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An exploratory study on the factors that contributed significantly to the criminal behaviour of the first-time youth offenders enrolled in a life skills residential diversion programmes at Walter Sisulu Child and Youth Care Centre in Gauteng.

By

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A dissertation submitted in partial fulfilment of the requirements for a Master's Degree in  
Social Science at the University of Cape Town

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## PLAGIARISM DECLARATION

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## **ABSTRACT**

The overall aim of the study was to explore factors that could be associated with criminal behaviour of youth offenders diverted in the life skills residential diversion programmes at Walter Sisulu Child and Youth Care Centre, so as to contribute towards a better understanding of their profile. Therefore the study explored the participants' family backgrounds, the circumstances surrounding the committal of their offences and their responses to the offences they were diverted for in the life skills diversion programmes.

An exploratory-descriptive type of a qualitative design was adopted in this study. A semi-structured interview schedule was used as the research instrument for conducting in-depth face-to-face interviews with the participants. The study had one set of target population; who were 18 youth offenders (both male and female) between the ages 14-17 attending life skills residential diversion programmes at Walter Sisulu Child and Youth Care Centre.

The profile of the participants seem to indicate that most of them had absent fathers and therefore lacked male figures who could act as role models. The study found that biological fathers of most participants were either deceased, whereabouts unknown, not involved in their financial maintenance or those who had stepfathers, had a bad relationship with them.

The findings indicated that the participants' mothers were unavailable and therefore most participants were taken care of by their grandmothers. However, it seems most grandmothers often failed to supervise their grandchildren properly and as such it created an opportunity for the participants to be mischievous with no consequences for their behaviour. It was also found that violence in the family also contributed significantly to the aggressive criminal offences of some of the participants.

Lastly, the study showed that the influence of drugs and negative peer pressure also played a significant role in the participants' involvement in criminal behaviour.

## **DEDICATION**

To God be the Glory, this study is dedicated to God for all the wonderful talents that He had granted me with. I would not be where I am if it is not for His abundant love and Grace. He is the source of my strength, a way maker.

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O Gule, Malambule, Ndlov'ezadle khaya ngokuswela umalusi, Magwabane weNdlovu, Mduba, Malambule amahle noma engagezile, alale engagezile avuke ekuseni ephuphuzela uboya njengepentshisi. Nina bakwa Nsele ngokuthwala isisila sensele. Nina Bakwaslima esahamb'emvakwamadoda ngamlenze munye ukube sahamba ngaphambili ngabe ukuzange ulunge lutho. NinabakaVondo eladla umhlanga lathi liyawudlakanti aliwudli liwahlawulela. Nina bakwa Nyoni encane uncede eyathatha ubukhosi ngobuqili. Malambule!

I would also like to extend my gratitude to my mentor, Mr Siphosenkosi Ndlovu for his continuous support throughout the course of my research journey.

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## **ABBREVIATIONS**

<b>CBDPs</b>	-Community-Based Diversion Programmes
<b>CJA</b>	- Child Justice Act
<b>CYCW</b>	- Child and Youth Care Worker
<b>CYCC</b>	- Child and Youth Care Centre
<b>DSD</b>	- Department of Social Development
<b>FAMSA</b>	-Families South Africa
<b>NICRO</b>	-The National Institute for Crime Prevention and the Reintegration of Offenders
<b>PO</b>	- Probation Officer
<b>RAR</b>	- Reception Assessment and Referral Centre
<b>RDPs</b>	-Residential Diversion Programmes
<b>RSW</b>	- Residential Social Worker
<b>WSCYCC</b>	- Walter Sisulu Child and Youth Care Centre

## CLARIFICATION OF CONCEPTS

**First-time youth offenders** refers to young people who have been arrested for their offences, both male and female who are aged between 14-17 years, and diverted to life skills residential diversion programme at Walter Sisulu Child and Youth Care Centre (WSCYCC). These youth offenders would have committed schedule 1 or schedule 2 offences such as robbery, shoplifting, and assault with grievous bodily harm according to the Child Justice Act 75 of 2008 (CJA).

**Residential diversion** refers to the process by which a child who had been charged with a criminal offence is referred to a child and youth centre (CYCC) such as WSCYCC where they are required to successfully complete a diversion programme in accordance to Section 51(i) of CJA.

**Life-skills residential diversion programme** refers to a compulsory eight-week diversion programme or more in which the youth offender is required to participate and complete successfully so that his/her charges can be withdrawn in line with section 53 (3) (k) of the CJA which states that the child offender who committed schedule 1 offence can be referred for diversion, where he/she will attend compulsory programmes at a specific centre.

**Walter Sisulu Child and Youth Care Centre** refers to a residential facility which caters for trial awaiting and diversion programmes for youth offenders, both male and female between the ages of 14 and 17 years in accordance to Section 53 (3) (k) of the CJA. The staff of WSCYCC consists of directors, social workers, child and youth care workers and security personnel. The centre offers services that focus on growth and development of children in order to prepare them for successful reintegration in the community. It is located in Noordgesig township in Gauteng (South Africa) where the study was conducted.

**Probation officers** refers to social workers who are registered with the South African Council for Social Service Professions (SACSSP) to render probation services according to the CJA, Probation Services Act No.116 of 1991, and 2002 as amended.

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# CHAPTER ONE

## 1 ORIENTATION AND CONTEXTUAL BACKGROUND TO THE STUDY

### 1.1 Introduction

Youth offending refers to the committal of the illegal act by children under the age of 18, who are referred to as minors according to the Child Justice Act 75 of 2008 (CJA) (Gallinetti, 2009). The thesis consists of five chapters. The first chapter introduces and orientates the reader to the thesis, the second one reviews literature relevant to the focus area of the study, the third chapter discusses the research design and methodology of the study, whilst the fourth chapter presents the analysis and discussion of the research data and the last chapter presents the main conclusions and recommendations of the study.

This chapter provides an overview of the study, which will include the contextual background of the study, research focus area, rationale of the study, motivation for undertaking the study, significance of the study, aim and objectives of the study, ethical consideration, challenges and limitations of the study.

### 1.2 Contextual background to the study

The overall aim of this study is to explore the factors associated with the criminal behaviour of youth offenders who have been diverted into the life skills residential diversion programmes at Walter Sisulu Child and Youth Care Centre (WSCYCC) in order to contribute towards a better understanding of their profile and therefore assist stakeholders in properly addressing their needs. South Africa (SA) has seen a growth in the number of youth offenders arrested, charged and convicted of crime over the past years. In 1999, 114 773 youth offenders were arrested, compared to 170 224 in 2002 (Roper, 2005). Roper (2005) further argues that the number of youth offenders sentenced and awaiting trial in Child and Youth Care Centres (CYCCs) had, in 2003, also grown to 4 449 from 3 776 in 2001. Breetzke (2019) found that South Africa is a country that has high crime rates, it has increased from 617 210 in 2018 to 621 282 in 2019/2020. In SA, youth offenders receive different treatment from the criminal justice system compared to adults.

The legal system uses the Child Justice Act, Children's Act (38 of 2005), Probation Services Act (116 of 1991) and more, to cater for the needs of children in conflict with the law.

In terms of Chapter 13 of the Children's Amendment Act (41 of 2007), the Department of Social Development is responsible for the provision and management of all CYCCs.

Although many youth offenders are charged and convicted of serious crimes, most of them will return to the community which is why it is important that they learn the skills necessary to function effectively while in the CYCCs (Berg, 2012). In this way, when they are released back to their communities they will not engage in criminal behaviour or violence (Roper, 2005). Muntingh (2009) posits that the life skills programme which is offered by National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) provided positive personal change and behaviour modification on youth offenders who participated in their programme in 1998. It is crucial, then, that life skills diversion programmes attempt to assist youth offenders to deviate from their criminal behaviour to lead a law abiding and productive lifestyle when they are released from the CYCCs (Berg, 2012).

### **1.3 The research focus area**

This research focuses on the factors that contribute significantly to the criminal behaviour of the youth offenders in the residential programmes offered by WSCYCC. The target age group of the research were youth between 14 and 17 years, both male and female. The researcher targeted the aforementioned youth age group because they are the most vulnerable population group as they are exposed to various risk factors within their families and communities. Through social work practice and experience, the researcher observed that youth offenders are normally diverted to in-house programmes whenever they present with uncontrollable antisocial behaviour to their family and when they associate with bad friends. They are also referred for in-house life skills residential diversion programmes when either their home or social environment is deemed uncondusive for youth offenders. Life skills residential diversion programmes were therefore clearly developed to equip youth offenders with knowledge, skills, possible attitudes and equip them with necessary skills to deal with the challenges they are facing (Spies, 2015).

### **1.4 Motivation for undertaking the study**

Driven by the need to understand the various factors that contribute to criminal youth behaviour, the researcher undertook this study after recognising two major concerns. Firstly, as a probation officer (PO), the researcher noticed that an escalating number of first time youth offenders were entering the criminal justice system in the Gauteng province of SA. Secondly, the researcher also noticed that youth offenders referred for the residential diversion programme were more likely to comply with the requirements of the programme,

and therefore complete their programme successfully. Comparatively, those offenders who had been diverted to community based diversion programmes did not attain similar success.

Through these realisations as a PO, the researcher seeks to understand the root cause of criminal youth behaviour, in hopes that these findings will contribute towards a better understanding of the family and social background of youth offenders who are diverted to life skills residential diversion programmes.

### **1.5 Significance of the study**

While previous studies conducted, including Berg (2012), state that youth offenders are highly considered for diversion, there has been no further study into identifying the factors that need to be taken into consideration at court, prior to diversion services. These factors include the family backgrounds of the youth offenders, their wellbeing, socio-economic status as well as the circumstances surrounding the offences committed.

In light of this, this study is significant in adding value by assisting WSCYCC, POs, and all other stakeholders working with youth offenders in diversion programmes to acquire a better understanding of the factors that contribute to the criminal behaviour of the first-time youth offenders. The findings and recommendations this study will provide have the potential to guide these stakeholders in working with youth offenders by addressing the issues they face in their families and the communities they live in.

### **1.6 The overall aim and specific objectives of the study**

The overall aim of the study is to explore the factors associated with the criminal behaviour of first-time youth offenders who have been diverted into the life skills residential diversion programmes at WSCYCC. This is in order to contribute towards a better understanding the motivation behind the offence committed and therefore assist stakeholders in properly addressing their needs. Therefore, in-depth interviews were conducted with 18 participants attending the aforementioned diversion programmes so as to explore the following three main objectives:

1. The participants' family backgrounds;
2. The circumstances surrounding the committal of the participants' diverted offences; and
3. The participants' responses to their diverted offences.

## **1.7 Key ethical considerations**

Ethical considerations assist researchers in taking responsibility for those who participate in their studies (DeVos, Strydom, Fouche & Delpont, 2011). In this particular study, the researcher was careful to comply with the key ethical considerations, and was aware of the big responsibility to be sensitive towards and respectful of the chosen research participants and their basic human rights (Reddy, 2005). De Vos et al. (2011) advises researchers to obtain consent for the information they collect and not at the expense of human beings. With that in mind the researcher received ethical clearance from the Department of Social Development ethics committee at the University of Cape Town prior to undertaking the study and the ethical considerations adopted are described below.

### **1.7.1 Confidentiality**

Confidentiality refers to the researcher keeping information shared by participants confidential, without sharing it with someone else (Strydom, 2005:61). In this case, the researcher ensured that all information shared by the participants was treated with said confidentiality. The participants were also informed about confidentiality once they had agreed to participate in the study and the researcher assured them that the information that they would share in the interviews would be kept strictly confidential. Further, the participants were made aware that only the university thesis supervisor would have access to the information shared, for supervision purposes only, resulting in participants feeling free and comfortable to share. Confidentiality plays a critical role in all social workers and requires them to handle the information confided to them in a confidential manner (DeVos et al, 2011).

### **1.7.2 Anonymity**

Anonymity refers to the non-disclosure of the identities of the participants in the research study (Babbie & Mouton, 2001). In this study, the anonymity of the participants was ensured by making sure that no identifying particulars were used when reporting the findings of the study. In order to keep the participants anonymous, pseudonyms were used during the in-depth face-to-face interviews. Additionally, when coding the research findings, the researcher did not use any identifying information, so that no one would ever be able to identify any of the participants. Information that is shared anonymously ensures the privacy of the participants in a research project (DeVos et al., 2011).

### **1.7.3 Avoidance of harm**

Avoidance of harm refers to the process of protecting participants from either physical or emotional harm (Babbie & Mouton, 2001). Aware of the sensitive topics that could provoke powerful emotional responses, the researcher cushioned the participants from harm through consistent debriefing and facilitating referrals for counselling sessions. Additionally, any sign of discomfort shown by participants during the interviews was recognised by the researcher, who responded with the required sensitivity. It is crucial to researchers to protect participants from any form of discomfort or physical or emotional harm that might emerge during the research project (DeVos et al., 2011).

### **1.7.4 Informed consent**

Informed consent refers to the researcher providing information about the real purpose of a study to the participants or their legal representatives, in order for them to understand the study, and decide whether they want to participate in the research or not (Mugenda & Mugenda, 1999). Consent for participation in this study was obtained from all the participants before they participated in the study through consent forms (See Appendix A) and since the participants were all minors, consent was required from both the participants and their parents who signed the forms too (See Appendix B). When the parents and guardians visited the participants at WSCYCC on weekends, the researcher used the opportunity to negotiate consent for their children to participate in the study and to sign the consent forms. The purpose of the study was explained in detail as the researcher ensured that all the participants were informed about the goal of the study, the expected duration of the interview, and procedures to be followed in the interview.

### **1.7.5 Deception of subjects**

Deception refers to the deliberate misrepresentation of facts in order to make another person believe what is not true, thereby violating the respect to which every person is entitled (Babbie & Mouton 2001). Therefore, all participants in this study were clear about the purpose of this study due to the researcher's honesty surrounding the intention and purpose of the study. Babbie and Mouton (2001) continue to state that under no circumstances should researchers hide the main purpose of the study to participants. At no point, in this study, did the researcher say one thing which could have amounted to deception.

### **1.7.6 Voluntary participation**

Voluntary participation refers to the decision of the prospective research participant's decision whether or not to voluntarily take part in the study (Berg, 2012). There was no

imposition of authority on the participants to participate in the study. The researcher ensured that participation was voluntary as all participants were informed they could freely terminate their participation at any time. Additionally, the consent forms were signed by all the participants indicated that they were participating in the study voluntarily (See Appendix A).

## **1.8 Conclusion**

This chapter presented a contextual background to the study, a discussion on the research focus area and motivation for undertaking the study. The significance of the study and the overall aim and specific objectives of the study were also discussed. The key ethical considerations which were made when the study was conducted were also discussed. The next chapter will present the literature review.

## CHAPTER TWO

### 2 LITERATURE REVIEW

#### 2.1 Introduction

This chapter will discuss, firstly, the theoretical frameworks which underpin this study: social learning, systems, social control, differential association theory and labelling theories. Thereafter, policies and legislation related to youth offending in South Africa will be discussed, namely: White Paper for Social Welfare (1997) and the Child Justice Act 75 of 2008 (CJA). Thirdly, a discussion of the themes in relation to the objectives of the study, as well as the concept of diversion in detail, and the factors that significantly contribute to youth offending will follow. This central discussion will explore the family backgrounds of youth offenders, their criminal histories, peer pressure, socio-economic factors, psycho-social factors and the influence of drugs.

#### 2.2 Theoretical frameworks

A theoretical framework refers to a structure that gives full descriptions of a select combination of theories and models to guide a study as well as introduce interrelated variables that explain the research problem (Hennink, Hutter & Bailey, 2011). This section will discuss theories, policies and legislation which guide the management of youth in conflict with the law in South Africa (SA). The theories selected seem to provide a better understanding of the factors that contributed significantly to the onset of criminal behaviour among first-time youth offenders.

##### 2.2.1 Social Learning Theory

Social learning theory refers to the opinion that people learn by observing others, especially how people learn values, behaviours and attitudes (Akers & Jennings, 2019). This theory explains how children learn and imitate the behaviour of their role models and argues that delinquent behaviour is learned and maintained through non-normative learning processes which could further result in inconsistent behaviour (Akers & Jennings, 2019). This theory is relevant to this study because it explains how the individual, family, peers and community can inspire offending behaviour amongst youth.

Similarly, Korbin (2003) also found that most youth offenders come from home environments where they have experienced violence and is this likely to influence their emotions and aggressiveness. Lastly, Palmer (2013) found that parents who are criminals are

more likely to have children who become offenders too. Consequently, social factors have an impact in child development; hence criminal behaviour may be considered to be the outcome of ways of socialisation of youth in communities. The issue of learnt behaviour will be further explored in the discussion of the research data in Chapter 4. Social learning however has its own shortcoming such that it excludes the determinants of man's behaviour arising from his cognitive functioning and further indicated by Bandura (1971: 150) that "(m)an is a thinking organism possessing capabilities that provide him with some power of self-direction".

### **2.2.2 Systems Theory**

Systems theory refers to a paradigm that emphasises looking beyond the problems presented by the client and explores the complexities and intersections of the client's life (Zastrow, 2010). Zastrow defines this further as the "interaction between the person and interrelatedness of the other systems that he/she interacts with" (2009: 50). Soudien also identifies that "the relationship between the child and the family plays a vital role in the child's life, and children who have a weak relationship with their families end up misbehaving" (2007:4). Similarly, Cabrera, Fitzgerald, Bradley & Roggman (2007) maintain that teenagers become socially and emotionally stable when their fathers are involved in their lives. Therefore, it is clear that families and communities have the primary responsibility towards taking care of children. The limitation of the systems theory is that views violence as a systemic product rather than a product of an individual pathological behaviour (Straus, 1973).

### **2.2.3 Social Control Theory**

Social control theory was formulated by Albert Bandura and it refers to the process that takes place in a social context and can occur purely through observation (Walklate, 2007). This theory explains how criminal behaviour can be prevented among youth through personal control, supervision, setting of social standards and support structures like family and society (Huang, Korsterman, Catalano, Hawkins & Abbot, 2001). The theory is relevant to the study because it emphasises the role of society in the lives of the youth, while encouraging preventative strategies, and support for youth to overcome any form of influence from social factors that lead to criminal behaviour. Siegel (2011) state that children living communities characterized with high crime rate would be able to resist the temptations if they are well monitored by their parents.

Socialisation plays a critical role in contributing to the criminal behaviour of youth offenders, and according to Alexandra and Bennett (2005) delinquent behaviour is highly influenced by society as opposed to biological influences. Hence, Haralambos and Holborn (2008) also argue that much inappropriate behaviour is usually created by society through societal and cultural expectations and these pressures begin during childhood. Sheeham, Stanley & Rhoades (2012) state that children present behavioural problems when they are socially and politically excluded which further leads to their frustration. Additionally, some cultural practices put certain expectations on a specific gender, which further creates unnecessary pressure, however this may differ between time, place and culture (Myers, 2010). Siegel (2011) stated that children living in high-crime communities can be able to resist the temptations if they are well monitored by their parents. The shortcoming of social control theory is that it focuses on the individual's psychological capacity to control impulses rather than on integration with the community (Agnew, 1991).

#### **2.2.4 Differential Association Theory**

The afore-mentioned theory implies that criminality is learned in interaction with others in a process of communication. It states that all criminal behaviours are learned in a process of social interaction and youth offenders are more likely to imitate what they have witnessed (Zavala, Spohn & Alarid, 2019). The theory is relevant in the study in that the study also looked at the involvements of co-accused in committing crime which will be further discussed in Chapter 4.

#### **2.2.5 Labelling theory**

Labelling theory view criminal behaviour as a result of the interaction either from family, peers or even strangers (Grattet, 2011). This theory is relevant in the study in that it provides a very strong link between youth offenders and the influence they are getting from their peers and communities as discussed in Chapter 4. It seems the strong bond youth offenders had with their peers contributed significantly in their commission of the offences. This tendency will further be explored in Chapter 4. The critique of labelling theory has been identified by Sampson and Laub (1997) as cited by Grattet, (2011) that creation of structural impediments to successful reintegration into society such as voting rights and residential restrictions.

## **2.3 Policy and Legislative Framework**

### **2.3.1 White Paper for Social Welfare (1997)**

The White Paper for Social Welfare (1997) emphasises a holistic and integrated approach in working with youth offenders by refusing to view the youth offender in isolation and instead, advocating for youth offenders to receive counselling, in order to easily re-integrate the child with their family upon the completion of diversion programmes. The White Paper for Social Welfare (1997) is consequently relevant to this study for clearly indicating that services for youth offenders services need to range from prevention at community level to treatment in secure facilities such as CYCCs. It further illustrates that, in keeping with the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, juveniles need to be diverted from the into welfare organisations and those erected to render diversion services. The resolution was adopted by United Nations on the 29th November 1985, and the Generic name for this resolution is “The Beijing Rules”. Part two of the resolution, sub section 10 (Investigation and prosecution) discusses diversion. Chapter 8 of the Child Justice Act focuses on the diversion. Part 2.2 (a) of the Beijing Rules clearly indicate that child offenders’ matters should not be treated as adult matters. Guiding principles 3 (b) of Child Justice Act 75 of 2008 concurs with the afore-mentioned rules.

### **2.3.2 Child Justice Act 75 of 2008**

Child Justice Act 75 of 2008 (CJA) is a piece of legislation that was developed to create a criminal justice system for children in conflict with the law; it involves criminal capacity, pre-trial release and detention, diversion and sentencing of convicted child and youth offenders (Wakefield & Wildeman, 2011). The CJA is discussed in this study as it is legislation that informs PO’s of what is expected of them, providing a guide on how to deal with youth offenders in conflict with the criminal justice system. It informs the relevant stakeholders on how to deal with youth offenders and also offer diversion options, of which one of them is the detention of youth offenders at the CYCCs such as the WSCYCC. As laid out in the CJA (75 of 2008), there are minimum diversion guidelines, which state that youth offenders need to take full responsibility for the offence committed and should be remorseful for diversion to be granted (Section 52 (1) (a)). As a practicing PO, the researcher observed that taking full responsibility for the offences committed is very complicated and it is one of the research sub-themes that is explored in detail in the discussion of the research data Chapter 4.

## **2.4 The concept of diversion**

Diversion refers to the process of referring youth offenders who have “committed offences, in cases where there is enough evidence to prosecute, away from formal criminal justice proceedings to informal procedures as recognised by the legislation” (Sloth-Nielsen & Gallinetti, 2004). Krisberg and Austin (1993) explain that diversion is implemented with the intention of decreasing the number of youth offending and proceeding through the criminal justice system at the initial stage, but it had the opposite effect as the number of youth offenders keeps escalating. Muncie (2005) argues that increasing the use of prevention initiatives has an effect of bringing youth offenders’ population under formal control.

Diversion, in chapter 8 of the CJA (75 of 2008), was meant for dealing with the child out of the formal criminal justice system. The programmes therein were created for the purpose of healing, understanding the consequences of the offence committed and rehabilitation on the part of the young offender (Gxubane, 2004). They also promote justice for all affected parties: the community, the victim, the offender and the judiciary are served (Reddy, 2005). Section 55 (2) (C) of the CJA (75 of 2008) argues that diversion should include an “element which seeks to ensure that the child understands the impact of his or her behaviour on others, including the victims of the offence, and may include compensation or restitution”. In light of this, national policy framework established by the Department of Social Development created a systemic approach to ensure that all organisations offering diversion programmes in SA are accredited. Additionally, it is their mandate to make diversion services accessible to both urban and rural areas in terms of section 56 (2) (iii) of the Children’s Amendment Act, 41 of 2007.

Research indicates that life skills training are the foundation of most development programmes for youth in conflict with the law (Collins, 2004). Youth offenders are usually referred to diversion programmes based on their best interests and every child deserves equal access to diversion regardless of their race, gender, ethnicity or disability (Steyn & Louw, 2012). Life skills diversion programmes are aimed at promoting dignity and the wellbeing of the youth offenders, and look at the psycho-social factors that could have resulted in their delinquent behaviour (Naidoo, 2007). According to Cowley (2003) these programmes recognise that children make mistakes but their protection must be secured, hence life skills are necessary to empower the child and give them a second chance.

Furthermore, it has been generally observed that youth offenders do not start by committing serious cases, they begin with minor offences and eventually escalate (Barlow & Ferdinand 2002). These programmes are therefore a necessary intervention. Research by Collins (2004) indicates that life skills training has been the foundation of most development programmes for at risk youths. Further studies reveal that life skills diversion programmes attempt to assist these individuals to turn away from their criminal lifestyle so that they can lead a law abiding and productive life when they are released from the CYCCs (Berg, 2012). This is additionally supported by Lancaster, Balkin, Garcia and Valarezo (2011) who indicate in their study that the aim of the life skills program is to offer effective change in the behaviour and personal growth of youth offenders.

## **2.5 Family backgrounds of youth offenders**

Family refers to the first institution of socialisation (Bartol & Bartol, 2009). According to the study conducted by Akers and Jennings (2019) it has been reported that parents are sometimes unfit and unable to resolve the problems that children struggle with. Holtzhausen, (2011) states that family related issues are also major risk factors leading to youth offending behaviour and these issues may include absolute poverty, neglect and abuse which characterises physical, psychological, and emotional, ongoing parental conflict, and lack of proper parental supervision. Furthermore, Soudien (2007) indicates that the relationship between the child and their parents plays a vital role in the child's life, and children who have a strained relationship with their parents end up presenting with delinquent behaviour.

Similarly, Snyder and Sickmud (1995) note that lack of parental involvement in the child's life, rough neighbourhood and lack of family supervision are major contributing factors of youth offending. Ame (2019) further indicates that sometimes children do not commit crime because of poverty, but when they lack love and affection from their families they leave home and aspire for love from their peers who will easily influence them into criminal behaviour.

In other cases, due to the absence of the father, the responsibility becomes that of the mother who is sometimes unable to supervise the child because of the need for her to work and provide for the family (Ame, 2019). An ideal situation would be one where the mother and father help each other but in most cases the mother is the father by juggling the nurturing and the provision for the family (Bartol & Bartol, 2009). This anomaly often leads to the overburdening of the mother and the welfare of the child tends to suffer most, according to

Burgess, Joyce, Pattison and Finch (1992). In most cases mothers come back late from work and leave their children under the care of their grandmothers. Although Rutter (1995) claims that the delinquent behaviour of youth offenders is caused by their dysfunctional environment, Burgess et al., (1992) differ by indicating that delinquency that escalates to adulthood is a result of inherited behaviour. Bartol and Bartol (2009) concur by stating that youth offenders normally witness delinquent behaviour in the home from either the mother, father, siblings or significant others.

A study conducted by Globler and Roos (2012) showed that children living in residential care are most likely to offend compared to the ones living with their families because they tend to easily influence one another when they are in the residential care. Contrary to this, Goodkind, Shock, Kim, Pohlin & Herring (2012) found that there is no relationship between delinquent behaviour and the types of placement youth offenders come from. On the other hand, Livingstone and Parker (2010) found that grandparents residing with their grandchildren in a form of kinship care. Even though some are living with both the mother and grandmother, they grow up mainly under the care of their grandmothers, especially those who have a single parent who is the breadwinner at home.

Baileya et al. (2011) found that children who were caught up in the conflict between their parents were more likely to find their own ways of meeting their basic needs. They would do so by committing crimes such as stealing cell phones from people and selling them in exchange for money (Baileya et al., 2011). This particular crime of stealing to sell the items in exchange of getting money for drugs is further discussed in details in Chapter 4. For other children who do not have good family support systems, criminal behaviour becomes a means of survival, thereby placing them at high risk for offending (Clark, 2013). According to Baileya et al. (2011), when the family support system is weak, children tend to rely on other people such as friends and some friends negatively influence them (Baileya et al., 2011). Similarly, the study conducted by Mguzulwa (2014) indicated that young people who are socially excluded, in terms of resources, knowledge and skills are more susceptible to criminal behaviour.

## **2.6 Criminal histories of youth offenders**

Some youth offenders have been committing crime for a long period of time and have never been convicted (Masters, 2001). Cusick and Courtney (2007) assert that even though some

youth offenders start committing crime at a very young age, youth offending is generally higher at adolescent stage. Snyder & Sickmund (2006) however reported that most of the youth offenders arrested as minors usually continue with their criminal behaviour to adulthood. Additionally, professionals working with youth offenders find it hard to identify those who are at risk of becoming long term delinquents at an early age (Gxubane, 2004), meaning there are greater chances of youth offenders to continue with their delinquent behaviour into their adulthood if they get involved with criminal justice at an earlier age (Masters, 2001). McDevitt (2002) stated that the most youth offenders are usually charged with assault and usually due to retaliation. Rutter and Smith (1995) claim that the youth offenders' delinquent behaviour is caused by the dysfunctionalities of their environment, however, Burgess et al. (1992) mention that delinquency that escalates to adulthood is a result of their parents since they are inheriting such behaviour from them. Bartol and Bartol (2009) concur with this idea stating that youth offenders normally witnessed delinquent behaviour at home either from the mother, father, siblings or significant others. Similarly, Palmer (2013) found that parents who are criminals are more likely to have children who become offenders too. Cusick and Courtney (2007) adds claims that even though some youth offenders start committing crime at a very young age due lack of proper parental supervision. Therefore, youth offenders are coming from dysfunctional communities, families of domestic violence, substance misuse and criminal behaviour which also leads to youth offenders committing crime (Asberg & Renk, 2013).

## **2.7 Negative Peer Pressure**

Peer interactions are highly influential in all youth activities and youth offenders easily succumb to what their friends are doing (Snyder & Sickmund, 2006). The interactions between youth offenders and their friends give them a sense of belonging, which is something they normally do not get from their homes (Brentro, Brokenleg & Van Brockern, 2005). Research by Naidoo (2007) reveals that most children in SA are unable to keep up with the changes in this country so they end up creating their own world, with their own rules to follow and are more likely to negatively influence one another. A study by Muntingh (2009) found that young people will find themselves prone to making bad choices or decisions such as committing crime due to exposure to gangs, violence and other serious crimes. Additionally, through meeting other young offenders in custody the risk of becoming core criminals rises as they are gaining more criminal skills from other offenders (Muntingh,

2009). Similarly, Reiss and Farrington (1991) argue that often than not, offenders are not alone or acting alone when they commit offences, it is usually in company or at the expense of an instruction from accomplices.

Siffert and Scwarz (2011) asserted that group status is the most important generator of delinquent behaviour and further indicate that it happens that children are behaving well at home but present totally different behaviour when they are with their peers while there is no regulatory law that can control what children teach each other. It is further stated that good parental skills play a critical role in controlling children; however it becomes very tricky when children are exposed to the social environment. Akers and Jennings (2019) argue that parents are sometimes unfit and unable to sort out the problems that the children bring home with them.

Concurring, Holtzhausen (2011) posited that family-related issues are also major risk factors leading to youth offending behaviour and these issues may include absolute poverty, neglect and abuse (physical, psychological, and emotional). Barlow and Ferdinand (1992) asserted that children who are strongly influenced by peers often have difficulties and does not succeed in academics. Zuckerman and Roberts (2010) also found that in most cases where coaccuseds' were involved, the offence seemed to be planned and both parties had aimed for the same outcome.

## **2.8 Socio-economic backgrounds of youth offenders**

A study conducted by Moyer (2007) emphasises that every individual is striving to achieve the goals of economic success. Moyer (2007) further claims that individuals, who lack opportunities to achieve such success in a legitimate way, will do so through illegitimate ways such as committing crime. Clark (2013) conducted a study which stated that with the rise of illegal and legal migrants in South Africa, family situations are changing and the search for jobs and a better standard of living comes with uncertainty in this country.

## **2.9 Psychological factors of youth offenders**

According to Fine (1998), young people have a certain way in which they think about themselves and the world around them, which could be described as “nothing matters”, while Comer (2001) is of the opinion that most young people challenge the limits of their environment to check how safe the environment is. Naidoo (2007) pointed out the effectiveness of diversion programmes and she found that attitudes play a vital role in youth

offenders' compliance which diversion programmes. Naidoo (2007) further argued that children are regarded with a set of attitudes, which are strongly linked by envy, therefore easily succumb to what their friends are doing. However, Sheeham et al. (2012) state that the reason children behave inappropriately is because they are socially and politically excluded, thus resulting in frustrations on them.

Some youth offenders behave well at home to gain trust from their parents but their behaviour changes drastically as soon as they associate with friends. Inglis, (2003) reflected that high-risk communities have a huge impact on encouraging youth offenders' deviant behaviour.

### **2.10 The influence of drugs**

A lot of inappropriate behaviour, according to Haralambos and Holborn (2008) is mostly created by society through social and cultural expectations and some of these expectations begin as early as childhood. Youth offenders reside in disorganised communities where beer halls are adjacent to their homes and drugs are readily available, making these risk factors for them (Mahojana, 2013). In light of this, Hlatshwayo (2002) also found that the use of alcohol or drugs before an offence is committed, may serve as a bravery factor among criminals in order for them to get the courage to commit an offence. Therefore, Carlson's (2010) research indicating that drug users have higher chances of being involved in criminal behaviour becomes relevant to this study. Similarly, Hong, Haung, Sabri and Kim (2011) indicated that substance abuse increases the likelihood of being involved in criminal activities as more youths are usually aggressive and violent when under the influence of drugs. The usage of intoxication of youth offenders had been strongly linked with lack of parental supervision. Substance abuse had a major contribution on youth offending (Hong et al., 2011).

### **2.11 Conclusion**

This chapter presented a comprehensive discussion of the theoretical frameworks relevant to this study, namely: social learning, systems theory and social control theory. Secondly, policy and legislative framework approaches were discussed which included the White Paper for Social Welfare 1997, Child Justice Act 75 of 2008. Lastly, themes in relation to the objectives of the study were discussed and this included the concept of diversion, youth offenders' family backgrounds, criminal histories, peer pressure, socio-economic factors, psycho-social factors and the influence of drugs.

The following chapter presents research design and methodology of the study.

## **CHAPTER THREE**

### **3 RESEARCH DESIGN AND METHODOLOGY**

#### **3.1 Introduction**

This chapter discusses the research design and methodology of the study. Firstly, it discusses research design, population, sampling strategy, sample and methods of gaining consent. Secondly, the research instruments, pre-test of the research instrument, interview recording apparatus, data collection strategy, methods of data analysis and data verification are tackled. Finally, it provides a detailed description of how the research will be conducted, as well as a justification for selecting the specific techniques and instruments (Babbie & Mouton, 2001).

#### **3.2 Research design**

The research design refers to a detailed plan of how one would conduct a research project (De Vos et al., 2011). There are three types of research designs: qualitative, quantitative and mixed designs. In this study, the researcher adopted a qualitative design, which according to Coolican (2017), is concerned with issues of richness and generalisation of the data collected. This choice was made in order to gain in-depth information and allow participants to share their experiences so as to understand factors that could have contributed to youth offenders' criminal behaviour.

Furthermore, the researcher adopted an exploratory-descriptive type of a qualitative study. Exploratory studies are used to conduct preliminary investigations of the unknown areas of research so as to obtain new insights into phenomena (Biggam, 2008). This design enabled the researcher to gain more knowledge on the factors that could be associated with youth offenders' criminal behaviour. The findings were applied for practical purposes and formed part of applied research aimed at contributing towards practical issues of problem solving and decision making (Berg, 2012).

#### **3.3 Population of the study**

Population refers to a set of elements that the researcher focuses on and to which the obtained results should be generalized (Maykut & Morehouse, 1994). This study had one set of target population: youth offenders (both male and female) between the ages of 14 and 17 attending life skills diversion programmes at Walter Sisulu Child and Youth Care Centre (WSCYCC).

At the time of the study, there were 70 youth offenders attending life skills programmes at

WSCYCC.

### **3.4 Sampling strategy**

Sampling refers to the process through which the researcher selects from a set of units that make up the objects of the study (De Vos et al, 2011). There are two basic approaches to sampling: probability sampling and non-probability sampling. According to Kings, Horrocks and Brooks (2019) probability sampling refers to sample in which each person in the population has the same chance to be representatively selected to take part in a study whereas non-probability sampling refers to the sample where each person does not have equal chance of being selected in a particular study.

This study adopted non-probability sampling. Non-probability sampling refers to a practice in which the researcher selects a sample based on the elements and nature of research aims and the knowledge the researcher has about the population (Babbie and Mouton, 2001). The researcher used purposive sampling when targeting youth offenders because it allows her to targets a specific group. Purposive sampling is based on the judgement of the researcher, in that a sample is composed of elements that contain the most characteristics, representative or typical attributes of the population that serve the purpose of the study (Berg, 2012). The researcher selected 18 youth offenders (both male and female) enrolled to a life skill diversion programme. The researcher chose this approach because it would purposefully inform an understanding of the research problem which is based on youth offenders attending life skills diversion programmes.

### **3.5 Sample**

According to Binder and Geis (2000), a sample refers to a subset of the entire population. As the researcher has mentioned before, the sample in this study was drawn from all youth offenders attending diversion programmes at WSCYCC. However, the researcher's main focus was on youth offenders attending life skills diversion programmes, therefore, out of 70 youth offenders attending life skills residential diversion programmes, the sample of 18 youth offenders (both male and female) between ages 14 and 17 were participants in this study. The researcher believes a quarter of the population will be representative. A quarter of 70 is 17.5 which was rounded off to the nearest figure of 18 participants who formed the key sample of the study. The sample needs to adequately represent the population which is drawn from and

every individual in the population should have equal chances of being selected to be part of the sample (Kadam & Bhalelrao, 2010).

### **3.6 Method of gaining consent**

Gaining consent refers to a voluntary agreement between the researcher and the organization or individual with the legal capacity to give consent and who exercise free power of choice (Kings, Horrocks & Brooks, 2019). Consent to conduct the study was formally negotiated through an official letter to WSCYCC Head Office (See Appendix A).

The researcher also requested consent from the prospective participants to participate in the study through a formal letter which was signed by both themselves and their parents (See Appendix B & C). Appointments were made timeously with each participant who consented to participate.

### **3.7 The research instruments**

Research instruments refer to the tools used to find the uncovered truth in research (DeVos , 2005). The researcher used a semi-structured interview schedule as a research instrument for conducting in-depth face-to-face interviews with the participants. An interview schedule was created to provide the researcher with a set of questions that allowed the researcher to engage with the participants. The researcher had a set of questions related to the overall aim of the study and used these questions to explore the factors that contributed significantly to the criminal behaviour of youth offenders.

### **3.8 Pre-test of research instruments**

Pre-test of research instruments is described by Van Teijlingen, Rennie, Hundley and Graham (2001) as using a small sample to test a specific research tool, in preparation of the main study. The researcher conducted a pre-test of the interview schedule on participants with a sample consisting of 3 participants. It should be noted that the members who took part during the pre-test process were not selected as participants of the core sample in the actual study. The research instrument was finalised with the supervisor based on the feedback and adjusted to allow the participants to share more on their experiences and in-depth knowledge on their involvement in criminal behaviour.

### **3.9 Interview recording apparatus**

DeVos et al. (2011) assert that if the permission is obtained from the participants, the researcher can record interviews on tape or video. In this case, the researcher used a tape recorder as a recording tool. Since the participants were all minors, the researcher requested consent from both parents and participants to use a recording device during the face-to-face interviews. Fortunately all the participants did not have a problem with the use of a recording device. Even though the participants were informed about the tape recorder, it was placed inconspicuously so as not to disrupt the participants during the interview session. A tape recorder assisted the researcher to be fully focused on the interview and was therefore able to apply interview skills such as probing and reflecting on what the participant has indicated (DeVos et al, 2011).

### **3.10 Data collection strategy**

Data collection strategy refers to the process of collecting opinion and stories through the use of questionnaires, interviews and focus groups (Huang et al., 2001). In-depth face-to-face interviews were applied to gather research data in this study, a strategy which the researcher chose as it has the advantage of a high response rate (Cowley, 2003). The researcher was interested in understanding the experiences of youth offenders and the meaning of those experiences. Furthermore, to understand various factors which could have led them being involved in criminal activities. The researcher needed to determine the overall issue to be tackled in the interview and ensure that questions and themes are covered in the interview.

The researcher utilized her social work skills and techniques during the interview. These skills included asking open-ended questions and paraphrasing what the participants what the participants said in the interviews. The records of the interviews and the transcriptions were locked away in a safe place upon finalisation of the study.

Advanced interviewing skills refer to different skills involved in communicating effectively with the participants, in the sense of information gathering (Egan, 2007). The in-depth face-to-face interviews that were conducted with the participants took approximately 45 minutes on average. The participants were interviewed in their own home language to ensure they fully understand the research questions. The responses were directly translated to English for the purpose of the study.

### **3.11 Method of data analysis**

Data analysis refers to the process of breaking down and structuring collected data, in order to give it meaning (Babbie and Mouton, 2001). In this study, the researcher analysed data by using Tesch's method of data analysis which requires the researcher to identify themes, categories and sub-categories (Tesch, 1990). Data collected from the participants was analysed using follows the steps below:

- Tesch (1990) indicates that the researcher needs to read through all the transcriptions first with the aim of understanding all the responses from youth offenders. The researcher read all the transcripts of the 18 participants who were interviewed at WSCYCC.
- The researcher selected one transcript at a time to understand how the responses linked to the objectives of the study; then identified main themes which were derived from the objectives. The three main themes were family backgrounds of participants, circumstances surrounding the committal of their offences and participants' response to the offences for which they are currently diverted.
- The researcher wrote down the topics and captured the meaning of the responses. Different colour codes were used for different topic. Similar topics were grouped and compared by the researcher.
- The researcher looked for sub-themes and the categories of those sub-themes and finally decided on broader sub-themes derived from the first theme: family backgrounds of participants, which were absent biological fathers, unavailable mothers, significant role played by grandmothers, violence in the family and family members with criminal history. Additionally, categories for the aforementioned sub-themes included deceased fathers, unknown whereabouts of fathers, fathers not involved in financial maintenance and bad relationships with stepfathers.
- Under the second theme of circumstances surrounding the committal of their offences, the researcher looked for 3 sub-themes: the influence of drugs in committing crime, involvement of the co-accused in the current offences to get money for drugs and lastly the nature of the participant's friendships. From these the following categories were derived: negative peer pressure, large circle of friends, bad peer influence at school resulting in dropping out and the benefits of associating with older friends.
- Finally the third theme based on the responses to the offences the participants are currently diverted for has two categories: the lack of remorse for the offence

committed and shifting the responsibility for the committal of offences to family members.

- All the aforementioned themes, sub-themes and categories were created in consideration of the objectives of the study. The data from the participants was triangulated by developing an analysis table with broader themes and categories. The researcher linked the themes with actual quotes (verbatim) instead of paraphrasing and proceeded to write down the findings of the study guided by codes that reflected the objectives of the study.

### **3.12 Data verification**

According to Lincoln and Guba (1985, as cited in De Vos et al. 2011) data verification involves a process where the researcher ensures that questions of applicability, consistency and neutrality are clearly outlined by the researcher. In this study the researcher adopted three types of data verifications as stated by Lincoln and Guba (1985) which are: credibility, dependability and conformability.

#### **3.12.1 Credibility**

Credibility refers to “the process of ensuring that the inquiry was conducted in a manner that the subject has been accurately identified and described” (DeVos et al, 2011:420). Credibility in this study was ensured by comparing the responses received from the participants during the interview sessions, through the application of theories within the field as well as debriefing sessions that were held after the very sensitive interview sessions conducted with participants.

#### **3.12.2 Dependability**

Dependability refers to the process of making sure the research process is logical, well documented and audited (DeVos et al, 2011). This was established in this study through the use of semi-structured interviews as her research instrument, a clearly presented research methodology and accurate data analysis that highlights consistency throughout the study. Essentially, if the research would be repeated with different participants in the same CYCC, the findings would be similar.

#### **3.12.3 Conformability**

Conformability refers to the process where findings of the study could be confirmed by other studies (DeVos et al, 2011). To align with this factor, all interview sessions were tape

recorded and further transcribed to verbatim to avoid subjectivity. All participants were given a chance to express their views without any influence from the researcher and the researcher further reported on the views of the participants and presented them without being biased. Additionally, the progress of the research process was discussed with the supervisor during supervision sessions to ensure that the correct procedures were followed by the researcher.

### **3.13 Limitations of the study**

Limitations refers to “systematic bias the researcher could not control and which could inappropriately affect the result” (Price & Murnan, 2004:1). The limitations of this study included the chosen research design, and the size of the sample. which are discussed below.

#### **Qualitative research design**

Qualitative research design is concerned with in-depth understanding of a particular problem and to understand various dimensions of that problem (Creswell, 2014). Since qualitative research is classified as unstructured because it allows flexibility, some participants might deviate from the question asked and appear to be irrelevant to the subject matter. The researcher had to apply advanced interviewing skills to ensure that participants did not deviate from the subject matter.

#### **Small sample size**

In terms of sample size, the researcher was concerned about the small sample size which needed to be as representative of the population as possible (Berg, 2012). Consequently, a small sample of 18 was targeted for the interview process in order to gain an in-depth understanding of the research question in addition to this number being representative of a quarter of the population of concern to the study, the WSCYCC.

### **3.14 Conclusion**

This chapter discussed the research design and methodology that was applied in this study. The discussion began by looking at the qualitative research design that was adopted in the study followed by the methodology that was applied in the study which includes: the population, sampling strategy and methods of gaining consent. Additionally, the research tool, the pre-test of the interview schedule and the research interview recording were discussed along with the adoption of Tesch’s (1990) approach for data analysis. Lastly, the data verification methods were presented with the anticipated challenges and limitations of

the study that were encountered when conducting the study. The following chapter presents the discussion on the research data and analysis.

## **CHAPTER FOUR**

### **4 PRESENTATION AND ANALYSIS OF THE RESEARCH DATA**

#### **4.1 Introduction**

This chapter focuses on the presentation, discussion and analysis of the research data drawn from the 18 research participants who were enrolled in a life skills residential diversion programme at Walter Sisulu Child and Youth Care Centre (WSCYCC). The research data is presented according to themes, sub-themes and categories which were derived from the analysis of the research data in relation to research objectives. The overall aim of the study is to explore the factors that could be associated with criminal behaviour of youth offenders diverted in the life skills residential diversion programmes at WSCYCC, so as to contribute towards a better understanding of their profile and therefore assist stakeholders in properly addressing their needs.

#### **4.2 Profile of participants**

The profile of participants is presented in a table below. It needs to be noted that all participants had dropped out of school during the period of the study. It also needs to be noted that there was no significant gender difference amongst the participants who were enrolled in a life skills residential diversion programme. Most participants came from different townships in Johannesburg including Soweto, Eldorado Park, Noordgesig, Alexandra, Newclare and Westbury. It also needs to be noted that there was no significant difference in the types of crimes committed by the males and females in this study.

**Table 1: Participants' ages, genders, highest grades passed at school, and offences they committed**

<b>Participant</b>	<b>Age</b>	<b>Gender</b>	<b>Highest grade passed</b>	<b>Offences committed</b>
1	14	Female	9	Theft
2	16	Female	7	Theft
3	17	Female	9	Assault with grievous bodily harm (GBH)
4	14	Male	9	Theft
5	17	Female	8	Kidnapping
6	15	Male	7	Malicious injury to property (MITP)
7	17	Male	10	Assault
8	16	Male	9	Robbery
9	16	Male	8	Theft
10	17	Male	9	Theft
11	17	Male	9	MITP and assault
12	17	Female	10	Public violence
13	16	Female	8	Assault
14	15	Female	8	Shoplifting
15	16	Female	9	Theft
16	17	Male	9	Possession of dagga
17	15	Male	8	Assault GBH
18	16	Female	8	Possession of drugs

#### **4.2.1 Age of the participants during the period of the study**

Considering the diversion programme the participants were enrolled in was for youth offenders diverted for level 1 and 2, the age of the participants was important in order to get an overview of the average age when the participants were involved in criminal activities. According to the profile over half of the participants (13 out of 18) got arrested for the first time between the ages of 16 and 17 years with few participants (4 out of 18) having been between the age of 14 and 15 years. It is clear then that the average age of the participants enrolled in life skills diversion programme and in which they got involved in criminal activities was 16 years.

#### **4.2.2 Highest grade passed**

The educational profile of the participants is also relevant to this study in order to understand the relationship between level of education (highest grade passed) and criminal activity as well as the grades they were in when they started with their criminal activities. Table 1 shows that very few (2 out of 18) participants passed Grade 10 which was the highest grade passed. Almost half (8 out 18) of the participants had completed Grade 9 as their highest grade passed. A third, (6 out 18) completed grade 8 and only 2 out of 18 had Grade 7 as their highest grade. The highest grade passed was therefore Grade 10 and the lowest grade passed was grade 7. It would seem then, that most participants who were enrolled in life skills diversion programmes had completed Grade 9 which shows that they had made good progress in their schooling.

#### **4.2.3 The participants' current offences**

It was important to the study to obtain an overview of the first criminal offences ever committed by the participants who were enrolled in the life skills residential diversion programmes. The profile indicates that a third of participants (6 out of 18) were arrested for theft while just over a quarter of participants (5 out of 18) were charged with assault. Very few participants (2 out of 18) were charged with possession of dagga and few other participants (5 out of 18) were charged with kidnapping, public violence and malicious injury to property (MITP). It appears that the most common offence participants enrolled in a life skills diversion programme committed was theft, followed by assault and very few of them started with serious offences. This is consistent with Barlow and Ferdinand (1992) who state that youth offenders do not start with serious cases but usually commit minor offences and then escalate to serious ones.

The next section of the chapter focuses on the presentation and analysis of the research data.

### 4.3 Presentation and discussion of the research data

The following table presents the themes, sub-themes and categories that emerged from the analysis of the research data based on the objectives of the study.

**Table 2: Framework of data analysis**

Themes	Sub-themes	Categories
4.3.1 Family backgrounds of the participants	4.3.1.1 Absent biological fathers	<ul style="list-style-type: none"> <li>● Deceased fathers</li> <li>● Unknown whereabouts of fathers</li> <li>● Fathers not involved in financial maintenance</li> <li>● Bad relationship with stepfathers</li> </ul>
	4.3.1.2 Unavailable mother	<ul style="list-style-type: none"> <li>● Mothers spending less time with participants due to work</li> <li>● Participants cared for by their grandmothers</li> </ul>
	4.3.1.3 Significant role played by grandmothers	
	4.3.1.4 Violence in the family	<ul style="list-style-type: none"> <li>● Fights amongst family members</li> <li>● Fights amongst participants and family member/s</li> </ul>
	4.3.1.5 Criminal history among family members	
4.3.2 Circumstances surrounding the committal of their offences	4.3.2.1 The influence of drugs in committing crime	
	4.3.2.2 Involvement of the co-accused in the current offences to get money for drugs	
	4.3.2.3 The nature of the participants' friendships	<ul style="list-style-type: none"> <li>● Negative peer pressure</li> <li>● Large circle of friends</li> <li>● Bad peer influence at school resulting in dropping out</li> <li>● Benefits for associating with older friends who are adults</li> </ul>
4.3.3 Participant's response to their offences	4.3.3.1 Lack of remorse for the offence committed 4.3.3.2 Shifting the responsibility for the committal of offences to family members	

### **4.3.1 Family backgrounds of the participants**

The family backgrounds of the participants were explored to ascertain family factors which could have contributed to the participant's criminal behaviour. The sub-themes that emerged from the analysis of research data showed that *absent biological fathers, unavailable mothers, significant role played by grandmothers, violence in the family and criminal history among family members* seem to have played a role in their involvement in criminal behaviour as discussed below.

#### **4.3.1.1 Absent biological fathers**

The research data suggests that the biological fathers of the participants were either *deceased, their whereabouts unknown, not involved in financial maintenance resulting in some participants residing with stepfathers with whom they have a bad relationship.*

#### **Deceased fathers**

Some participants indicated that their biological fathers were deceased as reflected in the statements below:

*“My father passed away in 2004, I live with my mother, grandmother and cousin, I do not know how my father passed on” (P1)*

*“My father passed away before I was born, I stay with my two brothers, my brother did not explain to me why my father passed away” (P10)*

*“My dad passed away in 2010, I live with my brother, sister and my grandmother, my mother does not want us to talk about my late father” (P11)*

The research data shows that most participants were residing with their mothers, or with their siblings and/or extended family members due to their biological fathers being deceased. It would seem the absence of male role figures in the lives of the participants may have contributed to their involvement in criminal behaviour. The research data shows that there was no difference between males and females in terms of how they perceived or attitudes towards their biological fathers. This is in line with Shader (2000) who found that absent fathers have negative impacts in the child's behavioural profile regardless of the gender. Additionally, Cabrera et al. (2007) maintains that teenagers develop socially and emotionally stable lifestyles when their fathers are involved in their lives.

### **Unknown whereabouts of fathers**

The research data suggests that for those participants whose fathers were not deceased, the whereabouts of their biological fathers were unknown to them as reflected in their statements below:

*“I grew up at the orphanage since birth, I did not know the whereabouts of my father and my mother abused alcohol and I is taken away from her since at a young age, I have been relying on friends for advice” (P4)*

*“I do not know the whereabouts of my father, and it does not sit well with me that I do not know my father, I talk to my friends when I have a problem because I do not feel comfortable talking to my mom” (P6)*

*“I have never seen my dad since birth, I do not know where he is and always wondered about the whereabouts of my father, I still don’t know who to go to if I have problems” (P18)*

The research data as reflected above shows that some participants do not know the whereabouts of their fathers and further indicates that they have never seen their fathers since birth. Mahojana (2013) argues that absence of care gives places young people at risk of developing delinquent behaviour. Furthermore, Cabrera et al. (2007) also argued that the absence of fathers affects negatively their children’s cognitive and psychosocial development beginning in infancy and lasting through adolescence and teenage years. This is evident in how some participants spent time questioning themselves about the whereabouts of their fathers, leading them to grow up without any guidance from a father figure in their lives and rely on friends for advice.

### **Fathers not involved in the participants’ financial maintenance**

The research data shows that for some participants, although they knew the whereabouts of their fathers, they were not involved in their financial maintenance:

*“My dad never did anything for me, he was in prison...he was arrested in 2000 he came out in 2011, spent 3 months outside and was arrested again, my mother and grandmother are the ones supporting me financially” (P7)*

*“My dad does not take care of me, he stays with his girlfriend and we do not see each other anymore, only maintained financially by my mother” (P9)*

*“My father stays in Kibler Park with his wife and they have separated with my mother, he does not do anything for me, my mother maintains me financially” (P15)*

This research data suggests that even though some participants' fathers were alive, they were however not maintaining them financially. According to Palkovitz (2002), adolescents who have fathers who are involved are much less likely to run into problems with the law. This lack of financial support from fathers seems to be one of the factors that might have pushed some participants to be involved in criminal behaviour.

### **Bad relationship with stepfathers**

Due to absent biological fathers, stepfathers became involved in the lives of some of the participants. A bad relationship existing between participants and their stepfathers is one of the core problems common amongst those participants who stayed with their stepfathers, as seen in the responses below.

*"My relationship with my stepdad is okay sometimes...he had just moved in and I never got to talk to him"* (P2)

*"I do not like my stepfather, I don't take him as my father. I have told myself I do not have a father"* (P10)

*"My stepfather is.....and I don't talk to him...I do not even ask advice from him because he is not my father ...I asked advice from my friends"* (P18)

This poor relationship between the participants and their stepfathers seems to have resulted in a lack of good male figures in their lives who they could talk to when they experience life challenges. Mugerwa (2010) who found that youths residing in step-families have a high risk of becoming delinquents due to stress associated with the lack of proper guidance. The effects of this could have led some participants to seek guidance from peers who were involved in crime. Additionally, this finding concurs with that of White and Gilbreth (2004) who found that children with the best outcomes were close to their stepfathers.

#### **4.3.1.2 Unavailable mother**

The unavailability of the mother was another sub-theme that emerged when the psychosocial and family backgrounds of participants were explored. This sub-theme was probed further to explore its impact on the participants' lives and to ascertain if it could have contributed to their criminal behaviour. The research data shows that mothers being unavailable contributed

to participants' mothers spending less time with them due to work, and ultimately the participants cared for by their grandmothers.

### **Mothers spending less time with participants due to work**

Some participants indicated that they do not talk to their mothers when they are experiencing challenges because their mothers are usually at work and often come home late from work:

*"I only spend some time with my mother on weekends, when she is not at work so I am not very close to her"* (P8)

*"My mother is working hard, she is always not home when I came back from school and would come home when I'm about to sleep, we are not close, I'm close to my grandmother"* (P9)

*"I am not close to my mom and does not spend time with her because she is working and coming home late, so I spend more time with my sister and I am very close to my sister"* (P15)

This research data suggests that due to the absent father, the responsibility becomes that of the mother who is sometimes unable to supervise the child because they come home very late. The challenge of mothers' unavailability in children's lives has been identified by Soudien (2007) who found that children who have weak attachments to their parents often end up developing delinquent behaviour. The data further suggests that participants not being close to their mothers led them to rely on their siblings or grandmothers for love and care. It would therefore seem that some participants could have been involved in committing crime as a form of seeking attention from their mothers who were constantly unavailable. Research from Elrod and Ryder (2013) also concurs that lack of emotional attachment between parents and their children has been found to be related to delinquent behaviour in children.

### **Participants taken care by their grandmothers**

Due to the unavailability of mothers and absent fathers, it appears that most participants were taken care of by their grandmothers. The research data shows that most participants reside with their grandmothers as reflected in their statements below:

*"I grew up under the care of my grandmother and even now, I do not know the whereabouts of my mother, my grandmother can't buy me school clothes or nice clothes, so I have accepted the situation at home"* (P5)

*“I reside with my grandmother, my father passed away in 2018 ... My grandmother takes good care of me but sometimes I want to eat nice things and my grandmother could not buy nice things” (P11)*

*“I stayed with my grandmother, mother, father and my sister. My grandmother is the breadwinner at home and taking care of all of us, so she only buys me food and cheap clothes, sometime I envy my friends who wear expensive clothes” (P13)*

This research data suggests that as much as the grandmothers took over the parental roles, they could only meet the basic needs. Goodman and Silverstein (2002) state that the number of grandparents raising grandchildren is growing rapidly and most of them struggle financially, they are only able to take care of their grandchildren’s basic needs. In this case, it has led some participants into envying their friends and thereby falling into a trap of committing a crime in order to satisfy their desires.

#### **4.3.1.3 Significant role played by grandmothers**

The role played by the grandmothers emerged strongly when exploring who the participants got along with very well as indicated below:

*“I get along very well with my grandmother. She does not shout at me and she does not like it when my mother shouts at me” (P2)*

*“My grandmother understands me better and does not shout at me when I have done something wrong, she talks to me nicely” (P8)*

*“My grandmother never gives up on me, even when I do wrong things, she still loves me and we are very close” (P16)*

This research data suggests that most participants had good relationships with their grandmothers whose love sometimes over compensated for the absence of love and support from their parents. Bazemore and Day (1996) have also found that grandmothers are typically determined and loyal caregivers, and that there is less possibility of separating them from their grandchildren, unless in life threatening cases. However it also seems that most grandparents failed to supervise the participants as grandchildren and this created an opportunity for them to be mischievous. In South African black townships ill-disciplined children are often referred to as “abantwana bakagogo” (grandmothers’ children). According to Globler & Roos (2012) while grandmothers play a vital role in taking care of their

grandchildren, they however lack support as they cannot control the youth due to age-related challenges.

#### **4.3.1.4 Violence in the family**

Family fights are an additional sub-theme that emerged from the analysis of the research data on the psycho-social and family backgrounds of the participants. The research data suggests that most participants have witnessed fights in their families, some of *which were amongst family members* and some between *themselves and other family members*.

##### **Fights amongst family members**

Some participants indicated that their family members are always involved in fights with each other and the reasons they cited included the following:

*“My family likes fighting and usually it’s because they like gossiping about one another”* (P7)

*“My mother and grandmother are always swearing at each other at home and that will result in them fighting”* (P11)

*“My siblings are always fighting at home, and they would fight over money”* (P17)

What is highlighted here is that being exposed to fights that are not amicably resolved may have reinforced this way of resolving conflict in the minds of the participants. The assumption being that this is the only way to resolve differences. For instance, P7, P11 and P17 who were charged with assault as shown in Table 1, had experienced fights in their homes. According to Schoeman (2012) youth offenders are often reported to have witnessed fights in their homes, by either their siblings or parents and caregivers. Similarly, Korbin (2003) also found that most youth offenders come from home environments where they have experienced fights and this is likely to influence their emotions and aggressiveness.

##### **Fights amongst participants and family member/s**

Some participants reported that they were not on good terms with some of the family members due to fights they have had with them:

*“My cousin usually fights with me, sometimes I feel unwelcomed at home because of her”* (P1)

*“I don’t get along with my older sister because she always starts a fight with me”* (P3)

*“My aunt usually start a fight with me, she usually treat me like I’m nothing” (P13)*

This research data shows that the poor relationships some participants have with some of their family members have led some of them to feel unwelcome in their homes resulting in less time spent there. Soutine (2007:42) found that “the relationship between the child and the family plays a vital role in the child’s life, and children who have a weak relationship with their families end up misbehaving”. Therefore, spending more time in the streets made the participants vulnerable to association with adults and/or friends with criminal tendencies.

#### **4.3.1.5 Criminal history among family members**

The criminal history of family members was explored to assess if this could have contributed to the involvement of participants in criminal activities. The research data shows that most participants came from families where at least one family member had been involved in criminal activities as reflected in the statements below:

*“My father steals cars with his friends, his friends has been in and out of jail but my dad never went because he is the big boss” (P7)*

*“My brother was used to robbing people in the streets because of smoking drugs, he started robbing people at the age of 16 but never got arrested” (P12)*

*“My uncle is a gangster and he does house breaking, robbery and steals from people in the community” (P16)*

It is evident that several participants grew up witnessing criminal behaviour in their homes as some of their close family members committed crimes and got away with it. The home is a primary institution of socialisation, therefore children model their behaviour based on what their parents do. Palmer (2013) found that parents who are criminals are more likely to have children who become offenders too. This finding is in line with the social learning theory which was discussed in Chapter 2, which stipulates that children learn and imitate the behaviour of their role models.

#### **4.3.2 Circumstances surrounding the committal of their offences**

When the circumstances surrounding the committal of the offences for which youth offenders were diverted were explored, the categories that emerged were: *the influence of drugs in committing crime, involvement of the co-accused in the current offences to get money for drugs* and *the nature of the participants’ friendships*.

#### **4.3.2.1 The influence of drugs in committing crime**

Drugs seem to have played a huge influential role in the committal of offences by participants. Some participants were under the *influence of drugs during the committal of the offence*, furthermore *the involvement of the co-accused's peers was motivated by their drive for getting drugs* as reflected in their statements below:

*“I assaulted a nurse at the Place of Safety with my friends, I was high and was not thinking straight”* (P11)

*“Arrested for assault, assaulted my grandmother and I was under the influence of drugs”* (P13)

*“I was charged with possession of dagga, I was under the influence of drugs during the incident”* (P16)

This research data suggests that intoxication was a major driving factor in the criminal behaviour of the participants. According to Hlatshwayo (2002) the use of alcohol or drugs before an offence is committed may serve as a bravery factor among criminals in order for them to get the courage to be mischievous or commit an offence. Carlson (2010) indicated that drugs users have high chances of being involved in criminal behaviour.

#### **4.3.2.2 Involvement of the co-accused in the current offences to get money for drugs**

Most participants indicated that they were with their friends on a mission to get drugs during the committal of the offence as reflected in their statements below:

*“I was arrested with my friend, for theft as we stole cellphone and a computer and we wanted to sell the items we stole to get money to buy drugs”* (P2)

*“I am arrested for theft, we went to steal trolleys at the Mall with my friends, we were going to sell them for R50 and buy drugs with the money”* (P9)

*“I was sitting with my friend and we did not have money, so we decided to go steal drinks at the store so we can sell them to get money for drugs”* (P10)

As shown in the responses, the participants are usually with their friends when they get involved in criminal activity with the aim of achieving the same outcome of getting drugs. Reiss & Farrington (1991) argue that more often than not, offenders are not alone or acting alone when they commit offences, it is usually in company or at the expense of an instruction from accomplices. According to Zuckerman and Roberts (2010) in most cases where a co-

accused was involved, the offence was planned and both parties had aimed for the same outcome.

#### **4.3.2.3 The nature of the participants' friendships**

The kind of relationships the participants had with their friends was explored to ascertain whether they had any role in their involvement with criminal behaviour. The categories that emerged from the analysis of research data under this sub-theme were: *negative peer pressure, large circle of friends, bad peer influence at school resulting in dropping out and benefits of association with older friends who are adults.*

##### **Negative peer pressure**

All participants confessed that they were strongly influenced by friends in their lives. They indicated that they easily succumbed to what their friends were doing to ensure they had a sense of belonging:

*"I did not want to stay alone and wanted to have friends, so I only had one option to win my friendship, to do the same bad things my friend did and careless about what my family is saying to me" (P1)*

*"I go wherever my friends are going and do whatever they are doing, I don't respect what my family tells me, I sleep at my friend's place without their consent sometimes" (P2)*

*"I could not concentrate at school, bunked classes and bullied other learners due to the influence I got from my friends, could not even respect my family members" (P7)*

This research data reveals that participants associated with bad friends because they wanted to fit in which resulted in disobeying their family rules due to a sense of loyalty to their friends, a key factor that sustained the friendships. Therefore, the participants' criminal behaviour could be traced to such a commitment to please friends at all costs. This finding is similar to that of Snyder and Sickmund (2006) who found that peer interactions are the most influential in all youth offenders.

##### **Large circle of friends**

When the participants were probed further regarding the total number of people they considered as friends, most of them confessed to having more than three friends as reflected in their statements below:

*“I have 11 friends, I kept making them through smoking dagga and made more friends so that I cannot struggle to smoke since they always share with me if I don't have money to buy dagga” (P7)*

*“I have 13 friends, but I only trust one friend who is my best friend, the other ones I became close to them so we can steal together” (P9)*

*“I have 20 friends but only have 1 best friend, we usually fight for each other with my friends and if someone has a grudge on me I tell my friends to sort him out” (P17)*

With this research data showing that participants have a minimum of three people they considered as friends, association with a large circle of friends could have led them to getting involved in criminal behaviour. This observation is consistent with the findings of Barlow and Ferdinand (2002) who indicate that youth offenders who have many friends are likely to become more troublesome due to the influence from friends.

### **Bad peer influence at school resulting in dropping-out**

Most of the participants reported that they have friends whose influences have resulted in them in bunking classes which eventually resulted in them dropping out of school:

*“I used to bunk classes at school and go smoke drugs with my friends at the Park and due to such behaviour I ended up dropping out of school” (P1)*

*“I met bad friends and they were not good for me...I started smoking drugs and would not concentrate at school, since I will be thinking of drugs, I would not do my work as well. I ended up dropping out of school” (P7)*

*“I use to bunk classes and buy dagga to smoke with my friends after school and ended up dropping out of school” (P15)*

This research data shows that some participants started early bunking classes early at school due to bad influence from their friends which eventually resulted in some participants dropping out of school. Additionally, bunking school seems to have also provided the participants with a lot of free time which they used to engage in drugs. Chimwamurombe (2011) maintains that most decisions around quitting school start from simple acts of pleasing friends such as bunking to major decisions such as dropping out of school, all because of the overwhelming power of friends on young people.

### **Benefits for associating with older friends who are adults**

In probing further for the sources of negative peer pressure amongst the participants it was revealed that most participants associated with older friends:

*“I have older friends because I normally run away from home and they would give me a place to stay” (P5)*

*“I associated with friends who are older than me and we always smoked drugs and I realised that younger friends (his peers) will not benefit me because they do not have money and my big friends always have money” (P10)*

*“I have friends who are older than me, I associated with them because they would bring alcohol and dagga, so did not have to have money to smoke or drink” (P12)*

Participants associated with older friends for certain benefits such as accommodation, money, alcohol or drugs. It can be inferred from the research data that the participants’ association with older friends was motivated by their desire to access drugs and alcohol. This seems to be one of the factors that have contributed to their involvement in criminal activities. This is supported by Parker and Johns (2002) who assert that youth offenders are likely to associate with people who are older than them of which they benefit from.

### **4.3.3 Participants’ response to their offences**

The sub-themes that came forth from the analysis of circumstances surrounding the participants’ response to their offences included: *lack of remorse for the offence committed* and *shifting of the responsibility for the committal of offences to family members*.

#### **4.3.3.1 Lack of remorse for the offence committed**

The research data shows that most participants were generally not remorseful for the offences they had committed:

*“The victim wanted to steal my cigarette. He started the fight and I threw him with a brick he got what he wanted” (P7)*

*“We stole some pack of cold drinks with my friend, we were thirsty and wanted something to drink, we had no option but to steal” (P10)*

*“I stole from the tuck shop, it was a community strike and people got into some foreigners tuck shops and took the goods, so took them too and I was the only one arrested, I don’t know why because I did not steal alone” (P12)*

The participants' reactions to their offences show that they did not take full responsibility for the offences they had committed. It would therefore suggest that the participants pleaded guilty so that they could be diverted and not because they were remorseful for their offences. It is Weisman's (2009) observation that if offenders are not remorseful, they usually feel their criminal act was situational. The researcher is of the opinion that, when a person commits an offence, they are supposed to be genuinely remorseful if rehabilitation is to be effective. Justification suggests a lack of appreciation for the gravity of their unlawful behaviour.

#### **4.3.3.2 Shifting of the responsibility to family members**

In further exploration of the participants' responses to their offences, the research data shows that a majority of them blamed their family members for crimes that they got involved with which led to their arrests and subsequently enrolled in the life skills diversion programme. A number of responses given regarding their offences showed a lack of responsibility or found someone else at fault for their troubles as reflected in their statements below:

*"I have left home for 1 or 2 weeks to my father's house and I came back, my sister started a fight with me so I ended up assaulted her"* (P3)

*"My sister fought with me over the remote, the grandmother intervened and choked me on my neck, so I pushed her so hard, and she felt down, my grandmother should have not intervened"* (P13)

*"I stole my mom's credit card and went to spend the money with my friends, I was not going to steal it if I did not know the pin"* (P15)

The research data seem to suggest that most participants often blame their family members for their wrong doing. The lack of ownership for their criminal behaviour and use of defence mechanisms by the participants could result in diversion programmes not being effective. Steyn and Louw (2012) found that child offenders with well-established defence mechanisms appeared to be less responsive to diversion programmes, and that rehabilitative programmes were not effective for them. Treatment of offenders in diversion programmes is designed to rehabilitate them for their wrong doing and therefore such programmes can only be effective if the offenders genuinely recognise and accept responsibility for their criminal behaviour.

#### **4.4 Conclusion**

The discussion of the research data in this study shows that the family backgrounds of the participants were characterised by absent biological fathers, unavailable mothers, family fights and family members with criminal histories. The fathers of the participants were absent mainly due to being deceased, unknown whereabouts, and those who were known were not involved in their financial maintenance. Additionally, most participants had a bad relationships with their stepfathers while the mothers spent less time with them due to work. However, it was also found that most participants got along very well with their grandmothers.

In further discussion, the study shows that family fights have unconsciously contributed to the unlawful and aggressive behaviour in some participants who committed crimes that involved violence. Additionally, the circumstances surrounding the committal of their crimes showed that the influence of drugs and peers to get money for drugs were major motivating factors. The participants' nature of friendships also revealed immense peer pressure, too large a circle of friends, and association with bad friends which led to dropping out of school, and association with older friends for certain benefits. Finally, the participants' responses to their offences was characterised by a lack of remorse for the offence they had committed and shifting of the blame to their family members. The next chapter presents the main conclusions and the recommendations of the study.

## CHAPTER FIVE

### 5 CONCLUSIONS AND RECOMMENDATIONS

#### 5.1 Introduction

The overall aim of the study was to explore the factors associated with the criminal behaviour of youth offenders who have been diverted into the life skills residential diversion programmes at WSCYCC. This is in order to contribute towards a better understanding of their profile and therefore assist stakeholders in properly addressing their needs. This chapter presents the main conclusions and recommendations according to the objectives of the study. It should be noted that the recommendations which are presented in this chapter are proposed for youth offenders enrolled in both residential diversion programmes (RDPs), and community-based diversion programmes (CBDPs). Additionally, the recommendations are proposed in relation to either one or more of the following: advocacy, practice, policy, legislation, and research.

#### 5.2 Family backgrounds of the participants

The study found that the family backgrounds of the participants are characterised mainly by absent biological fathers, unavailable mothers, and violence in the family, family members who have criminal history and present grandmothers not fully equipped to provide more than basic needs. It is evident that the aforementioned factors have contributed, in one way or the other, in the criminal behaviour of the selected participants as further discussed below.

##### 5.2.1 Absent biological fathers

The study found that the biological fathers of most participants were either deceased, of unknown whereabouts, not involved in their financial maintenance while those who had stepfathers, had a bad relationship with them. The study also found that due to fathers being deceased the participants lacked male figures who would have acted as role models for them. This has resulted in most of the participants having to rely on friends for advice and furthermore, those participants who resided with their stepfathers did not have a good relationship with them.

It is therefore recommended that:

- If the PO who is assessing the youth offender after arrest identifies that the offender does not have a father who is a good role model, then the youth offender will be referred to a mentorship programme at NICRO (The National Institute for Crime Prevention and the Reintegration of Offenders) where the child could be linked to a member of society equipped to play the role of a father figure in the child's life.
- For those children who are diverted to CBDPs, a referral will be negotiated with the child and their caregiver with the PO facilitating a referral directly to NICRO through a formal referral letter to register for the mentorship programme. The proof of enrolment from NICRO will be presented before court on the child's next court appearing date.
- For those youth offenders who will be placed in RDPs, the PO who assessed the child needs to notify the child's RSW to further refer the child to the mentorship programme at NICRO upon completion of the RDP when they are released back into the community.
- Should the PO who is assessing the child after arrest identify that they do not have a good relationship with his/her stepfather the child should be referred to both Families South Africa (FAMSA) to assist them in building a good relationship with each other.
- The court order (Form 6) should be submitted together with the final report from FAMSA to confirm whether there was compliance or not regarding the court order for attending the family programme at FAMSA. This will, hopefully, bind both the youth offender and the stepfather to cooperate. The PO who referred the family to FAMSA would then be required to follow-up and monitor the family's attendance and report back to court on the compliance.
- Should the youth offender be referred for RDPs, the PO would be in place to recommend the RSW to conduct a family conference, and where necessary, refer the child and the stepfather to FAMSA if the intervention needed is of a more intense nature after the child has been released from the residential facility. This could assist youth offenders to have a good relationship with their stepfathers who could also act as their role models.

### **5.2.2 Unavailable mother**

According to the results of the study, most participants' mothers were unavailable due to work pressures which resulted in them being taken care of by their grandmothers. This resulted in a majority of participants with no consistent parental monitoring and supervision.

This often led to most youth being taken care of by their grandmother who, it appeared, could not afford the luxurious life that the participants desired, hence the criminal activities they engaged in. It can therefore be concluded that as a result of the absence of consistent parenting most participants were left at the hands of other youth who provided the much needed support they did not get from their families, but also influenced them to get involved in criminal activities. Based on the above conclusions, it is therefore recommended that:

- If it is found during the initial assessment by the PO at the Reception Assessment and Referral Centre that the youth offender's mother is unavailable and the youth spends most of their time with their grandmother, further resulting in insufficient monitoring at home, the assessment must ascertain to what extent the grandmother is able to parent the youth effectively. The subsequent step would be to refer both the grandmother and the youth offender for a family intervention to address their particular circumstances for those who are diverted to a CBDP.
- For youth offenders attending RDPs, the RSW should be informed by the PO about the unavailability of the mother and conduct a home visit to assess the circumstances, and where necessary, further refer the family to a relevant organization in the community such as FAMSA to engage in an in-depth family intervention upon the release of the child
- Alternatively, the mother may be referred for parental skills, mandated by court order, at a community based organisation such as FAMSA. Upon completion, the final report from FAMSA would therefore be submitted before the court.

### **5.2.3 Significant role played by grandmothers**

As a result of the study's findings that most participants are essentially in the care of their grandmothers, such arrangements are often open to exploitation and manipulation by the youth in question. It is evident that most grandmothers are not properly equipped to supervise the youth in light of the fact that they end up involved in criminal behaviour. This phenomenon is derived from the widely held view that grandmothers are too lenient on the grandchildren than their parents, while not having the adequate resources for basic care either.

Based on the above conclusions, it is therefore recommended that:

- Once the PO assessing the child after arrest identifies that the youth lacks discipline, they should be referred to a CDBP that will educate the grandmother on discipline and teaching the youth to be responsible for their actions. The PO would then be advised to recommend home-based supervision (HBS) which could be included in the court order for the purpose of supervising the youth offender and monitor their compliance at the organisation they have been referred to for life skills programmes. This could assist the youth offender to be disciplined in the knowledge that their compliance with the supervision order will be reported back to court.
- If the youth offender is referred to an RDP, the HBS will only commence once the child is released from the Child and Youth Care Centre (CYCC). Acting as the case manager, the PO will therefore liaise with the RSW and ensure that the HBS commences as soon the youth offender is released back into the community.

#### **5.2.4 Violence in the family**

In light of the study's findings that most participants witnessed fights in their families, with some fights were amongst family members and more between themselves and other family members, it can therefore be concluded that this learned behaviour resulted in them fighting other children; as they have observed that fighting is the most common way of conflict resolution.. Based on the above conclusions, it can therefore be recommended that:

- Should the PO identify, during the assessment, that there is violence in the youth offender's family, the source of the violence needs to be assessed first. If there is a need for intensive intervention, the family members exhibiting violent behaviour will be referred to an organization for an anger management programme to assist the family members in dealing with this aggressive behaviour and finding constructive ways of resolving conflict in the family without violence.
- If it is made evident that the youth offenders attending an RDP need an anger management programme, the POs will inform the RSW and submit a referral letter for the concerned youth offender to be enrolled in an anger management programme and monitor the child's compliance with the selected programme.
- Finally, those youth who witnessed fights in their families will be referred to a diversion programme that will equip them with appropriate skills to deal with the violent behaviour they are exposed to in constructive ways that leads to resolving conflicts without fighting. It is the aim of these programmes to provide the young

people with mechanisms such as self-worth, confidence and independence. This will hopefully help them to believe in themselves and their worth, consequently removing them from the possibility of being easily influenced or succumbing to peer pressure.

### **5.2.5 Criminal history among family members**

Having family members with criminal histories for an adequate number of participants is evident in this study and has had a huge impact in these young offenders' involvement in criminal activities. Young people often model their behaviour on what they observe in their families, hence their involvement in criminal activities is not surprising. Based on the above conclusions, it can therefore be recommended that:

- For those youth offenders who are diverted to a CDBP a referral will be made by the PO assessing the child after arrest to assign a mentor who can act as a role model who will equip him or her with social skills and behaviour modification to influence their behavioural change.
- The youth offenders who are referred to an RDP, the CYCW will be assigned by the RSW to intervene as a role model and mentor for the young person throughout their stay at the centre whilst attending the diversion programme.

## **5.3 Circumstances surrounding the committal of the current offences**

According to the findings of the study, the influence of drugs in committing crime, the involvement of co-accused, the motive to get money for drugs and the type of friendships the participants had, were the major factors that stood out in the circumstances which surrounded the committal of the offences for which they were diverted. These are discussed below.

### **5.3.1 The influence of drugs in committing crime**

Several participants admitted to committing offences while under the influence of drugs while others implicated their co-accused with the same motive of committing crime to get money to buy drugs. It can therefore be concluded that intoxication played a significant role in their involvement in criminal activities.

Based on the above conclusions, it is therefore recommended that:

- If the PO, during assessment, identifies that the youth offender is using illegal or intoxicating substances the youth offender will be referred to a substance abuse programme.
- For those youth offenders attending an RDP, the PO will inform the RSW to either enrol the child for substance abuse programmes offered at the centre or, if the centre does not offer a substance abuse programme, facilitate a referral to South African National Council on Alcoholism (SANCA) as an outpatient or on release from the centre.
- In the case of a youth offender referred for a CBDP the PO will recommend to the court and facilitate a referral for the young person to attend a substance abuse diversion programme at SANCA immediately after the assessment, all as part of the court order. The youth concerned will therefore be ordered by the court to comply with the substance abuse programme as a court order in ensuring the compliance with the diversion.
- In order to promote substance abuse prevention programmes in the community, the POs in RAR centres will keep records of the number of children found to have substance abuse problems on a monthly basis. Further, records of the charges and residential areas of youth offenders will be kept and submitted to the Department of Social Development's substance abuse section for awareness programmes to be conducted in the most affected communities and schools according to this data.
- Department of Education, SAPS, including Police Forums, Department of Social Development and Department of Justice should also engage and provide community based programmes such as crime prevention programs in schools where most youth offenders are coming from.

### **5.3.2 The participants' nature of friendships**

In exploring the friendships the participants have cultivated the study found that they were characterised by bad influence, negative peer pressure, too large of a circle of friends, bad peer influence at school which resulted in dropping out of school and association with older friends for benefits which include money, accommodation, drugs and alcohol, all of which contributed significantly to their involvement in criminal activities. Additionally, due to absent fathers and unavailable mothers, friends became the only source of constant social support. As a result of this, the participants were strongly influenced by their friends and

therefore easily succumbed to what their friends were doing in order to fit in. It can be concluded that the participants came from dysfunctional families which led them to associate with bad and older friends who in turn exposed them to a criminal lifestyle.

Based on the above conclusions, it is therefore recommended that:

- When the PO conducts assessments at RAR and identifies that the youth offender is strongly influenced by friends, they will refer the youth offender to the life skills programme to assist them in gaining independence in making decisions outside of any influence from friends. Through a formal court order (Form 6), the young offender will be enforced to cooperate and participate in a peer association order (Section 53 (1) (c)) as an attachment to the diversion court order.
- During the assessment, the PO will identify a person that the youth offender trusts in the home, who is well behaved and with no criminal tendencies to be a role model for the youth offender.

#### **5.4 Participants' response to their offences**

The study found that *lack of remorse for the crimes committed* and *shifting the responsibility for the committal of offences to family members* were categories that were found when exploring the participants' response to their offences. These are addressed in the following part of this study.

##### **5.4.1 Lack of remorse for the crimes committed**

It is evident that some participants are not remorseful for the offences they have committed and only took responsibility for their offences so that they could be diverted. It can therefore be concluded that some youth offenders are familiar with the criminal justice system and are aware of how to manipulate it. Based on the above conclusions, it is therefore recommended that:

- The PO conducting the assessment ascertain if the youth offender takes full responsibility for the offence committed and whether they are remorseful for the offence committed before referring the child for diversion purposes. Furthermore RSWs will implement a programme to engage with youth offenders through one-on-one interviews and use their social work skills to explore the emotions and feelings of youth offenders about the offences they have committed.

#### **5.4.2 Shifting the responsibility for the committal of offences to family members**

The study found that youth offenders are shifting blame for the offences they have committed to some of their family members or their circumstances. This shifting of blame highlights the lack of accountability on the part of the offenders who have not been made to face the consequences of their actions and are cushioned away to diversion without being required to fully taking responsibility for their actions. It can therefore be concluded that youth offenders use several defence mechanisms to cope with the guilt of their criminal behaviour. However, for rehabilitation to be effective the offenders are required to be remorseful and genuinely take responsibility for their anti-social behaviour. This, as a result, raises questions regarding how effective the diversion programmes will be in changing the attitude of young offenders towards crime. Based on the above conclusions, it is therefore recommended that:

- The POs and RSWs need to consider educating youth offenders about being accountable, helping them understand their wrong doing and enrolling them in behaviour modification programmes to avert them from involvement in criminal activities, instead of shifting blame to their family members. Faith-Based organizations such as churches situated where most participants come from need to also have educative programmes where they teach youth offenders about being responsible and to be accountable for any wrong doing.

#### **5.5 Conclusion**

The first chapter of this research report discussed the overall aim and objectives of the study which were to explore possible factors associated with criminal behaviour of youth offenders diverted in the life skills diversion programme at WSCYCC in order to contribute towards a better understanding of their profile. Ethical considerations were discussed in detail in addition to how the researcher obtained consent from both parents and the participants. The second chapter discussed the literature review, theories and legislation that underpinned the study while chapter three discussed the research design and methodology of the study. Chapter four discussed the presentation and analysis of the research data obtained and covered the main themes of the study, namely: family backgrounds of the participants, circumstances surrounding the committal of their offences and participants' response to their offences. Finally, chapter five discussed the main conclusion and recommendations.

## **5.6 Recommendations for further research**

This study was conducted with 18 participants enrolled in life skills programmes at Walter Sisulu CYCC which provided the small sample central to this study. In consideration of this small sample there is a need for the study to be conducted with a much larger sample which includes various CYCCs to gain a more in-depth insight of the various factors currently contributing to youth offending broadly.

Secondly, with this study only being conducted with youth offenders, it would have enriched the findings of the study if the parents and guardians of youth offenders also participated in the study. This would have provided a broader insight from the perspectives of parents and guardians regarding the various factors they believe contributed to their children resorting to criminal activities. It is therefore recommended that future studies include the participation of the parents and guardians as participants in the study.

Finally, it is also recommended that future studies include the professionals who work with youth offenders such as POs and RSWs to explore their perceptions regarding factors that significantly contribute to the criminal behaviour of youth offenders based on their experience of working with them.

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## APPENDIX A



Department of Social Development

Postal Address – University of Cape Town – Private Bag – Rondebosch – 7701  
Telephone 27 (0) 21 650 4220 – Fax  
No: 27 (0) 21 689 2739 Email:  
Thulane.Gxubane@uct.ac.za

19. May. 2016

**Attention:** (Mrs Talita Filmer): (Director at Walter Sisulu)

**RE:** Permission to conduct interviews with twenty youth offenders for my Master’s Research Project.

I hereby submit my formal request to conduct interviews with 20 first-time youth offenders enrolled in life skills diversion programme at Walter Sisulu Child and Youth Care Centre. I am a student currently registered for a Master’s degree in Social Work at the University of Cape Town.

The working title of my study is: “An exploratory study on the psycho-social and family factors of the first time youth offenders enrolled in a life skills diversion programme at Walter Sisulu Child and Youth Care Centre”. My research supervisor is Dr. Thulane Gxubane. The information that will be gathered during the study will be strictly confidential and used only for research purposes. I am a registered social worker with the South African Council for Social Services Profession and I am bound by the oath of confidentiality. Furthermore, I will negotiate consent with the prospective research participants about the purpose of the study so as to ensure that they participate in the study voluntarily.

Further correspondence regarding the exact dates for collecting the data will be finalised with prospective participants as soon as permission had been granted in writing. A copy of the final research report will be made available to the centre upon completion of the research project

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mission of promoting critical inquiry and scholarship

Your assistance in bringing change in the lives of children in conflict with the law is highly appreciated.

Yours faithfully

Signature Removed

Thembelihle Gule (Ms.)

Researcher and Social Worker: Department of Social Development

Signature Removed

Dr Thulane Gxubane

Research supervisor.

## APPENDIX B



### Department of Social Development

Postal Address – University of Cape Town – Private Bag – Rondebosch – 7701  
Telephone 27 (0) 21 650 4220 – Fax No: 27 (0) 21 689 2739  
Email: Thulane.Gxubane@uct.ac.za

21 November 2016

### CONSENT FORM FOR PARTICIPATION IN RESEARCH (By interview, focus group)

I ..... the youth respondent

of.....  
.

hereby consent on his/her behalf to participate as requested in the interviews for the research project on: “An exploratory study on the psycho-socio-economic and family backgrounds of the first-time youth offenders enrolled in a life skills diversion programme offered at Walter Sisulu Child and Youth Care Centre in Gauteng”

- Details of procedures and any risks have been explained to my satisfaction.
- I agree to audio/video recording of my child’s information and participation.
- I am aware that I should retain a copy of the Information Sheet and Consent Form for future reference.
- I understand that the child:
  - i. May not directly benefit from allowing my child take part in this research and is free to withdraw my child from the project at any time
  - ii. While the information gained in this study will be published as explained, my child will not be identified, and individual information will remain confidential.
  - iii. Whether he/she participates or not, or withdraw after participating, will have no effect on any treatment or service that is being provided to my child.
  - iv. Whether he/she participates or not, or withdraw after participating, will have no effect on his diversion programmes.
  - v. The information shared during the interviews will be strictly confidential

**Youth respondent's signature.....Date.....**

\_\_\_\_\_

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\_\_\_\_\_ mission of promoting critical inquiry and scholarship

I certify that I have explained the study to the volunteer; she/he understands what is involved and freely consents to participation.

**Researcher's name.....**

**Researcher's signature.....Date.....**

I, the participant whose signature appears below, have read the researcher's report and agree to the publication of my information as reported.

**Respondent's signature.....Date.....**

## APPENDIX C



### Department of Social Development

Postal Address – University of Cape Town – Private Bag – Rondebosch – 7701

Telephone 27 (0) 21 650 4220 – Fax No: 27 (0) 21 689 2739

Email: Thulane.Gxubane@uct.ac.za

21 November 2016

### CONSENT FORM FOR PARTICIPATION IN RESEARCH

(By interview, focus group)

I ..... the parent/  
guardian

of.....  
.

hereby consent on his/her behalf to participate as requested in the interviews for the research project on: “An exploratory study on the psycho-socio-economic and family backgrounds of the first-time youth offenders enrolled in a life skills diversion programme offered at Walter Sisulu Child and Youth Care Centre in Gauteng”

- Details of procedures and any risks have been explained to my satisfaction.
- I agree to audio/video recording of my child’s information and participation.
- I am aware that I should retain a copy of the Information Sheet and Consent Form for future reference.
- I understand that the child:
  - vi. May not directly benefit from allowing my child take part in this research and is free to withdraw my child from the project at any time
  - vii. While the information gained in this study will be published as explained, my child will not be identified, and individual information will remain confidential.
  - viii. Whether he/she participates or not, or withdraw after participating, will have no effect on any treatment or service that is being provided to my child.
  - ix. Whether he/she participates or not, or withdraw after participating, will have no effect on his diversion programmes.
  - x. The information shared during the interviews will be strictly confidential

**Parent's/guardian signature.....Date.....**

\_\_\_\_\_

The University of Cape Town is committed to policies of equal opportunity and affirmative action which are essential to its

\_\_\_\_\_ mission of promoting critical inquiry and scholarship

I certify that I have explained the study to the volunteer; she/he understands what is involved and freely consents to participation.

**Researcher's name.....**

**Researcher's signature.....Date.....**

I, the participant whose signature appears below, have read a transcript of my participation and agree to its use by the researcher as explained.

**Parent's/guardian signature.....Date.....**

I, the participant whose signature appears below, have read the researcher's report and agree to the publication of my information as reported.

**Parent's signature.....Date.....**

## APPENDIX D

### INTERVIEW SCHEDULE FOR THE YOUTH RESPONDENTS

#### DEMOGRAPHIC DATA

Age	
Gender	Female                      Male                      Other
Highest grade passed	
Duration at Walter Sisulu Secure Care Centre	

#### SECTION A: Family backgrounds of youth offenders

1. What type of a household are you staying at? i.e house, shack, etc?
2. Who are you staying with at home?
3. How many people do you live with at home?
4. Do you have any biological brothers or sisters?
5. Do you live with them at home?
6. Do your brothers/sisters work or they are studying?
7. How is the relationship between you and your sisters?
8. How is the relationship between you and your brothers?
9. Tell me about the relationship between you and your mother
10. Tell me about the relationship between you and father
11. Who looks after you?
12. Would you say you are satisfied with the care you get from your family? If not, why?
13. Who do you go to for advice in your family and why?
14. Does anyone in your family drinks alcohol. If yes, who? If none, why?
15. Does anyone in your family use drugs. If yes who? If none, why?
16. Who in your family is normally involved in fights? Why?
17. What do you like about your family? Why?
18. What is it that you do not like about your family? Why?

## SECTION B: Psycho-social background of youth offenders

1. How many friends do you have?
2. Who is your best friend (s)? Why?
3. How did you meet your best friend (s)? Where did you meet them?
4. Where does your best friend (s) stay? Where does he/she go to school?
5. What do you normally do with your friends after school? During weekends and holidays?
6. Do you have friend (s) here at Walter Sisulu CYCC? If yes, who? If no, why?
  
7. What do you normally do with your friend (s) after diversion sessions?
8. Do you have enemies, why? If yes, who? Why? If no, why?
9. Are you aware of any gangs in your community? If yes, which ones? If no, why not?
10. Are you a member of any gang (s), If yes, which ones? If not, why not?
11. For how long have you been a member of a gang? Why?
12. Is there anyone in your family who is gang member? If yes, who is it and for which gang, and for how long?
13. Is there a lot of crime in your community? If yes, which ones? If no, why not? Why?
14. Have you abused any drugs or alcohol? If yes, at what age were you when you started with substance abuse? If no, why?
15. How does taking drugs or alcohol make you feel? Why?

## SECTION C: Criminal histories of youth offenders

1. What offence have you been arrested for since you are attending life skills diversion programme at WSCYCC? Why did you get involved in this crime?
2. Is this your first offence? If yes, why did you get involved in this crime?
3. How many offences have you been arrested for in the past? Please specify them in their order? What is the final decision about them in court?
4. Who else have you been arrested with in this offence? Of what ages were the people you committed the offence with? Why them? )?
5. What is your part, if any, when the crime is committed? Why that part?
6. How did you get involved with the offence you were arrested for? Why?

SECTION D: Social support of youth offenders

1. Who in your family do you get along very well with? Why?
2. Who in your family do you not get along with? Why?
3. Whom in your family often comes to court for your hearings? If none, why?
4. Whom in your community often comes to court for your hearing? If none, why?
5. ?

Do you get visits here at Walter Sisulu? If yes, who? If not, why?

SECTION E: Life-skills diversion programmes of youth offenders

1. Are you enjoying the life-skills diversion programme? If yes, why? If no, why?
2. Are you learning anything in the programme? If yes, what? If no, why?
3. What is it that you are doing differently because of what you have learnt in the programme?

We have come now to the end of the interview, is there anything you would like to ask?

Is there anything else you would like to add?

Thank you for your participation in this study