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Non-custodial sentences in the Northern Areas: Female offenders' experience

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Abstract. While studies on female offenders in South Africa are valuable, very few have provided an understanding of women serving alternative sentences. This is critical in South Africa considering its slow administration of justice and the use of 'alternative' sentencing could possibly relieve the conditions in correctional centres. Since alternative sentencing is less retributive than incarceration, they are assumed to be more restorative in reforming and reintegration. However, when the offenders are placed back into the society that promoted the criminal behaviour, it becomes difficult to govern. This ethnographic study explores the lived experiences of five female offenders serving non-custodial sentences in Port Elizabeth's Northern Areas, a known gang area.

Keywords. Female Offenders; Non-Custodial Sentencing; Reintegration; Recidivism; Female Criminology

Introduction

Surprisingly, the subject of female offenders in South Africa has either been almost ignored or not been dealt with in a qualitative manner even though the number of incarcerated women has increased by 68% within the decade (Department of Correctional Services, 2015).¹ This is because the focus has mostly been on the male experience of crime and the various theories which has impeded a comprehensive and integrated understanding of the subject of female criminality (Dastile, 2015, pp. 95).² With female offenders constituting 3% of the correctional population in South Africa it is important to bring to light their experiences of punishment, rehabilitation and reintegration so that policy can be reformed for their unique socioeconomic backgrounds (Steyn & Booysen, 2018, pp. 33).³ Since little is known about the female offenders' experience or the impact of their incarceration on their health, well-being, and their connections to people in their lives, it is almost impossible to meet the gendered and

¹ Department of Correctional Services. (2015). *Annual report for the 2014/15 financial year*. Pretoria: Department of Correctional Services.

² Dastile, N.P. (2015) Black Female Offending in Post-Apartheid South Africa. *Acta Criminologica: Southern African Journal of Criminology*. CRIMSA 2009 Conference Special Edition No.1/2010, pp. 95-106.

³ Steyn, F. & Booysen, K. (2018). A profile of incarcerated female offenders: implications for rehabilitation policy and practice. *Acta Criminologica: Southern African Journal of Criminology* 30(4)/2017. Special edition: Corrections: Sites of harm reduction, rehabilitation and professionalism, pp. 33-54.

culturally sensitive needs of female offenders (Dasile, 2017, pp. 166;⁴ Luyt & du Preez, 2010, pp. 88).⁵ The importance placed here is focused on moving away from theory and programmes designed for male offenders and start incorporating the voices of the female offenders to better assist their conditions. While little is known about the experiences of female offenders even less is known about offenders serving their sentences away from the correctional centre, such as non-custodial and special remission sentences. These women are often placed back into the environment which prompted their criminal behaviour and are further excluded from the rehabilitative reform. Thus, there is a need for further research on a gendered analysis of the experiences of women serving non-custodial and special remission sentences for women-specific rehabilitation. This study, supported by the National Institute of Humanities and Social Science, attempts to explore the phenomenon of female offending in the Eastern Cape by drawing on ethnographic interviews with a sample of five female offenders serving non-custodial and special remission sentences. The article is threefold: firstly, it provides an overview of the literature on non-custodial and special remission sentences; secondly, it outlines the methodological adopted in the ethnographic investigation; and third, it offers the experiences of the female offenders serving these sentences.

1. Alternative sentencing: is it the best option?

With the slow administration of justice and the large volume awaiting trial in South Africa's, hope lies in the options of 'alternative sentencing' to relieve the associated ills faced in correctional centres. The concept of an alternative sentence such as 'non-custodial' means that an individual sentenced for an offence can be subject to certain conditions that do not include imprisonment and lock up in a correctional facility. The proposed measures can be appropriate sanctions for a wide range of offences (minor crimes) and types of offenders (not likely to repeat offences). In these cases, imprisonment is not considered an appropriate measure as it may hinder reintegration and reduces the offenders' sense of responsibility and their ability to make their own decisions.⁶ Instead, a non-custodial sentence may make it possible to exercise control over an offender's behaviour while allowing it to evolve under their natural circumstances (United Nations, 2003).⁷ In realising that imprisonment is not suitable for all offenders as it may have a severe and detrimental impact on the offender (even more so amongst female offenders whose experiences of imprisonment are seemingly harsher than male offenders), alternative or non-custodial sentencing needs to be considered for greater chances of successful reintegration, to reduce the prison population, and limit the victimization of the offenders' families caused by the imprisonment (Muntingh, 2005, pp. 104).⁸

Literature on the subject of women offenders in South Africa, and globally, has been largely focused on understanding the specific needs of women offenders classified as

⁴ Dastile, N.P. (2017). Educating the Marginalised Female Offender Population in South African Correctional Centres. *Acta Criminologica: Southern African Journal of Criminology* 30(3)/2017. Special edition: Violence and crime at educational centres. Pp. 166-179.

⁵ Luyt, W.F.M. & du Preez, N. (2010). A Case Study of Female Incarceration in South Africa. *Acta Criminologica: Southern African Journal of Criminology* 23(3), pp. 88-114.

⁶ Sandu, M., Calin, M. F., & Constantin, M. (2021). Social reinsertion of former detainees: Between perception and attitude. *Technium Social Sciences Journal*, 25(1), 352-379.

⁷ United Nations. (2003). *The Use of Non-Custodial Measures in the Administration of Justice in Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers*. Geneva.

⁸ Muntingh, L. (2005). Alternative Sentencing in South Africa: An Update. In *Beyond Retribution – Prospects for Restorative Justice in South Africa*, pp. 104-119.

maximum-security offenders (Artz, Hoffman-Wanderer & Moul, 2012).⁹ These studies have looked at the conditions of correctional centres and have provided valuable insights into negative conditions like overcrowding, violence, victimisation, sexual abuse as well as substance abuse that occurs in correctional centres (Mkhize, 2003;¹⁰ Sable, Fleberg, Martin & Kupper, 1999;¹¹ Walser, Tran & Cook, 2012).¹² Since female offenders are a smaller population in correctional centres, they are often discriminated against as they are overclassified, isolated, stigmatised, pathologized and more invisible (Haffejee, Vetten & Greyling, 2006).¹³ They are often provided with fewer programmes and training schemes than men, thus further oppressing and marginalising them (Barberet, 2014, pp.160).¹⁴ Whilst these studies provide valuable insights into correctional centre life, very few of them have been able to provide an in-depth understanding of the experience of women who are serving alternative sentences. Therefore, the current study seeks to contribute to the limited research in this area.

Some of the issues around alternative sentencing are centred on the moral and political reasoning of the process in its implementation. This is because (1) it is morally problematic to not prosecute and to compromise justice; (2) in compromising justice, it is an acceptable compromise; and (3) that justice was not compromised, because it gave expression to a restorative justice instead (Allais, 2012, pp. 335).¹⁵ However, this speaks to law and not implementation. It begs the question of how an offender is meant to serve their non-custodial sentence in the same environment that gave rise to their criminal behaviour. Surely, this would cause the offender to recidivate and not reform.

Since alternative sentencing is less retributive than imprisonment, they are assumed to be more restorative as the power of decision making is transferred to the offender mandating them to resolve their conflict and develop healing measures to counteract the damage caused by their crime. Mirroring the arguments against imprisonment, the arguments for non-custodial sentences are considered more appropriate for certain types of offences and offenders as they promote integration back into the community as well as rehabilitation, cost less than sanctions involving imprisonment, decrease the prison population, and ease the facilitation of the administration of prisons and the proper correctional treatment of those who remain in prison (Muntingh, 2005, pp. 104-119). The issue here is when the offenders are placed back into the society which promoted their criminal behaviour. As seen through the interviews with the female offenders, being placed back into their community that is strife with gangsterism was counterproductive to their sentences and possible rehabilitation.

⁹ Artz, L., Hoffman-Wanderer, Y. & Moul, K. (2012). *Women, Crime and Incarceration: Exploring Pathways of Women in Conflict with the Law*. [Online] Available at: <http://policyresearch.limpopo.gov.za/bitstream/handle/123456789/762/Women%20Crime%20and%20Incarceration-20Exploring%20Pathways%20of%20Women%20in%20Conflict%20with%20Law.pdf?sequence=1> (Accessed 08 October 2020).

¹⁰ Mkhize, N. (2003). *Voices of Inmates in Prison: A Qualitative analysis*. (Unpublished masters dissertation). University of Zululand, South Africa.

¹¹ Sable, R.M., Fleberg, J.R., Martin, L.S, & Kupper, L.L. (1999). Violence victimisation experiences of pregnant prisoners. *American Journal of Orthopsychiatry*, 69 (3), pp. 392- 397.

¹² Walser, R., Tran, C. T., & Cook, J. (2012). Posttraumatic stress symptoms and life functioning in older female ex-prisoners of war. *Psychological Trauma: Theory, Research, Practice and Policy in the public domain*, 4(5), pp. 466-468.

¹³ Haffejee, S., Vetten, L. & Greyling, M. (2006). *Violence and abuse in the lives of women incarcerated in three Gauteng Women's Prisons*. CSVR Gender Programme: Research Brief No.3. Braamfontein: Centre for the Study of Violence & Reconciliation.

¹⁴ Barberet, R. (2014). *Women, Crime and Criminal Justice: A global Enquiry*. London: Routledge.

¹⁵ Allais, L. (2012). Restorative Justice, Retributive Justice, and the South African Truth and Reconciliation Commission. *Philosophy & Public Affairs* 39, (4), pp. 331-363.

Classical anthropological approaches to female criminality are limited in regard to the constraints on time, practical feasibility and they do not resonate with the ethnographic framing of most crime and delinquency study designs (Kielmann, 2012, pp. 235).¹⁶ Ethnographic approaches have tended to stay clear of these issues. This could be due to the fact that most classical anthropologists were males and the early concerns of anthropology were to investigate and document the achievement of social equilibrium in ‘less developed’ societies. Yet, social inequality and deprivation are at the root of much of this violent crime.¹⁷ However, violence also extends beyond poverty. In patriarchal societies, such as South Africa, women and children are devalued and vulnerable. Due to the practice of customary law and the status of women in patriarchal societies, violence against women is symbolized as an act of dominance. This gendered based violence continues to increase the number of victims, who due to fear and social pressure, rarely report the crime. According to Lodhi and Siddiqui (2014, pp. 58)¹⁸, women are sometimes attacked by strangers, but more often they are attacked by the people who are close to them. In patriarchal societies, honour killings are used as a form of control over women who might be involved in immoral acts and dishonour the family. Thus, honour killing is an accepted form of punishment that occurs in the intimate, familial space. There are various reasons for honour killing such as extramarital affairs, refusing family decisions and acting against it, or raising a voice against cultural traditions. This is also true for gangs, which are mostly patriarchal, in the connection with sex trafficking (Carpenter & Gates, 2016).¹⁹ According to Fateh (2012:3)²⁰, the crime of honour killing is usually one of the victim’s own family members whose cultural role was to protect the victim from any harm. These crimes have no economic motivation and are fuelled by the desire to bring back honour to the family by literally eliminating the member who brought about the dishonour. The dishonour is generally the result of the loss of control and power experienced by the male family members. on the sexual behaviour of a female member of the family. This idolises the ideal of masculinity underpinned by the notion of honour and the hegemonic violence against women serves to retain the power and honour.

2. The case of the Northern Areas.

Since their establishment, the segregated black and coloured residential areas in South Africa have proved a fertile breeding ground for criminal gangs. Gang involvement in violent crimes and drug trafficking has become increasingly widespread—not just in large cities, but in suburban areas and small towns as well seeing the rise of criminals as permanent social actors. Gangsterism in the Northern Areas of Port Elizabeth is an entrenched social system rather than merely a criminal scourge. It is a long-term response to the systematic exploitation and disempowerment of people of colour in South Africa. This criminal activity seemingly provides much needed social and financial support to the women who find themselves are various actors in the gang. That is, the consequence of poverty and alarmingly high levels of unemployment

¹⁶ Kielmann, K. (2012). The ethnographic lens. *In Health Policy and Systems Research: A Methodology Reader*. Ireland: World Health Organization.

¹⁷ Alispahić, B. (2021). Special War and Terrorism: Review scientific paper. *Technium Social Sciences Journal*, 17(1), 444–467.

¹⁸ Lodhi, M.S. & Siddiqui, J.A. (2014). A sociological perspective on the issue of killing in the name of honor in Pakistan. *Journal of Humanities and Social Science Volume* 19(12). [Online]

Available at: <https://pdfs.semanticscholar.org/c914/d885fbc5a46c3045cbd33088df377a3aa454.pdf> (Accessed 11/06/2019).

¹⁹ Carpenter, A & Gates, J. (2016). *The nature and extent of gang involvement in sex trafficking in San Diego County*. [Online] Available at: <https://www.ncjrs.gov/pdffiles1/nij/grants/249857.pdf> (Accessed 11/06/2019).

²⁰ Fateh, N.S. (2012). *Honour killing*. Toronto: University of Toronto. Unpublished thesis.

have generated the opportunity for gangs to exploit the vulnerable members of their community, such as women (Daniels & Adams, 2010).²¹

One of the greatest impediments to the collection of accurate gang-related data is the lack of a national uniform definition of a gang, as there is no single generally accepted definition of a gang or gangsterism. The definitions have varied amongst different scholars who define gangs as local groups of youths who intimidate others with very overt displays of affiliation to gangs as principally, but not necessarily exclusively individuals under the age of twenty-five that display a measure of institutional continuity that is independent of its membership and routinely engages in violent behaviour patterns that are considered illegal and/or illicit by the dominant authorities and/or mainstream society (Standing, 2005).²² They are “expressions of social cohesion in peripheral communities...portraying violent criminal fraternities that have alarmingly powerful memberships and constitute sophisticated criminal networks” (Daniels & Adams, 2010) where loyalty to the gang stretches across institutions, such as the family and the church (Standing, 2005). Generally, individuals are involved in the gang activities for the sake of their survival and women often engage in these activities to support their families even though it is “a culture of extreme masculinity and gross disregard for women, which is expressed through the celebration of rape and exploitation of women for the sex industry” (Standing, 2005).

The Northern Area of Port Elizabeth is a dynamic, diverse and perplexing community with a rich heritage, culture, language, traditions and racial composition represented by two-hundred and fifty thousand residents across forty neighbourhoods and eleven ward councils. Today, the Northern Area is regarded by many as a “no-go area”, with others referring to it as the “crime capital of Port Elizabeth”. Residents in the area are greatly affected by gangsterism, high unemployment rates, persistent substance abuse, undesirable high levels of violent crime, and demise of family values, amongst other socio-economic issues. Lately, Helenvale and Gelvandale have been renowned for their high levels of violent crimes and gangsterism due to the social ills of the community (Boswell, Pillay & Thornton, 2016).²³

Built in the 1960s, Helenvale, commonly known as Katanga (derived from the Democratic Republic of the Congo, where there is a climate of excessive fighting) is known for extreme gangsterism and violence. The neighbourhood has an approximate population size of 21, 236 individuals and average households have up to six members, with 56% of households being female-headed. Helenvale has an unemployment rate of approximately 70% and households earning an income receive R800 or less. Over 26 gang-related incidents were reported in the past four months, with roughly six fatalities. However, many more incidents remain unreported. Helenvale’s average 10year homicide rate is more than twice the national average, with attempted murder being four times higher, and assault and robbery being three times higher. The experience of violence averages 22% per month, with a breakdown of 48% violence at home and 52% violence on the streets, which includes robbery, stabbing, violent quarrels, shooting, rape, and gang intimidation. School children experience violence at least twice a week (76% of the time on the street, 15% of the time at school and 9% of the time at home). To add, it has been noted that 20 days per month children experience physical abuse,

²¹ Daniels, D. & Adams, Q. (2010). *Breaking with Township Gangsterism: The Struggle for Place and Voice*. South Africa: African Studies Quarterly.

²² Standing, A. (2005). *The Threat of Gangs and Anti-Gangs Policy*. South Africa.

²³ Boswell, R., Pillay, R. & Thornton, J.L. (2016). *Policing Gangsterism and Poverty in Port Elizabeth*. Report for SAPS and Nelson Mandela University.

causing the children to leave home, start using drugs, and being approached to join a gang (Boswell, Pillay & Thornton, 2016).

Studies state that imbalances of power in gender inequality and discrimination against women are the root causes of gender-based violence. Gender-based violence is said to be caused by an interplay of individual, community, economic, cultural and religious factors interacting at different levels of society (Moyo, Khonje & Brobbey, 2017;²⁴ Sigsworth, 2009).²⁵ Violence against women is rooted in poverty, unemployment and changing economic statuses among men and women. South Africa is a patriarchal society where these attitudes often favour men over women, and the men are placed in powerful positions in relation to women. Cultural practices such as *lobola*, *ukuthwala* and Sharia law inherently hold women in a subordinate position to men. These practices implicitly or explicitly condone and tolerate violence against women. In addition, women's economic empowerment could be a risk for violence for women in relationships, as this may represent a loss of power and authority for men. Traditionally, men have been credited with the roles of household heads, security and provider. With the shift in power, women have usurped the roles that should have been allocated to them, violence is thus a prominent tool through which these men can reinforce their power and authority. Women can tend to find themselves imprisoned in this cycle of violence and justify their partners' behaviours causing the cycle to continue.

The community is gripped with intense fear and is said to forsake their beds and sleep on the floor because bullets flying through the walls of houses has become a daily norm. Community members call themselves "prisoners in [their] own homes". In line with this, if the women are serving a non-custodial sentence in these gang-infested areas, it becomes difficult to govern and prevents them from pursuing their needs in a "good" way or a "moral" way. Further research on the topic is desperately needed.

3. Design of the study

The study adopted a qualitative and embedded approach to explore and examine the lived experiences of punishment, rehabilitation and reintegration of female offenders serving non-custodial and special remission sentences. Interviews and observations were used throughout the ethnographic study to capture the female offender's depth of experiences that were both told and performed. The ethnographic process allowed for the hearing of the female offender's stories and reflections thus giving the opportunity to interpret the individual and unique transcripts for either commonality and differences among and between the participants. That is, scanning across the different domains of their experiences.

The sample comprised five female offenders who were chosen purposively since they had to be aged 20-60 and serving non-custodial or special remission sentences. The reason for only including five female offenders stems from the small percentage of the female population within the criminal framework. Since females only constitute a small portion of the criminal population and the study being placed in a smaller city, there was a limited sample to engage with.

Consent is the ethical opportunity that provides the mandate holder to consider the context, individuals involved, impact and risks that will be attached to the decisions that are

²⁴ Moyo, N., Khonje, E & Brobbey, M. (2017). *Violence against women in South Africa: A country in crisis*. [Online] Available at: <https://www.csvr.org.za/publications/2735-violence-against-women-insa> (Accessed 10/06/2019).

²⁵ Sigsworth, R. (2009). *Anyone can be a rapist: an overview of sexual violence in South Africa*. Braamfontein: Centre for the Study of Violence and Reconciliation.

made granting a particular request. In this case, consent involves multiple human subjects that have a set of rights and privileges – irrespective of their incarceration status that will have an impact on the degree and responsibility of the requested consent. One level would be informed by a set of citizen rights i.e.: human rights and how these sets of rights are informed by the personal preferences of the individuals involved. Secondly, the rights of the juristic person i.e.: the head of the correctional centre need to be considered when granting consent in line with a proposed set of ethical values and possible consideration by a committee designated with this responsibility. That is, bringing in the subjectivity of the individuals involved in the process of debating permission towards consent.

The study followed standard ethical procedures where a contract of consent was established. This contracted the details of the participants' anonymity and the confidential nature of their responses. The participants were further informed that they had the right to withdraw from the research at any time. Ensuring that the participants were fully aware of the study and of their rights allowed for the protection against possible re-victimisation and further marginalisation of the participants. Pseudonyms have been given to the participants to protect their identities.

4. Serving their sentence

The offering below gives an ethnographic insight into the lives of the five female offenders, their specific life stories and experiences while serving their sentence. This study does not attempt to offer recommendations but merely wants to focus the larger debate on a female offender's experience while serving a non-custodial sentence in the Northern Areas. This section explores who the women are, their unique vulnerabilities, experiences with past violence (family crime history and previous sentences), substance abuse, health and mental well-being, and experiences of punishment, rehabilitation and reintegration into society.

The first participant, Nandipa, is a black female from Motherwell. She has a daughter who lives with her parents. Nandipa declares that she has not used drugs in over 6 years. Although her boyfriend is a gangster, this is her first offence. While walking in her neighbourhood, Nandipa was attacked by her neighbour, stabbing him to get free.

Nandipa: my problem is they say I wanted to cause harm to the boy. That I stabbed him. I don't know, it's not a bad thing. I started the day nice. This is my first time. My first time. No other offence. But I am scared sitting here. I don't want to be arrested again. It wasn't my intention.

The Northern Areas have experienced large reports of interpersonal violence and are becoming an extremely violent society since the calming of armed control and repression have created a space for violence, and the opportunity for crime. The neighbourhood is home to a juxtaposition of deprivation and indulgence, and individuals become violent, not because they are poor, unemployed or stigmatised as a gangster or drug dealer, but because they have the potential for violence and want to be violent. There is no doubt that violence is socially endorsed in the Northern Areas as a tool for resolving disputes and to bring change. This stems from its historical roots of the apartheid regime using violence and oppression to maintain power and social order, while liberation movements led to violent campaigns to attain political change (Rauch, 2007; Martin, 2012).

The tangible conditions are in contrast with the prescriptive legislative framework that requires non-custodial offenders to remain in their houses in an area where the previous social behaviour and community ills played out. This legislative juxtaposition allows the offender to rethink their behaviour in relation to their environment. This makes the environment an active

member in promoting the unhealthy behaviour driving the offender back into crime. The social context is a catalyst for positive or negative change that will drive the offender to sustain their obedience and self-control or reverse behaviour following old habits i.e.: unable to meet the conditions of their sentence. The previous unsafe and hostile areas remain so while serving out the non-custodial sentence, often even more so for females.

Nandipa: I do have one children at home. I have a mother, father, I do have family. My parents have to look after my child. I miss her too much. I haven't spoken to her since my court date. It makes me sad. It's not been easy. I won't do this again. I want to be with my child.

Serving a non-custodial sentence at home might not realise all privileges and freedoms becoming fully available to the female offender. On a personal level, the family might not be ready for the reintegration of vulnerable family members to the offender i.e.: children, parents and grandparents. Operationally, a lack of employment or access to funds might prevent the offender from engaging meaningfully in a practical way with their family. The system is geared to protect the offender from all influences, good or bad, with the sole purpose of getting through the timeframe in the granted period. This then causes conflict at an intra-personal and inter-personal level where both needs and expectations might not be met. Additionally, this conflict leads to high levels of stress and opens the offender to themselves being vulnerable to risk-taking behaviour.

Amy, the second participant, is a twenty-five-year-old coloured female. She was convicted of murder although she defends that she did not commit the offence. Her sentence is being served from her house. She lives in a household with gangsters in Helenvale. Amy often helps the house move drugs around the neighbourhood.

Amy: I have been told I killed the person who wanted to kill my boyfriend. You see its that place. The place where we live, Helenvale. It doesn't matter if we want to be good people, the gangsters they take over. They were after my boyfriend. They wanted to kill him. Someone, not me, tried to stab him and he died. I didn't do the murder. The person got into a fight with the gangster coming back to finish the business. Revenge maybe, I don't know.

Rational self-interest or group interest erodes the motivational link between retribution and the accompanying adaptive behaviour. The roles of honour and responsibility are interchangeably linked in gangs, as dishonour and shame play out literally on the streets. As a rival gang dishonours or shames another gang, the gang retaliates in revenge to rectify their honour. This strengthens their cultural resistance identities, their valorisation of urban spaces and marginalisation of others. Acts of warfare, revenge and murder are construed as functional aspects of social life. That is, they are firmly embedded in the structural-functionalist paradigms of society and social action.

The concept of home is meant to be a safe haven akin to a fortress. The concept of non-custodial sentences is to keep the offender away from outside influences and the ability to negatively influence others that might lead to crimes being committed. A house could be located in the same area where the previous crimes were committed. This means that the grounds and ground is fertile for recidivism and ultimately breaking the conditions of the non-custodial sentence. These factors all play a role in the greater ecosystem of crime and evidence in the justice system.

Amy: You see, this happens often here. Some days there's bullets flying. We must protect our families. Now we are in this place where we can't go outside and I must meet the conditions of my sentence. How do I do this?

The conditions for non-custodial sentences prevent offenders to fully live out their lives even in times of danger and need. The offender could feel trapped between the needs and restrictions of the sentence and the expectations and needs of family members and relatives. Further to the stress that offenders feel, the physical circumstances play out in direct view where the offender must make the decision to engage (possible protection) or infringe on their sentence conditions.

The third participant, Fiona, is a forty-two-year-old coloured female from Gelvandale. She has prior convictions since her early twenties and has lived with many criminals before. She is addicted to both *tik* and madrax tablets.

Fiona: I was shoplifting. I have a mother, brother and three children. I'm staying in Gelvandale and the reason I shoplift is to support my drug habit. I learned to change my whole life. I learned to control my anger. I don't do the wrong things. And to respect myself and others. I think a lot of people think a lot of myself. And to forgive myself also.

Accessibility breeds the ability to recommit to old social ills. The familiar and regular habits come back easier as the offender feels as if they deserve some sort of reward for either being caught or even incarcerated. Offenders indicate that a sense of bargaining occurs within themselves when friends and other gang members visit or see them at home as they are serving their sentence where the crime was committed.

Fiona: The Northern Areas are gang-infested, as well as drugs and so on, how do you think leaving a place that's supposed to rehabilitate you and in a way reform your behaviour going back into that environment? I know what I did was wrong. And outside I try my best to change now. I forgive myself. And I think the community is, it's a 50/50 thing. But me, myself, I must be strong on the outside for my children to be a better person better mother. It has been hard.

Offenders are socialised into crime and see that as their only option to make a living. The hierarchy, pecking order and operational climate in gang-related business enrol people into believing that a gang lifestyle is all that they need to survive. "Conventional" society mistrusts offenders and does not easily re-introduce them back into the formalised economy and world of work. Gangs therefore prey on these marginalised offenders, making them seem like a welcoming solution in poverty-ridden situations.

Claire, a thirty-year-old coloured female from Bethelsdorp gives further insight into what the reality is like serving a sentence in the Northern Areas.

Claire: God puts you at a certain place at a certain time, you can't ask why me why this why that, you can't do that, even if you're not guilty I didn't ask God one day why. If they must put me back then they must put me back, it's Gods choice. I'm not even socialising with friends anymore.

Offenders have indicated that they wish to serve out their sentences in good faith, but struggle to do so as the home and community will not allow them to fully isolate. Additionally, the psycho-social context does not allow for individual growth and development to occur along a trajectory of self-help outside interventions and the possibility of physical space from community members. The prospect of well-being need to be strongly considered as an important success factor towards offenders completing their non-custodial sentences.

Claire: I'm even afraid to walk in the street anymore because I know before what happened at my house. The way I see it is that the Lord can't always be on your side. Things just worked out differently. You get time to think about

all the wrong stuff you did and how you can make yourself such a better life and don't go back to the past.

Offenders expressed the desire to remain within their community but operate in a different way. This request would present with challenges if the interlocking factors are not equally considered and addressed. The environment may lead to risk-taking behaviour.

Participant five, Dee, is a coloured female in her fifties. Dee has been convicted over ten times and has served both in a correctional facility and at her house. When Dee was younger she was abused by her uncle and was forced to take drugs.

Dee: I'm here for shoplifting. I got everything what I wanted. So when I couldn't get it, I went to go and do crime. For my family, they don't like it that I am here because it's not my first time. I keep on doing the same thing and I feel that my family had suffered a lot. I must forgive myself first before my family can forgive me. They punishing me I did substance abuse, drug and alcohol abuse and fraud and theft.

An environment is a socialising agent for individuals and groups and influences both the intensity and type of behaviour that individual display as a direct response to the stimulus. This environment teaches children and adults alike how to behave with an inherent reward, recognition and punishment system.

Dee: At the time you promised yourself that you're not going to do crime again but when you outside the hustle is tight, you can't find a job easily. So I learned a lot from it, and I keep on breaking my promises to them and myself. But for now, I say I'm done. And when you get released, you go back into your community and then you say, you re-offend. When I see there is nothing for my children I just go and do it out of greed.

Women offenders are not just women. In the northern areas what we find is a juxtaposition of relations. The women are friends and neighbours with known gangsters, or in some cases even their sisters. How do these relations influence and alter their experience of punishment? Are they going through the so-called notions as they are entrenched in the same social and cultural setting? How do deal with the constant crime and their want to reform? It is in this 'peeling' that can breakdown certain assumptions, opinion and views of female offenders, and further 'peel-off' the way they understand their unique world.

5. Conclusion

Although the use of alternative sentencing in South Africa is necessary to mitigate the severe conditions in correctional facilities, the non-custodial sentences need to not only contribute toward restorative justice but also to successful reform and reintegration. That is, the different ways in which the interests of the victim, society, the offender and the state can be served through the use of creative sentencing options, diversion programmes, and aides to meet the conditions of such sentences. However, as seen in the five interviews, women are expected to serve unrealistic sentences in environments not conducive to reform and rehabilitation. The women continue to face danger, drugs and mental stress while trying to meet their sentence needs. Further research on the experiences of female offenders is greatly needed in the exploration of a gendered reform approach that ensures that female offenders are successfully able to meet the conditions of the sentence in safety and in a governable fashion.

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