Discover Healthier podcast Episode 17: Gender-based Violence: Interview with Trauma Counsellor Lana Snoyman and Attorney from Lawyers Against Abuse, Lindsay Henson. August 2020

	Speaker	Dialogue	
00:00	Azania	I'm now joined by two women who are passionate about making sure that the rights of those who experience gender-based violence are upheld. IT's pleasure to be talking to Executive Director at Lawyers against abuse, and that's Lindsay Henson. She holds a law degree from Harvard Law School and a Bachelor of Science from the University of California. Lindsay has worked with NGOs in India, Bangladesh and the Philippines addressing gender-based violence and other human rights issues and she has experience as well, working with victims of domestic violence and sexual violence in both the criminal and civil legal systems in the United States. Lawyers against Abuse is based in Johannesburg, in Diepsloot. And we're also chatting to Lana Snoyman. Lana has 30 years [of] experience in the trauma field. She has for many years trained counsellors at the South African Depression and Anxiety Group on trauma and coping mechanisms. She also spent 10 years as a volunteer trauma counsellor with the South African Police Service, training new counsellors, setting up victim and counsellor support programs as well as domestic violence and rape support groups. Lana provides training and education to corporate clients on trauma and coping mechanisms. She also has extensive experience in degenerative brain diseases or dementia and has worked with clients with family members and care givers to support them through these conditions. A warm welcome. Let me kick of with Lindsay, what are some of the contributing factors to gender-based violence in our country and how has this pandemic in fact fuelled these factors?	01:40
01:40	Lindsay	I would say one of the big ones is really just the power imbalance that we see existing within a patriarchal system. You see systems both kind of socially and politically where men hold the majority of power and treated superior to women and these lead to perceived norms around sexual entitlement as well. So I'd say that's a big contributing factor as well as just levels of substance abuse and just the intergenerational nature of trauma and violence. So we know that research tells us that children who witness violence in the home are either ore likely to become perpetrators of violence of victims of violence as adults. I mean, there are other reasons, but I think that these kind of help us to get a sense for really how complex and multi-faceted gender-based	03:07

		violence is as a problem. And I mean, speaking to how, I mean the impacts of COVID, we've all seen the reports, you know, both in South Africa and abroad of increased rates of violence in connection with lockdowns and in connection with some of the COVID-19 regulations. And I think some of the reasons for that is really just physical proximity. I mean people are literally trapped in their homes with their abusers, not being able to leave for long periods of time. As well as you have those increased stressors, so financial pressures, food insecurity, other things that are going to lead really to this just kind of almost like a time bomb. I mean, like a hot box of this pressure that happens. So, I mean, I think that those are some of the things that have really led to some of the increases in domestic violence that we've seen over the last few months.	
03:07	Azania	And Lana, what are your thoughts on the contributing factors as someone who has such extensive knowledge of trauma? We are a country ridden with trauma, historical and present, and COVID-19 in itself has also brought on a lot of trauma.	03:21
03:21	Lana	I'm in full agreement with Lindsay. Her points taken on the patriarchal society, all these various influences. The various crutches such as drugs and alcohol, the peer pressure, the financial demands, or the economic stresses are just at a record high and now more than ever, Azania, the sense of loss. Loss of self-esteem, loss of jobs, loss of choice and loss of freedom of movement is leading to a tremendous amount of frustration and anger.	03:47
03:47	Azania	That gives us a sense of what contributes to the levels that we see, the levels of violence. But when we also deal or talk about those that the violence is directed to, some people don't understand why it's important to refer to them as survivors and not as victims. So, Lana what is the thinking behind that and what is the power of this language in this fight against gender-based violence?	04:12
02:02	Lana	It's very important. We want to empower these victims as much as possible and by labelling them as victims, it's putting them in a box of a lack of coping. We need to empower them rather as survivors. It has [positive] connotations, it's more empowering, there's hope for them to look forward.	04:32
04:32	Azania	And Lindsay, with the work that you do as well, do you see this disempowerment and empowering of victims, when they're referred to as survivors, when they step into this idea of surviving this trauma?	04:43

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04:43	Lindsay	Yeah, in the work that we do, I mean our clients that we're working with, almost immediately after violence has occurred in many instances and so the language that we do use in [04:54] to our clients is as victims because at the point at which we engage with them, they are very disempowered and for us, really it's up to the individual themselves and we're certainly trying to move our clients from a place of identifying themselves as victims to identifying themselves as survivors and that's certainly the process that we accompany them through but for us, the point at which we engage with our clients, they've survived in the sense that they've physically survived an attack but they're not necessarily survivors in that they've now been able to overcome necessarily, they are at the point of overcoming.	05:25
05:25	Azania	So it's on a continuum, you're in a journey, on a process towards this empowerment of being a survivor.	05:32
05:32	Lindsay	Exactly.	05:33
05:34	Azania	So, Lana, for those that are listening to this and those who may not have any insight into gender-based violence, how do you explain this crime and its impact on a victim?	05:46
05:46	Lana	Well, you might very well find that this is not normal behaviour. It the forage, you need to first recognise that increased aggression for social affirmation, a dependency on various drugs, on alcohol for example, poor self-esteem and control mechanism being manifested exacerbates the anger and will ultimately lead to an outburst of aggression on said person and most often it's in close proximity. So, living under the same roof, someone very familiar will be the abuser.	06:24
06:24	Azania	And can we also explore the impact on a victim?	06:28
06:29	Lana	The impact on victims [6:30] Because very very often they are beaten down mentally before the physical abuse starts. It would start off as mental sarcasm, it can start off as negation, it can start off as bullying until such time that this poor person is feeling so beaten down emotionally, they are then more vulnerable to the physical abuse and that's how it actually starts and manifests. They don not fear words and they start believing what the abuser is accusing them of.	07:03
07:03	Azania	And Lindsay, and your views on this in terms of explaining what this crime is all about, because it is a crime and there are statutes that tell us what the punishment should be, but you also get to see, we talked about a continuum, how victims are affected and impacted by it.	07:21

07:22	Lindsay	Sure. So, we define or explain gender-based violence as a term or a concept is, as violence it's perpetrated against you because of vulnerability associated with your gender and so this would include all	08:25
		vulnerability associated with your gender and so this would include all forms of sexual violence, domestic violence, and child abuse. And we know that while anyone can be a victim of this kind of violence, the type of violence really disproportionally affects women and girls both in South Africa and around the world. And so if we think of the kinds of impacts that this violence has, you know, notwithstanding the obvious physical impact that physical or sexual violence would have on a person, we know that, as Lana mentioned, that gender-based violence often results in significant mental health distress for its victims. Things like clinical depression, post-traumatic stress disorder. You know, there are other psychological consequences, like fear, helplessness, humiliation, feeling guilty or shameful because of what's happened to you. Suicidal thoughts or attempts. And unfortunately, if these aren't treated, then these aftereffects really compound and can really cause this trauma and the aftereffects of the trauma to be debilitating for an individual unless they get the necessary help.	
08:25	Azania	I guess that also speaks to the challenges that victims of GBV face. There are many of these challenges, from finding the courage and the support that is needed to report this experience to say engaging with the police, that in itself retraumatises, and sometimes these matters being dismissed outright, so you're denied justice and even more when it comes to testifying in court. Can we chat about these issues? About this seeking of justice and sometimes and often how this adds and compounds the challenges that a victim is faced with. Lindsay, I'll start with you on that.	09:01
09:02	Lindsay	Yeah, I mean unfortunately, it's pretty common knowledge that victims will experience what we call secondary victimisation in their pursuit of justice as you mentioned from being even just turned away by the police or maybe even before they get to the police, the first person that they tell, doesn't believe them or tells them, you know, keep quiet. Maybe the perpetrator is also the breadwinner and so when violence or abuse is disclosed and they're just told to keep quiet, to not cause problems and then if they go to the police and maybe the police don't assist or turn them away. Or, you know, they experience victim blaming, attitudes or mentalities by the police or even in their own communities. SO questions like, what were you wearing, why were you out at night? Those sorts of things. Or even the police, you know, maybe even encouraging them to drop the case or negotiate for damages, you're not going to win in any case. All the way to, when testifying in court, you know victims often, our clients find this	10:51

		extremely retraumatising just even having to face, now physically face your perpetrator for some for the first time since the attack, to the nature of questions that get asked on cross examination in terms of the way that the justice system is meant to work and in trial it's meant to test the credibility of witnesses but oftentimes the way and the nature that these questions are posed to a victim is really retraumatising. And, again, for a lot of people, it's the first time that they've even had to retell their stories, possibly since the time that they reported it in the first instance to the police. And many of them are doing it maybe without having any sort of therapy or counselling in the years that have passed since then. SO I mean these are just some of the challenges that victims experience and then not only just ongoing delays, I mean the length of time that it takes actually for a case to reach trial, for the very few, small percentage of cases that actually reach trial, the amount of time is very discouraging to victims and oftentimes, victims will withdraw because they don't actually have space in the justice system that they're going to ever see their day in	
10:51	Azania	court, or that the justice system will work for them. And Lana, as someone who deeply understands trauma, this picture that Lindsay has just outlined, what does this do to someone who's	11:01
11:01	Lana	already experienced trauma? Well they are fully emotionally beaten down, once it gets to a stage of physical abuse, as I say, there's that feeling of complete voicelessness. Will anybody believe me? Where do I go from here? The threat of suicide is very, very high amongst these who are—and I do use the victim at this point because I do agree with Lindsay's point that at the moment and at the height of the trauma, they are definitely victims and the survivor mode comes in at a later stage, helping them to develop further. So, at this point in time, they are captive, they are terrified, they are beaten down, they are emotionally and physically abused. If they find solace in perhaps in a trusted friend and perhaps a religious leader, a teacher, a SADAG counsellor, a social worker, a lawyer, a police officer perhaps, the very few that are respectable and are not going to revictimize, retraumatise them. We've got to try and send out an alert to a trusted person who can help take them through this journey.	12:08
12:08	Azania	Yes, so otherwise, that beating down that you referred to just goes deeper and deeper.	12:14
12:15	Lana	Quite right.	12:15

12:15	Azania	A popular question, ladies, is about signs. This is a question that I've encountered where people say are there any signs that women and also male victims you know, are there any signs that you might look out for that you can connect with or just try and recognise before entering into a relationship with a person who is capable of or who will perpetrate GBV in the future. Is there such a thing? What are those signs?	12:44
12:44	Lindsay	So for me, some of the things that we advise, and we do workshops consulting and things like that is jealous behaviour. It's often a precursor to violence. Some of the tactics that will be used will be around isolation, so they'll try and keep you from friends, keep you from your family and I mean this isn't always done in obvious ways but in more subtle ways and as Lana indicated previously that this violence just, it escalates. It's not you're in a perfect relationship and then the next day you're being choked, it's often it'll be then verbal abuse, kind f that bullying behaviour and then, even when it becomes physical, then it'll be a slap or a push or you know, and then the violence just continues to escalate from there. So I think that those are some of the top warning signs that I would identify in a relationship. If you're starting to see that kind of behaviour in a relationship, then I would definitely say it'd be important to get out.	13:36
13:36	Azania	And Lana, you know I keep referring to your wealth of experience in trauma counselling, you've had over 30 years of doing this work. How much of your work has dealt with GBV specifically?	13:48
13:48	Lana	Oh gosh, Azania I would say 30%.	13:51
13:51	Azania	Ja, it's very prevalent in our society. And what about now during COVID-19?	13:55
13:55	Lana	Wow, I had never ever seen so much abuse, domestic violence. I've never seen it as high in my entire professional career it's absolutely beyond anything I've ever experienced and it's obviously been exacerbated by the sale of alcohol or the lack of cigarettes or the sudden withdrawal of alcohol and the lack of cigarettes and or drugs etc etc. So the coping mechanisms and choices have been withdrawn from people's lives. There's no control, there's no choice. And this has resulted in tremendous outbreaks of frustration, anger, and bursts of rage.	14:30
14:30	Azania	And what are the possible ways of seeking help if you are in a GBV situation?	14:36

14:36	Lana	Right. So, if you have the safety network of friends and family, I would seriously suggest you start making very subtle plans to move on out in secrecy. To make a backup plan. Even in these very difficult times, if you can save a little bit of money every single month, to put an emergency fund away so that you can support yourself or for your children. You're subtly picking up and moving clothes and essential items to a safe house, a safe space, under very tight controls where your identity will remain secret and your move will remain private. That is the immediacy of trying to extricate yourself from this urgent situation.	15:20
15:20	Azania	So be quite systematic, start to prepare because we often think that you should just remove yourself you know, cut yourself out of that situation but the advice clearly is that in order for that to be successful, you need to plan for it. DO we see that when there is a lack of planning that this is a vicious cycle that continues?	15:41
15:41	Lana	Yes, because you do tend to find that if they don't take care of their own [15:46] their own space, their personal safety, that of themselves and their children something falls through insofar as contact numbers are left where the perpetrator can access that, they know the family details. So, I cannot stress enough how important privacy is concerned and trust. Trust is absolutely paramount in who that person is turning to. A friend, a teacher or whosoever they feel they might be able to hide out until such time they have the strength to take it further [16:19] a social worker or a policeman or an influencer.	16:23
16:23	Azania	And what about those who may be friends or family to someone who's experiencing gender-based violence. What is the crucial first steps towards the right direction in providing assistance and support?	16:35
16:35	Lana	I would definitely say so, yes. It's a more friendly environment where you're not dealing with a stranger who you don't know how they'll respond. Will they believe you? Will they not? I would definitely go the safe route of turning to those you have a close bond and relationship with whom you do feel safe enough to reveal your trauma.	16:56
16:56	Azania	And if someone does reveal their trauma to me say as a sister, as a relative or as a friend, how should I hold that space for them? What is my role? What is the best way to support them?	17:09
17:09	Lana	The best way to support them is to stress confidentiality and that you will hold them in a safe space as long as required and you will try and support them emotionally, physically as much as you can. If it's	17:43

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		including them, bringing them into your family home, if it means providing for them temporarily, a safe space financially, whatever it might be. It's to try and give them that encouragement and that hope that there is a procedure forward. There's a way going forward. A trust.	
17:44	Azania	A lot of people are referred to you via SADAG, the South African Depression and Anxiety Group. So is that the best way to be able to access you?	17:53
17:54	Lana	Well you can contact me on Skype. My handle is lana.snoyman. L-A-N-A dot S-N-O-Y-M-A-N or otherwise my email address is L-A-N-S-N-O-Y at Hotmail dot com.	18:08
18:08	Azania	Fantastic. Just stay with us, Lana I just want to wrap some of these details as well that are involved in the journey of moving from being a victim to being a survivor with Lindsay. So, Lindsay does the legal side of the process, when does that kick in exactly? When does the legal process have a role to play in turning the tide on GBV?	18:28
18:28	Lindsay	I think that the legal process has an incredibly critical role to play. I think that holding perpetrators accountable for their actions is actually critically important because when perpetrators are held accountable, not only are they themselves prevented from continuing to perpetrate violence either toward that victim or other victims, but it then sends a much broader message that these crimes actually aren't going to be tolerated which then can act as a deterrent for other would-be perpetrators. SO, I would say that you can't say it enough. Like, it can't be overstated just the importance of having a strong responsive and effective criminal justice system response is in the fight against gender-based violence.	19:04
19:05	Azania	Now, the work that you do with Lawyers Against Abuse, you're based in Diepsloot, but you also support women cross South Africa. Tell me more about your efforts.	19:12
19:12	Lindsay	Sure. So, our centre in Diepsloot, we run a walk-in centre there we have a multi disciplinary team. SO we have lawyers, [19:20] therapists, community workers who are then providing comprehensive services to our clients. So that's both legal services assisting with protection orders, providing them ongoing comprehensive support in criminal cases as well as then providing individual and group therapy and counselling. But then you know, unfortunately, because of our own limited capacity we're only able to then provide a full scope of services to the residents of the Diepsloot community and so what we then offer, just because there is very limited direct legal services available and	20:22

		accessible for victims of violence and so what we do offer is we provide then, just legal counsel or basically legal advice to people who contact us from all over the country and that's via email, via phone, via our website, via our Facebook. People contact us in a number of ways just asking questions around you know, what are their rights, this is what's happened, what actions can they take, you know, how do you get a protection order or you know, if there's misconduct in a criminal case, like what actions can they take? Those sorts of things. So again, that advice is offered to anyone and it's offered for free.	
20:22	Azania	I want to stay with that for a moment because I want us to talk about legal remedies that are available to victims of GBV and maybe if we could just go through them. You mentioned protection order for instance so what are the protections and rights available to victims of gender-based violence?	20:39
20:40	Lindsay	Sure. So, a protection order is a remedy that's then on the civil side and it's under the domestic violence act and that's where if there's a pattern of domestic violence or even a single act of domestic violence, the act defines domestic violence quite broadly so it's not just physical abuse, but it's physical abuse, sexual abuse, verbal abuse, economic abuse, it's quite a broad definition. Then the individual can approach the court and apply for a protection order. If they go through the process, first they would get a temporary or an interim protection order which would then need to be served on the individual and then they go back for a final hearing where they get a final order issued. But if that final order is issued then depending in the circumstances, the terms of the order would then be customised to your circumstances. You know, all orders, it's a standard term to say this individual cannot commit another act of domestic violence against you but it can also include terms like they can't contact you at all or they can't come to your home or they can't come to your work, those sorts of things. And if then the individual, the respondent, the perpetrator of violence violence and it becomes a criminal offence now which is called a contravention order those terms, then the victim can then open a criminal case and it becomes a criminal offence now which is called a contravention order. And one of the great things about protection orders is that they actually never expire so you could get one in place now and then if it's violated in 5 years' time, that protection order is still valid. You can still go to the police and say that this protection order has been violated and then it becomes a criminal offence. That's on the civil side and one of the great things is that these domestic violence courts are really designed in a way that they're meant to be accessible to the victims,	22:54

		so they're meant to be very victim friendly. You actually don't need your own representation, so you don't need to get a lawyer. You can go in a represent yourself, they're quite informal in that the magistrate could ask you questions, could ask the respondent questions as well. So I think that's one of people's big concerns is "I cannot afford a lawyer" therefore they're not going to explore any form of a legal remedy. This is one that's meant to be again very user friendly, you can download the forms online, fill them out in advance or if you don't have access to the internet, you can just go to your nearest magistrates court, say you want a protection order and then the clerk will advise you on how to complete the forms.	
22:55	Azania	And what about protections and rights that are available to people when they are navigating the criminal justice system?	23:01
23:01	Lindsay	Sure. So, within the criminal justice system you'd have, typically have assaults, or assault GBH if the assault is more serious or obviously rape or sexual assault there's a wide range of other sexual offences that are defined. But again, South Africa's legislation, it's very expansive, it's very victim centric and it does provide rights for victims of violence. So for example, victims of sexual violence in particular, they can report their crime at any police station. So with other kinds of crimes, you actually have to report to the police station where the crime happened or where you live but with sexual violence crimes you can actually report at any police station and you can report at any time so it doesn't have to be reported immediately after the incident took place or a week later or 2 weeks later you can actually report sexual crimes, rapes and other form of sexual violence at any point, although it is better to report you know sooner rather than later just for the collection of evidence and then a couple of other rights it's important for people to be aware of is you also, in sexual violence cases you have the right to give your statement in a private room and you also have a right to give your statement to a female police officer if you prefer that. So you would just need to express that when you are reporting that crime. To have privacy, to obviously uphold somebody's dignity and their privacy to be able to share those details in a private space I think is really important.	24:20
24:20	Azania	Yes, but we know that what is within the law is not necessarily what happens in practice so what recourse do victims have if they go to the police and they're turned away? We spoke to the founder of the Tears foundation and she formed that organisation precisely because when she was a victim of gender-based violence, she turned to the police and she simply did not receive the help that she required and so that	24:51

		led her to form the organisation. SO what recourse do we have if this is our experience with the police?	
24:52	Lindsay	I mean the best thing, this is what we advise people who contact us, the best thing is if you encounter a challenge, so if you go to the police station and you're not assisted, either you're turned away or they're not helpful then you have a right to speak to you know what is called the branch commander. So the vispol which would be the officers that you would engage with, the visible policing, those are the officers that you would make the initial report to. SO you can demand to speak to the vispol branch commander. Or, if they're not available, or you can't have access to them, to speak to the station commander correctly and to lay a complaint basically for the service or the lack thereof that you've received. And similarly, if you've already opened a case and maybe the investigating officer that's been assigned to your case, you haven't heard from them or there's been instances of misconduct or poor behaviour, that's any sort of really any sort of concern that you have. Similarly, you can ask to speak to the detective branch commander or even the station commander again. SO that's what I say and if they're not helpful you carry on kind of going up the ladder, up the chain of command. And I know it's easier said than done especially if you're feeling quite disempowered to be able to like go and be this assertive but those are your rights and you do have the right to do that.	25:58
25:58	Azania	Yes, I just keep thinking of what Lana has said you know about how victims are often beaten down. That it's a process and there's often very little reserve left. Not only to seek justice but to keep going this ladder as you've described.	26:12
26:12	Lindsay	A lot of the work that we do in our organisation is walking again, you know journeying with the client and journeying with them throughout this process and so intervening on their behalf when it comes to engaging again with state actors. And unfortunately we wish that our organisation was just everywhere because we do get contacted and it's hard for us as well when they're saying "Well, the police officer handling my case has done 1, 2, 3 or isn't doing 1, 2, 3" you know but they maybe don't feel confident enough or comfortable enough to go and demand to speak to the station commander. You know, we of course wish that we could go and help them but unfortunately, we are just in Diepsloot at the moment.	26:46

26:46	Azania	And I guess there are also other support channels within this network? Other organisations, hotline and so on. DO you recommend victims to know about these and also of course to utilise them in this journey?	26:57
26:57	Lindsay	Definitely, I mean there are a few national ones which I think can be helpful for 2 reasons. 1, they can help try and connect you to other resources that exist in your communities. So, I mean, I can't provide much practical assistance to somebody who's in the Western Cape but perhaps I can help refer them or they can get the contact details for other organisations that are based in their communities. So, a few of the big ones are, the national DSD hotlines, so that's been advertised but the number is 0800 428 428 and there are also a couple of other like 24-hour hotlines or counselling lines. One's run by ChildLine and that's for children, victims of child abuse and so that's 080 055 55 55. Also lifeline is also an organisation that runs a 24 hour counselling emergency hotline and their number is 0861 322 322 and I'm sure Lana would have spoken about the tears hotline so you could contact them and they then help connect you to other services in your community as well.	28:03
28:03	Azania	You both have been so insightful and as we wrap, I just want to get some final comments from you. Lana, what is your central message to women out there, to victims out there as well as to perpetrators of gender-based violence?	28:16
28:17	Lana	To the victim I would say, please believe. Believe that there is hope for you. There is so much that we would like to do to assist. If you just listen to what Lindsay's said, she can open so many avenues to assist your legal route. We as counsellors can definitely assist you, to take you on the journey to hand you to and through the legal system. But to believe that you are worthy of a good life. You are worthy of the greatest self-esteem. Believe in yourself, that abuse is not normal, that the life we are living at the moment, in very close proximity to our abusers is absolutely abhorrent and it's not normal, and it shouldn't be normal. So there is light. Please reach out. Please believe in yourself that there is a better chance for a better life if you trust yourself, trust your gut instincts and reach out for assistance. To abusers, understand your need for control and dominance, we will get you, in some manner or form. Lindsay will tell you; they cannot have the final say or the final hand. This need to control, dominate, abuse has got to stop. And it comes with education, it comes with lots of training and if the men are feeling out of control, there are men's support groups, there are male support groups that they can turn to for reaching out and for support to try and break down the aggression and their feelings	29:56

		of frustration, their loss of self esteem etc etc. So, there is help for them as well.	
29:56	Azania	Lindsay, a final word from you?	29:58
29:58	Lindsay	I would echo a lot of what Lana has said. I would say to women, you are not alone. What is happening to you or what has happened to you is not your fault, that it is wrong and that there are individuals and organisations that are ready and willing to help. SO to speak out and to keep speaking out until you find the help that you need. And also to perpetrators, to understand that what you're doing is wrong and is having life-long consequences for the women and children that you're hurting, so to stop and to get the help that you need to do so.	30:26
30:26	Azania	Yes, incidentally, we spoke to Sasha-Lee Olivier, Miss South Africa, 2019 and she has a whole campaign as well around #itsnotyourfault just to echo your words Lindsay. Thank you so much to both of you. I think this has been an incredibly important conversation to be had. Thank you, Lindsay, and thank you Lana.	30:46
30:46	Lindsay& Lana	Thank you very much Azania Thank you, Azania,	30:48