

**RAPE COMMITTED DURING HOUSE ROBBERY: A GROUNDED THEORY
ANALYSIS**

By

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DECLARATION AND COPYRIGHT

I, Lekgau Khomotjo, hereby fully declare that the thesis entitled '*Rape committed during house robbery: A Grounded Theory analysis*' submitted to the University of Limpopo (UL), 'for the degree of Doctor of Philosophy in Criminology has not previously been submitted by me for a degree at this or any other university; that it is my work in design and execution and that all material contained herein has been duly acknowledged.



2021/09/27

Ms LEKGAU KHOMOTJO

DATE

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Lastly, I am..... because we are!!

ABSTRACT

House robbery and subsequent rape are under-researched crimes collectively and often treated differently in the field of social sciences. The relation between these two crimes needs to be addressed urgently. Therefore, this study aimed to explore motivational factors for committing house robbery and subsequent rape.

This study adopted a qualitative research approach, guided by the Grounded Theory (GT), as a research design. The theoretical sampling was adopted for DCS clinical psychologists, social workers and incarcerated offenders in the Two (02) selected Correctional Centres in Gauteng and Limpopo Provinces of South Africa, all subjected to semi-structured face-to-face interviews. Moreover, the GT methods of data analysis, aided by the MAXQDA software were used, including open coding (Breaking of textual data into discrete parts), axial coding (Drawing of connections between codes), and selective coding (Selection of one central category that connects all the codes from the analysis and captures the essence of this study). The researcher generated codes from the verbatim expressions of the participants. The codes were categorised into open, axial and selective coding using the MAXQDA software. The codes in selective coding (Categories) were explained and supported by the reviewed literature studies on this subject.

The findings of this study revealed that in most instances house robbery results in rape. The notable contributing factors to this phenomenon have been proven to be an opportunity, unstable family background, substance use, aggression, dominance, vulnerability and mob mentality. For the contribution to the body of knowledge; a conceptual model, consisting of Five (05) components, namely: 1) Socialisation, 2) Sexual violence curriculum, 3) Liquor regulations, 4) Ammunition registrations; and 5) Target hardening as formulated to effectively respond to the mentioned crimes.

This study recommends that positive socialisation from an early age of male children is reported crucial for the development of pro-social factors; this can possibly curb these crimes. It is also forwarded that curriculum development should infuse sexual violence from basic-to-tertiary education. Equally, there is a dire need for the regulation of South African liquor available laws and policies with regard to the supply and sale of liquor as shared by most participants (Especially, the incarcerated

offenders) who positively highlighted alcohol intoxication during the commission of these crimes.

Furthermore, registrations of ammunition and the creation of a database are highly sought, firearm accessibility should also be revisited to redress the past injustices as cited as one of the contributory factors to irregular availability of firearms and other related weapons. The opportunistic circumstances relating to the commission of these crimes should be relooked, by closely focusing on upgrading security measures for the community, Criminal Justice System (CJS), public and private Law Enforcement Agencies (LEAs), including technological advancement and improvements, as well as the induction of intelligence-led operations, and closer collaboration, interaction and information exchange, among others.

Keywords: Gauteng Province, Grounded Theory [Analysis], House robbery, Limpopo Province, Subsequent rape, offenders

DEDICATION

To my late supervisor: Prof Cornelius Johannes Roelofse, my academic father, may you rest in peace.

LIST OF ACRONYMS AND DESCRIPTIONS

CAS	Case Administration system
CCTV	Closed circuit television
CI	Crime Intelligence
CIOMS	Council for Internal Organisations of Medical Sciences
CJS	Criminal Justice System
CPA	Criminal Procedure Act (No. 51 of 1977)
DCS	Department of Correctional Services
DCS REC	Department of Correctional Services Research Ethics Committee
DNA	Deoxyribonucleic Acid
DoJ & CD	Department of Justice & Constitutional Development
DREC	Departmental Research Ethics Committee
DSBD	Department of Small Business Development
FBI	Federal Bureau of Investigations
FET	Further Education and Training
FHDC	Faculty Higher Degree Committee
GBV	Gender-Based Violence
GP	Gauteng Province
GT	Grounded theory
HSRC	Human Science Research Council
IPID	Independent Police Investigative Directorate
ITSO	Integrated theory of sexual offending

LEAs	Law Enforcement Agencies
LIM	Limpopo Province
MAXQDA	Software program designed for computer-assisted qualitative and mixed methods data, text and multimedia analysis in academic, scientific, and business institutions
MO	<i>Modus operandi</i>
NICRO	South African Institute for Crime Prevention and Reintegration of Offenders
NENT	The National Research Ethics Committee in Science and Technology
RHRP	Rape in House Robbery Programme
SAPS	South African Police Services
SEDA	Small Enterprise Development Agency
STATISTICS SOUTH AFRICA	Stats SA
SHDC	School Higher Degree Committee
SOAA	The Criminal Law (Sexual Offences and Related Matters) Amendment Act [No. 32 of 2007] (Sexual Offences Amendment
SOTP	Sexual Offences Treatment Programme
TREC	Turfloop Research and Ethics Committee
UL	University of Limpopo
UNESCO	United Nations Educational, Scientific and Cultural Organisation

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CHAPTER ONE

GENERAL ORIENTATION

1.1. INTRODUCTION AND BACKGROUND

House robbery and rape are two distinct crimes, however, a direct link exists between these crimes. Harris, Pedneault and Knight (2012) highlight that if the assumed lack of financial and sexual motivation during robbery and rape is removed, the committed crimes become one of power, invasion, control or thrill. The number of common possibilities has resulted in a dearth of literature studies on the occurrences of these crimes. Subsequently, rape perpetrated in the context of house robbery is often viewed as an opportunity crime and qualifies as a 'bonus' to theft in commission (Warr 1988; Pedneault et al. 2015).

Consequently, a notable example of house robbery leading to rape being regarded as a 'bonus', occurs when a robber breaks and enters into a residence to commit theft and rapes a victim afterwards. This often occurs when an offender comes across a powerless victim without guardianship to avert the criminal victimisation and chooses to rape potential victims, this explanation is in accordance with the opportunistic rapist (Scully & Marolla 2014).

Furthermore, Scully and Marolla (2014) also confirm that house robbery and subsequent rape can be referred to as a 'bonus' rape, as the latter crime is not the original intent of the perpetrator. In these instances, the opportunity factor that produces the robbery [i.e. for example, that which places the offender at that home, at that hour, in that neighbourhood] also produces the rape). It can also be substantiated that the occurrence of rape in house robbery cases occurring in private residences constitutes appropriate places for rape (Scully & Marolla 2014).

Moreover, an analysis of Salfati and Taylor (2006) show that there are a number of functions that rape takes and ranges from rape committed as a punishment method, rape as a means of sexually violating women, rape as a bonus act that is committed during the commission of another crime such as burglary or robbery, and rape as a recreational activity that is committed for the sake of the perpetrators' excitement, pleasure and adventure. Therefore, the researcher submits that the underlying factors

of house robbery resulting in rape have not been established and it can be disputed that this privation of literature makes it challenging to understand the affiliation between the two crimes. Therefore, it can be presumed that it is power dominance, compliance on the victim's side or just pure malfunctioning personality.

Consequently, it is deemed imperative for the researcher to undertake this study to explore the motivational factors of committing rape during a crime that initially started as house robbery. This study looks at the contextual factors that compel the offenders of house robbery to rape their victims as an afterthought and not as informed by their initial motives.

1.2. PROBLEM STATEMENT

Despite limited studies that focus on the crimes of house robbery and rape in South Africa, there is a lack of substantial literature that explores the relationship between these two crimes. In the South African context Newham (2008), Zinn (2017), Zinn (2010) and Chowles (2016), conducted studies on house robberies and rape, but the motivational factors of co-occurrence of these crimes were hardly tackled. Chowles (2016), in a study of profiling rape in residential robberies, analysed data from the Crime Administration System (CAS) of the South African Police Service (SAPS). Newham (2008) and Zinn (2010) focused on the nature, extent and the *Modus Operandi (MO)* of house robbers in GP. This is the first study within the South African context to investigate the motivational factors of committing rape in a crime that started as house robbery. The offenders of these crimes were involved in the research to gain fruitful insights into the undertaken study. This study was guided by this main question: *“Why do house robbers end up raping their victims when the initial motive was to get away with household property such as electronic devices and jewellery?”*

To further elaborate on the identified study problem; the preceding verbatim expressions are cited:

“A man was arrested after he broke into a house in Wesbank at Mfuleni [Cape Town], threatened the victims with a knife and demanded their cell phones. He then allegedly raped a 20-year-old woman in front of her friends and fled with stolen items” (Herman 2016).

Similarly, in another incident:

'A man broke into a police woman's house in Brits [North West Province], seized her belonging, tied her up, demanded her firearm, and raped her in front of her two young sons, ages eight and twelve. The perpetrator's modus operandi involves entering into the victim's homes, forcefully taking their belongings, and then raping female victims while armed with dangerous weapons capable of inflicting serious bodily injury' (Mashamba 2021).

In another incident that occurred in LIM Province, in Thohoyandou specifically, two perpetrators broke into a house and raped two females aged 34 and 13 at knifepoint. The perpetrators also stole possessions such as cell phones, music systems and money before escaping the crime scene. The perpetrators were found guilty of house robbery with aggravating circumstances and rape. They were sentenced to two life terms on two counts of rape and sentenced to 40-years for robbery with aggravating circumstances (Tshikhudo 2016). Furthermore, notable recorded South African court-decided cases on house robbery and subsequent rape are as follows:

Mpofu v S (A393/2013) [2014] ZAGPJHC 16 (18 February 2014)

In this court case, the offender was charged in the Johannesburg Regional Court with housebreaking with intent to rob, robbery with aggravating circumstances and attempted rape. The offender pled not guilty to both counts on 16 August 2006. However, the offender was found guilty as charged on count 1 and found guilty of a lesser charge of indecent assault on count 2 on 3 October 2006. The offender was sentenced on the same day to 20 years imprisonment on count one and one-year imprisonment on count 2, which was an effective 21 years' term of imprisonment (*Mpofu v S 2014*).

Chirinda v S [A75/2018] [2018] ZAGPJHC 571] (7 September 2018)

On 8 November 2017 the appellant was convicted as follows:

- **Count 1:** Housebreaking with intent to rob and robbery with aggravating circumstances, read with the provisions of Section 262(1) and Section 260 of the Criminal Procedure Act [CPA] (No. 51 of 1977) and Sections 51(2), 52(2) and 52B of the Criminal Law Amendment Act [CLAA] (No. 105 of 1997);
- **Count 2:** Sexual assault [Attempted rape] (*Chirinda v S 2018*).

The offender pled not guilty to the two charges against him and gave no plea explanation in terms of Section 115 of the CPA, (1977). However, on 12 December 2017 the appellant was sentenced as follows:

- **Count 1** (Housebreaking with intent to rob and armed robbery): ten years' direct imprisonment.
- **Count 2** (Sexual Assault): eight years' direct imprisonment.
- It was ordered that five of the eight years of the sentence imposed in respect of **count 2** were to run concurrently with the sentence of ten years imposed in respect of **count 1**, thus resulting in an effective sentence of thirteen years' direct imprisonment. (*Chirinda v S 2018*)

Makhubela v S (A11/2016) [2017] ZAGPPHC 266 (18 May 2017)

In the Regional Court held in Pretoria (South Africa) on 12 May 2015, an appellant was convicted and sentenced on 8 Counts as follows:

- **Count 1**, rape, sentenced in a (Correctional centre) for life.
- **Count 2**, rape, 10 years sentenced in a (Correctional centre).
- **Count 3**, rape, 10 years sentenced in a (Correctional centre).
- **Count 5**, theft with aggravating circumstances, sentenced in a (Correctional centre) for 15 years.
- **Count 6**, robbery with aggravating circumstances, sentenced in a (Correctional centre) for 10 years.
- **Count 7**, rape, 15 years sentence in a (Correctional centre).
- **Count 8**, robbery with aggravating circumstances, sentenced in a (Correctional centre) for 5 years.

Additionally, to illustrate the prevalence of these crimes in the GP and LIM, table 1 provides the statistical data of house robbery and rape from 2017-2021.

Table 1: South African statistics of house robbery and rape

Rape					House robbery			
Provinces	2021 (Apr-Jun)	2020/2019	2019/2018	2018/2017	2021 (Apr-Jun)	2020/2019	2019/2018	2018/2017
GP	2 039	8509	8417	8062	1 819	7695	8644	8333
LIM	899	3436	3501	3301	325	1200	1300	1490
Total	2938	11945	11918	11363	2144	8895	9944	9823

Source: Crime Statistics South Africa [Crime Stats SA] (2017-2021)

Table 1 reflects the crime statistics from 2017 to 2021. The two provinces of South Africa, namely GP and LIM Province were chosen specifically as they form the basis of this research. The researcher demonstrates the prevalence of the crimes of house robbery and rape from 2017-2021, precisely over three years. From table 1, it can be deduced that house robbery has decreased from 2017-2021. Even though there was a significant decrease over the three years period, the prevalence of this crime is still alarming with reference to the first quarter of 2021/2022 financial year crime statistics (April to June 2021).

In addition, Sameer (2020) highlights that there is a drastic increase in house robbery since the easing of lockdown restrictions in response to the COVID-19 pandemic in GP. This was caused by the opening up of the economy wherein people are experiencing a great deal of unemployment and financial strain. Furthermore, the reviewed data highlights that rape increased in 2020/2019 with a total of 11945 reported cases in both GP and LIM. However, the stated rape statistics include ordinary rape and rape committed within the context of house robbery. The researcher cannot distinguish the circumstances surrounding the rapes as there is no categorisation in the SAPS system and rape is reported as it is, regardless of how it was committed.

In summation, with the cited incidences and decided cases in this section, it is evident that in many instances house robbery results in subsequent rape and this is a problem that needs to be addressed. The negative effects of the crimes on the victims such as economic loss and sexual violation cannot be disputed. In many instances, the initial motive would have been house robbery but as the opportunity presents a powerless victim or woman, the perpetrator exploits it to rape (Opportunistic/ bonus rape). This study, therefore, aims to fill in the literature gap and formulate a conceptual model to explain the occurrence of rape in a house robbery.

1.3. STUDY PURPOSE

According to Creswell (2014), Denscombe (2010), De Vos, Strydom, Fouche and Delport (2011), Lichtman (2014), Singleton and Straights (2010), and Thomas and Hodges (2010), research is undertaken for broad purposes, namely:

To evaluate: The researcher studied the rehabilitation programmes that are offered by the DCS for the offenders of house robbery and subsequent rape and identified the strengths and/ or weaknesses of these programmes and how they can be improved and improvised.

To explore: As the main research objective of this study; the researcher explored the motivational factors of committing rape in a crime that was initially intended to be a house robbery. This was effectively carried out by reviewing the existing literature on the topics relating to this study and further interviewing the offenders, social workers and clinical psychologists on house robbery and subsequent rape.

To empower: The researcher empowered the DCS social workers and clinical psychologists on how to carry out the programmes offered to the offenders of these crimes. From this study; it was highlighted that there is a need for rehabilitation programmes that are tailor-made for the offenders of house robbery and subsequent rape rather than the uniform programmes such as the life skills and sexual offences as given to every other offender.

To describe: The researcher described precisely, and as accurately as possible, how the crimes of house robbery and subsequent rape can be addressed to ensure the effectiveness of the rehabilitation programmes.

To develop: Based on the strengths and weaknesses of the existing rehabilitation programmes, the researcher recommended a five-component conceptual model, embracing new ideas on how to improve available programmes at DCS in terms of how the offenders can be rehabilitated before the expiry of their determinate sentences.

1.4. STUDY AIM

Gray (2014), Mills and Birks (2014), and Oliver (2010) concur that the purpose of a qualitative study is to serve as a framework that permeates the entire research study

since it gives the reader a clear picture of the research path, what the researcher wants to do, and as such has a huge impact on future research planning. Davies and Hughes (2014); Thomas and Hodges (2010) state that study objective(s) typically refers to the primary objective or overall objective of a research project. Research objectives are usually quite brief and to the point. To comply with the authors viewpoint and what Blaickie (2000), Flick (2011), and Gray (2014) suggest, this research aimed to explore the motivational factors of committing rape during a crime that initially started as house robbery. Therefore, this research was conducted to explore the factors that motivate the perpetrators of house robbery to further commit subsequent rape.

1.5. STUDY OBJECTIVES

Leedy (1993) argues that researchers set study goals to uncover new facts and their right interpretations to arrive at an appropriate conclusion. Mouton (1996) agrees that the object of this procedure is to determine facts, collect new data, determine whether new data exists and determine whether data trends are interesting data patterns. The optimisation of the rape committed during a house robbery in the GP and LIM Province is guided by the following objectives:

To gain insight into the power dynamics during house robbery and rape.

To determine whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape.

To assess the experiences of clinical psychologists and social workers in responding to rape committed during a house robbery.

To develop a conceptual model to better respond to the dynamics of house robbery and rape.

1.6. RESEARCH QUESTIONS

Creswell (2014), Leedy and Ormrod (2013), Punch (2005), Salkind (2012), and Wagner, Kawulich, and Garner (2012) provided that the research questions are formulated to organise, delimit, and uncover new facts and to give direction to the research. To address the research problem, study aim and objectives, the following

research questions (not limited to these three below) were formulated to guide this study, as posed to [Some] of the selected participants:

What are the power dynamics of rape committed in house robbery?

How does a male guardian influence the power dynamics of rape committed in house robbery?

What are the experiences of social workers and clinical psychologists when dealing with house robbery and subsequent rape offenders?

1.7. STUDY JUSTIFICATIONS

Criminological research aims to address any crime that affects the livelihood of all people. To address crime, it is imperative to discuss the CJS in relation to its mandate and functions within communities. Therefore, the researcher is of the view that the findings of this study can promote readers to think of other contexts and settings across South Africa, facing the problem of house robbery and subsequent rape, and to further recognise the existing similarities. In addition, based on the explored literature studies; it is evident that house robbery and rape often occur simultaneously. There is a lack of concrete evidence that highlights the underlying factors that contribute to house robbery and subsequent rape.

However, this study did not involve broad claims but invites readers to make connections between elements associated with study participants in line with their own experiences of combating these crimes in South Africa. Thus, the researcher explored and gave a rich description of this research topic so that the findings can be applied (i.e. Transferred) to other settings to contribute to the building of new knowledge in the academic arena. Similarly, the collected data was contextualised in a rich and descriptive manner, focusing on developing a framework to better address the crime of house robbery and rape in South Africa while soliciting the views of the incarcerated offenders for these crimes, social workers and clinical psychologists at Correctional centres in GP and LIM Province respectively.

This was achieved through the identification of the contributing factors of rape during a house robbery through the development of a conceptual model to address the problem. Blaickie (2009), Brynard and Hanekom (2006) suggest that researchers must make a fair direct or useful contribution in the public or private sector to some high-

priority area. Similarly, in order to comply with the views of Denscombe (2010) and De Vos et al. (2011), new expertise in the following fields can benefit from the results of this study (Not in particular order):

1.7.1 The South African Police Service (Department of Police)

When these crimes are committed and reported (House robbery and subsequent rape) the investigating officers within the SAPS, investigate, prepare the case for the court (Department of Justice and Constitutional Development - DoJ & CD) and if the perpetrator is found guilty, sentencing occurs (The DCS). It is imperative that the research findings be shared within the CJS, namely, the SAPS as the gatekeepers who work directly with the communities. The findings can be utilised within the SAPS for Crime Intelligence (CI) wherein preventative measures can be carried out in communities. In this regard, the communities will be alerted and empowered about the *Modus Operandi [MO]* (Loosely translated as Method of Operation) associated with these crimes.

1.7.2 The Department of Justice and Constitutional Development

This component of the CJS plays a crucial role in prosecuting the offenders associated with house robbery and subsequent rape. However, the researcher did not explore the procedures and processes of the court cases and proceedings regarding these crimes and this can be seen as a limitation to this study.

1.7.3 The Department of Correctional Services

The researcher opines that the rehabilitation programmes of these crimes should not be similar to any other crime. Therefore, to address the sentencing plan of the offenders associated with these crimes within the DCS, the correctional officers must understand the motivational factors of committing rape in a crime that started as house robbery. The DCS can benefit from this study especially in the evaluation of the rehabilitation programmes.

An understanding of the motivational factors of committing rape in house robberies can be beneficial in implementing viable rehabilitation programmes that will have a

positive impact on correcting the offending behaviour of the offenders of house robbery and subsequent rape before the completion of the determinate sentences.

Victim assistance

Victim assistance programs help victims in the process of recovery from the crime and navigation through the Criminal Justice System. Therefore, attempts to meet the needs of victims have been made on two fronts: victims rights play a primary role in the administration of justice, and community support groups address the personal crises that may result from victimisation. Similarly, the findings from this study can be used to inform the practices of victim assistance, particularly given the availability of information on what the victims have experienced. Moreover, a well informed and resourced victim centre is vital for the recovery of the victims.

1.7.4 Academic community

The new knowledge gained from this study will be available at the University of Limpopo (UL) libraries and the greater academic community will have access to the information online. The information can be used both in curriculum and learning programmes and as a referral source for students and researchers for further studies. Furthermore, there is little literature or knowledge concerning house robbery resulting in rape from the perspective of incarcerated offenders. This study filled this literature gap by exploring the motivational factors of incarcerated offenders. Similarly, a contextual literature review and understanding of the factors that define subsequent rape behaviour in house robbery was highlighted from the emerging theory of this study.

1.7.5 Conceptual contributions

The conceptual contribution is explained in terms of an application of the operational definitions within the context of this study. This generated new knowledge within the field of the proposed study and in criminology. It is envisaged that the contextualisation of the conceptual model (Conceptual contribution) developed by the researcher will be disseminated to the relevant stakeholders and other parties interested in addressing the crimes of house robbery and subsequent rape. This study further establishes gaps in addressing these crimes to develop an effective approach to reduce the occurrence

of these crimes in South Africa (I.e. GP and LIM Province). The conceptual model was developed to understand rape committed during house robbery and the discussion was based on the following key points:

Socialisation

Sexual violence curriculum

Liquor regulations

Ammunition registrations

Target hardening

1.7.6 Empirical contribution

There is a dearth of literature on the study subject, and the researcher found an existing gap in knowledge regarding this study field. Additionally, there is limited literature on this subject within the Criminology and Criminal Justice field. Thus, this study aimed to close this gap by providing more detailed information on these crimes in terms of contributing factors, power dynamics, the presence of a male guardian and subsequent the development of a conceptual model. The researcher is of the view that the study will stand as a source of reference for future academics in this field and other relevant stakeholders will draw best practices in addressing these crimes in South Africa. Similarly, the results of this study can further be transferred to other provinces facing similar problems concerning house robbery and subsequent rape.

Additionally, the empirical contribution as conducted by the researcher through interviewing the offenders of house robbery and subsequent rape is based on the contributing factors. Further empirical data was collected from the DCS social workers and clinical psychologists who work closely with the offenders daily. This information contributed empirically to the body of knowledge and the academic community.

1.7.7 Theoretical contributions

The theoretical framework (Power Control Theory, Integrated Theory of Sexual Offending [ITSO] and the Postmodern Feminism Perspective) guided this study by addressing the occurrences of rape in a house robbery. Secondly, new knowledge was imparted that filled in the literature gap, to understand the factors that contribute to the perpetrators' commission of rape in a crime that started as house robbery. The

specified theories were used to understand the potential criminal behaviour of offenders while committing these crimes, to clearly understand why certain individuals obey the law, while some disobey and continue to commit the crimes under research. This helped in explaining the reasons for committing the selected crimes to provide a clear understanding of house robbery and subsequent rape in GP and LIM Province.

1.7.8 South African society

South African society can benefit in the sense that effective rehabilitation programmes in the DCS can reduce the level of recidivism amongst offenders once integrated back into their respective societies. In this regard, society will not be victimised by the offenders that re-offend after engaging in rehabilitation processes.

1.8. OPERATIONAL DEFINITIONS AND DEMARCATATIONS

1.8.1 House robbery

House robbery or robbery at residential premises is the term formulated by the SAPS to describe a robbery where the perpetrators overpower, detain and rob the residents [Occupants] in a residential premise (Zinn 2010). It can occur with aggravating circumstances if weapons such as knives or firearms are used to scare the victims into submission and eliminate any actions of retaliation. In most incidences, access to the premises can be in two forms either by force or the victims unknowingly allowing the criminals into the house (Alwinco 2015). The houses that are mostly targeted are those that are wealthy and will make the crime rewarding (Chowles 2016; Newham 2008). For this study; 'house robbery' refers to the unlawful entering into a household with the intention to commit robbery while the occupants of the house are available. Therefore, it can be both planned or unplanned, depending on the circumstances of the offenders.

1.8.2 Grounded Theory

The GT research design refers to a method of qualitative research that uses a systematic set of methods to create an inductively derived phenomenon (Strauss & Corbin 1990). It uses theoretical sampling, which is described as the process of collecting data continuously through the analysis process in order to explain and validate emerging concepts (Charmaz 2014). It is further defined as the process of

simultaneously collecting, coding and analysing data to subsequently formulate a theory (Glazer & Strauss 2012). For the purpose of this study, a GT is explained as an approach that is used in a qualitative study to develop a theory that is embedded in an analysis of the collected data.

1.8.3 Rape

Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment (No. 32 of 2007), defines rape as sexual intercourse with a woman without permission, believing that the woman does not consent to sexual intercourse or recklessly not caring whether or not the woman consents. It also applies to incidences wherein the perpetrator penetrates the victim's vagina or anus with a portion of the body other than the penis or an organ manipulated by the perpetrator. Moreover, there is substantial literature that explains the nature and causes of rape such as the ones highlighted below.

Illustratively, Salfati and Taylor (2006) show that there are a number of functions that rape takes and ranges from rape committed as a punishment method, rape as a means of sexually violating women, rape as a bonus act that is committed during the commission of another crime such as burglary or robbery, to rape as a recreational activity that is committed for the sake of the perpetrators' excitement, pleasure and adventure.

Rebocho and Gonçalves (2012), further state that rapists can be manipulative, opportunistic and coercive in nature. Darke (1990), Jewkes et al. (2010), Mann and Hollin (2010), adopted a far stronger position and declared that the ability to conquer and humiliate seems to play a role in a rapist's inspiration. In the context of this study, the researcher posits that rape is described and conceptualised as the sexual penetration by a man with a woman without consent, which is influenced by an opportunity, aggression, dominance and the victim's vulnerability.

1.9. STUDY LIMITATIONS

This study was limited to rape that is committed in house robbery rather than in any other crimes. For future research, researchers can explore rape in the context of murder and other crimes to discover whether the rape is used as a *MO*. This study

was further limited to only two provinces of South Africa, namely, GP and LIM Province and further research can be undertaken and expanded to other provinces. The researcher interviewed the offenders, social workers and clinical psychologists in the DCS Centres, but the victims of house robbery and subsequent rape were excluded. For future research, the victims of these crimes can be included.

1.10. SCOPE OF THIS STUDY

This study focused on rape committed during house robbery which is a GT analysis at two correctional centres in GP and LIM Province. The incarcerated offenders of house robbery and subsequent rape, social workers and clinical psychologists were the source of information for the undertaken study. The concept of house robbery and subsequent rape was discussed in this chapter. It was established in the chapter that in most cases, house robbery often results in rape but there is a lack of substantial evidence to explain the linkage between these crimes. In this regard, the motivational factors of committing rape in a crime that started as house robbery will be discussed in the follow-up chapters of this study.

1.11. THESIS CHAPTERS PROGRESSION

This study is divided into the following chapters:

Chapter One: This chapter gave a brief introduction and background of this study, the statement of the problem and the significance of the study, among other aspects.

Chapter Two: This chapter presented a review of available pivotal local and international literature studies on house robbery and subsequent rape.

Chapter Three: The adopted theories and legislative frameworks on these crimes (House robbery and subsequent rape) were explained in this chapter.

Chapter Four: The research design and methodology, such as the study location, sampling procedure, methods of data collection and data analysis, as well as the methods to ensure trustworthiness and ethical considerations are explained in this chapter.

Chapter Five: Data presentation, interpretation and analysis are discussed in this chapter, coupled with the fieldwork and consulted literature studies.

Chapter Six: This chapter focuses on the discussion of the research findings, emanating from chapter five of this study.

Chapter seven: In this chapter, there was an analysis of a conceptual model of house robbery and subsequent rape, consisting of five components was developed, depicted and discussed in this study.

Chapter Eight: The summary, conclusion and recommendations are provided in this chapter, as well the notable study limitations and recommendations for future studies.

1.12. SUMMARY

The main purpose of chapter one is to lay a foundation and introduce readers to the study under investigation. It gives an idea of the contents of the study as well as the chapterisation. In light of the above, this chapter gave a brief background of the crimes under investigation as well as the aim and objectives concerning the commission of house robbery and subsequent rape. The significance of conducting this study is mentioned as being theoretical, empirical and conceptual. The operational definitions, demarcations and the scope of this study were further discussed. The next chapter (Two) presents the literature review on house robbery and subsequent rape, focusing on local and international relevant studies.

CHAPTER TWO

LITERATURE REVIEW ON HOUSE ROBBERY AND SUBSEQUENT RAPE

2.1. INTRODUCTION

Chapter Two focuses on the conceptualisation of the crimes of house robbery and rape, involving types of rapists, rape as a weapon of war and genocide, rape theories, motivational factors of committing rape in house robbery, the underlying factors controlling rape behaviour and the features of dominance, amongst other topics. Furthermore, the effectiveness of CJS in dealing with these crimes as well as the rehabilitation programmes will also feature in this chapter.

2.2. THE CONCEPTUALISATION OF HOUSE ROBBERY AND RAPE

In the following section, the conceptualisation of house robbery and rape is discussed to give a clearer analysis of these crimes.

2.2.1 House robbery

House robbery is the term formulated by the SAPS to describe a robbery where the perpetrators overpower, detain and rob the residents (Occupants) in a residential premise (Zinn 2010;Zinn 2017). The researcher asserts that house robbery is the unlawful entering into a household with the intention to commit robbery while the occupants of the house are available. It involves careful planning of the routine activities of the victims as it is only committed in their presence. The perpetrators can be profiled as individuals motivated by financial gain as in many incidences wealthy households are targeted. From this understanding, it can be deduced that house robbery is a planned and calculative criminal act wherein the perpetrators learn the routine activities of the victims and upon entry into the household, there is the use of force that can result in the commission of other crimes, such as rape as discussed in this study.

It can occur with aggravating circumstances if weapons such as knives or firearms are used to scare the victims into submission and eliminate any actions of retaliation. In most incidences, access to the premises can be in two forms, either by force or the victims could unknowingly allow the perpetrators into the house (Alwinco 2015). The

households that are mostly targeted are those that are wealthy and will make the crime rewarding (Van Raalte 2013; Chowles 2016). Zinn (2010) mentions that the information about the households is obtained from observation or the people currently working or who once worked on the premises such as domestic workers, gardeners or security guards.

In addition, Nee and Meenaghan (2006); as well as Nee and Taylor (1988), conclude that seasoned residential burglars¹ consider assets in their cost-benefit analysis, such as the exterior decoration of a home, landscaping, car(s) parked in the driveway, and furniture that can be seen through the windows. Similarly, these offenders may be subject to the influence of drugs or alcohol, and any additional factors that may influence the weighting of costs and benefits and reduce their rationality.

Newham (2008), further maintains that the residential robbers are part of the criminal syndicates who quickly distribute the stolen goods, package them for second-hand goods and use the money from the stolen items for money laundering. This is supported by Van Raalte (2013), who states that the stolen goods consist mainly of cash, jewellery and electronics. Furthermore, the experience of stealing goods is learned from the commission of petty/street crimes and house robbery is a progression into a criminal career. Normally, robbers commit more crimes before they are apprehended for house robbery (Zinn 2010). Thus in this regard, the perpetrators of petty crimes must be arrested, prosecuted and convicted to deter their progression into more criminal activities as proposed by the Broken Windows Theory of Wilson and Kelling (1982).

Consequently, for the successful completion of the crime, the victims are usually subjected to different kinds of violence ranging from torture, assault, physical abuse, to rape and murder (Zinn 2010). Economic gain is one of the contributing factors in house robberies as employed perpetrators participate in robberies to get quick cash. This analysis can be attributed to the Strain Theory, which states that people commit crimes because of the limited legitimate resources within societies (Van der Westhuizen 2011).

Moreover, the commission of house robbery is a violation of human rights as Chapter two (2) of the Bill of Rights of the Constitutional of Republic of South Africa, Act 108 of 1996 stipulates that individuals must be free from all forms of violence either public or

¹ Seasonal residential (House) burglars (Robbers) are defined as seasonal household burglars with higher rates in the summer and lower rates during other seasons of the year (Lauritsen & White 2014).

private sources and not to be tortured in any way. The victims of these crimes are subjected to different kinds of violence and this is in contradiction with their human rights. Thus, the perpetrators violate the basic rights of the victims for economic gains such as money, jewellery and electronic goods. In the studies conducted by Lindegaard, Bernasco and Jacques (2015); and Machisa, Jina, Labuschagne, Vetten, Loots, Swemmer, Meyersfeld and Jewkes (2017), it is highlighted that robbers use physical force against resistant victims to motivate them to turn over their property and avoid being hurt or killed. The use of violence is displayed at different stages of the robbery (onset or progression) and that is entirely dependent on the compliance or non-compliance of the victim (Lindegaard, Bernasco & Jacques 2015).

This is further supported by Felson and Steadman (1983), and Thijssen and Ruiters (2011), who attest that the use of violence in home invasions is regarded as an expressive response to situational interactions of the victim's resistance during the crime. For instance, the victims that are reluctant to comply are more likely to be victimised. However, in typical robbery incidences, the behaviour of the victim plays a significant role.

2.2.1.1 The profile of house robbers

The profile of residential robbery perpetrators highlighted by Zinn (2010), is that on average, each perpetrator admitted to committing 103 crimes over seven years before their first conviction. The characteristics of house robbers include the willingness to use a lethal weapon against their victims. In addition, most of the perpetrators come from dysfunctional homes as mentioned in the cases of rape. Economic gain is one of the contributing factors to house robberies wherein even some employed robbers participated in the robbery to get quick cash with a very low chance of apprehension. To get quick cash, the perpetrators' actions are often determined by split-second decisions because of the urgency of the situation requiring immediate intervention, or because of automaticity, a concept that explains rapid decision-making in the face of given external stimuli, learned by experience (Nee & Meenaghan 2006).

Robbers usually spend between 30 minutes and four hours inside the targeted houses which gives them more time to use violence to get valuables and to commit more crimes, such as murder and rape (Zinn 2017). Violence and torture are usually targeted at females and children to scare the male guardian to provide the required

information. In some instances, a woman may be raped in front of her man. Hence, one of the objectives of this study is to determine whether the presence of a male guardian has any effect on the behaviour of the perpetrator during the commission of house robbery and subsequent rape.

Additionally, Cromwell, Olson and Avary (1991), developed a three-step decision-making method used by burglars for their risk analysis of a successful residential burglary. The first is the surveillance in which the offender examines the evidence of the presence of capable guardians (Lynch & Cantor 1992). This is supported by a study conducted by Zinn (2010) wherein 29 offenders (97% of the respondents) spent time waiting at the place of the incident before the house robbery as a way of keeping surveillance of the targeted house. The surveillance ranges from one to longer than 10 hours.

The second assessment employed by the burglar in the targeted home is the occupancy in order to detect the presence of residents and competent guardians. Many burglars report that at that moment, they will never enter an occupied home (Cromwell, Olson, & Avary 1991). Thirdly, by measuring the ease of entry, the robbers consider the accessibility of the targeted residence. Regardless of the amount of effort or ability required (i.e. presence or lack of locks, dogs, and security systems), the robbers search for residences that are easy to break into (Cromwell, Olson, & Avary 1991). Summarily, the residences that have fewer security features and lack of proper guardianship are more likely to be broken into due to easier accessibility.

2.2.1.2 *Modus Operandi* of burglars at residential premises

The study by Nee (2010) of convicted burglars, revealed that three main things are stressed about a burglary at residential premises. The first aspect is the decision made to commit a crime that follows a certain pattern. The first decision happens away from the scene, based on a certain motivation which may, for example, be a need for money, then it is followed by searching an area that is vulnerable until they find a suitable target, in this instance, a suitable residential property.

The second aspect is their interest in the cues that alert how accessible the property is, the occupancy, surveil ability and security of that potential residence. The last aspect is how the burglar shows careful consideration with a specific method when selecting a target. De Wet, Potgieter and Labuschagne (2010) highlight the variables

that show the vulnerability of a potential victim to the perpetrator includes being a woman, the victim's age range, relying on public transport and the need to get employment. Subsequently, Pena (2000), mentions that to clearly understand the *MO* of burglary at residential premises, the following elements should be addressed by the investigators:

Attacked property type: Definition.

Entry point: Front, side or rear of the house, door, window, roof; first, second floor or another floor.

Means of Attack: Tool (Screwdriver, crowbar, key, lock pick, ladder, ropes, brace-and-bit, chisel, glass cutter). Was an explosive used in a robbery at secured residential premises, burning torch, combination and lock punched out, box torn open with a bar, or was the combination manipulated?

Date, time and day of the week of attacked property.

Object of attack: Anything that was available or a selection of items.

Trademark: Assaulted victim, nuisance (urinating, defecating, cutting telephone wires, leaving obscene or other notes, poisoning pets), posing as a peddler or disabled person, looking for work, moving van, truck, or other vehicle utilized. Is the burglar a ransacker who leaves a mess, such as open drawers and doors with property strewn about, or is he/ she tidy? Is there proof that the burglar helped himself to food or drink, or that he was familiar with the premises? Were there any discarded matches or cigarette butts?

In addition, the *MO* employed by the perpetrators is very organised and strategic in carrying out criminal activities. This rationality can be attributed to the classical school of thought wherein there is a degree of planning involved and the implementation of strategic measures to avoid apprehension (Van der Westhuizen 2011; Siegel 2004; Curran & Renzetti 1994). Additional *MO* includes the use of substances during the commission of house robbery. Indermaur (1996) points out that about seventy percent (70%) of offenders were intoxicated (with drugs and/ or alcohol) or hanging out (experiencing withdrawal effects) when committing violent property crimes. Table 2 below highlights the views of Indermaur (1996).

Table 2: Substances intake.

Type of intoxication	Number of offenders
No drugs or alcohol	25
Alcohol intake but not drunk	12
Hanging out/ looping	7
Alcohol intake and drunk	14
Cannabis alone	4
Alcohol intake and cannabis	13
Amphetamines alone	17
Amphetamines and other drugs	11
Heroin	7
Other drugs combination	13
Total	123

Source: Indermaur (1996)

Table 2 showcased that approximately 98 offenders were under the influence of alcohol and drugs during the commission of crimes. This ranges from alcohol, amphetamines, cannabis and heroin. These findings concur with this study conducted by Zinn (2010), wherein alcohol intake by the offenders was found to facilitate the crime of house robbery. The conceptualisation of rape is as follows:

2.2.2 Rape

2.2.2.1 Rape and sexual assault

Sexual assault and rape are categorised as two different crimes in South Africa. According to the Criminal Law (Sexual Offences and Related Matters) Amendment Act [No. 32 of 2007] (Sexual Offences Amendment Act - SOAA), Section (5), when a person unlawfully and intentionally sexually abuses another person without their agreement, it is known as sexual assault. Sexual assault emphasis more on any acts of sexual abuse whereas rape dwells on sexual penetration without consent. Vetten (2014) highlights that sexual assault includes activities that do not involve penetration (for example, groping/touching). Therefore, rape and sexual assault are more or less different crimes as defined and the scope of this research rests more on rape rather than sexual assault. Therefore, rape is defined and explained as follows:

According to Section 3(1) of the SOAA, 2007:

“Any person (“A”) who unlawfully and intentionally commits an act of sexual penetration with a complainant (“B”), without the consent of B, is guilty of the offence of rape. It further refers to incidences wherein the offender penetrates the vagina or anus of the victim with a body part other than the penis or an object manipulated by the offender.”

Additionally, Section 261 of the CPA, 1977 stipulates the elements that must be proven beyond a reasonable doubt in rape cases such as unlawfulness, intent, no consent and penetration. Toates (2014) further suggests that sexual assault is the result of a motivational mechanism in which dominance/ aggression and sensation-seeking can interfere with sexual desire. The stance taken by Toates (2014) is endorsed by Fiske & Rai (2014), that superiority and the assertion of authority are usually part of the rape motivational basis. Darke (1990); Jewkes et al (2010); and Mann and Hollin (2010) take a much stronger stance and announce that the reason for rape seems to play a role in the urge to conquer and humiliate. This view was reinforced by Hazelwood and Burgess’s (1987) Federal Bureau of Investigations (FBI) typology, based on the work of Groth and Birnbaum (1978), which states that power-reassurance offenders commit rape in an attempt to challenge their sexual doubts and their inadequacy.

Furthermore, a study conducted by Holmes and Holmes (2009) highlights that most sex offenders were abused sexually, physically and verbally as children and this is instrumental to the hostility towards women. Additionally, Zinn (2017) states that the use of alcohol and drugs plays a vital role in the commission of this crime. That is, alcohol eliminates moral constraints and subsequently, the vulnerable victims are attacked when the desire becomes unbearable and irresistible. The study conducted by the Centre for the Study of Violence and Reconciliation, (2008) concurs with the views of Zinn (2017) as it highlights that alcohol and drugs emerge as the significant disinhibiting factors amongst most interviewees of sexual crimes, and in this study, specifically, rape.

The researcher in the context of this study asserts that rape can be defined as the sexual penetration with a woman without consent that is influenced by power, dominance, opportunity and the victim’s vulnerability. Rape committed in the context of house robbery can be attributed to a powerless woman perpetuated by an opportunity given that it was not the perpetrator’s initial motive to commit rape. From

this submission and explanation, it can be deduced that the perpetrators of house robbery and subsequent rape are categorised as opportunistic dominance rapists.

2.2.2.2 Types of rapists

Gilbert (1992) highlights that all rapists have a common feature, that is they are excited by the resulting fear and apprehension of the victim. Therefore, the display of fearful emotion generally reinforces the dominance syndrome which is often a causative factor. Additionally, Groth (1979a) mentions several typologies of rape, for instance, displaced aggression rapists, compensatory rapists, sexually aggressive or sadistic rapists, and impulsive or exploitive rapists. Similarly, Gilbert (1992) highlights the categories of rapists, namely, power-reassurance, power-assertive, anger-retaliatory, sadistic and opportunistic rapists. The preceding explanations of typologies of rape by Gilbert (1992) are discussed in the following section:

2.2.2.2.1 Power-reassurance rapists

Power-reassurance rapists doubt their masculinity and rape to dispense the doubt by exerting power and control over women. It is regarded as a stranger to stranger rape. The method of operation includes planning the attacks through surveillance of the victim, the use of minimum force and an ongoing cycle of rape until such time that apprehension occurs. Normally, the rapist shows remorse and guilt after the rape and wants to apologise to the victim but that was proven to be temporary and false because the offender will continue to seek dominance through additional attacks (Gilbert 1992). The power-reassurance rapist can be seen in the context of the study in terms of power and control over women

2.2.2.2.2 Power-assertive rapists

Rape is committed to asserting masculinity and dominance over the victims. In comparison to the power-reassurance rapist, the power-assertive rapist does not doubt his masculinity but uses rape as a symbol of power over women. The power-assertive rapist is often skilled at social deception, manipulation, has good interpersonal relations and may befriend the victim prior to the attack. Then, the perpetrator will reveal his true personality and aggression in overpowering the victim

at the right time and place, for instance, in date rapes. The rapist exerts more power over their victims during the commission of the crime (Groth, 1979a).

2.2.2.2.3 The anger-retaliatory rapists

The anger-retaliatory rapist uses extreme anger to retaliate psychologically for real or imagined past wrongdoings associated with women. The method of operation is characterised by highly violent attacks, motivated by a need to punish and degrade the victim (Gilbert 1992). Their attacks are not planned but impulsively select and attack the victims based on their physical similarities to a past female figure. The victims are generally strangers who experience a sudden physical attack and overpowering that results in severe physical injury that requires hospitalisation (Groth 1979a).

2.2.2.2.4 Sadistic rapists

The rapist displays a great amount of severe hostility towards the victim. The rapist purposefully inflicts pain beyond necessary on the victims wherein the physical suffering of the victim sexually arouses the perpetrator. The sadistic rapist possesses abnormal psychosexual conditioning and only achieves sexual gratification through extreme violence (Gilbert 1992). The rape is usually planned; the perpetrator will transport the victim to a marginalised environment for a prolonged attack. The attacks usually lead to criminal homicide because of the ritualistic method of the operation utilised (Groth 1979a).

2.2.2.2.5 Impulsive/exploitive rapists

The impulsive or exploitive rapist exhibits aggressive features and engages in spontaneous rape when the opportunity avails itself (Groth 1979a). The rape usually occurs during the commission of another crime such as house robbery. The victims happen to be in the house and are sexually violated (Groth 1979a). Normally the rapist is not a first-time offender and has a history of different crimes, which have been committed elsewhere. This observation is attested in a study by Zinn (2010), who discovered that house robbery is a progression of a criminal career from street or petty crimes. In the context of this study, rapists involved in house robbery are categorised

under this typology wherein rape incidences occur only when the opportunity presents itself during the commission of another crime.

Moreover, Rebocho and Gonçalves (2012) further identified four methods that are used by offenders of rape to search for their victims, namely: Hunter, Poacher, Roller and Trapper, with the following descriptions:

The '**Hunter**' is a typical offender who searches for the victims in his place of residence or the city and, if found, an immediate attack on the victim occurs.

The '**Poacher**' is an offender who travels outside the place of residence to look for targets to victimise.

The '**Troller**' is an opportunistic offender who commits rape when the opportunity presents itself in their routine activities. For instance, if the offender comes across a suitable target with a lack of capable guardianship to avert the criminal victimisation.

The '**Trapper**' is an offender who is in a position wherein the victims can reach out to, where victims can come to. For instance, an incidence whereby the victims unknowingly ask for help from the perpetrator on a mission.

On the basis of the explanation of Rebocho and Gonçalves (2012), it can be deduced that the perpetrators of rape are hunters in a sense that they target the victims in their places of residence and attack them in their own spaces. Rebocho and Gonçalves (2012), further state that rapists can be manipulative, opportunistic and coercive in nature. Similarly, an analysis by Salfati and Taylor (2006) shows that there are several functions that rape takes and ranges from rape committed as a punishment method, rape as a means of sexually violating women, rape as a bonus act that is committed during the commission of another crime such as burglary or robbery, to rape as a recreational activity that is committed for the sake of the perpetrators' excitement, pleasure and adventure. Basically, the perpetrator asserts dominance and power over the victim without any consideration of their feelings. Therefore, an analysis of Salfati and Taylor (2006), confirm that rape during house robbery is categorised under the themes depicted in figure 1 below as this study affirms.

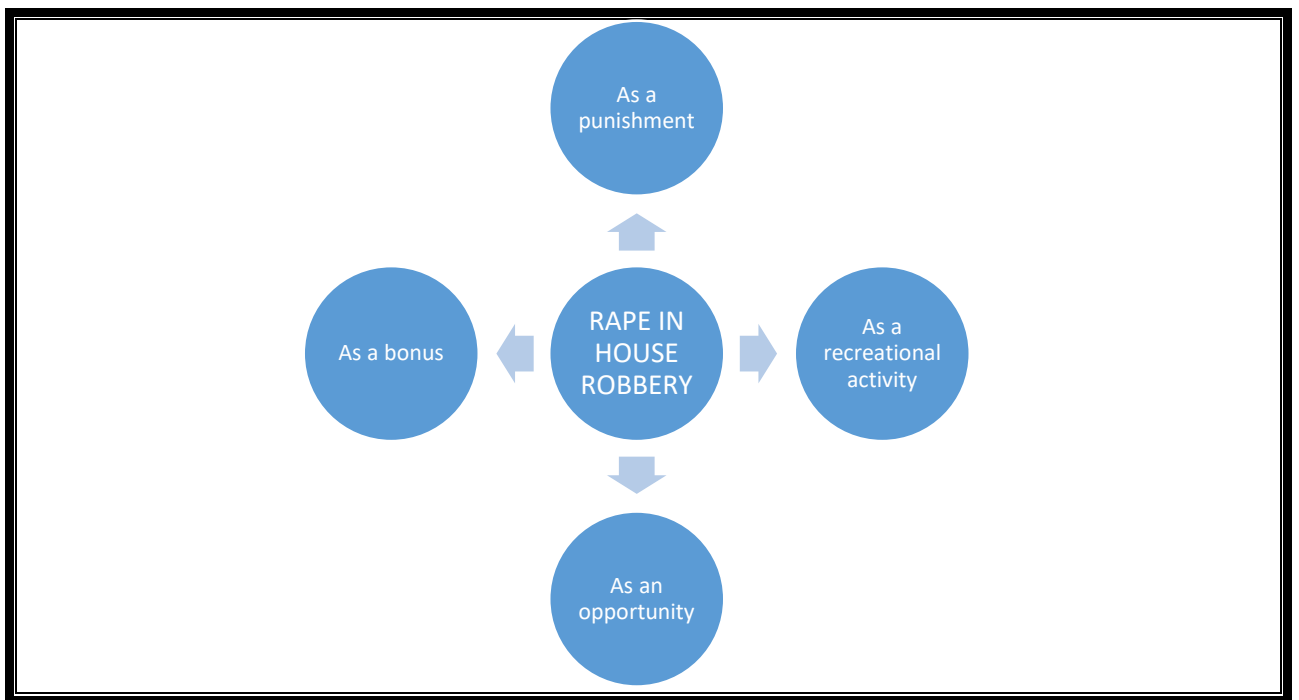


Figure 1: Categorisation of rape committed during a house robbery (Salfati and Taylor 2006).

2.2.3 Rape occurrence in the commission of other selected crimes

To thoroughly understand the commission of rape in the context of house robbery, it is imperative to explain it in the commission of other crimes. In this section, rape is explained in the context of murder, as a weapon in war and Genocide. The researcher will further highlight whether the same motivations of using rape in a house robbery compare to these other strategic uses of rape.

2.2.3.1 Rape in murder

There are many reasons that make the perpetrators of rape further continue with the commission of murder. Sabyasachi and Pratihari (2018) highlighted that rape in the context of murder is attributed to the following fundamental principles: Firstly, as a way of wiping out the evidence and satisfying the lust caused by the sex drive. Secondly, when the woman becomes pregnant after being raped numerous times. Thirdly, as anger rape wherein the perpetrator murdered the victim out of rage and loss of temper. The offenders murder to achieve sexual gratification, regardless of the victim's subjugation period of fear.

Similarly, Chan and Li (2020) attest that the offenders' murder is for sexual enjoyment, to exert dominance over the victim, to vent their fury and pent-up aggression and are motivated by monetary or material gain, with sexual fulfilment as a secondary motivator. Additionally, Abrahams, Mathews, Lombard, Martin & Jewkes (2017) mentioned that out of four hundred and ninety-four (494) women murdered in 2009, one hundred and four (104) of the child homicides were linked to rape at the time of their deaths. This is a clear indication that the commission of rape in murder is prevalent.

However, Smith (2017) disagrees with the views of Sabyasachi and Pratihari (2018); Chan and Li (2020); Abrahams et al (2017), and affirms that when women are raped or murdered, the media and police narratives often argue and assume that there is an inner underlying sexual motivation. Smith (2010) argued that it is vital to broaden the common-sense understandings of what motivates males to be violent toward women, wherein using the term "sexual" as a blanket explanation fails to place sexuality in its cultural or social context and is analytically imprecise and intellectually simplistic.

However, some of the mentioned responses to a murder committed as an aftermath of rape may seem insignificant. In crime forensics terms, a dead body is a crime scene and it can be established that the victims were raped prior to the murder. The investigating unit is tasked with looking into rape-murder situations, a forensic team must examine the crime scene and gather evidence for efficient prosecution, based on the following process as identified by Sabyasachi and Pratihari (2018):

- Evaluation of a crime scene that has not been tampered with.

- Keep a detailed record of the physical condition (Victim).

- A photo/sketch of the crime scene and the victim.

- Cell phone collection for call record analysis.

- Biological evidence and other incriminating evidence are gathered such as a hint to relate participation.

- The victim's autopsy.

- Possibility of a suspect in the crime.

- Collection of suspects' bodily fluids to link forensic evidence.

- In the instance of manual strangulation/and strangulating materials, examine the fingerprint on the victim's body skin.

- Go to the crime scene and look for finger/foot/shoe prints.

Examination/comparison of soil/pollen on the wearing outfit.

The victim's family history.

Post-crime scene and criminal profile analysis.

Therefore, in a practical sense, the researcher opines that murder as an aftermath of rape is committed by the perpetrator for identification constraints and prosecution avoidance. Additionally, it is challenging to attain the correct figures of rape in murder through the analysis of the SAPS crime statistics. Similarly, with rape and house robbery, there is no categorisation of murder as an aftermath of rape within the stated statistics.

2.2.3.2 Rape as a weapon in War and Genocide

Rape during armed conflict is regarded as a weapon of war and a crime against humanity, intended to terrorise and humiliate women, their families, and their communities in addition to inflicting bodily injury (UN Women 2013; UNICEF 1996) in (Danjibo & Akinkuotu 2019). 'War rape' is extremely heinous and is generally carried out in public, in front of relatives and neighbours. Women are raped in front of their husbands, fathers, sons, and brothers to emasculate men by forcing them to remain powerless, unable to protect their wives, sisters, children, and mothers (Peltola 1965). This sort of rape is carried out with the intent of destroying a community's cohesion and stability. Rape is often a means of exerting control and instilling terror in victims and their communities (Danjibo & Akinkuotu 2019).

Holmes (2012) further attests that rape has evolved into a type of ethnic cleansing, including the rape and mutilation of men and boys employed to terrorise and destroy the local population. Displaced populations and communities are in places where armed organisations fight for dominance in search of mineral-rich land. For political, social, and economic advantage, rape is used to terrify, humiliate, demoralise, and dehumanise adversary communities. Rape is used by men to establish terror, dominance, and submission in groups, taking advantage of the group's collective vulnerability and defencelessness (Peltola 1965).

Rape as a tactic in war has proven to be a highly powerful method of dehumanisation, dominance, humiliation, and, in some ways, an attack on the manhood of males who should be able to protect their women (De Than & Shorts 2003). Additionally, in certain cultures, being a victim of sexual abuse is viewed as a filthy and dishonoured position.

The victims are ostracised by their community, and rape may deprive them of their ability to marry or have children. As a result, rape has the ability to destroy not only individuals but also families and communities in ways that no other weapon has ever been able to (Eelmaa 2018). Therefore, rape as a weapon of war is one of the most aggressive, brutal, and humiliating actions that can be committed against an opponent or a member of an enemy group. It is a smear campaign aimed to destroy both the personal identity and cultural integrity in communities (Peltola 1965). The following are the most common reasons why sexual violence (rape) is used in conflicts (War on women 2011):

Rape as a reward.

Rape as a war strategy.

Rape as a means of destroying social and cultural cohesion.

Rape for economic ends.

Rape as a means of extracting information.

Moreover, the seriousness of the assault and the degree of humiliation are the two key criteria that distinguish tactical rape from rape acts done for sexual enjoyment (Eelmaa 2018). Beatings and cuttings were prevalent in Rwanda (Africa) wherein a mother observed her 15-year-old disabled daughter being raped by a variety of perpetrators. Throughout these cases, a consistent pattern emerged: the victims were frequently raped and sexually assaulted until they fell from exhaustion (Eelmaa 2018). Similarly, the motivations in Sierra Leone (In Africa) were primarily intimidation, expanding authority and control over people, and destroying community connections by fostering a climate of violence and persecution. While hostility may play a role in any rape, the extremely high level of female vulnerability is a sufficient and more reasonable explanation for the high frequency of rape in wartime (Palmer 1988).

Therefore, the researcher concurs with the views by (Eelmaa 2018) that sexual violence as in rape aims to destroy not only individuals but also families and communities in ways that no other weapon can comprehend. Hence, it is used as a weapon in wars to destabilise the opponent, to overpower and weaken the male guardians within that particular community.

2.2.3.3 Rape as a genocide

According to Eboe-Osuji (2007) and Danjibo and Akinkuotu (2019), rape is classified as a crime against humanity by the International Criminal Court (ICC) and consists of four parts. The offenders' invasion of an individual's body is described in the first element as an activity resulting in penetration, however slight, of any portion of the victim or perpetrators body with a sexual organ. "Any object or any other portion of the body" can be used to penetrate the body. The invasion was performed by force, or by the threat of force or coercion, according to the second aspect, which could have been triggered by a variety of circumstances. Detention, duress, assault, and psychological oppression are only a few of these causes. The third and fourth components state that the sexual acts were perpetrated "as part of a widespread or systematic attack designed against a civilian population," and that those who carried out the violence were aware of the intended motives. Similarly, genocide is defined as any of the following acts performed with the goal of destroying a national, ethnic, racial, or religious group completely or in part. There are five types of acts listed:

Killing group members.

Causing serious bodily or mental harm to group members.

Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in completely or in part.

Imposing measures intended to prevent births within the group.

Forcibly transferring children of the group to another group (Eelmaa 2018).

Based on the definition of rape and genocide, it can be deduced that the two crimes capture common themes of force, no consent and deliberate harm to the intended population. Therefore, rape in genocide is used to advance the blatant actions of violence and to disorganise a community and bring total disarray. This can be attributed to the branding of people for death (Eelmaa 2018). Rape has been utilised as a kind of genocide in the past, as the destruction of a race. It creates a feeling of inadequacy in the collective heart of the race, as well as a sense of powerlessness and worthlessness (Peltola 1965). For instance, during the genocide in Rwanda in 1994, 800,000 *Tutsi* and moderate or pro-democratic *Hutu* were killed over the course of three months and rape was a common strategy. Rape was so common and prevalent that an estimated 35,000 babies were born because of the genocide's first 100 days.

Therefore, it can be deduced that the use of rape as a weapon in war and genocide has one mandate, which is to weaken the male guardians. Rape reflects a form of power and dominance ushered to the powerless population at that particular point in time. It causes psychological and bodily harm and that can have detrimental effects on the victims and the community at large. Therefore, rape in the context of house robbery, murder, in war and genocide has common themes, which is to instil fear, dominate and weaken the male guardians. It is used as a weapon in all these crimes to achieve the intended goal of control and superiority.

2.2.4 Sexual motivations for rape behaviour

Numerous authors as follows in this section argue that the motivations of rape are not about sex but of violence. Amir (1971); LeVine (1959); Schultz (1965); and Schiff (1971) attests that the feminist movement has also had a significant impact on how rapist motives are explained. It was until the early 1970s, when most rape researchers considered that sex was the major motive, despite the fact that several motivations could be present in any individual rape. Millet (1971), Griffin (1971), and Greer (1970; 1973) were the first to argue that rape is not a sexually motivated act. The cause of rape, now regarded as a political act of violence and dominance, was put squarely in patriarchal traditions and sexist socialisation processes, according to these academics.

Other writers followed suit, incorporating this point of view into their work (Betries 1972; Burgess & Holmstrom 1974; Cobb & Schauer 1974; Cohen et al 1971; Cohn 1972; Davis 1975; Findlay 1974; LeGrand 1973; Schwendinger & Schwendinger 1974). However, this "not sex" theory did not become widely recognised and accepted until Brownmiller's (1975) book of *'Against Our Will'* paved the way for this analysis. Similarly, Groth was also the most powerful supporter of the 'not sex' explanation of rape (Groth 1979a, 1979b; Groth & Birnbaum (1978); Groth & Burgess 1977a, 1977b; Groth, Burgess, & Holmstrom 1977; Groth & Hobson 1983; and Groth, Hobson & Gary 1982). The then 'new' theory pioneered by Groth was bolstered by statistics on convicted rapists in these works, particularly the 1979 book of *'Men Who Rape'*.

In addition, Palmer (1988) highlights that the Twelve (12) arguments, which explains why rape is not a sexual act. This includes rape as influenced by power, control, dominance, victim's vulnerability, hostility, social control, aggression and violence.

However, all the twelve arguments were criticised to be logically flawed, based on erroneous definitions, untestable, or incompatible with actual rapist behaviour. Overall, Brownmiller (1975); Shields and Shields (1983) documented the occurrence of rape during wars and emphasised that vulnerability is a key factor in victim selection rather than sexual motivation. The proposed authors argue that rape is not about 'sex', however, influenced by dominance and patriarchal ideologies. The researcher concurs with the views and deposits that the need to control based on the victim's vulnerability seems to be the main motivation.

2.2.5 Probable factors for rape in a house robbery

Power and dominance

Dominance and the demonstration of such are typically part of the motivational justification for rape (Fiske & Rai, 2014). Sex without superiority may also feel insufficient or threatening for some rape perpetrators. For other individuals, coercion tends to be used by displaying an arrogant and barbaric disregard for the victim, not because of any inherent motivational value but simply as something instrumental in obtaining sexual access when other methods fail (Felson 2002). Dominance may be presented in different ways, such as grooming a person for sexual activity (Johnson, Leedom & Muhtadie 2012).

Traditionally, the feminist view has held that rape is not about sex but dominance and power (Thompson 2009). Because of the incarcerated rapists' studies conducted by (Darke 1990; Jewkes et al 2010; Mann and Hollin 2010), in addition to sexual attraction, it was stressed that the desire to conquer and humiliate tends to play a role in their motivation. Darke (1990) takes an extreme view by claiming that all sexual violations are committed to meet the need of the aggressor to boost and increase feelings of control. The thoughts and actions of sexual killers, for example, appear to be involved in dominance and power (Arrigo & Purcell 2001; MacCulloch, Snowden, Wood & Mills 1983). Therefore, it can be argued that the state of rape and sexual assault on a big scale is created by cultural norms and beliefs. The manifestation of these norms and beliefs results in the militarization of community members, who are then "armed" against those whom they perceive to be their enemies, fueling a desire to commit horrendous acts of sexual violence (Peltola 1965).

Similarly, the majority of rapists are driven by a sense of power, acceptance of violence, vengeance, and wrath (Yourell & McCabe 1988). A mix of anger and sexual

expression due to the traditional male sex role being extended also motivates them. In addition, control and rage are described as primary motivators for serial rape in 8% of the stories (Stevens 2000). The respondents report more violence than is required to commit rape in these accounts. That is, violence was utilised after the victim had consented as well as throughout the experience. According to Anderson and Swainson (2001), men were more likely than women to agree that rape is motivated by both sex and power. Additionally, feminist theorists believe that rape is a cultural mechanism used to maintain men's socio-political control (De Wet 2008). Rape, she argued, contributed to women's sexual exploitation and should be viewed as a social and political issue rooted in gender inequality (Brownmiller 1975). Therefore, the underlying motivations of rape behaviour can be attributed to the toxic masculinity that is embedded in patriarchal cultures, a sense of power and domination that is perpetuated by cultural norms and believes.

Cultural belief system

Research has discovered that perversions of cultural, traditional, and religious behaviours contribute to rape. Gender-Based Violence (GBV), including rape, can result from the perversion and reinterpretation of traditional rituals such as *lobola* (bride's price), male circumcision, *Ukuthwala (bride's abduction)*- is a type of abduction in which a man and his friends or peers kidnap a girl or a young woman with the goal of forcing the girl or her family to agree to marriage discussions (Jewkes et al 2011). The practice of providing presents to the parents of a bride-to-be, usually in the form of money or animals, is known as *lobola* and *has* shown to be a contributing factor to sexual violence. Some men misunderstand *lobola* as the right to control and treat their wives as property.

This leads to sexual entitlements and the wives are subjected to this violence throughout their stay in the marriage (Jewkes et al 2011). It was further noted that about 70% of South African men who commit rape mentioned that sexual entitlement was the push factor (Jewkes et al 2011). This results in GBV, including rape, in some marriages. Sexual aggressiveness can be facilitated by culturally determined views regarding sex, according to feminist theories. In mediating the link between culture and sexual aggression, sex-role stereotypes, antagonistic sexual views, and acceptance of interpersonal violence are all important components (De Wet 2008).

Extremely patriarchal communities, in which women are viewed as inferior to men and receive no support as rape victims, are the countries where the majority of wartime rape occurs, creating a culture of impunity for rape and sexual violence (Peltola 1965). Similarly, traditionally "masculine" features such as aggression, strength, and power are desirable in certain cultures, such as in the Democratic Republic of Congo (DRC), whereas traditionally "feminine" ones such as sensitivity, calm, and purity are disliked. From this notion, men believed that rape was a serious phenomenon because it resulted in men being accused, having cases filed against them, and being arrested. Therefore, men saw rape as a problem for men rather than an act of sexual violence against women (Sikweyiya, Jewkes & Morrell 2010).

Similarly, Posadas (2017) argued that sexual violence is primarily a problem of masculinity, which is a manifestation of the phenomena known as "toxic masculinity" as defined by gender studies. The eradication of sexual violence can be achieved through understanding that the culture of rape is the mechanism that channels toxic masculinity into specific, socially legitimised behaviours of sexual violence. There is a further need to change the systems that subject boys to become toxically masculine men. Similarly, men raised in homes with strong patriarchal structures are also more likely to be violent, rape, and use sexual coercion against women, as well as abuse their intimate partners, than men raised in more egalitarian environments (Crowell and Burgess 1996). Bryden and Grier (2011) attest that rapists are indoctrinated in patriarchy's everyday culture, which encourages men to be forceful, instils traditional sex roles, and objectifies women; far from being 'deviants,' they are all-too-common.

Therefore, patriarchy in the context of rape is instrumental as it highlights the persistent sexual violation against women. In patriarchal societies, men are taught traditional sex roles that involve self-assurance, confidence and objectification of women (Singh, Sharma & Dubey 2018). These basic lessons learned from the patriarchal culture are displayed in the incidents of rape. Women are regarded as objects, with little say in their sexual orientation and that makes men be more sexually dominant.

Therefore, the traditional roles instil superiority in all aspects of men's lives and this notion makes them believe that their muscular strength plays a vital role in everything including sexual favours from the objectification of women (Singh, Sharma & Dubey 2018). The other view that is instrumental to the patriarchal culture is an awareness of the physical strength that male counterparts possess and the impunity of overpowering

the woman. To a larger extent, even when rape occurs, the traditional societal laws will always be in favour of the man rather than the woman and this often aggravates the occurrences of rape (Singh, Sharma & Dubey 2018).

Drugs and alcohol attribution

The use of drugs or alcohol can make a person momentarily lose control over urges in many circumstances. Alcohol eliminates moral constraints and subsequently, the vulnerable victims are attacked (Zinn 2017). It may be that some house robbers use drugs to 'give them courage' or to 'facilitate' the rape. Alcohol and drugs tend to make the behaviour of a house robber irrational and more violent during the robbery. The victims will, under these circumstances, be injured, irrespective of what they do.

Lindegaard, Bernasco and Jacques's (2015) study of offender's violence during robbery events highlights that forty-two of the offenders used three joints of Cannabis (*Dagga*) per day whilst about forty-four used alcohol weekly during the commission of the crime. Alcohol may be used as a cultural "break time," allowing for antisocial behaviour. As a result, men are more prone to act violently while inebriated since they do not believe they will be held accountable for their actions. Similarly, drinking has been linked to several forms of group sexual violence (Miczek, DeBold, Haney, Tidey, Vivian, & Weerts 1994; Grisso, Schwartz, Hirschinger, Sammel, Brensinger, Santanna & Teeple 1999; Abby, Ross McDuffie 1995 and McDonald 1994). Therefore, the use of alcohol has been shown to play a crucial role in the commission of rape as it clouds the judgement of the offenders (Miczek, Weets, & DeBold 1993; and Grisso et al 1999]. Moreover, it was found by Krebs, Lindquist, Warner, Fisher and Martin (2009) that about 81% of men who have committed rape had been drinking before the crime.

Vulnerability and accessibility

Rape in house robbery can be explained in terms of vulnerability and accessibility. The vulnerable victims, those without proper guardianship are more likely to be raped and easier accessibility facilitates this process. According to Groth (1979a), physical appeal or purported provocativeness are less important factors in victim selection than vulnerability and accessibility. Rape is more of a matter of hatred than sexual desire. This is because proponents of the "not sex" theory of rape claim that rape vulnerability

"may be a function solely of the victim's age, with both the very young and the elderly at high danger due to their inability to resist" (Robabaugh & Austin 1981; Abel 1978; Dean & de Bruyn-kopps 1982; Groth 1979a; Groth & Hobson 1983). The life advanced age and the associated life condition, for example, living alone makes the elderly extremely vulnerable (Groth 1979a) adds. Similarly, rape in the context of house robbery is attributed to the easier accessibility of the targeted house and the vulnerability of a woman without capable guardianship. It can be argued that the occurrence of rape in other crimes as well as in house robbery is facilitated vulnerable victims rather than the physical attributes. The perpetrators use the victim's vulnerability and powerlessness to enhance their sexual violation.

Dysfunctional family background

Childhood exposure and families which are physically violent, emotionally unsupportive childhood environments have been established as a risk factor for sexual offending (Jewkes 2012; Seto & Lalumiere 2010; Dobash, Dobash, Wison & Daly 1992; Vachhani 2016). Sexually aggressive behaviour in young men has been linked to a family violence background characterised by emotionally distant and uncaring fathers. It was further established by Cromwell and Burgess (1996), and De Alwis-Senevirantne (2015) that men that are raised in patriarchal households are more likely to rape and use sexual coercion against women compared to those that hail from egalitarian households. Consequently, men in patriarchal cultures exhibit socialisation that they have been made accustomed to from childhood stages. Similarly, Ouimette and Riggs (1998) highlight that sexual violence has been linked to childhood situations that are physically harsh, emotionally unsupportive, and marked by rivalry for inadequate resources.

Moreover, the table below reflects a summarised version of individual, relationship, community and societal factors that increases the risk of men to commit rape. However, the researcher asserts that the use of rape in house robbery reflects the motive of sub-judication of women perpetuated by toxic masculinity and cultural norms, weakening of the male guardian/victim, power and domination of the vulnerable population.

Table 3: Factors increasing men’s risk of committing rape.

Individual factors	Relationship factors	Community factors	Societal factors
Alcohol and drug use. Coercive sexual fantasies	Association with sexually aggressive and delinquent peers.	Poverty, mediated through forms of crisis of male identity.	Societal norms supportive of sexual Violence.
Impulsive and antisocial tendencies.	Family environment characterised by physical violence and few resources	Lack of employment opportunities.	. Societal norms supportive of male superiority and sexual entitlement.
Preference for impersonal sex.	Strongly patriarchal relationship or family environment.	Lack of institutional support from police and judicial system.	Weak laws and policies related to sexual violence.
Hostility towards women.	Emotionally unsupportive family environment	General tolerance of sexual assault within the community.	Weak laws and policies related to gender equality.
History of sexual abuse as a child. Witnessed family violence as a child.	Family honour is considered more important than the health and safety of the victim.	Weak community sanctions against perpetrators of sexual violence.	High levels of crime and other forms of violence.

Source: Heise, Moore and Toubia (1995), Miczek et al (1994) (In Reiss & Roth 1993), Grisso et al (1999), Abby, Ross and McDuffie (1995) (In Watson 1995); McDonald (1994). Drieschner and Lange (1999), Crowell, Burgess (1996); Ouimette and Riggs (1998); and Borowsky, Hogan and Ireland (1997).

Overall, in comparison to the occurrences of using rape as a weapon in war, genocide, murder and in a house robbery, the main dominating themes were established. Rape is an aggressive act that is used to dominate, to vent fury, to overpower the opponent men in wars, to exert control, to terrify, humiliate the personal and cultural integrity of vulnerable populations. Similarly, in house robbery, the occurrence of rape is attributed to controlling and dominating a vulnerable woman, to overpower a male guardian in the house. However, in house robbery, the features of dominance, control and power are highlighted to be the resultant factors of the cultural believes systems and patriarchy that aims to objectify women.

2.3. THE FEATURES OF RAPE BEHAVIOURS: SEXUAL MOTIVATIONAL THEORIES

This section focuses on the sexual motivational theories and the discussion is based on the psychoanalytic and feminist explanations. Bryden and Grier (2011), as well as Furnham and Boston (1996) provide critiques to sexual motivational theories. Bryden & Grier (2011) argue that the motivational theories of rape were firstly scoped in the Psychoanalysts explanations of rape. The psychoanalysts viewed rape within the clinical lens and Freudian motivational theories. Rape was viewed to be a consequential factor of disorders, bad parenting, anxieties about masculinity, and doubt about women attractiveness. The Freudian concept explanation of rape was framed within the *Madonna* and prostitutes whereas there was a degree of respect for one rather than the other. The *Madonna's* are shown love and affection which is the opposite of the prostitutes.

Contradictory, the prostitutes satisfy the sexual need of these rapists as compared to the *Madonna's*. Consequently, this brings the question that 'why do the rapists get sexual satisfaction from the prostitutes rather than the *Madonna's*? It can be argued that sexual satisfaction is achieved by the aggressiveness displayed during sexual activities. Therefore, the psychoanalytic explanation of motivational theories of rape can be critiqued in terms of portraying the rapists are individuals who act unconsciously motivated by factors beyond their control to engage in forced sexual activities, Bryden and Grier (2011).

In contrast, the feminist's theories of rape that came into light in the 1970s differed from the psychoanalytic clinical lens explanations and Freudian concepts. The feminist theorists gave attention to the victims and portray rape as patriarchal violence against women. The rapists are depicted as graduands of patriarchal culture, traditional sex roles that objectifies women and entirely rejects the notions of portraying rapists as irrational individuals. The feminist theory is against the psychoanalytic theories which claims that rape is committed by strangers and questions the occurrences of marital rape and acquaintance rape. The notions of victim precipitation, the urgency of the male's sexual cravings, overstimulation by a provocative female, uncontrollable urges are entirely rejected and believes that males are no different from females in terms of sexual needs. Rape is viewed as a political crime (misogyny and desire to subjugate women), social injustice and social wrongs rather than disorders (Bryden & Grier 2011).

From this submission, when explaining the motivational theories, it is imperative to look into the rapists' individual sex lives. It has been claimed that 'mate deprivation' and high testosterone level aggravates the commission of rape. However, this is regarded as a rape myth since there are various ways in which a male can engage in 'matting' excerpt in rape. To this course; the attractiveness of the victim as a consequential factor for rape is also a myth as there are paedophiles and old people as victims of rape. Therefore, there is a lack of tangible explanation thereof of the victim attractiveness in terms of child sexual victims and old people except for the availability and vulnerability of the victim. The attractiveness of the victim may only make intuitive sense in terms of wars wherein beautiful women are raped to spite and to weaken the men of the opponent. However, rape is a sexual violation and cannot be justified in any circumstances.

In summation, although different rape motivational theories explain rapists in diverse ways, it is imperative to note that rape is a crime of power, dominance, and control and masculinity validation. Therefore, the victim's personal characteristics or physical appearance has no effect on the rape occurrences. The rapists are not different from any other individuals, because if this was the case, all individuals would be liable to commit it. Similarly, rape actions are not unconscious but are perpetrated by an individual's rational thinking decisions. Overall, every individual has the ability to control their sexual urges and that is not foreign to the rapists. If rapists were individuals with uncontrollable sexual urges, the application of laws, policies, prosecutions and convictions of rape cases could be invalid. Therefore, the following section bases arguments on the explanations of house robbery as a *modus operandi* for the commission of rape.

2.3.1 House robbery as a Modus Operandi for rape

A number of selected literature highlights the similarities between house robbery and rape but to date, there is a lack of an explanation with regard to the commission of rape in house robberies. As mentioned in chapter 1, Harris, Pedneault and Knight (2012) highlight that if the assumed financial and sexual motivation in a robbery and rape is removed, the crimes become one of power, invasion, control or thrill of sexual penetration. Similarly, Scully and Marolla (2014) refer to the residential rape as a 'bonus' rape, because rape would not have been the original intent of the perpetrator. In these instances, the opportunity factors that produce the robbery (i.e. which places

the offender at that home, at that hour, in that neighbourhood). As such, Harris, Pedneault and Knight (2012) provide a risk matrix tool that shows that house robbery offenders dominate over rape occurrences. This is a clear indication of the co-occurrence of house robbery and rape.

Therefore, based on the analysed literature, the researcher submits that house robbery is a stepping-stone to a crime of rape similarly when Cannabis (*Marijuana*) can be influential to cocaine. Additionally, the degree of planning in a house robbery as the literature attests is a reflection that the perpetrators of house robbery are rational thinkers. It is also imperative to state that the mental rehearsal of the rational thinkers for the desired behaviour triggers the commission of rape. Therefore, planning and rational thinking involve looking for a vulnerable place and spotting a suitable target. Similarly, the behaviour of a house robber is thus similar to the one of a rapist in the sense that all these crimes involve physical, verbal and emotional abuse and violence.

In the study conducted by the Centre for the Study of Violence and Reconciliation in (2008), on case studies of perpetrators of violent crimes, it was revealed that although there was an exclusion of the incarcerated sexual offenders initially, it was later discovered that there was a need for inclusion of these offenders. On the basis of this submission, the history of house robbery and rape is long-standing and house robbery can be attributed as a *MO* for the commission of rape. Similarly, the opportunities that present suitable circumstances for household robbery also play a role in the availability of a powerless victim for rape. Therefore, from this view, it can be argued that house robbery can be contributory to subsequent rape in the sense that it could have not occurred if there was no initial crime of house robbery. In this regard, the planning and execution of a house robbery produce the likelihood for the commission of subsequent rape.

2.4. THE POWER DYNAMICS OF HOUSE ROBBERY AND SUBSEQUENT RAPE

2.4.1 The choice and treatment of victims in the targeted houses

The study conducted by Zinn (2010) reveals that the majority of house robbers (83 %) have no preference with respect to the gender of the victim. The reason behind this is that the main motive is robbery hence a gender preference is not a requirement. When

it came to the selection of victims, four of the five respondents (17%) for whom the gender of the victim did play a role, preferred to rob women. The reasons were that women are easier targets, will not resist during a house robbery and they usually do not own or carry firearms. Further analysis of Zinn's (2017) study also stated that the house that had relatively low-security measures in place and the victim's drunkenness was also viewed as easy targets.

Additionally, the majority of house robbery incidents occur around the times when it might be expected that the occupants of the house would be at home, hence it is called house robbery. The perpetrators believe that the availability of the home dwellers would play a crucial role in providing information about household possessions and cars. The victimisation techniques involve assault, torture, rape, murder, verbal intimidation with abusive language and aggressiveness towards the victims, including women and children (Zinn 2010; Newham 2008). Besides intimidation, threats and aggressiveness towards the victims, weapon use in most house robberies plays a vital role. It was further noted that victimisation is not dependent on the victim's compliance (Lindgaard, Bernasco & Jacques, 2015). Nevertheless, in most cases, the victims are usually tortured to coerce them to follow instructions as closely and as swiftly as possible, to disclose all possible places where valuables are kept in the house without offering any resistance.

2.4.2 The motivations of using weapons in a house robbery

The topic of gaining control and enforcement over the victim is an element within a variety of typologies. The offenders in the control domain see the victim as an inanimate entity, one that needs to be managed, according to Canter, Bennel, Alison and Reddy (2003). Behaviours that illustrate this trend, including the use of bindings, ropes, gags and a knife are highlighted. Salfati and Taylor (2006) highlight activities intended to manipulate the victim as a significant discriminatory factor in their domain. Consequently, the weapon may be connected to the improvement of power over the victim, allowing the offence to be done more easily. Salfati and Taylor (2006) further theorise that the use of firearms represents a largely functional or instrumental behavioural element of the crime that indicates the need for control and function of a planned criminal act. Similarly, it is more likely for a so-called organised criminal to use a weapon to monitor and encourage the crime (Ressler, Burgess & Douglas 1988). That is, a firearm is an essential weapon that is used for a successful commission of a crime. Robbers who employ weapons are more likely to hurt their

victims, implying a non-strategic use of violence (Felson & Krohn, 1990). Overall, Jewkes (2012) further maintained that firearms facilitate the commission of rape.

2.4.3 The controlling elements of house robbery and subsequent rape

This section is primarily instrumental in nature as the offender demonstrates a tool to assert control over the victim in an effort to provide a degree of compliance from the victim in which they can seek pseudo-intimacy (Dawson & Goodwill 2013). The FBI typology of Hazelwood and Burgess (1987), based on Groth's work (1979a), indicates that power-reassurance rapists commit rape to quell their sexual doubts and their weaknesses. As such, without any motive to either degrade or injure the victim, the perpetrator may ask the victim to participate in the crime. According to Keppel and Walter (1999), power-reassurance motivated serial rapists can begin their crimes with no weapon, but advance to carrying a weapon to better obtain maximum compliance from the victim, without the need to physically injure them excessively. The hostile or offensive use of a weapon and related higher levels of physical aggression may be seen as counter-productive to the overall goal of gaining pseudo-intimacy through authority. The following section entails the discussions based on the effectiveness of the CJS in responding to house robbery and subsequent rape within the parameters of the law.

2.5. THE EFFECTIVENESS OF THE CRIMINAL JUSTICE SYSTEM IN RESPONDING TO HOUSE ROBBERY AND RAPE: INTRODUCTORY COMMENTS

The roles of the SAPS are set out in the Constitution of the Republic of South Africa, 1996. Section 205(3) of this Constitution, 1996 states that it is the duty of the SAPS to deter, prosecute crime, maintain public order, protect and secure South Africans and their land, uphold and enforce the law. The South African CJS consists of three fundamental components namely the SAPS, The DoJ & CD and DCS. The SAPS are the gatekeepers of the CJS. The DoJ & CD prosecute the perpetrators of different crimes and convey sentences based on the evidence that was presented before the court. Whilst the DCS houses the offenders that were sentenced by the DoJ & CD. The offenders are kept in these premises, with a mandate of correcting the offending behaviour until the expiry of the determinate senses or released on parole.

In essence, each time a crime is committed; they are the first to activate the wheel of the CJS (Booyens 2011). That is, the investigating officers within the SAPS open a police docket and the case is registered in the Case Administration System (CAS), investigate the crime, and visit the crime scene to gather enough evidence for prosecution. Once the case has watertight evidence, it is referred to the court of law for prosecution. It should always be noted that cases that reach the courts are those that possess enough evidence for prosecution. Therefore, the investigative skills of the investigating officers are of paramount importance to bring the criminals to justice. In essence, if the investigating officers fail to gather enough evidence, the suspects can be freely released or not arrested at all.

Therefore, based on the highlighted submission, it is important that the investigation officers adhere to certain procedures when recording a statement from the victim. In a study conducted by Gopal and Daniel (2008), it was recorded that about sixty-five (65%) of the police officials introduce themselves before recording the statements while thirty-five (35%) did not. Additionally, the victims, fifty-two percent (52%) explained that the procedures were not explained to them while forty-eight per cent (48%) received explanations. Furthermore, the procedures include issuing a copy of the statements to the victims and it was found that about eighty percent (80%) of the victims were not given anything.

Moreover, on the basis of the study of Gopal and Daniel (2008), the victims stated that the investigating officers who were taking the statements were rude, blamed the victims for the victimisation experienced instead of reporting the case, some even implied that it was normal. Furthermore, the victims were interrogated about their alcohol consumption status and the reasons for reporting the crime sooner rather than later was questioned. The victims are vulnerable to secondary victimisation when reporting a crime. Therefore, to mitigate and address secondary victimisation, the investigation officers need to understand the trauma experienced by the victims and there is a need for proper training pertaining workplace code of conduct. The maltreatment of the victims has a long-term negative effect and may lead to dark figures (crimes not reported) and the perpetrators may progress to serial rapists in organised house robberies.

Therefore, it is imperative that victims are treated with utmost respect and consideration to convict the perpetrators through the given statements. The investigation officers can apply the findings of Van Graan and Budhram (2017) who argue that usually when a crime is committed, there is some clue that is left in terms of the Locard Exchange Principle, which states that there is a mutual transfer of tracks that takes place when two objects or persons come into contact with each other. For example, when a suspect touches a glass window, the traces are left on it in a form of fingerprints. This can increase the chances of apprehension with the use of Deoxyribonucleic Acid (DNA) analysis, which can link the perpetrator to the crime scene. Pena (2000) outlines the following investigative guidelines for burglary at residential premises that are offered as a supplement to the investigation techniques:

‘Type:

- Residence: House, single-family, apartment, mobile home.
- Non-residence: Store, office, factory, warehouse, gas station.
- Occupants: Any present at the time of burglary?

Location: Complete address with the nearest cross street. Description of the residence or building (size, number of stories, colour). Complete identification of resident or occupant.

Date and time: Day of the week reported: When did occupants last leave the location? Were all doors and windows locked? If so, by whom? Where were the keys?'

Visitors: Were there any recent visitors to the premises: relatives, business associates, salesman, utility servicemen, poll takers.

Entry: Means and point of entry: Evidence of forcible entry on doors, window locks, possible tool marks. If no evidence of forcible entry, check the possibility of a passkey or lock-trip device (Plastic strip).

Prints: Fingerprints, footprints and tire tracks inside and outside. Weilbach (2019) contends that the investigating officer assigned to a case can manage a potential suspect burglary at residential premises cases or additional cases through fingerprints. They can be used as proof that it is evident to preserve crime scenes until the police investigation is completed and fingerprints were taken. There is a risk that evidence can be destroyed with every person that enters a crime scene. That is why crime scenes are cordoned off by the SAPS. Moreover, community members can assist the SAPS by denying anybody access to the crime scene and by not touching or repairing anything until such time that the SAPS arrives on the scene.

During the investigation, the SAPS must ensure that all information and forensic evidence is gathered to trace possible suspects. This evidence is also crucial to prosecute suspects successfully during court cases. Although fingerprints do not always lead to an immediate arrest, however, can assist in future arrests. When the same suspect commits another crime, the investigation officers can be able to link these crimes together and make timeous arrests. Therefore, when the suspect is arrested, the charges will be read in conjunction with all the outstanding cases. Fingerprint identification also helps the investigation officers to track record previous arrests and convictions of a criminal. This profile is placed inside a case docket before it is taken to court.

Property taken (Stolen property): In the notes and records of the investigator, a full listing of all property taken should be indicated, particular consideration is paid when the missing property was last seen by the victim. If the property has not been used for a period of time prior to the break-in, a relative or visitor may have lost it

or taken it on a previous occasion. It is important to remember what property has not been taken that would usually be appealing to a burglar. This question should also be posed: "Why would the burglar restrict himself or herself to only one type of property (drugs, furs): this data could provide a lead for the apprehension of the suspect.

Crime scene coverage: The burglary at a residential premises crime scene is covered with the same basic techniques. Special attention should be given to the neighbourhood coverage for witnesses and information (Pena 2000).

Follow-up investigations: This will utilise many techniques and services relating to the following aspects of investigating a burglary at residential premises: *MO* files, arrest records, fingerprints files and field interviews card, which is a file in the police records system. Informants and other sources of information may furnish leads, as will the analysis and examination of recovered physical evidence by the laboratory (Pena 2000).

Furthermore, the mandate of the police is to combat crime and protect individuals. Victimization results because of this failed mandate. The focus should thus be shifted to providing a quality service to the victims of sexual abuse or violation. The following services should be offered as stated by Sigsworth, Vetten, Jewkes and Christofides (2009):

Accessible victim empowerment rooms with quality services

The victims of rape should be offered hospitality in the victim empowerment rooms to avoid further victimisation from their perpetrators. The services include information about their case, such as regular updates, the appearance of the case in court and all other prosecution technicalities. The victims should receive an explanation of the process, the decisions as well as the verdict of the magistrate.

Trained and effective victim-friendly personnel who passed competency tests

It is imperative to note that the effectiveness of the CJS is entirely dependent on the efficiency of all the role players, namely, the police, prosecution and the DCS. Therefore, there should be proper training of these role players to enhance the effectiveness of this mandate. That is, those that have been trained, should carry out

this mandate to reduce secondary victimisation. To facilitate this process, the use of interpreters within the proceedings can thus play a crucial role. Trained and effective victim-friendly personnel can further flatten the curve of uncompromised police cases and biased case withdrawals.

Furthermore, it is imperative for the investigative officer to have a sound knowledge of the CPA, 1977, Van Graan and Budhram (2017). For instance, in terms of Section 205 of the CPA, 1977; an investigator may apply to a court for authorisation to subpoena cellphone service providers to make available the invisible information in the form of documentary evidence to identify and individualise the perpetrator. The identification process by means of technology makes it possible to physically identify the owner, the type of a weapon used and links the perpetrator to the scene of the incident .

2.5.1 Barriers to reporting rape in house robberies within the Criminal Justice System

2.5.1.1 The rape phenomenon in South Africa

In 2020/2019, the SAPS recorded a total of 42 289 rapes which shows an increase from 41,583 rapes in 2018/19 and 40,035 rapes in 2017/18. These statistics signify that on average, about 116 rapes were recorded by the police each day. The rape rate increased from 70.5 in 2017/18 to 72.1 in 2018/19 and 2019/2020 (Africa check 2019; and Africa Check 2020). However, given the nature of this crime, the police's rape statistics cannot be viewed as an accurate measure of the extent or rather the trend of this crime as there are dark figures (Crimes that are never reported). According to Geldenhuys (2015), when rape statistics decrease, some regard it as police success in preventing rape and when the statistics increase, this is explained by others as proof of greater public confidence in the police - that more victims are being encouraged to report these crimes.

Furthermore, South Africa is considered the rape capital of the world because of the high levels of sexual offences that are reported to the SAPS on an annual basis (Bougard & Booyens 2015). The high levels of rape have led to the enactment of SOAA, 2007 as amended. This is substantiated by the fact that in South Africa, a woman is raped every 17 seconds. According to Sikweyiya and Jewkes (2012); and Van der Watt and Van Graan (2013), the statistics that are reported annually are nine times higher than the actual reports.

In addition, the South African Institute for Crime Prevention and Reintegration of Offenders (NICRO); and Bougard, Booyens and Ehlers (2015) state that for every twenty rapes that occur in South Africa, only one is reported. South Africa is criticised for the high levels of rape as the government fails to investigate, prosecute and punish the perpetrators of these crimes. In a study on the analysis of rape cases conducted by Deasy, Badenhorst and Strumpher (2003 in Van der Watt & Van Graan 2013), the following findings were gathered :

30% of the cases made it to court.

29% of the cases were withdrawn at court.

65% of the investigated cases were withdrawn prior to court.

47% of closed cases were undetected before going to court (This is an indication of flawed and poor investigative techniques).

2.5.1.2 Specific barriers to reporting rape in house robberies

Numerous factors may contribute to victims not reporting rape. This includes the stigmatisation that is suffered by the victims of rape within the communities, certain restrictions towards sexual violence against women, the fear of secondary victimisation by role players of the CJS during the stages of reporting (Sigsworth 2009). Sable, Danis, Mauzy, and Gallagher (2006) further mention that the fear of retaliation by the perpetrator, financial dependence on the perpetrator, and cultural/ language barriers to obtaining help are some of the barriers to non-reporting of rape. In addition, the barriers to reporting rape within the CJS are discussed below as analysed by Geldenhuys (2015).

2.5.2 Specified barriers within the South African Police Service

Santtila, Junkkila and Sandnabba (2005); and Van der Merwe (2010) conducted a study on rape cases and the following was discovered:

Lack of training and transport resources and questionable quality of training received by investigators.

Detectives attending to a stranger rape case do not use a standardised approach in recording data concerning the crime.

Defining rape is related to beliefs towards women that society retains and these attitudes are not inherently objective. Case material is not a neutral summary of circumstances but is often related to certain attitudes.

Knowledge of quantity and quality vary from case to case, depending on a systematic approach to data recording.

There is a significant amount of missing data, with the result that certain items that have not been reported could have been present at the crime scene or in the relationship between the suspect and the victim.

Deasy, Badenhorst, and Strumpher (2003) study of 208 rape dockets, i.e. there is a high volume of cases being closed as undetected before going to court (47%).'

Poor dockets management is closed when an investigation is incomplete and evidence is still outstanding (Van der Watt & Van Graan 2013)

A huge caseload that hampers the investigation processes.

The need for the training of police officials in taking the statements of the victims for easier case prosecution.

The barriers to reporting these crimes have a huge negative effect on the victims who endure the trauma without proper assistance from the CJS. The fact that the police as the gatekeepers of the CJS does not adjudicate their mandate effectively, renders a deficiency to the prosecution and sentencing of these crimes. This is triggered by the misconceptions around the crime of rape, poor management of police dockets and outstanding evidence. Therefore, there is a need for the training of police officials if effective prosecution of these crimes is to be maintained at all.

Furthermore, Van der Watt and Van Graan (2013) substantiate that the statements that are usually contained in the dockets are incomplete which renders poor quality and do not meet the requirements of the sexual offences statement checklist. The checklist is part of the training that the detectives undergo to learn about the investigation of rape. The following are included in the checklist as part of statement taking:

Verbal interaction between the victim and the perpetrator.

Elaboration of the events prior to, during and after the rape incident.

A detailed description of the suspects and the identification of peculiar or abnormal behaviour by the suspect.

In addition to the lack of training of the investigating officials, there have been numerous criminal activities against the police officers that were reported which could, in turn, hinder the proper investigation. These crimes range from corruption to rape, as defined by the Independent Police Investigating Directorate [IPID] Act (No. 1 of 2011), which allows for independent and objective prosecution of suspected criminal offences allegedly committed by SAPS members. This Act governs inquiries into specified police misconduct and crimes. The types of crimes that the directorate investigates are listed in Section 28(1) (a-h) and (2).

According to the IPID (2017), about 7000 crimes regarding police officials were reported to the directorate in the financial year 2016/2017. These statistics are added to criminal offences already reported from the previous years. However, given these factors, it is not astonishing that during criminal investigations, police dockets disappear and the detained suspects, are freely released as a result of lack of evidence and watertight cases. Additionally, detained perpetrators are raped and killed inside the police cells by police officials. Firearms are no longer intended for their purpose but rather to threaten innocent people and to commit crimes. People are brutally assaulted, like in the cases of Mido Marcia and Andries Tahane. Consequently, it can be stated that the IPID's insufficient disciplinary convictions give impunity to those that contravene the law.

Therefore, unless these shortcomings within the SAPS are tackled, South Africa will slowly but surely move towards a lawless state. From this submission, the researcher argues that it can be challenging to have a satisfactory conviction rate for the crimes of house robbery and subsequent rape given the unethical operational nature of the SAPS perpetuated with corruption and criminal activities. However, there are cases that are prosecuted and result in conviction as highlighted in the research problem of the study.

2.5.3 Barriers within the Judicial System

Sigsworth, Vetten, Jewkes and Christofides (2009) provide that there are many reasons for the failure of many rape cases into the court system. It is important to note that for a case to make it to court, it should first be reported to the South African police authorities, if the victim fails to report the rape because of fear or shock, the case will never reach court. Another factor can be when the case was reported, however, the victim is unable to identify the suspect. In this regard, the case may be withdrawn as a result of a lack of watertight evidence to be presented to the court or rather a lack of capable police investigative skills.

Some of the victims, during the investigative stage, become too scared to continue with the case and withdraw it. This can be contributed by various personal factors such as the fear of secondary victimisation by the judiciary system. Moreover, for a person to be convicted of rape there should be a lack of consent amongst other elements. However, there are circumstances wherein there is a lack of evidence gathered by medical practitioners that proves that force was used. Therefore, such cases are usually withdrawn because of a lack of evidence to be presented during the court proceedings (Geldenhuys 2015).

Moreover, for someone who is not familiar with the court environment, it can be quite challenging to relate to the proceedings. Therefore, the victims need to be taken to a court prior the day of the trial to familiarise themselves with the space that they will have to occupy. However, that is not always the case in a sense that according to a study conducted by Gopal and Daniel (2008); about 66% of the victims were not taken to court prior while only 34% were withdrawn prior to the day of the trial. The victims are not given the chance and opportunity to familiarise themselves with the court environment and the prosecutors. This is supported by a study conducted by Pithey, Naylor, Artz and Combrinck (1999) who state that the main problem within the CJS is that the victims are not given the opportunity to meet with the prosecutor before the case is taken to trial.

In summation, because of these reporting barriers, many victims are unable to access the CJS and more perpetrators are not brought to book and convicted, and therefore the progression of criminal behaviour is enhanced. The perpetrators have the impunity to commit more crimes with the knowledge that the victims will not report the crimes.

This may result in a society that has a high level of serial rapists, for instance, who were not sentenced during their initial stages of criminalisation. It is also imperative to note that serial rapists start with the commission of one unreported incidence of rape, as Stevens (2000), highlights: *“When rape happens more than once by the same perpetrator, I call it serial rape.”* There are numerous scholars who contributed to the phenomenon of serial rapists, such as De Wet (2008); Park, Schlesinger, Pinizzotto and Davis (2008); and De Wet, Labuschagne and Chiroro (2009) amongst others, to understand the nature of serial rapists and revealed that it all starts with the commission of a single rape incident. Moreover, there is a need to differentiate between the incidence of single victim rapists versus serial rapists and there is a lack of statistics for such categorisation. Gang rape, single victim rape or rather serial rape are all categorised under rape incidences and the classification of these crimes is crucial to shed some light on the negative consequences of the non-prosecution of rape cases.

Overall, the decrease in reporting barriers can thus be achieved only if the different stakeholders within the CJS realise that the statistics on sexual offences should not be used to measure the level of performance within their departments but instead to initiate policy intervention. The statistics can be a crucial tool to enhance what is called pro-active policing instead of reactive policing which is more evident within the SAPS.

2.5.4 Department of Correctional Services available rehabilitation programmes responding to rape committed during house robbery and related challenges

The DCS plays a vital role in the rehabilitation of offenders across South Africa. However, there are numerous barriers that are encountered within this department such as the psychological service's shortage. The DCS currently employed 68 psychologists to serve a population of 150 000 convicts, resulting in a work rate of approximately 2 200 inmates per psychologist (Smalberger 2014). This was evident during the data collection process wherein it was found that one clinical psychologist was liable to provide psychological services for all the incarcerated offenders at the Thohoyandou correctional centre. This workload can be challenging and hinder the rehabilitation process of the offenders who are in need of psychological services.

In addition, Watts (2010) in Stamp (2020), in terms of the educational programmes claims that the classroom space in correctional facilities is frequently too tiny and cluttered, making it difficult for students and facilitators to focus on teaching and learning. According to Jovanic (2011), in a correctional setting, lack of skilled educators or other educational professionals has a negative effect on successful learning. Jovanic, (2011) further attests that the majority of correctional centre schools around the world are confronted with a significant hurdle of academic attainment. Many educators in correctional facilities encounter challenges when working with a diverse group of students of varying ages who have poor educational levels and a history of educational failure (Tam, Heng & Rose 2007).

Similarly, Stamp (2020) developed a conceptual model to understand the intrinsic barriers to learning in a correctional centre and the knowledge gaps, language difficulties, disability emotional behaviour, behavioural problems were highlighted as the main factors. Additionally, overcrowding has a negative effect on the implementation of educational programs in the correctional environment (Tam, Heng & Rose 2007).

However, despite the abovementioned challenges, there are different kinds of rehabilitation programmes that are offered to offenders within the South African DCS Centres. These include vocational, psychological, social, recreational and educational programmes (Van Voorhis, Braswell & Lester 2004; and DCS 2020).

2.5.4.1 Educational programmes

Educational programmes play a vitally crucial role in the rehabilitation of offenders in correctional centres (Brewster 2002). This includes improving their communication skills, post-secondary education and any other educational curriculum that is needs-based (Gowdy, Travis & Sutton 2003). The programmes do not only benefit the offenders, but also the community at large when these offenders are released from the centres. This can be attributed to the fact that educated offenders may display a lower level of recidivism and be well integrated into the communities.

2.5.4.2 Recreational programmes

Clear and Cole (1994) provide that the recreational programmes ensure that every offender is able to participate regardless of any physical disabilities and illiteracy. This includes arts, crafts and table games. The offenders gain self-confidence and self-assurance through this programme. This can improve the mental capability and health of the offenders through a learned trust of others and that can have a positive impact on the facilitation of rehabilitation programmes.

2.5.4.3 Psychological programmes

The aim of the psychological programmes in the correctional centres is to treat the underlying emotional or mental problems that led to the commission of an offence. This is achieved by the implementation of two approaches, namely: psychotherapeutic approaches and group therapy treatment. The psychotherapeutic approach is aimed at treating the mind of the offender in the correctional centre whilst the group treatment allows offenders with mutual problems to come together and discuss their issues (Clear & Cole 2000). The significance of group therapy treatment is that the offenders get to understand that their problems are uniform and that can ease their mental burden.

2.5.4.4 Social therapy

Social therapy care is aimed at ensuring that pro-social attitudes and actions are reinforced by the therapeutic climate. The primary objective is to establish a democratic institution that requires inmates to take part in the decision-making process. The belief is that rehabilitation is possible if offenders take control of their conditions because, at the end of the day, all programmes are aimed at changing the offending behaviour. Moreover, Clear and Cole (1994) state that the successful implementation of this programme dwells on meeting the following requirements amongst others:

Institutional practice must be democratic rather than bureaucratic. Offenders will consider themselves less important if they have no say in the rules that govern

them or in their implementation. Within this strategy, the offenders are offered the opportunity to assist in the creation of laws and the preservation of public order.

The focus of the programme must be on treatment rather than custody. The aim of the correctional system is not only incarceration of the offenders but also to change their behaviour. Therefore, it must be ensured that the offenders participate in programmes that were designed to promote their growth and emotional maturity.

The value of flexibility over rigidity, in a sense that offenders must be given enough time to participate in programmes that will lead to their development and should spend less time in activities that have less or no impact on their development.

2.5.4.5 Vocational programmes

There is a dire need for offenders to be taught how to conduct themselves within an occupational environment. The vocational programmes offer a marketable job skill because the majority of the offenders lack the necessary attitude for obtaining and keeping a job, such as punctuality and accountability. It is crucial that this knowledge is imparted for personal sustainability and reduction of recidivism (Clear and Cole 1994).

In summation, the implementation of effective rehabilitation programmes plays a crucial role in correcting the offending behaviour of the offenders in correctional centres. These programmes are of paramount importance to prevent recidivism behaviour of the offenders when reintegrated into the societies. The researcher has established that the offenders in the undertaken study are eligible to attend, psychological, educational, social and vocational rehabilitation programmes.

However, the offenders of house robbery and subsequent rape mainly attend the generic life skills and Sexual Offences Treatment Programmes [SOTP]. The current SOTP was designed for all sexual offence offenders, regardless of the nature or circumstances surrounding it. The researcher opines that this programme may not be viable for the offenders of house robbery and subsequent rape given the nature of these crimes. Moreover, the offenders of rape committed in house robbery are different from ordinary rapists and the difference lies in their intention. Rape committed

in house robbery is not planned and occurs only when the opportunity presents itself whilst there is a degree of planning in ordinary rape.

The intention of these two offenders is not the same and hence the rehabilitation programmes should address different aspects. The researcher opines that the offenders of house robbery and subsequent rape should have programmes that are guided by the empirical findings of the motivational factors of committing rape in a crime that started as house robbery, namely, opportunity, unstable family background, substance use, aggression, dominance, vulnerability, mob mentality.

The inclusion of the abovementioned guidelines in the programmes can perhaps aid with the rehabilitation of the said offenders before the expiry of their determinate sentences. This can also play a crucial role in preventing recidivism because the programmes will correct the offending behaviour of the offenders. The researcher proposes for Rape in House Robbery Programme (RHRP) which aims at addressing the presented motivational factors and thus correcting the offending behaviour of the offenders associated with these crimes.

2.6. SUMMARY

In this chapter, the researcher conceptualised the concepts of house robbery and rape. The motivational factors of committing rape in murder, war, genocide and house robbery were explored. The researcher established that the same motivations of using rape in a house robbery compare to these two strategic uses of rape in war and genocide. Furthermore, the motivational factors for committing rape in house robbery were explained. A critique of the sexual motivations was highlighted with emphasis that rape is not influenced by sexual gratification but a violent crime perpetrated by power, control, dominance and the victim's vulnerability.

The effectiveness of the CJS in dealing with the reported cases of house robbery and rape were further highlighted. Barriers with regard to the reporting, prosecuting and convicting of these crimes, were identified. This has led to the inefficiency of the CJS to carry out the mandate as stipulated. With reference to the consulted literature, the researcher highlighted a category of rapists known as the opportunistic dominance rapists. This can be used by future researchers to classify the rapists in house robberies. The rehabilitation programmes responding to these crimes were analysed

and the researcher proposed a programme that could be viable to address house robbery and subsequent rape. The following chapter (Three) explains the legislative and theoretical frameworks applied to this study.

CHAPTER THREE

LEGISLATIVE AND THEORETICAL FRAMEWORKS APPLICATIONS ON HOUSE ROBBERY AND SUBSEQUENT RAPE

3.1. INTRODUCTION

House robbery and subsequent rape are common law crimes that are mainly regulated by the Constitution, (1996) and other relevant statutory bodies. In this chapter, the Constitution, (1996), CPA, 1977, SOAA, 2007 and the Criminal Law (Forensic Procedures) Amendment Act [No. 37 of 2013] (Commonly referred to as the 'DNA Act') are applied to the context of this study. A further application is the theories that are deemed relevant to the study such as the Power Control Theory, Integrated Theory of Sexual Offending (ITSO), and the Postmodern Feminism perspective.

3.2. LEGISLATIVE FRAMEWORKS APPLICATIONS

3.2.1 The Constitution of the Republic of South Africa, 1996

The Constitution of the Republic of South Africa, Act 108 of 1996 provides for the basic rights of people. Section 12, Sub-section **(c)** of the Bill of Rights stipulates that everyone has the right to be free from all forms of violence from either public or private sources whilst Sub-section **(d)** stipulates that no person should be tortured in any way. In the context of this study, the crimes of house robbery and subsequent rape are in contradiction with the basic rights of the people and specifically the victims. As stated in Chapter two of the Bill of Rights, the victims are subjected to an economic and sexual violation for material possessions such as money, electronic goods and jewellery.

3.2.2 Criminal Procedure Act (No. 51 of 1977)

The mandate of the CPA, 1977 is to provide for the procedures and related matters in criminal proceedings. The crimes (house robbery and rape) are stipulated in the prescription of the right to institute prosecution, Section 18, Sub-section (c) and (f). In essence, the criminal procedure act provides that the perpetrators of house robbery should be prosecuted. For instance, for robbery, there is the presence of aggravating circumstances as the perpetrators use weapons to scare the victims into submission and to disclose all their monies and valuable personal belongings. In terms of rape or compelled rape as contemplated in Sections 3 or 4 of the SOAA, 2007, respectively the perpetrator is liable for a crime of rape if there was sexual penetration without the victim's consent or when the perpetrator willingly does not care whether the victim consents. In addition, the CPA, 1977 further states that for a person to be convicted of any crime, it should be proved beyond reasonable doubt that such acts qualify for that crime.

Chapter two of the competent verdicts, Section 260 of the CPA Act, 1977 stipulates the following for robbery: 'If the evidence on a charge of robbery or attempted robbery does not prove the offence of robbery or attempted robbery, but for instance, the offence of assault with intent to do grievous bodily harm or the offence of common assault, the offence of pointing a firearm, air-gun or air-pistol in contravention of any law. The accused may be found guilty of the offence that was proved beyond a reasonable doubt.'

Additionally, if there is a lack of the rape elements such as 'lack of consent' mentioned above, under the CPA, 1977, the crime may qualify as an offence of assault with intent to do grievous bodily harm, common assault, sexual assault, compelled sexual assault as contemplated in:

'Section 6 of the SOAA, 2007.

Compelled self-sexual assault as contemplated in Section 7 of the SOAA, 2007.

Incest as contemplated in Section 12 of the SOAA, 2007.

Having committed an act of consensual sexual penetration with a child as contemplated in Section 15 of the SOAA, 2007.

Having committed an act of consensual sexual violation with a child as contemplated in Section 16 of the SOAA, 2007, the accused may be found guilty of the offence so proved.'

Therefore, if the facts on a charge of sexual harassment, coerced sexual assault or forced self-sexual assault as provided for in Sections 5, 6 or 7 of the SOAA, 2007, respectively, does not prove any other crime but the offence of common assault or; having committed an act of consensual sexual violation with a child as provided for in Section 16 of the SOAA, 2007, the accused may be found guilty of the offence so proved.'

Therefore, the CPA, 1977 is a fundamental statutory body that provides for the prosecution of the crimes of house robbery and rape. The CPA, 1977 is a point of reference and acts as a guideline to bring justice for the victims of these crimes. In chapter 1, in the research problem section, the researcher highlighted how the court cases were prosecuted with the guidance of the CPA, 1977. Therefore, it is deemed imperative that this legislation be included in the research to highlight its relation to the crimes of house robbery and rape.

3.2.3 Criminal law (*Sexual offences Act and Related Matters*) Act [No. 32 of 2007]

South Africa's legal definition of rape is very broad. It includes the oral, anal or vaginal penetration of a person (male or female) with any object, (SOAA, 2007). According to Section 3 (l) of the Act:

"A man commits an offence of rape if he has sexual intercourse with a woman without the woman's consent and knowing that the woman does not consent to sexual intercourse or recklessly not caring whether the woman consents or not."

According to this Act (SOAA 2007), a person (The offender) commits the offence of grievous sexual assault upon another (Victim) where the offender: 'penetrates the vagina or anus of the victim with a body part or an object manipulated other than the penis of the offender.' Moreover,if the offender may cause another person to penetrate the vagina or anus of the victim by any part other than the penis of that person or an object manipulated by that other person,it is called a compelled rape and therefore a punishable offence.

Furthermore, rape occurs when the perpetrator places or causes another person to place his penis into the mouth of the victim or when another person place or is caused to place his or her mouth onto the vagina, vulva, and penis. However, the above subsections do not apply to penetration carried out in the context of a search authorised by law or for approved medical purposes.

In addition, the circumstances of these acts specified above should be carried out without the consent of the victim, knowing that the victim does not consent to the act or recklessly not caring whether the victim consents or not or is carried out upon a victim under the age of sixteen years. For the purposes of this Act (SOAA 2007), consent shall not be treated as concrete and valuable in circumstances where it was forced and extracted by physical assault, victim's fear of physical assault or obtained by fraudulent misinterpretation of the identity of the offender. The following elements must be proved beyond reasonable doubt for the successful prosecution of rape:

Absence of consent: It refers to sexual penetration without the victim's consent. The victim is forced and coerced into the sexual act unwillingly.

Unlawfulness: Rape is a sexual crime that is against the law. Therefore, any unlawful act is punishable by the law and the perpetrators are convicted.

Intention: It refers to the perpetrator's intent to commit the crime of rape. Therefore, these elements need to be proven beyond reasonable doubt for the successful prosecution of rape.

Additionally, the sexual offences act provides guidelines for the prosecution of rape and related matters. In the context of this study, the prosecuted cases of rape as highlighted in the research problem section in chapter one consists of these elements that were proven beyond a reasonable doubt. For example, during rape in a house robbery, the perpetrator sexually penetrates the sexual organs of the victim with genital parts. The victims do not consent to the act and it is a forced/ coerced sexual penetration. The act is usually committed to scare the victims into submission and to confiscate all their personal belongings. Lastly, rape is unlawful; it is a crime against humanity and it is a sexual violation of another person. Moreover, the CJS in South Africa makes provision for rape to be investigated, prosecuted and convicted to protect the rights of the victims and the people in general.

3.2.3.1 The provision of the penalties under the Sexual Offences Act (No. 32 of 2007) Section 64 of the SOAA, 2007 stipulates the penalties for a person who commits the offence of rape whether against Section 3 grievous sexual assault or 5. The person found guilty of rape is liable to conviction to imprisonment for life or any other sentence that the court deems fit for the sentence but not less than fifteen years. The attempted rape with aggravating circumstances perpetrators are liable to imprisonment for a term not exceeding ten years. However, if dangerous or offensive weapons were not used to commit rape, the sentence imposed will be imprisonment for a term of not exceeding seven years.

The researcher opines that some of these punitive measures are not sufficient to effectively and efficiently deter the perpetrators of rape. Rape is a crime of power, dominance, thrill and there should be harsh penalties such as life imprisonment. The excessive trauma as a long-term consequence of rape on the victims cannot be disputed. Overall, the perpetrators weigh the rewards of the crime against the penalties and if the rewards are favourable and exceed the punishment, they are more likely to commit the crime. In essence, the punishment should thus fit the crime committed.

3.2.4 The Criminal Law (Forensic Procedures) Amendment Act [No. 37 of 2013] (Commonly referred to as the 'DNA Act')

The DNA Act, 2013 was passed into law on 27 January 2014 and makes provision for the use of forensic DNA profiles in the investigation of crime. The main function of the use of forensic profiles within the CJS is to prove whether a person is innocent or guilty before or during prosecution and the exoneration of convicted persons. Schedule 8 of the Act provides a list of the offences in which the DNA samples can be taken, however, the focus will be directed to rape and robbery for the purpose of this study.

DNA refers to chemicals found in every cell in the human body. This chemical can be explained as a genetic carrier from one generation to the next. For instance, in terms of fingerprints, it can be stated that each human being has a unique DNA signature that remains unchanged throughout their lives (DNA Act 2013). In terms of crime scenes, fingerprints can be found and identified if a person touches an appropriate surface with their bare hands.

In addition, the DNA can also be extracted from hairs, skin cells, blood, fragments of bone, or teeth, as well as body fluids left at a crime scene. DNA testing, also called DNA profiling, can be defined as a unique set of numbers that is attained from a person's DNA and acts as a personal identification number. The advantage of DNA testing is that the genetic make-up of every person is unique and can provide accurate results except in the case of identical twins. It can be stated that in circumstances where traditional fingerprints are not available, DNA profiling may provide the identification of the person who was present at the crime scene (DNA Act 2013). Furthermore, it can be substantiated that DNA is a crucial tool that can be utilised in the investigation of these crimes of house robbery and rape.

Moreover, DNA profiling is used globally to provide tangible and sufficient evidence that can facilitate the conviction of criminals. In addition, forensic scientists are also able to re-examine old cases that were long closed by the lack of sufficient evidence for prosecution (DNA Act 2013); and Smith (2020). DNA profiles play a crucial role within the CJS as cold cases are re-opened, scene samples and the stored evidence are extracted. The use of DNA evidence has allowed a transparent solving of the cases that were not previously solved and the exoneration of offenders who were initially found guilty. As mentioned above, each individual's DNA is unique and personal; evidence gathered from a crime scene can act in two ways, either by linking or eliminating a suspect (DNA Act 2013). Similarly, the DNA evidence provides valuable information to the criminal intelligence department within the police and for court as evidence from one crime scene can be compared with others and eventually these crimes can be linked nationwide (DNA Act 2013).

For instance, South Africa consists of nine provinces, if a suspect commits a crime in all of the provinces, the DNA evidence can link the crimes committed and that would be efficient in terms of prosecution. In addition, DNA also retains its integrity through analysis of cold cases and point to a new suspect that was not known previously. Overall, the utilisation and guidance of this act can play a crucial and significant role in the prosecution of rape and house robbery.

3.2.4.1 An application of the Deoxyribonucleic Acid profiles

On the basis of the DNA Act (2013), the DNA profiles may be utilised in this study for:

Identification of the potential suspects of house robbery and subsequent rape whose DNA matches evidence found at crime scenes, whereby the relevant suspect will be arrested.

Excluding a suspect quickly, by demonstrating that a person was not involved in a crime scene or crime, unlike arresting a person who is later found to be innocent, and that can be seen as a human right's violation.

The identification of criminal behaviour patterns can be established through matching DNA profiles at several crime scenes and linking perpetrators to multiple crimes. This may be effective in both pro-active and reactive policing in the sense that the present, past and future crimes can be solved. For instance, when a perpetrator commits the crimes of house robbery and subsequent rape more than once, the DNA profiles have a record of such crimes and the perpetrator can be regarded as a threat to the society and thus be timeously prosecuted to avoid the commission of other crimes in the future. In addition, a pattern can be established and linked to multiple crime scenes of house robbers and rapists given the similar *MO* employed.

The promotion of plea bargaining as it was highlighted that suspects of house robbery and subsequent rape plead guilty only when confronted with the evidence of their matching DNA linking to the crime.

Exonerating persons wrongly accused of crimes, it is not a new phenomenon that people have been wrongfully convicted for crimes that they never committed. DNA profiles make provision of wrongly accused perpetrators to be released and the prosecution of the relevant perpetrators who were previously omitted. The researcher noted that during this study, some offenders at correctional centres claimed to be wrongfully convicted. Therefore, a thorough application of this Act can play a crucial role to remedy these circumstances.

Overall, the DNA Act, 2013 can come in handy with the identification of the fingerprints of the perpetrators of house robbery and further in the analysis for medical

examination of rape victims. In the case wherein the perpetrators were wearing handcuffs, evidence can be gathered from the hairs that are found at the crime scene as, according to Zinn (2017), most perpetrators spend a considerable amount of time in the targeted house. The relevant and guilty perpetrators can be convicted and subsequently serve time in correctional centres.

3.3. THEORETICAL FRAMEWORK RESPONDING TO HOUSE ROBBERY AND SUBSEQUENT RAPE

It is imperative to note that the basic principle of the GT is to provide an inductive inquiry and theoretical framework to understand the phenomenon under investigation (Elliot & Higgins 2012). Therefore, the inductive inquiry will commence with the data and build a theory based on the systematic analysis of the data. Similarly, the theoretical framework in this study will be grounded in the data collected. The theory development will be in alignment with the key strategies of the GT, such as constant comparative analysis, theoretical sampling and theoretical coding (Charmaz 2014). However, rape as an ultimate crime committed during house robberies, theories on rape form an integral part of guiding the research. The Power Control Theory, ITSO and Postmodern Feminism Perspective are discussed hereunder.

3.3.1 Power Control Theory

The Power Control Theory explains that gender differences in delinquency are based on the power displayed by the family structure and the parental controls exercised on boys versus girls. According to Lilly, Cullen and Ball (2011), the balance of power and control between parents affects the child's preference for taking risks and delinquency. The main issues in the Power Control Theory are the difference in the mother's and father's occupational authority (patriarchal and egalitarian). In a patriarchal family, the father's job puts him in a 'command' role while the mother is obliged by the 'obey' role. The children in patriarchal families are socialised by their parents to reproduce gender relations (Lilly, Cullen & Ball 2011). This means that daughters are taught to be feminine and prepared to be homemakers while on the other hand, sons are taught to be breadwinners and are allowed to experience the world.

Moreover, in an egalitarian household, the mother and the father have a job as either to 'obey' or 'command.' Patriarchal and egalitarian families show the difference of controls placed on sons versus daughters with regard to maternal controls over children. In patriarchal families, mothers employ superior control over their daughters rather than their sons. Therefore, the less control exercised by the parents on their sons perpetuates more freedom to engage in risky behaviour (Hagan, Gillis & Simpson 1985). Overall, Hagan, Gillis and Simpson (1988) presume that boys will be more involved in delinquency than girls for three reasons. Firstly, there are fewer controls placed on boys. Secondly, boys may view the act of risk-taking as pleasurable. Thirdly, boys perceive fewer negative consequences in response to their behaviour.

Additionally, the 'fundamental premise of the power-control theory is that mothers relationally and instrumentally control their daughters more than sons'. Instrumental controls involve basic supervision of the child. Relational controls involve the emotional bonds that ward off deviant behaviour by the child. Instrumental and relational controls are exerted more by mothers than fathers in both patriarchal and egalitarian families (Leiber & Wacker 1997). Therefore, the power control theory explains the criminal transgressions in terms of the gender differences within a family structure (Bitna, Gerber, Henderson & Yeonghee 2012).

3.3.1.1 An application of the Power Control Theory

As discussed above, mothers in patriarchal cultures do not have relational and instrumental control over their sons (Hagan, Gillis & Simpson 1988; Hagan, Gillis & Simpson 1985; Hagan, Simpson and Gillis 1987; Hagan, Gillis & Simpson 1990; McCarthy, Hagan & Woodward 1999) The researcher opines that the occurrence of rape in the context of this study results from the poor socialisation and parents less control of the males versus females. Additionally, males exposed to poor socialisation in these households can be prone to criminality when confronted with a powerless victim. Rape in this context is not just about sex, it is about domination, social control and violent acts directed at women perpetuated by poor socialisation. In essence, women are viewed as belonging to the 'obey' position while men are seen as 'commanders.' Women are obliged and forced to obey anything that a man commands without their consent and sexually violent acts are no exception.

Therefore, rape behaviour in the context of this theory is attributed to poor socialisation within the family environment, power and dominance. It can be argued that when it comes to rape, the balance of power and control between parents affects the child's preference for developing controlling and dominant behaviour. Overall, in house robberies, dualistic jeopardy for the victim manifests. Firstly, a transferred gender power structure of male dominance and secondly, an enhanced control variable of absolute power through fear of harm as a result of armed invaders that also takes on the role of the dominant male in an environment where absolute power is exerted through the threat of force or actual violence.

3.3.1.2 Criticisms of Power Control Theory

The Power Control Theory is criticised for lack of explanation pertaining to delinquency in other instances, such as in a society other than the power imbalances and patriarchal attitudes in a household. Secondly, the gender differences in delinquent behaviour have little to do with socialisation or paternal controls. That is, some boys are raised in patriarchal cultures but do not show any traits of delinquent behaviour. Moreover, Morash and Chesney-Lind (1991) critique emphasis on control in girls' socialisation and suggest that women are socialised into a caring and pro-social position, which leads to less delinquent behaviour.

3.3.1.3 Lasting value of Power Control Theory

The Power Control Theory is a good example of a social control theory because it is consistent with the idea that individuals must be socialised positively and that the gender differences in socialisation affect how people will act throughout life (Hagan, Gillis & Simpson 1988). Moreover, it has been proven in this study that the individuals that hail from malfunctioning households populated by negative socialisation and patriarchy are vulnerable to be involved in criminal behaviour. Therefore, the Power Control Theory has a lasting value in the field of criminological research as it can explain criminal behaviour in different household settings and therefore, it contributes to the analysis of the commission of rape in house robberies in this study.

3.3.2 The Integrated Theory of Sexual Offending

The ITSO is a broad but comprehensive etiological theory that clearly explains the dynamics of clinical phenomena and the causal factors of sexual offending (Salerno 2014). It argues that sexual offending is caused by the ongoing influence of distal and proximal factors that interact dynamically. That is, the genes, neuropsychological systems and social learning interact as a way of generating the clinical problems that are evident in sexual offenders (Ward & Beech 2006). This includes characteristics such as deviant arousal, thoughts and fantasies that are related to the commission of offences and social difficulties.

This theory deposits that the generic predispositions and social learning have an impact on the development of a brain and can result in the establishment of poor neuropsychological functioning. Subsequently, these poor neuropsychological functions perpetuate clinical malfunctions that lead to sexual offending (Ward & Beech 2006). Karli, Vergnes, Eclander & Penot (1977) show that inhibitory constraints are formed through socialisation processes and that these inhibitions are controlled by brain regions, as interference with them (most notably the amygdala and the septum) destroys socially acquired inhibitions over aggression.

Additionally, it is well established that nature and nurture play a role in influencing behaviour. The same elements that obstruct or complicate the development of inhibitory controls may, under certain circumstances, encourage the fusion of sex and aggression even more (Marshall & Barbaree 1990). Moreover, males have a long evolutionary history that has equipped them with a variety of behavioural options for achieving sexual goals (Symons 1979). In accordance with the ITSO, sexual offending is caused by four factors, which are biological inheritance and brain development, neuropsychological factors, clinical factors and ecological niche factors (Marshall & Barbaree 1990).

Similarly, structural brain damage or malfunction has a greater influence on sexual offending. Secondly, the ailments in one's genetic inheritance and cultural upbringing can have a negative impact on a person's motivational or emotional system such as poor problem-solving capacity or a failure to inhibit certain emotions that lead to sexual offending. Thirdly, the combination of neuropsychological and ecological functioning

deficits causes the emergence of four clinical aspects that can lead to offensive sexual behaviours (Ward & Beech 2006). These include the following:

Emotional/ behavioural regulation deficits.

A need for intimacy and control.

Offence supportive cognitions.

Sexual interest.

Moreover, the ecological factors show a representation of cultural, social, personal circumstances and physical environment, which can lead to a person becoming involved in sexual offences. This includes childhood sexual abuse, losing a partner and wars.

3.3.2.1 Application of the Integrated Theory of Sexual Offending

This theory articulates that sexual offending is caused by structural brain damage, genetic inheritance ailments and poor cultural upbringing (Ward & Beech 2006). Smallbone and Cale (2015) deposits that the key causal elements that lead to sexual misconduct can sometimes be found in the ecological niche rather than within the individual. Luria (1966) and Pennington (2002) attests that both biological inheritance and social learning can have an impact on people's developing brains and the three interconnected neuropsychological systems of motivations, perception and memory, action selection and control. To this course, the researcher is not aware of any malfunctioning or thinking errors, ailments in the genetic inheritance of the offenders of house robbery and subsequent rape, however, the characteristic of poor cultural upbringing play a crucial role. Moreover, the presence of these characteristics is regarded as the risk factor for the commission of rape in a house robbery.

3.3.2.2 Criticisms of the Integrated Theory of Sexual Offending

Although some authors argue that aggression has a genetic foundation (Tobach, Gianutos, Topoff & Gross 1974), the evidence appears to clearly show that it does.

Therefore, under the right circumstances, all members of a species exhibit species-specific aggressive behaviour, regardless of exposure to environmental factors that may be anticipated to (train) them to produce the behaviour (Eibl-Eibesfeldt 1977). However, an argument for a biological capacity to perform specific actions does not imply that those behaviours should be viewed as inevitable, nor does it absolve someone from performing those behaviours (Marshall & Barbaree 1990).

3.3.2.3 Lasting value of the Integrated Theory of Sexual Offending

For the assessment and treatment of sexual offenders, the ITSO provides a therapeutically relevant framework. Its ability to account for varied crime trajectories and clinical presentations will assist therapists in formulating cases that are tailored to the specific concerns of offenders. The ITSO's multifield and interlevel nature can inform therapists to consider a wide range of causal variables when putting together a case, to think dynamically about how to interact, and recognise the role of ecological (i.e., social, cultural, circumstantial) variables in both creating the conditions for abuse and shaping offender's vulnerabilities (Ward & Beech 2006).

3.3.3 *Postmodern Feminism Perspective*

The Postmodern Feminism Perspective is based on the ideology that categorical thinking is based on a patriarchal symbolic order and serves the privilege of the dominant group's viewpoint (Latting 1995). This approach advocates for the equality of all the sexes in society, eradication of the patriarchal society influence and the advance of women with a change in society thinking (Latting 1995).

This perspective upholds a strong position that sexual victimisation is caused by the imbalances of power in a society that are related to gender differences. Sanday (1981) and Jewkes (2002) maintain that gender is used as a system for social classification that influences access to power, status and material resources. That is, the mechanism of sexual control in a system of male supremacy is perpetuated by victimisation and the fear of being sexually victimised to exercise power (Watson-Franke 2002; Kelly & Radford 1999). Basically, women are restricted in their movements, behaviour and dress code as a way of escaping vulnerability and victimisation (Vogelman 1990).

3.3.3.1 Application of the Postmodern Feminism Perspective

This perspective maintains a position that sexual victimisation is motivated by male domination of patriarchal societies and inequality in gender as perpetuated by Latting (1995). This theory applies in the context of the study, as the commission of rape in a house robbery is influenced by dominance and power exerted by the perpetrator. Moreover, the patriarchal ideologies are perpetuated by cultural practices and gender inequality.

3.3.3.2 Criticisms of the Postmodern Feminism Perspective

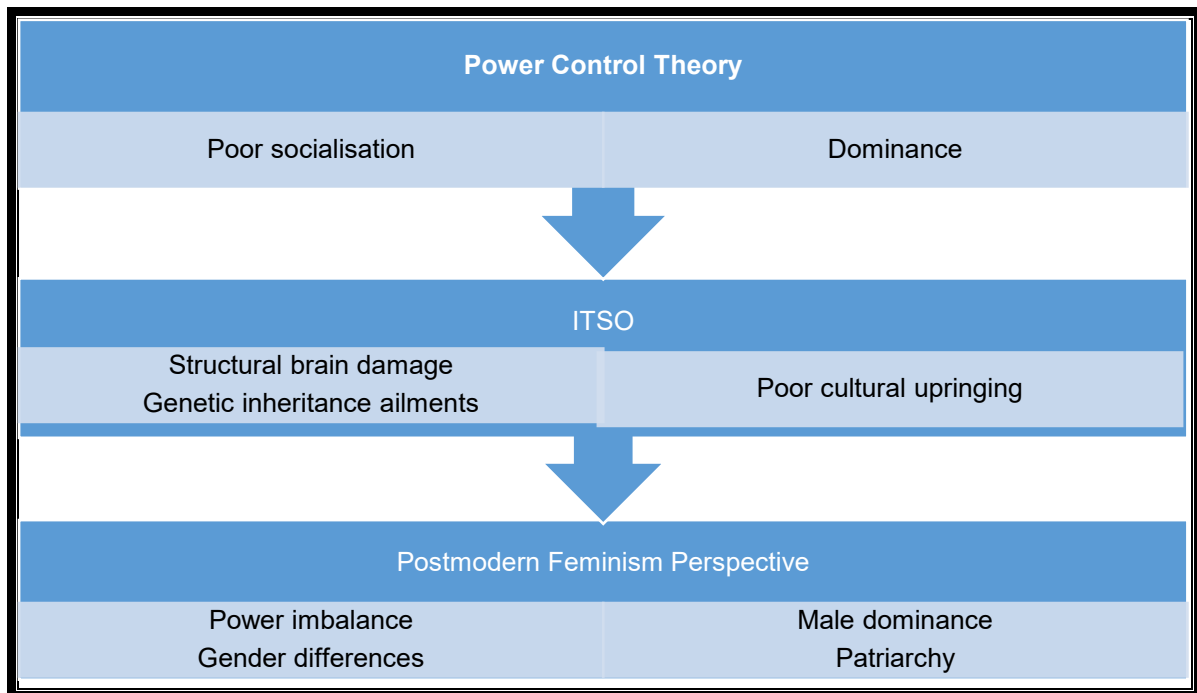
Through its anti-essentialism, postmodern feminism faces the risk of undermining the basis of a gender-based politics of action. Gloria Steinem as the feminist activist has also critiqued feminist theory, particularly postmodernist feminist theory, as being too academic, with jargon-filled and inaccessible language that benefits no one (Denes 2005). Overall, any truth is incomplete, partial, and cultural bound, therefore, no single feminist self-theory can possibly encapsulate the 'truth' about all women. Therefore, critical feminist theorists recommend looking for multiplicities, or micro-theories, instead of grand theories (Qin 2004).

3.3.3.3 Lasting value of the Postmodern Feminism Perspective

The purpose of postmodern feminism perspective is to disrupt the patriarchal conventions that have resulted in gender disparity in society (Ebert 1991). The postmodern feminism perspective embraces sexuality and therefore, women can be more empowered, free to choose, and liberated. In addition, South Africa is facing an increment of rape cases annually and it is through the voices of these feminists that women can be liberated from the brutal hands of the perpetrators. Similarly, in the context of rape in house robbery, women experience sexual violence by the men who were groomed in patriarchal households that embraces inequality. It is through the postmodern feminism perspective that the mindset of the said males can be changed to capture the true essence of 'caring' and 'justice' for the women population.

3.3.4 Linkage of the Power Control Theory, Integrated Theory of Sexual Offending and the Postmodern Feminism Perspective

The three (03) theories were reviewed to explain the causes and occurrences of rape in a house robbery. The theories mainly highlighted poor socialisation, genetic inheritance ailments, structural brain damage, dominance, and patriarchy as the main contributors to rape during a house robbery. The similarities are illustrated in the below figure 2:



Source: Researcher’s illustration (2021)

Figure 2: Integration of theories that guided this study

In depicted figure 2, the power control theory emphasis that sexual criminality is a consequential factor of the poor cultural upbringing/socialisation of girls vs boys in a household. Therefore, as discussed, boys are more likely to engage in criminality because of the little control exercised by the parents. Similarly, the ITSO highlight the poor cultural upbringing with the addition of biological factors such as structural brain damage and genetic inheritance ailments as the contributing factors to sexual offending.

The postmodern feminism perspective contests that sexual offending is a product of the power imbalances and gender differences that are perpetuated by the male

dominance and patriarchal culture. These factors combined, served as a theoretical framework for the explanation of the occurrences of house robbery and subsequent rape.

3.3. SUMMARY

The main focus of this chapter was on the application of the legislative and theoretical frameworks within the context of the occurrence of house robbery and subsequent rape. The focus was based on the explanation of the Constitution, 1996, CPA, 1977, SOAA, 2007 and the DNA, 2013 in relation to the commission of these crimes. Additionally, theories play a crucial role in the explanation of criminal behaviour. In this study, three interrelated theories (Power Control Theory, ITSO, and Postmodern Feminism Perspective) were highlighted to explain the commission of rape in house robberies.

Overall, the criminal behaviour of rape in house robbery was theoretically explained to be a product of poor socialisation, dominance, genetic inheritance imbalances and power imbalance. The researcher's illustration and integration of these theories thus contribute significantly to an analysis of the occurrence of rape in a house robbery. The next chapter (Four) will be based on the research design and methodology that was employed in this study.

CHAPTER FOUR

RESEARCH DESIGN AND METHODOLOGY

4.1. INTRODUCTION

Research design and methodology form the basis of any research as it is embedded with the techniques employed to achieve the aim and objectives of the study. Akhtar (2016) defines research design as a framework of research; as the "glue" that ties all of the pieces in a research project together; in other words, it is a plan for the proposed research. Research methodology is explained as a method for solving a research problem in a systematic manner (Kothari 2004). It can be thought of as a science that studies how scientific research is carried out. In this chapter, research design, research methodology, description of study locations, study population, sample size and procedures, methods of data collection and analysis, methods to ensure trustworthiness and ethical considerations are explained.

4.2. RESEARCH DESIGN

The GT research design was employed in this study as it is embedded in, behaviours and social movements. The use of this research design was to open a space for the development of a new, contextualised theory. Glaser and Strauss (1967) define GT as the discovery of theory from data systematically obtained from social research. Additionally, according to Creswell (2009), GT research design is 'a qualitative strategy of inquiry in which the researcher derives a general, abstract theory of process, action, or interaction grounded in the views of participants in a study'. The researcher endeavoured to use the 'voices' of participants to develop a theory on house robbery that results in rape through the use of GT.

'The GT research design relates to a qualitative research approach that uses a systematic set of procedures to develop an inductively derived GT about a phenomenon' (Strauss & Corbin 1990). The GT as a research design gives guidelines on how to identify, link and establish relationships between categories. To identify, refine, and integrate categories and subsequently enhance the development of a theory, key strategies such as constant comparative analysis, theoretical sampling and

theoretical coding were used. However, this research design does not test questions with a theory but analyses data to produce a theory that answers those questions (Pulla 2016).

4.3. RESEARCH METHODOLOGY

This study adopted a qualitative research approach to analyse subjective meaning by collecting non-standardised data and analysing texts rather than numbers and statistics (Flick 2011). Qualitative research explains how people make sense of something in the world. Van Maanen (1979) defines it as, 'an umbrella term covering an array of interpretive techniques which seek to describe, decode, translate, and otherwise come to terms with the meaning, not the frequency, of certain more or less naturally occurring phenomena in the social world.' A qualitative research approach was used to explore the perceptions of incarcerated offenders of house robbery and subsequent rape. This type of design allows the researcher to obtain richer data (Bachman & Schutt 2014).

According to Etikan, Musa & Alkassim (2016), the qualitative research approach is intended to acquire an in-depth understanding of the study undertaken. A qualitative research design is considered relevant as it concurs with the aim of the study (to explore the motivational factors of committing rape during a crime that initially started as house robbery). The exploration of the motivational factors involve semi-structured interviews which is a qualitative data collection method. Moreover, insightful or richer data from the participants about a phenomenon under study can only be attained through the use of a qualitative research design (Bachman & Schutt 2014). Overall, Etikan, Musa & Alkassim (2016) affirms that qualitative methods are, for the most part, intended to acquire an in-depth understanding of a study.

4.3.1 Advantages of qualitative research approach

Qualitative research approach gives a detailed description of the respondent's feelings, experiences, and opinions, and interprets the meanings of their actions (Denzin 1989). It holistically understands the experiences of humans in specific environmental settings, building an in-depth picture among a relatively small sample of people on a specific issue. Qualitative data collection tools help to reveal how

people perceive their own situations and problems in more details. It is an interdisciplinary design that consists of a variety and wide range of epistemological viewpoints that include the research methods that understand the experiences of humans (Denzin & Lincoln 1994).

This research approach allows the researcher to discover the inner experiences of the participants and how the meanings interrelate and interconnect through their culture (Corbin & Strauss, 2008). Data collection in qualitative research is flexible and follows inductive logic. The questions are asked in an open-ended way and the findings are analysed as data is collected. The researcher is able to interact with the participants face-to-face as contact methods such as participant observation, unstructured interviews and focus groups are used for data collection (Cohen, Manion & Morrison 2011). The interaction allows the interviewer to develop a relationship with the participant which could mean they are more open and honest with their answers. That is, the data collection process in a qualitative design is subjective and detailed given the methods employed and the findings are derived from the lived experiences of the participants.

4.3.2 Disadvantages of qualitative research approach

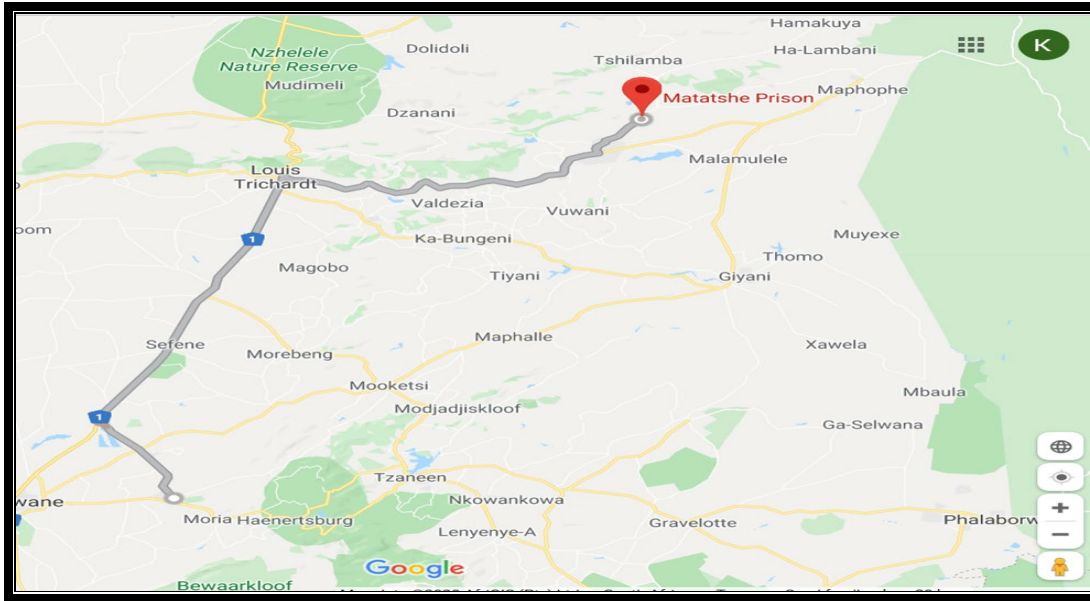
There is an exclusion of contextual sensitiveness in the qualitative research approach as it focuses more on the meanings and the experiences of the participants (Silverman 2010). The use of small sample size in this design raises concerns of generalisability to the whole population of the research (Harry & Lipsky 2014; Thompson 2011). Qualitative research design is known as a long hard road as its interpretation and analysis of data may be too complex with stringent requirements (Richards & Richards 1994; Berg & Lune 2012). Successful data collection techniques require a skilled researcher who is able to plan and prepare carefully, including the development of an interview schedule. Lastly, given the nature of a qualitative design, it may take time to analyse the findings, it is thus time-consuming and there are limitations regarding the generalisation to the larger population (Flick 2011).

4.3.2.1 Description of study locations

This study was located at the Thohoyandou Correctional Centre, previously known as Matatshe Prison in Venda in the LIM Province and Kgosi Mampuru II Correctional Centre, previously known as Pretoria Central Prison in GP. Kgosi Mampuru II is a large C-Max Correctional Centre' located in Pretoria Central, within the City of Tshwane in South Africa, operated by the DCS. The Correctional Centre was renamed Kgosi Mampuru II Management Area by the former President of South Africa Jacob Zuma on 13 April 2013. It consists of six correctional centres, including the notorious C Max, Pretoria Local Correctional Centre, and a women's Correctional Centre and serves long sentences and flight risks offenders. The new name is the same as the street name, with both now bearing the name of Kgosi Mampuru II, a 19th-century local chief who resisted colonial rule and was subsequently hanged on 22 November 1883. Kgosi Mampuru II was hanged at the then prison (Now correctional centre) in 1883 for public violence and revolt, as well as the murder of rival leader Sekhukhune. This correctional centre was the official site for capital punishment in South Africa before the end of apartheid, wherein punishment was frequently meted out against opponents of the apartheid regime.'

The maximum-security section was for the white political offenders(Black political prisoners being held on Robben Island), recidivists, frequent escapees, and the incarcerated local offenders. An L-shaped three-storey building built in the late 1960s, consisting of fifty-two (52) cells, was the portion containing the white male political offenders. The highest number of housed offenders was twenty-two (22) in 1978 with an average of around 10 and the remaining cells were filled by the offenders awaiting trial. The housed offenders included Denis Goldberg (who was convicted with Nelson Mandela and other African National Congress [ANC] leaders in the Rivonia Trial), Raymond Suttner, and Jeremy Cronin among the inmates.'

Whereas, Thohoyandou Correctional Centre is located in the Venda Area of LIM Province of South Africa. The correctional centre has a C- Maximum, Medium B and Women's division amongst others. In figure 3, the said correctional centre is still reflected as the Matatshe Prison which is its previous name. Figures 3 and 4 below represent maps for the two identified study locations.



Source: Google Maps (2020)

Figure 3: Thohoyandou correctional centre

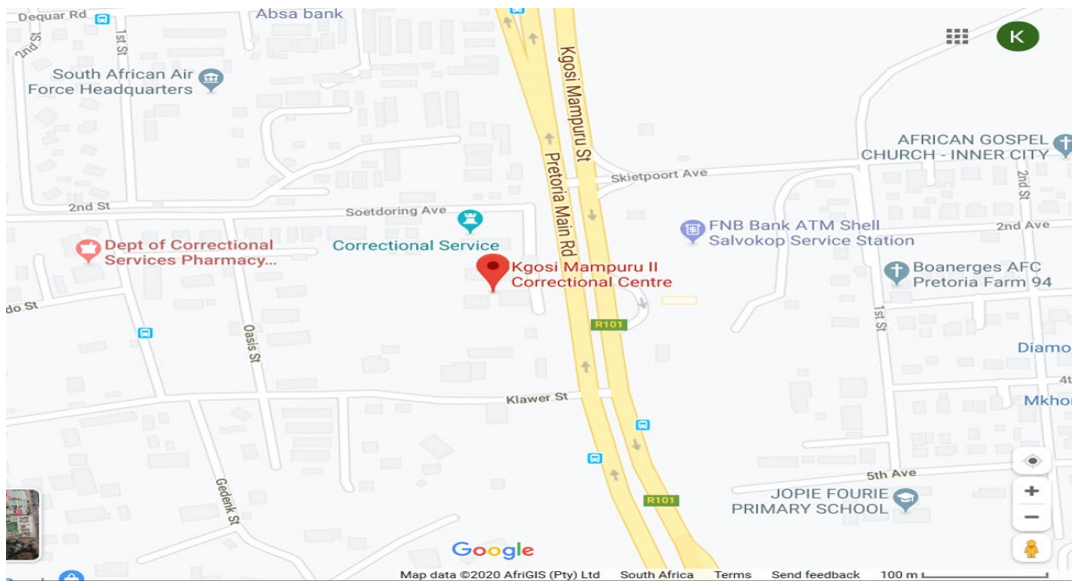


Figure 4: Kgosi Mampuru II correctional centre

4.3.2.2 Study population

The ideal population of this study involved [All] incarcerated offenders for house robbery and subsequent rape, at the correctional centres in GP and LIM Province, respectively. A further population involved the social workers and clinical psychologists who offered daily programmes to the said offenders. The researcher emphasises that all the offenders who committed house robbery and subsequent rape in the selected correctional centres in the GP and LIM were sampled for this study. The reason for this selection is that there was a limited number of offenders who committed house robbery and subsequent rape. The researcher discovered that there are many rape and house robbery offenders; however, the occurrence of these crimes was on separate occasions.

Therefore, there is a lack of information that can be provided on the representativeness of the sample to the larger and total population as the fifteen (15) selected research participants convicted for house robbery and rape were the only available offenders. Unless, if the sample can be compared to the offenders who committed house robbery and rape on different occasions which is irrelevant to the current study. Additionally, the sample size for the social workers and clinical psychologists was as follows:

Kgosi Mampuri II Correctional Centre

Social workers-3

Clinical Psychologists-2

Thohoyandou Correctional Centre

Social workers-2

Clinical Psychologists-1

There is only one clinical psychologist who was selected at Thohoyandou Correctional Centre and two clinical psychologists out of five at Kgosi Mampuru II correctional centre. Three social workers were available out of six at Kgosi Mampuru II correctional centre and two social workers out of five at Thohoyandou Correctional Centre. The chosen sample of the social workers and clinical psychologists was based on their availability as a result of time and work constraints. Moreover, the chosen sample of the

social workers and the clinical psychologists is representative of the larger and total population.

4.3.2.3 Sample size and procedure

Theoretical sampling as a method that is closely associated with the GT research design was used in this study. Theoretical sampling is described as the process of continually gathering data through the analysis process to explain and validate emerging concepts (Charmaz 2014). It is further defined as the process of collecting, coding and simultaneously analysing data to subsequently formulate a theory (Glaser & Strauss 2012). This process commonly entails soliciting specific participants or data collection sources that will provide further facts on the specific concept under investigation. An advantage of the application of theoretical sampling is that it provides a structure of data collection and analysis processes. The sampling process comprised of incarcerated offenders of house robbery and subsequent rape from correctional facilities in GP and LIM Province together with the social workers and clinical psychologists.

The sample size consisted of Twenty-three (23) participants, for example; Fifteen (15) offenders, Five (5) social workers and Three (3) clinical psychologists. The reason for the chosen sample size of the offenders is that there were a limited number of offenders who had committed house robbery and subsequent rape in one occasion. The inclusion of the clinical psychologists and social workers in the study was based on their availability as they were operating on a very tight work schedule.

However, given these shortcomings, data saturation was reached with the inclusion of these participants. The process followed during data collection entails the DCS social workers and officials searching in their files and systems for the participants who had committed house robbery and subsequent rape on one occasion. The relevant offenders were called by their centre numbers once found to participate in the study. Moreover, participation in the study was voluntarily and only consenting participants willing to provide information by virtue of experiences were interviewed. The researcher took cognisance that participation in the research was carried out during the offender's free time to avoid deviation from the normal daily schedule.

Overall, the offenders who agreed to participate in this study were then taken to the social worker's office where the interviews took place or the researcher would be

accompanied by a DCS official for safety purposes to an allocated office for the interviews. The nature of the study was explained to the participants, as well as voluntarily participation, and the authority to withdraw from the research at any stage. The offenders who agreed to participate were given the consent forms to sign before the commencement of the interviews. The consent forms were labelled as participant one to Fifteen (1-15) and there was no inclusion of any biographical information such as names, surnames and residential addresses of the participants. The same applies to the interviews of the social workers and clinical psychologists. The interviews were audio-recorded with the permission of the participants. The reason for the choice of these participants is their relevance to the study and their shared experiences would yield fruitful research findings and facilitate the expansion of the developing theory.

4.3.2.4 Methods of data collection

Data collection through GT is directed by theoretical sampling, which means that the sampling is based on theoretically relevant constructs. Its advantage is that it enables the researcher to select subjects that maximise the potential to discover as many dimensions and conditions related to the phenomenon as possible (Strauss & Corbin 1998). Interviews are best suited for understanding people's perceptions, experiences and for gaining knowledge (Blandford 2013). In addition, the interviewees are able to discuss their perceptions and interpretations with regard to a given situation. Therefore, semi-structured interviews were used in this study to allow participants the freedom to express their views (Crabtree & Cohen 2006).

The semi-structured face-to-face interviews with reference to the 'Interview Schedule Guide' channelled this process to define the topic under research and provide opportunities for both interviewer and interviewee to discuss some topics in more detail. Semi-structured interviews allow the researcher to prompt or encourage the interviewee. This gives the researcher the freedom to 'probe the interviewee to elaborate or to follow a new line of inquiry introduced by what the interviewee is saying' and this blended well with the requirements of the GT methodology. This process was facilitated by theoretical sampling and theoretical sensitivity. Overall, the interview process started in LIM Province (Thohoyandou Correctional Centre) and moved to GP Province (Kgosi Mampuru II Correctional Centre) until theoretical saturation was

reached. Moreover, the offenders are housed at medium B cells and C Max (Maximum security cells) at both Thohoyandou and Kgosi Mampuru II Correctional Centres.

4.3.2.5 Methods of data analyses

The collected data was analysed using the GT, through the MAXQDA software, which is defined as a process of breaking down, organising, and reassembling data to develop a different understanding of phenomena (Strauss & Corbin, 1998). Similarly, the data analysis was a continuous process until theoretical saturation was reached. The first phase of data that was collected from the first correctional centre was analysed through open coding, to concepts and categories. Those categories/ themes generated from the data were used as a framework to modify the interview schedule for the second phase of data collection. The process was facilitated by a constant comparative method which is deemed an original way of organising and analysing qualitative data in GT (Chun Tie, Birks & Francis 2019). Data analysis continued until there were no new emerging categories and that is when a theory was developed.

The GT data analysis involves searching out the concepts behind the actualities by looking for codes, then concepts and finally categories. The following data analysis processes were used as outlined by Strauss and Corbin (1998), namely: coding (Open coding, axial coding and selective coding), concepts and categories. To give a brief overview of the abovementioned processes, coding is a form of content analysis aimed at finding and conceptualising the underlying issues amongst the 'noise' in the data. For instance, the words and phrases that are important to the research were noted and described in a short phrase.

In open coding, the researcher started by transcribing the verbatim expressions of the responses word by word. The researcher further wrote down any theoretical concepts that were fundamentally relevant to this study and could have an influence. In this study, the categories of the 'presence of an opportunity' and unstable family background were considered during the research process and were thus sensitised concepts. In axial coding, the researcher reviewed the codes from the open coding process to categorise the key elements in the data. That is, groups that related to each other were generated, for instance, major categories.

This was applied using selective coding involving the integration of the categories in the axial coding model. In practical terms, it is explained as ‘the process of selecting the core category, systematically relating it to other categories, validating those relationships, and filling in categories that need further refinement and development’ (Strauss & Corbin 1998). During the selective coding, the researcher interpreted the inter-relationships that emerged amongst the categories formed in axial coding to generate a theory. The researcher continuously compared the relationship and developed them until they were theoretically saturated. In the concepts phase, the codes are analysed and those that relate to a common theme are grouped together. This higher-order commonality is called a concept. Lastly, the concepts were grouped and regrouped to find higher-order commonalities called categories. It is these concepts and categories that lead to the emergence of a theory.

For instance, in one of the interviews when the participants were asked about the contributing factors of house robbery and subsequent rape. The participant mentioned that:

“If you cannot find what you were looking for such as money in the house, you end up committing the rape.”

This was initially coded as the circumstances surrounding the commission of rape in a house robbery. Further interviews pointed to the denial of responsibility for the rape committed which in turn led to the code of ‘Aggression’. Each code was linked to others and concepts were developed during the course of data analysis and this process was basically facilitated by memo writing. The ongoing analysis of data played a crucial role in that the researcher was able to identify the gaps in the data that was collected using the initial questions. There was a continuation of the open coding process and the review of the codes was carried out as a way of developing the key points in the data.

The GT process of data analysis is non-linear and revolves in a circular process as highlighted and endorsed by Glaser and Strauss (1967) ;Hennink, Hutter and Bailey (2011).Therefore,the abovementioned processes are summarised as follows:

Verbatim transcripts: Interviews are transcribed verbatim, allowing for an emic perception of the data, an understanding and interpretation of the interviewees’

perspective. This entails transcribing verbatim the interviews data to capture the true essence of the participants.

Anonymity: All the participants remained anonymous and no names or addresses were required by the researcher. The offenders were labelled as participants and the social workers and clinical psychologists were called by their generic names with a numerical value. Data collection and analysis are interlinked, thus allowing for the circular process, which allows for not only analysis but also effective reanalysis and reinterpretation ensuring a valid end-product.

Development of codes: The researcher developed codes during the data analysis process using the MAXQDA software. The codes capture the true essence of the verbatim expressions summarily. Inductive analysis is used which does not make assumptions and allows the data to narrate the story.

Definition of codes: The codes were defined in terms of their meaning, during the coding and describing of the data.

Compare data: Continuing comparison is used to interpret data and evaluate concepts that arise, then further collect and interpret data, and so on in a circular motion. Analytic memo writing is used to track the theory development process. The data was compared and supported with the literature review to establish the prevalence of these crimes with the contents uttered by other researchers.

Categorise data: The categorisation of data is involved in selective coding wherein the codes, which are similar in meaning are grouped to formulate the core categories. This step is more prevalent as the categories are used to develop a conceptual model.

Conceptualise/Theory development: The conceptualisation is shown by summarily reflecting on the core categories to develop a conceptual model. All the categories played a crucial role to conceptualise the contents of the research into one interconnected framework. Therefore, analysis involves more than description but also explanation and, eventually, theory.

Overall, the mentioned data analysis processes in this study were assisted by MAXQDA which is a computer-assisted qualitative and mixed methodologies data, text, and multimedia analysis software tool used in academic, scientific, and business

institutions. VERBI Software, situated in Berlin, Germany, is responsible for its development and distribution. MAXQDA was created with qualitative, quantitative, and mixed methodologies research in mind. The comprehensive attributes function (named variables in the software itself) and the program's capacity to deal reasonably swiftly with increasing numbers of interviews demonstrate the emphasis on expanding beyond qualitative research. Therefore, this software played a crucial role in data analysis and subsequent development of a conceptual model of rape in a house robbery.

4.4. METHODS TO ENSURE TRUSTWORTHINESS

Glaser (1978) proposed four quality criteria for judging GT research design in a qualitative research approach that is deemed to be fitting and relevant to provide meaning on how well the categories relate to the data and derive from constant comparison and conceptualisation of the data. The four quality criteria's are identified as workability, modifiability, originality and credibility. Workability refers to the integration of the categories into a core category that emerges and modifiability refers to the constant comparison process of incorporating all the concepts that are important to the theory. A modifiable theory can be altered when new relevant data is compared to existing data. The set criteria is in concurrence with this study given that there was a continuous sequence of data collection until theoretical saturation was reached. For instance, the first phase of data collection included offenders, the second phase social workers/ psychologists.

The research further adhered to the quality criteria of modifiability given the fact that emerging categories in data analysis were constantly compared until there were no longer new ones. The emergence of the theory addressed the originality and credibility of this study. Moreover, the study incorporated the four quality criteria's highlighted by Shenton (2004), namely: *Credibility, transferability, dependability* and *conformability* which Guba and Lincoln (1994); De Vos et al (2011), Kumar (2011), points out as the indicators of trustworthiness, validity and reliability in a qualitative study. The four indicators are explained as follows:

The aspect of **credibility** essentially asks the researcher to link the research study's findings with reality to demonstrate the truth of the study. Moser and Korstjens (2018) further mention an important element to ensure credibility is prolonged engagement. The researcher asked several distinct questions in relation to the phenomenon under study. The participants in this study were encouraged to substantiate their responses with examples and follow up questions were asked. The one-on-one semi-structured interviews were used to collect the data and reflected an accurate picture of what was initially claimed by the research. Therefore, the data collected was thus credible with the usage of the scheduled interview questions. Subsequently, the researcher was able to study the data from the raw interview material until the emergence of a theory to provide the scope of the phenomenon under study.

According to Moser and Korstjens (2018), **transferability** is concerned with 'applicability' of the research findings to another setting. The researcher provided a detailed description of the study and the research process (GT research design, its setting, theoretical sampling, semi-structured interviews for data collection, and Open, axial and selective data analysis with MAXQDA software) for the readers to establish whether the findings are transferable to their setting, known as transferability judgement. Overall, the theoretical knowledge obtained through the development of the theoretical model in this study could be transferred to similar contexts and can serve as a point of reference for future research.

Dependability includes 'consistency' as affirmed by (Shenton 2004). The researcher verified the analysis process with the accepted standards for the mentioned research design of this study. The GT research design was chosen to discover a theory that is embedded in the data. Therefore, the procedures and processes followed in the study are acceptable and resulted in the formulation of the conceptual model of rape in a house robbery. This was achieved through the coherent linkage between the data and reported findings as the research findings were supported by the data in the literature review. Therefore, dependability in this study was achieved through the acceptable procedures and processes utilised with the guidance of the GT research design. Furthermore, any future researcher who can replicate the study, using similar research methods and design, would yield the same findings.

Confirmability, this is concerned with 'neutrality'. The study demonstrated that the findings emerged from the collected and analysed data, not from the researcher's

presuppositions. The inter-subjectivity of the data was secured. The interpretation of the study was grounded in the data during the analysis process and was not based on the researcher's particular preferences and viewpoints.

Moreover, several social researchers have invalidated the concern for reliability and validity as it arises only within the quantitative research tradition (Silverman 2005; Leedy & Ormrod 2013). From this submission, Silverman (2005) argues that there is no point in concluding a research dissertation unless researchers can demonstrate the procedures used to ensure the reliability of their methods and the validity of their conclusions. Leedy and Ormrod (2013) highlight under the heading 'validity in qualitative research' that regardless of the kind of study you decide to conduct the researcher must address the validity of this study to prevent insignificantly.

Flick (2011) points out, that it is suggested that the classical criteria in social research (Reliability, validity and objectivity) can be applied in qualitative research, while Wagner, Kawulich and Garner (2012) are of the opinion that trustworthiness may be used in qualitative research. In this study, the questions asked are considered relevant for the facilitation and fulfilment of the aims and objectives of the undertaken research. The use of open-ended semi-structured interviews is deemed valid in that the research is qualitative, which looks into people's behaviours, emotions and understanding of such and a viable strategy that can be employed is to be in contact with the participants and probe deeper into a given situation. The analysis of data in this study is deemed to be valid as the requirements for a GT analysis were adhered to. That is open coding, axial coding, selective coding and formulation of categories and concepts.

Therefore, these factors highlight and substantiate the validity of this study, based on Smith and Noble (2014) ideology, by providing that there are five different types of research biases, namely design bias, selection/ participant bias, data collection bias, measurement bias, analysis bias and publication bias. To avoid the abovementioned biases, the research design was applied appropriately in concurrence with the aims and rationale of this study. In terms of avoidance of participant's bias, participants who meet the aim and objectives of this study were recruited for a successful research study. Participants were selected in terms of a range of experiences in relation to the topic being explored.

Moreover, data collection bias can occur when a researcher's personal beliefs influence the way information or data is collected. To avoid such, the researchers' pre-conceived ideas, prejudices and personal philosophies were not incorporated into this study. As semi-structured interviews were used as a data collection tool, leading questions were avoided for the researcher to gain insights into the participant's experiences. To avoid analysis bias, the researcher did not look for data that confirms the aims of the study but data that was consistent with the personal beliefs of the participants. Lastly, the methodologies and findings were clearly described in-depth and presented to avoid publication bias.

Similarly, a complete set of notes on the decisions made during the research process, reflective thoughts, sampling, research materials adopted, the emergence of the findings and information about the data management are explained in detail. Through the transparency of the research path, all analytical techniques of the GT research design can be evaluated to establish their grounding in the data.

Overall, the findings and interpretation are grounded in the collected data and did not derive from the researcher's imagination. The discussion of any argument in the analysis of the research findings was entirely and completely guided by the literature review. Therefore, the study research findings were entirely determined by the review of the literature and any unsupported argument based on imagination was discarded. Moreover, the consulted literature was well documented through the list of references.

4.5. ETHICAL CONSIDERATIONS

In order to facilitate the application of ethical principles to human beings, animals and the environment, the value of good research ethics is increasing both locally and internationally. The National Research Ethics Committee in Science and Technology [NENT] (2019) points out that while ethics is about a good life vision, research ethics is about a good knowledge vision. The word 'research ethics' refers to a range of principles, criteria and institutional rules that help to constitute a diverse collection of values.

Ethics may be operationalised as a good research practice, which entails that the aims of research do not violate common morality, ethics and respect for human dignity [NENT] (2019). Good research practice also entails that the researcher respects current regulations and principles of research ethics. Both the researcher and the

research institution are responsible for promoting and exercising good research practice. There are several elements to the field of research ethics. Research, namely the quest for truth, has a fundamental ethos [NENT] (2019). Research ethics stress that research has a more general obligation to society. The internal relationship between researchers, as well as between researchers and other individuals, often concerns research ethics, NENT (2019). Furthermore, a study may have implications for animals and the environment. These guidelines attempt to cover all these elements for everyone who is involved in research. The researcher knows the ethical and legal obligations of research actions. With that in mind, as subjects of research within the framework of social science, the participants were treated with respect.

In support of this argument, De Vos et al (2011) argues that researchers have two fundamental types of ethical obligation, namely the responsibility to those participating in the research project or study, both human and non-human, and the responsibility to the discipline to be accurate and honest in the reporting of their research. Furthermore, the researcher advocates that research ethics is a collection of moral standards that are subsequently generally accepted by any person or group and that include guidelines and behavioural expectations on the most correct behaviour towards experimental subjects and participants, supervisors, sponsors, other researchers, assistants and students.

The researcher thus complied with the ethical code of ethics in social science research and also exercised ethical responsibilities with respect to the participants involved in the study including avoidance of any negative remarks about other human beings and substances that could affect them, either physically or emotionally. In addition, the participants were not required to participate in this research, and if they did take part, their identities remained anonymous.

The researcher applied for all the required permission and abided strictly to DCS's (2019) as well as by UL's policy on research ethics. The following known ethical principles were honoured by the researcher:

The researcher understands 'protection from harm' principle and the participants were given the assurance to be indemnified against any physical and emotional harm.

The researcher sought informed consent from institutions prior to conducting the research, and the necessary permission from the participants was obtained as well after the purpose of the interview and the investigation was thoroughly and truthfully explained. The privacy of the participants was ensured at all costs, through anonymous identity.

The researcher did not manipulate the participants or treat them as objects or numbers rather than individual human beings. Any unethical tactics and techniques of interviewing were avoided. Moreover, the publication of the study findings will not be made without the consent of the participants. The following relevant committees granted approval for this study:

4.5.1 Department of Correctional Services Research Ethics Committee

Application to research DCS is guided by the Research Ethics Committee (REC). The DCS REC draws ethics guidance from the Department of Health's (2015) Ethics in health research: Principles, structures and processes; the Council for Internal Organisations of Medical Sciences (CIOMS) (2015); the Belmont Report and the Declaration of Helsinki. The essential function of the DCS REC is to review all proposed research projects involving human participants and records review in the DCS.

The purpose of ethics review is to protect the dignity, rights, safety and well-being of all human participants, especially the offenders, in all research projects conducted in the DCS. The DCS REC achieves this through an independent, prospective and ongoing ethics review of all research studies conducted by the DCS staff members and external applicants. The reviewed research are in accordance with the National Health Act (No. 61 of 2003). The DCS REC functions in accordance with Section 73 of the National Health Act (No. 61 of 2003) which mandates every institution, health agency and health establishment at which health or health-related research is conducted to establish or have access to a research ethics committee registered with and accredited by the National Health Research Ethics Council.

The DCS REC operates within the research ethics regulatory framework and policies of the Government of South Africa such as the National Department of Health's (2015) Ethics in Health Research: Principles, structures and processes, The Constitution of

the Republic of South Africa (1996) as well as the Correctional Services Act (No. 111 of 1998).

4.5.2 University of Limpopo policies on research ethics

Similarly, this research was in line with the UL Policy on Research Ethics (2014). Research at UL is conducted and governed within a framework of policies and guidelines that promote impeccable ethical standards. The main reason for having a Turfloop Research Ethics Committee (TREC) is to protect research participants in respect of safety (health and life), informed consent, anonymity, justice, freedom to participate, the minimisation of risks, and applicable compensation.

The committee is responsible for the promotion of good ethical behaviour amongst researchers and ensures that prospective researchers are compliant with the standards of ethical practice when conducting research on human participants. Therefore, the committee has a mandate to protect and safeguard the human subjects against exploitation and the researchers are advised to adhere to ethical standards while ensuring that their proposals meet scientific merit prior to TREC's approval. This committee ensures that all academic staff, researchers and students uphold sound ethical practices when conducting research in order to advance knowledge without adversely affecting humans.

Honest reporting on the application of the research design and method was considered by the researcher and permission was also sought from the DCS management, and UL, as well as from all the participants. This proves the ethical manner in which this study was conducted. None of the research participants were exposed to inhuman practices. Most importantly, the participants were approached and informed about the purpose and subject of this study. Their permission was obtained to serve as research participants, and were assured of both confidentiality and anonymity in respect of the final study report. The ethical principles of the Human Science Research Council (HSRC) in South Africa were also adhered to by the researcher during the data collection period. In line with this background, the international research ethics standards considered for this study are as follow:

4.5.3 *The Belmont Report*

The National Research Act of 1974 was signed into law and passed by the 93rd Congress of the United States (US) to pave the way for the establishment of 'Biomedical and Behavioural Research Security for Human Subjects. Its goal is to ensure that all research involving human subjects is carried out in compliance with the values and in a humane manner (Brady & Jonsen 2014). Therefore, the researcher adhered to the principles as outlined in the Belmont Report as follows:

Respect for persons: All participants in this research study were treated with respect and as autonomous agents who are capable of deliberating on the subject under research, and acting under the guidelines of such deliberations. The researcher always showed respect for their right to opinions and choices, without interrupting their actions, provided that their actions were not to the detriment of others. Participants were also protected against any harm, and their protection was re-evaluated continuously by the researcher while considering different situations that they may have encountered;

Beneficence: This study emphasised the fact that the participants should be treated in an ethical manner, which included ensuring that their well-being was protected against any harm. Therefore, the researcher's obligation in this study was to ensure that all participants were protected against any harm by maximising possible benefits and minimising possible harm during this research study; and

Justice: The researcher acknowledges that the basic principle of justice is based on the fact that all people should be treated equally. In line with this study, the following question is posed: 'Who ought to receive the benefits of research and bear its burdens?' This question is asked in good faith to ensure that there is 'fairness in distribution' or 'what is deserved.' This means that the researcher ensured that all participants received what they deserved during their participation. In instances where acts of discrimination based on the participants' age, experience, deprivation, competence and position may have occurred, the issue in respect of equality was explained to the parties concerned.

4.5.4 Singapore Statement on Research Integrity

The preamble of the Singapore Statement on Research Integrity (2010) indicates that the importance and benefits of research depend on the integrity of the research. Although national and disciplinary guidelines vary in the way research is structured and carried out, there are also values and professional responsibilities that are central to the quality of research wherever it is carried out. The following are the pillars of these principles:

Honesty in all aspects of research;

Accountability in the conduct of research;

Professional courtesy and fairness in working with others; and

Good stewardship of research on behalf of others'.

4.5.5 United Nations Educational, Scientific and Cultural Organisation guidelines on research ethics Code of Conduct in social science research(UNESCO).

According to De Guchteneire (2014), the preamble of the Code of Conduct of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) gives the highest priority to upholding high levels of transparency, responsibility and accountability in the research it promotes. This refers to all aspects of the research, from the compilation, documenting, quoting and reporting of scientific material to the preservation of it. As UNESCO facilitates international, interdisciplinary, comparative and policy-relevant research in the field of social sciences, networking and research activities can take place in a number of economic, cultural, legal and political contexts in many parts of the world (De Guchteneire 2014). Therefore, researchers ultimately face ethical, and often legal, dilemmas from conflicting duties and conflicts of interest. Importantly, the researchers understand the possible problems resulting from their study.

The UNESCO, however, is concerned drawing the attention of all researchers to those areas where contradictions can occur between ethical values and research goals and emphasising the need to overcome them (De Guchteneire 2014). A collection of ethical guidelines has therefore been established to provide a structure to direct the practice of research (De Guchteneire 2014). The responsibility for all project-related

practices and ethical concerns rests with the key investigators. Moreover, this study was carried out to ensure credibility of the research enterprise and the after-effects were negative, which could be the scope for future research. The selection of research questions were based on the best scientific results and on an evaluation of the potential benefit to the participants and society. Therefore, the results of the researcher's work, including the implications or misuse, was considered, both for the individuals and groups (De Guchteneire 2014). The research study was performed in a professional manner, without prejudice.

The researcher prevented any unnecessary interference into the lives of individuals or groups wherein the research is conducted. Top priority was given to the welfare of informants; their integrity, privacy and interests. The potential participants were told, in a way that they can understand the language of the research context, intent, design, methodology, procedures, and sponsors (De Guchteneire 2014).

4.5.6 Study purpose and procedures

This study was undertaken in fulfilment of the requirements for a doctoral degree in Criminology and Criminal Justice at UL, to explore the motivational factors of committing rape in a crime that started as house robbery. The one on one semi-structured interviews were used to gain valuable and fruitful information from the participants in this study. The semi-structured face-to-face interviews served as a basis to gain insight and knowledge from the participants. These interviews lasted from 30 minutes to about an hour, which was entirely dependent on the participants' responses to the questions. The responses were audio-recorded and a notebook was used to write field notes that were important in the development of a substantive theory. Summarily, the researcher adhered to the following ethical principles:

4.5.7 Informed consent and voluntary participation

Informed consent means when a person knowingly, voluntarily, intelligently, clearly and manifestly, gives consent (Fouku & Mantzorou 2011). Prospective participants were informed about the nature of this study, its purpose and the right to participate voluntarily. No participant was forced to participate in this study without their consent. The participants were provided with a consent form (Refer to Appendix C), which stipulates voluntary participation and the fact that no penalties will be incurred for

refusal to participate. Those participants who felt that they did not want to participate, calmly informed the researcher that they did not commit any crime, they were wrongfully convicted. Overall, the researcher understands that a correctional services centre is a controlled environment and the participants may feel compelled to participate in this study, but nevertheless, that was clearly clarified. The participants were also allowed to withdraw from this study if they did not wish to continue.

The researcher conducted this study after obtaining permission from the Department of Criminology and Criminal Justice, School Higher Degree Committee (SHDC), Faculty Higher Degree Committee (FDHC), TREC and DCS Research Ethics Committee. The researcher was further guided by The Constitution of the Republic of South Africa, 1996, Section 10 which stipulates that 'everyone has inherent dignity and the right to have their dignity respected and protected'. Section 35 of the same Act further states the rights of the arrested, detained and accused persons with reference to the conditions of detention that are consistent with human dignity. The researcher adhered to the provisions of these sections, which include respect and dignity amongst other aspects. No participants were degraded and violated based on this study.

4.5.8 Emotional and physical harm

The researcher adhered to the ethical principle of *beneficence*, which refers to 'do not harm'. The principle of *beneficence* includes the professional mandate to do effective and significant research so as to better serve and promote the welfare of constituents (Fouku & Mantzourou 2011). The researcher asked the participants to advise about any special action that should be taken to avoid any emotional harm. In terms of physical harm, the nature of this study is not conducive to the principle of physical harm. Participants were not subjected to any kind of harm either emotionally or physically during the research. The participants were further given the right not to disclose the information that they did not wish to share with the researcher. The researcher understands the environment of the correctional services and as such, emotional and physical harm was minimised to a greater extent.

4.5.9 Confidentiality and anonymity

Confidentiality refers to a situation where information is known and recorded by the researcher but is not revealed (David & Sutton 2004). The participant's identity was not linked with their responses. The same applies to confidentiality, which is the management of private information by the researcher in order to protect the participant's identity. All participants remained anonymous and their identity will not be revealed without their consent. The participants were not required to disclose their identity in any way including their names, addresses, and contact details and they were called by their numbers.

4.6. SUMMARY

This chapter highlighted the qualitative research design and Grounded Theory research design that was utilised in this study. Kgosi Mampuru II and Thohoyandou Correctional Centres in the GP and LIM Province respectively were discussed as the areas for data collection. The processes that were involved in data collection and data analysis were further discussed. Ethical considerations that the researcher adhered to, and methods to ensure trustworthiness and validity were clearly addressed as well as ethical principles legislations. Moreover, the researcher adhered to the ethical principles and the participants were not negatively affected as a consequence of this study. Therefore, the explained research design and methodology was deemed relevant to the study as the researcher was able to achieve the aim and objectives. The following chapter five (5) is on data analysis and presentation of the research findings.

CHAPTER FIVE

DATA PRESENTATIONS, ANALYSIS AND INTERPRETATIONS

5.1. INTRODUCTION

This chapter consists of the data that was analysed for this study. It highlights the responses of the participants based on the asked questions, codes, and the subsequent categories generated from the verbatim expressions of the offenders, social workers and clinical psychologists. To arrive at a GT analysis, codes were firstly generated from the verbatim expressions of the participants (offenders), social workers and clinical psychologists. The offenders are mentioned as participants (1-15) whilst, the social workers and clinical psychologists are mentioned by their generic name with a number, for example; social worker 1 or clinical psychologists 2. The process of GT data analysis was facilitated by the use of MAXQDA data analysis software wherein open coding, axial coding and selective coding was explained.

Moreover, after the codes were generated from verbatim transcripts (Open coding), a relationship was established between the codes (Axial coding) and subsequently the core categories were then sourced (Selective coding). The final categories that were generated from this process were used to formulate a conceptual model to respond to rape in a house robbery. In this chapter, the researcher firstly discussed the biographical information of the participants, followed by the process of open, axial and selective coding, an explanation of the categories supported by the literature review and the verbatim expressions of the participants, is also given.

5.2. DATA ANALYSIS AND PRESENTATIONS

The collection and analysis of data were guided by the aim and objectives of the study, as follows:

5.2.1 *Study aim*

To explore the motivational factors of committing rape during a crime that initially started as house robbery.

5.2.2 Study objectives

To gain insight into the power dynamics during house robbery and rape.

To determine whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape.

To assess the experiences of clinical psychologists and social workers in responding to rape committed in a house robbery.

To develop a conceptual model to better respond to the dynamics of house robbery and rape.

Table 4: Biographical information of participants (Offenders)

PARTICIPANTS	AGE	LEVEL OF EDUCATION PRIOR TO INCARCERATION	EMPLOYMENT STATUS PRIOR TO CRIME	PRIOR OFFENCES	CORRECTIONAL CENTRE
1	27	Grade 10	Car wash attendant	First offence	X
2	43	Grade 9	Traditional and Christianity healer	House robbery, rape and murder	X
3	40	Grade 9	Security guard	House robbery	X
4	28	Grade 11	Unemployed	Rape and house robbery	X
5	41	Grade 7	Unemployed	First offence	XX
6	51	N2 Mechanical engineering	Carpenter	House breaking	XX
7	33	Grade 11	Unemployed	Shoplifting	XX
8	40	N4 Electrical engineering	Unemployed	First offence	XX
9	31	Grade 10	Menial jobs	House breaking	XX
10	40	Grade 12	Unemployed	School assault	XX
11	46	Grade 12	Unemployed	First offence	XX
12	38	Grade 3	Farm worker	Framed for rape and house robbery	XX
13	44	Grade 12	Unemployed	First offence	XX
14	35	Grade 9	Unemployed	House breaking	XX
15	36	No formal education	Unemployed	House breaking	XX

Source: Researcher's illustration (2020)

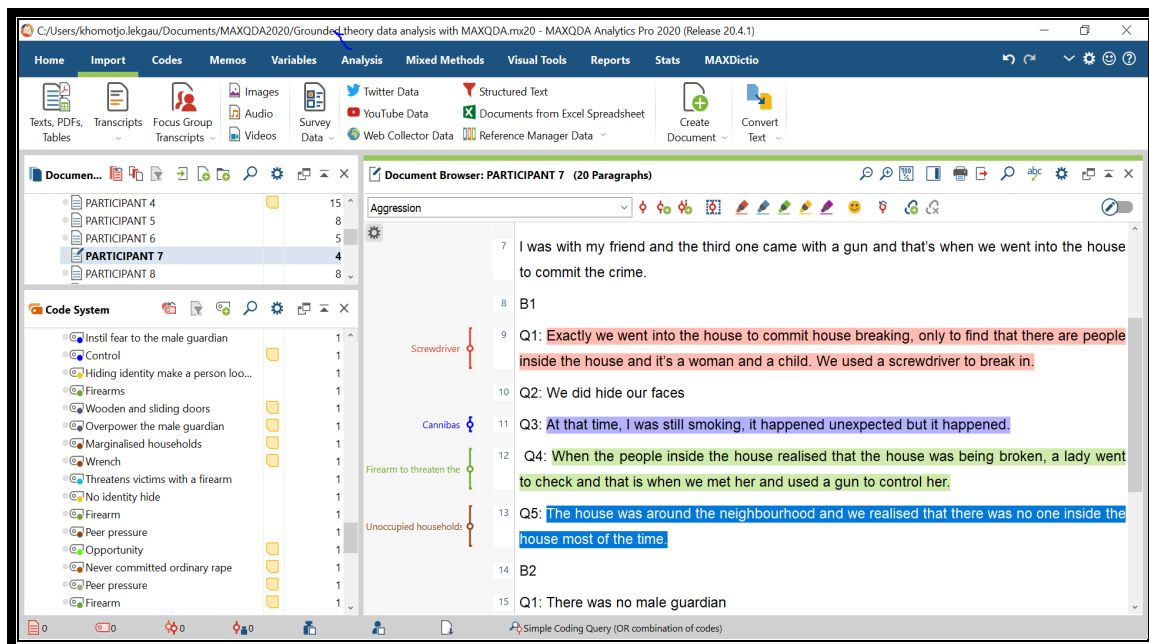
Keys: X = First Correctional Centre, and XX = Second Correctional Centre

5.2.3 An analysis of house robbery and subsequent rape participants

From table 3, it can be deduced that the age of the offenders ranges from 27 to 51 years. This can be attributed to the fact that the majority of the offenders engage in criminality during the youth ages to sustain their lifestyles. In terms of educational background, it was noted that most participants do not have a formal education and this leads to a lack of employment if not an involvement in menial jobs. It can also be noted that most participants have a secondary level and only two have attained Further Education and Training (FET) qualification. Another demographic factor is that most of the participants are not first time offenders and have committed prior crimes such as house robbery, house breaking, rape and murder. However, the biographical information given above was uttered by the participants during the interviews and the researcher categorised it accordingly. Therefore, the information was not verified with the official reports of the DCS to respect the principles of anonymity and confidentiality as stated in the ethical considerations.

5.2.4 Open, axial and selective coding with MAXQDA

The following codes were generated from the verbatim expressions of the participants and were grouped according to the GT data analysis of open, axial, and selective coding using the MAXQDA data analysis software.



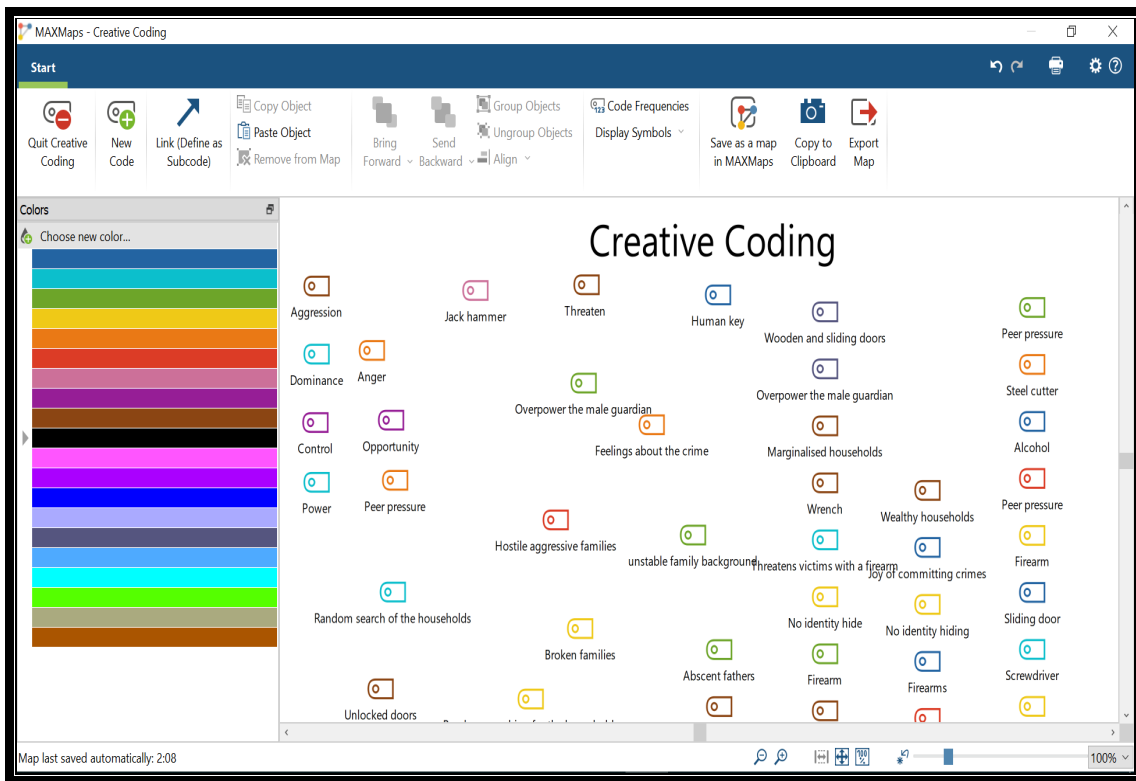
Source: Researcher's illustration (2021)

Figure 5: Open coding with MAXQDA

This figure reflects the open coding of the GT using MAXQDA software. The participant's data was exported to the MAXQDA wherein the open coding was initiated. The Import tab has a variety of functions for importing various data formats. When a new project is started, the tab opens instantly so that the importing of data can begin right away. To import interview transcripts, the researcher selected the import tab and picked the relevant icon for the data type on the left, such as transcripts for interview transcripts and texts, PDFs, tables for Word, PDF, or Excel files. The researcher chose which files to export as soon as the dialogue box appeared. The selection of multiple files at once can be done using 'Ctrl' on (Windows).

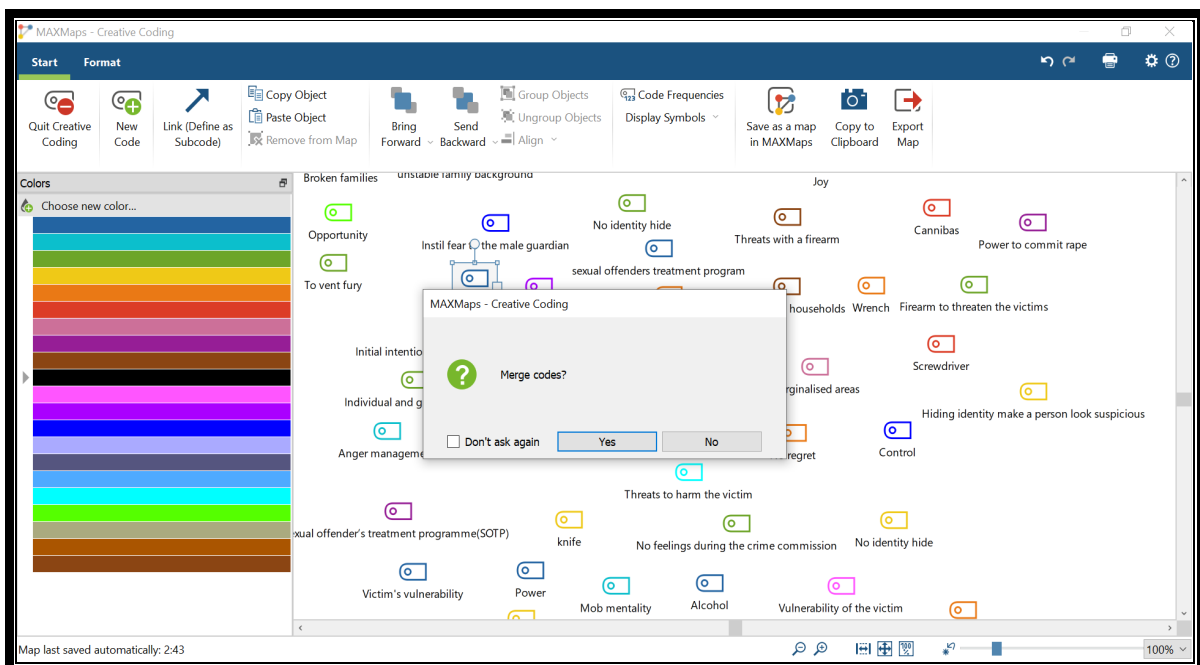
The files were put into the open MAXQDA project and presented in the "Document System" window when a selection is made. The image above shows that the participants' information has been added. When the documents were successfully imported, the researcher began with the analysis of the data. In open coding, the researcher started by transcribing the verbatim expressions of the responses word by word after opening the document browser. The name of the open project is displayed in the window title, and there are icons on the right for adjusting the display, printing, exporting, and searching. The coding bar is underneath it, and the researcher used it to code the document. The document's coded portions are represented in the side area by so-called 'coding strips.' The yellow memos containing data notes to the memo column can be attached.

Coding can be done in a variety of ways, but it always begins with a selection of text or an image in the "Document Browser." This process happened by line by line coding as reflected in the figure on side of the document. On the left side labelled as the code system, that is where the codes that are grounded in the data were generated. The open coding generated many codes as the researcher was going through line by line of the participant's data (As seen under the code system tab). MAXQDA has proven to be effective in handling GT generated data. Data analysis in GT is defined as a process of breaking down, organising, and reassembling data to develop a different understanding of phenomena (Strauss & Corbin 1998). The GT data analysis involves searching out the concepts behind the actualities by looking for codes, then concepts and finally categories.



Source: Researcher's illustration (2021)

Figure 6: Axial coding with MAXQDA



Source: Researcher's illustration (2021)

Figure 7: Axial coding (Codes merging)

Figures 5 and 6 reflect how axial coding was done through the creative coding of the MAXQDA software. These are the codes that resulted from the open coding and the researcher was grouping them according to their similarity and meaning. A relationship between the codes was also established according to the aim and objectives of the study. The merging and the established relationship is reflected in the figure above. The researcher constructed multiple codes throughout the open coding stage of the analysis process, which differ widely in breadth and level of abstraction in retrospect. The creative process in which these codes are formed, sorted, and structured, as well as the creation of a hierarchical code structure based on the links between codes, is effectively supported by 'Creative Coding.' The function gives an enormous workspace area for moving codes and creating meaningful groups. The related codes can be grouped, insert parent codes, rename, alter the colour of codes, and create a logical structure. This logical structure, on the other hand, is usually the outcome of a long period of open coding and working with the codes.

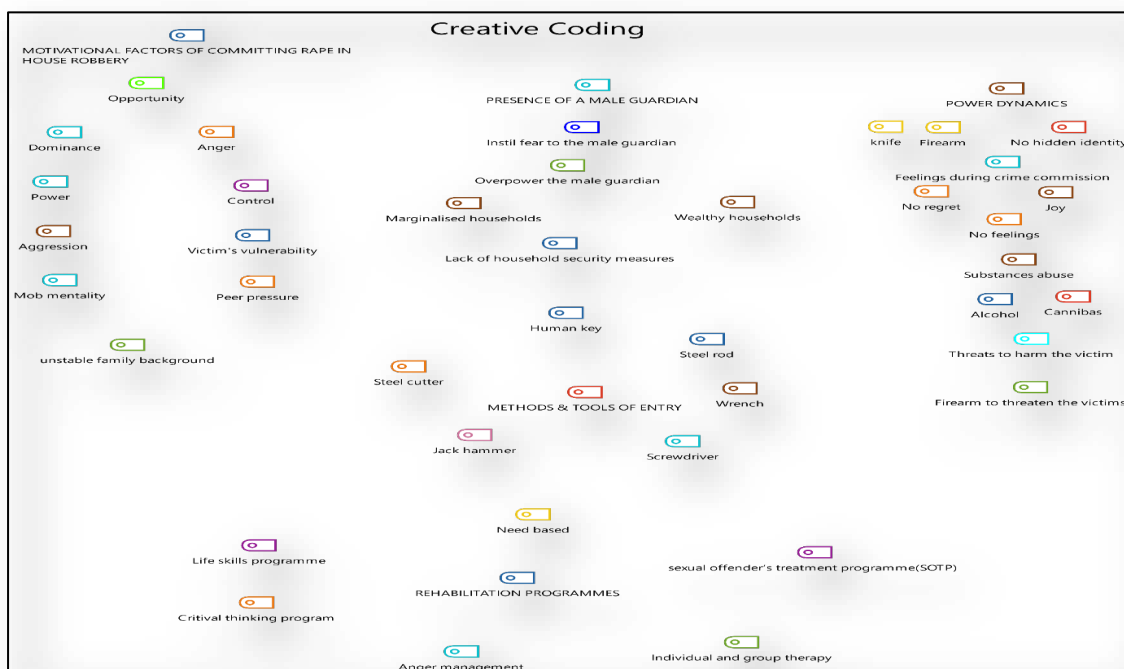


Figure 8: Selective coding with MAXQDA

Figure 8 reflects selective coding, that is, how the categories were generated in accord with the aim and objectives of this study. The motivational factors as the aim of the study has their own categories as well as the objectives of the power dynamics, the presence of a male guardian and the rehabilitation programmes offered to the said offenders. An analysis of the aim and objectives of the study in relation to the developed categories is given in the following section.

5.2.5 Findings on the aim of this study: To explore the motivational factors of committing rape during a crime that initially started as house robbery

5.2.5.1 Opportunity

The suitable opportunistic circumstances in this analysis involve the planning, inspection of the targeted houses and the opportunity to commit rape. The residential premises that are more likely to be targeted are those that are wealthy, owned by women and with easier access and information. In the study by Nee (2010), section 2.2.1.2 of chapter two of this study, three main things are stressed about the burglary at residential premises. The first aspect is the decision made to commit a crime that follows a certain pattern. The first decision happens away from the scene based on a certain motivation.

For example, a need for money, followed by searching a vulnerable area (suitable residential property). The second aspect is the cues that alert the accessibility of the property (occupancy, surveil ability and security), known as the environmental inspection. The last aspect is how the burglar (robber) shows careful consideration with a specific method when selecting a target. The aspect of the presence of an opportunity embodies all the categories in the sense that when there is a suitable target and lack of capable guardian, the perpetrators are more likely to commit the crime. Therefore, the commission of rape in a house robbery in this circumstance is attributed to the presence of an opportunity. Therefore, the following verbatim expressions support the opportunistic circumstances for the commission of rape in a house robbery.

Participant 5 revealed that *“It just happened that I raped the lady, she was a woman and I told myself that I would not miss the opportunity.”*

Participant 10 confirmed that *“rape comes from a person’s mind, there are women everywhere, I think it is premeditated, and a person plan it beforehand, and when the opportunity reveals itself, they use it.”*

Social worker 1 shared that *“the motivational factors of committing rape in a crime that started as house robbery are based on opportunity, for instance, when the offender finds the woman in the house.”*

Social worker 2 stressed that *“when it comes to the issues of house robbery and further the commission of rape, in most cases, when we assess the offenders, we realise that the main aim of going into the house was to commit robbery and after that the opportunity presented itself, the offender uses it rape the people in the house (Opportunistic rapist).”*

Social worker 3 contended that *“opportunity is the cause of rape in house robbery most of the time, the interviewed offenders robbery and rape, attests that they went into the house and saw an opportunity over a powerless family and just continue to rape.”*

Social worker 4 highlighted that *“I think it is just an opportunity, taking advantage of the situation in the house.”*

5.2.5.2 Unstable family background

The majority of the offenders of house robbery and subsequent rape are from dysfunctional families that are characterised by poor parenting, absent parents and abusive households. All of these factors contributed to their involvement in criminal activities. The consequential factors of unstable families are the lack of the pro-social factors that are normally developed during the positive socialisation of an individual. In this regard, the offenders’ backgrounds played a crucial role in shaping or determining future offending. Holmes and Holmes (2009) in section 2.2.2.1 of chapter two of this study highlighted that most sex offenders were abused sexually, physically and verbally as children and that is instrumental in their hostility towards women.

Similarly, inconsistent mothers, absent fathers, negative socialisation and rejection tended to be incriminating later in the lives of the said offenders. Ouimette and Riggs (1998), in section 2.2.5 of chapter two positively shared that sexual violence has been

linked to childhood situations that are physically harsh, emotionally unsupportive, and marked by rivalry for inadequate resources. The following narratives support the narration stated above:

Participant 5 mentioned that *'It was just peer pressure, my parents did not really care about my life, I grew up in a life of poverty'*.

Participant 10 stated that *"many people who commit rape in house robbery are those who had a malfunctioned childhood which manifested into anger in adulthood basically when confronted with a woman. 'Growing up in abusive and poor families, made me to hurt other people'.*

Social workers 1 and 3 collectively confirmed that *"offenders differ, but normally a family background does play a huge role, most of the offenders lived in broken families populated by in the absence of the father, single mother and in poverty."*

Social worker 2 shared that *"Many of the offenders come from unstable family backgrounds, they have problems of broken families populated by absent parents."*

Clinical Psychologist 1 highlighted that *"these offenders grew up in hostile, aggressive families, wherein they lived in an inhuman environment subjected to pain and alcohol abuse."* Moreover, *the growth of this malfunction of unstable families' manifests into the urge to hurt other people. Sometimes when they come across a person who resembles their abusive mother/ father, who used to inflict pain on them, they want to hurt them.*

Clinical Psychologist 2 related that *"the families of the offenders involve a father who is working far from home and is not contributing financially to the children. This leads to the children leaving school in order to sustain themselves and their families."*

The information uttered by the participants reads well with the works of Seto and Lalumiere (2010); Dobash et al (1992); Vachhani (2016), section 2.2.2.8 of chapter two of this study wherein childhood exposure, families, and physically violent, emotionally unsupportive childhood environments have been established as a risk factor for sexual offending. Ward and Beech (2006) in section 3.3.3 of chapter three of this study, stated that the ailments in cultural upbringing can have a negative effect on a person's motivational or emotional system such as poor problem-solving capacity or a failure to inhibit certain emotions that lead to sexual offending.

5.2.5.3 Substances use

The use of drugs or alcohol can make a person lose control over urges momentarily in many circumstances. Alcohol eliminates moral constraints and subsequently, the vulnerable victims are attacked when the desire becomes unbearable and irresistible (Zinn 2017), section 2.2.1.2 of chapter two of this study. It may be that some house robbers use alcohol to 'give them courage' or to 'facilitate' the rape. The analysed data concur with the literature as the use of alcohol played a vital role in the commission of these crimes. Most of the offenders mentioned that they were under the influence of alcohol and *marijuana*(cannabis) when committing house robbery and rape. The social workers and clinical psychologists further attested that substance use is a contributing factor for these crimes and some of the offenders could not remember the details of the occurrence of rape because they were under the influence of substances.

Participant 1: said that *'I had alcohol intake and smoked marijuana' on that day. 'I went in there to steal money, I was drunk and found a woman and ended up committing rape'.*

Participant 2: *We were already intoxicated with alcohol during the crime and when we approached the lady. "I was influenced by alcohol and Cannabis (Marijuana) and I shouldn't have raped her. The motivational factor was the influence of substances because when I am sober, I do not have such a mentality but immediately when I take substances, everything changes, I become irrational."*

Participant 3: revealed that *'Yes..... I was consumed alcohol before committing those crimes'. "There is a huge difference between committing these crimes while intoxicated and sober. When I commit a crime under the influence of alcohol, I have the powers to agree to do bad things, and I will never commit those crimes if I am sober. I eventually agreed to do bad activities that I initially disagreed on because I couldn't think properly."*

Participant 4: uttered that *'I used to take drugs in Johannesburg(GP) and when I came to my home area in Limpopo Province, I realized that there are no drugs and as such, I replaced the drugs with alcohol because they have the same effects to me'. Alcohol requires money, clothes, I was always under pressure for material things and I ended committing crimes in order to buy those things.*

Social Worker 5 shared that *“substance abuse is one of the reasons that the perpetrators commit these crimes.”*

Lindegaard, Bernasco and Jacques (2015), section 2.2.2.8 of chapter two of this study mentions offender’s violence during robbery events, highlight that forty-two (42) of the offenders used three joints of Cannabis (*Marijuana*) per day whilst about 44 of them used alcohol weekly during the commission of the crime. The use of alcohol and cannabis plays a crucial role in facilitating the commission of these crimes and makes a person to shortly lose control over urges in many circumstances. Moreover, the use of alcohol has been shown to cloud the judgement of the offenders (Miczek et al 1993; and Grisso et al 1999) in section 2.2.2.8.3 of chapter two. It was also found by Krebs et al (2009) that about 81% of men who have committed rape had been drinking prior to the crime, as affirmed by these authors in the same section.

5.2.5.4 Aggression

This refers to the anger that possesses the offenders because of the inability to attain the belongings in the targeted house, such as money, jewellery and electronic goods. The aggression makes the offenders to proceed to commit more crimes, in this study rape. Similarly, aggression is displayed in rape during wars wherein the vulnerable women of the opponent or a member of an enemy group are aggressively and brutally sexually violated (Peltola 1965), as indicated in section 2.2.2.3.2 of chapter two of this study.

Moreover, the majority of the offenders are motivated by a mix of anger and sexual expression because of the traditional male sex-role extension. Additionally, sexual aggressiveness can be facilitated by culturally determined views regarding sex, according to feminist theories. Therefore, in mediating the link between culture and sexual aggression, sex-role stereotypes, antagonistic sexual views, and acceptance of interpersonal violence are all important components (De Wet 2008), as illustrated in section 2.2.2.4.1 of chapter two. Besides intimidation, threats and aggressiveness towards the victims, weapon use in most house robberies plays a vital role. The following narratives explain how the aggression of the offenders manifests into rape.

Participant 3 stated that *“I was just angry that I could not find what I was looking for, the money, then I proceeded to rape.”*

Participant 4 shared that *“house robbery has a great influence in the commission of rape, you just go into the household to find money, if you do not get it, you do aggressive acts in order to get what you want such as rape.”*

Participant 6 attested that *‘Because if you can’t get what you want through this way, you use another way, that explains the aggression displayed during the commission of rape in house robbery’.*

Participant 11: shared that *“The intention was not to rape, we just went into the house to get money, since we didn’t get it, we just took what was in the house and committed rape out of anger.”*

Social worker 2 affirmed that *“what I can say about house robbery is that some of the offenders can become aggressive, on this one scenario, the offenders broke into the house, did not take anything, tarnished the house belongings and raped the daughter in front of her parents.”*

Based on the shared narratives, it can be stated that aggression results when the offenders could not find the household belongings and money. An analysis of Salfati and Taylor (2006), in paragraph 2.2.2.6 of chapter two shows that there were a number of functions that rape takes and ranges from rape committed as a punishment method, rape as a means of sexually violating women, rape as a bonus act that is committed during the commission of another crime such as robbery.

Lindgaard, Bernasco and Jacques (2015); and Machisa et al. (2017), highlight that robbers use physical force and aggression against resistant victims to motivate them to turn over their property and avoid being hurt or killed. Felson and Steadman (1983); Thijssen and Ruiters (2011), paragraph 2.2.1 of chapter two of this study attested that the use of violence in home invasions is regarded as an expressive response to situational interactions of the victim’s resistance during the crime and as a result of anger, the occurrence of rape can be noted.

5.2.5.5 Dominance

The topic of gaining control and enforcement over the victim is an element within a variety of typologies. Offenders in the control domain see the victim as an inanimate entity, one that needs to be managed, according to Canter et al (2003) in section 2.5.1

of chapter two of this study. Darke (1990) in section 2.2.2.8.1 of chapter two of this study took an extreme view by claiming that all sexual violations are committed to meet the need of the aggressor, to boost and increase feelings of control. It has been noted that the resistant victims are more likely to be victimised by the perpetrator to gain control of the situation. The victimisation tactics can be in the form of torture, threats and rape. The commission of rape in this instance is prevalent especially if there is a presence of a male guardian.

Subsequently, the woman is raped in the presence of the male guardian as a punishment and for control purposes. Dominance is displayed when the woman is used as a scapegoat for the man to release all the household's goods, money and not to be reluctant. This is supported by Lindegaard, Bernasco and Jacques (2015); and Machisa et al (2017), section 2.2.1 of chapter two of this study by noting that robbers use physical force against resistant victims to motivate them to turn over their property whilst the offender is in control. Harris, Pedneault and Knight (2012) in section 2.4 of chapter two explains that if the assumed financial and sexual motivation in a robbery and rape is removed, the crimes become one of power and control. Similarly, the aspect of control is also prevalent in wars wherein rape has often been used as a means of exerting control and instilling terror in victims and their communities (Danjibo & Akinkuotu 2019) in section 2.2.2.5 of chapter two of this study. These narratives below reflect how dominance manifests during the occurrence of rape.

Participant 1 stated that *'I used the kitchen knife that I found inside the house to make sure that I'm in control of the crime'*.

Participant 2 uttered that *'I just went to the woman, held her hand and told her that she should co-operate otherwise I would hurt her with the knife that I had and the lady co-operated'*.

Participant 3 confirms that *'I just threatened the victims without any weapon and they got scared and co-operated'*.

Participant 4 mentioned that *'we try by all means to make sure that we control the situation by overpowering the male in the house, use all the power to avoid being killed by him'*.

Participant 6 stated that *“It is because of the fact that the husband did not want to give us the cash and the rape would make him do it, we had to dominate the situation as fast as possible”*.

Participant 10 uttered that *“there was a man, wife and three children, two girls and one boy. To control the proceedings of the crime, we started by tidying the man first, he was with two of his kids, the wife was in the bathroom and the other kid was in the bedroom. We took them all from the different rooms into the same room.*

Participant 11 confirms that *the main aim is to overpower the man and if we can do that, we then become relaxed since no one can bother us and we are in control.*

Participant 13 supports that *to dominate over the crime, we tied up the man of the house and started to assault him, telling him that we want money. We further threatened him that we will kill the wife and the kids.*

The perpetrator asserts dominance and power over the victims (Women) regardless of consideration of their feelings. Therefore, the participant in this analysis has a burning desire to control the situation inside the targeted and would explore every possible tactic to control the victims and in this study, it can be attributed to rape. Hence, the presence of a male guardian is seen as a threat to destabilise the control exerted by the offenders.

The reviewed literature studies on the motivations of rape have shown that rape is perpetrated by the power that the offenders have over their victims. Therefore, power is exerted through various dominant victimisation tactics by the offenders of house robbery and subsequent rape. If the offender cannot find the household belongings, they then result to raping their victims to ease their frustration and anger.

Gilbert (1992) in section 2.2.2 of chapter two of this study highlighted that all rapists have a common feature, that is they are excited by the resulting fear and apprehension of the victim. The display of fearful emotion generally reinforces the dominance syndrome which is often a causative factor. The majority of rapists are driven by a sense of power, acceptance of violence, vengeance, and wrath (Yourell & McCabe 1988).

As highlighted in section 2.2.2.8.1 of chapter two this study by the following researchers; Fiske & Rai (2014) stated that superiority and the assertion of authority

are usually part of the rape motivational basis. Similarly, in war and genocide, rape reflects a form of power and dominance ushered to the powerless population at that particular point in time (Peltola, 1965). In addition, traditionally, the feminist view has held that rape is not about sex but domination and power (Thompson 2009). That is, the ambition for dominance is a component of many rape cases (Felson 2002). Therefore, the underlying motivations of rape behaviour can be attributed to the toxic masculinity that is embedded in patriarchal cultures, a sense of power and domination that is perpetuated by cultural norms and believes. Overall, Canter et al (2003), supports that the offenders in the control domain view the victim as an inanimate object, one that needs to be trussed and controlled.

5.2.5.6 Vulnerability

De Wet, Potgieter and Labuschagne (2010) in paragraph 2.2.1.2 of chapter two of this study highlighted that the variables that show the vulnerability of a potential victim to the perpetrator include being a woman. Similarly, Brownmiller (1975); Shields and Shields (1983) documented the occurrence of rape during wars and emphasised that vulnerability is a key factor in victim selection rather than sexual motivation. Concurrently, according to Groth (1979a), physical appeal or purported provocativeness are less important factors in victim selection than vulnerability and accessibility. In addition, the life advanced age and the associated life condition, for example, living alone makes the elderly extremely vulnerable (Groth 1979a). Therefore, rape in the context of house robbery is attributed to the vulnerability of being a woman without proper guardianship and the following narratives supports it.

Participant 1 provided that *“I selected that household because I knew the occupant of that house was a woman and she would not be able to fight me and I won’t have a problem. There was no male guardian in the house.”*

Participant 2 highlighted that *“there was no male guardian, the lady was alone at night and it was an easier target.”*

Participant 9 revealed that *“we were not harsh, it was a woman and a child, we took jewellery, television, machine set and other belongings”.*

Clinical psychologist 2 mentioned that: *“you know ... some of these offenders when I listen to their crimes, you find that they went into the house with the main and sole*

aim of stealing but then they find a vulnerable woman, they proceeded to rape. Usually, they tend to go into a house wherein they know that there is a woman.”

In this study, it was confirmed that vulnerable women in the targeted house are raped. In addition, the participants mention that the households owned by women are viewed as easier targets. The logic behind that was the fact that women do not possess firearms and will not overpower them hence the factor of vulnerability is prevalent. Hence, if there is a man in the house, the first tactic is to overpower him.

5.2.5.7 Mob mentality

Mob mentality in this study is attributed to peer pressure and an influence from the group leader. According to the offenders interviewed, the commission of these crimes occurs in a gang setting wherein they were part of the group and to retreat was difficult. This is supported by the literature, which indicates that the occurrences of rape in house robbery are facilitated by the leader who motivates the idea of rape to the accomplices (Woodhams, Cooke, Harkins & da Silva 2012) (in Chowles 2016), in section 1.2 of chapter one of this study. The following narratives highlight how mob mentality manifests during the commission of rape in house robbery:

Participant 2 illustrated that *‘I was with my friend and we just decided immediately at that time that we are going to rape her, even though we specialise in robbery.’*

Participant 5 shared that *“it was just peer pressure, my parents did not really care about my life, I grew up in a life of poverty.”*

Participant 10 hinted that *“they (co-accused) just said to me “my bro tsena le wena” which means that ‘my brother, you also do it’ and I did not ask, I just raped her. Even today I do not know why I did it.”*

Participant 11 confirmed that *“so since we separated them (Victims) into different rooms and the group leader said that we must start raping the mother then proceed to the daughter. I asked him why don’t we rape the daughter and leave the mother. That is when we started to disagree with each other. Then, for the sake of ending disagreements, we then proceeded with raping of the daughter, and my other friend raped the mother.”*

Social worker 1 said that *“some of these offenders come from wealthy families, the only problem was just the friends they chose, peer pressure and end up committing crimes.”*

Social worker 2 stated that *“I think it is just the situational dynamics during the crime, according to the offenders that I have spoken to, it was like they were a gang, were part of the group and to get out its difficult, the crime is here and they need to continue. They become anxious and become involved in the rape. It is only when they get arrested, they come to the realisation that they made a huge mistake. They were influenced by peer pressure and later regret their actions.”*

Clinical Psychologist 3 highlighted that *“sometimes it might be cohesion within the group and it starts from verbal threats to assaults and it might further escalate to rape and in most cases, the offenders blame their accomplices saying that they started with the rape and avoid responsibility. Some of the offenders highlight that the rape was committed as a result of cohesion and fear of being assaulted or killed by their group members.”*

It can be gathered that some of the offenders of rape in a house robbery are easily influenced into committing these crimes. The researcher opines that given the background of these offenders, for example; dysfunctional and abusive households symbolises that there was a lack of positive socialisation that was imparted to these offenders. It can be concluded that peer pressure can thus be rooted in these circumstances, which lacks pro-social factors.

Moreover, all the participants mentioned that the commission of house robbery lead to rape and could not commit ordinary rape as it is not easy to rape a woman. For instance:

Participant 1 stated that *‘I can’t commit an ordinary rape, out of a house robbery’.*

Participant 2 uttered that *‘I can’t commit ordinary rape, it’s not simple for me to just rape a woman’.*

Participant 3 supports that *‘I would never commit ordinary rape, I don’t even understand why I committed the rape. I never thought that I could ever rape a woman as I’m able to propose a woman’.*

Participant 4 *'I have never committed ordinary rape; all my rapes are in house robberies'.*

Participant 13 supports that *'to be honest, I cannot commit ordinary rape, what we did was just wrong and childish .I will never commit thses crimes again and I have grown up and I have responsibility.*

Scully & Marolla (2014) attested that the occurrence of rape in house robbery cases in private residences constitutes appropriate places for rape. However, the participants uttered that they will never commit rape in house robbery again and regret the consequences of their actions, especially to the victims who experienced sexual violation and economic deprivation. The participants mentioned that spending time in a correctional centre gave them the opportunity to reflect and restructure their lives and become law abiding citizens.

5.2.6 Findings on objectives of this study

5.2.6.1 Objective 1: To gain insight into the power dynamics during house robbery and rape.

5.2.6.1.1 Weapons use

The use of a weapon, most of the time a firearm, plays a crucial role in the commission of house robbery and subsequent rape. Most of the participants mentioned that they would never commit these crimes without having a firearm whereas some uttered that they used the kitchen knives found inside the house. Salfati and Taylor (2006), in section 2.7.2 of chapter two of this study theorise that weapon use reflects a predominantly functional or instrumental behavioural aspect of the offence demonstrating the offender's need for control and is characteristic of a planned offence.

Whereas, Ressler, Burgess and Douglas (1988), in section 2.5.2 of chapter two of this study mentioned that 'a so-called organised offender would also be ascribed more likely to use a weapon to control and facilitate the crime'. The offenders carry a weapon as a way of controlling the victims to make sure that they comply with their rules and do not resist. Therefore, a firearm is an essential instrument for successful commission of a crime. In addition, robbers who employ weapons are more likely to hurt their

victims, implying a non-strategic use of violence (Felson & Krohn 1990). Jewkes (2012) in section 2.5.2 of chapter two further maintained that firearms facilitate the commission of rape. The use of weapons is supported by the following narratives of the participants.

Participant 1 uttered that *'even though I went into the house unarmed ,I used a knife that was found inside the house to commit the crime'*.

Participant 2 support that *'I had a knife with me the time when I was committing that crime'*

Participant 4 confirmed that *'I carried firearms and knives to scare the victims'*.

Participant 6 highlighted that *"During the commission of these crimes, we become heartless, it seems like when you have a firearm in your hand, you just do what you want to do, that is all, nothing will stop you."*

Participant 7 stated that *"when the people inside the house realised that there was a robbery, a lady went to check and that is when we met her and used a firearm to threaten her."*

Participant 8 shared that *"if you take out a firearm, either it is small or big, the victims will submit to you and won't do anything."*

Participant 11 contended that *"we ran to the targeted house and when we arrived at the victims outside the house, we pointed firearms at them (Victims). The victims became scared since we had firearms and they felt in danger and co-operated."*

Participant 13 attested that *'we took out firearms,the victims became afraid and listed to anything that we were saying.*

Participant 14 stated that *'we had two firearms during the commission of those crimes.*

Participants 15 mentioned that *'we had four guns during the commission of the crime.'*

This narrative is supported by Zinn (2010), in section 2.2.1.1 of chapter two of this study that one of the characteristics of house robbers includes the willingness to use a lethal weapon against their victims. Therefore, as mentioned in the analysis of the

findings relating to the study aim, the offender's control over the victims is crucial for the successful commission of these crimes. To control the victims, the participants may use weapons such as firearms and knives.

Moreover, Keppel and Walter (1999), in section 2.7.3 of chapter two of this study attest that serial rapists that are motivated by power-reassurance might begin their offences with no weapon but progress to bringing a weapon to better gain full compliance from the victim, without the need to excessively physically harm them. Firearms and knives are therefore used by the perpetrators to threaten the victim and this is expressed as follows:

5.2.6.1.2 Identity hide

All of the selected participants mentioned that they did not hide their identity when committing house robbery and rape. Whereas some of the offenders believed that wearing a disguise would make you more look suspicious, people would automatically be alerted that someone is about to commit a crime. Therefore, the successful commission of a crime depends on the physical appearance of an offender. In addition, most of the offenders have an abnormal fear of failing to accomplish the commission of their crimes, commonly known as '*Atychiphobia*' (An irrational and persistent fear of failing). Therefore, the offenders will do anything possible to make sure that the mandate of committing the crimes without any failure is accomplished. However, most offenders do not hide their identity when committing these crimes and that is narrated as follows:

Participant 1 stated that *'I did not hide my identity; I went into that home like that'*.

Participant 2 mentioned that *'I didn't hide my identity'*.

Participant 3 confirms that *'I did not take any steps to hide my identity, it was just the jersey hood'*.

Participant 11 highlighted that *'no.... we did not hide our identity.'*

Participant 9 shared that *"hiding identity depends on my geographical location, if its nearest to my home, I hide my identity as I am known, however, if its far, nobody knows me and I would not hide my face."*

Participant 14 supports that 'I did not hide myself when committing these crimes'

The researcher submits that often, potential offenders do not wear a disguise and the victims could, in these cases, see their faces. This can be linked to their respective belief of not being easily caught and that the chances of being identified and convicted in the absence of evidence left behind at the crime scenes were so low that the effort to take precautionary measures, such as wearing a mask, was not justified.

5.2.6.1.3 Offender's intoxication

The use of drugs or alcohol can make a person lose control over urges momentarily in many circumstances. Alcohol eliminates moral constraints and subsequently, the vulnerable victims are attacked when the desire becomes unbearable and irresistible (Zinn 2017), section 2.2.1.2 of chapter two of this study. It may be that some house robbers use alcohol to 'give them courage' or to 'facilitate' the rape. The analysed data concur with the literature as the use of alcohol played a vital role in the commission of these crimes. Most of the offenders mentioned that they were under the influence of alcohol and *marijuana*(cannabis) when committing house robbery and rape. The social workers and clinical psychologists further attested that substance use is a contributing factor for these crimes and some of the offenders could not remember the details of the occurrence of rape because they were under the influence of substances.

Participant 1: said that *'I had alcohol intake and smoked marijuana' on that day. 'I went in there to steal money, I was drunk and found a woman and ended up committing rape'.*

Participant 2: *We were already intoxicated with alcohol during the crime and when we approached the lady. "I was influenced by alcohol and Cannabis (Marijuana) and I shouldn't have raped her. The motivational factor was the influence of substances because when I am sober, I do not have such a mentality but immediately when I take substances, everything changes, I become irrational."*

Participant 3: revealed that *'Yes..... I was consumed alcohol before committing those crimes'. "There is a huge difference between committing these crimes while intoxicated and sober. When I commit a crime under the influence of alcohol, I have the powers to agree to do bad things, and I will never commit those crimes if I am sober. I eventually agreed to do bad activities that I initially disagreed on because I couldn't think properly."*

Participant 4: uttered that *'I used to take drugs in Johannesburg(GP) and when I came to my home area in Limpopo Province, I realized that there are no drugs and as such, I replaced the drugs with alcohol because they have the same effects to me'. Alcohol requires money, clothes, I was always under pressure for material things and I ended committing crimes in order to buy those things.*

Social Worker 5 shared that *"substance abuse is one of the reasons that the perpetrators commit these crimes."*

Lindegaard, Bernasco and Jacques (2015), section 2.2.1 of chapter two of this study mentions offender's violence during robbery events, highlight that forty-two (42) of the offenders used three joints of Cannabis (*Marijuana*) per day whilst about 44 of them used alcohol weekly during the commission of the crime. The use of alcohol and cannabis plays a crucial role in facilitating the commission of these crimes and makes a person to shortly lose control over urges in many circumstances. Moreover, the use of alcohol has been shown to cloud the judgement of the offenders (Miczek et al 1993; and Grisso et al 1999) in section 2.2.2.8.3 of chapter two. It was also found by Krebs et al (2009) that about 81% of men who have committed rape had been drinking prior to the crime, as affirmed by these authors in the same section.

5.2.6.1.4 Feelings during the commission of house robbery and subsequent rape

The researcher established that there are certain feelings that were shown by the participants during the commission of rape in a house robbery. These feelings ranged from enjoyment, no regret to no feelings at all. Some of the participants explained that it was a joyful and thrilling experience and did not regret at that time. The researcher wanted to know the feelings of the participants to ascertain what kind of rapists can be categorised in a house robbery. However, some of the participants uttered that they had no feelings at all and needed to accomplish their mission and leave the house.

Participant 4 shared that *"I was enjoying because I was very young but now I feel the pain of the things that I have done, my mind is at the right place, I now realize that it's wrong. I was around eighteen years at that time and did not know the consequences of my actions, but now I can be able to differentiate right from wrong."*

Participant 6 revealed that *“during the commission of these crimes, we become heartless, especially if there is a firearm involved.”*

Participant 8 hinted that *“when we were committing the crimes, I was feeling joyful, and didn’t even know that it was a dangerous act. Based on my background, at my home village, it was a normal behaviour to be involved in crime and if you are not a Tsotsi (Criminal), you are nothing. We did not see it as a problem but rather a way of life.”*

Participant 11 highlighted that *“I did not feel anything during the commission of these crimes, because my intention was to accomplish my mission and leave the house.”*

Participant 14 contended that *“you see... when you are used to committing crimes, you get used to it, it’s like going to work and loving your job, it was like that to me.”*

5.2.6.1.5 Methods and tools of entry

In most incidences, access to the premises can be in two forms either by force or the victims would unknowingly allow the perpetrators into the house (Alwinco 2015). Deasy, Badenhorst and Stumpher (2003) (in Van der Watt & Van Graan 2013), in paragraph 2.2.1 of chapter two of this study stated that about 10% of the incidences of rape occurred subsequent to a forced entry into the premises of the victim by the perpetrator whereas, whereas in another incident, the perpetrator deceived the victim and was allowed entry into the residence (Human key). Therefore, there are different kinds of methods of entry that the offenders of house robbery and subsequent rape use to get into the targeted house.

Favourable methods of entry include the use of a human key such as finding the victims outside that house and coercing them into the house. Secondly, it is the trustworthiness of the offender’s physical appearance wherein the victims would open the door because the offender looked innocent. In this case, the entry is not forced, as the offenders were able to get into the house any force. However, in most circumstances, there is forced entry wherein certain tools are used to break into the house. These narratives below explain the employed methods of entry and the utilised tools such as jackhammers, screwdrivers, steel cutter, steel rod and a wrench.

Participant 1 shared that *“the method used for entry include the jackhammer.”*

Participant 3 confirmed that *“to get into the house, we lifted the corrugated iron on the door with a steel rod that was found in the yard.”*

Participant 4 stated that *“we always have something to break inside such as a steel rod because it is not easy to get inside a house especially if you are outside and someone is inside. We use very sharp metals to break inside. Or alternatively, if there is a key left in the keyhole at the door, and there is a space at the bottom of the door, I just push the key from the outside and as soon as the key falls down, I pull it through underneath the door from the outside and use it to open from the outside. In addition, the sliding doors are easier targets as there is no installation of security gates around them.”*

Participant 6 confirmed that *“we robbed about three houses on the same day, all the doors were closed, I was the one who was knocking, remember it was a suburb where nobody trusted a stranger. However, that day I just knocked, the person (Victim) inside the house just asked ‘Who is that?’ I told them that I am Mr X. They did not ask what I wanted but rather opened the curtain to see me and trusted my face. So I was the one who was opening up for all my co-accused to get inside the house.”*

Participant 9 stated that *‘we used a screwdriver to open a sliding door and it wasn’t that difficult’.*

Participant 11 mentioned that *“There was a woman was sitting with her husband, outside the house. To approach the house, we walked by the trees so that they cannot see us and as we were nearby, we ran as fast as we can towards them. “The victims would then be coerced into the house. In this case, the human key was used as a form of entry into the household as the occupants were found outside.*

Participant 14 *“We jumped over the electric fence and got inside the yard as there was no electricity. There was a sliding door and my friend used a knife to remove the putty (window attacher) and put the glass down.”That’s how we managed to enter into the house.*

Participant 15 said that *‘we used a wrench as it doesn’t make noise when it is used to break into the house’.*

Pena (2000) in paragraph 2.2.1.2 of chapter two of this study supports the notion that the usage of tools in residential burglary include a screwdriver, crowbar, key, lock pick, ladder, ropes, brace-and-bit, chisel and glass cutter. These methods and tools have all been effective in committing these crimes as the offenders managed to get into the houses without any hassle. However, most offenders prefer to use the tools mentioned above because they are less noisy and the victims will only realise a break in confronted by the perpetrators inside the house.

5.2.6.2 Objective 2: To determine whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape

5.2.6.2.1 *The availability of a male guardian*

This study has proven that the presence of a male guardian affects the power dynamics of these crimes. In this regard, the participants feel threatened when confronted with a man in a targeted house. Therefore, the woman is used as a scapegoat through torture and rape to ensure compliance the man (Victim). The offenders believe that successful commission of these crimes is entirely dependent on their ability to overpower the man in the house. Zinn (2010) in section 2.4.1 of chapter two highlighted that four of the five respondents (17%) preferred to rob women. The reasons were that women are easier targets, will not resist during a house robbery and usually do not own or carry firearms. The participants explain the experiences with a male guardian in the targeted house as follows:

Participant 4 affirmed that *“when there is a male guardian, we threaten him with a firearm and tell him to point down so that we can be able to search for whatever we want and tie him up.”*

Participant 6 shared that *“a woman (Victim) is used as a punishment for the husband(victim) to reveal where the money is located inside the house. The woman is raped if the man resists and does not comply with our orders.”*

Participant 11 mentioned that *“the main aim is to overpower the man (Victim) in the house and if we can do that, we become relaxed because no one will bother us.”*

Participant 14 stated that *“when we arrive, the first mandate is to get to a man (Victim), point him with a firearm at a distance as some men are tall and if you can*

come closer, you can easily be attacked. So we have to act fast, the other one (Offender) points a gun at him while the other (Offender) searches him, assaults him and immediately as he (Victim) goes on the ground, we tie him up.”

Zinn (2017) in section 2.2.2.1 of chapter two of this study provides that the violence and torture are mostly targeted at females and children to scare the male guardian to provide the required information. In some instances, a woman may be raped in front of the husband. Darke (1990), Jewkes et al(2010), Mann and Hollin (2010), in paragraph 2.2.2 of chapter two declares that the desire to dominate and humiliate appears to play a part in their rape motivation. Therefore, the researcher opines that the behaviour of these offenders during the commission of rape in house robbery is attributed to the male on male inferiority complex coupled with the poor self-esteem.

Hence, the victimisation tactics that are meted out to the woman are to remedy the behavioural inferiority complex experienced by the offenders. This is supported by studies conducted by Lindegaard, Bernasco and Jacques (2015); Machisa et al. (2017), as illustrated in section 2.2.1 of chapter two that robbers use physical force against resistant victims to motivate them to turn over their property and avoid being hurt or killed. It was further noted that dominance in the context of rape is instrumental in the commission of these crimes. The offenders have a sense of sexual entitlement when confronted with a woman in the residential premises, with the availability of the man. This reads well with Jewkes et al(2011) that approximately 70% of South African men who committed rape mentioned that sexual entitlement was the push factor to dominate.

This can be attributed to the fact that in most patriarchal societies, men are taught traditional sex roles that involve self-assurance, confidence and women objectification (Singh, Sharma & Dubey 2018) section 2.3 of chapter two of this study. These basic lessons learned from the patriarchal culture are displayed in the incidents of rape. Women are regarded as objects, with little say in their sexual orientation and that makes men (Offenders) behave more sexually dominant towards them. The treatment of women during the commission of these crimes is a true reflection that women are viewed as sex objects by the rape offenders

Moreover, the availability of a male guardian contributes to the power battle between the males (offenders and victim) for survival and the successful accomplishment of the

commission of house robbery and subsequent rape. Therefore, sexual victimisation is caused by the imbalances of power in a society. Sanday (1981); and Jewkes (2002), section 3.3.4 of chapter three of this study maintains that gender is used as a system for social classification that influences access to power, status and material resources. Hence, the mechanism of sexual control in a system of male supremacy is perpetuated by victimisation and the fear of being sexually victimised to exercise power (Watson-Franke 2002; Kelly & Radford 1999) in section 3.3.4 of chapter three of this study.

Similarly, rape as a tactic in war and genocide has proven to be a highly powerful method of dehumanisation, dominance, humiliation, and, in some ways, an attack on the manhood of males who should be able to protect their women based on these rapes (De Than & Shorts 2003) in section 2.2.2.5 of chapter two of this study. The researcher concurs with the views by Eelmaa (2018) that sexual violence as in rape has the ability to destroy not only individuals but also families and communities in ways that no other weapon has ever apprehended. Hence, it is used as a weapon in wars to destabilise the opponent, to overpower and weaken the male guardians within that particular community. Therefore, it can be deduced that the use of rape as a weapon in war and genocide has the same mandate as in house robbery. The main is to weaken and overpower the male guardians (Peltola 1965).

5.2.6.2.2 Selection of households

In terms of household's selection, it is confirmed that wealthy, marginalised and low security features households are more likely to be targeted. The participants uttered that wealthy households are seen by well-decorated exterior, sophisticated landscaping and the expensive cars in the yard. Marginalised households are those that are found in isolated areas such as the farms and plots wherein there is limited population. The perpetrators can target these households with ease as they are at the outskirts of the communities. Similarly, the households that have low-security features are selected, for easier access. The easier access also relates to the households that are owned by women as it is believed that they lack the masculine ability to overpower the offenders.

Nee and Meenaghan (2006); as well as Nee and Taylor (1988), supports the narrative of wealthy households and conclude that seasoned residential burglars consider

assets in their cost-benefit analysis, such as the exterior decoration of a home, landscaping, car(s) parked on the driveway, and furniture that can be seen through windows. In addition, the findings from Zinn's (2017) in section 2.5.1 of chapter two of this study states that relatively low-security features households and the victim's drunkenness were viewed as easy targets. The following narratives highlight the participants household selection:

Participant 1 shared that *"I selected that household because the occupant was a woman and she would not be able to fight me and I won't have a problem."*

Participant 4 highlighted that *"during the day we just walk around the street looking for wealthy households and we may return around 12h00am or 01h00am to start with our robbery'.*

Participant 5 showcased that *"we just looked at the houses that were marginalised, at the outskirts of the main communities."*

Participant 8 stated that *"we were walking at the back streets, and we saw a small gate that was hardly used by people. We looked for a dog in the yard and entered immediately, we did not know the household."*

Participant 11 revealed that *"the household was at the bushes and it did not have a fence. So we arrived in the evening to the house and we were about four. There was a woman sitting outside with her husband. That house was in a marginalised area, in the bushes and the houses were apart from each other, even if they can scream, no one will hear them. It was easier to get there and the victims looked like people with money."*

Participant 14 confirmed that *"like when you do the crime, the wealthy households can be seen by looking at the yard and the cars at the driveway."*

5.2.6.3 Objective 3: To assess the experiences of clinical psychologists and social workers in responding to rape committed in house robbery

In relation to this objective, the clinical psychologists and social workers were asked questions pertaining to the offenders under their care. The data were analysed through

the use of a case study. The participants were asked about the motivational factors of committing house robbery and subsequent rape, the rehabilitation programs and assessments offered, the response of the programmes by the offenders, the coping mechanisms employed by the offenders in the correctional centres, the support systems offered to the offenders, the reports provided to the Correctional Supervision and Parole Board (CSPB).

Objective 3: The experiences of clinical psychologists and social workers in responding to rape committed in house robbery

5.2.6.3.1 Family background of the offenders

The participants mentioned that family background does play a huge role, most of the offenders lived in the absence of the father, single mother and poverty. The majority of the offenders come from unstable family backgrounds and broken families. Moreover, the offenders grew up in hostile, aggressive families, wherein the children lived in inhuman environment subjected to pain and alcohol abuse.

5.2.6.3.2 The motivational factors of committing rape in a house robbery

Most of the social workers and clinical psychologists mentioned that an opportunity over a powerless family is an important contributory factor for the occurrence of rape in a house robbery. Mob mentality was highlighted as these offenders were part of a gang and it was an agreement between the members. Mob mentality manifests in circumstances wherein the victim is afraid and vulnerable. It was established by the researcher that other contributing factors includes power and control of the offenders when confronted with the victims. The offenders would commit rape as a mechanism to control the victims and dominate. Additionally, in some instances, substances use seemed to be the facilitator in the commission of these crimes.

5.2.6.3.3 The rehabilitation programs and assessments

All the participants (Social workers) mentioned that the programs offered are needs-based, according to the offending behaviour. For house robbery, the offenders undergo a life skills programme and for rape it's SOTP. Firstly, the offender is examined before any program can be implemented with reference to the sentence

remarks, the circumstances surrounding the crime, the contributing factors and a suitable programme.

For instance, if the offender committed rape because of alcohol, it means that the offender cannot distinguish right from wrong when intoxicated. Alcohol use is addressed before focusing on rape. Similarly, the offender can be recommended to attend the domestic violence programme that includes anger management, e.g. when the offender committed the rape because of anger or he is abusive and hurt the victim, depending on the circumstances of the crime. Even rage can contribute to rape. Therefore, it is imperative to get insights into the crimes committed before recommending any of the programmes as uttered by the social workers.

In addition, the offending behaviour history, substance abuse and all the offender's problems are taken into consideration before a specific programme is offered. Although the assessment tool is in the same format, it is not one size fit all and the offenders are offered individualised services. For instance, if an offender has committed rape, there is a need for assessments focusing on the causal and addressing the observed factors. Moreover, the offenders of house robbery and subsequent rape are offered anger management, life skills, substance abuse and Sexual Offender's Treatment Programmes(SOTP). The life skills program addresses the communication part, decision making and SOTP tackles the sexual offending behaviour. Individual and group therapy is also offered and these services are available to the offenders all the time.

The clinical psychologists offer two very important programmes that are very therapeutic in nature, that is the criminal thinking programme which addresses the criminal beliefs, thoughts and patterns for re-offending for awareness and it is basically a relapse prevention programme. For instance, substance use and a poor background are not the only factors that causes, anger for the female victims in the society is another factor. The programmes can be taken for a month or six to eight sessions as it is quite comprehensive and is given to all the offenders.

The second programme offered is specific to the sexual offenders only and may take over a month or two weeks and at the end of it, a written participatory report is issued for a possible recommendation and submitted to the Parole Board for evaluation. There is a number of rehabilitation programmes however two main programmes were

offered, namely, the criminal thinking programme and the sexual offenders' programme as narrated by the clinical psychologists.

5.2.6.3.4 The offender's response to the rehabilitation programmes

The researcher gathered that the offenders who committed rape are unable to cope in the correctional centres. The offenders do not want to want to talk about rape, they rather talk about the house robbery part. They further relate more with the offenders who have committed house robbery rather than rape. The whole ordeal of committing rape is hidden by the offenders and do not want other offenders to know. Moreover, the offenders are reluctant to talk about rape, especially in a focus group setting.

The offenders who committed robbery have a behaviour pattern that is not easily broken, easy to relapse if there is a need and subsequently it's difficult to offer programmes to them. However, the offender's response to the rehabilitation programmes varies from person to person, for instance, with reference to the life skills, the response is very positive because the offenders are able to talk about themselves but the problems start when it comes to the SOTP. Most offenders are unable to admit that they have committed the rape. They cover it up by saying that 'the witness lied' and do not own it, only a few can admit to committing the act. This can be a challenge when offering the rehabilitation programmes as the offenders are not truthful to the committed crimes

5.2.6.3.5 The offender's coping mechanisms in the correctional centres

Initially, the offenders do not cope, especially the first time offenders, it may take six-eight months for them to transition from a free world to a completely restricted and controlled one. Their movements are restricted and there is no sense of privacy, not even in the toilet to be specific because they are about 42-50 inmates in a unit due to overcrowding. The adjustment of a man behind bars who is physically exposed, unable to show vulnerability for fear of being attacked and sodomy hampers the coping mechanisms. Most of the offenders who are unable to cope do not eat; sleep and suffer nightmares, flashbacks and are depressed.

However, the coping factor is an individual concept as many offender's cope because they have to and adapt, in different ways. Some offenders cope positively by the use of rehabilitation programmes, religious, educational groups and engage in personal upliftment activities. Some offenders choose to be part of gangs and get more involved in negative activities. Coping is very unique from one offender to another and it is not easy to cope inside the centre. It all depends on the offender, in most cases, in a focus group; only a few offenders get inspired to change whereas the rest become more criminalised and institutionalised.

5.2.6.3.6 The support systems offered to the offenders

There is an adjustment programme for the newly admitted and an introduction to the programmes. The offenders are offered psycho-education in terms of substance abuse, gangsterism, sodomy, smuggling, and the do's such as attending psychotherapy, social workers, maintaining family relationships, attending education and getting rehabilitated.

The offender's strength points are identified and are assisted to mend broken links and communication with their families if necessary. The social workers act as mediators, for instance, if there are issues with the offender's family, the offender can be offered therapeutic services to cope. Sometimes when there is death at the offender's home, bereavement counselling is offered.

5.2.6.3.7 The Correctional Supervision and Parole Board reports

The Parole Board is guided by the recommendations and progress reports of the social workers, clinical psychologists and unit managers. The progress report is a professional advice on the services rendered and the rehabilitation status of the offenders. Therefore, a comprehensive report about the offenders, usually about the outflow of all the services, assessment, interviews, the Case Management Committee files for the history of the crimes, the feedback from the unit manager is compiled.

If the offender has committed rape or house robbery, he cannot be released on a basis of good behaviour. It is imperative to address the offending behaviour and its contributory factors. For example, if the offender is illiterate, there is a need for educational programmes for reintegration process once released to the community.

5.2.6.4 Objective 4: To develop a conceptual model that explains the commission of rape in house robbery

There is a five components conceptual model that was developed to respond to the commission of house robbery and subsequent rape(Chapter six). The conceptual model was developed with the guidance of the aim and objectives of the study as reflected and captures the essence of the research as a whole. An analysis of the conceptual model is given in chapter six of this study.

5.3. SUMMARY

This chapter highlighted an analysis and presentation of the data that was collected. The researcher highlighted the biographical details of the participants, such as age, level of education, employment status and prior offences. Normally a crime of house robbery and subsequent rape is not committed individually, but in groups of three to five. Out of the fifteen participants(offenders) interviewed, all of them were part of a group when committing these crimes. It appears that house robbery can occur in two ways, it can both be planned or unplanned. The planned ones are committed by professional robbers whereas the unplanned robberies are normally committed by amateurs. Additionally alcohol and cannabis play a crucial role in the facilitation of these crimes as most of these participants had come directly from the liquor outlets.

The process of data analysis and presentation as discussed was guided by the open, axial and selective coding through the MAXQDA software. The codes were further referred to as categories and analysed within the context of this study. This was supported by the literature from chapters two and three and the verbatim expressions of the participants. The data presentation was guided by the aim and objectives of this study. In terms of the study aim; the following categories were highlighted: Opportunity, Unstable family background, Dominance (Control), Aggression (Anger), Substances use, vulnerability and mob mentality.

For the accomplishment of study objectives: To gain insights into the power dynamics of house robbery and subsequent rape, the following was highlighted: weapon use, methods of entry and tools used, Feelings during the commission of the crime and

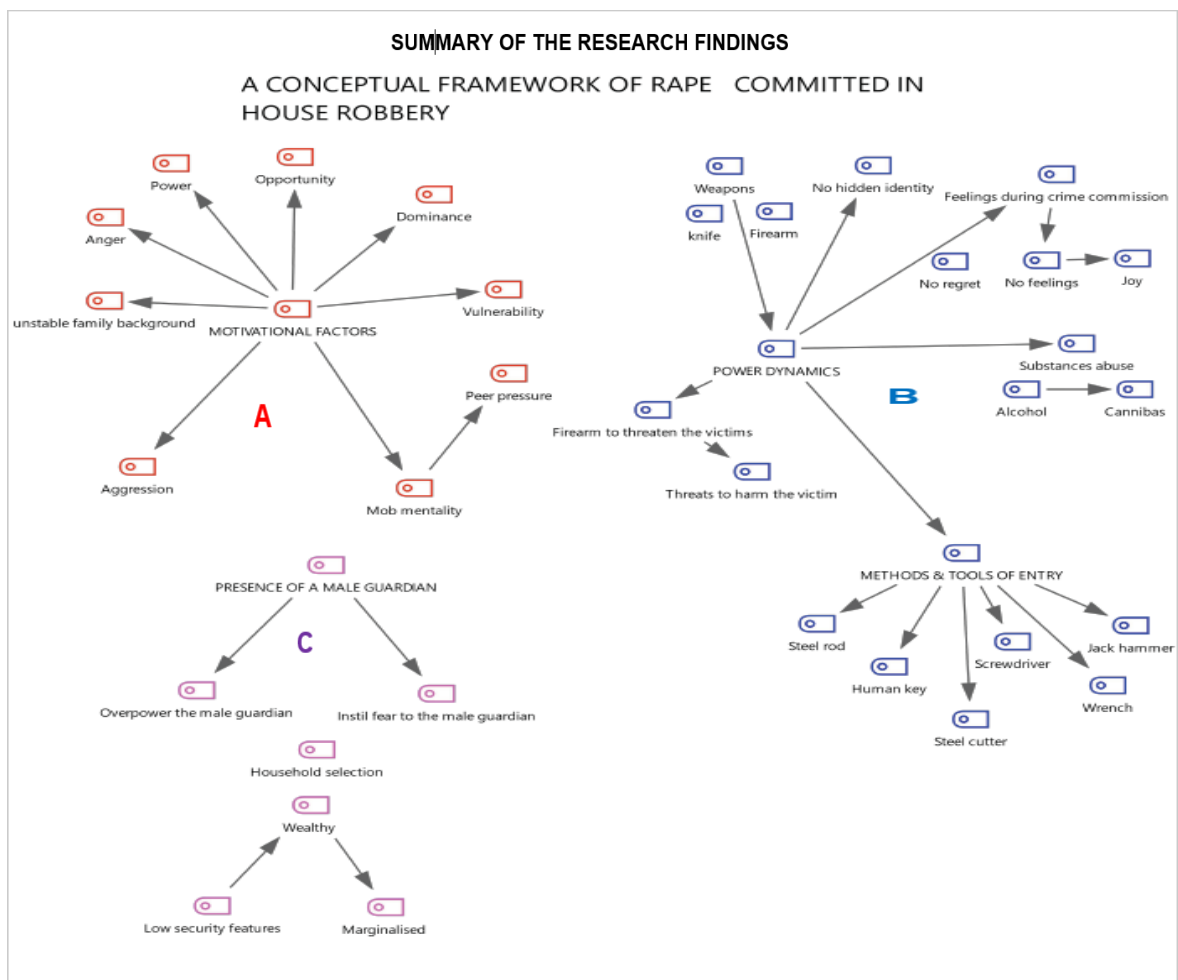
identity hide. The second objective was to determine whether the presence of a male guardian affected the power dynamics of house robbery and rape. The following was highlighted: the availability of the male guardian has an effect on the power dynamics of rape committed in house robbery and the selection of the households. The fourth objective was in relation to the experiences of the social workers and the clinical psychologists dealing with the said offenders. Lastly, a conceptual model was formulated based on the categories to respond to rape that occurs in a house robbery. Thus, the following chapter (Six) offers discussions on research findings.

CHAPTER SIX: DISCUSSION OF THE RESEARCH FINDINGS

6.1. INTRODUCTION

This chapter is based on the discussion of the findings of house robbery and subsequent rape as highlighted in chapter five of this study, figure 9 illustrates the summary of the research findings, followed by a discussion.

6.2. SUMMARY OF STUDY FINDINGS



Source: Researcher's illustration (2021)

Figure 9: A summary for understanding house robbery and subsequent rape

6.2.1 The motivational factors of committing rape in a crime that started as house robbery (A)

An analysis of this section is based on the motivational factors of committing rape that started as house robbery as the study aim. The categories below are the results of open, axial and selective coding using the MAXQDA software. The categories/factors of committing rape in a house robbery are therefore presented as follows:

Opportunity

Unstable family background

Substance use

Aggression

Dominance

Vulnerability

Mob mentality

Further discussion is based on the power dynamics of house robbery and rape, the presence of a male guardian in the commission of house robbery and rape. This is structured as follows:

6.2.2 Power dynamics of house robbery and rape (B)

To achieve objective No. 1 of this study, the following categories were identified to establish the power dynamics of house robbery and rape. The categories entail the use of weapons, identity hide, the feelings during the commission of these crimes and methods and tools of entry. These are presented as follows:

Weapon use

Identity hide

Feelings during the crime commission

Methods and tools of entry.

6.2.3 The presence of a male guardian in the commission of house robbery and rape (C)

To achieve this study objective, the following categories were developed to ascertain whether the presence of a male guardian affects the power dynamics of house robbery and subsequent rape. The resultant categories are highlighted as follows:

The availability of a male guardian in the house.

Selection of the households

6.2.4 The experiences of the social workers and the clinical psychologists

This section focuses on the experiences of the social workers and clinical psychologists as study objective No. 3 affirmed. To achieve this objective, the following categories were identified and are highlighted as follows:

Family background of the offenders.

The motivational factors of committing rape in a house robbery.

The rehabilitation programmes and assessments.

The offender's response to the rehabilitation programmes.

The offender's coping mechanisms in the correctional centres.

The support systems offered to the offenders.

The correctional supervision and Parole Board report.

6.3. DISCUSSION OF THE RESEARCH FINDINGS

6.3.1 Exploration of the motivational factors of committing rape in a crime that started as house robbery

In chapter one, there was a discussion on house robbery and rape as two distinct crimes but the literature suggested a link between the two crimes. The research findings for this study proved that indeed the crimes of house robbery and rape are interrelated. That is, rape is committed in a house robbery as aftermath and not informed by any prior motive. The rape in these circumstances is dependent on the gender of the victims that are found in the targeted house. The rape is likely to occur in the houses wherein the gender of the victims was found to be female.

The main question that needed to be answered in this study was, why did the perpetrators of house robbery end up raping their victims as aftermath and not informed by their initial motive? This question was answered through the data analysis with the support of the literature review. Further analysis was based on the aim and objectives of this study. The stated summary of the research findings highlighted the motivational factors of committing rape in a crime that started as house robbery, the power dynamics of rape in house robbery, the presence of a male guardian in these crimes and the experiences of social workers and clinical psychologists in terms of the rehabilitation programmes. Below is a discussion of the framework that is based on the aim and objectives of this study.

6.3.1.1 Unstable family background

The offenders who committed rape and house robbery are said to be influenced by what is called the 'criminogenic factors' that contribute to a person's offending behaviour. Some of these factors include lack of education as a result of financial difficulties. The family backgrounds of the offenders in the undertaken study include, amongst other aspects, absent fathers who did not contribute financially towards their children at home. Therefore, these children end up leaving school to sustain themselves and their families.

Moreover, a family is an important unit that instils the morals and values of each individual. There is an African proverb, which states that '*Mmala wa kgomo o bonala namaneng*' which translates that the actions of the parents are reflected by their children. That is, whatever actions the parents portray, good or bad, will definitely be reflected by their children. Furthermore, an ancient African philosophy states that 'you can tell what kind of a household a child comes from by their actions'. In the context of this study, unstable family background is reflected as families that are populated by poor parenting such as absent parents/fathers, and abusive parenting populated by poverty.

Most of the offenders interviewed in this study reflected how they lacked parental support and endured a lot of abuse at their hands. In these circumstances, there is a lack of pro-social factors during the development stages. Most households are

parentless, either the parents have passed away or they moved to urban areas in search of employment, in this case, a mother figure. The older child has to step up and become the parent figure of the family. In a household where there is poverty, the only immediate solution for survival is to commit crime.

The researcher asserts that poor parenting, abusive parents and poverty in a household are the main contributing factors to house robbery and subsequent rape. Additionally, the Power Control Theory supports this notion of unstable family backgrounds with special reference to the gender differences in delinquency based on the power play displayed by the family structure and the parental controls exercised on boys versus girls. The balance of power and control between parents affects the child's preference for taking risks and delinquency. The main issues in the Power Control Theory are the differences in the mother's and father's occupational authority (Patriarchal and egalitarian). In a patriarchal family, the father's job puts him in a command role while the mother is obliged by the obey role. The children in patriarchal families are socialised by their parents to reproduce gender relations. This means that daughters are taught to be feminine and prepared to be homemakers while on the other hand, sons are taught to be breadwinners and are allowed to experience the world.

Moreover, in an egalitarian household, the mother and the father have a job as either to 'obey' or 'command'. Patriarchal and egalitarian families show the difference of controls placed on sons versus daughters with regard to maternal controls over children. In patriarchal families, mothers employ superior control over their daughters rather than their sons. The more the sons are less controlled, the more they have the freedom to engage in risky behaviour. There is a presumption that boys will be involved in more delinquency than girls for three reasons. Firstly, boys have fewer controls placed on them. Secondly, boys may view the act of risk-taking as pleasurable.

Thirdly, boys perceive fewer negative consequences in response to their behaviour. The 'fundamental premise of the power-control theory is that mothers relationally and instrumentally control their daughters more than sons'. Instrumental controls involve basic supervision of the child. Relational controls involve the emotional bonds that ward off deviant behaviour by the child. Instrumental and relational controls are exerted more by mothers than fathers in both patriarchal and egalitarian families.

The researcher was able to establish that most of the offenders came from households wherein there was a lack of control exerted on the boys' as children. That is, the boys could not be taught the norms and values and that led to the freedom to engage in riskier behaviours. Therefore, the researcher asserts that the commission of the crime, in this study, rape and house robbery, is a consequence of the malfunctioning individual upbringing that had a negative impact on a person's motivational or emotional system, such as poor problem-solving capacity or a failure to inhibit certain emotions that leads to sexual offending. Therefore, it is imperative for positive socialisation of males in families to avert the chances of any future criminal behaviour. Therefore, the parents play positive roles in shaping the behaviour of their offspring to avoid falling into delinquent behaviour.

6.3.1.2 Opportunity

House robbery and rape are crimes of opportunity. The opportunistic circumstances ranges from a suitable household that lacks the proper security features to the vulnerable victim who lacks capable guardianship. The planning part can take anything from weeks to months and the use of inside information plays a crucial role in this regard. The domestic workers can participate in this planning knowingly or unknowingly. That is, they can voluntarily give information about the targeted house or be manipulated into it. What happens is that the domestic worker can be proposed by a man(potential offender) with the intention of sourcing information from her. This can be done over a long period, wherein the domestic worker may think that 'she is in love', whereas she is a source of information to the criminal group.

Moreover, the unplanned part is when the perpetrators suddenly decide to commit the crimes, to get quick cash to buy more alcohol, which entirely depends on an opportunity. Either way, planned or unplanned, the suitable opportunistic circumstances play a crucial role in the commission of house robbery and subsequent rape. Therefore, the offenders seize an opportunity to get into the house undetected to commit a crime. The entry into the targeted household can be forced or not forced. Forced entry is when they use tools such as a screwdriver, wrench and a crowbar.

These tools proved to be effective for the offenders as they are less noisy during usage and consequently, do not attract a lot of attention from the victims inside the house

and the neighbours. The unforced method of entry includes circumstances wherein the offenders pretend to be in need of help and knock at the victim's house, whom in turn, miraculously opens the door. This method is more applicable to those offenders who look trustworthy, and the victims could not detect any criminality from their physical appearance. In addition, the victims can be used as a human key when they are found outside and coerced into the house.

Similarly, rape as an afterthought is committed when the opportunity presents itself. That is, when there is a woman in the house or when the other offender was trying; for example; when opening a garage door at the other side of the house to get a car and the other (Offender) who was supposed to guard the victims in the house commits rape. In these incidences, the circumstances that produce the opportunities for house robbery, enhances the occurrence of rape. Therefore, the researcher asserts that private residential areas produce opportunistic circumstances for the commission of rape.

In addition, house robbery and subsequent rape as the aftermath of opportunity and easy accessibility, therefore enhanced security measures can prevent and deter the occurrence of these crimes. Cromwell, Olson and Avary (1991) and Lynch and Cantor (1992) in section 2.2.1.1 of chapter two of this study developed a three-step decision-making method used by burglars for their risk analysis of successful residential burglary. The first is the surveillance in which the offender examines the evidence of the presence of capable guardians. This is supported by a study conducted by Zinn (2010), in section 2.2.1.1 of chapter two of this study, wherein 29 respondents (97%) of the offenders spent time waiting at the place of the incident before the house robbery to keep surveillance of the targeted house. The surveillance ranges from one to longer than 10 hours.

The second assessment employed by the burglars is the occupancy in order to detect the presence of occupants and capable guardians, in the targeted residence. Most of the burglars' report that they would never enter an occupied residence at that time (Cromwell, Olson & Avary 1991) in section 2.2.1.1 of chapter two of this study. Thirdly, the burglars consider accessibility to the targeted residence by assessing the ease of entry. Basically, the offenders look for residences that are easy to enter without any

level of effort or skill required [i.e. Presence or lack of locks, dogs, and security systems] (Cromwell, Olson & Avary 1991).

Therefore, as a matter of enhanced security, the occupants of the households can note and take cognisance of any suspicious individuals who may be roaming the streets without any tangible reason. It may be difficult to detect such, but a suspicious and wandering person can be easily detected. Furthermore, the installation of visible security measures such as the following can deter the potential offenders:

- Installation of CCTV, alarm system and electric fences.

- Tying unattended garden tools in the yard.

- Verification of a stranger before opening the door at home.

- The domestic animals such as dogs can alert the home dwellers in circumstances wherein there is an intruder.

- When employing a domestic worker, there is a need for a thorough prior background check, verification and fingerprints scanning to assert any implication in a crime. Some of these security measures can make it difficult for an intruder to enter a residential property, if not impossible.

6.3.1.3 Substance use

The use of substances plays a critical role in the commission and facilitation of these crimes. The majority of the offenders had consumed alcohol and smoked cannabis before embarking on the mission of crime commission. Furthermore, it was noted that the use of alcohol impairs the normal functioning and reasoning of an individual. Therefore, an individual who has consumed these substances is unable to think properly and reason logically. The alcohol in question in this study is consumed before or during the commission of the crime in the targeted house.

As a result of the consumption of these substances, some of the offenders could not remember the proceedings of these crimes, especially rape. The offenders even went as far as denying their involvement.

The offenders in denial, try to cover up the rape by saying that 'the witness lied' and do not own it. However, some of the offenders start to accept after the introduction of the rehabilitation programmes and even after hearing what other offenders have to

say in focus groups settings. That is when the offenders will start to develop a burning desire to also share their whole ordeal. In some instances, the house robbery was committed to getting money to buy more alcohol. According to these offenders, there is a basic need for intoxication before or during the commission of these crimes hence in some instances alcohol is used to replace drugs in areas of scarcity.

The researcher opines that there is a need for the regulation of liquor laws wherein the liquor license holders abide by the legal requirements and regulations of the license. As most offenders were found to be intoxicated during the commission of these crimes, it is thus imperative that the liquor laws are tightened and those that are endorsed to supply liquor comply with the stipulated conditions. The Liquor regulations should strictly impose the conditions of not serving liquor to already intoxicated patrons. Harsh punitive measures such as the revoking of the licenses can be strictly applied to persistent non-compliance of the liquor license holders.

6.3.1.4 Aggression

Aggression in this study refers to the anger that the offenders possess when they are unable to attain their mission. It is caused when money could not be found in the targeted house as told by their informers such as the domestic workers. Secondly, it relates to the victim's resistance, for instance, those who are reluctant to co-operate with the offenders. The said aggression in this study is a contributing factor to the commission of rape. For instance, the woman is raped in front of the husband to make him to confess where all the valuable household possessions and money are kept.

Moreover, the aggression reflected by the offenders can be attributed to the sense of entitlement over the victim's household goods, money and subsequent commission of rape. Therefore, when the offenders are unable to attain what 'supposedly' belongs to them, aggression results. This entitlement can be drawn back to the Power Control Theory in terms of the gender differences, wherein the males were socialised to exert control over female figures. In addition, the cultural practices of *Ukuthwala* and *Lobola* as mentioned in chapter two fuel a sense of entitlement of men. The researcher, therefore, asserts that victimisation occurs as a result of the offender's lack of anger management.

6.3.1.5 Dominance

Dominance in the context of this study relates to the state wherein the offenders have power over the victims in the targeted house. The root cause can be positioned in patriarchal cultures and families wherein mothers do not have relational and instrumental control over their sons (Hagan, Simpson & Gillis 1988), as illustrated in section 3.3.2 of chapter three of this study. The researcher opines that the occurrence of rape is a resultant of negative socialisation. Moreover, a man who has been exposed to negative socialisation does not think twice when confronted with a powerless woman. Therefore, rape in this context is not just about sex, it is about domination, social control and violent acts directed at women.

The researcher emphasises that a patriarchal culture plays a crucial role in the commission of these crimes. Similarly, the crime of rape is about dominance and masculinity, which men learn during their socialisation period. Dominance and the assertion of authority commonly form part of the motivational basis of rape (Fiske & Rai 2014), in section 2.5.2 of chapter two of this study.

That is, sex without superiority may also feel insufficient or threatening for some rape offenders. Dominance and the presumption of superiority are typically part of the rape motivational basis. For the sexual offenders, coercion does not seem to be used because of any inherent motivational benefit, but merely as something instrumental in obtaining sexual access when other means fail, by showing an insensitive and cruel disregard for the victim (Felson 2002) in section 2.5.2 in chapter two of this study.

6.3.1.6 Vulnerability

Vulnerability relates to the exposure of the victims to the harm of the offenders. The vulnerability can be described in two ways, when the house is targeted for house robbery because it is owned by a woman and when the woman is raped to punish the male guardian in the house. In this study, it was established that women are more vulnerable to be victims of rape as they are easier targets. Similarly, women are victimised for the male guardian to disclose all the household belongings and money. Additionally, these victimisation tactics meted out to women are to weaken and degrade the male guardian.

6.3.1.7 Mob mentality

Mob mentality relates to the influence of peer pressure that resonates within the group members when the crimes are committed. For instance, the offenders may be part of a gang and had to continue with the crime. The offenders are influenced by mob mentality, normally the orders of a group leader and do not think clearly about the consequences of their actions. Most of the participants uttered that they were influenced by their co-accused to commit the rape in the house and it was never their intention.

The researcher further noted that there was a high level of regret that was shown by the participants (Offenders) because they could not resist the mob influence. It was a 'must' to comply with the orders of the group members, when rape is committed, everyone should be involved. The person who resists such orders is regarded as a snitch to the group and should thus be punished. Sometimes it might be cohesion within the group and it starts using threats to get money, so from verbal threats to assault and it might further escalate to rape. In most cases, the offenders blame their accomplices as the ones who 'supposedly' started with the rape to avoid responsibility. Some of the offenders mentioned that the rape was committed out of fear of being assaulted or killed by their group members. The below paragraph is a reflection of the mob mentality of rape in house robberies:

'I told one of my friends to go and look for our other friend so that we can leave. Therefore, when he went back into the house, he found him busy raping a 14-year-old girl. He returned to tell us that our friend is raping that girl. We immediately left with him into the house and when we got there, we didn't stop him and ask why he was raping the girl, instead, we just joined him and all the four of us committed the rape.'

'... even now I cannot tell you why I did it, I should have reprimanded my friend for what he was doing and we could have not done it. At least the case was going to be house robbery without rape with a lesser sentence.'

Moreover, with these offenders, the commission of rape was never planned, it was just mob mentality. Therefore, to remedy future transgressions associated with these crimes, it is imperative for the introduction of compulsory life skills programmes that can be incorporated into the school curriculum from primary schools wherein (boys)

can be taught norms and values that are in alignment with respect for women. Similarly, this mandatory curriculum can address and equip men with self-esteem so that they cannot fall prey to mob mentality and the general commission of crime.

6.2.2 The power dynamics of house robbery and subsequent rape

6.2.2.1 Weapons use

The use of weapon's plays a crucial role to facilitate the commission of these crimes. For instance, firearms and knives are commonly used to scare the victims into submission. The weapon's give power and impunity to the offenders to commit the crimes. A firearm, for instance, is a powerful weapon in such a way that when in possession, the victims would comply with the orders of the offender. Therefore, the victims are likely to confess all the belongings of the house such as where the money is kept to avoid victimisation by the offender. In this study, the offenders to scare the victims into submission use firearms and knives.

6.2.2.2 Identity hide

The offenders in this study do not hide their identity during the commission of these crimes. This is primarily influenced by the belief that the rate of apprehension and conviction is too low. Furthermore, identity hide such as wearing a balaclava would easily imply that an offender is about to commit a crime. The lack of identity hide of the offenders can thus be used as an advantage to the SAPS in their investigation procedures. It can be easier for the victims to identify the offenders during 'identification parades' or 'sketching purposes' and that can speed up the process of apprehending the offender and overall effectiveness of the CJS.

6.2.2.3 Feelings during the commission of the crime

There are different kinds of feelings that the participants mentioned during the commission of these crimes. It has been noted by the researcher that the feelings include enjoyment, no regrets and no feelings at all. The participants mentioned that the cause of these feelings was attributed to their age (Young) at that point in time.

The commission of a crime was a thrilling experience of attaining goods, money and displaying power and control over the most vulnerable victims.

6.2.2.4 Methods and tools of entry

The entry methods are attributed to how an offender gets into the house. The methods of the entrance can be either forced or unforced. The forced ones include using tools such as a wrench; a screwdriver and unforced is using the victim as a 'human key,' among others. These methods have been deemed to be effective in the successful commission of house robbery and subsequent rape.

6.3.2 Determining whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape

The presence of a male guardian in the commission of house robbery and subsequent rape does affect the power dynamics. That is, the moment the perpetrators are confronted with a male guardian, the resultant factors are the dominant victimisation tactics. They would want to dominate the male figure to avoid getting killed. Their first line of attack is issued to the male guardian immediately when entering the household.

Secondly, there are different kinds of dominant victimisation tactics that are meted out to the male guardian. These include torture, verbal threats and raping the woman of the house. Basically, the perpetrator would try everything to overpower the male guardian and this has a great impact on the power dynamics of house robbery and subsequent rape.

6.3.3 The experiences of the social workers and clinical psychologists

The researcher noted that different rehabilitation programmes are given to the offenders of house robbery and subsequent rape at the correctional Centres. This includes the SOTP, life skills, anger management, individual and group therapy and critical thinking programme. However, the programmes are needs-based and are given to the offenders after assessments. These rehabilitation programmes are administered to all the offenders who committed any rape and house robbery. The researcher deposits that there is a need for tailored made rehabilitation programmes

for the offenders of house robbery and subsequent rape. It has been noted that these offenders commit rape in the context of house robbery and the motivational factors were clearly highlighted.

Therefore, the researcher posits for the Rape in House Robbery Programme [RHRP] that will address the motivations for committing rape in house robbery, namely, opportunity, Unstable family background, substance use, aggression, dominance, vulnerability and mob mentality. This programme can be effective to address rape motivations in house robbery and subsequently changing the offending behaviour of the offenders to avoid future re-offending.

6.4 RAPE IN HOUSE ROBBERY TYPOLOGY

6.4.1 House robbery *rapist*

The researcher noted that a new typology can be mentioned that results from rape that is committed in the context of house robbery. A house robbery rapist is identified from an analysis of this study. A house robbery rapist is defined as a rapist who only commits rape in the context of house robbery and is influenced by the following:

Opportunity

This relates to the opportunity to commit these crimes such as a house that has low security in terms of house robbery and a vulnerable woman who does not have the proper guardianship to avert criminal victimisation. A house robbery rapist commits rape only when the opportunity presents itself, for instance, during a house robbery when the woman is vulnerable without proper guardianship to avert the criminal victimisation. The rapist exploits this opportunity to commit an act of rape.

Unstable family background

The majority of house robbery rapists come from unstable family backgrounds that are populated by poor parenting, negative socialisation and single parents. The rape in a house robbery may be committed as a result of hostility towards women that is fuelled by the negative socialisation received at early childhood development.

Substance use

The use of substances such as cannabis and alcohol are more prevalent for a house robbery rapist. These substances are commonly used by the house robbery rapist to facilitate the commission of the crime. Alcohol especially is known to make a person momentarily lose morals and values and this can be similar to the house robbery rapist.

Aggression

A house robbery rapist commits the crime as a result of anger which is caused when the proceedings of the crime do not progress as initially planned. This may include factors wherein no money or household belongings could not be found inside the house. In these instances, the consequential factor is rape.

Dominance

A house robbery rapist asserts power over the victims inside the targeted house and the need to control is of utmost importance. Rape is carried out to assert control especially when there is a male guardian. The female victim is raped whereas the male guardian is victimised in a form of physical violence. These tactics are carried out by the house robbery rapist as a measure of control inside the targeted house.

Vulnerability

A house robbery rapist exploits the most vulnerable victims in the comfort of their own homes. The victims are ambushed and victimised either physically or sexually, depending on their gender. Additionally, the victims are found at their comfort zones(private residential areas) and their vulnerability is simply exploited by the house robbery rapist.

Mob mentality

The majority of the house robbery rapists were influenced by the mob mentality in the commission of the rape. The rape is carried out in a group setting and normally the group leader would influence the rest of the group to follow suit. Therefore, a mob mentality is prevalent to a house robbery rapist as the commission of rape is collective aftermath of the house robbery.

Further analysis is their ability to use a weapon to scare the potential victims and the use of tools such as the wrench and screwdriver to gain access into the targeted house. The use of alcohol prior to the commission of the rape also plays a very crucial role. These rapists are known for not hiding their identity as they believe that their chances of apprehension and conviction are very low. Their power dynamics include the ability to use a weapon and are influenced by the presence of a male guardian. Most importantly, a house robbery rapist cannot commit ordinary rape out of the context of house robbery. Therefore, normally, the commission of rape is not planned prior; however, it comes as an aftermath of the house robbery.

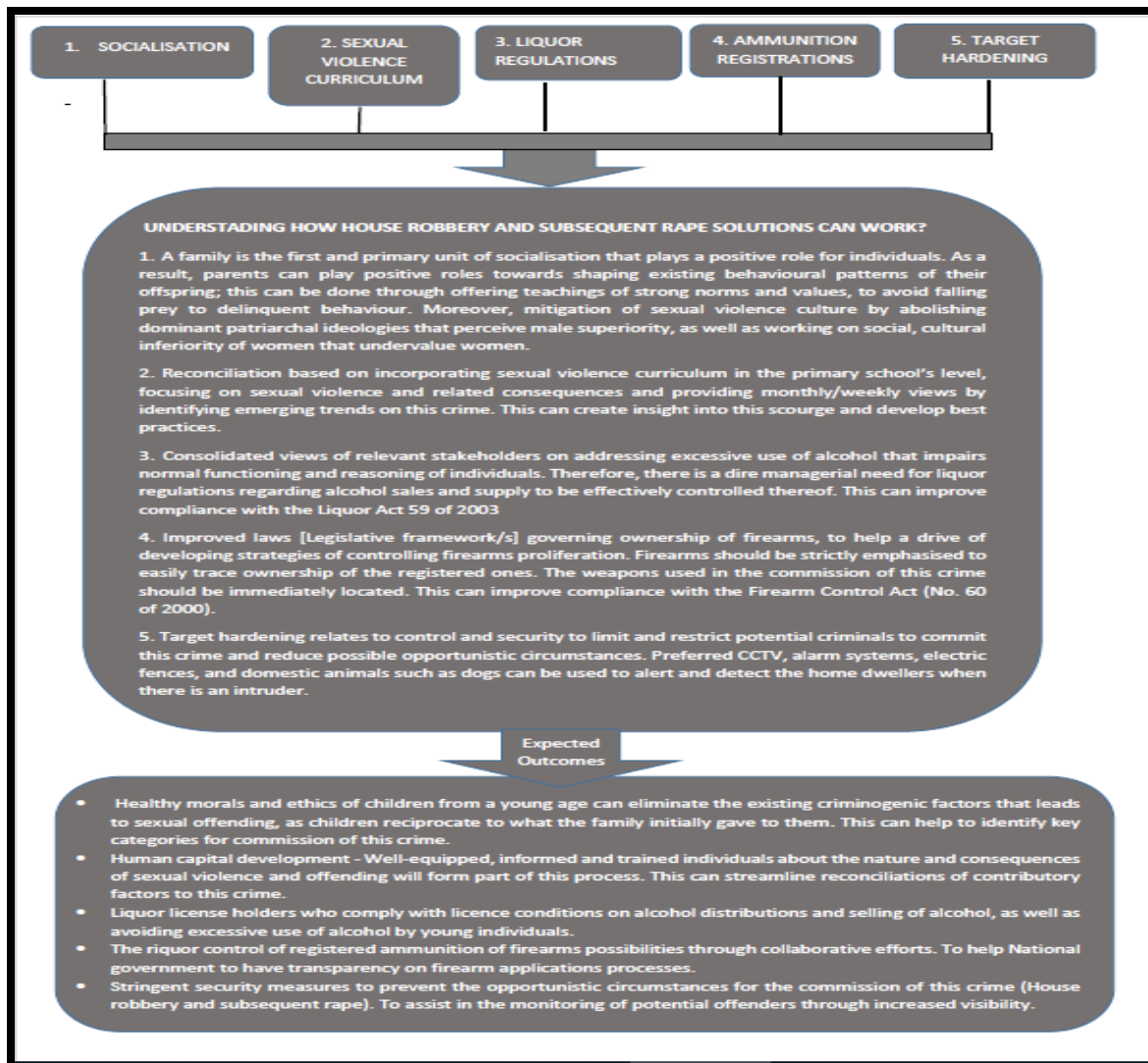
6.5. SUMMARY

This chapter highlighted an analysis of the developed conceptual model based on the aim and objectives of this study. The researcher mentioned the causes of rape in house robbery, the power dynamics involved in the commission of house robbery and rape, whether the presence of a male guardian has an influence on the power dynamics during the commission of these crimes and the experiences of the social workers and clinical psychologists in relation to the rehabilitation programmes. The new typology, house robbery rapist was thus formulated. The following chapter (Seven) will focus on the analysis of the conceptual model for understanding rape committed during a house robbery.

CHAPTER SEVEN: CONCEPTUAL MODEL FOR UNDERSTANDING RAPE COMMITTED DURING HOUSE ROBBERY

7.1. INTRODUCTION

This chapter addresses the conceptual model for understanding rape committed during a house robbery. The analysis entails five concepts that respond to rape committed in a house robbery. This includes socialisation, sexual violence curriculum, liquor regulation, ammunition registrations and target hardening. The house robbery and rape conceptual model is highlighted and explained as follows:



Source: Researcher's illustration 2021

Figure 10: Conceptual model of rape committed in house robbery

7.2. ANALYSIS OF THE 5 POINTS CONCEPTUAL MODEL FOR UNDERSTANDING HOUSE ROBBERY AND SUBSEQUENT RAPE

7.2.1 Socialisation

The norms and values are clearly and verbally learned within a family environment through 'word of mouth' in the majority of African and Western households. Therefore, positive socialisation of the off-springs plays an enormous role in shaping future law-abiding citizens. A family is the first and primary unit of socialisation that plays a positive role for individuals. As a result, parents play positive roles towards shaping existing behavioural patterns of their offspring; this can be done through offering teachings of strong norms and values, to avoid falling prey to delinquent behaviour.

Moreover, mitigation of sexual violence culture by abolishing dominant patriarchal ideologies that perceive male superiority, as well as working on social, cultural inferiority that undervalues women. The families should account for and refrain from any abuse that may hamper the socialisation of a child. Sexual, physical, emotional and psychological childhood abuse has been proved to contribute to an offending behaviour later in life. Additionally, the consequential factors of these patriarchal ideologies are dominance accompanied by aggression during the commission of rape in a house robbery. Therefore, the impartment of positive socialisation on the offspring from a very tender age can serve as a pro-active factor to curb the occurrence of rape in a house robbery.

7.2.2 Sexual violence curriculum

Knowledge will always be a powerful weapon that can be used to fight any crime and social ills. The sexual violence knowledge that can be imparted within the schooling environment can make individuals develop consciousness whenever confronted with the opportunistic circumstances for the commission of rape. The ideas and norms about sex, relationships, and bodily autonomy are all shifted by the schooling environment. There is a need for the incorporation of the sexual violence curriculum within the primary, secondary schools and tertiary institutions. The children need to be familiar with the details and literature of sexual violence and popularise 'consent.'

Additionally, for rape to occur certain elements needs to be proven beyond reasonable doubt such as lack of consent and therefore there is a need to educate children on what 'consent' entails regarding rape. Schools are in a great position to carry out this difficult, grassroots task. Overall, reconciliation is based on incorporating sexual violence curriculum in the primary school's level, focusing on sexual violence and related consequences and providing monthly/weekly views by identifying emerging trends on this crime. This can create insight into this scourge and develop best practices.

7.2.3 Liquor regulations

The regulation of liquor is of utmost importance given the negative consequential nature of binge drinking. Therefore, there is a dire need for the license holders to comply with the conditions. The licensing conditions in this section were demarcated to the condition of serving alcohol to already intoxicated patrons, which is a punishable offence. Moreover, the majority of the participants were under the influence of alcohol during the commission of a house robbery and subsequent rape. The researcher opines that the use of breathalysers (Alcohol testers) at the liquor outlets should be mandatory as a condition that is handed out to the license holders by the Liquor Board.

Overall, the license holders would be able to check individuals who are already intoxicated and restrict the sale of alcohol. This can act as a proactive measure to avoid circumstances wherein individuals get intoxicated and proceed to commit house robbery and subsequent rape. Moreover, the use of alcohol has proven to facilitate the commission of these crimes and the excessive use of it can have detrimental effects on the victims of house robbery and subsequent rape.

Additionally, alcohol percentages differ in terms of the alcohol brand type. Therefore, the license holders should restrict and regulate the supply of many bottles of beverages that contain the highest percentages to the patrons. Overall, the penalties and punishments in terms of non-compliance to the licensing conditions should be swift and have a financial impact on the perpetrator. For instance, both penalty and suspension or revocation of registration liquor certificates should be effectively imposed.

Overall, the consolidated views of relevant stakeholders on addressing excessive use of alcohol that impairs normal functioning and reasoning of individuals. Therefore, there is a dire managerial need for liquor regulations regarding alcohol sales and supply to be effectively controlled thereof. This can improve compliance with the national Liquor Act, 2003.

7.2.4 Ammunition registrations

Weapons such as firearms play a major role in the commission of house robbery and subsequent rape to scare the victims into submission and to control the proceedings of the crime. Although South African history on firearms cannot be disputed, wherein the firearms that were used during the apartheid era are not all destroyed and are easily acquired, however, there is a need for stringent regulation. There are researcher deposits for the registration of the ammunition wherein the ownership of such can be easily traced and in circumstances wherein there was an occurrence of crime, the perpetrator can be easily identified and apprehended. In circumstances wherein the firearm was stolen, the rightful owner should report such a crime to the SAPS so that it can be known by the authorities. The researcher further advocates for the installation of tracking devices inside firearms for easier locating.

The tracking devices can be invisible to the naked eye, however visible through designated computer-assisted software's to maximise security measures. In that way, it will be challenging if not possible for the perpetrator to locate the spot(s) of the tracking device. As a security feature, the tracking device inside the firearm can be located at different angles per firearm to dismantle the usual known 'spot' by the perpetrators. Therefore, the lost firearms can be easily traced and the rightful owner can be identified when a need arises. Moreover, the ammunition can have the same serial number as the firearm so that when discharged in criminal proceedings, a pattern can be established in terms of ownership.

Overall, the improved laws [Legislative framework/s] governing ownership of firearms, to help developing strategies of controlling firearms proliferation. The registered firearms should be strictly emphasised to easily trace ownership. The weapons used in the commission of this crime should be immediately located. This can improve compliance with the Firearm Control Act, 2000.

7.2.5 Target hardening

Crime prevention and control is a complex phenomenon and can only be maintained if there is a partnership between law enforcement agencies and community members. Partial reference can be made to traditional policing to understand how target hardening can be maintained. Target hardening relates to control and security to limit and restrict potential criminals to commit crimes and reduce possible opportunistic circumstances. Preferred CCTV, alarm systems, electric fences, and domestic animals such as dogs can be used to alert and detect the home dwellers when there is an intruder. The vulnerability of a victim is empowered by easier entry of the perpetrator into the targeted house. Moreover, the wealthy, marginalised and low-security households are prey to the perpetrators of house robbery and rape. The alarm systems within the household should be designed to detect the perpetrators whilst trying to bypass the outside gate/wall.

Overall, there should be installed technological advancements such as cellphone application which is connected to the alarm system wherein a signal is sent to the home dwellers whenever there is an intruder and tempering of the security systems. In that way, the home dwellers may alert the security company or a response unit that a crime is about to occur. Additionally, visible policing can be a proactive measure to supplement these security features wherein the members of the SAPS and security companies makes regular patrols at the hotspot, marginalised, and overall affected areas. In that way, the planning and studying of the routine activities of the home dwellers and free movements around the neighbourhoods in search of opportunities to commit a crime would be minimised.

Additionally, the placement of the responsibility of crime prevention at the back of the citizens is not a new phenomenon. It was practised during traditional policing wherein the community becomes the 'ears' and 'eyes' of the law enforcement. Therefore, the SAPS members and armed responses security companies can work interchangeably with the neighbourhood watch for visibility across the streets and any suspicious and unusual criminal activities to be immediately reported.

The use of 'whistleblowing' can aid to alert fellow community members whenever there is a crime or suspicion similarly to the 'hue' and 'cry' during the times of traditional policing. The regular meetings and workshops held by the SAPS about community

safety can help and capacitate the home dwellers with the *MO* where these crimes are concerned. That can be useful in reporting suspicious criminal activities in alignment with the imparted knowledge.

7.3. SUMMARY

This chapter analysed the conceptual model that was developed to understand the occurrences of rape in house robbery and gave a detailed explanation of how these crimes can be addressed. This was accomplished through an explanation of the key categories of the model, namely, socialisation, sexual violence curriculum, liquor regulations, ammunition registrations and target hardening. An understanding of these points can lead to the achievement of healthy morals and ethics of children from a young age, elimination of the criminogenic factors that leads to sexual offending, well-equipped and informed individuals about the nature and consequences of sexual violence and offending, liquor license holders who comply with the conditions of the licenses of not selling alcohol to intoxicated individuals, the control of registered ammunition of firearms and stringent security measures to prevent the opportunistic circumstances for the commission of house robbery and subsequent rape. The following chapter (Eight) will be based on the summary, limitations, recommendations and conclusion of the study.

CHAPTER EIGHT: SUMMARY, LIMITATIONS, RECOMMENDATIONS AND CONCLUSION

8.1. INTRODUCTION

This section is based on the summary of this study, discussion of the limitations, recommendations and conclusion of this study. It includes the overall study summary, findings relating to study significance, study aim, study objectives, findings relating to research design and methodology, study limitations, conceptual demarcation, financial constraints and travelling distance, limited previous research in South Africa, study implications, study recommendations, identified study categories, general recommendations relating to this study, study overall conclusion and future research studies.

8.2. OVERALL STUDY SUMMARY

The achievement of this study purpose is thus summarised under the presented study chapters and study aim and objectives.

Chapter one focused on the general orientation which includes the introduction and background of the study. The problem statement of this study was further discussed. South African court cases on house robbery and subsequent rape were explained. The purpose of this study (study aim, study objectives, and research questions) were also briefly discussed in this chapter. Study justifications, conceptual definitions, limitations and scope of this study were also discussed. The progression of the next chapters of the study was highlighted in this chapter.

Chapter two provided an overview of the literature review on house robbery and subsequent rape. This involves the profile of house robbers, the *MO* of burglars at residential premises, the motivational factors of committing rape during house robberies, the underlying controlling factors of rape behaviour, the features of rape

behaviours: sexual motivations, house robbery as a *MO* for rape, power dynamics of house robbery and subsequent rape, and the rehabilitation programmes offered by DCS in responding to these crimes.

Chapter three dealt with the legislative and theoretical frameworks applicable to house robbery and rape. The main focus was on the Constitution of the Republic of South Africa, 1996, CPA, 1977, Criminal Law (Sexual Offences Act and Related Matters), 2007, DNA Act, 2013. The theoretical framework discussed includes Power Control Theory, ITSO and Post Feminism Perspectives.

Chapter four concentrated on the research design and methodology employed in this study such as the description of study location, the application of GT on house robbery and subsequent rape, methods to ensure trustworthiness, and ethical considerations, methods of data collection and methods of data analyses.

Chapter five dealt with data analysis and presentation of study findings. Research findings were discussed focusing on the three phases of GT data analysis, which are open, axial and selective coding using the MAXQDA software. The data was analysed to obtain a clear understanding of information collected from individual interviews conducted with participants. Each code commenced with a brief introduction, supported by verbatim quotations from the participants' responses and literature to determine the extent to which the outcome of data analysis supported the aim of this study. This chapter also dealt with the interpretation of the research findings based on emergent categories. An overview of the participants' perceptions and a comprehensive body of literature relevant to each category were presented. An interpretation of the meaning of the findings for each category was provided.

The identified categories provided the basis for the structure of this chapter and these categories are as follows, based on the aim and objectives of the study. The motivational factors of committing rape in a crime that started as house robbery are opportunity, unstable family background, substance use, aggression, dominance, vulnerability and mob mentality. The power dynamics of house robbery and rape are categorised in terms of weapon use, identity hide, Feelings during the commission of the crime and methods and tools of entry. The presence of a male guardian in the commission of house robbery and rape is categorised as to overpower the male guardian and the selection of the households. The experiences of the social workers

and clinical psychologists mainly focused on the rehabilitation programmes for the offenders of rape in a house robbery.

Chapter six focused on the discussion of the research findings that were established from the study. A discussion of these findings was based on the study aim and the objectives of this study.

Chapter seven dealt with an analysis of the conceptual model that was formulated from the empirical research findings of this study.

Chapter eight focused on the overall study summary, limitations of conducting this study, the recommendations and the conclusion of this study.

8.3. FINDINGS RELATING TO STUDY SIGNIFICANCE

This study demonstrated that rape in house robbery exists with its diverse causes and it is important for the timeous prosecution of these crimes within the CJS. The prosecution of these crimes will act as both an individual and a general deterrence. The findings of this study can further be used by the DCS to inform what causes rape in a house robbery. The proposed rehabilitation programme can serve as a guideline to the evaluation of the existing programmes aimed at correcting the offending behaviour.

8.4. FINDINGS RELATING TO THE AIM OF THIS STUDY

8.4.1 To explore the motivational factors of committing rape in a crime that started as house robbery

This study aimed to explore the motivational factors of committing rape in a crime that started as house robbery. The objectives were to gain insight into the power dynamics during house robbery and rape. To determine whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape. To assess the experiences of the social workers and clinical psychologists. To develop a conceptual model that explains the dynamics of house robbery and rape. This was

achieved through an application of a qualitative research approach guided by the GT methodology. The aim was achieved as the researcher explored the motivational factors of committing rape during house robbery from the literature and the analysed data of the participants.

8.5. FINDINGS RELATING TO THE OBJECTIVES OF THIS STUDY

8.5.1 Objective No. 1: To gain insight into the power dynamics during house robbery and rape.

The first objective was achieved in the sense that the researcher analysed the power dynamics of house robbery and subsequent rape. Weapon use, especially a firearm, appeared to be a fundamental instrument in the commission of these crimes as the offenders mentioned the importance of it. The offenders stated that a firearm gives them the power to control and dominate the victims, therefore making it easier for them to commit these crimes. The offenders of these crimes do not hide their identity because of the believe that the chances of apprehension are very low. Some mentioned that hiding their identity depends on their geographical area ,for instance, if they are in their neighbourhood, they prefer to hide their identity because they are known unlike when they are far from their vicinity.

The feelings portrayed by the offenders during the commission of these crimes revolve around joy and no regrets. The methods and tools of entry include amongst others, jackhammer, wrench, steel cutter, screwdriver and a steel rod. The insights into the power dynamics of house robbery and subsequent rape were thus achieved. In summation, the categories for objective No.1 are structured as follows:

Weapon use

Identity hide

Feelings during the commission of the crime.

Methods and tools of entry

8.5.2 Objective No. 2: The presence of a male guardian in the commission of house robbery and rape.

The presence of a male guardian inside the targeted house threatens the mandate of the offenders of house robbery and subsequent rape. There is a dire need to neutralise the threat by overpowering the male guardian through the use of physical violence. The use of sexual violence such as raping the woman in the house is another way of neutralising the power of the male guardian. However, some households are targeted in terms of being owned by women, located in marginalised areas and wealthy households. Therefore, the preference of a household's selection differs from one perpetrator to another. This objective of the study was achieved.

8.5.3 Objective No. 3: To assess the experiences of social workers and the clinical psychologists

These experiences were accessed and amongst others, the rehabilitation programmes for the offenders of rape in house robbery was tackled. It was noted that there are various rehabilitation programmes offered to the offenders and the researcher advocated for the development of a unique programme based on the established motivational factors.

8.5.5 Objective No. 4: To develop a conceptual model to better respond to the dynamics of rape committed during a house robbery

This objective was achieved in the sense that a conceptual model to understanding house robbery and subsequent rape was developed. The model entails five key points, namely, socialisation, sexual violence curriculum, liquor regulations, ammunition registration and target hardening. An understanding and application of these points can lead to a decrease in the commission of these crimes.

8.6. FINDINGS RELATING TO RESEARCH DESIGN AND METHODOLOGY

The research design and methodology employed in this study is deemed relevant as the overall study aim and objectives were achieved. The qualitative research, supported by the application of the GT research design, methods of data collection and analysis, have all contributed to the successful findings of the study. The study

needed to be qualitative research approach, GT research design, the use of semi-structured face-to-face interviews, and the use of open, axial and selective coding, supported by the MAXQDA software. The use of semi- interviews ensured that the participants were able to articulate their lived experiences relating to the undertaken study of rape committed during a house robbery.

To identify, refine, and integrate categories and subsequently enhance the development of a theory, key strategies such as constant comparative analysis, theoretical sampling and theoretical coding were used in this study. The use of a qualitative research approach of GT is thus deemed appropriate for this study as the aims and the objectives were achieved. This was further substantiated by the social workers and clinical psychologists. Additionally, the data in this study highlighted the interconnectedness of these crimes through the applied methodology. The researcher therefore positively attests that the employed research methodology and approach are relevant to the study.

8.7. STUDY LIMITATIONS

Several limitations were encountered during the research. These are presented below:

Firstly, the study was limited to two correctional centres located in GP and LIM Province with offenders who had committed house robbery and subsequent rape.

Secondly, there was a limited number of offenders who had committed house robbery and rape on one occasion. That is, many offenders committed rape or house robbery separately.

Thirdly, with the limited number of offenders found, some of them could not participate in this study as they allegedly reported on wrongful conviction from the onset of the interviews and thus the session could not be continued. Some of the participants who committed rape in house robbery were unable to own to the rape and would blame it on their co-accused. Only a limited number agreed to initiating and committing the rape.

Finally, this study was limited to the offenders, social workers and clinical psychologists in the stated correctional centres. This researcher opines that for

future research, there is a need for the incorporation of the victims associated with these crimes and branching to other correctional centres.

8.7.1 Conceptual demarcations

During the field research, most participants did not understand the terms 'power dynamics' and 'ordinary rape' when the researcher asked the questions. However, an explanation was given by the researcher within the confinement of this study. It was further clarified that the main focus for data collection was placed on participants who committed house robbery and subsequent rape on one occasion, the social workers and the clinical psychologists.

8.7.2 Financial constraints and travelling distances

The two correctional centres sampled for this study are located in GP and LIM Provinces of South Africa. The researcher resides in Polokwane and had to travel to Thohoyandou Correctional Centre situated in Venda (Limpopo Province, South Africa) which is about 2 hours 21 minutes (186,8 kilometres) and to Kgosi Mampuru II Correctional Centre in Pretoria, 3 hours 7 minutes away (266,8 kilometres). For ease of travel, the researcher had to book accommodation during the course of data collection. In certain instances, only one or two participants would be interviewed per day wherein the researcher had to still pay for accommodation, food and transport (petrol) as a personal vehicle was used. However, the researcher was fortunate to be awarded a doctoral scholarship from NIHSS that aided with the expenses during the data collection process.

8.7.3 Limited previous research in South Africa

There is limited literature on what constitutes rape in a house robbery locally and globally. Several studies consulted would explain house robbery and rape on different occasions. The researcher had to link these two crimes and further populate the relevant literature within the South African and global context which was very challenging.

8.8. STUDY IMPLICATIONS

There is little literature or knowledge concerning house robbery resulting in rape from the perspective of incarcerated offenders, social workers and clinical psychologists. The researcher filled this gap by exploring the motivational factors of incarcerated offenders, social workers and clinical psychologists. A contextual literature review and understanding of the factors that define subsequent rape behaviour in house robbery was thus highlighted from the findings of this study.

This study further contributed theoretically, empirically, contextually and had socio-strategic towards intervention implications. Firstly, new knowledge was imparted that filled in the literature gap, which is an understanding of the factors that contribute to the perpetrator's commission of rape in a crime that started as house robbery. This study contributed contextually in the sense that there was an application of the operational definitions within the context of this study that could be used by future researchers, i.e. house robbery rapist. The generated new knowledge within the field of the proposed study and in criminology can be crucial for future researchers. Lastly, the socio-strategic intervention implications can be applied by the DCS in the evaluation of their rehabilitation programmes given the motivational factors of committing rape in house robbery and the proposed rehabilitation of rape in a house robbery.

8.9. STUDY RECOMMENDATIONS

8.9.1 Identified study categories

The following study categories were found and extensively discussed in this study. However, the recommendations were made based on the categories developed by the study aim as follows:

8.9.1.1 Category 1: Socialisation: Recommendations and strategies for improving category 1

The researcher noted that the family structure plays a crucial and positive role in cultivating the morals and values of their offspring. This involves anger management, prevention of dominance and addressing hostility towards women. Positive socialisation from an early age of development of boy children is crucial wherein the importance of respecting women is taught. Lastly, 'it takes a village to raise a child', therefore the family structure and the society as a whole can play a crucial role in the positive socialisation of children to avoid their engagement in criminal activities. Similarly, the positive upbringing of a child is important, for the development of mental capabilities to differentiate wrong from right and the instillation of morals and values.

Moreover, when the participants (Offenders) could not find the belongings inside the targeted house such as jewellery and money, aggression becomes the by-product. Subsequently, rape is used as a punishment for the victims to comply. Additionally, to remedy and address aggression, 'it is easier to positively groom young boys than to correct older men'. The control of aggression can be instilled in boy children from a young age within a family unit. For instance, not giving a boy child everything he wants, wherein he can develop patience traits. In that way, the instillation of those morals and values can help in terms of anger management from a very young age.

Similarly, the cultural practices that elevate men to be in control of women in every aspect of life need to be abolished. This toxic masculinity is displayed in the commission of rape during a house robbery. It can be noted that South Africa is rooted in different cultural practices that are embedded in patriarchy, however, the learnt lessons in some of these cultures may be detrimental and toxic. Therefore, there is a need to revise and abolish the cultural practices that are meted out to control women, victims and the general population.

Additionally, most of the offenders are influenced by their peers (Peer pressure) to commit the rape. The group leader issues compulsory instructions including the commission of rape and that is how the influence initiates. Mob mentality is more prevalent in this study as the crime of robbery and subsequent rape is committed in a group setting. This collective behaviour relies solely based on the psychological state of the people who participate.

The majority of the offenders lack proper upbringing, which includes the instillation of pro-social factors. That is, the absence of these crucial factors makes them more likely to make poor decisions such as becoming involved in crime. The analysed data highlighted that the majority of offenders were influenced to commit these crimes. However, that cannot be the basis for engaging in criminal activities. The overall offenders must refrain from committing rape and crimes in general. However, the fundamental principle of a compliant individual relies on the positive socialisation given within a family structure and adequate self-control when confronted with unfavourable circumstances.

8.9.1.2 Category 2: Sexual violence curriculum: Recommendations and strategies for improving category 2

The incorporation of sexual violence into schools and tertiary institutions can play an enormous role in educating individuals about the subject matter. The knowledge imparted through the literature can be pro-active to capacitate individuals with the nature and extent of sexual violence and popularise what 'consent' in rape entails. Detailed reference can be made to the Constitution of the Republic of South Africa, 1996, CPA, 1977 and SOAA, 2007 in section 3.2.1 of chapter three of this study.

8.9.1.3 Category 3: Liquor regulations: Recommendations and strategies for improving category 3

There is a need for the regulation of liquor laws concerning the supply and sale of liquor. The researcher has noted that most of the participants were intoxicated with alcohol during the commission of these crimes. For instance, in LIM Province, the Liquor Act, 1989 regulates the sale of liquor and it is an offence to sell or supply liquor to someone who is in a state of intoxication. Alcohol impairs the normal functioning/ thinking of an individual and inhibits necessary thinking capabilities. Subsequently, most of the participants engage in these crimes as a result of intoxication. Therefore, strict and harsh penalties should be issued for those contravening the provisions of this Act. The Liquor Board should revoke liquor licences of the license holders who contravene the liquor laws repeatedly. Similarly, the legalisation of cannabis in South

Africa for private use can have detrimental effects in terms of crime commission because of its availability to the perpetrators.

8.9.1.4 Category 4: Ammunition registrations: Recommendations and strategies for improving category 4

It is of utmost importance for the thorough regulation of ammunition and firearms as the main weapons used during house robbery and subsequent rape. The registrations of ammunition and firearms can make it easier for a weapon to be traceable especially in circumstances wherein the crime was committed. The ownership of these firearms can thus be established and that can speed up the investigation processes of these crimes.

8.9.1.5 Category 5: Target hardening: Recommendations and strategies for improving category 5

House robbery and subsequent rape are caused by the presence of an opportunity; therefore, it is important for the implementation of strict security measures to respond to these crimes. Gender (Being a woman) plays an enormous role in terms of vulnerability in this study. In addition, the houses that lack security measures, are marginalised and wealthy may fall prey to potential offenders. Overall, the households must be capacitated with tight security measures to them less attractive to the offenders.

The SAPS can work together with the private security sector to patrol residential premises to reduce the opportunities for these crimes to occur. Visible policing has proven to be effective and proactive in terms of crime prevention. For instance, during the period of hard lockdown (Level 5) in South Africa during the Covid-19 pandemic, the crime statistics decreased because the SAPS and the South African National Defence Force (SANDF) were patrolling on the streets daily. Therefore, there was less suitable opportunistic circumstances for the commission of crimes.

Similarly, as highlighted in the biographic information of the participants, a clear indication was shown that most of the offenders were unemployed, if not involved in menial jobs. However, the commission of a crime (House robbery) is not a solution for monetary benefit. Although lack of employment in South Africa cannot be disputed,

however there are alternatives that a person can venture into for financial security such as self-employment. Therefore, self-employment can be facilitated by the instillation of entrepreneurial skills that can help emerging and anticipating entrepreneurs. There are agencies such as the Small Enterprise Development Agency (SEDA) or the Department of Small Business Development (DSBD), which provide non-financial support to small enterprises and co-operatives.

8.10. GENERAL RECOMMENDATIONS RELATING TO THIS STUDY

There is a need for the DCS to introduce a programme that is tailored made and needs-based for the offenders of house robbery and subsequent rape, to supplement the existing ones.

There is a need for the categorisation of different sexual offenders, for instance, paedophiles, serial rapists, and those that commit rape in the context of house robbery within the SAPS and DCS. This can give an accurate measure of crime and offenders statistics and subsequent rehabilitation programmes.

Sexual offenders are not a homogeneous group, are different and exhibit different patterns of offending. Therefore, the SOTP cannot accommodate the specific needs of all the different sexual offenders. There is a need for a needs-based programme that accommodate different sexual offenders.

It was established from this study that the offenders gain information from domestic workers, therefore to minimise this risk, homeowners are encouraged to use relevant placement agencies that involve vetting processes and background checking when employing domestic workers.

Visible policing is proactive in crime prevention, therefore the SAPS can work together with the private security sector to patrol as a way of reducing the opportunistic circumstances for the commission of the crimes of house robbery and subsequent rape.

8.11. STUDY OVERALL CONCLUSION

House robbery and subsequent rape are crimes that occur simultaneously and this was proven from this study. The study aimed to analyse the motivational factors of committing rape in a crime that started as house robbery. The study highlighted opportunity, unstable family background, substance use, aggression, dominance, vulnerability, and mob mentality as the contributing factors. Furthermore, the power dynamics of house robbery and rape were analysed and the identified entails the use of weapons, identity hide, the feelings during the commission of these crimes and methods and tools of entry. The second objective entails whether the presence of a male guardian has any effect on the power dynamics and it has been proven to be true. The male guardian is seen by the perpetrators as a threat that needs to be neutralised timeously for the successful accomplishment of the crime.

A focus was further shifted to the experiences of the social workers and the clinical psychologists as the caregivers of the offenders inside the correctional centres in terms of the rehabilitation programmes. It has been highlighted that different rehabilitation programmes are offered to the offenders of house robbery and subsequent rape, which are needs-based. However, the researcher opined that there should a programme that is tailored made for the offenders of house robbery and rape given the circumstances surrounding the commission of these crimes. A conceptual model was formulated to explain to respond to rape committed in a house robbery.

The researcher recommends that positive socialisation plays a vital role in the shaping of a person in terms of resisting criminal activities. The regulation of liquor should be tackled as a matter of urgency because most of the offenders came from liquor outlets before the commission of their crimes. Similarly, those who do not comply with the conditions of supplying liquor should be given harsher punishments such as revoking their liquor licenses. The reckless consumption of liquor does not only lead to criminal activities, it is further detrimental to the health and wellbeing of an individual. That is, serving liquor to already intoxicated people may lead to binge drinking.

Concisely, the purpose of this study was achieved such that it filled in the literature gap and the findings can be used by the academic community as the basis for future research. Overall, the findings obtained from this study can be used as a source of

information for the crime intelligence within the SAPS. In addition, house robbery and subsequent rape are under-researched, and this study can be beneficial for future researchers who may be interested in investigating any subject matter related to this research. Furthermore, the research findings from this study can form a basis for the DCS community in terms of rehabilitation programmes evaluation for the offenders associated with these crimes.

8.12. FUTURE RESEARCH STUDIES

To respond to the limitations encountered in this study, future research studies can be based on the following:

This study was limited to rape that is committed in a house robbery. Future researchers can explore rape in the context of murder, genocide and many other crimes to discover whether it is used as a *MO*.

This study was further limited to only two provinces of South Africa, namely, and GP and LIM Province respectively. Further research can be undertaken and extended to other provinces.

The researcher interviewed the offenders, social workers and the clinical psychologists in the DCS Centres but the victims of house robbery and subsequent rape were excluded. For future research, the victims of these crimes can be included.

There is a need to study the rehabilitation programmes offered to the offenders associated with these crimes. Future studies can be channelled towards the effectiveness of these programmes towards the rehabilitation of the offenders of house robbery and subsequent rape.

This study established that the presence of a male guardian inside the targeted house influences the power dynamics wherein the offenders develop a fear of failure. Therefore, future research can analyse the power dynamics between the male guardian and the offender during the commission of other crimes.

There is a need to further explore the aggression that the offenders of these crimes experience when they cannot get the household goods or money in the targeted

house. That is, what triggers this aggression over the material possessions that do not belong to them.

Future research can focus on the effectiveness of the prosecution processes of the crimes of house robbery and subsequent rape.

This study was a qualitative research guided by GT research design, future research can use mixed methods (Qualitative and quantitative research approaches) to analyse the phenomenon of house robbery and subsequent rape.

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APPENDIX A: INTERVIEW SCHEDULE GUIDE

Dear participant

My name is Lekgau Khomotjo, a PHD student at the University of Limpopo. The interview is about 'Rape committed during house robbery: A grounded theory analysis'. There is no right or wrong answer, just the lived experiences of you as a participant. Participation in the interview is voluntarily and you are allowed to withdraw at any time if you do not wish to continue. I promise that the information obtained from this interview will be treated with confidentiality. Your name or any personal identification will not be required so as to maintain anonymity.

Thank you and I look forward to your participation.

Lekgau Khomotjo (PHD Student)

University of Limpopo

Department of Criminology and Criminal Justice

Khomotjo.lekgau@ul.ac.za

015 268 3146

SECTION A: Biographical information

- a. What is your age?
- b. What is your level of education?
- c. Were you employed before committing the crimes?
- d. Was this your first offence? Elaborate your answer.
- e. Have you ever committed these crimes before?

SECTION B

B1: To explore the motivational factors for committing rape during a crime that initially started as house robbery

Did you enter the premises with an intent to rape?

If no, given that rape was not your initial motive, what motivated you to commit such an act?

Did house robbery contribute to the commission of rape?

Can you commit an ordinary rape?

Do you think you can commit rape during house robbery again?

B2: To gain insight into the power dynamics during house robbery and rape.

Were you carrying any weapons when committing these crimes?

Did you take any steps to hide your identity?

How did you feel during the commission of the crimes?

Were you intoxicated during the commission of these crimes?

What kind of methods and tools did you use to commit these crimes?

B3: To determine whether the presence of a male guardian affects the power dynamics of house robbery resulting in rape.

- Was there a male guardian with the victim during the time of these crimes?

How did you select the households for the commission of these crimes?

B4: Objective 3: To assess the experiences of clinical psychologists and social workers in responding to rape committed in house robbery

What is the family background of the offenders of house robbery and subsequent rape?

In your view, what motivates the offenders of house robbery to further commit rape?

What kind of programmes and assessments are offered to the offenders of house robbery and subsequent rape?

How do the offenders of these crimes respond to the programmes offered by the social workers and clinical psychologists?

Do the offenders of house robbery and subsequent rape cope in the correctional centres?

What kind of support systems do you offer to the potential offenders of these crimes?

APPENDIX B: INFORMED CONSENT FORM

PROJECT TITLE: Rape committed during house robbery: A Grounded Theory analysis.

PROJECT LEADER: Lekgau K

I, _____ hereby voluntarily consent to participate in the following project: **Rape committed during house robbery: A Grounded Theory analysis.**

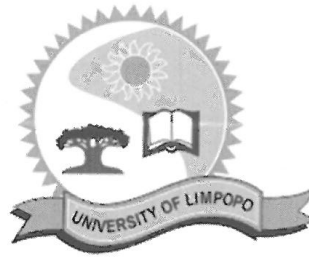
The research project, the extent, objectives and techniques of the analysis, have been clarified to me. I hereby accept that it has been decided by the Ethics Committee that people may be approached to participate in the research. Access to the documents relating to my involvement in the research will be limited to individuals specifically involved in this study. The researcher will respond to any questions that I may have about the research or related matters. Participation in this research is voluntary and I can withdraw my participation at any stage.'

SIGNATURE OF RESEARCHED PERSON

SIGNATURE OF WITNESS

Signed at _____ this ____ day of _____ 20__

**APPENDIX C: APPROVAL LETTER FROM UNIVERSITY OF LIMPOPO:
FACULTY OF HIGHER DEGREE COMMITTEE**



University of Limpopo
Faculty of Humanities
Executive Dean

Private Bag X1106, Sovenga, 0727, South Africa
Tel: (015) 268 4895, Fax: (015) 268 3425, Email: Satsope.maoto@ul.ac.za

DATE: 23 October 2018

NAME OF STUDENT: LEKGAU, K
STUDENT NUMBER: [200722766]
DEPARTMENT: PhD - Criminology
SCHOOL: Social Sciences

Dear Student

FACULTY APPROVAL OF PROPOSAL (PROPOSAL NO. FHDC2018/3335)

I have pleasure in informing you that your PhD proposal served at the Faculty Higher Degrees Meeting on 17 October 2018 and your title was approved as follows:

TITLE: RAPE COMMITTED DURING HOUSE ROBBERY: A GROUNDED THEORY ANALYSIS

Note the following:

Ethical Clearance	Tick One
In principle the study requires no ethical clearance, but will need a TREC permission letter before proceeding with the study	
Requires ethical clearance (Human) (TREC) (apply online) Proceed with the study only after receipt of ethical clearance certificate	√
Requires ethical clearance (Animal) (AREC) Proceed with the study only after receipt of ethical clearance certificate	

Yours faithfully


Prof RS Maoto,

Executive Dean: Faculty of Humanities

Director: Prof SL Sithole
Supervisor: Prof CJ Roelofse
Co-supervisor: Prof J Barkhuizen

Finding solutions for Africa

**APPENDIX D: APPROVAL LETTER FROM UNIVERSITY OF LIMPOPO:
TURFLOOP RESEARCH ETHICS COMMITTEE**



University of Limpopo
Department of Research Administration and Development
Private Bag X1106, Sovenga, 0727, South Africa
Tel: (015) 268 3766, Fax: (015) 268 2306, Email: Makoetja.ramusi@ul.ac.za

TURFLOOP RESEARCH ETHICS COMMITTEE

ETHICS CLEARANCE CERTIFICATE

MEETING: 18 November 2020

PROJECT NUMBER: TREC/08/2019: PG - Renewed

PROJECT:

Title: Rape committed during house robbery: A grounded theory analysis.
Researcher: K Leggau
Supervisor: Prof J Barkhuizen
Co-Supervisor/s: Dr W Maluleke
School: Social Sciences
Degree: PhD in Criminology

PROF P MASOKO
CHAIRPERSON: TURFLOOP RESEARCH ETHICS COMMITTEE

The Turfloop Research Ethics Committee (TREC) is registered with the National Health Research Ethics Council, Registration Number: REC-0310111-031

Note:

- i) This Ethics Clearance Certificate will be valid for one (1) year, as from the abovementioned date. Application for annual renewal (or annual review) need to be received by TREC one month before lapse of this period.
- ii) Should any departure be contemplated from the research procedure as approved, the researcher(s) must re-submit the protocol to the committee, together with the Application for Amendment form.
- iii) PLEASE QUOTE THE PROTOCOL NUMBER IN ALL ENQUIRIES.

Finding solutions for Africa

**APPENDIX E: APPROVAL LETTER FROM EMPLOYER/COMPANY:
DEPARTMENT OF CORRECTIONAL SERVICES**



correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

Private Bag X136, PRETORIA, 0001 Poynton's Building, C/O W F Niromo and Sophie De Bruyn Street, PRETORIA
Tel (012) 307 2770

Ms K Lekgau
P.O Box 27 80
Chuenlespoort
0745

Dear Ms Lekgau

**RE: APPLICATION TO CONDUCT RESEARCH IN THE DEPARTMENT OF
CORRECTIONAL SERVICES ON: "RAPE COMMITTED DURING HOUSE ROBBERY:
A GROUNDED THEORY ANALYSIS"**

It is with pleasure to inform you that your request to conduct research in the Department of Correctional Services on the above topic has been approved.

Your attention is drawn to the following:

- This ethical approval is valid from **15 April 2019 to 14 April 2021**.
- The relevant Regional and Area Commissioners where the research will be conducted will be informed of your proposed research project.
- Your internal guide will be **Ms T Motlonye: Deputy Commissioner: Personal Corrections, Head Office**.
- You are requested to contact her at telephone number (012) 307 2991 before the commencement of your research.
- It is your responsibility to make arrangements for your interviewing times.
- Your identity document/passport and this approval letter should be in your possession when visiting the correctional centres.
- You are required to use the terminology used in the White Paper on Corrections in South Africa (February 2005) e.g. "Offenders" not "Prisoners" and "Correctional Centres" not "Prisons".
- You are not allowed to use photographic or video equipment during your visits, however the audio recorder is allowed.
- You are required to submit your final report to the Department for approval by the Commissioner of Correctional Services before publication (including presentation at workshops, conferences, seminars, etc) of the report.
- Should you have any enquiries regarding this process, please contact the DCS REC Administration for assistance at telephone number (012) 307 2770.

Thank you for your application and interest to conduct research in the Department of Correctional Services.

Yours faithfully

ND SIHLEZANA
DC: POLICY COORDINATION & RESEARCH

DATE: 15/04/2019

APPENDIX F: EDITOR'S LETTER

To whom it may concern,

Re: Confirmation of Editing Services

This letter confirms that the Doctoral thesis of Mrs Lekgau Khomotjo: *Rape committed during house robbery: a grounded theory analysis* has been copy edited and proofread by Dr KD Bal

For any queries please feel free to contact me directly.

Regards

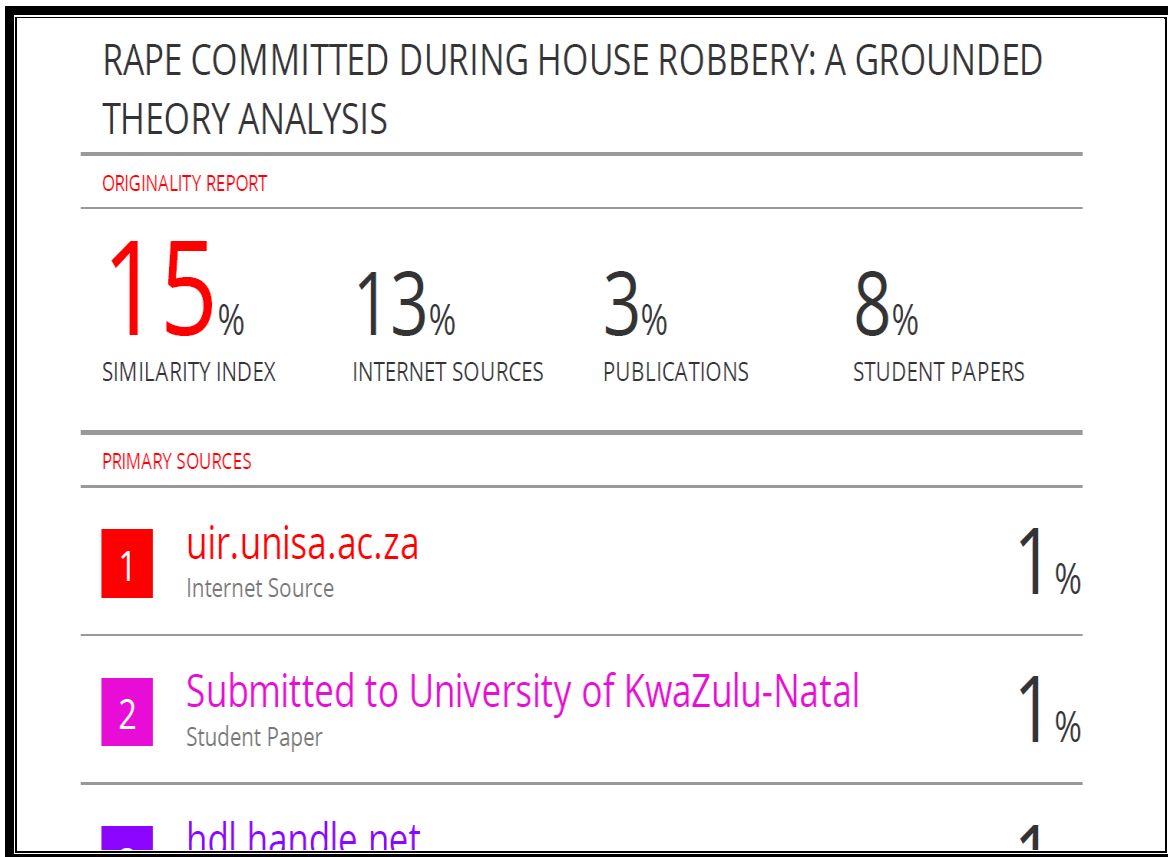
A handwritten signature in blue ink, appearing to read 'KD Bal', is centered on a light-colored rectangular background.


Dr. KD Bal

Email: krisdirk.bal@gmail.com

Cell: 060 90 777 83

APPENDIX G: TURNITIN REPORT






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