2021) indicating the contextual interplay between social and economic factors in South Africa that contribute to women suffering abuse (Mpondo et al., 2019).

Despite global recognition as a criminal act, violence against women continues to threaten women's lives and violate human rights (Artz, 2016b; Sere et al., 2021). South African laws and policies addressing violence against women are considered comprehensive and comparative to international standards. However, increasingly elevated levels of IPV and femicide reveal a wide rift between women's lived experiences and the legislation in place (Britton, 2021; Rehse et al., 2021; Smythe & Artz, 2005).

The complex nature of Intimate partner violence

IPV worldwide is a complex and enduring social problem. Extensive research explores the drivers of IPV in attempting to understand the nature of this complexity (Akobirshoev et al., 2022; Gibbs et al., 2018; Lelaurain et al., 2017; Seff, 2022). Drivers of IPV are factors that most consistently predict or drive violence against women and help distinguish patterns of violence. Furthermore, these drivers are interwoven and interactive (Seff, 2022). For example, IPV can lead to poor physical health. Poor physical health is linked to poor mental health and substance abuse. All of which are drivers of IPV. However, a survivor living in poverty, another driver of IPV, is more likely to be without the means to receive treatment for these IPV-related health conditions, which leads to a vicious cycle of IPV feeding social ills that feed IPV.

Analogously the multifactorial complexity of IPV makes IPV interventions challenging to assess (Albanesi et al., 2021; Fulu & Miedema, 2015). Research spans vast and varied information, often with contradictory arguments on how best to ameliorate or eliminate IPV. Moreover, this information must be filtered through a contextual lens of analysis. Furthermore, there is a lack of recent evaluations on the implementation of IPV policies in South Africa (Abraham & Prabha, 2022). Despite this, evaluations of IPV must find a way to navigate and accommodate these contrasting perspectives. This review explores these ideas further by drawing on previous studies and identifying IPV drivers to evaluate factors that could affect POs becoming permanent.

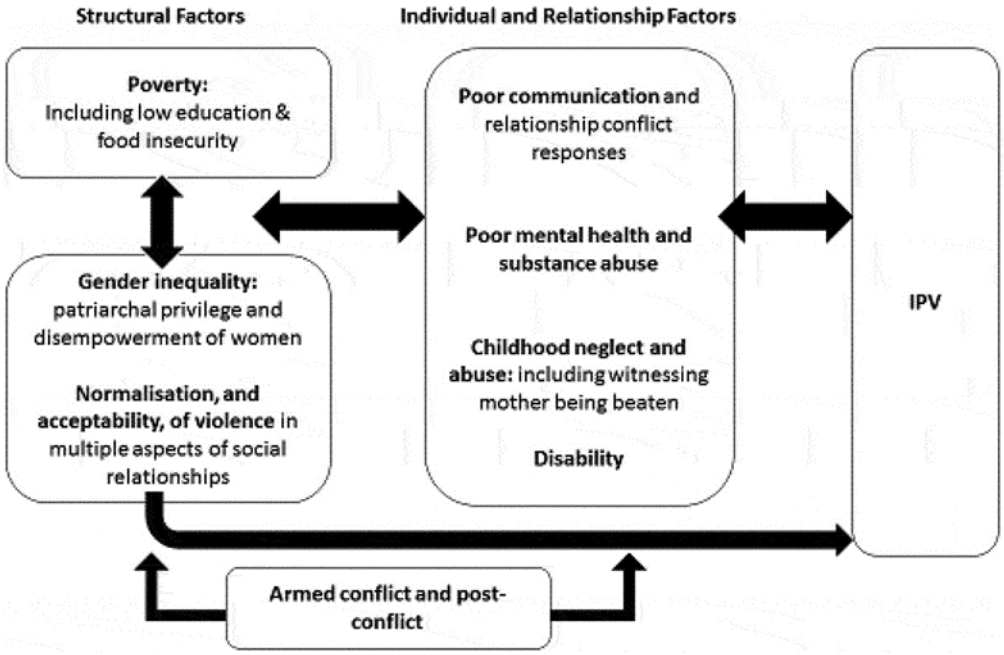

Figure 1: *A framework illustrating the complex nature of factors influencing IPV.*

Note. Adapted from conceptual framework-pathways to reduced IPV risk, Abramsky, Tanya & Devries, Karen & Michau, Lori & Nakuti, Janet & Musuya, Tina & Kiss, Ligia & Kyegombe, Nambusi & Watts, Charlotte. (2016). BMC Public Health. 16. 10.1186/s12889-016-3018-9.

Complex factors in South Africa driving PO outcomes

Extensive research focuses on drivers of violence that influence IPV risk to women. Drivers previously identified include social norms, poverty, childhood violence, substance use, mental health, and disability. Furthermore, these factors are exacerbated in South Africa, where apartheid created unequal socio-economic conditions that support patriarchal systems and the normalisation of violence (Sere 2021). Moreover, these legacies, alongside poverty, unemployment, drug use, alcoholism, and the impact of HIV/AIDS, contribute to the excessive levels of IPV (Britton, 2021; Joyner, 2016; Sere et al., 2021).

South Africa is a developing country with a history of inequality. These inequalities define economic, political, and social systems within the country. Unequal care and opportunities can lead to the unequal implementation of the DVA across different courts in South Africa. Likewise, studies between 2001 and 2021 found unequal implementation to be a barrier to PO applications becoming permanent (Artz et al., 2001; Rehse et al., 2021; Britt, 2021).

Social norms

Social norms are rules of behaviour that inform group members how to interpret, feel, and behave in social situations (Fulu & Miedema, 2015; Seff, 2022). Analogously, social and cultural norms in South Africa have been shaped by apartheid (Abraham & Prabha, 2022; Thaler, 2012). During apartheid, the state used violence as a means of control, contributing to the current normalisation of violence in South Africa. Societies, institutions, and communities that condone violence against women generally have higher levels of violence (Mpondo et al., 2019).

In line with this, traditional and cultural norms in South Africa have been found to drive IPV. The National House of Traditional leaders in South Africa advocate for child marriage, which is more prevalent in rural areas where disadvantaged families receive lobola (the price paid to the family for a bride) (UN, 2021). The government can be reluctant to challenge customary marriages to avoid conflict with these traditional leaders. Traditional leaders also often justify harmful practices as consensual cultural practices (Mshweshwe, 2020), which can manifest within religious communities in upholding the subservience of women and increase the risk of IPV being tolerated and underreported (Mpondo et al., 2019).

Additionally, there is a social perception within organisations and communities that family violence is a private matter, therefore a hesitation to become involved. This hesitation can create a culture of silence in communities, which feeds violence and abuse. This culture of silence is explored by Joyner (2016) and Britt (2020) in investigating how community norms within South Africa can further exacerbate incidents of IPV and affect PO outcomes.

Poverty

South Africa is considered one of the unequal countries in the world; there is a vast divide between the wealthy and the poor. Fifty-five per cent of the population lives in extreme poverty (UN,2022). During apartheid, the Group Areas Act divided areas and services unequally. The effects of this imbalance are still apparent. Survivors in low-income communities have overburdened and overcrowded government facilities and are often

unemployed. Accordingly, survivors are often financially dependent on abusive partners and are more vulnerable to abuse (Akobirshoev et al., 2022; Mpondo et al., 2019).

In line with this, studies by Artz et al. (2009) and Mathews & Abrahams (2001) explore why survivors remain in abusive relationships. These reasons include no alternate options for housing and no alternate means of income. Additionally, unemployed survivors fear losing custody of their children. These have been cited as reasons why survivors chose not to pursue PO applications being made permanent (Artz, 2016b).

Lack of education

Poverty and education are inextricably linked (Kafonek & Richards, 2017). Studies in South Africa have explored how poverty leads to a lack of education (Hatcher et al., 2022; Lam et al., 2008; Wolhuter, 2014). A lack of education can result in exposure to less diverse social norms or less willingness to challenge social norms, which can contribute to the increased male perpetuation of violence and increased risk to women (Kate et al., 2018). Likewise, less education is linked to the increased likelihood of poverty in later life (Lam et al., 2008). These factors drive IPV at the individual, relationship, community, and societal levels.

Similarly, Artz et al. (2005), and Lopes (2013), linked a lack of rights education to PO outcomes. Survivors often do not understand how to harness judicial systems of protection and therefore do not pursue PO applications. Additionally, police and court workers often lack an understanding of the complex nature of IPV, which can affect how survivors are treated in the PO application process. In line with this, Rehse et al. (2021) stated that educating police and other state role-players on the complex nature of IPV was essential to POs process improvements in South Africa. Likewise, the lack of IPV rights education and understanding of the nature of IPV have been linked to POs not being made permanent in South Africa.

Childhood violence and neglect

Childhood experience of violence and abuse is linked to an increased risk of IPV. Gibbs et al. (2018, p5) explored how social learning theory lists four processes for violence to become ingrained. "Observation of others, internalisation of attitudes, imitation of role models and reinforcement of behaviour through rewards and sanctioning." Children who experience violence show links to low self-esteem, trust issues, and a lack of empathy.

These can lead to poor relationships and reinforcing beliefs that women are to blame, thus repeating the cycle of violence (Gibbs et al., 2018).

Physical Health

IPV is second only to HIV in South Africa's disease burden (Klazinga et al., 2020). Studies cite an increased risk of HIV in IPV relationships. Gibbs (2021), Rigby (2017) and Jewkes (2010) investigated the link between HIV and South African women forced by violent intimate partners into unsafe sex. Additionally, forced unsafe sex can lead to unwanted pregnancy and STDs.

In line with this, (Artz et al., 2020 & Klazinga et al 2020) found that women living in low-income rural areas were at greater risk of poor IPV health-related outcomes. In response to IPV as a public health issue in South Africa, Joyner (2012) stated that insubstantial progress has been made in implementing good health services for IPV survivors. Thus proposed an as-yet unutilised model of care and a set of protocols for health workers in the primary health system. Analogously Lopes (2016) recommended ways that healthcare providers could provide referrals to psycho-legal services for survivors. If utilised, these could serve as facilitators of the PO application process.

Substance abuse

Alcohol and drug abuse are drivers of IPV and damage physical health. Substance abuse can increase male perpetration of violence and increase the risk of violence to women. Women's substance abuse has also been linked to IPV. For example, a study by (Kate et al., 2018) analysed IPV incidence in women who drank with their partners. The finding

was that women who chose not to engage in arguments while intoxicated reported a reduction in violence experienced. (Simmons et al., 2018) explored how poor mental health can increase substance abuse. Similarly, substance abuse increases the likelihood of IPV and, if untreated, can contribute to the cycle of abuse continuing (Sere et al., 2021).

Mental Health

Poor mental health is a recognised driver of IPV (Albanesi et al., 2021; Kokka et al., 2019; Lelaurain et al., 2017). Women who experience IPV in childhood are more likely to gravitate to relationships that lack emotional connection and empathy (Lelaurain et al., 2017). Correspondingly, men's poor mental health has been linked to an increased likelihood of perpetrating IPV (Mpondo et al., 2019).

In line with this, a study found that 66.4% of women obtaining protection orders against their partners in South Africa have severe depression symptoms (Sere et al., 2021). To counter depression, Albanesi (2021) explored the effects of IPV on mental health by analysing worldwide interventions treating IPV. Thus, concluding that survivors' depression decreased, and self-esteem increased when exposed to counselling interventions.

Consequently, whilst mental health could be a barrier to POs being made permanent, counselling could ameliorate these effects.

Disability

Studies have linked women with disabilities to increased IPV risk. Disability can make women more vulnerable and financially dependent on their partners. These links to disability and IPV research have only recently been explored, and more research is needed (Akobirshoev et al., 2022; Van Der Heijden, 2019).

Intimate partner violence legislation in South African

The Domestic Violence Act 116 of 1998

The DVA is a piece of legislation in response to gender-based violence (GBV) in South Africa. The DVA offers legal protection from future acts of violence. It states that every

survivor of domestic abuse has the right to apply for a protection order. A protection order is an injunction which prevents a respondent from undertaking violent or abusive behaviour against the survivor. According to the DVA, a protection order must be issued with a warrant of arrest. If the protection order is breached, the police must arrest the respondent (UN, 2021).

Process of PO application

A survivor must apply for an interim protection order (IPO), which the court will subsequently decide whether to make permanent. Survivors can apply for an IPO at their nearest South African Police Service (SAPS) station or magistrate's court. The PO application will include a signed statement (affidavit) outlining the acts of violence and abuse. The survivor must take the completed application and affidavit to court if done at SAPS.

In court, the clerk will open a file for the survivor and give the file to the magistrate. If the magistrate determines an imminent threat of harm to the survivor, they will grant an interim protection order (IPO). Following this, the clerk will notify the survivor of the date they need to return to court, where a decision will be made whether the IPO will become permanent. The clerk will then issue the survivor with a case number. The magistrate issues a notice to appear in court (UN, 2021).

The police or sheriff serve the IPO on the respondent. The police serve the order at no charge; however, the survivor must pay the sheriff to serve the order. The police or sheriff fills in a return of service form and returns it to the court. It is important to note that an IPO is only enforced once served on the respondent. Once the IPO is granted and served on the respondent, the respondent can be arrested if he disobeys it (UN, 2021).

The IPO being made permanent

The respondent and survivor must appear in court at the date and time stipulated. The magistrate will hear evidence from the respondent and witnesses who may have been called. The court will then consider all the evidence put before it and determine whether the IPO will be made permanent. A permanent PO does not expire (UN, 2021).

In addition to the PO application, the survivor can open a case with the SAPS for violence that has already occurred. Opening a case can often strengthen a magistrate's decision to grant a permanent PO (UN, 2021).

South African judicial processes

The court process in PO application consists of the court itself and the key players involved in enacting the services that assist the survivor in obtaining a PO. This process is shared between governmental institutions such as the DOJ and the police and NGOs such as MOSAIC that offer court support and counselling services.

Survivors protecting themselves is often a series of interlinked and dynamic steps. Smythe & Artz (2005) explain that applying for a protection order is often not an end in and of itself. For some, the DVA's protection will be sufficient to stop the violence. For others, approaching the court would have been one of the many small steps that led the victim out of an abusive relationship. Only after years of such efforts will most women agree with the need to leave their partners. To this end, a thriving holistic care system must account for and have the resources to meet these individual requirements (Albanesi et al., 2021).

Studies indicate that survivors initially prioritise physical safety before all other needs (Albanesi et al., 2021; Artz, 2016b; Lelaurain et al., 2017; Sere et al., 2021). Analogously research indicates that violence often escalates when survivors seek help (Artz, 2016b), suggesting that applying for a PO exacerbates the risk of violence for survivors. Moreover, the court is often the last resort for survivors who have endured years of abuse. The DVA, therefore, represents the only means of legal protection for survivors from future acts of violence.

Nevertheless, a considerable chasm appears between the DVA's contents and its practical implementation. The South African government states that obtaining a PO is inexpensive and accessible. However, women often face language barriers, transport issues, victim blaming, and poor service, leading to underreporting and distrust of the judicial system (Artz, 2016a; Britton, 2021; Joyner, 2016; Meer et al., 2018). Artz's (2016b) Evaluations of DVA implementation stated that in 2011, survivors did not return to court in over half of PO hearings. The reasons cited included a lack of understanding of the process,

fear of reprisal by the respondents and not receiving notice of the return date. Britton (2021) corroborated this, adding that only 34% of survivors attended the final hearing. The study found that survivors experienced stressful wait times, contributing to the attrition rate of PO applications. To this end, there is a discrepancy between the safety needs of survivors in comparison to the legal protection they receive (Parenzee et al., 2001). Aside from leading to distrust of the judicial system, this also creates a vicious cycle of underreporting, often resulting in violence and abuse continuing with no consequences for the perpetrators (Britton, 2021).

The Department of Justice reported that only 22,211 out of 143,824 applications for permanent POs were granted in 2018/19 (UN, 2021) indicating that most survivors who report their abuser do not get the protection and support they need (Britton, 2021; Meer et al., 2018; Smythe & Artz, 2005). Correspondingly, a government survey showed a widening gulf between South African household satisfaction rates with Domestic violence courts. In 2013/2014, 63.9 % of households were satisfied with how courts dealt with perpetrators of IPV, as opposed to only 41% satisfaction in 2017/2018 (UN, 2021).

Research indicates that sentences given to offenders are lenient, which does not deter repeat offenders (Artz, 2016b). This evidence indicates that the figures for domestic violence, including femicide, remain alarmingly high while protection and prosecution rates for perpetrators remain low. The Department of Correctional Services in South Africa is also mandated to rehabilitate convicted IPV offenders, no rehabilitation programmes available for GBV offenders (Gouws, 2016). Again, this highlights how resources and implementation are not aligned with South African GBV policy. Additionally, Artz (2009) found that 23% of protection orders were not served on respondents. Conversely, SAPS argue that low-income rural areas often have no visible address, so they cannot locate respondents to serve the order (Rehse et al., 2021).

Studies in South Africa highlight the lack of empathy training for judges and clerks on how to deal with IPV. Additionally, police officers often lack adequate training regarding combating gender-based violence (Artz, 2016b; Meer et al., 2018). Police officers are only required to do five-day training courses on domestic violence, often not equipping them with the legal and emotional support to deal with IPV survivors correctly (Artz, 2016b;

Britton, 2021), which leads to the secondary traumatisation of victims or even victim blaming (Artz, 2016a). These factors can contribute to survivors' distrust of legal systems.

Conversely, Artz (2004b) highlighted that magistrates are in the unenviable position of predicting the likelihood of the perpetrator continuing his violent behaviour based on the evidence presented in court. As one magistrate stated, "in an ideal world, it would be psychologists doing this job, and magistrates would end the process by fiddling with the legal side."

Chapter Two

Introduction

The term holistic refers to the "belief that the parts of something are intimately interconnected and explicable only by reference to the whole." (Oxford Languages, n.d., Definition 1). In line with this, at the individual's level, holistic refers to "the treatment of the whole person, considering mental and social factors, rather than just the symptoms of a disease" (Oxford Languages, n.d., Definition 2). A holistic approach therefore requires programmes to ensure that they are treating the whole person. They are applying this holistic lens to each IPV survivor and backing this up with adequate resources.

IPV's multifaceted and societally entrenched nature necessitates holistic interventional approaches to address the complexity. In line with this, a recent study states that no single organisation in South Africa can fix IPV, "GBV has become so deeply entrenched in South African society that no one organisation can tackle the problem alone. It requires both a systemic response and behavioural and attitude change at all levels of society "(Rehse, et al, 2021, pg.5).

Studies also indicate that the needs of survivors evolve. At first, women who enter IPV programmes are confused, fearful, and distrustful and seek protection from violence (Albanesi et al., 2021; Sere et al., 2021). However, increased awareness and trust in IPV programmes can shift focus from immediate protection needs to focus on elements of self-actualisation, such as seeking educational opportunities that enable economic independence (Lelaurain et al., 2017; Sere et al., 2021).

Systems must be interlinked to be holistic. For example, concerning IPV judicial interventions, the number of POs being granted is linked to the broader referral system that can impact whether a PO is finalised. Counselling increases survivor resilience, and access to shelters increases the physical safety of survivors (Britton, 2021; Lopes, 2016). These both increase the chances of an interim PO being made permanent. Additionally, police are integral to the process, as POs are only enforced once they are served to the perpetrator (Artz, 2016b). Therefore, although legal programmes are essential building blocks for

survivors rebuilding their lives, they cannot function in isolation from the holistic care network.

Previous studies indicate that GBV and IPV have complex medical, psychological, social, and legal implications (Albanesi et al., 2021; Gouws, 2016; Lelaurain et al., 2017; Meer et al., 2018). Therefore, programmes incorporating holistic interventions are the most successful at improving survivors' lives (Joyner, 2016; Lelaurain et al., 2017; Sere et al., 2021). Similarly, holistic programmatic approaches have been identified as most suitable to enact lasting changes at individual and societal levels (Albanesi et al., 2021; Britton, 2021; Joyner, 2016). Holistic interventions must therefore be able to adapt to individual needs. For example, an intervention that is helpful to the extent it can provide psychological support and physical protection will only suffice until women seek to move towards self-actualisation and economic independence. Such independence would then require skills training and social networks to be available to them (Albanesi et al., 2021; Britton, 2021).

If this adaption, provision, and collaboration systems are not working, then programmes are not fulfilling their holistic ideals. To ascertain why they are not attaining these ideals, it is necessary to filter these programmatic systems through the context within which they operate. In this case, the factors within South Africa could hinder holistic programme function and whether POs are made permanent.

MOSAIC

Mosaic Training, Service and Healing Centre for Women (MOSAIC) is a non-government organisation (NGO) that operates from within government-run Thuthuzela Care Centres (TCC). MOSAIC offers programmatic interventions in GBV and HIV care within this symbiotic relationship. Evidence links GBV to HIV. Thus, there is a growing trend in combining HIV prevention programmes with GBV interventions to provide holistic and integrated care to survivors of GBV (Klazinga et al., 2020). MOSAIC focuses on GBV, assisting women and girl survivors of DV in disadvantaged communities across SA.

MOSAIC developed a Continuum of Care model, which offers holistic, integrated support and healing services to survivors of DV and abuse and their children and partners. The MOSAIC's care model aims to empower survivors to take charge of all aspects of their

lives and become positive and thriving members of society, capable of reaching their full potential.

MOSAIC believes all aspects of survivors' lives are affected by DV. Therefore, MOSAIC's services are tailored, integrated, and holistic through its five-pillar service model (1) Psychosocial and Medical Services; (2) Access to Justice, (3) Empowering to Survive, (4) Engaging Men and boys and (5) Advocacy and Policy. Therefore, the Continuum of Care model comprehensively incorporates clients' medical and social needs. All programmes in the continuum are interlinked and serve as multiple entry points for survivors, with clients' needs being cross-referenced by MOSAIC across the continuum.

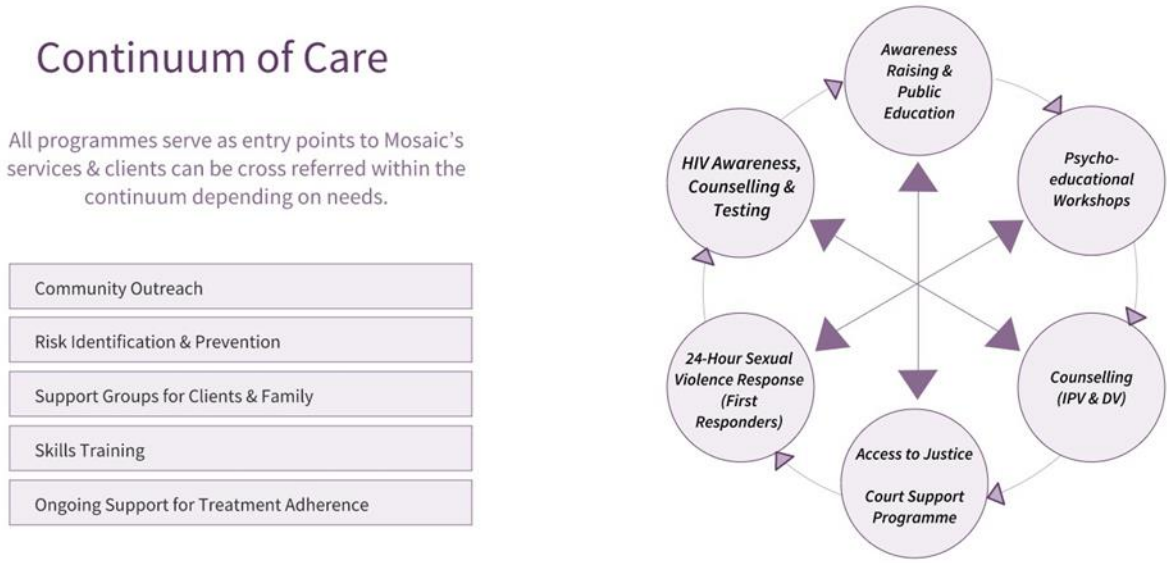

Figure 2: *MOSAIC Continuum of Care Model*

Note. This care model was taken directly from the MOSAIC website, mosaicsa.org

Medical support

Psychosocial counselling

Survivors of GBV often suffer long-term psychological effects such as post-traumatic stress disorders, mood and anxiety disorders, alcohol and substance abuse, and psychosis (Simmons et al., 2018). Psychosocial counselling services are designed to address the psycho-emotional aspect of healing. MOSAIC provides trauma counselling with qualified

social workers and axillary social workers. MOSAIC's social programmes include individual counselling sessions for survivors of GBV, as well as counselling, support, and guidance to the families and partners of survivors. MOSAIC counselling sites are in Wynberg, Paarl, Khayelitsha, Phillipi, and Mitchells Plain.

HIV and STI treatment and care

Through partner TCCs, MOSAIC provides 24hr onsite medico-legal examinations, HIV testing, and Post Exposure Prophylaxis (PEP) treatments to prevent HIV. Antiretroviral (ARV) treatments are available if survivors have HIV and other medication and preventative measures for sexually transmitted infections (STI).

Social support

Education and training or skills development-Empower to Survive

MOSAIC believes economic empowerment is key to enabling women to leave abusive and violent relationships. "Empower to Survive" offers innovative training and empowerment programmes to survivors to become financially independent. These skills development and training initiatives aim to create employment opportunities.

The "Women with Women programme" is an initiative that aims to develop a sense of connectedness for survivors with already established businesswomen and community leaders from various backgrounds and sectors. These women are mentors and build relationships with mentees to provide business insights.

Engaging Men and Boys

MOSAIC believes that to eradicate gender abuse and violence, men as the main perpetrators must change their attitudes towards violence and gender norms. MOSAIC's programmes, therefore, include men and boy-targeted interventions to build a culture of respect and equality for women and girls.

Cognitive-behavioural workshops address men and boys as perpetrators of GBV and provide educational information and life skills to change behavioural patterns. These

programmes focus on how individuals think, what has informed their thinking, and how to change these thought processes. In addition, MOSAIC teaches coping strategies to male perpetrators to prevent further abusive and violent behaviours.

Advocacy and Policy

MOSAIC's court support workers raise awareness on gender-based violence, POs, court processes, and other social issues such as HIV education through presentations in courts and community halls.

MOSAIC also seeks to raise public awareness through training workshops for youth. These programmes empower youth to develop understanding and skills that challenge harmful social attitudes and norms. Youth are also empowered to be self-aware and know their boundaries. They are taught their rights and how to make healthy sexual reproductive health decisions.

Access to Justice – court support

The Domestic Violence Act (DVA) No. 116 of 1998 provides legal protection to those directly affected by IPV. Nevertheless, survivors often do not understand how to access the legislation's protection once in court. In addition, the court processes are often not in the survivor's home language, which creates additional difficulties in understanding the required legal procedures.

MOSAIC aims to facilitate people's rights to safety and security by providing information and support services in domestic violence courts. MOSAIC has, since 1999, worked with IPV survivors in applying for POs in courts. MOSAIC reaches more than 100 000 people annually through the court support system and serves an average of 20 000 people per annum with POs. MOSAIC's auxiliary court support workers also offer emotional support during this process. Additionally, court support workers are trained to assist the clerks presiding over the applications. MOSAIC staff coordinate and collaborate with court staff to alleviate the pressures and workload experienced by court personnel and ensure that magistrates have all the documented information necessary to grant PO applications.

MOSAIC court workers also refer survivors for further support in accessing healing and empowerment services. These referrals can include additional counselling services, referrals to local shelters, rehabilitation centres, other court support services such as divorce courts, maintenance or children's court, and medical services. Mosaic court workers are in the following courts in South Africa: Paarl, Wellington, Bellville, Bishop Lavis, Blue Downs, Khayelitsha, Phillipi, Mitchells Plain, Wynberg, Pretoria, Ntuzuma, and Chatsworth.

MOSAIC Theory of Change

A programme theory explains why a programme does what it does while providing the rationale for expecting that doing so will achieve the desired results (Rossi et al., 2018). MOSAIC's theory of change assumes that abuse and violence against women are at the core of rights violations against women and girls in South Africa. MOSAIC believes gender-based violence is systemic and rooted in communities, institutions, and cultures. The MOSAIC theory of change assumes that violence against women and girls affects their life cycle in a way that is mentally, physically, and economically debilitating, and this affects how survivors see themselves, how they relate to others, and how they see their future. Therefore, a holistic approach is essential to enact lasting individual and societal changes.

The MOSAIC goal is to end gender-based violence, with a particular focus on domestic abuse and violence. MOSAIC's long-term vision is to create a "Future free of GBV." A society in which gender-based violence is eradicated. A society where women live free from abuse and violence and can live their lives, have fulfilling, thriving relationships, and raise their children safely. Based on this, the Logic Model for the Theory of Change for the MOSAIC Access to Justice Programme would be as follows:

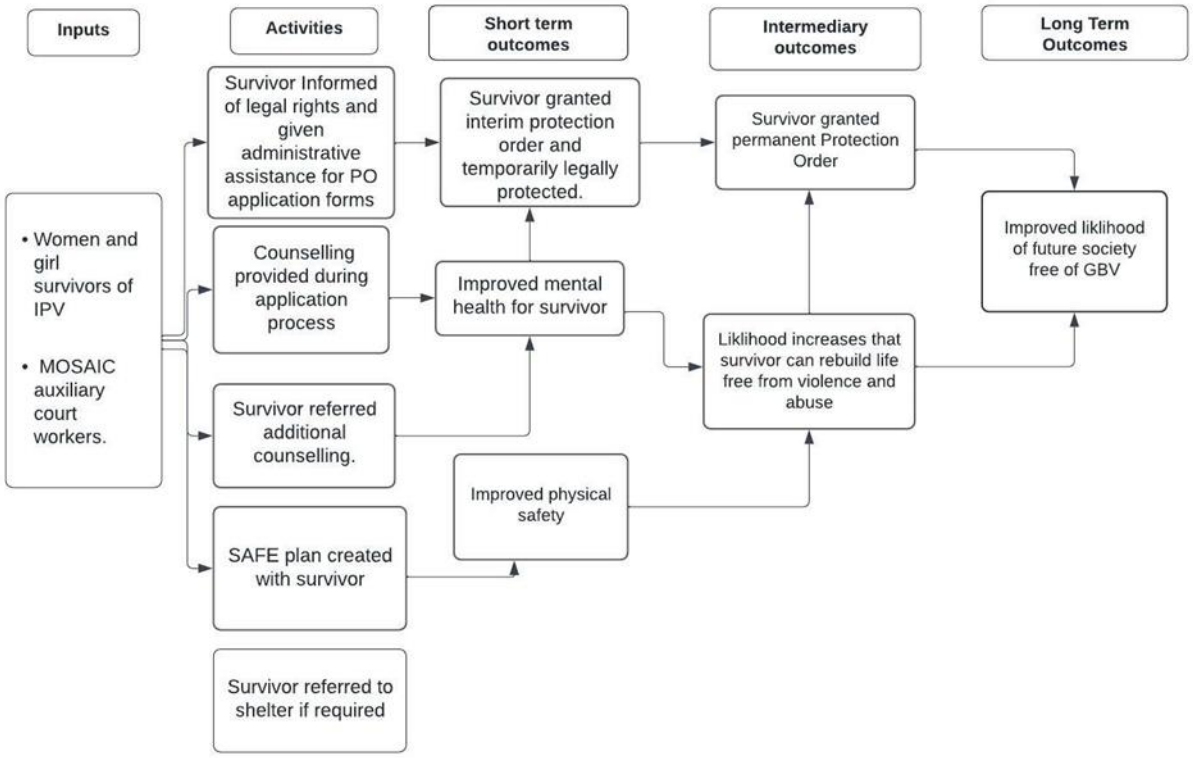

Figure 3. *Logic Model of MOSAIC Access to Justice Theory of Change*

Underlying assumptions of MOSAIC Access to Justice programme theory

- IPV affects women mentally, physically, and economically.
- Providing survivors with holistic legal services will increase the likelihood of survivors obtaining POs.
- Providing survivors with holistic legal services will increase the likelihood of survivors' rebuilding lives free from abuse and violence.
- Access to Justice programme activities will improve the likelihood of a future society free of GBV.

Programme theory plausibility

IPV affects women mentally, physically, and economically.

Research indicates that IPV does affect women mentally, physically, and economically (Britton, 2021; Mpondo et al., 2019). In addition, studies show that IPV is a deeply

entrenched social problem that must be approached at an individual and a societal level to enact lasting change. This programme theory is therefore plausible.

Providing survivors with holistic legal services will increase the likelihood of survivors obtaining protection orders.

Research indicates that South Africa does not, at this stage, appear to be able to support the holistic implementation of judicial programme aspirations. There appears to be a lack of the political, legal, social, and economic resources necessary to support holistic ideals (Artz, 2016b; Britton, 2021; Sere et al., 2021). A lack of collaboration between organisations and key players could also affect PO outcomes. Consequently, institutional weaknesses, limited resources, a lack of understanding of the root causes of domestic violence, and a lack of coordination limit the effectiveness of judicial prevention programmes (Kate et al., 2018; Rehse et al., 2021).

Despite a progressive constitution, IPV is still recognised as culturally acceptable and, in many contexts, is normalised in South Africa (Britton, 2021; UN, 2021). This normalisation has amplified IPV and femicide in SA and diminished judicial interventions that seek to address IPV through PO applications (Smythe & Artz, 2005). Additionally, there appear to be no systems being implemented that address the lack of finalised POs and approval rates of DV courts dropping. In line with this, there appears to be a lack of oversight in holding the government accountable for these failures.

Providing survivors with holistic legal services will increase the likelihood of survivors' rebuilding lives free from abuse and violence.

Programmes differ in their focus, level of specialisation, and the extent to which they collaborate with other organisations (Albanesi et al., 2021). In line with this, the quality of IPV interventions depends on how well IPV is understood. To add to this, to successfully offer holistic healing, programmes would need a treatment approach from the perspective that each survivor's circumstances are unique. However, although numerous organisations worldwide agree that holistic responses are best, there has been no marked improvement in IPV in South Africa (Albanesi et al., 2021; Britton, 2021; Joyner, 2016; UN, 2021), which would indicate that although legal programmes have holistic aspirations, they have not implemented these effectively. Consequently, without adequate and targeted holistic

programmatic implementation, survivors are unlikely to rebuild lives free from abuse and violence.

Access to Justice programme activities will improve the likelihood of a future society free of GBV.

South Africa is a developing country with historical systems of violence that have fed into IPV being normalised. However, violence against women is not inevitable; it is preventable (UN, 2021). To stop GBV, there needs to be a primary prevention approach that links drivers of IPV to contextual factors in South Africa. To create effective IPV prevention and interventions.

Actions to address drivers of GBV would include (1) challenging systems that condone violence against women; (2) shaping social norms that are not constrained by damaging gender stereotypes; (3) supporting men and boys in developing healthy masculinities and fostering supportive male peer relationships, (4) Promote and normalise gender equality in public and private life (5) Research how gender inequality and other forms of systemic and structural oppression and discrimination, are interlinked. (6) Promote equality and respect among people at the individual, relationship, community, and societal levels (Seff, 2022).

The MOSIAC theory of change appears plausible in defining what is required to ensure a future free of GBV. However, the reality of translating this into a programme that can enact these changes, depends on whether the interlinked and interdependent societal systems are also able and willing to contribute what is required.

Research contribution

Research indicates that problems like gender-based violence cannot be addressed linearly and in isolation from larger societal systems (Albanesi et al., 2021; Britton, 2021; John et al., 2020; Sere et al., 2021). Analogously, legal services cannot succeed without the holistic systems they operate within. For example, shelters increase the physical safety of survivors, and counselling increases emotional resilience. Interventions must be holistically targeted to increase survivors' likelihood of being equipped with all tools required to complete the PO application process.

Moreover, the ability of programmatic interventions to target social conditions is equal to and limited by the extent to which the complex dynamics of the societal ill are understood (Rossi et al., 2018). Yet rates of IPV and femicide in South Africa remain alarmingly high, and rates of POs becoming permanent remain worryingly low, indicating that programmatic responses to IPV must be improved. However, there has been limited research on DVA implementation processes recently (Parenzee et al., 2001). Furthermore, to wholly understand the services that survivors require, the challenges of DVA implementation must include survivor perspectives of the PO process. Conversely, the previous research into DVA implementation from survivors' perspectives were nearly a decade ago (Artz, 2016b) indicating the urgent need for more well-rounded and up-to-date research. To improve the holistic implementation of judicial programmes that assist survivors in securing protection from violence. Thus, assisting survivors in rebuilding their lives free from violence. Moreover, adding to the research that improves interventions that target IPV holistically and at a societal level could lead to a future free of IPV.

Aims of the evaluation

The study's first aim was to evaluate individual and group implementation processes in the MOSAIC legal programme using the Normalisation Process theory (NPT) as a framework. Following this, the second aim of the evaluation was to identify the facilitators and barriers to PO processes that could be hindering or helping survivors in obtaining a permanent PO using the socio-ecological model.

Evaluation Questions

1. Are the legal processes within MOSAIC's Access to Justice programme working towards successfully routinising practices to assist survivors in obtaining permanent POs?

2. What are the barriers and facilitators to survivors obtaining permanent POs?

Chapter Three

Introduction

This evaluation aimed to assess the implementation processes of the MOSAIC Access to Justice programme. Following this, to identify barriers and facilitators to the PO application process. This chapter discusses the method used to gather and analyse the data and the theoretical frameworks, research design, data sources, and study procedures employed to collect and analyse the data.

Theoretical Frameworks

Evaluation Question One: Normalisation Process Theory (NPT) Framework

The Normalisation Process Theory (NPT) was selected as a useful framework to guide the first research question in this study. NPT is a theory of action that seeks to understand the practice of what people do and how they work (May et al., 2018). NPT theorises that "material practices are routinely embedded in social contexts and are the result of people working individually and collectively to implement them" (May et al., 2009, pg. 4). These processes are affected by factors that facilitate or function as barriers to the routinisation or normalisation of practices in social contexts. Routinisation or normalisation refers to implementing, embedding, integrating, and sustaining practices within a social context so that these processes become routinised into everyday practice.

NPT was developed between 2000 and 2009, initially to address what was seen as a failure to routinise implementation and integration of new and complex health interventions (May et al., 2009). It has since been applied to complex interventions across various fields (Chambers et al., 2020; Wood, 2017). NPT began as The Normalisation Process Model and developed into NPT. NPT is a new theory that is still being refined. NPT is a middle-range theory offering mechanism-based explanations for implementation processes" (May et al., 2009).

NPT proposes a robust analytical framework for understanding implementation processes. Implementational processes include understanding organisational and operational actions, routine and integration, and embedded actions sustained within social contexts. The NPT framework comprises four constructs. There are four working mechanisms within each construct. These four constructs include (1) Coherence, (2) Cognitive Participation, (3) Collective Action, and (4) Reflexive Monitoring.

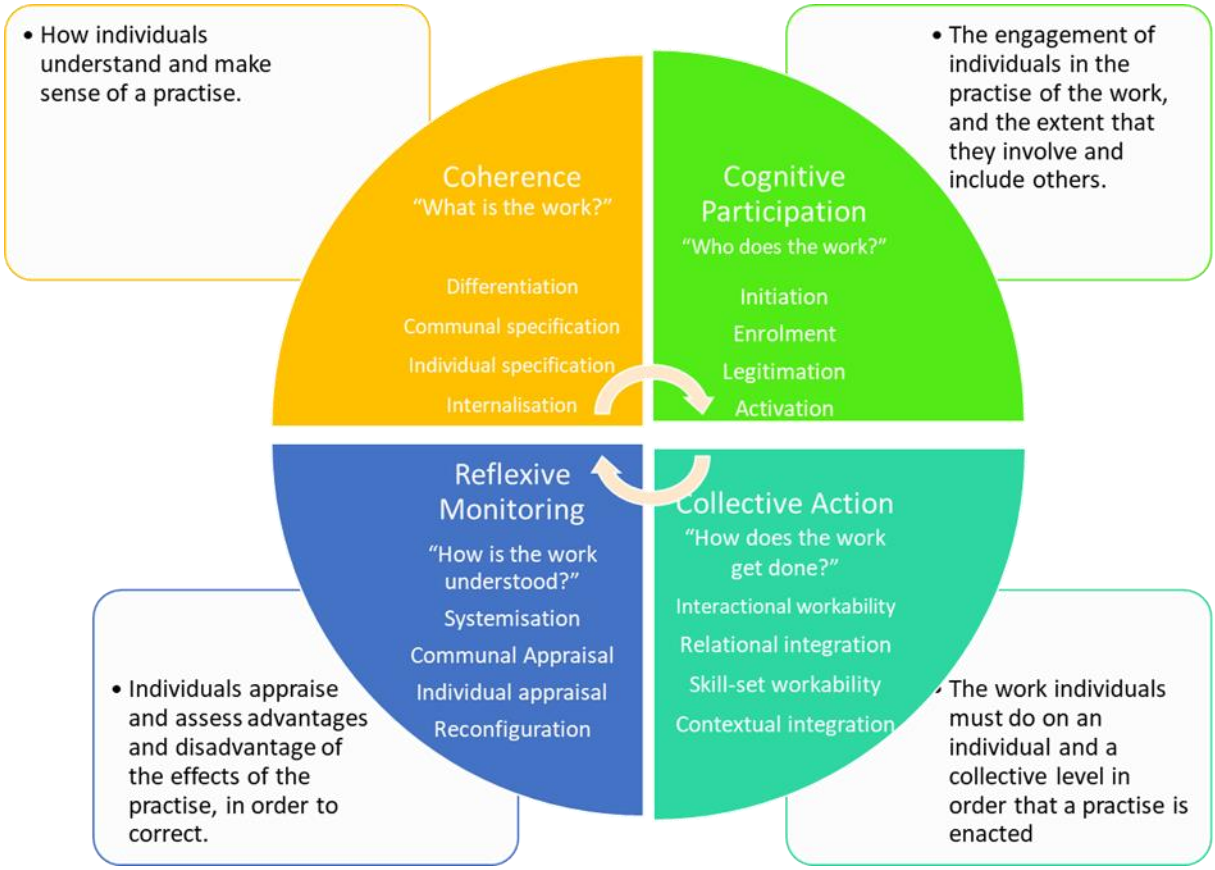

Figure 4. *The four NPT constructs*

Notes. Diagram depicting the Four Constructs of NPT adapted from May et al., (2009)

The argument for NPT in this evaluation

IPV is complex; therefore, a framework to analyse implementation should accommodate such complexity. Moreover, there is an acknowledged need for greater use of theory to bridge translational gaps in research (McEvoy et al., 2014). Therefore, using established theories can help implementation research by contributing to new knowledge about how or why implementation is achieved (May et al., 2018; May et al., 2009).

NPT recognises the significance of what people do when implementing complex interventions, unlike other theoretical perspectives that focus on attitudes and beliefs (Finch et al., 2018). Extensive research has suggested that IPV programmatic success is determined through implementation. NPT provides a focused framework to examine and assess all stages of programme implementation. In line with this, research indicates that the quality of implementation and integration of IPV judicial policies and procedures are integral to successful PO outcomes in South Africa. (Albanesi et al., 2021; Artz, 2016b; Gouws, 2016; Meer et al., 2018; Sere et al., 2021).

How NPT informed the evaluation

NPT was used as a lens to familiarise and frame implementation concepts in the MOSAIC Access to Justice programme. NPT focuses on individual and collective perceptions. Therefore, aided in understanding the IPV survivors and MOSAIC auxiliary court workers' individual and collaborative processes within the intervention.

NPT provides a clear framework with well-defined parameters to identify implementation processes in complex interventions. Therefore, NPT was used in the evaluation design stage to inform and frame questions for the interview schedule. The four constructs of NPT, coherence, cognitive participation, collective action, and reflexive monitoring were used to break down the main question into sub-questions.

Coherence "What is the work?"

Does the MOSAIC Access to Justice programme have a clear and understood purpose?

Do MOSAIC auxiliary court workers and survivors believe they have an individual and a shared purpose?

Cognitive Participation "Who does the work?"

What relationships do MOSAIC auxiliary court workers and survivors believe are needed for collaboration?

What do MOSAIC auxiliary court workers and survivors believe the nature of their contribution is in the PO application process?

Collective Action "How does the work get done?"

What training is provided?

What are the programme resources? What support is provided?

Reflexive Monitoring "How is the work understood?"

What are meaningful changes perceived and enacted by the Access to Justice intervention?

What improvements do MOSAIC and survivors suggest could be made to the Access to Justice programme?

NPT was also used in the analysis stage. Data were gathered and analysed inductively underpinned by NPT in developing an analysis of how different mechanisms work to drive and shape Access to Justice implementation processes (May et al., 2018).

Research Question Two: The Socio-ecological model

The socio-ecological model proposes that individual, relationship, community, organisational, and societal factors must be considered when planning and implementing health interventions. The model proposes that these factors directly and indirectly influence lifestyle choices, behavioural decisions, and health (Fulu & Miedema, 2015; Israel et al., 1994).

Additionally, this model considers the complex interplay between individual, relationship, community, and societal factors. Further, the overlapping rings in the model illustrate how factors at one level influence factors at another level. This ecological approach was first used in violence against women by Heise (1998). The model has subsequently been utilised to guide IPV interventions worldwide (Abraham & Prabha, 2022; Fulu & Miedema, 2015).

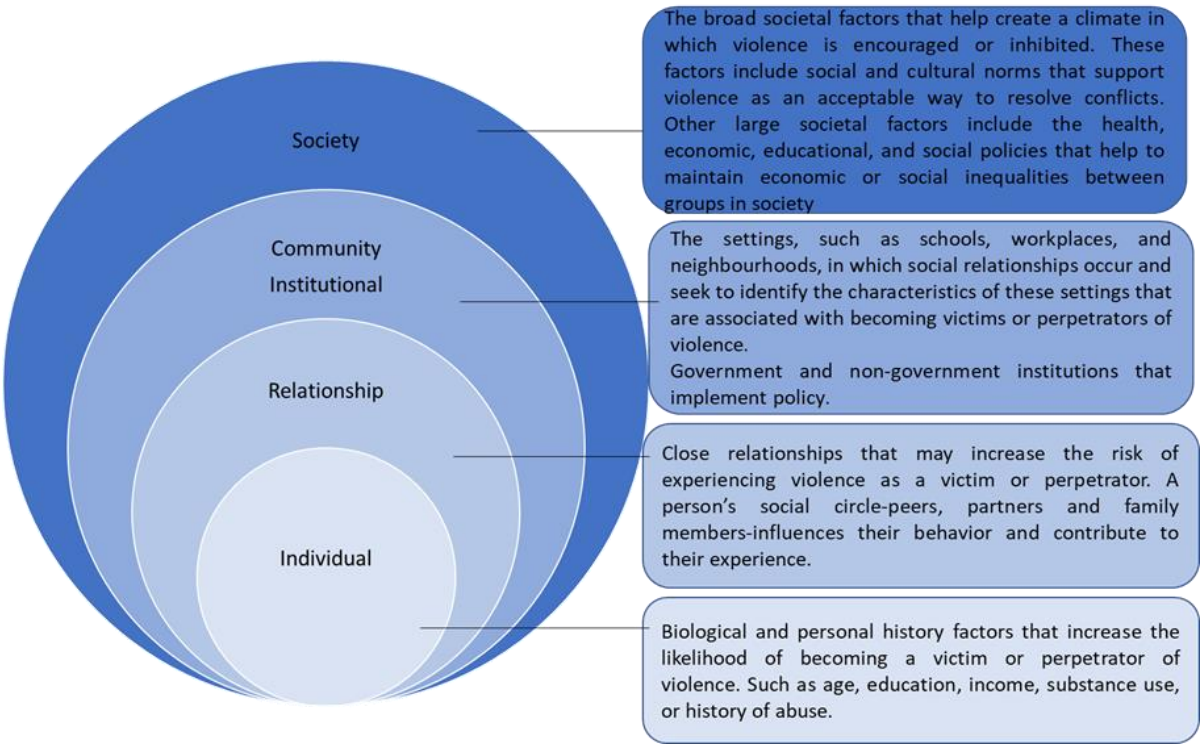

Figure 5: *The societal, community and individual relationship levels of the socio-ecological model*

Note. *The socio-ecological model of IPV risk levels. adapted from Krug E, Dahlberg LL, Mercy JA, Zwi AB, Lozano R, eds. World Report on Violence and Health, 2015.*

The argument for using the socio-ecological model in this evaluation.

The socio-ecological model helped to clarify the IPV risk factors within each of the different levels. The model also suggests that these levels are interlinked. Consequently, factors in one level can influence other levels. Therefore, to prevent violence, it is necessary to act across multiple levels of the model simultaneously. Therefore, it could be surmised that this approach is more likely to sustain prevention efforts over time and achieve societal-level impact (Abraham & Prabha, 2022). Moreover, research indicates that interventions must be preventative and reactive to eradicate societal IPV. Prevention requires understanding the factors that influence violence, which requires understanding the individual, relationship, community, and societal factors contributing to IPV and how these intersect (Fulu & Miedema, 2015).

How the socio-ecological model was used in this evaluation.

The socio-ecological model was used in the discussion chapter of this evaluation as a framework of interpretation of the barriers and facilitators to the PO process. Specifically, determining how the barriers and facilitators nested within each level could contribute to whether a PO is made permanent. Additionally, the social-ecological model includes behaviours and attitudes associated with IPV. Examining and discussing these behaviours and attitudes and "what people do" built a more well-rounded discussion of the factors that shape PO outcomes in South Africa (Taylor & Xia, 2020). Therefore, the social- ecological model was used in this evaluation to understand IPV better and help identify barriers and facilitators in the PO application process. And accordingly, treatment and prevention strategies for the holistic system of IPV care in South Africa.

Evaluation scope: Process evaluation

Process evaluations evaluate programme implementation. An effective programme must have more than a good design. It must also implement the design as intended to have a reasonable chance of improving the social problem defined (Rossi et al., 2018). Process evaluations, therefore, assess the adequacy of operationalised programme processes against their intended design (Rossi et al., 2018).

There are three methodological approaches most used in evaluation research. These are qualitative, quantitative, and mixed methods. Qualitative evaluation gathers data in words or images, and the analysis and reporting of these findings are narratives (Weiss, 2000). At the same time, quantitative designs collect data in a numerical form and use statistical analyses to interpret programmatic relationships and outcomes. The mixed method design uses a combination of both qualitative and quantitative methods to collect both narratives as well as numerical data.

Patton (1999) recommends situations under which a qualitative evaluation is preferred. The MOSAIC Access to Justice programme aligned with the following situations: a need to capture in detail what is happening in the programme; the likelihood the programme produces undesired outcomes; the evaluation is exploratory; the focus is on exploring how participants and staff perceive the programme.

When an evaluation is exploratory, the focus is on how participants perceive the programme (Patton, 2002). Participants' perceptions of programme processes are different and must therefore be understood from a unique and individual perspective. As such, the Access to Justice evaluation design was guided by the NPT framework. Process evaluations can benefit from using a theoretical model to gain a deeper level of understanding and to provide a source of external validity (May et al., 2018). NPT allows individual as well as collective appraisal of programme processes. NPT was used in the analysis to determine how implementation processes shape PO outcomes.

An exploratory/descriptive qualitative research design was used in this process evaluation. Qualitative methods are used for their strength in generating detailed descriptions of participants' thought processes and actions (Patton, 2002). Exploratory research seeks to learn all that is essential about the subject. Exploratory research studies phenomena not yet clearly defined (Patton, 2002). In line with this, implementation problems have been well documented as a hindrance to IPV programmatic success, yet few studies have analysed why implementation processes do not operate as anticipated.

Correspondingly, previous research into the legal aspects of IPV in SA has focused on the number of permanent POs granted or the reasons for attrition rates in PO applications (Artz, 2016b; Britton, 2021; Meer et al., 2018). While this research provides individual and systemic reasons for PO application and attrition, it does not link programme implementation processes to these outcomes.

Studies stress the importance of qualitative research to examine how an individual's beliefs, influences, and contextual settings can cause violence. Qualitative formative research is also essential to develop interventions and increase adaptability in different settings.

Data sources

Primary data sources

Process evaluations require detailed information about the processes of programme operation from the perspective of the beneficiaries and the implementing stakeholders (Rossi et al., 2018). The primary data sources for this evaluation were the IPV survivors, the

MOSAIC court auxiliary workers, and the MOSAIC social workers. Sixteen (16) study participants were recruited, consisting of 12 survivors of IPV that filed for POs. Six were from the Wynberg court, six from the Khayelitsha court, 1 MOSAIC court auxiliary worker from the Wynberg court, 1 MOSAIC auxiliary worker from the Khayelitsha court, and 2 MOSAIC social workers from the Wynberg head office that work between the Wynberg and Khayelitsha courts. These participants were drawn from the Khayelitsha and Wynberg courts to compare the Access to Justice procedure in two contextually different settings.

Secondary data sources

To identify IPV survivors most aligned with the purposive sampling characteristics defined, MOSAIC accessed client records and reverted to the evaluator with a list of potential participants.

Document review

Governmental gazettes were consulted for SAPS and DOJ police, clerk, and magistrate work specifications to outline specific policies and practices for the official work, according to the official Act, the DVA 116 of 1998. The MOSAIC outline of what the auxiliary court workers and social workers required was also accessed through an official MOSAIC documents review. To outline what survivors are required to do in the PO application process, the governmental site that outlines the process a survivor must follow to apply for a protection order was reviewed.

This document review was necessary to determine the individual and collective stakeholders involved in the PO process. As mandated and outlined through official policy. To draw a comparison to the individual and collective work policies, as opposed to work done on the ground. The document review was drawn from the following sources:

1. Survivors' roles and responsibilities in the PO application process.

This information was sourced from the South African Police governmental site: https://www.saps.gov.za/services/protection_order.php.

2. SAPS roles and responsibilities to survivors of IPV in the PO application process:

This information was sourced from a government gazette that outlines the DVA 116 of 1998.

Government gazette https://www.gov.za/sites/default/files/a116-98.pdf (Police mandates are found on pg. 4; 7 – 9)

3. DOJ roles and responsibilities to survivors of IPV

This information was sourced from a government gazette that outlines the DVA 116 of 1998.

Government gazette https://www.gov.za/sites/default/files/a116-98.pdf (Court mandates are found on pg. 5-7)

4. MOSAIC auxiliary court workers' roles and responsibilities to survivors of IPV

The document review of roles and responsibilities of the MOSAIC court support workers was accessed from the MOSAIC website.

https://mosaic.org.za/programmes/access-to-justice/.

5. MOSAIC social workers' role and responsibilities to survivors of IPV

The document review of roles and responsibilities of the MOSAIC social workers was accessed from the MOSAIC website:

https://mosaic.org.za/programmes/social-support-services/

Data collection methods

Purposive sampling was used to select participants. Purposive sampling selects the participants with the most knowledge of the research area. (Patton, 2002).

Participant characteristics

IPV survivors

- Female
- At least 18 years or older.
- A survivor of IPV
- Applied for a PO against IPV through the MOSAIC Access to Justice programme.

- In the Wynberg or Khayelitsha courts application process, you must have interacted with a MOSAIC court worker on at least one occasion.

MOSIAC auxiliary court workers.

- Worked with the MOSAIC Access to Justice programme for at least a year.
- Assisted participants in applying for a PO against IPV through the MOSAIC Access to Justice programme on at least one occasion in the Wynberg or Khayelitsha courts application process.

MOSIAC social workers.

- Worked with the MOSAIC Access to Justice programme for at least a year.
- Collaborated with survivors that applied for a PO against IPV through the MOSAIC Access to Justice programme and had been referred for additional counselling.

Data collection tools

In-depth one-on-one interviews

Interview questions were developed by adapting the Normalisation Measure Development (NoMAD) instrument. NoMAD is a flexible and interactive toolkit that academics and practitioners can use (Finch et al., 2018). The adapted interview questions are attached as appendix A. The adapted questions were piloted and refined. The pilot process involved testing the questions with two MOSAIC interview subjects, a MOSAIC social worker and a MOSAIC court worker. Corrections made were based on the feedback received. The questions were refined and rephrased before final presentation to the selected IPV survivors and MOSAIC staff.

Semi-structured face-to-face interviews were conducted with the purposively selected participants. Interviews help researchers to obtain in-depth information from participants to understand their experiences and viewpoints on particular topics (Patton, 2002). It was, thus, a suitable method for this evaluation to obtain rich and detailed information about the PO application process. NPT evaluations have been criticised for focusing on programme staff rather than beneficiaries of interventions. (May et al., 2018). Interviewing MOSAIC workers and IPV survivors provided a more comprehensive picture of

the implementation processes. The NPT framework guided these interview questions to explore the legal working processes of implementation within the MOSAIC Access to Justice programme. The MOSAIC court workers assisted in translating interview questions and answers if required. This translation was necessary at the Khayelitsha court, as the interviews were translated between isiXhosa and English.

Observation/Fieldwork

In addition to the semi-structured interviews, the evaluator shadowed two MOSAIC auxiliary court workers for three days in the Wynberg court and two days in the Khayelitsha court. The evaluator made notes highlighting similarities and differences between the two courts. Interviews are limited in that they are only based on what people say. Conversely, observational methods allowed the evaluator to access what people were doing. The observations added depth of knowledge in understanding MOSAIC court workers and survivors' work in the PO application process.

The PO application process involves a complex system of interrelated processes to enable the best outcome of success in granting the application. Therefore, observation is an essential means of identifying what happens on the ground compared to the work process outlined in the guidelines. Observations were recorded by the evaluator in a notebook, to identify similarities and differences between the two courts. These observations included survivors of IPV and MOSAIC court workers and added to the reliability and validity of these data sources.

Table 1: **Data collection plan**

Method	Participants	Details
Semi-structured interview	2	MOSAIC Social workers Duration: +/-1 hour Location: Wynberg head office
Semi-structured interviews	2	MOSAIC Court Auxiliary Workers Duration: +/- 1hr each Location: one at Wynberg and one at Khayelitsha court.
Semi-structured interviews	12	IPV Survivors that applied for a PO with MOSAIC assistance. Duration: +/- 1hr each Location: seven from Wynberg court and seven from Khayelitsha court

Observation	2	MOSAIC Court Auxiliary Workers Duration: five working days Location: 3 days Wynberg and two days Khayelitsha court

Data analysis

Part one

Part one of the results section analysed data inductively, considering the four deductive constructs of NPT to develop an analysis of how different mechanisms work to shape implementation processes (May et al., 2018). This approach was, therefore, an inductive and a deductive hybrid approach. Previous research proposes using an inductive approach is best within the NPT analysis, as deductive approaches can force themes to conform to NPT constructs (May et al., 2018; McNaughton et al., 2020). In line with this, NPT can be used as a flexible inductive coding method to map generated themes onto NPT constructs rather than using NPT as a rigid deductive framework (Bamford et al., 2012; May et al., 2018).

Part two

For part two of the results the data collected from interviews were analysed using thematic data analysis, which involves finding and recording patterns and themes within data (Braun & Clarke, 2006). Thematic analysis was used to analyse MOSAIC legal practices' implementation and integration process. Thematic analysis is a widely used form of qualitative analysis because of its adaptability to be combined with other qualitative analysis techniques (Braun & Clarke, 2006). The thematic analysis allows researchers to identify and examine similarities and differences in participants' perspectives (Braun & Clarke, 2006). The evaluator used a hybrid of deductive and inductive analysis. The deductive analysis used NPT framework constructs to guide the interviews and data collection. Inductive analysis was conducted within each of the pre-conceived frames. Therefore, the data drives this thematic analysis (Braun & Clarke, 2006).

The thematic analysis followed Braun and Clarke's (2006) six-step framework. These include (1) familiarisation; (2) coding, (3) searching for themes; (4) reviewing themes, (5) defining and naming themes; and (6) finalising the analysis. The first step of familiarisation

involved listening to and reading the transcriptions for the evaluator to become familiar with the data. The evaluator then moved on to the second step and started to make written notes of potential codes, patterns, and themes that began to come through in the data. Following this, the evaluator began to generate and review themes.

Part 3

In part three, the evaluatot reviewed observational data the evaluator had gathered while shadowing MOSAIC court workers at the Wynberg and Khayelitsha courts. Once the evaluator completed the review, the final themes were refined and named. The results of which follow in Chapter 4.

Ethics

Ethics approval was sought and granted by the Commerce Ethics in Research Committee of the University of Cape Town. Data collection began once ethics approval was granted.

All participants were informed about the evaluation and signed consent forms agreeing to be interviewed and to have these interviews recorded. The evaluator ensured that the participants were aware of their right to privacy and confidentiality and to end their participation at any point during the study. All data gathered was subject to confidentiality requirements, and participants' real names were not published. Pseudonyms were used in place of the actual names of the study participants to mask their identities, for example, "survivor 1". The researcher will keep the recorded and transcribed data for five years after the findings have been published in case there are queries surrounding the interpretation of results. After this period, the data will be destroyed.

Issues relating to GBV are sensitive; the evaluator was aware of the risks of survivors reliving their trauma and renewing their safety concerns and feelings of exploitation. A MOSAIC court auxiliary worker trained to counsel survivors was present throughout the interview process with all survivors. Their presence ensured that the rights and needs of the survivors were always adhered to and that someone with experience addressed any psychological issues emanating from reliving traumatic experiences. To this end, the

survivors were offered additional access to MOSAIC counselling services should they have needed additional counselling following the interviews. The participants were informed of the potential of such psychological issues and the availability of counselling facilities.

Chapter 4

Results

This chapter is presented in two parts. In the first part, the evaluator used the interview and observational data to evaluate the Access to Justice programme, based on the four constructs of NPT as a framework for thematic data analysis. The findings of this analysis is meant to answer the first question posed in this study: Are the legal processes within MOSAIC's Access to Justice programme working towards routinising practises to obtain permanent POs for survivors successfully?

In the second part, the evaluator analysed the data to identify possible barriers and facilitators to POs being made permanent to answer the second question, "What are the possible barriers and facilitators to survivors obtaining permanent POs?" These findings will be discussed in chapter five.

Part 1: Evaluate the Access to Justice programme using the NPT framework.

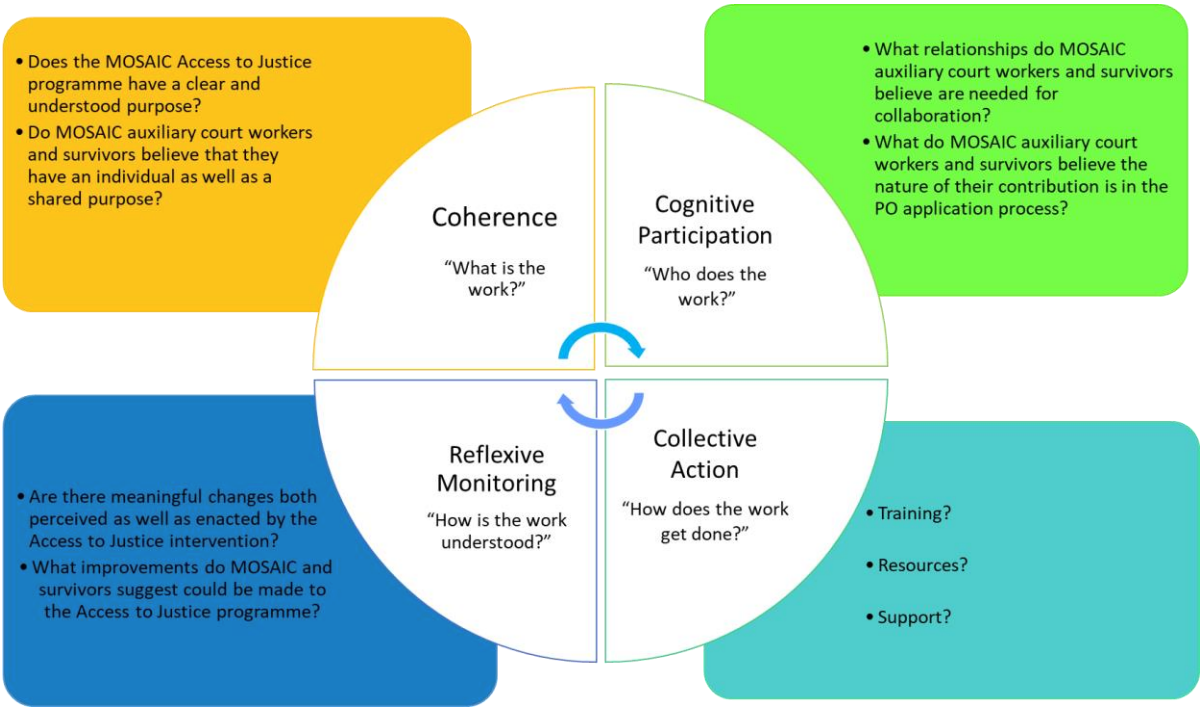

Figure 6: *The four constructs of the NPT as a framework for analysing the MOSAIC Access to Justice intervention.*

Notes. The four constructs of NPT, adapted from May, et al (2009) to analyse the work processes of the MOSAIC Access to Justice intervention:

The first part of chapter four analysed the results that emerged from the interview data as informed by the NPT framework. These themes are situated within the four constructs of NPT. Coherence "What is the work;" Cognitive Participation "Who does the work?" Collective Action "How does the work get done" and Reflexive Monitoring "How is the work understood?". The work is defined as all the processes and procedures required from all stakeholders, individually and collectively, for survivors to obtain a permanent PO. The work includes the roles, responsibilities and interactions between the MOSAIC auxiliary court workers, MOSAIC social workers and the survivors that comprise the direct stakeholders working within the Access to Justice programme. It also involves the MOSAIC staff and the survivors working alongside governmental stakeholders outside of the Access to Justice programme, which includes the Department of Justice (DOJ) clerks, magistrates within the court system, and the South African Police Service (SAPS).

It is important to note that although the work in the PO is becoming permanent, it involves multiple stakeholders. This evaluation was limited to interviews and observations made with MOSAIC auxiliary court workers and social workers, as well as the survivors that applied for a PO through the Access to Justice programme. Consequently, although the process also involves the DOJ and the SAPS, the data around the PO application process is limited to the perspectives and opinions of the MOSAIC staff and the survivors that are direct participants in the Access to Justice programme.

NPT construct 1: Coherence:

Coherence asks, "What is the work?" The Access to Justice programme and the DOJ PO application process are complex and long-running interventions and therefore have clearly defined mandates and responsibilities outlined for stakeholders. Therefore, to make sense of what people are required to do, individually and collectively, to operationalise a set of practices, a document review was done of what these practices involve. The governmental rules and NGO regulations that govern mandated responses to IPV responses could then be compared to the data to determine whether the work is aligned with who has been tasked with doing the work required in survivors obtaining a permanent PO.

Coherence forms a baseline in defining a measure of what "the work" is for all stakeholders involved in the PO process from beginning to end.

Survivors' roles and responsibilities in the PO application process.

This information was sourced from the South African Police governmental site: https://www.saps.gov.za/services/protection_order.php

Survivors are (1) required to either approach their nearest police station or court to request assistance in the PO application. In addition, should the survivor choose to lay criminal charges, they must do this at a police station. (2) Compile an affidavit which is a written statement under oath. Survivor are required to speak the truth, as the survivor will be prosecuted should contents or parts thereof be found false. The affidavit is required for the court to understand the nature of the abuse. The affidavit must list all the incidents and details of the abuse, including the date and place and the nature of the most recent incidents. (3) If the court grants the interim PO, the survivor must deliver it to a police station for the police to serve it on the perpetrator and for it to come into effect. (4) The survivor must collect the "return of service" from the police station to prove that the order was served. (6) The survivor must return to court on the date and time stipulated upon the issue of the interim PO for the magistrate to determine if the PO becomes permanent; (5) If the survivor has children and seeks custody or maintenance, this must be done separately through the Maintenance Court.

SAPS roles and responsibilities to survivors of IPV in the PO application process:

This information was sourced from a government gazette that outlines the DVA 116 of 1998.

Government gazette https://www.gov.za/sites/default/files/a116-98.pdf

(Police mandates are found on pg. 4; 7 – 9)

The South African government constitutionally mandates SAPS to provide the following services to survivors of IPV:

Police are required to assist the survivor in laying a criminal charge against the perpetrator for violence that has already occurred. The police must assist the survivor in completing a PO application that will then be taken to court for a magistrate to decide whether to grant an interim PO and suspended warrant of arrest to protect the survivor from future acts of violence. If the interim PO is granted, the police must serve it on the perpetrator for the interim PO to come into effect. The police are mandated to arrest the perpetrator if the IPO is violated. If the interim PO becomes a permanent PO, then a lifetime warrant of arrest is available to the survivor, and the police are mandated to arrest and document all breaches. The perpetrator will then stand trial in a criminal court. In addition, the SAPS are to provide access and information to the survivor relating to medical attention, shelters, and counselling where required. The police are also mandated to assist survivors in collecting anything they may need in a shared residence with the perpetrator.

DOJ roles and responsibilities to survivors of IPV

The Department of Justice (DOJ) derives its mandate from several Acts and the order from the Constitution of the Republic of South Africa,1996. The applicable Act for IPV is the Domestic Violence Act 116 of 1998. (DVA)

This information was sourced from a government gazette that outlines the DVA 116 of 1998.
Government gazette https://www.gov.za/sites/default/files/a116-98.pdf
(Court mandates are found on pg. 5-7)

The court clerk must (1) assist the survivor in completing the necessary form; this will include an affidavit. (2) Take the survivor before the magistrate; (3) the magistrate will look at the information provided in the affidavit and either decide to grant an interim PO or not. If an interim PO is granted, it will request that the perpetrator (respondent) not abuse you in the specific manner alleged in the affidavit. The magistrate may also consider prohibiting the perpetrator from entering the shared house or restricting him to certain areas of a shared residence. The magistrate may also order the perpetrator to have limited or no access to children if they are also victims. (4) If the interim PO is granted, the court clerk will inform the survivor to collect it. A return date will be issued in which the magistrate will decide whether the interim PO will become permanent. This data can take 3-

6 months to grant the interim PO. (5) The magistrate will look at all the evidence presented by both the survivor and the perpetrator and determine whether the interim PO becomes permanent. Once a PO is permanent, it is in effect for life.

MOSAIC auxiliary court workers' roles and responsibilities to survivors of IPV

The document review of roles and responsibilities of the MOSAIC court support workers was accessed from the MOSAIC website. https://mosaic.org.za/programmes/access-to-justice/

MOSAIC has trained auxiliary court workers that must (1) explain the survivor's rights and provide assistance and information on the legal procedures survivors must undertake to be granted a PO. (2) Assist survivors in completing the forms required to be granted a PO; this includes ensuring all the necessary information is correctly stated in English on the affidavit. (3) The court auxiliary workers also provide emotional support during this application process. (4) the auxiliary court workers also refer clients for further support, such as counselling services and shelters, where needed. (5) Alleviating the pressures experienced by clerks of the DOJ and ensuring that magistrates have all the information required to grant PO applications. (6) Educate women in court about their legal rights. (7) If the survivor has children, provide information and assistance on custody, maintenance rights, and procedures.

MOSAIC social workers' role and responsibilities to survivors of IPV

The document review of roles and responsibilities of the MOSAIC social workers was accessed from the MOSAIC website: https://mosaic.org.za/programmes/social-support-services/

MOSAIC requires MOSAIC social workers to provide (1) individual counselling sessions for survivors of IPV; (2) Provide counselling for couples and families needing support and guidance with relationship and domestic problems. (3) Raise public awareness and education about IPV; (4) Assist with support groups and workshops for survivors of IPV as well as the perpetrators; (5) Accompany survivors to police stations; (6) Assist with conflict resolution.

"Who does what work" can now be compared to the data to determine whether who engages with the work is aligned with who has been tasked with doing the work required in survivors obtaining a permanent PO.

NPT Construct 2: Cognitive Participation

Cognitive participation asks, "Who does the work?" In the process of a PO being made permanent, this question looks at what relationships MOSAIC auxiliary court workers and survivors believe are needed and therefore enact individually and collaboratively. As well as what MOSAIC auxiliary court workers and survivors believe the nature of their contribution and others is in the PO application process.

To open a case of assault against the perpetrator at a police station.

In addition to the interim PO application, survivors sometimes open a case with the police to hold perpetrators accountable for their recently committed violence. POs protect survivors from future acts of violence, not violence that has already occurred. Although not a necessity, an active police case can also strengthen proof of violence to a magistrate in a decision to grant a permanent PO. Yet three survivors who had gone to a police station to open a case said they were incorrectly told that opening a claim was incorrect and that they only needed to go to court to apply for a PO.

This survivor chose to open a case against the perpetrator at a police station for the violence the perpetrator had already committed against her. In addition to this, she also applied for a PO with the Wynberg court worker. The survivor explained that besides helping her with the PO, the Wynberg court worker also explained what she needed to say on the form to open a case at the police station.

> It was domestic involved (domestic violence had recently occurred, and she wanted a case opened with the police), so I had to make a case. Chantal explained how to fill in the paper. She helped because I was traumatised. [Survivor 5; Married]

In another instance, the survivor said that the police did not even recommend that she open a PO, in addition to not assisting her with opening a case at the police station. Eventually, she decided to go to the court herself.

> So, I went to the police station two times with no help, but I kept on going to the police station, and then after that, I decided to try to come to court, and I had to lie to the perp to tell him to come and sign for the papers for the house. So, then I applied. [Survivor 9, Married]

Education about legal rights and PO application process to women in court.

In addition to assisting survivors' complete forms, the Wynberg court worker is also responsible for educating women in court waiting rooms about their rights, how the PO application process works, and the differences between an interim and a PO.

> And then we also do information sessions. We will talk in the court, like [SIC] as they sit in the waiting area. We will do talks and then just give them information on the protection order process and the difference between the protection and interim protection orders. And what is, what is [SIC] the notice, the notice to appear [CW1; Wynberg]

Confirm if interim PO was granted to survivors or not.

A MOSAIC court worker explained that they are responsible for checking whether survivors are granted IPOs. This count is done monthly. The court workers do not check whether the interim PO becomes permanent in most cases.

> I would have to go back to court and check for permanent. But this, this [SIC] I complete on a monthly basis; I tick off how many receive an interim PO. In January, out of 70 clients, 57 got interim POs. But yes, I can always go back in check for permanent, too, if I want. [CW1; Wynberg]

Going beyond the call of duty

Wynberg and Khayelitsha court workers explained that their responsibility to assist survivors was on the day of application. But even though it was not a responsibility, both in specific cases did choose to maintain contact after the application assistance to follow up and find out if select survivors had been granted permanent POs. Or if a social worker had been in touch with them after the court worker had referred them for additional counselling. This indicated an inclination to go beyond the call of duty for the survivors.

> Um, it is not a requirement for me to go and check, but there are clients that, for instance, now, the PO is not granted. Still, you know there is more…like they really need it… so then I would encourage them to come back and then um….so like I said, it's not a requirement for me to check, but I can go and check to see if they

> have been granted an IPO or not and then take it from there. So um, so from MOSAIC side, it's not expected, but personally, I would ask them to pop in by me just to see how they are and if they are in need of any additional [CW1; Wynberg]

> I follow up sometimes… because I need to know, did she get helped by the social worker or…did she collect the PO and did she go to magistrate. [CW2, Khayelitsha]

NPT Construct 3: Collective Action

Collective Action "How does the work get done?" Refers to the allocation of labour in the interactional work built around a set of practices as they are operationalised in the real world. It looks to the support provided in the PO process, the resources available, and the training required for stakeholders to make a PO permanent.

Court workers assist with completing forms required for PO application.

Correctly filling out the PO application form is essential to whether the PO gets granted. A MOSAIC court worker explained that they are the only ones in the court who can assist clients with this. The Department of Justice (DOJ) clerks are not allowed to complete forms and tell the clients to go home or bring someone who can assist them in filling out forms. According to a MOSAIC Auxiliary court worker, the PO is often not granted if no one is there to help.

> Oh, no, no [SIC]. I don't think, um that many of them [survivors] would fill in the forms. I mean, because it happens when I am there, people will complete it and submit it and but then it is refused because they have not put the information they need to in there. So, what I found out is that the clerks are not allowed to fill in the forms for the clients. So even if the client, if the client can't write… they will send the client home or they will ask the client to bring someone with [SIC] who could write the statement. [CW1; Wynberg]

In situations where the survivor does not have anyone to assist in filling out the protection order forms; the MOSAIC court worker can help.

> Because with that, I have also found that when it is refused [the interim PO], or the clerk picks up that there is something that this person, see that magistrate don't see the person, so the clerk picked up something from interacting with the person…then if it is refused, then they will send the client back to me. Or, if the magistrate gets the order and he sees that this person is in need, but there is not

> enough information for him to be able to grant a protection order, then the magistrate would send the person to me to do the application. [CW1; Wynberg]

The Khayelitsha court worker deemed Filling out PO forms essential, who emphasised assisting the survivors to correctly complete forms that often must be translated from spoken isiXhosa into written English, as per the form's requirements.

> And also help them fill out the PO, especially with the isiXhosa translating. [CW2, Khayelitsha]

Social workers provide additional assistance at police stations.

A social worker also explained that they assisted survivors at police stations when the police had not served the interim PO to the perpetrator. According to SW1, the police are often ineffective, which can deter survivors from pursuing legal processes.

> Our task is to ensure whatever is granted, that the perp [SIC] must comply…because sometimes you find out the client was at the police station because the perp [SIC] didn't comply and there is nothing that has been done. Or they say they will send a van or tell us when he is at home… so the client gets discouraged. So, most of the time, I will go with the client to the police station and like, "Okay, this client has been here. What's going on?" Most of the excuses will be, um, "if it's an interim PO, is there a proof of service" So yes, the perp [SIC] knows because he would have been at court… [SW1; Khayelitsha]

The extent MOSAIC staff feel equipped and trained for their tasks.

A MOSAIC court worker was confident in her ability to perform the tasks required of her; this was partly because she had been in a DV relationship herself, which helped her understand the survivor's mindsets.

> Um, I think I am well-trained. I think I am. I mean, I think my years of experience…. I have worked in child protection as well. When it's cases with children, I know what to do, and because I was in a DV relationship…marriage years ago. So that, um, I have that experience, and that helps me understand where the client is at and also why they don't speak out immediately. Why, after 40 years, people come? [SIC] So I think the skills that I have learned, experience and then the personal experience that I had. [CW1; Wynberg]

A MOSAIC social worker acknowledged that she still had much to learn but felt that MOSAIC provided training to equip her to handle her tasks.

> For me, I am a new social worker. For MOSAIC they are trying to equip the social workers with lots of training. For example, just yesterday, we were doing trauma counselling…it was the last day yesterday. So that is also assisting us to understand how the brain works, especially with the client's trauma to that extent. Because before that training, I don't want to lie; I didn't have that understanding. So, what I am saying is that MOSAIC is equipping us with training so that we can be the best. It's ongoing training. [SW1, Khayelitsha]

Additionally, a MOSAIC social worker felt that she could have used more training in areas that were not directly in her field, but that would have enabled her to understand the court process better.

> Um, I think that I am trained in the sense that I know how to deal with crisis and crisis intervention in trying to find solutions. I feel like depending on which area and knowing the various processes in each area; I probably feel like I could have received more training. For instance, with the magistrates not issuing interim PO – I was not aware of that. It would probably be better if I had known that before. [SW2; Mitchells Plain]

Resources available to the Access to Justice programme

A MOSAIC social worker discussed having lawyers available to confer and refer survivors more directly.

> Because for me, I feel like sometimes if we can have lawyers, like MOSAIC lawyers, 2 or 3 that are there specifically for our clients, because sometimes you wish you can have someone you know you can refer to. Because sometimes, you can refer to legal aid or women's legal aid for abused women, but knowing you can have a lawyer, you can call so that the client can ask questions. If we had that, I think it would be wow, now we have everything. [SW1; Khayelitsha]

A MOSAIC court worker pointed out that MOSAIC is only active in some of the DV courts and that she would like to see MOSAIC expand into all the courts, as their presence was essential in the PO application outcomes for the survivors. She suggested she would love to see MOSAIC enter the communities and allow survivors to apply for POs from their

homes. Monetary and travel issues, as well as fear, could be preventing survivors from obtaining the opportunity for the justice that they deserve.

> Um, I would say we are not in all the courts if MOSAIC can be in all the courts. Because I see how important it is for us to be there and assist the client and, um they said last year in some training that they can't do it other than the court because the magistrate must sign it. But it would be great if we could go out into the community and assist the client in completing the PO because many are sitting in that situation but are afraid of coming to court or do not have transport. So that is one thing that MOSAIC could get in a place where we can get the PO. We have people who go into the community and give information, but we don't have people assisting with the application. [CW1; Wynberg]

NPT Construct 4: Reflexive Monitoring

Reflexive monitoring: "How is the work understood?" is the appraisal work in assessing the PO application process. Reflexive monitoring includes individual appraisal, where stakeholders appraise their parts in the process and the effect of this process on themselves. As well as communal assessment, in looking at what is working or not working for them in the process. Reflecting on the work allows redefining procedures or modifying practises to make the process more workable.

How survivors saw their work roles and responsibilities in the PO application process:

To apply for a PO, sometimes repeatedly when necessary.

All survivors acknowledged that being granted a PO was instrumental to their safety. Survivors, therefore, saw the beginning point to gaining protection as going to a police station or court to apply for a PO.

This survivor was granted an interim PO but let it expire without returning to court to have it made permanent. She acknowledged that the interim PO had allowed her to have the perpetrator arrested and wanted that assurance of safety back. Hence, she realised that she needed to begin the application process again.

> I actually applied for a PO at the court. Every time I had to go back; the respondent didn't want to go back; maybe he knew he was at fault… Do you remember the man from the Eastern Cape that killed his children? This is what I'm

> thinking that he could do this to my kids. He is very secretive. He has been arrested before. The detectives one time arrested him, I had an order against him, and I acted on that, but now I didn't get a warrant of arrest out because that was an interim PO. [Survivor 3, Divorced]

In line with this, a theme was that the PO application process was often repeated more than once, as the survivor had let the interim PO lapse without returning to get a final PO. Three survivors stated they let the interim PO lapse because they believed the perpetrator had changed, so they no longer need one.

> Yah, [SIC] so I applied for a PO, more than one. I backed out twice, yah, [SIC] because I was promised that things will… 'it's okay, it's fine.' He is 'sorry,' whatever [SIC]… [Survivor 1, In divorce process]

To find alternate living arrangements.

Survivors often have to seek alternate accommodations; the preference appeared to lean towards family rather than shelters. Of the 12 survivors interviewed, only one was staying at a shelter because shelters could not provide counselling and support as was required by the survivor, and they felt that the living conditions in the shelter were unacceptable.

> The social worker not [SIC] helpful, I have to do everything myself: Because the social worker there, but there is a lot of clients [SIC]. So, we, as they [SIC] clients, have to jump in and find a way also. Can't just be dependable on her. That's why I did all the stuff. [Survivor 4; Single]

The notion of preferred accommodation being staying with family was reiterated by a MOSAIC court worker, who said that shelters do not provide counselling, and when they advertise at a shelter, they are looking for a social auxiliary worker degree; they want the social worker to act as a hostess who runs the shelter, rather than as a social worker. This CW1 felt was not good, as the survivors do not get the counselling they require at the shelters.

> Another thing where one of the clients said the social workers at the shelters don't provide counselling. So, the one coming today, she is at the haven shelter. So, they would always advertise that …so they want someone with social aux [SIC] work degree, but they are called a hostess. So, they are there basically to run the place, not provide counselling, so in some cases I don't think our clients get the

necessary counselling and support they need. And also, the information in how to get a PO. So, I think that is a lack in some of the shelters. [CW1, Wynberg]

To get counselling for themselves, the perpetrators, and their children

Most survivors acknowledged that they needed counselling or that their families did.

I tried counselling with my husband as well because the previous job I worked at, they gave… they had that where they provide that service for their employees…and before I got divorced for the first time, I tried counselling for the family…and he knew about it, Saturday morning because that's the only time I could get. After all, I'm working, and I ask him are you coming? Are you coming are you going? And he says, "no, I'm not going to go anywhere" Because we have already discussed and knew weeks in advance about these sessions. So, I took my kids for one or two counselling sessions, and the lady told me that my kids are stronger than I think they are…and that was when they were younger; that was 2019. she said I need the counselling more. [Survivor 3; Divorced]

I am now 64, and the abuse has now gone on for 33 years; I will come for counselling; I will come because I need it…I need it…. *Client starts crying* [Survivor 5; Married]

How MOSAIC auxiliary court workers saw their role in assisting survivors in the PO application process:

Crisis counselling on the day of application and referrals for additional counselling.

The MOSAIC court workers explained their roles and purpose in the PO application process. The court workers from both the Wynberg court and the Khayelitsha court focused on crisis counselling on the day of PO applications, as well as referring clients for additional counselling if they felt it was necessary.

So, we assist the clients with completing the protection order, and we do counselling… crisis counselling for them. Some clients are [SIC] not in need of crisis counselling, but we find that some are very emotional. So, we first do the crisis counselling before we move on to ah to complete the protection order. So once the client has come to court and applied, then I will refer them to MOSAIC if there is further counselling needed [CW 1; Wynberg].

Okay, I am doing crisis counselling. If ever I do see that people need more counselling, I will refer them to the social worker. She comes here every Thursday, one day a week. [CW2; Khayelitsha]

How MOSAIC social workers saw their role in assisting survivors in the PO application process:

Provide individual and couple counselling.

MOSAIC social workers stated that their primary role was to counsel individuals and sometimes couples. The social workers usually advise between three and six clients per day.

> Three clients are scheduled, and I see a max of 5. It depends on the client's situation. [SW1; Khayelitsha]

> I see four, and sometimes depending [SIC] if it's a couple [in a relationship], then it's more than four. Then it's about six a day. [SW2; Mitchells Plain]

Part 2: Identify barriers and facilitators to POs being made permanent.

The second part of Chapter 4 will examine the individual and collective factors that either appear to facilitate or function as a barrier to permanent POs. To accurately interpret the results in defining recommendations to align the policies and procedures more precisely with the practises and processes happening on the ground. Furthermore, to reveal possible improvements to the PO application process, specifically within the Access to Justice programme. Which in turn could increase the overall number of POs being made permanent.

Barriers to POs being made permanent.

Time to process applications.

A MOSAIC social worker felt that it takes too long to process applications. Similarly, observations that compared the Wynberg and Khayelitsha courts noted vast differences between the times to process both interim and permanent POs. The Wynberg court granted the interim PO the same day, whereas Khayelitsha took four days to grant an interim PO. Wynberg waiting times to court dates to obtain permanent POs ranged between 2-3 months, whereas Khayelitsha was a 4-6 month waiting period.

> The time …how long it takes to process applications… from our country's history…we know too many clients that we can't even call them survivors because they didn't survive, they lost their lives…because of the time taken to intervene…I'm not talking about MOSAIC specifically, but the process, the GBV in

> the country and the time it takes to intervene…it takes too long…[SW1; Khayelitsha]

A survivor from Khayelitsha also suggested that the time to get the interim order needed improvement. She pointed out that it can take up to 4 days to get an interim order in Khayelitsha, which increases the risk of violence to her.

> If they can improve the time to get the order, to make it same day [SIC]. Because in Khayelitsha, sometimes it takes four days to come. Here it takes very long time [SIC]. And the court say [SIC] you must go home and then you must come back if they fight with you [SIC]. And then it's a long process. And there is no protection until it is granted. [Survivor7; Married]

Conversely, MOSAIC court worker said that the situation was very different at the Wynberg court, as the interim is granted the same day.

> CW1: I am very happy with how quickly the magistrates work at Wynberg; if you come in and apply, they [the magistrates] make the decision the same day, so you get the interim order on the day you apply. [CW1; Wynberg]

The cyclical nature of abuse

A MOSAIC court worker discussed the cyclical nature of abuse and how this affected whether the IPOs became permanent. This cyclical nature often led to survivors letting the IPO lapse instead of following through and making it a permanent PO. The tendency being because during the "honeymoon cycle" survivors believed the perpetrator had changed.

> Yes, we have clients that when they have the interim PO, they use it to keep the respondent in check and then if the respondent doesn't do anything, then you find the court date comes up and they don't show, and then you find that some of them two months later three months later they come and reapply. [CW2; Khayelitsha]

Poverty

Another MOSAIC court worker added that not being granted a permanent PO could lead to not having money for transport to return to court.

> And also, I think many people travelling is also an issue because I have asked the clerk, and he says no, Wynberg court does not give travelling money. So, some clients don't have travel money. [CW1; Wynberg]

Magistrates: power and patriarchy.

A MOSAIC social worker felt it would be difficult to tell the magistrate that he was wrong, as he was in a position of power. Even at the expense of the survivors suffering through the court experience because of what the social worker believed to be the magistrates' lack of training in these naturally emotional situations.

> Who is going to tell the magistrate he is wrong, though? Who is going to tell the 'high and mighty'?
>
> Every court experience is traumatic. I have had client [SIC]; for example, she said the magistrate just dismissed her because she was too emotional…he said, "you can't just come here and cry; you are wasting my time."
>
> So, for me, I know they need to practise the law, but you have to see the connection surely…I mean, how do you separate what you have experienced and your feelings from the actual incident? You can't! So, for instance, somebody comes, and they tell their story. Naturally, there will be tears and nervousness, which should also be appropriately considered. [SW2; Mitchells Plain]

Five survivors thought that magistrates were sexist. One survivor described the magistrate as wanting money from her husband; however, she was the primary provider. Yet, she felt the magistrate assumed her motivation was financial rather than seeking to protect herself and her children from the perpetrator's violence.

> The judge says, "I hope you get out of the round table what you couldn't get here….I hope you …..I'm not sure you I'm saying it right…like what he means is like the house or like money or whatever I get right….that's what I felt,., but he didn't give me the chance, he didn't give me the time of day to explain my side of the story….my divorced husband stays in my house….I have been living out of my house for the past seven months….I pay the bond every single month…..he refuses to move. The house is in my name…and I paid for it. My husband has not paid a cent towards the house….and here I am thinking, you don't even know the situation, and here you are thinking, I want the house, I want money…. I don't want anything from this person! [Survivor 3; Divorced]

One survivor expressed her unhappiness regarding how a magistrate handled her case. Her situation was dire because she had no alternate accommodation options, which

left her vulnerable to continued abuse without a PO to protect her from the perpetrator. In response to the unfavourable outcome, she decided to reapply.

> Permanent, not yet, only interim [SIC]. I make new one [SIC]. MOSAIC help, they help me, [SIC] I open the PO and then I was not happy with how the magistrate handled the case, so that is why I came back to open another one.
>
> So, I did it again because then he beat me. And I was trying not to stay at the house with him, but I was struggling because there is no toilet and water and electricity at the informal settlement, so I decide I has to go back to my husband again [SIC]. But now he is still abusing me, so I have to get a PO to protect me. The magistrate did not make the right decision. And now he is beating me, pouring me hot water [SIC]. [Survivor 10; Married]

There were also instances where survivors deemed the magistrates to be biased. One magistrate asked the survivor if she had children and then suggested a reconciliation based on that.

> He [The magistrate] takes my file, and he looks at us [the survivor and the perpetrator], and he says, "do you guys have kids?" and I said, "yes, we do," and he says, "what are you doing this for?" and already I was like "why did I even do this? Why am I here? … for a third time," Why do I keep doing this? … and he takes my file, and he throws my file like that [makes throw motion] * on the table and as I came out, my lawyer said, "do not end it…this is all stuff to make you not come back here…he wants to put you off"…I mean like did anybody see what I saw? He is like, "you guys are stupid. Why are you guys here?"
>
> Well…I'm here …I'm here to get protection for me and my kids, and you are supposed to be helping us…. why are you not helping us? And then you think, well, this is why a lot of women are scared to come here…this is why" [Survivor 3, Divorced]

Consequently, a survivor wanted to report a magistrate because of his biased treatment of her.

> And the last judge…it's an old white dude with a bald head…and I asked Elaine, my lawyer, if I can report it because he was so biased. [Survivor 1, in the process of divorcing]

Another survivor felt that she was being treated like a criminal and specifically that this treatment was because she was a woman.

> And this was my third attempt to get an interim PO against him. My first one was at Mitchell's Plain when my child was a baby…. but I was too put off with how they handle you as a woman… they make you feel as if you are a criminal. You are coming there to get their

> help, but they are making you feel as if you are doing something wrong… [Survivor 6, in the process of divorce]

A MOSAIC court worker added that survivors are often too scared to speak to the magistrate as the court experience is traumatic, and they are already traumatised women.

> Because the clients, when they, [SIC] by the time they have to appear, they are so afraid of the magistrate and then the statement is read out, and they say nothing. [CW1; Wynberg]

A social worker compared the magistrates in Cape Town to Khayelitsha and felt like the Cape Town magistrates had done their job. She felt like the Khayelitsha magistrates were too quick to send survivors into forced mediation to try to resolve the abusive behaviours with the perpetrators.

> I also feel like because I have worked in Cape Town, for me, shame I feel like they are doing their job [SIC]. They, for the actual client [SIC]…so happy with how they are doing things [SIC].
>
> But here, I feel like the magistrate is sending a lot of people for mediation…you know to me, with the hope they work it out. But if they don't want to and then she is not happy [SIC]. Because I can't tell the client to give another chance [SIC]. I feel like some magistrates do that.
>
> I think that when people say that is when the justice system has failed me [SIC] because really, I mean if the magistrate is saying now, you go work it out? [SIC]. [SW2 Mitchells Plain]

DOJ clerk: misinformation and lack of training

Three survivors spoke about feeling the court system had let them down. In one instance, a DOJ clerk lied to a survivor about the court roll being too full for her to get an interim PO in less than four months. The MOSAIC court worker immediately told her the court clerk had been dishonest.

> I been there in December, but if I come back in Jan [SIC], then it would still take till April [to get an interim PO date], and in the meantime, he [the perpetrator] is there, and he is sitting with my children. Because he put me out and I had to move out to my sister. It's wrong of him to do a thing like that, and we been all the years together [SIC]. They told me at court that the rolls are so full that I will only get a date in April. [Survivor 2, Divorced]

What they told you wasn't true. [CW1; Wynberg]

Gosh, I didn't know that is what I experienced at the court [SIC]. I won't lie to you; I am mad with the court; I am completely on my own. Why are the court not helping me in this matter? [SIC] Now I am leaving the court hopeless [SIC]. They said I can only get a date April. [SIC] Why is the court system failing me? [Survivor 2; Divorced]

A MOSAIC court worker added that she felt that the DOJ clerks needed training and were not open to her suggestions that they could sometimes be wrong. For instance, one DOJ clerk did not correctly understand the rules of PO protection, but even when the MOSAIC court worker showed him the DVA, he refused to listen. In this instance, he incorrectly informed a survivor of her rights, and she was granted a harassment order, which is not as powerful as a PO. The MOSAIC court worker felt that this often happened to the detriment of the survivor safety.

The other thing is that the clerks also need some training, because like I had the conversation with the magistrate. The Act says that if someone resides in the same house or have recently stayed. So, there was one clerk who argued when I brought it to his attention. "No, they must be under the same roof", and I said to him and according to what the act says and what I have learned…" the property and not the same roof"…so then I have noticed he will not then let them apply for a PO but only a harassment. And we know if we want to say it in plain terms that a PO is stronger than a harassment order. And a week before the magistrate left and we had the convo [SIC] and he said the property. So, I think quite a few clients got the harassment order instead of the protection order at Wynberg. [CW1; Wynberg]

But I feel like we need to get that part right because I think many people did not get the justice that they were supposed to get because of one thing that someone thinks is right, and it's not right. I actually made him a copy of the Act and showed him, but he just carried on his way, and I felt that if it came from the magistrate and not me, he would listen. [CW1, Wynberg]

Another survivor said the court workers lost her case file and so she had to begin the application process again.

A few court cases it was lost [SIC]. So, I had to apply again and so was sent to the judge for a second time. [Survivor 5; Married]

Police non-compliance

Six survivors spoke about the police being unhelpful when the survivors had approached them for assistance.

> So, I go to the police station two times with no help, but I kept on going to the police station and then after that, I decided to try come to court and I had to lie to the perp to tell him to come and sign for the papers for the house. So, then she applied. Police eventually, at last, told me to come to court. [Survivor 9; Married]

> Long time I tell police I want help, and they don't [SIC]…so I decide myself to come to the court, the police don't help. [Survivor 8; Married]

A social worker corroborated this, in speaking to police inefficiency: a survivor discovered that the SAPS had not issued the warrant of arrest to the perpetrator, even though she had an IPO and an open case of assault.

> Let's just say the help is not efficient. You know, usually they don't have any vans or this one is busy…. I have a client who had to follow up on her own matter because she found out the warrant of arrest had not been issued by SAPS [SW1; Khayelitsha]

In line with this a MOSAIC court worker discussed that upon discovering that the police were not serving the respondents in every case, she encouraged the survivors to follow up on this. But at the same time, she acknowledged that this could pose a challenge if the survivor had to pay for transport to the police station.

> And on my side, when I discovered that the police don't serve the respondent, whenever I complete the application… before I take it to the clerk…because I might not see that client again…before the court date if they don't check in by me….so I always ensure that I tell them…if the magistrate grants their order and they take it to the police today …to follow up in a few days. Two days three days… and see… and if it hasn't been served to…to explain to them that there is nothing they can do with theirs if the respondent has not .is not served [SIC]. So I always encourage them to follow up with the police…because on our part we don't do that… um, the court gets a return of service … um and I have got access to it if I would like to see that …um… but I always try to encourage the client to follow up…especially if the police station is close to them, but if it's far then it would be a challenge. [CW1, Wynberg]

Lack of legal rights education

A MOSAIC social worker felt that communities were not educated enough. That they did not know their rights. She thought that the SAPS were primarily to blame. As they often gave survivors the wrong information about what their rights were.

> What I have picked up is that our communities are not educated enough. In the sense that they don't know their rights. They get the wrong information. I must say it again, from SAPS. Where they get the wrong information about the PO. So, within MOSAIC, I think we are doing quite a lot to change that. [SW1, Khayelitsha]

She stressed the importance of counselling and rights education in combination with the granting of the PO because without these and the cyclical nature of abuse; the abuse was more likely to continue without the holistic services working together.

> It's a combo of counselling. Even if the application is made correctly, if the client is not educated about her rights and perhaps you know even the future…going forward… we have clients you know…perhaps because it is so long they were in relationships, and you know how it is…going back and forth and back and forth so a lot of the time the clients only want to be safe they done necessarily not want this person to be part of their lives…um and if everyone involved is not educated on their behaviours. Then you know, the PO is granted, but the violence still continues…. [SW2; Mitchells Plain]

Another MOSAIC social worker spoke about how survivors who did not know their rights often do not pursue PO applications, based on the misinformation police give them.

> It's definitely so [SIC] sad, especially for someone who don't really know their rights [SIC]…. they like, "okay, they said at the police they can't help," and they just leave it. [SW1; Khayelitsha]

Lack of counselling

It was also clear from the survivors' words that they needed counselling.

> Because I don't know how to deal with them…there are days when I just…I think things that I shouldn't be thinking…and I know that's wrong, but they still there[the thoughts]….and I don't know how to get them out of my head…. So, this is the status these days. [Survivor 3; Divorced]

> I will come for counselling; I will come because I need it…I need it…. *Client starts crying* [Survivor 5; Married]

However, survivors stated that even though the MOSAIC court worker had referred them for further counselling, they had not received a follow-up call from the MOSAIC social worker. Two survivors said they had agreed to the interviews primarily to organise counselling at MOSAIC.

> I was referred for counselling, but I did not receive any call. But I did get a protection order, but I am still waiting for counselling. [Survivor 7; Married]
>
> No, I have been trying to get into MOSAIC, so I came to see you today to organise the counselling here. [Survivor 1; Process of divorcing]

Family

The survivors' family was either seen as a support structure to survivors or as a barrier to their ability to enact the necessary protection. Elaborating on this, a MOSAIC social worker explained that, as is the nature of abuse, the abuser seeks to isolate the survivor from family and friends. To this end, survivors feel ashamed and scared to return to family and friends to ask for help.

> It's [the abuse] kept indoors, and no one must know. And also, the abuser gets you to a point where you are dependent on him and isolates you from family and friends. And they tell you not to get involved with this person, and then maybe you are ashamed to go back and say you know what, I should have listened. All these things prevent people from getting help [SIC]. [SW1; Khayelitsha]

This fear of asking for help was reiterated by a survivor who spoke about the fact that her family had withdrawn support because she chose to return to the perpetrator, and they disagreed with this.

> My family says that if I go back to him when he hits me, they don't want me to come back with my problems again. They say I must stay away from him, or they will not help me again. [Survivor 6; Process of divorce]

Additionally, the perpetrators' families were also a problem preventing a survivor from protecting herself even though she had been granted a permanent PO. She felt that at least having the PO proof on paper was enough and was reassured by it. Even though stating she would never use it to call the police because of the perpetrator's family.

> *Crying* My Husband hit me very bad [SIC] and do [SIC] the same thing to my daughter. {Survivor 5, Married]
>
> And you haven't phoned the police? [CW1; Wynberg]
>
> I got a letter to say if he do it again, I can go to the police, but I'm scared of the family because they always judging me… the family of husband, so I say I don't want to take to the police because the family will always take his side….the family talks too much …that's why don't want. But go out of my house, or I will call the police. [SIC]
>
> Aye, it's better to get a letter to say don't come in my house again because there is a lot of family of my husband in Hout Bay because there is a lot of talk talk…[SIC] [Survivor 5; Married]

A survivor explained that after the IPO expired, her ex-husband had returned to his abusive behaviour. However as unhappy as she felt, she chose to stay with him. Her concern was that if she left her husband, especially because she was unemployed, he might get custody of their children. In line with this, children were a barrier to survivors following through with POs being made permanent.

> What my ex-husband …after the IPO expired, he went back to his 'old ways.' [SIC] He does not want to go to counselling; he says nothing is wrong. The court needs to know the history. I am going mad. He is making the rules, not even the court. But I need to be with my children, and I don't have money, so I stay with him [the perpetrator]. [Survivor 2; Divorced]

Facilitators to PO's being made permanent.

Family

Alternately family support structures seemed essential to five survivors, in allowing them the strength and means to leave the perpetrators.

> Yes, my family supportive [SIC], just came from being with them this weekend. [Survivor 1; in the process of divorcing]
>
> But I must say that I have an awesome support structure, my mom and my dad…I am lucky that they are still alive today…I honest to God today, if it was not for my parents, I still would have been with my husband. If it wasn't for me having their support, they are frikkin [SIC] awesome…and I thank God every day. [Survivor 3; Divorced]

In line with this, a survivor spoke about how her children had motivated her to engage with the court process, despite her frustration with the court system.

> So, I have to go back to court on the 7th of April, to children's court, because he has now applied for primary care. And I don't want to go back; I don't want to go back to court…I just feel so disappointed…I now I have to go…but I have to, it's for the children, and I do just want it over and done with because I want him out of my life complete. [Survivor 3; Divorced]

Empowered survivors: counselling and legal rights education

A MOSAIC social worker spoke about how survivors, which had obtained a PO and received counselling, had been empowered and found the courage to leave the perpetrator. Or had they remained with the perpetrator, but because of counselling and knowing how to use the PO, they had gained the confidence to stand up for themselves.

> Um, I would say many of them that you speak to afterwards. They have left the respondent because they have come to counselling and been empowered. And they just move on. Some of them remain with the respondent, but they are at the place where they can stand up for themselves, and they know how to use the PO. [SW; 1]

Salesforce

A MOSAIC court worker explained that a new online system, Salesforce had been introduced. She had piloted this programme alongside two other court workers in August 2021, and the programme had just been introduced to the other court workers. This MOSAIC court worker felt that Salesforce would make assisting survivors easier and provide more effective assistance as the system enables court workers to interact with all relevant MOSAIC staff members. For example, a court worker could update online that a social worker needs to contact the survivor for additional counselling and then check that the social worker has done this.

> You saw me busy capturing earlier….it was on the salesforce programme. So, this is where I will capture the clients' details and the abuse that happened. Then if I put new court intake, I will do type of abuse and who referred the client all those information. But what is great about this is anyone else in MOSAIC that is on this programme, we access with email and password so they can go into the file and add to it. Say the linkage officer called her and got some additional information, she can add it, and I can go back in and see that. It was piloted in August, so Pam and another colleague started with me, and now last month, training was given to

> the other court workers. So even the M&E staff can access this. If they have done anything for the client.
>
> What is great about it is if I want the social worker to contact the client for additional counselling, I can just add it in there and then send her a reminder on Salesforce. [CW1; Wynberg]

Open lines of communication between institutions

A MOSAIC social worker spoke about a platform of communication that allowed various people involved in the PO application process to meet and discuss issues and roles with the intention of improved communication and services. She said that, in her opinion, she had a good relationship with SAPS because she had developed a personal relationship with the DV coordinator in the unit.

> I am not sure if you know, but MOSAIC have this "Safe" platform where organisations have the same or similar mandates. We get together and talk about the issues we are experiencing and everyone's role in the client journey.
>
> So, from my experience, I have only had good experiences with SAPS because I connected with the DV coordinator on one of these forums and so on… and that is the only reason why …I feel like if I had never met her personally or contacted her, then the service would not be as efficient.
>
> There is this coordination of services. It was piloted in…, so we gave it in Paarl, Philippi and Mitchells Plain. Mitchells Plain was the last to initiate the project. So, it's fairly new, and we are still finding our feet. And that is how I got to know the DV coordinator at SAPS. So, if it wasn't for that platform, it would have been more challenging. Because I can call the coordinator, and she looks into it…because you know she is the coordinator of the whole unit. [SW2; Mitchells Plain]

Consequently, this helped speed up the service and quality required from the police for the survivors.

> So, I give the client a little form that they can give to SAPS that says the client has applied for a PO, but they might be in danger, and the client then presents it to SAPS and then if there are any problems, they can come out. I also liaise with the shift commander because I have them on WhatsApp, so the DV coordinator [SIC]. So that usually helps to speed up the process if you know someone at SAPS. [SW2; Mitchells Plain]

Part 3 Observational findings

The evaluator noted distinct differences between the Wynberg and the Khayelitsha courts. The Wynberg court was in a middle-income area outside of Cape Town whilst the Khayelitsha court was in a low-income area. The language at Wynberg was predominately Afrikaans whilst the language at Khayelitsha was Xhosa. The Wynberg court appeared less busy than the Khayelitsha court. The line of waiting women in Khayelitsha was three times the size of that in Wynberg.

The evaluator was impressed with the professional advice and caring the MOSAIC court workers showed to all survivors. The Khayelitsha court worker appeared to work alongside the DOJ more than the Wynberg court worker did. Although it felt to the evaluator that at Khayelitsha the MOSAIC worker was less inclined to speak up to any governmental incompetence because of this. The evaluator noted that the MOSAIC worker in Wynberg was quick to voice issues in the PO process and had lodged formal complaints against magistrates for the survivors. It felt to the evaluator that although this was a more difficult working environment for the Wynberg MOSAIC worker it was likely to have better outcomes for survivors dissatisfied with governmental processes in court.

The most notable difference between the two courts was the processing time for IPOs. The Wynberg court issued the IPO the same day whereas the Khayelitsha court could take up to 7 days to issue an IPO. The evaluator perceived an added stress level from the survivors at the Khayelitsha court, which seemed to be linked to lack of financial means of survivors in Khayelitsha. Often survivors said they did not have the funds to return to court to collect the IPO. The evaluator noted this as a link to why POs do not become permanent. Although the Khayelitsha court had the distinct advantage of having a social worker on site, this appeared to make a difference to the psychological wellbeing of the survivors. Many spoke about the help they had received from the MOSAIC social worker.

Chapter Five

Discussion

The first part of chapter five will discuss the Access to Justice programme utilising the four constructs of NPT as a framework of interpretation. NPT is an action theory that focuses on what people do, individually and in groups, rather than what they believe or intend (May et al., 2018). NPT also asks, "how we can best understand the dynamics of the human agency under conditions of constraint." Moreover, how implementation contexts inform implementation processes (Finch et al., 2018). Accordingly, implementation processes are fundamental to improving implementation outcomes. This exploration answered the first question posed in this evaluation: "Are the legal processes within MOSAIC's Access to Justice programme working towards routinising practises to obtain permanent POs for survivors?"

The second part will incorporate the socio-ecological model to explore the unique South African context as a lens to interpret the barriers and facilitators in PO outcomes. The social-ecological model includes behaviours and attitudes associated with IPV, which will build a more well-rounded discussion of the factors that shape PO outcomes in South Africa (Taylor & Xia, 2020). Furthermore, attitudes and behaviours assist in explaining the individual and collective reasoning behind implementational adaptions to the PO application process (Thaler, 2012). Moreover, this will be a blueprint for identifying implementational challenges in PO application processes.

Part One: Evaluate the Access to Justice programme using the NPT framework.

NPT construct 1: Coherence

Coherence *(What is the work?)*	
What is the work, individually and collectively, in the practices around a PO becoming permanent?	
Working Mechanisms	
Individual specification What are the individual's work practises involved for a PO to be made permanent?	**Communal specification** What are the collaborative work practises involved for a PO to be made permanent?
Differentiation How does individual work practises' roles and responsibilities differ when a PO is made permanent?	**Internalisation** Are the benefits and importance of these work practises in making a PO permanent understood?

The Access to Justice programme and the Domestic Violence Act 116 of 1998, are long-running and complex judicial systems. The individual and collective work roles of MOSAIC auxiliary court workers, DOJ court workers, magistrates and SAPS have thus become embedded in everyday practice (May et al., 2018). For this reason, the coherence construct was used in this evaluation to compare. To compare the work roles of stakeholders in the PO process as outlined on paper with what stakeholders are doing on the ground.

NPT was particularly useful in isolating work actions to highlight how policy can appear adequate until implemented. For example, the SAPS and DOJ are mandated to assist survivors with filling out forms, affidavits, and legal rights education, which appears to give survivors multiple sites of assistance for PO application. However, upon implementation, according to survivors, MOSAIC court workers are the only ones consistently providing these services on the ground.

Furthermore, individual, and institutional responsibilities can overlap and become hard to distinguish when adapted to meet survivor needs. For instance, the DOJ initially agreed to MOSAIC providing crisis counselling exclusively within the courts. However, MOSAIC and the DOJ reshaped this role to meet survivors' needs. MOSAIC began to include assistance with form filling and affidavits. Accordingly, a recent study states that most courts have unofficially come to rely on MOSAIC to complete the application process (Rehse,

2021). As a result, this unspoken agreement has shifted responsibility in PO application outcomes to the individual and non-governmental levels, which is counterproductive to holding the government accountable for improving judicial systems for IPV survivors.

NPT Construct 2: Cognitive Participation

<table>
<tr><th colspan="2">Cognitive Participation
(Who does the work?)
Relational work</th></tr>
<tr><td colspan="2">What are the relationships and the nature of their contributions and those of others that MOSAIC auxiliary court workers and survivors believe are needed in the PO application process?</td></tr>
<tr><td colspan="2">Working Mechanisms</td></tr>
<tr><td>Initiation
Are key stakeholders working to drive the PO application process forward?</td><td>Enrolment
Are key stakeholders collectively organising and reorganising themselves and others to contribute to the PO application process?</td></tr>
<tr><td>Legitimation
Do all participants in the process believe that it is suitable for them to be involved and that they can make a valid contribution?</td><td>Activation
Are the work actions and procedures clearly collectively defined to sustain the process of POs being made permanent?</td></tr>
</table>

According to the data, MOSAIC court workers and survivors appear to drive the PO process forward. Specifically, they organised and reorganised themselves in response to what they perceived as lacking from the SAPS and the DOJ. The data emphasised that multiple survivors repeatedly tried to open a case of assault and apply for a PO at police stations. However, the police sent them away unassisted. Eventually, they went to court and sought help from MOSAIC court workers. MOSAIC assisted them in completing PO applications and informed them of their rights regarding police assistance. Upon learning this information, survivors returned to police stations and insisted that police assist in opening a case of assault. Consequently, this indicates that SAPS misinformation often led to multiple attempts by survivors to apply for a PO. They were proving time-consuming and frustrating for survivors accessing legal systems.

Furthermore, this highlights the importance of educating women about their legal rights. Moreover, it suggests that this education is the most beneficial if given before a survivor engages with institutions for PO application. Therefore, more community-based educational interventions are needed to further education on women's rights. Conversely,

this misinformation could factor in the high attrition rates in PO cases (Artz, 2016b; Smythe & Artz, 2005). In turn, it is affecting the overall number of POs that are made permanent.

To elaborate, survivors indicated that unless educated otherwise, their response was to take authority figures at their word. As a MOSAIC court worker stated, “that is why when police say, ‘helping you with forms and affidavits is not our responsibility, survivors do not argue.” Indicating that only once educated did survivors feel able to argue against the misinformation they were given. Furthermore, given that research indicates that 50% of survivors do not report abuse, this could explain why the incidence of IPV in South Africa is estimated to be far greater than reported (Britton, 2021).

Equally importantly, the data indicated that multiple survivors who requested counselling did not receive a follow-up call after being referred. MOSAIC court workers assumed that the MOSAIC head office had called survivors. However, the data showed that no consistent follow-up system was being implemented. In contrast, research stresses the importance of survivors’ need to feel supported and informed throughout the PO application process (Albanesi et al., 2021; Kokka et al., 2019). Subsequently, this lack of counselling could contribute to POs not being made permanent.

To elaborate, role confusion within MOSAIC appears to be a by-product of unclear work actions and procedures. Moreover, it cannot sustain the process of POs being made permanent. In turn, role confusion facilitates a lack of accountability suggesting that MOSAIC's individual and collective work actions must be clearly defined (May et al., 2018). In line with this, MOSAIC recently piloted and rolled out an online programme called SALESFORCE. This programme provides the means to improve communication systems between MOSAIC staff, which could improve referral systems for survivors. It could also be utilised to delegate work responsibilities and ensure accountability within MOSAIC. SALESFORCE was initiated across MOSAIC at the time of these interviews; assessing whether it will lead to improved systems of communication and referral must therefore be explored down the line.

A concerning theme that emerged is that role confusion at an institutional level has led to survivors driving PO applications. Further, with minimal or no knowledge of PO laws and without the required counselling support. Too much responsibility is thus being placed

on survivors to initiate the DVA protection that the DOJ and SAPS are meant to provide, which could lead to survivors feeling confused and let down by the legal system without the necessary tools to complete the PO application process.

NPT Construct 3: Collective Action

Collective Action *(How does the work get done?)* *Operational work*	
How do the survivors, MOSAIC, DOJ and police work together to operationalise the process of a PO being made permanent?	
Working Mechanisms	
Interactional Workability What interactional work do stakeholders do together to operationalise PO applications in everyday settings?	**Relational Integration** Have stakeholders-built accountability and maintained confidence in each other and how they work towards POs being made permanent?
Skill set workability	**Contextual Integration**
What is the division of labour in the real-world process of a PO being made permanent?	What are the allocated resources available in working towards a PO being made permanent?

As a result of role confusion, ad-hoc court systems have emerged in the PO application process. To illustrate, the correct PO application and affidavit terminology is essential to whether the PO gets granted (Parenzee et al., 2001; Smythe & Artz, 2005). However, according to a MOSAIC court worker, if the survivor cannot complete the form, the clerks instruct them to return with a friend or family member who can assist them. Thus, shifting responsibility to the survivor and assuming a family member or friend can assist. Clerks have instructed that they cannot assist survivors in filling out forms, and MOSAIC has taken the clerk's word for this. However, according to policy, clerks' responsibilities include this assistance (UN, 2021). These grey areas between policy and implementation indicate how work-role confusion can occur. Thus, it can be determined if the policy is vague and allows for different interpretations; the policy needs to be more clearly outlined. What follows is that procedural accountability would become easier to determine. In turn, allowing systems of implementation to be improved, leading to better outcomes in the number of POs made permanent.

In line with this, recent research into court systems across the Cape suggests that inconsistent implementation of the DVA between DOJ courts can also contribute to POs not

being made permanent (Rehse, 2021). This inconsistency indicates that unclear and inconsistent implementation processes must be addressed at a multi-organisational level.

To expand on this idea, there appears to be a need to build inter-agency relationships that strengthen relational integration. In response to this, MOSAIC piloted the SAFE project in 2021. SAFE is a tool to develop inter-agency relationships and communication networks that benefit survivors in the PO application process. It has been launched on a broader scale in recent months; therefore, evaluating the effects can only be done down the line.

It is important to note that all stakeholders in all institutions would have to incorporate SAFE to create the most effective network to assist survivors in the PO application process (Albanesi et al., 2021; Sere et al., 2021). Therefore, it could only be successfully implemented if all DOJ courts and SAPS stations were willing to actively participate in building this multi-organisational assistance network. This building process would involve all organisations agreeing to take responsibility and accountability more actively for their roles in the PO application process. Research has indicated that this would require a shift in the "finger-pointing" tendencies between organisations (Britton, 2021; UN, 2021). Data indicated that this shift is possible, as was seen when a MOSAIC social worker successfully used the piloted SAFE platform to coordinate with the DV coordinator at her community police station in Mitchells Plain.

Collective action refers to the resources available to the Access to Justice programme and the training required for stakeholders to make a PO permanent(Finch et al., 2018). MOSAIC workers acknowledged they had much to learn but felt that MOSAIC was providing training that would equip them to best handle their tasks. Specifically, the court workers cited the ongoing training as beneficial. Conversely, a social worker felt she required more training in areas not directly in her field, which would have enabled her to understand the court process better. In line with this, the MOSAIC court and social workers felt the SAPS and DOJ needed more training. The overall theme from the data was that more training would benefit all stakeholders who assist survivors in the PO application process, reiterated in recent research on DVA implementation in the Cape. DOJ clerks, magistrates, and the SAPS spoke about the need for "empathy training" to understand the

complex nature of IPV (Rehse et al., 2021) indicating a training gap in all governmental organisations that respond to IPV, which needs to be addressed at the governmental level (Britton, 2021).

NPT Construct 4: Reflexive Monitoring

Reflexive Monitoring *(How is the work understood?)*	
What is the work individually and collectively in the practice of a PO becoming permanent?	
This involves individual and communal appraisal; in looking at what is working or not working for them in the process. Reflecting on their work allows redefining procedures or modifying practices to make the process more workable.	
Working Mechanisms	
Systemisation What are the individual work practices for a PO to be made permanent?	**Communal specification** What are the collaborative work practises involved for a PO to be made permanent?
Individual appraisal	**Reconfiguration**
What are individual stakeholders' appraisals of the process of a PO being made permanent?	Is there a need to redefine procedures or modify practises in making a PO permanent?

All survivors reflected on a PO as instrumental to their safety. However, a theme that came through was that the attrition rates in the permanent PO application process were because this process was often repeated more than once. On multiple occasions, survivors admitted to allowing the interim PO to lapse because they believed the perpetrator had changed. This belief acknowledges personal feelings rather than implementation challenges hindering PO outcomes. In line with this, a study by Artz (2016b) found that survivors' feelings explained 15% of PO attrition rates.

Most survivors acknowledged that they needed counselling for themselves, as a couple, or with their families. In line with this, MOSAIC social workers stated that their primary role was counselling individuals and occasionally couples. The MOSAIC social workers usually counsel between three and six clients daily. It is important to note these figures in contrast to the average of eighty IPO applications at each court every month, highlighting the disparity between the number of survivors that can be offered counselling services and the number of survivors potentially needing counselling at each court. Social workers often work at more than one court, placing the numbers at more than one hundred and sixty survivors per month, with one social worker available to provide counselling.

The MOSAIC staff and survivors communicated the working processes they felt were not serving the PO process. However, both MOSAIC and survivors appeared unsure how implementation could be improved. Moreover, MOSAIC and survivors felt the SAPS and DOJ were primarily responsible for PO process challenges. In line with this, MOSAIC court workers are only active in some DV courts and by invitation of the DOJ. Indicating MOSAIC are helpful to survivors filling in forms and providing emotional support on the day of application without appearing to hold much sway with clerks and magistrates in influencing PO outcomes. To this end, a reconfiguration of work systems is necessary for all stakeholders to take responsibility and accountability in creating a more robust system for PO applications to be made permanent (May et al., 2018).

Additionally, this would need to be backed up by resources to accommodate changes. Such as providing additional and continuous training for all stakeholders involved in the IPV process. In line with a study by (Artz, 2016b) the data indicates that governmental responsibility and budgetary allocations reflect how much change can filter down to the institutional level.

Conclusion to Part One

The data indicates that rules and regulations for SAPS, DOJ and MOSAIC appear unclear and undefined to stakeholders involved in the PO process. Individual and collective work roles are not being understood and acted upon. Therefore, although coherence is met on paper, it does not appear to translate to an effective “on the ground” action system. Therefeor, the translation of policy to implementation is either not being understood or the responsibility for mandated roles is not being taken. Role confusion has created a lack of institutional accountability in PO outcomes. Specifically, according to multiple survivors, they did not receive assistance from the SAPS and DOJ. It could be surmised that MOSAIC and the survivors appear to understand the importance and benefits of a set of practices (May et al., 2018). However, without the work roles of the SAPS and DOJ being actionably aligned, the holistic legal network is not functioning as was set out in the DVA policy. In turn, this could contribute to POs not being made permanent.

Concerningly, there is a sense that it is not fully understood where survivors' responsibility ends, and the judicial system begins. Research suggests that the South African government has not held itself accountable for the high incidence of IPV (Britton, 2021; Parenzee et al., 2001; Smythe & Artz, 2005) leaving the responsibility on survivors. Subsequently, survivors repeatedly attempt to utilise judicial systems without receiving adequate assistance, which leads to a vicious cycle of inadequate systems that appear unable to treat IPV incidence in South Africa successfully. It is important to note that these overburdened and under-resourced systems of NGO implementation point to governmental responsibility rather than NGO lacking (UN, 2021). Therefore these responsibilities are beyond the individual and organisational control of DOJ, SAPS, MOSAIC, and survivors. Moreover, this could be attributed to a lack of IPV accountability at the South African governmental level (UN, 2021).

Therefore, in answer to the question, "Are the legal processes within MOSAIC's Access to Justice programme working towards routinising practises in obtaining permanent POs for survivors?" It could be surmised that the Access to Justice programme is working towards routinising practises to the best of its ability. However, given that Access to Justice intervention is limited to the social systems within which it operates. The success of obtaining permanent POs for survivors is linked to how successful South African society is in implementing a societal-level working means of combatting and eradicating IPV.

Part Two: "Barriers and Facilitators to POs being made permanent in South Africa."

The social-ecological model was adapted in part two, to examine the barriers and facilitators to POs being made permanent in South Africa. This model includes attitudes and behaviours within each level, allowing the discussion to develop from examining "what people do" to how societal, community, institutional and individual behaviours and attitudes could be barriers or facilitators to POs being made permanent (Taylor & Xia, 2020). Consequently, this added another level of interpretation in determining factors that shape PO outcomes in South Africa. Figure 5.1 is an adapted socio-ecological model that examines

barriers and facilitators at different social levels that could contribute to whether POs are made permanent:

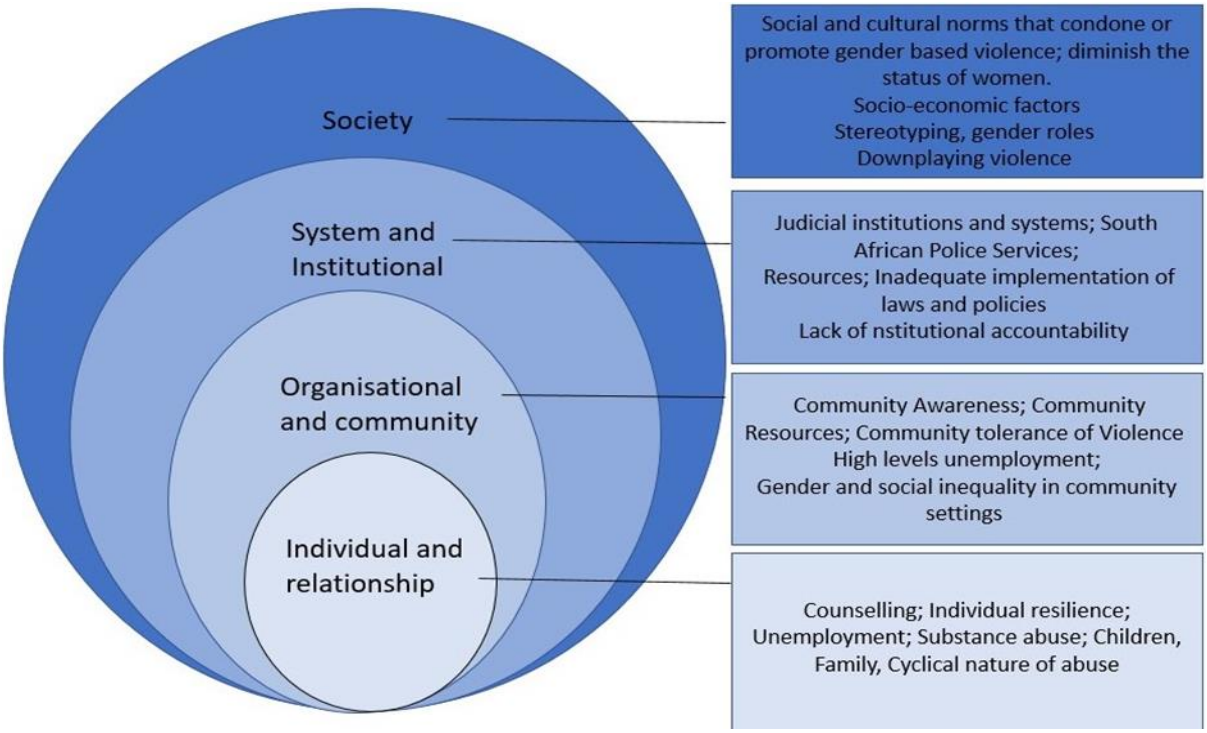

Figure 5.1 The socio-ecological model: Different social levels with barriers and facilitators to making PO permanent.

South African Societal Level

Social and cultural norms in South Africa have been shaped by apartheid. During apartheid, the state used violence as a means of control, contributing to the current normalisation of violence in South Africa. Additionally, The Group Areas Act divided areas and services unequally, and the effects of this socioeconomic imbalance are still apparent (Britton, 2021; Mshweshwe, 2020). Additionally, feminist research reiterates that domestic violence is a consequence of patriarchy (Abraham & Prabha, 2022; Mshweshwe, 2020; UN, 2021). This system promotes male dominance by allowing men to dominate and control women. Specifically, the marriage institution has been found to support patriarchal ideas about gender roles by promoting male privilege (Mpondo et al., 2019). Analogously, the overarching theme in the data is that these societal and cultural norms shape the

governmental and judicial systems in South Africa and can therefore be barriers to PO outcomes.

In line with this, survivors and social workers described discontent with patriarchal structures in courts and police stations. Moreover, this often led to a loss of faith in legal processes. Survivors stated that magistrates comprised “old white men” whose rulings often seemingly placed the institution of marriage and children above survivor safety. In line with this, research has found magistrates too conservative in their ideas of patriarchal marriage systems, which affected their decisions in granting POs to survivors (Sere et al., 2021; Smythe & Artz, 2005).

Additionally, survivors reported that the magistrates presiding over their PO application were often biased in favour of male perpetrators. For example, one magistrate assumed that a survivor’s PO application was a bid to get money from her husband. When she was, in fact, the primary provider. In line with this, a social worker expressed concern at how often magistrates branded survivors “too emotional.” She felt magistrates were too quick to send survivors into forced mediation with perpetrators rather than grant IPOs. She maintained that this led survivors to lose faith in the justice system. These findings suggest a concerning pattern of how patriarchal social norms negatively affect PO outcomes.

Moreover, these judicial systems appear to directly affect survivor safety in opposition to the DVAs intent to provide protection (Rehse et al., 2021). Furthermore, this highlights the misalignment between South African policy and implementation (Smythe & Artz, 2005). Arguably, patriarchy fails to capture the historical and cross-cultural variations of gender inequality in South Africa (Mshweshwe, 2020), which is crucial to understanding South African men's violence in context. It is important to note that these social and cultural systems are long-standing and deeply embedded and can be reinforced on an unconscious level of participation by all people. For instance, Mshweshwe (2020) noted that in traditional rural contexts, mothers-in-law contribute to these norms by encouraging their sons to demand respect and submissiveness from their wives through violence. For example, a survivor’s in-laws prevented her from calling the police to protect herself and her daughter.

Policy

Research indicates that judicial systems are representative of patriarchal systems. In contrast, WHO guidelines recommend adopting female-centred approaches when responding to IPV. Additionally, policymakers create linear policies to address social ills, yet research repeatedly indicates that problems like gender-based violence cannot be addressed in isolation (Britton, 2021; Sere et al., 2021). There is therefore the need for a stronger emphasis on an integrated approach whereby gender-based violence is nested within economic and social inequality. Arguably, all legislation will remain in oratory realms without additional changes in national resource expenditure (UN, 2021).

In line with this, government leaders speak about advancing women's rights while underfunding the infrastructure necessary to transform these rights into workable interventions (John et al., 2020; UN, 2021). To illustrate, the South African governmental speeches 2021 denounced GBV as the "second pandemic". However, the 2022 budget directed to GBV interventions is non-existent. Although sixty billion was afforded to The Department of Social Development, the budget minister allocated this money to increasing social grants, old age care and orphan care (Budget Speech, 2022). In line with this, South Africa has just passed new legislation on IPV responses. Specifically, the plan is to roll out the means for survivors to apply for POs online (DVA Amendment, 2020). However, given that no budget was explicitly earmarked towards GBV, it is questionable how these new policies will be enforced and sustained. Appearing to lack the resources needed to back the new legislation up. Although the new legislation facilitates improved PO outcomes, the lack of resources is a barrier to achieving new policy ideals.

South African Judicial and Institutions Level Systems

Research indicates that criminal justice systems in patriarchal-centred societies seemingly fail to consider women's perspectives in addressing judicial system barriers (Abraham & Prabha, 2022; Artz et al., 2020; Fry et al., 2019). Survivors engage in the state during their most traumatic and often dangerous moments. Consequently, survivors require that judicial systems provide greater protection than themselves (Britton, 2021; Gouws, 2016). Thus, POs are only valuable to survivors of IPV if the judicial system can support survivors' immediate safety needs.

However, legal systems and courts continue to be underfunded and unevenly implemented. Moreover, as a result, they cannot consistently address survivors' immediate safety needs (Rehse et al., 2021). For example, it was observed that the time to process applications was vastly different between the Khayelitsha and Wynberg courts. The Wynberg court granted IPOs on the day of application, whereas the Khayelitsha court took at least four or five days to grant an IPO. Following this, it takes between two to three months at Wynberg and four to six months at Khayelitsha, from the time of granting the IPO to the court date, to determine if the IPO will be made permanent. In line with this, a survivor from Khayelitsha suggested that the time to get the interim order needed improvement. She pointed out that the four days it took to get an interim order increased her risk of being violated again.

Research indicates that survivors of domestic violence are often threatened with death or more violence if they initiate or proceed with criminal justice interventions. Therefore, these wait times threaten rather than protect survivor safety (Artz, 2016a; Rehse et al., 2021; Smythe & Artz, 2005). Consequently, delays and long wait times in obtaining POs can create physical and mental barriers to applicants and result in inadequate protection (Artz, 2016b). The courts are therefore failing in their constitutional obligations to protect vulnerable survivors' lives and rights to equality. A study by Rehse (2021) corroborated that unequal implementation of the DVA across courts is a barrier to providing safety for survivors. Accordingly, legal reform must address survivors' needs.

Moreover, legal reform must consider survivors' unique profile requirements (Albanesi et al., 2021). Most of the population is uneducated and lives in low-income rural areas (UN, 2021). Consequently, court forms should be written comprehensibly to someone with limited literacy. Alternatively, resources that increase court worker assistance should be made available to survivors at courts in filling out application forms (Britton, 2021).

Furthermore, a MOSAIC court worker pointed out that court systems are understaffed. To add to this, MOSAIC only operate within some courts in South Africa. Their services, therefore, do not reach all survivors seeking POs in courts. Arguably, according to the South African government's recent legislative changes, the ability for women to apply for POs online will ameliorate these barriers to obtaining permanent POs. However, this

remains questionable, given that the data and previous research indicated that most survivors could not understand or complete the PO forms without assistance (Artz, 2016b; Rehse et al., 2021). In addition, the vast majority live in low-income rural areas, often without access to online systems (Meer et al., 2018). This indicates that introducing online systems instead of increasing court support options that assist survivors could lead to further frustration and longer waiting times for IPOs. Thus, increasing barriers to justice and amplifying the threat to survivors' immediate safety needs.

DOJ Magistrates and Clerks

Many survivors believed that DOJ clerks and court systems did not meet their needs resulting from DOJ incompetence or misinformation. For example, a survivor suggested that a DOJ clerk, in one instance, lied to her about court availability. The clerk stated that the court roll was booked for months, so they could not assist her with the IPO application. In another instance, a survivor said the clerks lost her case file, so she had to begin the IPO process again. Elaborating on this, a MOSAIC court worker maintained that the DOJ clerks seemed to lack adequate training, often leading to biased judgements about whether survivors should get a PO. Specifically, clerks and magistrates lack the training to understand the nuances of IPV, such as its cyclical nature. They would therefore form judgments of survivors that repeated the IPO process.

Nonetheless, clerks and magistrates have all the decision-making power to determine PO outcomes. A MOSAIC court worker further explained that clerks prioritise the order in which files are taken to the magistrate and even whether an application should be put before the magistrate. The system, therefore, becomes open to bias, misinformation, and abuse. Using uniformed discretion from a lack of training promotes impetuous judgments and harmful perceptions of domestic violence (Gouws, 2016; Kate et al., 2018; Lopes, 2016), which contradics the notion of evidence-based reasoning on risk factors for violence, which could ultimately lead to POs not being granted and, thus, a fatal incidence of abuse.

In line with this, research in 2004 and more recently in 2021 found that magistrates and clerks acknowledged they had not received adequate training. Moreover, magistrates in 2004 and 2021 reiterated the same gaps in their training and pointed out that some

magistrates and clerks had received no training. Clerks stated their training is mainly about administration, not how to respond to emotional aspects of survivor needs. These training gaps inevitably affect magistrates' implementation of the DVA and, thus, PO outcomes (Artz, 2016a).

In contrast to the lack of trained DOJ and SAPS, MOSAIC provide ongoing empathy training to MOSAIC court workers, positioning MOSAIC as best able to understand survivor needs. However, the data reinforced feelings of frustration from MOSAIC court workers in their limited ability to approach magistrates or correct clerk misinformation. Moreover, MOSAIC supports survivors during the court application process eventhough they have limited power to influence a survivor's case or to suggest means to improve PO processes to the DOJ. Consequently, the most emotionally knowledgeable structure is the least powerful in influencing PO outcomes.

Additionally, these findings reinforce the patriarchal systems that do not acknowledge the role of emotion in the PO application process (John et al., 2020; Kafonek & Richards, 2017; Smythe & Artz, 2005). Additionally, it is essential to note that MOSAIC is permitted at the courts courtesy of the DOJ. As a result, MOSAIC is not on equal footing with the DOJ in the PO process and cannot assert rights to the court space similarly (UN, 2021).

In line with this, the legislation states that official court appointments be representative of the population they serve (Constitution 6th Amendment Act of 2001). However, South Africa comprises 51,2% women, yet only 41 % are judges. More pertinent is that of the 14 heads of superior courts in South Africa, only three are women (UN,2021). This lack of female judges, especially in the superior courts, could subconsciously communicate that woman are undeserving or unqualified to hold high leadership positions in society. This inequality in the judicial system reinforces gender inequality in society (Smythe & Artz, 2005).

Conversely, a hopeful step in a better direction has been appointing the first-ever female chief justice in South Africa. The Honourable Justice Mandisa Maya is an outspoken advocate of eradicating GBV in South Africa. She will take up her position in September 2022. Maya is one of the few judges in South Africa with a solid and outspoken commitment to changing judges' approaches in adjudicating gender-based violence and femicide cases.

Her own words provide promising future directions towards a future South African free of GBV:

> "*While there has been a marked ideological shift in the ways judges adjudicate matters relating to gender-based violence and femicide in recent times, the fate of these victims should not be left to the off-chance that the individual Judges hearing their cases will be attuned to the sensitivities. There should be a formalisation and standardisation of these norms so that it is incumbent on the Courts to pay particular attention to the treatment of victims in these cases" (UNOC, 2019 pg,15)*

South African Police Services

Police failure in South Africa is one of international obloquy. SAPS are synonymous with corruption and indifference (Artz, 2016b; Britton, 2021). Additionally, research suggests that the narratives of domestic violence as a "private matter" boost police reasoning for their lack of assistance in IPV cases (Meer et al., 2018). Accordingly, the data indicated that most survivors and MOSAIC court workers felt the police were unhelpful. Survivors expressed frustration that they had to repeatedly follow up with the SAPS, who had not served perpetrators the IPOs. A social worker added that this apathy jeopardised survivor safety, to a large extent, because the police appeared to take advantage of survivors' lack of legal rights knowledge.

Arguably, the research done by Civilian Secretariat for the Police (2016) indicates that police are untrained and unaware of survivors' rights. The secretariat found that across all the stations audited (145), only 4,308 officers had been trained on the Domestic Violence Act, while 7,542 officers had not. The audits found that even those officers who had been trained lacked a complete understanding of the Domestic Violence Act. Similarly, a study by Rehse et al. (2021) stated that less than half of the police interviewed could accurately answer questions pertinent to their roles in the PO application process, which was confirmed by MOSAIC social workers, who stated they often had to explain how the PO application worked to the police.

Furthermore, there is enormous pressure for organisations to appear proactive, considering the immense focus directed at DV. Nevertheless, this does not necessarily translate into improved implementation. For example, the Civilian Secretariat for Police stated that they had trained 29,871 officers in DVA implementation in 2019. However, research indicates that between 2001 and 2021, there has been no marked improvement in the police understanding of the DVA (Artz, 2016b; Rehse et al., 2021; Smythe & Artz, 2005) highlighting the need to focus on the quality of training instead of stating the number of police trained in addressing challenges in DVA implementation.

Community Level

Environment as a barrier

Most South African population lives in informal settlements (UN, 2021).This environment is characterised by inequality and poverty and represents a form of structural violence (Britton, 2021) . The conditions in the informal sector have been caused by the government's failure to provide necessities for citizens. Communities continue to be nested in the socioeconomic differences created by apartheid (Abraham & Prabha, 2022).

Gender-based violence has no racial or class boundaries. However, the responses to it, and the resources available to address it, differ from community to community. For example, survivors in higher-income communities generally have better access to funds, private hospitals, and transport. The survivors in low-income communities generally have overburdened and overcrowded government facilities and are predominately unemployed, with fewer transport options (Britton, 2021; Gibbs et al., 2018). Rehse et al., (2021) elaborated on this in assessing the uneven implementation of the DVA across South Africa. More impoverished areas generally had slower response times in granting POs. Arguably being in a more vulnerable socio-economic position often increased the need for urgent protection.

To add to this, survivors in informal communities live in cramped conditions. Consequently, family, friends, and neighbours often witness the abuse. (Hatcher et al., 2022) discuss the growing evidence that increased depressive symptoms among women

have been linked to the frequency of neighbourhood DV. Thus, revealing how the effects of violence can contribute to community-level mental health.

Furthermore, a social worker reported that communities were not well-informed or misinformed about their GBV rights. Previous research highlights the importance of including human rights in interventions, emphasising practical application in personal situations (Gibbs et al., 2018; Simmons et al., 2018; Smythe & Artz, 2005). Additionally, research indicates that community networks are vital for breaking the silence around IPV and changing social norms (Kokka et al., 2019; Sere et al., 2021). Moreover, when the community infrastructure is robust, it strengthens the ability of leaders and groups to address violence and ameliorate its effects. Furthermore, building organisational capacity and leadership in a community before focusing on individual violence interventions has been shown to counter violence effectively at the local and community levels (Hatcher et al., 2022).

Sere et al. (2021) explore help-seeking behaviour and emotional regulation in IPV survivors and conclude that community plays a vital role in stabilising emotions reiterating the importance of IPV education at the community level. In line with this, Moult (2019), explored DOJ clerks' notions of 'community' in their implementation of the DVA. Surmising that clerks act as "either 'gatekeepers' for the court system or as 'rights keepers' on behalf of their clients. DOJ clerks shape this interpretation of rights and justice from their community lens. Accordingly, PO outcomes are influenced by these interpretations, highlighting how community-level notions can affect societal outcomes of IPV.

Arguably, whilst communities are essential for changing patterns of violence and inequality, the social responsibility placed upon individuals and communities means that the government can continue to distance itself from accountability (Sohal et al., 2018). Similarly, for these community networks, leaders, and IPV interventions to be effective, they also require national funding and prioritisation (UN, 2021). Moreover, research indicates that strong communities threaten many governments, as they can become critics of corruption and inefficiency. Studies suggest that the government benefits when it pushes service delivery and accountability downward toward communities, thus having the ability to shift blame and social responsibility to individuals (Akobirshoev et al., 2022; Britton, 2021; UN,

2021). From this, it can be inferred that there needs to be a push from communities and organisations such as MOSAIC to pressure the government into accepting responsibility for the barriers to IPV care.

Reactive, not Preventative Care

Services currently provided by the government and non-governmental sectors are considered to be reactionary as they focus on justice being done or on providing care and support to survivors in response to abuse (Albanesi et al., 2021; Bacchus et al., 2021; John et al., 2020), which is classified as secondary prevention, much like a PO comes into effect after violence occurs. Conversely, primary prevention seeks to address the underlying causes of IPV to prevent violence, which underpins the need to approach IPV holistically and understand how to holistically ameliorate violence in society (Albanesi et al., 2021). The data stressed the importance of combining education at community and societal levels with PO assistance. As abuse was more likely to continue without a holistically centred approach. Analogously, focusing on gender-based violence in isolation does not address the profound societal barriers to justice (Britton, 2021).

Build networks with other stakeholders.

Research indicates that coordination between agencies has been a challenge since the inception of DVA (Parenzee et al., 2001; Rehse, 2021; Smythe & Artz, 2005). Furthermore, there is a disconnect between governmental and non-governmental organisations (Rehse, 2021). Previous research indicates that the inter-agency ability to work together and establish good operational partnerships is critical in providing survivors with a context that allows them to pursue their own goals (Albanesi et al., 2021; Britton, 2021; Rehse et al., 2021; Smythe & Artz, 2005). A recent study indicated that when survivors saw that the different intersections of institutional networks worked well and established a non-judgmental environment, they felt more secure and protected. Conversely, when their experience was somehow contradictory, and different institutions were inconsistent, it was more difficult for survivors to attain their goals (Albanesi et al., 2021). In line with this, a recent study stated that a multi-organisational response was pivotal to addressing IPV in South Africa (Rehse, 2021) .

Additionally, programmes must approach each survivor to offer holistic healing from the perspective that their circumstances are unique and ensure they can treat the whole person through their programme or collaborations with other organisations. However, although numerous organisations worldwide agree that holistic responses are best, there has not been any marked improvement in IPV (Albanesi et al., 2021; Britton, 2021; John et al., 2020; Joyner, 2016), indicating that although legal programmes have holistic aspirations, they have not been implemented as an effective counter to IPV.

Salesforce

A MOSAIC court worker spoke about the merits of a new online system, Salesforce. The court worker piloted this system within MOSAIC alongside two other court workers in August 2021. Subsequently, the programme was introduced to all MOSAIC workers during this interview. The court worker felt that Salesforce would make assisting survivors easier and provide more effective assistance. The system enables MOSAIC workers to interact with and update other MOSAIC staff members online. For example, a court worker could update online that a social worker needs to contact the survivor for additional counselling and then check that the social worker has done this. Such an approach provides hope in ameliorating the systematic flaws in referral implementation that resulted in survivors not being contacted for counselling. Another way it could potentially be used would be to confirm if survivors were granted a permanent PO, which in turn, facilitate improved PO outcomes by providing more consistent follow-up support to survivors.

Individual and Relationship Level

Social-economic inequality

Unequal economic circumstances can threaten survivors' ability to participate in a system meant to alleviate the burdens of violence. Specifically, this can become a barrier to obtaining a PO (Artz, 2016b), which questions how democratically inclusive a human rights framework is when poverty is a barrier to survivors' access to protection(UN, 2021). Accordingly, the extent to which survivors interact with the judicial system can be based on limitations of availability and affordability. Although governmental and NGO health and

legal services are free, indirect costs can affect the ability to follow through in PO applications (Britton, 2021). As a court worker stated, not returning to finalise a PO can be as basic as the inability to afford transport costs to get to court.

Many South African women remain economically disempowered, relying on their partners for financial support (John et al., 2020; Kate et al., 2018). For example, a survivor stated that the perpetrator had reduced the monthly amount given to her since she had been granted an IPO. Consequently, although she had an IPO that protected her from physical abuse, financial abuse persisted. Linked to this, another theme in the data was that many survivors based their PO decisions on their children. These decisions included where they lived and how much they chose to engage with the justice system. Often, children served as a barrier to survivors leaving the perpetrator.

Conversely, the data highlighted how survivors were often driven to pursue PO applications. Despite their reservations about the judicial process or fear of the perpetrators, they prioritised their children's safety and emotional needs above all else. These findings are consistent with previous literature highlighting children's critical role in contributing to whether IPV survivors seek help (Gibbs et al., 2018; Sere et al., 2021). The desire to protect and care for children determines how women 'manage' domestic violence and their decisions, particularly in deciding whether continuing to finalise a protection order is worth the risk (Artz, 2016b). Linked to this is the immediate family support or judgement that survivors indicated were either facilitating the ability to leave the perpetrator or acting as a barrier to protecting themselves.

Research has shown that women with poor education and low or no income are more inclined to be vulnerable to violent relationships (Artz et al., 2020; Mathews & Abrahams, 2001). In addition, alcohol or substance use by women or their partners predisposes women to IPV (Klazinga et al., 2020; Mathews & Abrahams, 2001). Similarly, most violent men show similar characteristics: poverty, substance abuse, and neglect in childhood. In line with this, a theme from the data centred on the lack of perpetrator treatment plans as a barrier to obtaining a permanent PO (Mshweshwe, 2020).

It is reasonable to infer from these socio-economic barriers that survivors are vulnerable to further violence and profound personal, social, and economic consequences

when they fear for their safety. The research argues that women make a range of 'reasoned choices' in domestic violence relationships in staying with the perpetrator, for example, lifting protection orders or refusing to call the police. In line with this, survivors use the judicial system to arrange security (Artz, 2016b; Meer et al., 2018). Negotiated terms might have been arranged with the perpetrator, under which the survivor would not proceed with the PO process if the perpetrator agreed to leave the survivor alone. Similarly, reasoning can refer to "explaining away" the problems or deeming societal norms more important than dealing with the abuse (Britton, 2021; John et al., 2020; UN, 2021). For example, a survivor's reasoning that they "do not want to have no father for children" also represents a significant barrier to POs becoming permanent.

In line with this, the data indicated survivors were not always seeking to make POs permanent. For example, some survivors repeatedly reapplied for interim POs to ensure their safety but also left the possibility of the perpetrator making changes. Whilst neither a barrier nor facilitator, this does explain some of the attrition rates in PO applications. Similarly, MOSAIC social workers also spoke about survivors obtaining permanent POs to live with the perpetrator safely and create a similar arrangement in their relationships.

Survivors and the cyclical nature of abuse

Research indicates that IPV escalates in severity over time, involving multiple violations. Analogously, most women often only seek help after much time and after a particularly violent episode (Albanesi et al., 2021; Joyner, 2016; Standish & Weil, 2021; UN, 2021). A court worker discussed the cyclical nature of abuse and how it acts as a barrier to an interim PO becoming permanent. Instead of following through with making the interim PO a permanent PO, survivors frequently allow the interim PO to expire. While many reasons can be attributed to this behaviour, the tendency seems to be that the survivors believe the perpetrators have changed, referred to as the honeymoon period after abuse. This withdrawal of the PO leaves survivors unprotected when the cycle of abuse restarts, which highlights the importance of education in holistic combination with counselling and PO application. As a social worker stated, the abuse would unlikely stop unless the treatment was aimed at multiple factors determining whether survivors felt mentally and physically able to follow through in PO.

Counselling

Extensive research links counselling to improved IPV survivor outcomes (Albanesi et al., 2021; Britton, 2021; Rehse et al., 2021; Sere et al., 2021). The necessity of counselling is made clear Hatcher et al. (2022), who speak to intersections between mental health and IPV and introduce the concept of 'continuous trauma'. Continuous trauma offers an understanding of the lasting psychological effect of living with IPV, where threat and danger are perpetual. Additionally, a previous South African study found that 66.4% of women obtaining protection orders against their partners have severe depression symptoms, and 51.9% have severe PTSD symptoms (Sere et al., 2021). In most survivors' own words, it was also clear from the data that counselling was essential to them. However, survivors said that even though the MOSAIC court worker had referred them for further counselling, no follow-up from MOSAIC highlighting the importance of improving mental health referral systems within MOSAIC. A lack of structured follow-up contributes to gaps in the continuity of holistic care and possibly a barrier to POs becoming permanent. Numerous research reiterates that women who feel they have this support are more likely to believe they can make significant changes to better their situations (Albanesi et al., 2021; Sere et al., 2021).

Conversely, it can be argued that survivors need to be proactive in pursuing counselling themselves. Although this relies on personal qualities as motivators in helping individuals survive difficult situations requiring individual resilience and being self-motivated without external help to survive (Albanesi et al., 2021). Although, this was demonstrated by one survivor who did not accept a magistrate's decision. Instead, she drove the re-application for a PO, contacting MOSAIC to demand that and set up regular counselling. Research indicates that survivors often lack these personal qualities as their self-confidence has been eroded by years of abuse pointing to organisations' need to actively initiate assistance rather than base assistance on survivors reaching out first.

Conclusion Part Two

South Africa has one of the highest rates of IPV globally. This violence profoundly impacts survivors, their families, communities, and society (UN, 2021). Research indicates that PO protection is an essential defence block against IPV. Likewise, this is arguably the

first step to ameliorating IPV in society (Klazinga et al., 2020; Meer et al., 2018; Parenzee et al., 2001).

Moreover, for survivors to secure a permanent PO, research indicates that interventions must be approached holistically, for example, aside from helping survivors complete forms and providing education about their rights in courts. Survivors require counselling, often consistently, to be psychologically equipped to deal with the emotional aspects of PO application and rebuild their lives following that (Albanesi et al., 2021; Artz, 2016b; Meer et al., 2018).

However, in recent years, South Africa has seen no improvement in PO processes or public perceptions of IPV judicial services (UN, 2021). To highlight this, an overarching theme in the data indicated survivors were unhappy with PO outcomes and did not receive counselling as was required. Therefore, there appears an urgent need to explore barriers and facilitators to implementing effective interventions that increase the likelihood of POs being made permanent. To improve PO outcomes, decrease, and ultimately eradicate violence in society. Furthermore, survivors can empower themselves and thrive through rebuilding their lives free from violence.

Additionally, IPV is entrenched at all levels of society, requiring interventions across multiple levels simultaneously (Seff, 2022). Multidimentional interventions would likely result in judicial systems being better fit for purpose and could accommodate the nuances and complexities of IPV interventional needs (Thaler, 2012). In turn, improved interventions would be more likely to positively affect PO outcomes and thus bring about societal-level changes that seek to ameliorate societal violence.

Recommendations

Improve MOSAIC referral systems.

Extensive research indicates that IPV needs to be approached holistically (Albanesi et al., 2021; Britton, 2021; Sere et al., 2021). The MOSAIC theory of change has the best intentions in planning to implement holistic interventions. However, inconsistent referral systems within MOSAIC prevent survivors from accessing services essential to PO outcomes.

Specifically, survivors were referred for additional counselling on the day of PO application. However, for most referral's MOSAIC did not follow up with survivors to arrange these services. MOSAIC court workers assumed that MOSAIC head office had contacted survivors indicating a breakdown in communication at an institutional level that needs to be addressed by MOSAIC. A MOSAIC court worker confirmed this, present throughout the interviews, who acknowledged that she could see that the referral system within MOSAIC needed work.

Likewise, survivors discussed a disconnection between their PO process and MOSAIC assistance. Beyond the initial help at court on the day of application, survivors felt additional assistance had not been forthcoming. Furthermore, it would not be a stretch to say that most survivors interviewed were desperate for this follow-up contact from MOSAIC. A few survivors even stated that they had agreed to be interviewed because they saw it as an opportunity to have paid transport to come and arrange additional counselling. Therefore, the MOSAIC workgroup needs to strengthen its communication with survivors throughout the protection order process. In order that survivors feel supported through all aspects of the PO application.

Moreover, some survivors had been granted a permanent PO yet expressed that this had not improved their circumstances. They spoke of feeling depressed, lacking self-confidence, and lacking adequate housing suggesting the need for additional support, especially counselling and safe living spaces, needs to extend beyond the PO becoming permanent. Analogously, research indicates, a PO is one step in the average decade it can take a survivor to leave her abuser (Artz, 2016b).

Develop SALESFORCE

MOSAIC has recently implemented Salesforce, a potential system for delegating responsibility and checking accountability within MOSAIC. Consequently, this would ensure communication systems are in place and avoid a lack of survivor follow-ups moving forward. The first step would be to define individual work roles and responsibilities for all MOSAIC staff to ensure role clarity. Secondly, it is essential to back this up with a system of in-house accountability. For example, a manager would need to regularly monitor this system to

ensure it is running as it should be to ensure that possible potential challenges can be corrected timeously.

Further, a working system will ensure survivors feel supported throughout the PO process and beyond. Salesforce could be utilised to monitor referrals, survivor well-being, PO status and reasons for PO outcomes for all survivors. Moreover, this information would help build a data-based case to present “why” more resources are needed and “where” they must be allocated to benefit survivors most effectively. Long-term data collection would also build a data-driven case for funders and the government. To determine challenges to PO processes and suggest methods to improve PO outcomes and holistic care systems. In turn, this could build into a preventative rather than reactive care system that improves and eventually eradicates IPV in South Africa.

Expand into group counselling.

Extensive research indicates that counselling is essential to improved PO outcomes and survivor well-being (Albanesi et al., 2021; Sere et al., 2021; Standish & Weil, 2021). However, MOSAIC social workers are understaffed and overburdened. A possible solution might be gathering PO applicants in groups rather than individually. There was a perceptible relief survivors felt just sharing their stories in the interview setting suggesting a need for survivors to receive support.

Group counselling requires a MOSAIC social worker to set aside one or two hours weekly. PO applicants from Khayelitsha, Wynberg and Mitchells Plain in that week, for example, could get a WhatsApp invite to participate in a group session. Consequently, PO applications could support each other and build a network of survivors thus assisting survivors in feeling less isolated. Moreover, group counselling could help alleviate the overburdened role of the social workers yet provide a more extensive network of counselling care to survivors.

Holistic outreach

Holistic outreach can be further expanded to include the SAPS and DOJ in giving regular talks to these groups of survivors to promote positive working relationships that

meet holistic needs in inter-agency teams. Research has shown that survivors feel more capable when agencies offer collaborating services that are cohesive and integrated (Albanesi et al., 2021). Building on this, to make these group sessions accessible to survivors MOSAIC could consider offering transport money for these group meetings at MOSAIC head office. MOSAIC already pays for survivor transport for individual counselling sessions there. Alternatively, Khayelitsha has an onsite court social worker once a week; these on-site services could include weekly group counselling at the court.

Expand prevention outreach in communities.

Research indicates that reactive rather than preventative care hinders IPV interventional effectiveness (Akobirshoev et al., 2022; Bacchus et al., 2021; UN, 2021). MOSAIC could therefore consider expanding preventative services. The MOSAIC court worker discussed going into communities to process PO applications. Expanding on this idea, IPV prevention and education could target the younger generation. MOSAIC could address community schools, reaching young men and women in large groups. To potentially change ideas around gender norms and violence. Moreover, MOSAIC can further build inter-agency relationships and invite police and DOJ clerks to present as a team in these community spaces. Research reiterates that only by preventing IPV can it be eradicated in the long term.

Extend Empathy Training

MOSAIC offer IPV training to their staff, which can be extended to magistrates, clerks, and police, as part of the plan to develop inter-agency relationships. Magistrates, clerks, and SAPS have stated that they are not equipped to understand the complex nature of IPV. Analogously a lack of training can lead to impulsive judgments and skewed perceptions of domestic violence. Likewise, it can be argued that challenges in implementation are not necessarily due to carelessness by the DOJ or SAPS but rather lack of training, because of insufficient governmental budgetary priority.

Rehse (2021) and Artz's (2016) expanded on this, pointing out that when training was provided, it only encompassed administrative requirements thus leaving out clerks,

magistrates, and SAPS to deal with the complex emotional nature of IPV. Further, this indicates that the DOJ's lack of empathy training jeopardises PO outcomes. Training, therefore, must expand to include emotional aspects of IPV. To prepare government workers with skills to assist survivors adequately and meaningfully.

This theme was reiterated in survivor interviews. Survivors expressed that the lack of empathy and understanding from magistrates, clerks and SAPs was a barrier to the PO process. Overall, the implementation of the DVA ultimately comes down to knowledge and capacity. In turn, this equates to the effectiveness of stakeholders in assisting survivors through the PO process.

Expand SAFE Model

All survivors said MOSAIC court workers were integral and indispensable to the PO process. Often the only stakeholders whom survivors believe to be invested in their wellbeing. However, by their admission, MOSAIC court workers do not hold much sway with clerks and magistrates. Therefore, their overall effect on PO application outcomes in the larger judicial system appears insubstantial.

DOJ clerks do not have the same relationship with survivors. Contrastingly, DOJ clerks do hold sway in PO outcomes. Magistrates consult with DOJ clerks about PO applications creating an imbalance of power within the PO process. The least knowledgeable hold the most sway over survivors' protection. Therefore, MOSAIC and the DOJ must find ways to better communicate and share survivor information to better serve survivors. Building from this, by utilising the SAFE platform, MOSAIC could develop these inter-agency relationships, through promoting dialogue between organisations within the justice system. Such collaborations could lead to strengthening mutual respect. The SAFE system can be effective, as seen in the data, when a MOSAIC social worker utilised the SAFE platform to build a relationship with the police DV coordinator. Thus, improving the PO application process for survivors. In line with this, MOSAIC could further expand SAFE. For example, MOSAIC court workers and social workers could meet with police DV coordinators at the stations in their area to build inter-agency communication networks that link the PO process from beginning to end.

In line with this and equally important would be to begin to focus on shelters in the SAFE model. Research indicates how essential safe spaces are for survivors in rebuilding their lives free from abuse (Lopes, 2016; Taylor & Xia, 2020). However, most survivors and MOSAIC court workers disagreed with shelters. Stating uninhabitable living conditions and lack of services. As a result, survivors are often forced to stay in cramped conditions with family members. Or worse, staying with perpetrators for lack of any alternate options.

Despite shelters falling under government responsibility, MOSAIC could consider exploring how shelters systems can be improved. For example, MOSAIC could gather data based on survivors' accounts of their shelter experiences and backed up by previous research. To apply pressure to the government for the necessary resources to improve shelters. Consequently, this would strengthen holistic support offered to survivors.

It is important to note that the SAFE platform has just been piloted, so these relationships will likely be developed over time. Additionally, these challenges are across multiple service areas, and so will take MOSAIC time to understand the multifactorial dynamics and propose the means to improve these systems. Accordingly, the success of the SAFE platform is dependent on other governmental and non-governmental agencies working alongside MOSAIC to correct challenges to POs becoming permanent.

Final thoughts

IPV is so deeply entrenched in South African society that no organisation can tackle it single-handedly (Rehse, 2021). Although the evaluation research has certainly highlighted the significant role that MOSAIC is playing in assisting survivors of GBV. As well as MOSAIC's essential contribution to eliminating GBV in South Africa. It is essential to note that the Access to Justice intervention is implemented within and limited by the contextual factors within South African societal systems. Therefore, when answering the research questions posed in this evaluation, it is essential to filter these answers through the dual perspectives of what is within MOSAIC control? and what is beyond MOSAIC control?

Additionally, improving PO processes will require additional time, training, and resources for all institutions in the PO process. However, research indicates these services already operate at stretched staffing levels in a resource-scarce environment (Albanesi et

al., 2021; Britton, 2021; Rehse et al., 2021). Therefore, imposing additional obligations without allocating extra funds is unlikely to be successful.

Consequently, MOSAIC can only be as effective as the social system it operates within. For example, it would be unrealistic to hold the Access to Justice intervention accountable for improving PO outcomes in South Africa without governmental resources allocated to improving DOJ processes. Analogously, responsibility and accountability for improved PO outcomes must be set at the governmental level.

In conclusion, IPV is deeply entrenched at a societal level; therefore, for changes to be long lasting and effective in eradicating IPV, systemic and seismic shifts of attitude, behaviour and action are required from all societal leaders.

Limitations

Input is primarily derived from the evaluator and her supervisor, which may introduce bias regarding what is being evaluated.

This evaluation is limited to qualitative data and previous studies have proposed that mixed methods could be the best approach to understand the dynamics and variations of a phenomenon (Patton, 2001).

It is proposed that qualitative research should have at least twelve interviewees to reach knowledge saturation (Braun & Clarke, 2013). Although the research consisted of eighteen interviews, the exact measure to reach saturation is uncertain. The evaluator based this point on similar patterns that emerged from the data. This point is therefore subject to the researcher's interpretation.

The evaluation is limited to being defined within the contextual factors it was drawn from, South Africa's lower-income areas on the outskirts of Cape Town. To add to this the data could have been affected by the heterogeneity of the group, limited to participants residing in similar areas. These factors could affect the transferability of the data.

Qualitative research requires that the evaluator becomes the data gathering tool. The quality of the research is limited to the quality of the tool. The data collection could

therefore, have been affected by the inexperience of the evaluator.

Reflexivity

The evaluator's beliefs, judgements and practises during the interview could have influenced the evaluation outcomes. To ameliorate this effect, the evaluator questioned how her beliefs, judgments and practices during the evaluation process may have influenced the research. Additionally, the evaluator kept a journal of thoughts that sought to determine how personal bias could affect the evaluation process. This reflexivity sought to produce less biased outcomes.

Validity and reliability of qualitative data

Qualitative research is often criticised for the inability to precisely define and measure validity and reliability, as defined by quantitative research. It is argued that research cannot ensure rigour, objectivity, and transferability without validity and reliability, thus diminishing credibility. To counteract this, frameworks were used to ensure rigour and trustworthiness in qualitative studies.

Rather than use quantitative validity and reliability measures, qualitative researchers propose more appropriate criteria to measure research soundness. One such example of validity in qualitative research has been described by Lincoln and Guba (1985) as the trustworthiness of a study, which was achieved by ensuring the research's credibility, transferability, dependability, and confirmability.

Credibility is the accuracy of participants' experiences of the phenomenon being explored (Creswell & Miller, 2000). Credibility was enhanced by ensuring the interviews were at two different courts to draw comparisons. We also interviewed survivors, MOSIAC court, and social workers to ensure a more richly detailed and well-rounded description of the PO application process from multiple perspectives.

Transferability refers to the ability to transfer findings to other settings or contexts. A detailed description of the sample, and the data collection and analysis process were given. A detailed description of the contextual framework of the research was provided to

increase transferability (Graneheim & Lundman, 2004). Another researcher could then interpret this information to assess how applicable the findings were in other contexts.

Dependability in qualitative research, refers to how logical and traceable the process is (Tobin & Begley, 2004). The research was therefore clearly documented through each step of the process. The dependability of the research was further enhanced through field notes, reflexive journaling of the observations made and in recording and transcribing the interviews.

Confirmability is the degree that results can be corroborated by others (Graneheim & Lundman, 2004). To achieve a level of confirmability, the evaluator's supervisor corroborated the procedures for checking and rechecking the data throughout the study. The evaluator was also aware of bias and subjective opinions affecting the interpretation of the data. This bias was countered by seeking her supervisor’s advice on how best to understand and enact her role in providing an unbiased interpretation. To further validate the research, the NoMAD tool based on the NPT was used as a framework to collect and analyse data to provide a credible and previously tested instrument to develop the interview questions and interpret the data.

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Appendix A

Alignment of NPT framework to MOSAIC interview questions

First Construct NPT ***Coherence*** ***(What is the work?)*** **Differentiation; Communal Specification; Individual Specification; Internalisation**	**MOSAIC court auxiliary court worker questions:**	**Mosaic client (Survivor of IPV filing for PO) questions:**
Interpretation for MOSAIC evaluation: *Does the MOSAIC Access to Justice programme have a clear and understood purpose?*	What services does the MOSAIC Access to Justice court programme offer to survivors of IPV? How do you think the Access to Justice programme differs from the usual ways of working with IPV survivors in courts? If so, how is it different?	What services have you received from the MOSAIC Access to Justice programme? What did you learn from MOSAIC about the PO application process? Can you walk me through your understanding of this process?
Do MOSAIC auxiliary court workers and survivors believe they have an individual and a shared purpose?	I know that MOSAIC offers holistic healing to IPV survivors. Can you walk me through this process? Can you walk me through your tasks and responsibilities in helping survivors to get an interim PO? Once the interim PO is granted, do these tasks and responsibilities remain the same throughout the process of the PO becoming permanent/or not for the survivor? What are the critical differences between obtaining an interim and permanent PO? Why are permanent POs more challenging to obtain?	In what ways did MOSAIC help you in the PO application process? Have you been granted either an interim or a permanent PO? How different was obtaining a permanent PO from an interim PO? What are some of the tasks you completed to obtain this? Have you been working with MOSAIC throughout this process?

Second Construct NPT Cognitive Participation *(Who does the work?)* Initiation; Enrolment, Legitimation; Activation	**MOSAIC auxiliary court worker questions:**	**Mosaic client (Survivor of DV filing for PO) questions:**
Interpretation for MOSAIC evaluation: *What relationships do MOSAIC auxiliary court workers and survivors believe are needed for collaboration?*	Who are the key people or organisations you need to work with to obtain a permanent PO for a survivor? Does MOSAIC communicate with the Department of Justice (DOJ) to track the progress of each interim PO to see whether it becomes permanent? Does MOSAIC communicate with the police to ensure that the interim PO has been served to the perpetrator? If you have referred a survivor to a shelter, does MOSAIC communicate with the shelters to ensure the survivor was assisted? If you referred a survivor for additional counselling, does MOSAIC communicate with the counsellors and counselling services to ensure the survivor was assisted?	Who are the key people or organisations you need to work with to obtain a permanent PO? What are some of the services that you have received through MOSIAC or recommended by MOSIAC?
What do MOSAIC auxiliary court workers and survivors believe the nature of their contribution is in the PO application process?	What support do you think you give survivors that help them get a permanent PO?	What do you still need to do before getting a permanent PO if you have not been granted one already?

Third Construct NPT ***Collective Action*** **(How does the work get done?)** **Interactional workability Relational integration Skills set workability. Contextual integration**	**MOSAIC auxiliary court worker questions:**	**Mosaic client (Survivor of DV filing for PO) questions:**
Interpretation for MOSAIC evaluation: *Training?* *Resources?* *Support?*	To what extent do you feel you are equipped and trained for your tasks? To what extent do you feel sufficient resources are available to support the MOSAIC Access to Justice programme in helping survivors obtain a permanent PO? What do you think of the police support for this programme? Police need to serve the interim PO to the perpetrator to enforce it. The interim PO cannot become permanent unless this step of the process is enacted. What have your experiences been of police support in collaborating with survivors through obtaining an interim and permanent PO? To what extent do you think shelters support this programme? The MOSAIC Access to Justice programme refers survivors to shelters when needed. Shelters provide a means of temporary safety for survivors. To what extent have you found that shelters can provide this safety and support survivors in obtaining a permanent PO? How important is the role of the counsellors in this programme? Counsellors provide emotional support to survivors through	To what extent do you feel you are ready to complete the process of getting a permanent PO? Can you think of any examples of when MOSAIC court workers referred you to any additional support or services you needed? Were these services readily available to you? Have you felt supported through the process? Where the police supportive? What kind of support did you receive from the police? Did you need to use a shelter? If yes, did they provide you with the support required to obtain a permanent PO? Did you get additional counselling? To what extent has counselling helped you feel emotionally supported in obtaining a permanent PO? Are your friends/family/community supportive of you in this process of permanent PO application?

	the process of PO application. MOSAIC refer survivors for additional counselling when needed. To what extent have you found that the counsellors have been able to provide the necessary emotional support to survivors in the process of obtaining a permanent PO? To what extent do you think the Wynberg/Khayelitsha community supports the MOSAIC Access to Justice programme? Are there any examples of this of which you can think?	
Fourth Construct NPT ***Reflexive Monitoring*** **Systematisation** **Communal appraisal** **Individual appraisal** **Reconfiguration**	**MOSAIC auxiliary court worker questions:**	**Mosaic client (Survivor of DV filing for PO) questions:**
Interpretation for MOSAIC evaluation: *Are there meaningful changes both perceived and enacted by the Access to Justice intervention?*	How often do you communicate with the survivors after you assist them in filing the interim to track the progress of the PO application? If not you, does anyone at MOSAIC do this follow-up with the survivors? Would you know your success rate in obtaining interim and permanent POs for IPV survivors? How have you seen this programme make a difference in survivors' lives?	Once you are granted an interim PO, how do you get information to see the progress of your PO application to become permanent? How have you used what you have learnt from MOSAIC to improve your circumstances or to move forward in obtaining permanent protection for yourself? Do you think you will be granted a permanent PO if you have not yet been? Whether yes/no: Can you elaborate on your reasons for this?

What improvements do MOSAIC and survivors suggest could be made to the Access to Justice programme?	Are any parts of the MOSAIC Access to Justice Programme that could be improved? What kind of improvements would you propose?	Are any parts of the MOSAIC Access to Justice Programme that could be improved?

Questions are based on four constructs adapted from Finch's (2015) measurement instrument for Mosaic court worker questions and client questions.

Appendix B: Interview Questions

MOSAIC IPV Survivor Interview Guide

Hello

My name is Jade, and I am a master's student at UCT. I am evaluating the MOSIAC Access to Justice Programme to understand how the processes in the programme are helping or hindering in survivors obtaining permanent protection orders.

I am interested in understanding your experiences and your thoughts of the Access to Justice programme, to better understand how the programme processes work.

I wanted to know it would be okay for me to record the conversations that we have so that I can go back and listen to our interview. This will help me to improve my understanding. Would this be, okay?

The interview will take about an hour to complete. These conversations are confidential and if you feel that you do not want to continue with the interview then you can stop at any time. Your name and your personal details will not be published when I use any of the interview information.

Please also be aware that there is a MOSAIC auxiliary court worker that will be with us the whole time, and if you feel like you need emotional support during or after this interview, it will be provided by MOSAIC.

I will begin by asking you some questions to get more of an idea of what stage you are at in the protection order application, and then I will ask you some questions that about your experiences of the MOSAIC Access to Justice programme. Is it okay if we begin?

Court that you applied for protection order at:

Date you applied for the protection order:

Have you been granted an interim protection order? YES/NO

Have you been granted a permanent protection order? YES/NO

1. What services do MOSAIC offer?
2. Can you think of any ways that MOSAIC court workers helped you that was different to how the Department of Justice court workers could have assisted you?
3. What are some of the tasks you need to do with MOSAIC and the courts to obtain the protection order?
4. Can you give me some examples of how you worked together with MOSAIC and the court to get the protection order?
5. What do you still need to do before you can get a permanent protection order?
6. To what extent do you feel you are ready to complete this process?
7. Can you think of any examples of when MOSAIC court workers referred you to any additional support or services that you needed?
8. What do you still need to do before you can get a permanent protection order?
9. To what extent do you feel you are ready to complete this process?
10. Can you think of any examples of when MOSAIC court workers referred you to any additional support or services that you needed?
11. How do you get information to see the progress of the protection order application?
12. Do you think that you will be granted a permanent PO?
13. Can you think of any examples of how you have you used what learnt from MOSAIC to improve your life or move forward in the application process?
14. Can you think of anything that could be used to improve this process in the future?

MOSAIC auxiliary court worker and social worker interview guide

Hello

My name is Jade, and I am a master's student at UCT. I am evaluating the MOSIAC Access to Justice Programme.

I am interested in understanding your experiences and thoughts as a MOSAIC auxiliary court worker in the Access to Justice programme.

I wanted to know if it would be okay to record our conversations so I could go back and listen to our interview. This will help me to improve my understanding. Would this be, okay?

The interview will take about an hour to complete. These conversations are confidential, and if you do not want to continue with the interview, you can stop anytime. Your name and details will not be published when I use any interview information.

I will begin by asking you questions to get more of an idea of how long you have been working with MOSAIC, and then I will ask you questions about your experiences with the MOSAIC Access to Justice programme. Is it okay if we begin?

How many years have you been working with MOSAIC?

How many years have you been an auxiliary court worker in the Access to Justice programme?

1. Who is MOSAIC, and what services do you offer?
2. How do you think the Access to Justice programme differs from the usual ways of working with survivors in courts?
3. What are your tasks and responsibilities in helping survivors to get a protection order?
4. Who are the key people you work with to obtain a permanent protection order for a survivor?
5. What support do you give clients to help them get a permanent protection order?
6. To what extent do you feel you are well prepared and trained for your tasks?

7. To what extent do you feel sufficient resources are available to support this programme?
8. How does management feel about the programme?
9. How often do you contact survivors to check how they are and the progress they are making towards being granted a permanent protection order?
10. Would you know your success rate in obtaining interim and permanent protection orders for the survivors?
11. Have you seen this programme make a difference in survivors' lives?
12. Can you think of anything that could be used to improve this process in the future?

Informed Consent Form for MOSAIC survivor

Hello

My name is Jade, and I am a master's student at UCT.

I am evaluating the MOSIAC Access to Justice Programme to understand how the processes in the programme are helping or hindering survivors in obtaining permanent protection orders.

I am interested in understanding your experiences and thoughts about the Access to Justice programme to understand how the processes work.

The Commerce Ethics Committee has approved the research at the University of Cape Town.

Your participation will consist of an interview. If you agree, the interview will be audio recorded so I can accurately capture your answers and transcribe them. Your participation is voluntary, and you can withdraw at any time. These conversations are confidential; you can stop if you do not want to continue with the interview. Your name and personal details will not be published when I use any interview information.

Please also be aware that a MOSAIC auxiliary court worker will be with us the whole time, and if you feel like you need emotional support during or after this interview, it will be provided by MOSAIC.

Should you have any questions regarding this interview, please contact Jade Symonds at:

Email: SYMJAD001@uct.ac.za

Phone: 083 788 2906

By signing below, I acknowledge that I have read and understood the above information. I acknowledge that I am participating in this study of my own free will and can refuse to participate or discontinue my participation at any time. I will be given a copy of this consent form if I wish.

Full name…….

Signature…….

Date…….

Informed Consent Form for MOSAIC auxiliary court worker and social worker.

Hello

My name is Jade, and I am a master's student at UCT. I am evaluating the MOSIAC Access to Justice Programme to understand how the processes in the programme are helping or hindering survivors in obtaining permanent protection orders.

I am interested in understanding your experiences and thoughts on the Access to Justice programme to understand better how the programme processes work.

The Commerce Ethics Committee has approved the research at the University of Cape Town.

Your participation will consist of an interview. If you agree, the interview will be audio recorded so I can accurately capture your answers and transcribe them. Your participation is voluntary, and you can withdraw at any time. These conversations are confidential, and if you do not want to continue with the interview, you can stop anytime. Your name and details will not be published when I use any interview information.

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Full name…….

Signature…….

Date…….