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**RECIDIVISM AMONG MALE TRIAL- AWAITING YOUTH
DETAINED AT DYAMBU YOUTH CENTRE**

BY

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GXBERI001

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DECLARATION

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

Figures that appear in the text of this dissertation have been duly checked and are accurate.

17.03.2004

DATE

Signed by candidate

E. T. GXUBANE

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Greatest FRIEND

Being one of the most caring people I have met

From your greatness I learn

You show me the way I have followed I have benefited a lot from your friendship

You have never pretended in front of me

You are genuine in every act you do

Your wisdom I praise

Your humor I share

Honesty blooms in your eyes

In pride your words are spoken

Know that you are one of the few people

I admire

Thanks for your guidance

Your honesty

And believing in my abilities

FROM SANDILE LANGA

ABSTRACT

The study investigates the problem of recidivism amongst male trial-awaiting youth detained at Bosasa's Dyambu Youth Centre (DYC), to determine whether their experiences with the variables under investigation have in any way influenced them to consider changes in their attitudes towards criminal behaviour.

The research design in this study followed both quantitative and qualitative methodological orientations. An interview schedule was constructed in advance and applied in a standardised manner and was administered by the researcher, face to face with each respondent. Data were analysed and presented both quantitatively and qualitatively.

Findings in this study revealed that financial gain, drug addiction and peer pressure were the major driving forces and motivating factors that influenced the respondents to become repeatedly involved in criminal behaviour. Lack of a stable source of income, denial of re-admission at school, rejection by family and friends and lack of stable home and accommodation were some of the major factors that made re-integration into the community difficult for the respondents during the period after their previous release.

The findings in this study point to inadequacy of services with regard to prevention of crime and recidivism amongst juvenile offenders. Re-integration and after-care services were identified as an area that is grossly neglected in the field of probation and in social work services generally.

Nearly all the respondents reported that they would like to abandon their criminal lifestyle but the situations that they face and various other factors highlighted in the study drive them to crime. The predominant factors identified by the respondents as influential in encouraging abandonment of criminal activities include: a fear of heavy criminal record, disgracing the family, the acquisition of various skills and knowledge from DYC workshops and classes; and their own individual thinking.

Glossary of Terms

Terms are defined in a context that is relevant to the study:

- **Juvenile offender:** a person under the age of 18 who has allegedly committed a crime (Gauteng Manual for Places of Safety and Secure Care, 2001). Also referred to in this study as ‘juvenile’, ‘young offender’, ‘young person’, or ‘child’.

- **Secure care facility:** a place to which a juvenile offender is sent to by the Court, to await trial whilst investigations on the alleged charge are carried out (Gauteng Manual for Places of Safety, 2001). Also referred to in this study as ‘youth detention centre’ or ‘secure care centre’.

- **Form J7:** a legal document from the referring court, ordering the detention of the young person in conflict with the law in a secure care centre whilst the court continues with further investigations on the alleged offence (Gauteng Manual for Places of Safety and Secure Care, 2001).

- **Detention:** the deprivation of the liberty of a child, including confinement in a secure care facility (Child Justice Bill, 2002).

- **Rehabilitation programmes:** social programmes designed to restore juvenile offenders to law-abiding ways of life through treatment and (or) empowerment with job skills (Conklin, 1995). Juvenile offenders go through these programmes on a voluntary or compulsory basis.

- **Diversion:** a systematic ‘channeling’ of the child away from formal court procedures to informal procedures as recognised by the legislation (Child Justice Bill, 2002).

- **Recidivism:** the habit of juvenile offenders to relapse into crime after having gone through rehabilitation programmes in a detention centre (Oxford English Dictionary, 1994).

- **Probation officer:** a social worker appointed under the Probation Services Act No. 116 of 1991, as a probation officer for tasks to be carried out in terms of the Act (Child Justice Bill, 2002).

- **Assessment:** A process of evaluation of the young offender's development and competencies; his/her home or family circumstances; the nature and circumstances surrounding the alleged commission of an offence and its impact upon the victim; the intention of the young person to acknowledge responsibility for the alleged offence, and any other relevant circumstance or factors (Child Justice Bill, 2002).

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CHAPTER 1

Introduction

The first part of the introduction presents the following areas of discussion regarding the study as proposed by Mouton (2001):

- 1.1 Research problem area and the South African legislative framework;
- 1.2 Motivation for undertaking the study;
- 1.3 Overall aims and objectives of the study;
- 1.4 Potential value of the study;
- 1.5 The methodology that was followed in investigating the problem, and;
- 1.6 The outline of the remainder of the research report and how it unfolds.

The second part of the introduction is intended to provide the reader with the contextual background information on the setting where the study was conducted, under the following discussion areas:

- 1.6.1 Historical background of the setting where the research was conducted;
- 1.6.2 The management structure and operation of the Dyambu Youth Centre; referred to as DYC;
- 1.6.3 Programmes and social services rendered at DYC;
 - Personal Development Period (PDP);
 - Introductory Life Skills Programme;
 - General and Personal Development classes available at DYC;
 - Skills Training and Development workshops available at DYC;
- 1.6.4 The profile of the client system at DYC.

1.1 Research problem area and the South African legislative framework

In South Africa the legal system treats young offenders differently from how it treats adult offenders. There are certain legislative policies proposed to cater for the needs of children and youth in conflict with the law (South African Proposals for Policy and Legislative Change for Juvenile Justice: 1994, Draft Strategy on Child Protection in South Africa: 2000, Child Justice Bill; South African Law Commission's Project Committee on Juvenile Justice, 2002).

From the early 1990's there have been a number of developments in the field of youth justice, aimed at finding ways of dealing effectively with children and youth in conflict with the law. Diversion programmes have been proposed to divert youth in conflict with the law from going deeper into the criminal justice system. Secure care centres have been established specifically for young offenders who need to be kept in custody, away from the hostile adult prison environment.

Policies have been proposed and drafted to safeguard the rights and protection of children and youth who come into contact with the criminal justice system and eventually end up in secure care residential facilities. This is to ensure that young people at risk (and their families) have access to a range of differentiated services on a continuum of care in the least restrictive and most empowering environment, and to programmes appropriate to their individual developmental and therapeutic needs (Inter-ministerial Committee on Young People at Risk, Minimum Standards: South African Child and Youth Care System (CYCS); 1998).

Minimum standards and developmental quality assurance policies have been established to ensure that the rights of the young people at risk (and their families) are protected and that they receive quality and efficient social services from various service providers (Inter-ministerial Committee on Young People at Risk, Minimum Standards: South African Child and Youth Care System; 1998); Developmental Quality Assurance (DQA) Policy Practice Standards; 2000, and Gauteng Provincial Government Manual for Places of Safety and Secure Care; 2001).

Recidivism amongst young offenders is a major concern for the society in general and for all the professionals working with young people in conflict with the law. Early therapeutic and statutory interventions with young people who come into contact with the criminal justice system are primarily focussed on rehabilitation of these young offenders. The high rate of recidivism amongst young offenders challenges the effectiveness of the therapeutic and statutory interventions available to them. The ineffectiveness of early interventions with young offenders calls for an understanding of how these young recidivists experience the world around them. An insight into the factors that they perceive as influencing their recidivism will help to guide and inform early therapeutic and statutory interventions offered them and their families, so as to help minimise the high rate of recidivism.

The newly proposed Child Justice Bill (75 of 2002) outlines specific statutory processes and proceedings that will need to be followed in dealing with child and youth offenders. This comes at a very crucial time since more and more children and young people are repeatedly involved in criminal behaviour despite having gone through rehabilitation programmes, and some courts lack clear guidelines and structures for dealing effectively with these young offenders.

The probation officer is vested with a reasonable amount of power and duties related to reception and assessment of the child and youth in conflict with the law as outlined in the Child Justice Bill (75 of 2002, sections 19, 22, 23 and 24). Therefore, as pointed out by Graser (2003), social workers who will function within the criminal justice system as probation officer need to possess certain core competencies and knowledge to be able to execute their responsibilities when working with them.

The Child Justice Bill (75 of 2002, sections 19, 20, 21, 22, 23, and 24) is based on mandatory assessment of each child and young person who comes into contact with the criminal justice system. The purpose of these assessments is twofold. Firstly, they provide the court with necessary information regarding the accused child or youngster, enable it to make an informed decision regarding the accused young offender. The court will primarily be guided by the recommendations outlined in the brief assessment report provided by the probation officer. Secondly, the assessments help the probation officer to formulate a care plan for the young offenders, suited to their individual needs and the developmental challenges, which possibly, could have impaired their healthy social functioning and psycho-socio and emotional development.

1.2 Motivation for undertaking the study

The ever-increasing number of children and youth who end up in prison and secure care facilities due to their problematic anti-social behaviour is a cause for a major concern among various parliamentarians including Nelson Mandela, the former national President of South Africa, and Pan African Congress activist, Patricia De Lille. It is a disturbing factor for the researcher working as a social worker with these young offenders in a residential facility, to notice an escalating number of youngsters who re-offend despite all the rehabilitation efforts and second chances that they are afforded. "This core is made up

primarily of repeat offenders, youths who commit crimes and delinquencies over and over again in the course of growing up” (Barlow and Ferdinand (1992: 60).

In this study, the general concept of recidivism will be applied. The Oxford English Dictionary (1994, 536) defines the word ‘recidivism’ as “the habit of relapsing to crime”: hence, a recidivist is “one who habitually relapses into crime”, and ‘relapse’ is a falling back to error, heresy or wrongdoing. The concept of recidivism is further discussed in the Literature Review, which forms Chapter Two of this research report.

Most studies conducted on recidivism have previously concentrated on adult offenders, who have served a prison term or a part thereof, or whose parole agreement has been revoked. However, most of these studies have been conducted overseas and their findings cannot be easily extrapolated to our South African context and especially, to young offenders. In this study, the problem of recidivism focussed on young offenders who relapse into the habit of crime despite having gone through rehabilitation programmes during the period of detention while awaiting trial in a secure care facility.

In the researcher’s experience of working with juvenile offenders in a secure care facility, certain children tend to be highly self-motivated to participate in the therapeutic programmes, scholastic development classes and workshops, which others tend to resist. The resistance towards therapeutic interventions can, in some instances, be attributed to the fact that they have been falsely accused of the charges that have brought them to the Centre. Resistance towards school is usually associated with the fact that some of the youngsters have either never been to school or dropped out of school some time prior to their arrest.

Some of the children and youths have long histories of criminal activities and great experience of interaction with the justice system and detention facilities. Others are new and very unfamiliar with the criminal justice system. Some juvenile detainees adopt a prison mentality and will not participate in any scholastic or rehabilitation programmes. They will often maintain that attending the rehabilitation and scholastic programmes will not make any difference for them, since they are awaiting sentencing and they will eventually be sentenced to prison anyway. These inmates usually have a profound sense of hopelessness and usually have the capacity to influence other juvenile inmates negatively, proclaiming that they are not interested in attending classes because, using

their language, “Siboshiwe !”, (a Zulu word meaning that “We are arrested!!!”- implying “leave us alone”.)

Various factors around the children and the different individuals and environments that they interact with were investigated, to determine whether their experience of and interaction with, all or some of these factors has in any way influenced them to consider changes in their attitudes towards criminal behaviour.

1.3 Aims and objectives of the study

The specific aims of the study were to survey a group of young male awaiting-trial recidivists detained at Dyambu Youth Center in order to:

1. determine their psycho-socio-economic and family backgrounds;
2. determine their criminal histories;
3. establish their motivation to re-offend;
4. determine their assessments of their own experiences and their evaluation of their following:
 - 4.1. interaction with the custodial and judicial system;
 - 4.2. interaction with probation officers pre- and post-trial;
 - 4.3. family response and support whilst they were in custody, and throughout the statutory process;
 - 4.4. relationship with fellow detainees and staff members whilst in custody at DYC;
 - 4.5. rehabilitation programmes and social services received whilst in custody at DYC;
 - 4.6. reception and integration into the community and family after their release from the previous detention, and;
5. determine whether their experience of and interaction with, all or some of these, or any other, factors has influenced them to consider changing their attitudes towards criminal behaviour.

1.4 Potential value of the study

While the study was aimed at investigating the problem of recidivism and providing an understanding of the problem from the juvenile offenders’ perspective it is hoped that the findings will enable practitioners to be more effective in formulating social diagnoses and treatment plans that can stabilize various change efforts and minimize chances of relapse. It is hoped that it will help to guide practice regarding juvenile offenders and inform

intervention strategies and rehabilitation programmes so they can be more focused on the specific recurrent contributory factors identified in the study and thus minimise the high rate of recidivism amongst young offenders.

It is felt that the findings in this study will be useful to all the service planners and providers like the Department of Social Services and Secure Care Centres, in terms of understanding various dynamics and trends involved in this recidivism. The researcher's recommendations in dealing with the research problem area were based on research findings.

1.5 Methodology

The research design in this study was both quantitative and qualitative. Data collection processes mainly followed quantitative methodological orientation, with some qualitative elements to accommodate respondents' views, opinions and attitudes. An interview schedule (Appendix B) was constructed in advance and applied in a standardised manner. The interview schedule was administered face to face, with each of the twenty respondents. The research questions were specific and remained constant throughout the investigation (May 1997). Data were analysed and presented both quantitatively and qualitatively.

A proportional stratified random sampling approach was followed in this study. In order to make the sample representative in terms of different racial demographics of the entire population, the sampling approach was intended to also help shed light on how different racial groups experienced the phenomenon under investigation. The sample was drawn from different racial strata.

The respondents participated in the study **voluntarily**. The purpose and the benefit of the study were clarified to them. They were also assured of **confidentiality** regarding all the information they divulged, and of **anonymity**, so they could participate more freely.

Consent to carry out the research was negotiated formally through an official letter to the Unit Leader of DYC. The copy of the original consent letter appears as Appendix A.

1.6 Outline of the research report

The section that follows in this chapter provides the reader with a picture of the setting where the research was conducted. Chapter 2 is a literature review on recidivism and other related concepts. Chapter 3 provides an extensive discussion of the research design and methodology. Chapter 4 deals with the analysis and presentation of the research data. Overall main findings of the study, conclusions and recommendations are presented in Chapter 5.

1.6.1 Historical background of the setting where research was conducted

Dyambu Youth Centre (DYC) is a facility contracted by the Gauteng Department of Social Services and Population Development to operate as a secure care facility and place of safety for children and youth in conflict with the law awaiting trial. It is the biggest secure care centre in South Africa. It is situated in Mogale City, previously known as Krugersdorp, on the Gauteng West Rand and has the capacity to accommodate between 400 and 450 youngsters.

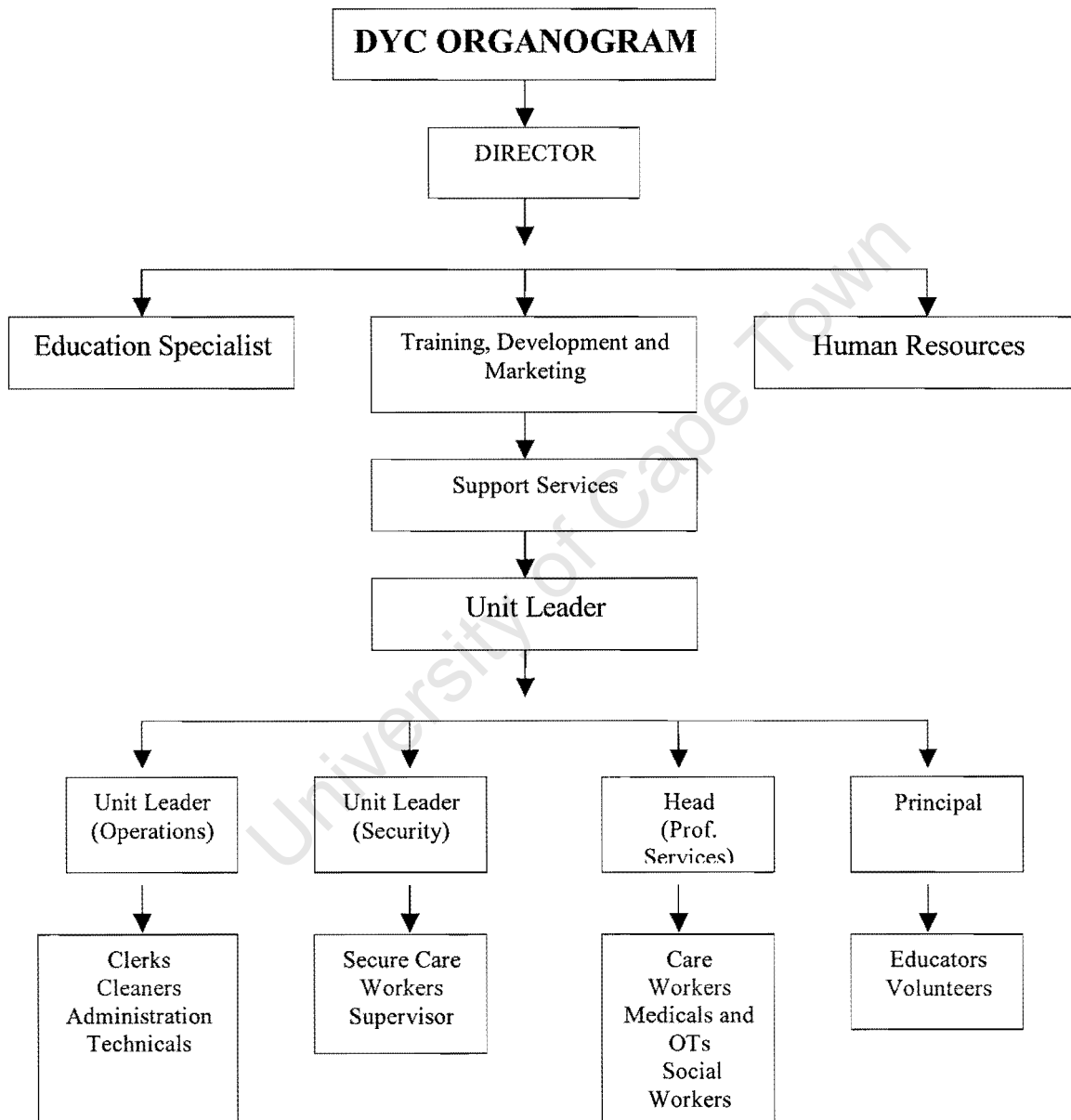
A private South African company, Bosasa (Pty) Ltd., previously known as Dyambu Operations (Pty) Ltd. operates the secure care facility. The name of the company Dyambu officially changed to Bosasa (Pty) Ltd. in early 2001. Bosasa is a Tswana word for “the future”. The Youth Centre was originally established in 1995 by the Meritum Group of Companies in partnership with the Gauteng Department of Social Services and Population Development and was called Meritum Youth Centre. According to Makoko (2002) the establishment of the Youth Centre was a product of three important related processes and factors:

- 1) It was the response of the Meritum Group of Companies to the call of the first democratic South African government, in 1994, for a partnership between the state and private sector in the reconstruction and development of the country.
- 2) The mines in the West Rand area were closing down so previous hostel facilities were empty and available to Meritum to be transformed to residential secure care facilities.
- 3) The promulgation of Section 29, No. 8 of the 1995 Correctional Services Act, in 1995 demanded the removal of children and young offenders who were awaiting trial in prisons, to a more suitable residential environment with immediate effect. The Meritum Youth Centre then established a public/private partnership with the

government. The partnership evolved from Dyambu Corporations (Pty) Ltd. to a partnership between the government Department of Social Services and Population Development and Bosasa Corporations (Pty) Ltd.

1.6.2 Management structure and operation of the Dyambu Youth Centre

Figure 1: **DYC Organogram:** Bosasa Policy Document, 2002.



The Unit Leader is the Operational Manager of the Centre. The Support Services coordinator acts as a liaison link between the Head Office and the Youth Centre. The Unit Leader of the Centre, the Head of Professional Services, the principal and the Unit

Leaders in the Operations and Secure Care Workers sectors operate as a heads of departments and supervisors, and form the management team in the Centre. They are responsible for daily decision-making and the effective running of the Centre and take turns in supervising staff members on weekend duties.

For effective management and service delivery to the young inmates, the Centre has been divided into different major blocks, sometimes called 'houses'. On their arrival at the Centre, youngsters are given a DYC number and a colour sticker printed on their DYC cards mainly based on their age. The DYC cards and colour coding stickers are used mainly for effective control and identification of the block and social worker responsible for the juvenile inmate. Each block is headed by a professional social worker who co-ordinates the service delivery in that particular block. The social worker works closely with other professional team staff members and ensures that the rights of the child are protected and upheld. Each block is assigned a number of constantly available child and youth care workers who work shifts to ensure that the inmates receive adequate care and supervision all the time.

1.6.3 Programmes and social services rendered at DYC

When a child is admitted at Dyambu Youth Center, the social worker conducts a holistic assessment of the child and makes contact with his family. The multi-disciplinary team, together with the child and his family, develop an Individual Development Plan (IDP) in relation to the child's Care Plan, which was developed by his probation officer during his reception, assessment and referral at court. The IDP will outline a specific treatment plan and goals based on assessment and social diagnosis of the specific individual and his situation. At the completion of an introductory life skills programme a young person is assessed by the occupational therapist and enrolled in a technical workshop and/ or a general personal developmental class relevant to his needs and interests, as part of his rehabilitation programmes. It is hoped that at the end the young person will develop a more positive self-image and a sense of worth, and will be in a position to lead a more constructive and responsible lifestyle on his release.

In addition to general interventions with the clients, the Social Work Department runs two different therapeutic rehabilitation programmes: the sexual offenders programme, and the behaviour modification programme. Each juvenile inmate is referred to these by

the social workers at the Centre, in accordance with the Individual Development Plan (IDP) of the child that they formulated for his general therapeutic intervention. The two programmes are also utilised by different courts for diversion purposes. Interventions for juvenile offenders referred to the Centre specifically for the programmes of diversion are in line with the third option of diversion proposed by the Child Justice Bill (2002).

- **Personal Development Period (PDP):** These are personal growth and self-awareness lessons presented every Tuesday and Thursday morning by the room elders, staff members who are assigned responsibility for two rooms. Room elders conduct daily room inspection in those two rooms and address all the problems and concerns that the occupants of those particular rooms report to them. The Room elder works with the room leader and together with the social worker of that block of rooms ensure that all the problems and concerns that have been reported by the inmates are speedily and adequately addressed. Room leaders are inmates that have been democratically elected by the room occupants to act as their spokespersons for their respective rooms.

- **Introductory Life Skills Programme:** This is a compulsory two-week programme that every juvenile who is admitted to the Centre has to attend. On completion of the programme, he has a wide variety of choices that he can make regarding general classes and technical workshops. On the basis of his personal potential and assessment by the occupational therapist, he will be offered a place in one general class and one technical skills training workshop. The juvenile then attends one period in the general class and another period in the technical skills training workshop in the morning. In the afternoon, he is given an opportunity to participate in various sport and cultural activities.

- **General and Personal development classes available at DYC:**

Adult Basic Education and Training (ABET) class

Formal education classes

Basic numeracy and literacy classes

Career guidance

Peer counseling

Leadership training

Biblical studies

“Who am I?” personal awareness and growth course

- Skills training and development workshops available at DYC:

Computer training

Electrical training

Arc welding

Glazing

Arts and crafts

Motor mechanics

Carpentry

Plumbing

Catering

Sewing

Agriculture and environmental conservation

1.6.4 The profile of the client system at DYC

Various courts in and around Gauteng refer arrested juveniles to the Centre with a Detention Order (J7), to await trial while investigations on the alleged offences that they are charged with proceed. These youngsters have been charged with various offences ranging from petty crimes such as shoplifting to more serious ones like murder or rape. They come from different racial groups and Africa as a whole. Their true ages range from 10 years to about 25 years. Hence the very young child offenders are often separated from the older juvenile offenders.

Where probation officers' services are available at the referring courts, the placement of the children in the custody of the Centre is usually arranged through them. The children and youths come to the Centre for various reasons and they often do not want to be there because they have been removed from their natural support systems of friends and family. They are, therefore, involuntary clients. These young people have been defined as youth at risk, since their normal healthy development has been jeopardised by their behaviour or circumstances that make them vulnerable and have to live away from their natural support systems and are placed under statutory care (Makoko, 2002).

Their economic and social backgrounds are diverse. Some have relatively stable social and economic family backgrounds but the majority is severely deprived in every aspect. Often the youngsters' adjustment and coping with the environment they find themselves in vary in accordance with the social support that they receive whilst at the Centre, and the manner in which the court progresses with criminal proceedings in their respective cases. Some stay very briefly at the Centre, for a day or a week, and others have to remain there for very lengthy periods - sometimes more than two years - while awaiting trial.

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CHAPTER 2

Literature Review

This literature review covers the following:

- 'offender rehabilitation' as a general reaction to juvenile offending and recidivism;
- conceptualization about the phenomenon of recidivism;
- rehabilitation and treatment of young offenders;
- goals and philosophy underlying treatment of juvenile offenders; ✓
- psycho-dynamic and psycho-social factors underlying chronic juvenile delinquency;
- the role of socialising agents in the development of chronic delinquency amongst children and youth: the family, the peers, and the school;
- concepts related to the criminal histories and activities of juvenile recidivists.

Evidence consolidated from the 1960s, according to Curtis (1989), has proven the ineffectiveness of custody as a means of preventing young people from re-offending. The statistics showed that "...83% of those who finished Youth Custody Orders in 1983 were reconvicted within 2 years and 68% of those who had served Detention Centre Orders were reconvicted within 2 years as well" (Curtis, 1989: 08). The Californian 1972 National Council on Crime and Delinquency Philosophy supported this conviction, which suggests that confinement is less effective than probation in challenging the outlook of criminal offenders in general, including juvenile delinquents. Therefore, if custody does not deter young people from engaging in criminal behaviour, alternatives need to be explored in dealing effectively with juvenile offenders.

One general reaction to crime that is favoured by many Western countries, and South Africa has followed suit in dealing with juvenile offending, is the concept of 'rehabilitation'. In her book on juvenile offending, Curtis (1989:08) proposed the use of 'intermediate treatment' (IT) programmes for dealing effectively with young criminals

and preventing recidivism. IT programmes offer an alternative to custody in the criminal justice system and provide a preventive measure to divert young people from even crossing the threshold of a court. According to Curtis (1989), it is futile to confine young people in custody for some time and return them to the community without any new skills to deal with their old problems. They eventually become “victims of circumstances, poor housing, poor education, poor leisure activities, poor employment prospects and limited choices in life “ (Curtis, 1989:08).

Diversion programmes have become an important feature of services to children in conflict with the law and the judicial system (Reddy, 2002). Diversion encompasses the essence of restorative justice principles and is a predominant feature of the much-anticipated Child Justice Bill (2002). Diversion programmes provide opportunities for the process of healing, understanding from all perspectives, reparation and rehabilitation. They also afford the opportunity to ensure that the interests of all affected parties: the community, the victim, the offender and the judiciary are served (Reddy, 2002).

Sechrest *et al.* (cited in Conklin, 1995: 499) defines rehabilitation as “[T]he restoration of criminals to a law-abiding way of life through treatment”. The emphasis is on treatment. Theories on changing offender behaviour can be divided mainly into three broad groups of theories derived from a limited general range of socialization theory (Trojanowicz, 1978).

1. **Human behaviour modification through punishment and rewards.** This approach is currently followed by the South African criminal justice system through correctional services and prisons.
2. **Insight and self-awareness: different types of therapies and counseling.** This is a system that follows the philosophies of treatment and rehabilitation of offenders. Intervention strategies are presumably implemented by the South African correctional services facilities.
3. **The nature of the offender’s relation to the community rather than the offender himself.** The emphasis is on re-integrating the offender into a much better community set-up. This is in line with the philosophy and principles of the proposed restorative justice system.

Treatment programmes are divided by Conklin (1995) into the following sub-groups:

- Education: assisting offenders to acquire educational opportunities.

- Work: empowering offenders with technical skills so that they can find jobs or self-employment once released;
- Drug addiction treatment programmes: assisting offenders to abandon drugs;
- Individual therapy: challenging the offenders to look at the psychological factors that could possibly contribute to their anti-social behaviour;
- Casework: professional team interventions that focus on various factors that impinge on individuals social functioning;
- Group counselling: assisting offenders with a common problem to deal with their problem through support from each other and learn from one another in a group setting under professional guidance.

The ultimate goal of treatment programmes is the rehabilitation of offenders. The traditional way in which the success of treatment programmes is measured is through the calculation of the recidivism rate (Conklin, 1995). This is typically calculated by taking the percentage of offenders who, during a specific period after their treatment has ended, are arrested and convicted of new offences or have failed to meet conditions of less restrictive sentences (Conklin, 1995).

Various writers tend to differ in the way in which the concept of recidivism should be perceived and calculated. It is common that one person's definition of a term may vary from another person's conceptualization of it. As pointed out by Masters (1994:201) that there are "[d]ifferent meanings of counselling effectiveness as to the term recidivism". In technical terms, the recidivism rate of inmates released from prison is often calculated by adding the number of releases who are arrested for new crimes and the number of those who are sent back to prison, and dividing that number of 'failures' by the total number of released inmates (Conklin, 1995). According to West (1963), recidivists are those prisoners with 'gaps' in the records of convictions. For him a gap is a period of at least four years at liberty and free from conviction, preceded and followed by criminal convictions on at least two occasions. A major problem about using re-arrest data to measure recidivism, as argued by Conklin (1995), is that ex-convicts who commit crimes are not always reported to the police and, on certain occasions, even if they are reported the police do not arrest them.

Barlow and Ferdinand (1992) highlighted some of the complexities in defining what they described as 'chronic juvenile delinquency'. It is confusing as to how many offences

should have been committed or what offences should have been committed or how many convictions the juvenile offender should have had in his criminal history in order to be classified as a 'chronic delinquent'. Added to the confusion are the interchangeable use of words 'chronic' and 'career', and the duration of offending. A 'career', according to Barlow and Ferdinand (1992), implies that the juvenile delinquent has a recognisable identity and certain perspectives regarding criminal behaviour, as is true of some persistent recidivists. Some writers apply the term "chronic" to juvenile offenders whose criminal activity spans over three to four years, whilst others look at the number of arrests and do not consider the duration of criminal activities (Barlow and Ferdinand, 1992).

A recidivist "is one who has previously been in punitive custody (thus excluding remand and on-trial prisoners), but is rarely clear whether previous committal to an approved institution constitutes previous punitive custody in this context", according to Morris (1951: 04). Morris (1951) makes a distinction between a 'recidivist', a 'persistent offender' and a 'habitual criminal'. He argues that while the term 'persistent offender' is similar to that of 'recidivist' an added element of a larger number of offences and punishments to constitute recidivism. Morris (1951:08) defines an 'habitual criminal' as "[O]ne who possesses, criminal qualities inherent or latent in his mental constitution (but who is not insane or mentally deficient); who has manifested a settled practice in crime; and who presents a danger to the society he lives in (but is not merely a prostitute, vagrant, habitual drunkard or habitual petty delinquent)."

Sherman et al. (cited in Brown and Pratt, 2000) endorse the use of valid risk assessment as a means of identifying offenders for whom 'targeted intervention' may be effective. Certain offenders see their crimes as rational and conscious efforts to solve problems confronting them at a particular time and they often deny that they need treatment (Conklin, 1995). Ineffectiveness of rehabilitation programmes for young offenders has been a major concern for practitioners working with young offenders.

It has been generally assumed that young people resort to crime because they cannot find jobs and they are not employable because they lack marketable job skills. Hence there has been more emphasis on job training rehabilitation programmes since unemployment in South Africa has been severe among young people under the age 24 (White Paper for Social Welfare; 1997). However, it is noted with interest by Krost (quoted in Conklin,

1995) that offenders often exploit programmes that are developed to help them: criminals with job skills end up using the acquired skills to venture into new avenues of crime.

Masters (1994) outlines a number of factors that makes it difficult to counsel young offenders in the justice system:

- At adolescence young people are beginning to grow away from their parents and adult influence diminishes.
- The decision to seek help is rarely made by young offenders of their own accord. They perceive the source of their problem to be referral and not themselves.
- Young offenders have great difficulty accepting responsibility for their actions.
- Young people have limited, or lack, life experiences and maturity to draw from and usually fail to gain an insight into their problem situations.
- Young people have a tendency to live for the here and now and not to be concerned about the future. They are more concerned with immediate pleasures and material things.
- They tend to be excessively committed to their peers and vulnerable to peer pressure, especially boys who feel additional pressure to establish and demonstrate their masculinity.
- Young offenders tend to see a counsellor as being more concerned with and committed to the criminal justice system than to their needs.
- They do not have an investment in counselling. Effective treatment requires strong involvement and self-investment.
- In most cases, punishment is less severe for juvenile offenders and incarceration is often considered as the last resort.

It is a traditional practice to make offenders gain an insight into their problematic situations. Counseling is seen to be effective only if it results in lower recidivism rates (Lester and Braswell, cited in Masters, 1994). However, Yochelson and Samenow (cited in Conklin, 1995: 144) caution practitioners who work with young offenders to take note of 'errors of criminal thinking'. These include; chronic lying, a view that other people's property is their own, unrelenting optimism, great energy, intense anger, manipulateness, and inflexibly high self-image.

Masters (1994) seemingly endorses the risk assessment model of practice and amenability to treatment when she asks: “Do we do more harm than good when we force counselling on those who are not predisposed to it?” It appears that, practitioners need to be careful with regard to deterministic models of assessment. These may serve as self-fulfilling prophecies to the potential clients, thus discouraging them from changing their attitude and behaviour. Corpas and Marshall (cited in Brown and Pratt, 2000: 121) support the view that “risk assessment models provide only a description of the correlates of risk and not an explanation of the causes of risk or predictions about individuals”.

2.1 Goals in the treatment of juvenile offenders

A report by Martinson (cited in Ferrara, 1992) contending that “nothing works” in the supervision strategies and treatment programmes of juvenile offenders sparked a huge debate among various professionals working with juvenile offenders. Gendreau and Ross (cited in Ferrara, 1992) argued that perhaps a starting point should rather be a clear definition and goals of treatment before any conclusion is made regarding the effectiveness or ineffectiveness of any treatment programme.

According to Fine (1996), young people at risk have a certain way in which they think about themselves and the world around them, which could be described as ‘nothing matters’. That is, if nothing matters, what difference does it make whether they go to school or commit a crime? They operate on the principle that if they don’t matter, no one matters, nothing in life matters and therefore nothing in the world matters (Fine, 1996). This thinking about themselves and the world around them occurs long before they come into contact with legal processes and before they arrive at institutions. They are trapped inside a prison cell of their own minds well before they actually come into conflict with the criminal justice system and institutions that work with it (Fine, 1996).

The focus of interventions for those working with young people at risk in the institutions, according to Fine (1996), is to support them by helping them transform the way in which they think about their past, their present and their future. For him, it is their past that has made them conclude that they don’t matter and nothing matters. Therefore, for effective interventions to occur, interventions need to focus more on ‘transforming’ the young people rather than ‘changing’ them. Fine (1996) emphasizes that the process of

transformation is a cooperative partnership and not an operation which one person performs on another.

Fine (1996) distinguishes between the processes of 'changing' and 'transformation' of a young person at risk. For him, change is superficial and usually yields short-term results because it is an external phenomenon. On the other hand, transformation provides young people with an opportunity to alter the way in which they see themselves and the world around them. It provides young people with the structure and support within which they can grow and develop and ultimately transform themselves. Therefore, transformation is more of an internal phenomenon. Hence it is more likely to produce long-term results that are sustainable which can transform the manner in which the young people see themselves and the in manner they live their lives (Fine, 1996).

A primary goal in working with children and youth at risk, according to Brendtro *et al.* (1990), should focus on fostering self-esteem amongst the young people. They maintain that "(w)ithout a sense of worth, a young person from any cultural or family background is vulnerable to a host of social, psychological and learning problems (Brendtro *et al.*: 1990: 35)". The four basic components of self-esteem as identified by Coppersmith (cited in Brendtro *et al.*, 1990: 35) are **significance, competence, power and virtue**". These components are translated by Brendtro *et al.* (1990) to four central values in a unifying theme for working with children and youth at risk, these are **belonging, mastery, independence and generosity**. They consider the four central values **as constituting a circle of courage** in the development of any child or youth.

Brendtro *et al.* argue that without the four central values that form the circle of courage "there can be no courage but only discouragement. Discouragement is courage denied. When circle of courage is broken, the lives of children are no longer in harmony and balance "(1990: 46). The seeds of discouragement outlined by Brendtro *et al.* (1990) are: destructive relationships, climates of futility, learned irresponsibility, and loss of purpose. It is emphasized by these authors that, if we want to be successful in reclaiming children and youth at risk, we need to be able to identify where the circle of courage was broken before we can intervene in the child's life. They summarize: "(o)ne cannot mend the circle of courage without understanding where it is broken " (Brendtro *et al.* (1990:46). They highlight the importance of "de-coding" the problematic behaviour with which the child or young person is presenting. Effective treatment of children and youth at risk

requires therapists to discover the meaning behind the problematic behaviour that they are presented with rather than responding to the surface problem behaviour (Brendtro *et al.*: 1990).

A traditional method of measuring the success of treatment programmes is through the 'recidivism rate'. As pointed out earlier, there are huge debates and problems in using this method for assessing the effectiveness of treatment programmes (Conklin, 1995, and Barlow and Ferdinand, 1992).

In addition to financial benefits of juvenile offending treatment programmes, Ferrara (1992) has outlined two other values, which can manifest in different ways. A juvenile offender who does not recidivate finds value in improved quality of life and instead becomes a productive member of the society. Some general characteristics of effective treatment outlined by Ferrara (1992) include the following:

- Clients are matched to appropriate treatment programmes since clients will be at different places along the continuum of delinquency;
- Staff members are adequately trained in their areas of interventions;
- More than one agency becomes involved in providing services, and
- Multiple interventions are used in a single programme.

Curtis (1989) proposed that an essential role of therapists working with the children and youth in conflict with the law is to find various ways of involving the most important figures in the lives of the youngsters and to identify features in the society that aggravate their problem. A '**juvenile liaison panel**' according to Curtis (1989), is the systematic way of working with significant others of the child in a range of contacts made available to help support parents and when necessary to provide alternative sources of shelter and parenting skills. She argues that it is a futile exercise to take children away from their community and returning them without any new equipment to deal with their old problems. If they are not helped in that regard, they eventually become "victims of the circumstances; poor housing, poor education, poor leisure facilities, poor employment prospects, (and) few choices in life" (Curtis, 1989: 08).

2.2 Psycho-dynamic and psycho-social factors

Some theorists have linked juvenile delinquency to biological variables and, in part, to genetic factors (McGuff and Thapar cited in Comer, 2001). Contemporary studies, according to Eldefonso and Hartinger (1976), suggest a limited correlation between an individual's biological makeup and his potential for delinquent behaviour. Genetic research has indicated that people with antisocial personalities have an extra 'y' chromosome in their cell nuclei (Eldefonso and Hartinger, 1976). Bootzin (1980) questioned such findings since there are people who have this extra 'y' chromosome but are peace loving and law abiding citizens. Bender, a psychiatrist (cited in Eldefonso and Hartinger, 1976), pointed out that even though there is no necessary cause-and-effect link between brain damage and delinquency, some connection has definitely been established.

It is normal for youngsters to engage in risk-taking behaviour and challenge authority because of their developmental stage (Comer, 2001). Most young people test the limits of their environments in order to establish how safe these environments are (Comer, 2001). The pervasive antisocial behaviour of young people who become persistent offenders has received some attention because of the problems it creates in various communities (Comer, 2001).

Psychodynamic theorists trace the roots of antisocial personality to the failure of a young person to develop adequate superego controls (Bootzin, 1980). The underdevelopment of the superego in a person can best be understood by making comparisons to overdevelopment of the superego in people who are more neurotic (Bootzin, 1980). In the latter, the superego can irrationally demand moral perfection and can, therefore, lead to intense feelings of anxiety when antisocial behaviour occurs. People with underdeveloped superego experience little or no anxiety about their antisocial behaviour because they have little means of resisting the id's amoral gratification (Bootzin, 1980). The psycho-dynamic analysis of the development of antisocial personality in young offenders offers a sound insight into understanding chronic offenders who normally have little or no guilt for their antisocial behaviour, where other people would experience great regret or suffer intense feelings of guilt (Bootzin, 1980).

Juvenile delinquents should not be conceived of as a homogenous group of offenders as, pointed out by Ferrara (1992). The continuum of delinquency ranges from mild to severe.

The 'mild' delinquents are easily suggestible and easily enticed by others or the environment to engage in criminal behaviours. They act without thinking and have little ability to handle fear, frustration, or guilt. At the other extreme, the 'severe' view the world in terms of 'winners' and 'losers' and will do anything it takes to be a 'winner', failing to consider the needs of others. They are angry inside and have unrealistic feelings of pride, little guilt, and will not take responsibility for their antisocial behaviour (Ferrara, 1992).

Summing up the demographic profile of juvenile offenders from their findings, Barlow and Ferdinand (1992; 66) state that chronic delinquents "are more likely to be male than female, to be of low socioeconomic status rather than high and to be nonwhite rather than white." However, juvenile delinquency should not be viewed in isolation from the context in which it takes place. Snyder and Huntley (cited in Bootzin, 1980) assert that the society itself has built-in inadequacies, which lay a foundation for the troubled and troubling youth. Society places great emphasis on material possessions and social status. Some people have the means to achieve these norms whilst others do not. This may create an environment for juvenile involvement in criminal activities (Bootzin, 1980). Holland asserts that "(we) should devote (our) efforts to changing society rather than its victims"(cited in Bootzin, 1980:221).

2.3 Socialization agents

2.3.1 The family

According to Haskell and Yabonsky (1988:160), "The family is a basic socialising agent in our society. In the family, children and adolescents should learn the basic social skills and values necessary for leading a law abiding life". There is a general agreement in the literature of criminology that youth-oriented difficulties, such as delinquency, are symptomatic of a problematic environment with dysfunctional family dynamics indicated as a major casual factor (Mays 1972). According to Leone (1990), families interact on several levels. Parents have their own 'baggage', which they bring to child rearing, according to how they were raised. Child development thus unfolds within a dynamic developmental interplay between parents and children (Leone, 1990).

Research conducted by West and Farrington (1973) showed that social and family backgrounds of juvenile delinquents were characterized by poor relationships with their

parents. Responding to a question as to whether juvenile delinquents would prefer to live alone or with their parents: 60.3% expressed a desire for independence; 64.2% said they would rather live with their parents, mainly for financial convenience and home comforts compared to the 29.9% who would rather live elsewhere and 53%, already recidivists, wanted to live away from home, whilst 22.6% were already living apart from both parents.

Some studies propose that the amount of time parents spend with children is significant to the level of young person's social dysfunction. The instability of the marriage between parents is the primary causal factor in children's emotional instability (Wadsworth, 1979). In the West and Farrington research report (1973), on the question of how their juvenile respondents were relating to their parents; 63.4% got on very well with their operant mothers and 5.1% not so well, whilst 50.1% got on very well with their operant fathers and 11.3% did not relate well with their operant fathers. They concluded that most of the juvenile offenders got on very well with their mothers, better than with their fathers.

Drawing from his research findings, West (1982) identified five key factors that made young people be 'at risk'. He found that:

- They came from a low-income family;
- They came from large sized family;
- Parents performed their child-rearing duties unsatisfactorily;
- They had below-average intelligence on testing;
- They had a parent with a criminal record.

Of the five key factors predictive of chronic juvenile delinquency, parental criminality is the most powerful (West, 1982). Boys with criminal fathers were twice as likely to be delinquent as others, and boys with delinquent older brothers were three times as likely (West and Farrington, 1977). Yabonsky and Haskell (1988: 160) have also proposed that, "(c)hildren are most likely to become delinquents when they are socialized in a 'criminogenic' family".

2.3.2 Peer groups

Social and peer interactions are possibly the most influential of all youth activities. Menninger (cited in Brendtro *et al.*, 1990: 38) proposed that children and youth at risk, who do not experience love and affection from the family, would pursue "artificial belongings". The relationships that they form with peers provide them with recognition,

love and a sense of belonging, which many of them do not experience in their families (Brendtro *et al.*, 1990: 38). Some of the groups that the youngsters join are gangs, which are given high status and recognition in the community. Loyalty and solidarity is high among gang members of any given gang and are expressed through chronic gang criminal activities. (Barlow and Ferdinand, 1992).

The 'rejected' youths become intensely involved with peers mostly because of various stresses that they might be experiencing either in the family or at school. They often have difficulties and do not achieve academically. According to Barlow and Ferdinand (1992: 72) the "rejected youth gravitate toward each other, and the experience enhances everyone's chance of being rejected in the conventional society". These problems often go unnoticed and this can lead to intolerable frustrations and acting out expressed in persistent antisocial behaviour. This form of behaviour will be viewed as an acceptable, profitable, and an alternative to conventional activities amongst young delinquents in a gang when failure at school has been experienced (Barlow and Ferdinand, 1992: 73).

2.3.3 The school

The school environment cannot be separated from the youth and a holistic approach must be adopted in dealing with youth at risk (Whittaker and Garbrino, 1983). The California Department of Youth Authority records (cited in Eldefonso and Hartinger, 1976:85) showed that the chronic delinquents display "a negative attitude toward school, with poor achievement records and frequent involvement in school misconduct". According to Ruttler and Giller (1983), studies have shown that children who drop out of school and frequently truants school are more likely to be delinquent than those who complete their education.

Thompson and Bynum (1991) provide a theoretical framework that provides an understanding of the link between school experience and chronic delinquency. They have distinguished a career path between the more powerful youth and the more vulnerable youth. The more powerful are those who have high academic performance and are less troublesome at school. As a result, they are able to access higher education and automatically, as adults will have high professional and scientific status. On the other hand, low academic performance in elementary and secondary school can indicate a likely path of vulnerable youth to troublesome behaviour. The more vulnerable will have

low academic performance and are more likely to be involved with influential peers and become more troublesome. As a result, they may not be able to access the world of work, owing to their low educational status and lack of necessary marketable job related skills. Therefore, failure at school may contribute directly to chronic delinquency and, further, to adult criminal careers (Thompson and Bynum, 1991).

2.4 Criminal histories and activities

One of the major difficulties in working with repeated juvenile offenders and adult offenders, according to Masters (1994), is that most have been involved with the criminal justice system for too long. She refers to these types of offenders as 'institutionalized' and 'state-raised convicts'. This means that they have become dependent on the criminal justice system as a way of life and have spent more time in custody than outside in the community.

It is generally agreed among writers and professionals in the field of offender treatment that the chance of positive outcome in treatment of juvenile offenders when compared to adult criminals is relatively good. It is assumed that a juvenile offender is more likely to abandon a delinquent way of life with early treatment, than an adult offender who may have a long history of an established pattern of criminal behaviour (Conklin, 1995; Eldefonso and Hartinger, 1976). It appears that the earlier a person gets involved with the criminal justice system as an offender, the greater the chances that he or she will continue with criminal behaviour well into their adulthood (Masters, 1994). As stated by Hamparian *et al.* (cited in West, 1982:16), "It is well known that being convicted at an early age is a bad sign...the younger the age of first arrest the greater the number of re-arrests". Barlow and Ferdinand (1992:69) supported this notion in explaining one of the five major factors predictive of chronic juvenile delinquency: "They (juvenile offenders) are more likely to have committed a serious crime, and to have been arrested and incarcerated, at an early age".

The challenge facing those working with persistent juvenile offenders, as pointed out by West (1982), is the ability to identify those who are at risk of becoming long-term delinquents at an early age. A variety of theorists have explained why certain juvenile offenders are more prone to persistent delinquent behaviour than "temporary" juvenile delinquents. West (1982: 77) stated that despite differences amongst theorists, there is

“... a cluster of persistent traits of personality which develop early in life and bring about the chronically deviant behaviour of the recidivist delinquent”. This is supported by the American Department of Corrections (1999:03) report on Best Use of Psychological Service Treatment Resources, which states that, “...serious repetitive offenders must be identified before resources can be directed to them, but predicting reconviction is an inexact science”.

West (1982: 72) identified three criteria predictive of long-term recidivism from early assessments. These are:

- Very troublesome pupil behaviour according to teachers reports;
- Father with at least two criminal convictions before the boy turns 10;
- Mother with an adult conviction record or a sibling with a conviction record before the boy turns 10.

Barlow and Ferdinand (1992) identified ‘progression’ and ‘specialisation’ as two issues of concern in understanding chronic delinquency. It is generally assumed that juvenile offenders do not start out committing serious offences but, rather, start off with minor offences and progress to serious offences as they extend in their juvenile criminal activities. Added to that is the question as to whether juvenile offenders tend to specialise in certain kind of offences as they develop their criminal activities.

It would seem that the effects of being convicted as a juvenile offender have a devastating impact. As pointed out by West (1977: 135), “(t)he effects of a conviction appeared to increase rather than decrease delinquent behaviour”. In the institutions that these juveniles are sent to, they become ‘infected’ and are taught new, smarter ways to offend by other inmates (Curtis, 1989). Hence, Curtis (1989) comments, one major reason why the Surrey Juvenile Offender Resource Centre is impressive is the scale on which the Centre has tackled the future needs of young people, such as finding work and accommodation. It is therefore essential for professionals in working with young people at risk to identify features in the society, which aggravate the problems of the young persons. Without the availability of a support system after release from custody, after-care services and assistance with regard to reintegration into the society, the juvenile offender is returned to old problems and will eventually recidivate (Curtis, 1989).

CHAPTER 3

RESEARCH DESIGN

AND

METHODOLOGY

“Vigorous research is necessary to identify the many variables related to the phenomenon of juvenile delinquency. Meaningful research will contribute to the establishment of theoretically sound treatment, prevention, and control programmes. Research can provide a sound basis on which successful programs can be replicated in different environments and communities” (Trojanowicz, 1978: 305).

3.1 Introduction

Social work research as scientific inquiry contributes to an increase in the body of generalisable knowledge about social work concerns. Findings from research provide practicing social workers with information that they need in order to understand various aspects of the profession and to make informed practice decisions. Therefore, research applied in this study, “(s)trives for information, or data, about reality as it is, unbiased and error-free” (Grinell, 1993:04).

3.2 Conceptualisation

Selecting a research design and methodology that will gather the evidence necessary to answer their research questions or hypotheses being tested is a challenging requirement. After the variables in the study were identified, the various procedures and measures available, the possibility that might be necessary to create new ones were considered. Measurement began with a process of conceptualisation on two levels: firstly, the process of taking a construct or concept and providing it with a conceptual or theoretical definition and secondly, the selection of the most appropriate research design and methodological orientation that would best achieve the set aims and objectives of the study.

A process of thinking carefully about the concept of recidivism, with a focus on youth awaiting trial in a detention centre was followed. The relevant literature was surveyed for information and conclusions other scholars have drawn around the research topic. Most major researches have concentrated on the failure of changing offender behaviour and thus neglect a definition of offender success (Trojanowicz, 1978). Trojanowicz (1978) advocated the redefinition of the term. In this study a working definition of the construct was developed so as to form the focus of the study (May 1997). Therefore, an operational definition of the concept of recidivism took into account the context of the research. Recidivism in this study generally refers to the habit of juvenile offenders to relapse into crime after having gone through rehabilitation programmes in a youth detention centre.

3.3 Methodological orientation

The research design in this study followed both quantitative and qualitative methodological orientations. Data collection processes mainly followed quantitative methodological orientation, with some elements of qualitiveness to accommodate respondents' views, opinions and attitudes. The research questions were specific and remained constant throughout the investigation (May 1997). This methodological approach helped the researcher to remain objective for the most part of the investigation with regard to how each juvenile respondent experienced and evaluated the variables under investigation. Therefore, the most frequent responses guided the researcher to extrapolate to the entire population from how a majority or minority of the juvenile offenders experienced or evaluated different variables under the investigation.

An interview schedule was constructed in advance and applied in a standardised manner. It should be noted that whilst the construction of the research tool and approach in this study was mainly quantitative, crucial information on the views and attitudes of the respondents, that helped to supply new insights into the variables under the investigation, were documented for analysis in the overall findings, even though such data were not easy to code or quantify (Grinnell, 1993).

The study did not only explore an area that has never been researched at Dyambu Youth Center, but aimed to describe the area as well. Therefore, according to the Tripodi, Fellin, and Meyer categorisation (1972) the methodology fell under the sub-type of [quantitative] exploratory-descriptive research design.

3.4 Research Methodology

3.4.1 The population

According to Binder and Geis (1983: 239), a population in the research enterprise is "the entire set of people or objects or numbers in which we are interested (to study) at a particular time". In this study, the population comprised all the male juveniles who had awaited trial in a youth detention facility, and had allegedly re-offended and were currently awaiting trial at Dyambu Youth Center during the period of the investigation. These were seventy-five (75) out of the total number of three hundred (300) juveniles admitted to Dyambu Youth Centre during the research period.

3.4.2 Sampling

A sample, according to Binder and Geis (1983), is some subset of the entire population. The sample in this study was drawn from all the juveniles who were admitted at Dyambu Youth Centre because they had allegedly re-offended during the period of the investigation. A quarter (25%) of the population was considered adequate to form a core sample. Therefore, 25% of 75 being 18.75, the figure was rounded to the nearest value of 20 respondents, for effective statistical data analysis.

There are two basic approaches to sampling: non-probability sampling and probability sampling (De Vos, 1998). Probability sampling infers that each member of the population has an equal chance of being included in the sample. Non-probability sampling may be based on the availability of a limited number of respondents and may include accidental sampling plan and purposive sampling (De Vos, 1998). Simple random sampling is applied when the researcher has reason to believe that the population of interest is a relatively homogenous group. However, where there could be certain variations in the population that could render the sample non-representative, simple random sampling may not be appropriate (Binder and Geis, 1983).

In this study, a proportional stratified random sampling approach was followed. According to Leedy (1985) this sampling approach seems more appropriate for a population situation, which is markedly diverse. The researcher in this study believed that a sample drawn from different racial strata would not only make the sample representative in terms of different racial demographics of the entire population, but would also help to shed light on how different racial groups experience the phenomenon under investigation. The different racial groups were drawn in proportion to total racial demographics of the entire population of the Centre. Therefore, of the twenty respondents, half (10) were African, six were coloureds and four were whites - all drawn randomly from the different racial sub-population groups.

3.4.3 Selection and compilation of the research tool

The main method of gathering data for this study was the use of extensive individual interviews in line with the main aim of the research, which was to understand the problem from the perspective of the each juvenile. As pointed out by May (1997: 109),

individual interviews “...yield rich insights into people’s experiences, opinions, aspirations, attitudes and feelings”.

The researcher employing the qualitative approach to the investigation is more likely to use semi-structured or unstructured interviews or group interviews to collect data. The quantitative researcher on the other hand will conduct structured interviews to collect data. This method of interviews is said to allow comparability between responses such that a calculated number of the respondents are representative of the population for the purpose of generalisation (May, 1997).

In this study structured interviews were employed, since the method that was followed was more quantitative, but the respondents were given some space to elaborate on their individual responses whenever they wanted to do so. A research tool was an interview schedule, which was constructed in advance of the data gathering in accordance with the aims of the study. Each question was quantified, coded or rated according to scales, so as to allow effective quantitative analysis of data. The interview schedule that was administered to the respondents in the actual research appears as an appendix to this report.

The researcher administered the interview schedule face to face with each respondent. The interview schedule was chosen as the research tool to:

1. ensure that the respondents understood the questions. (It should be noted that even though the interview schedule was compiled in the English language, interviews were conducted in a language that the respondent felt comfortable with in responding to the questions. Therefore questions were translated and asked in different mother tongues as necessary. Responses were translated to English);
2. ensure that all questions in the interview schedule were answered;
3. obtain answers that were comprehensive and would provide a better understanding of respondents’ views of and attitudes towards various issues;
4. allow respondents to provide additional information which might not be covered by the questions contained in the interview schedule.

3.4.4 Pre-test of instrument

A pre-test of the interview schedule was undertaken to determine the clarity and appropriateness of the wording. The interview schedule was administered to three respondents (an African juvenile, a coloured juvenile and a white juvenile) who did not form part of the core sample in the actual investigation. It should be noted that in an ideal situation the pre-test would have been conducted in a different youth detention centre so as not to disadvantage the respondents on their chances of being selected as members of the core sample in the actual research. However, that would have required revision of the interview schedule since not all centres have similar rehabilitation programmes to Dyambu Youth Centre's and certain questions in the interview schedule were constructed in line with the social and rehabilitation programmes offered at Dyambu Youth Centre. Furthermore, research ethics were adhered to and clarifications were made regarding the purpose of conducting the pre-test of the interview schedule. Therefore, respondents participated in the pre-test as they would have done in the actual research investigation.

After the research tool had been pre-tested on the three respondents, alterations and revision of certain questions were made where necessary and the final interview schedule was compiled and made ready for the actual investigation.

3.4.5 Ethics appraisal

The respondents participated in the study voluntarily. The purpose and the benefit of the study were clarified to them. They were also assured of confidentiality regarding all the information they divulged, and of anonymity, so they could participate more freely.

Mouton (2001) alerts researchers to one of the most important and often overlooked research ethical principles – namely: the legal and ethical constraints on access to certain populations such as children and minors. In this study this ethical principle was effectively dealt with by telephonically informing the parents about the aims and benefits of the study and gaining their consent- for those who had telephones - and in person with those who visited their children at the Centre. It should be noted that not all the contacts with parents were successful. Some of the parents did not have telephones and did not visit their children at the Centre. Fortunately, this applied mainly to all those juvenile respondents whose true age was, in fact, eighteen years and older and therefore did not need parents' consent.

3.4.6 Method of gaining consent and collection of data

Consent to carry out the research was negotiated formally through an official letter to the Unit Leader of Dyambu Youth Centre. The letter clearly outlined the purpose of the study, the research methodology, research ethics, potential value of the study and the research report dissemination plan. The copy of an original consent letter appears as an appendix to this research report. The Centre will also be provided with a copy of the report, which will outline the major findings and recommendations of the research.

An individual appointment for an interview was made with each respondent who had consented to participate. Interviews were conducted in a private room in the visitors' area, which was a reasonably neutral venue, and the use of the researcher's office was avoided. The purpose was to ensure that the venue did not reflect the hierarchical relationship the researcher had with some of the juveniles.

As highlighted by Cicourel (cited in May 1997), the more interviews are standardised the more reliable the data will become. All interviews were conducted in the mornings whilst respondents' energy levels were still high. Prior arrangements and permission were negotiated with other staff members who might have needed to consult with the young person on the particular scheduled date at the time of the interview. Respondents were encouraged to relax and the whole interview process was made as informal as possible. Clarifications with regard to confidentiality and anonymity were re-iterated, and that helped to ease their fears and anxieties. An average duration of the interview process was about forty-five minutes, to an hour.

3.4.7 Method of analysing data

Analysis of data in this study was conducted so as to gain an understanding of their various constitutive elements through an inspection of the relationships between concepts, constructs and variables, and to identify any emerging patterns, trends, and themes amongst the different variables under investigation (Mouton, 2001:108).

Miles and Huberman's (1994) basic theoretical framework for analysis of data was followed in this study. According to these authors, analysis of data involves a three concurrent flows of activities which include data reduction, data display and conclusion

and verification. Data were analysed and presented both qualitatively and quantitatively: a method of data analysis described as ‘theoretical triangulation’, which means “...the use of several frames of reference or perspectives in the analysis of the same data” (De Vos, 1998:359).

Collected data were technically prepared through categorisation and coding. The quantitative data were quantified through rating scales, frequency scales, tables and graphs and other statistical breakdowns. Interpretation in this study involved relating the findings to existing theoretical frameworks or models, and showing whether these supported or falsified the new findings in this study (Mouton, 2001). Flowing from the major findings of this study and those of other studies conclusions were reached, which are presented in the final chapter of this research report.

3.4.8 Limitations in the research methodology and findings of the study

- Due to the very limited literature on this particular research topic within the South African context, it has been difficult to compare or support some of the findings of this study within the national context.
- The data collected in this study were mainly dependent on the individual respondent’s self-report data and a limited Dyambu Youth Centre computer database. Access to the various court databases, to verify any information that was reported by the respondents in the interviews, was not possible.
- The focus of the study was to understand the social phenomenon of recidivism from the perspectives and experiences of the juvenile offenders. Hence, the source of information was purposely limited to the juvenile offenders. The researcher is aware of the valuable insights that secondary sources of information like police officers, probation officers, and staff members at DYC could have contributed to enrich the data and help to provide a holistic perspective and understanding of the social phenomenon of recidivism amongst young offenders. Perhaps this could be a possible area for research in the future.

CHAPTER 4

ANALYSIS AND PRESENTATION OF RESEARCH DATA

4.1 Introduction

This chapter is concerned with the analysis and presentation of data. In this study the core sample was made up of twenty respondents who were interviewed. The quantitative data were converted to frequency percentages and presented in tables, graphs and other forms of illustration. All tables and other forms of illustration presented in this chapter are self-explanatory and help the reader to make sense of the data easily (Browns, McDowell and Race, 1995). In order to add depth to certain responses, some of the qualitative data are presented as direct quotes of the respondents, to capture the meanings that the respondents connected to various variables under investigation.

The first section is intended to provide the reader with demographic data of the respondents with regard to age, race, and religion. The subsequent sections are presented along the concurrent flow of specific aims of the study as outlined in Chapter 1.

4.2 Demographic data of the research respondents

4.2.1 Table 1: Racial distribution

RACE	No.	%
Blacks	10	50%
Whites	4	20%
Coloured	6	30%
TOTAL	20	100%

- It should be noted that there were no juvenile offenders of Indian or Asian origin admitted during the period of the investigation.
- The racial demographics data presented in Table 1 should be understood to represent mainly proportional racial sampling proportion of the entire population of juvenile offenders who were awaiting trial at Dyambu Youth Centre during the period of the investigation and to reflect the proportional racial demographics of the entire target population of the study.

4.2.2 Religious affiliation

Table 2

RELIGION	No.	%
Christianity	14	70%
No affiliation	3	15%
Traditionalism	1	05%
Islamic	2	10%
TOTAL	20	100%

- A high proportion of the respondents (70%) had a Christian religious affiliation.
- A low proportion of the respondents (15%) had no religious affiliation and only 10% and 5% of the respondents respectively had Islamic or traditional religious affiliations.

The above table indicates that a high proportion of the respondents (85%) have some kind of religious affiliation despite their persistent involvement with criminal activities. One would have expected that the repeated juvenile offenders would have no religious affiliation or perhaps “deviant” religious affiliations like “Satanism”. Criminal activities are usually thought of as evil and immoral acts, which usually go against basic teachings of predominant religions like Christianity and Islam. This might be seen as a positive indicator for the rehabilitation potential of these young offenders.

4.2.3 Age analysis

Figure 2

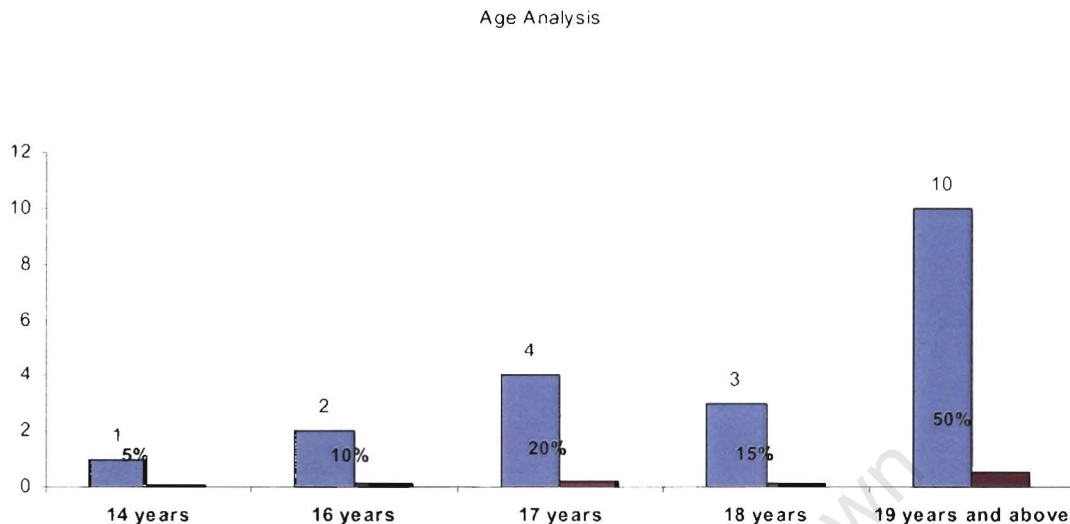


Figure 2 indicates that, according to the age limit criteria, a high proportion of the respondents (65%) do not qualify to be admitted to a secure care facility. The various reasons provided by the respondents for telling the court that they are younger than they are, are explored in Section 4.3.2, that investigates the criminal history of the respondents.

According to the Gauteng Provincial Government Manual for Places of Safety and Secure Care Centres (2001: 48), admission criteria and procedures should be followed with regard to the referral of children or youths to a secure care centre in accordance with the Child Care Act (74 of 1983) and the Criminal Procedures Act (51 of 1977). “Secure care facilities may only accommodate youths from the age 14-17 years” (Gauteng Provincial Government Manual for Places of Safety and Secure Care Centres: Annexure A, 2001:14).

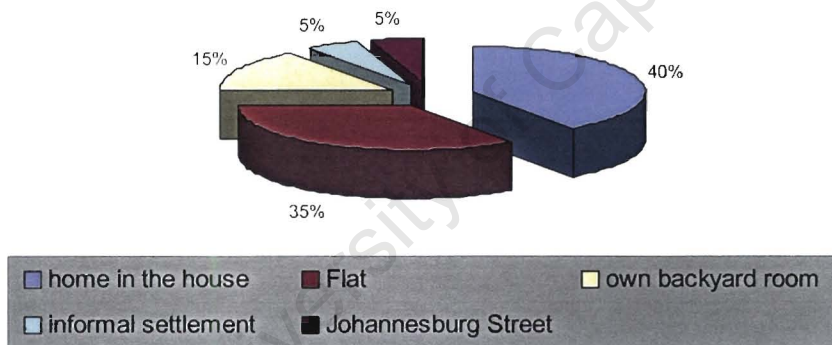
The data presented in Figure 2 indicate that a high proportion of the respondents (65%) were older than 17 years of age and had successfully managed to manipulate the justice system by lying about their ages, since they were detained at a youths’ secure centre during the period of the investigation.

Admission of juvenile offenders whose true age is above twenty years usually has serious implications for the younger boys, and for the running of the Centre as a whole. Firstly, this exposes the little boys to various forms of abuse (including sexual) by the older boys. Secondly, since some of them have served a prison term for their previous offences, they are usually familiar with prison culture. They usually influence the younger boys not to participate in the rehabilitation programmes. This makes social treatment of the majority of juvenile offender population difficult. As a result, most juvenile offenders miss out on treatment programmes that are designed to rehabilitate them. Hence, a high rate of recidivism persists.

4.3 Respondents' psycho-socio-economic and family backgrounds.

4.3.1 Place of residence prior to arrest

Figure 3:



- As indicated in Figure 3, a high proportion of the respondents (75%) had a stable place of residence prior to their arrest. A significant number of the respondents (25%) seem to have moved away from living with their parents and families to living independently either in their own backyard rooms (15%), own shacks (5%) or in the street (5%).

The number of those staying in informal settlements in shacks or in the streets of the city could be higher. A large number of children and youth leave their homes for various reasons and in an attempt to make a living on their own, usually find themselves in conflict with the law. These young people do not want to be labeled as “street children” and will often lie about their true place of residence.

A quarter of the respondents came from an unstable family backgrounds and they seem to have assumed social and financial independence at an early stage. This trend of living seems to channel these young people into various forms of criminal activities and recidivism in their attempts to ensure financial independence and stable form of accommodation.

4.3.2 People with whom the respondents were residing prior to arrest

Table 3

People residing with:	No.	%
Parents and the family	8	33.3%
Friends only	6	25%
Extended family members	4	16.7%
Cohabiting with a girlfriend	4	16.7%
Only siblings and no parents	2	8.3%
TOTAL	24*	100%

* The number is greater than the total number of respondents (20) as certain respondents cited more than one category of people with whom they were residing prior to their arrest. For example, some reported that even though they were only staying with friends, they were also cohabiting with girlfriends.

- A significantly high number of respondents (33.3%) were still living with their parents and families.
- A relatively high number of the respondents (25%) were living independently, only with friends, for various reasons.

The data presented above seem to support the findings of West and Farrington (1973), which revealed that social and family backgrounds of juvenile delinquents are characterized by poor relationships with their parents. In their study, responding to a question about whether juvenile delinquents would prefer to live alone or with their parents: 60.3% expressed a desire for independence and 64.2% said they would rather live with their parents, mainly for financial convenience.

As was indicated in Section 4.2.1, the findings seem to support a relationship between recidivism amongst young people and a lack of adequate social and economic support from the parents and the family. On the other hand, the findings also indicate that a significant number of the young offenders who were living in a relatively healthy family environment (33.3%) also continued to commit crimes. Therefore it can be extrapolated from these findings that the place of residence and the people with whom the young recidivists are staying do not necessarily have a significant impact towards their criminal behavioural tendencies.

4.3.3 Respondents' sources of income and maintenance

Table 4

Source of income and financial dependence:	No.	%
Self-employed by running a tuck-shop	1	5%
Older sister employed and a breadwinner at home	1	5%
Mother (self-employed)	1	5%
Mother through foster care grants for other children	1	5%
Self: employed full-time	1	5%
Mother employed and a breadwinner at home	2	10%
Grandparents, through old age pension grants	2	10%
Both parents (employed full-time)	2	10%
Criminal activities	9	45%
TOTAL	20	100%

- The above table indicates that a high proportion of the respondents (45%) depended on crime for their source of income and survival.
- Only two respondents (10%) received financial maintenance from their parents who were both employed.
- Most of the juvenile respondents relied on various sources of income, which may not have been sufficient to meet all their needs. For an example: one respondent cited his older sister (5%); another one cited his mother (5%), who is the only person employed in the family; and two mentioned their the grandparents (10%). The family

- members upon whom the respondents relied for financial maintenance usually have to maintain large families with their limited incomes or monthly pension grants.

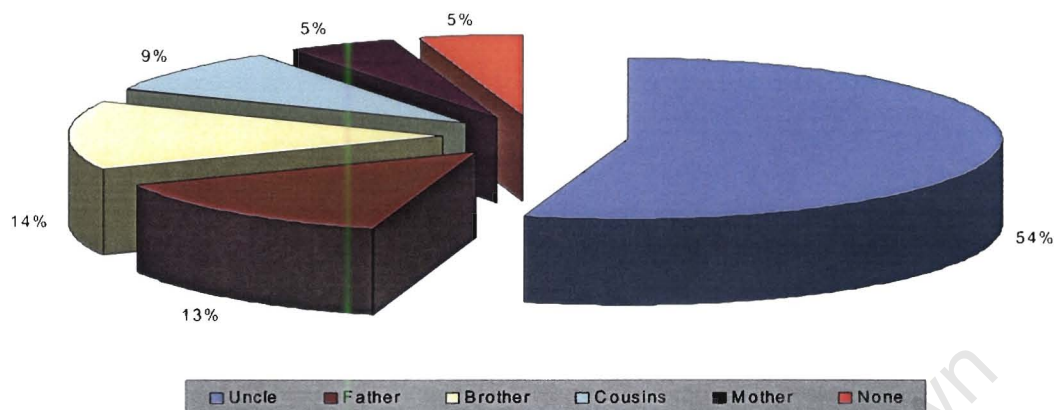
As indicated in table 4, a large number of the juvenile respondents had very limited or no source of financial maintenance. It is also a matter for great concern to note that almost half (45%) of the juvenile respondents had accepted criminal activities as their main source of generating an income and making a living, despite the associated risks.

The reader is reminded that more than half of the respondents in this research confessed their true age to be 19 years and above. However, a high number (40%) were still staying with their parents either at home (40%) or in a flat (35%) (Figure 2) and a relatively high number of the respondents were living with parents and families (Table 03). These findings seem to support the findings by Solomon (2001) in her study focussing on the employment project towards the reintegration of ex-prisoners. She found that a significantly high number of the ex-prisoners: 40.92% and 27.27% did not live independently. They lived with their in-laws, other family members or parents specifically for the purposes of financial and social support.

The findings in this study seem to highlight a heavy reliance on criminal activities to generate an income. The inference can therefore be made from them that recidivism amongst the juvenile offender population can largely be associated with a lack of adequate and stable financial support from the parents and the family. This finding is disturbing because regardless of other forms of social interventions that can be provided to juvenile recidivists, if they are not helped to secure a stable source of income by legal means, then their continued recidivism is inevitable.

4.3.4 Family members who had been arrested for a criminal offence

Figure 4



The figure above indicates that almost all (95%) but one of the respondents have someone in their immediate and/or extended families who had been arrested for a criminal offence.

- A significantly high number of the respondents cited male members of their immediate or extended families: uncles were specified by more than half (54.54%) of the respondents, fathers and brothers on the same scale of 13.64%.
- Only one respondent (4.54%) specified his mother, who was still serving a prison term for murder during the period of the investigations. It should be noted that this juvenile offender was one of the respondents with the longest history of criminal records from the entire sample. He had already committed more than four offences and was awaiting trial for the fifth.
- It is significant that 32% of the respondents had members of their immediate families with criminal records.

The findings presented in Figure 4 support a proposition made by Barlow and Ferdinand (1992: 72) in explaining chronic delinquency among young offenders. They suggested that young offenders are more likely to be persistent in their criminal activities where their primary socializing agents are committing crimes. The family is one of the primary socialization agencies and a laboratory, where children learn through modeling and reinforcement (Leone, 1990). Therefore, children who are socialized in “criminogenic”

families tend to have parents and relatives who are criminal role models (Haskell and Yabonsky, 1998).

In a Glasgow study of juvenile delinquency, Ferguson (cited in West and Farrington, 1977: 109) found that“(b)oy with criminal fathers were twice as likely to be delinquent as others and boys with delinquent older brothers were three times as likely”. The literature and the findings in this study seem to support a strong relationship between criminality in the family and recidivism amongst young offenders.

4.3.5 The respondents’ perception of their own unmet needs.

Table 5

Unmet needs:	No.	%
Money to buy drugs	1	2.38%
Hair –care	2	4.76%
School text-books	2	4.76%
School fees	4	9.52%
Secured place to sleep	5	11.90%
Adequate food at home	5	11.90%
Pocket money for entertainment	8	19.4%
Casual shoes and clothing	15	35.7%%
TOTAL	42*	100%

* The number is greater than the total number of the respondents as several respondents cited more than one unmet need.

- Table 5 indicates that a significant number of respondents had been finding it difficult to meet their basic human needs, like a stable and secure shelter (11.90%) and adequate food at home (11.90%).
- It is also interesting to note that a large percentage of the respondents prioritised needs like pocket money for entertainment (19.04%), and casual shoes and clothing (35.7%).

The findings in this study support those of Albert Cohen's study of cultural-social factors in juvenile delinquency (cited in Eldefonso and Hartinger, 1976). After an extensive study of delinquent subculture among working class children, Cohen concluded that children from the working class perverted middle-class expectations to suit their own expectations, which were generally delinquent. It was a status problem that the children were faced with in trying to live up to middle class norms as presented by children from middle class and other evaluators (Cohen, cited in Eldefonso and Hartinger, 1976).

High prioritization of elegant wants and luxuries among the respondents could be attributed, perhaps, to the developmental challenge common amongst young people. Young people generally want the same stylish clothes, shoes, and costly entertainment as their counterparts who, perhaps, come from sound family and economic backgrounds or those that have a great deal of money, which some could have generated through criminal activities. As a result, this may motivate them to explore alternative means of generating income, like getting involved in various criminal activities so that they can become members of the 'in-group' and not remain 'outcasts'.

4.3.6 Respondents' schooling history prior to arrest

Table 6

Grade:	No.	%
Was enrolled in grade 5	1	5%
Was enrolled in grade 10	1	5%
Was enrolled in grade 11	2	10%
Has completed grade 12	1	5%
Never been to school	1	5%
Dropped out of school	14*	70%
TOTAL	20	100%

* The 14 respondents (70%) who were no longer at school prior to their current arrest had already dropped out of school in the following grades: one (5%) in grade 4, five (25%); in grade 6, three (15%); in grade 7, two (10%); in grade 10 and three (15%) in grade 11.

- Table 6 shows that a high proportion of the respondents (80%) have a low level of educational attainment: one (5%) has never been to school, one (5%) was in grade 5, and 14 (70%) had already dropped out of school.
- Only a low proportion of the respondents (20%) were enrolled in the higher educational grades; one in grade 10, two (10%) in grade 11, and one (5%) had completed grade 12.

The findings indicate that a large proportion of the respondents (75%) were not attending school prior to their arrest even though they were still of school-going age. It would seem that juvenile offenders who were idling at home and on the street corners during the day were more vulnerable to peer pressure to get involved in anti-social activities like crime. The inference can, therefore, be made that non-attendance of young people who ought to be at school seems to be one of the major contributory factors towards recidivism. It is conceivable that young people also need to occupy themselves with developmental and constructive activities like voluntarism, so as avoid finding themselves in trouble with the law.

4.3.7 Reasons for leaving school

Table 7

Reason:	No.	%
Had impregnated a girl	1	4.35%
Found school boring and lost interest	1	4.35%
Studies were too difficult	1	4.35%
Corporal punishment	1	4.35%
Found a job	2	8.70%
Failed one or two grades repeatedly	2	8.70%
Gangsterism activities	2	8.70%
Personal differences in the family	4	17.39%
Expulsion from school due to misconduct.	4	17.39%
Financial difficulties	5	21.74%
TOTAL	23*	100%

* The number is greater than the total number of the respondents, as some respondents gave more than one reason for leaving school.

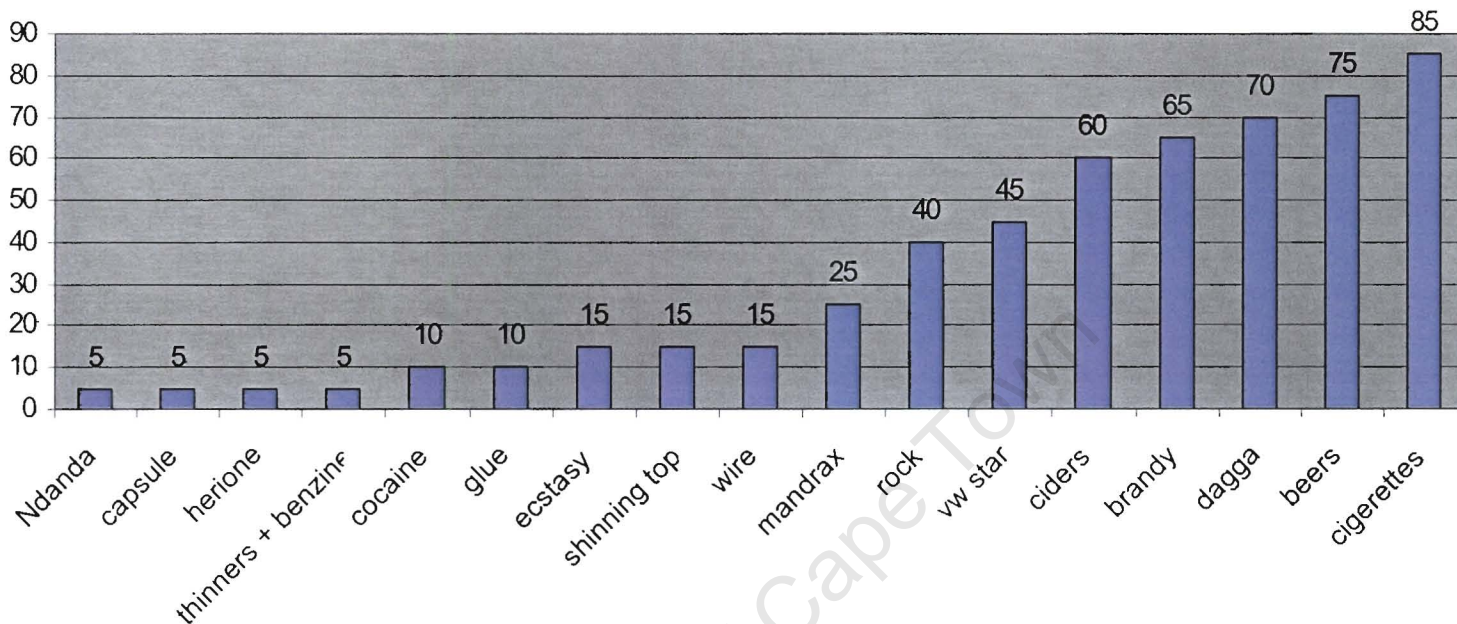
- The data as presented in table 7 show that a significantly high number of the respondents left school owing to family financial difficulties (21.74%), antagonistic relationships within the families (17.39%), and serious behavioural problems that they exhibited at school (17.39%).
- It will be noted on the other hand, as indicated in the above table, that very few respondents left school due to their particular individual problems. These problems included: impregnating a girl (4.35%), boredom (4.35%), studies being too difficult (4.35%) and fear of corporal punishment (4.35%).

The Californian Department of Youth Authority (cited in Eldefonso and Hartinger, 1976: 85) noted that persistent juvenile delinquents “display a negative attitude toward school, with poor achievement records and frequent involvement in school misconduct”. In their study of schools and delinquency, Thompson and Bynum (1991) concluded that children with low academic performance are vulnerable and are likely to follow a path of constant juvenile delinquency well into their adult criminal careers, as evidenced in this study. The literature and findings in this study seem to support a relationship between poor academic achievement as a result of a negative attitude toward school and recidivism amongst young offenders.

4.3.8 Substances consumed by the respondents when they were in the community*

Figure 5

Percentage of consumption amongs the 20 respondents



The above graph indicates that high consumption substances included beer (75%), dagga (70%), brandy (65%) and ciders (60%). These are usually considered as soft drugs, easily accessible and affordable.

The infrequently consumed substances which were generally less affordable amongst the respondents included heroine (5%), ndanda (5%), capsules (5%), cocaine (10%), ecstasy (15%) and shining top (15%). It should be noted that inhalants like thinners (5%), benzine (5%) and glue (10%) were also consumed less frequently because these were considered degrading by the juvenile respondents. 'Hard drugs,' which were relatively frequently consumed among the respondents even though they are also quite expensive, included mandrax (25%), rock (40%), and VW star (45%).

* See Glossary of Substance in Appendix A

The findings on high consumption and abuse of alcohol and drugs among young people in general as reflected in this study are consistent with those of the South African Community Epidemiology Network on Drug Use (SACENDU)*. The SACENDU July 1996-June 2002 report states that in Gauteng province, which includes the metropolitan areas of Johannesburg and Pretoria, a demand for treatment of young people had increased around treatment centres. In the 54% of the patients at the 17 treatment centres in Gauteng, the primary substance abused was alcohol; cannabis (24%), heroin (7%), cocaine/crack (6%), and Mandrax (5%). “The proportion of patients younger than 20 years also remains high in most cities, with between a fifth and a quarter falling into this age group in Gauteng, Cape Town, Durban and PE” (SACENDU, 2002, 03).

The 2001-2002 report on Trends at Proteam Youth Detention Centre states that, as in this study; “Substance abuse is also a contributory factor towards the high crime rate. Youth sometimes commit crime as a result of being under the influence of substance-abuse, and others commit crime in order to support their drug addiction” (TRENDS: PROTEM DETENTION, 2001-2002: 04).

As a result of a strong relationship that was identified between substance abuse and committal of crime amongst many young offenders, a drug treatment programme was established at PROTEM: Magaliesoord Centre in Pretoria. This is a state institution run under the auspices of the Gauteng Department of Social Services and Population Development. It caters for the treatment of alcohol-, drug- and medication-dependent people, and provides as well secure care for detention of youth in conflict with the law. The facility is often utilised for the court-mandated treatment of young offenders who have the problem of substance abuse. The court, through the recommendation from the probation officer will refer young offenders with substance abuse problems to the treatment programme either as a diversion option or some form of sentence.

* SACENDU is a research institute that monitors alcohol and drug abuse trends in South Africa.

Substance abuse among juvenile offenders seems to be one of the major problems young people are faced with in general. All respondents confessed to have been consuming more than one intoxicating substance at different times in their lives, depending on the availability and affordability at the time of consumption. The findings in this study seem to support a strong relationship between substance abuse and recidivism among young offenders.

4.4 Respondents' criminal histories

4.4.1 Respondents' ages according to Detention Order (J7) in comparison to their confessed true ages

Table 8

Number of Respondents	Age in the J7 Detention Order	Confessed true age	%
2	16	16	10%
1	16	18	5%
4	16	19+	20%
5	17	17	25%
4	17	18	20%
4	17	19+	20%
Total=20	-	-	100%

- A significantly high number (65%) of the respondents managed to successfully manipulate the judicial system by giving a false, reduced, age since they were ultimately sent to a youth detention secure centre instead of prison during the period of the investigation. The section that follows explores various reasons the respondents provided for doing so.
- It will be noted from the above table that a significantly low number, only 35% of the respondents, gave their true ages to the justice officials.

4.4.2 Reasons for not giving a true age

Table 9

Reasons for giving false reduced age:	No.	%
Wanted to be released to the custody of the parents or guardians	5	20.83%
Simply wanted a free bail	5	20,83%
Wanted to be detained in a youth secure centre rather than in prison	5	20.83%
Simply wanted the court to feel pity for him	4	16.67%
Had no particular reason	3	12.05%
Wanted to be released on warning	2	8.33%
TOTAL	24*	100%

* The number is higher than the total number of respondents as certain respondents specified more than one reason for giving a false age.

- As indicated in the above table, some respondents cited more than one reason, hoping to achieve at least one or more favourable consideration from the judicial officials.
- One reason which was frequently cited by most of the respondents for giving a false age was that the desire to be sent them to a secure care centre, rather than to a prison, to await trial (20.83%). This particular goal had been achieved, since the respondents were detained at a secure care centre during the period of the research.

It can be inferred from the above findings that many juvenile offenders manage to successfully manipulate the judiciary system by claiming a false, reduced, age. The tendency to claim a reduced age at courts seem to be a common trend amongst young offenders hoping that the court will be lenient with them. Annexure A of the Gauteng Manual for Places of Safety and Secure Care Centres (2001:04) states that:

“ The presiding judicial officer should not refer youths that physically appear to be over the age of 18 years without gaining official confirmation of their ages from the District Surgeon. Secure care centres receiving such youths where

doubt exists, may refer the youth back to the referring court for confirmation of their ages by a District Surgeon”.

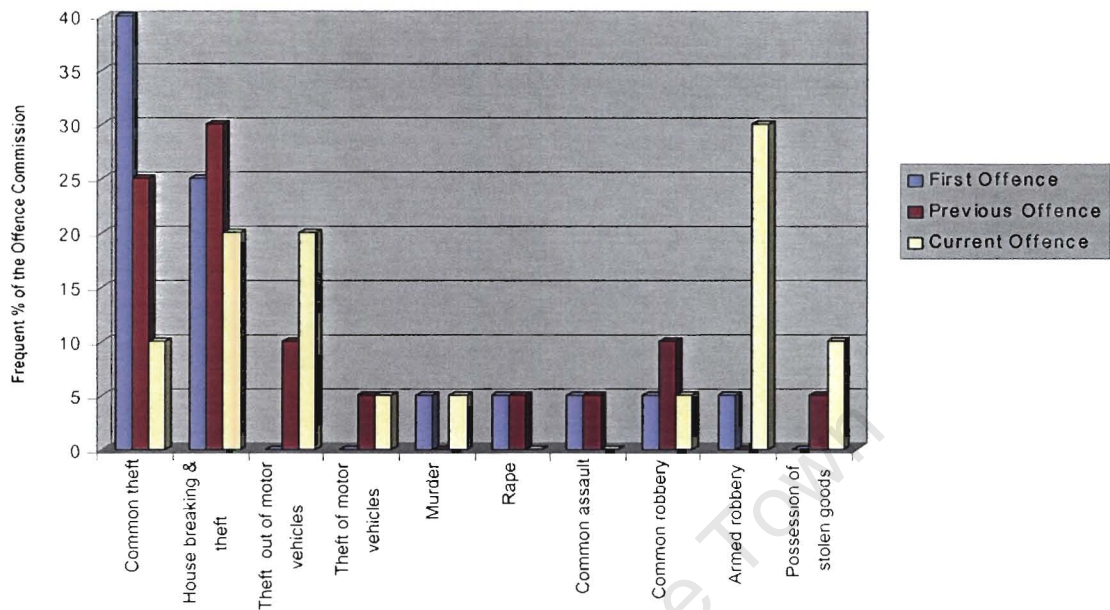
In the researcher’s experience in working with juvenile offenders, none of the stakeholders want to take responsibility for ensuring that juvenile offenders do not manage to cheat the justice system by claiming to be younger than they are. The presiding judicial officers often refer a juvenile offender who looks far older than 20 years of age to a secure care centre and the juvenile then insists that he is the age that is written in his J7 detention order. That would put pressure on the secure care centre to admit the juvenile in question, based on the age reflected in the J7 detention order from the referring court.

This often creates a major problem when attempts are made to remove a juvenile from the secure care centre, even in cases where the youngster has grossly and persistently misbehaved himself in the secure care centre. When the juvenile is brought before a court of law for removal, the referring courts usually very uncooperative and often insist on presentation of formal legal documents as evidence to prove the true age of the juvenile. On the other hand, both the Department of the Social Services and the secure care facility delay the process of age assessment. None of the stakeholders are prepared to take full responsibility for the lengthy and costly medical procedures required for age assessment of juveniles whose stated ages are questionable.

The reasons provided by the respondents for claiming in the court that they are younger than they really are as presented in Table 9, clearly indicate that the respondents were expecting some sort of leniency from the court. This pattern of thinking amongst juvenile offenders seems to be one of the major motivating factors behind their recidivism. There is a strong sense of optimism among the respondents with regard to how the court will treat them if they are young. The courts are also put in an awkward position. They seek to ensure that justice is done to all parties; the victim, the community and the child offender. Juvenile offenders often misinterpret the second chance that they are afforded by the justice system: a high rate of recidivism amongst young offenders is the result.

4.4.3 Crimes for which the respondents had previously been arrested and those that they had currently been arrested

Figure 6:



Please note: Of the twenty respondents (100%) drawn from the random sample only four (20%) had been arrested for the second time, eight (40%) were being arrested for the third time, and the other eight (40%) were being arrested for the fourth time or more.

- The above graph shows that the most frequent criminal offences the respondents started committing in their careers of criminal activities and for which they had been arrested, were property crimes; common theft (40%), and housebreaking and theft (25%).
- The most frequent criminal offence committed by 80% of the juvenile respondents was housebreaking and theft. Common theft (shoplifting) remains the second most frequent (60%).

The findings in this study concur with those of Solomon (2001), even though her study focussed on adult offenders. (Reference to Solomon's study is mainly for reflection on the trends of major categories of crimes committed by general offender populations). In her study she found amongst other categories of crimes committed by ex-prisoners, a high percentage (64.15%) had been property crimes. The analysis of this variable is discussed in the section that explores the factors motivating respondents to re-offend.

- The above graph shows that very few individual respondents started their criminal careers with very serious crimes. For instance, of the twenty respondents none started with theft of a motor vehicle; only one (5%) started with armed robbery; only one (5%) started with rape; and only one (5%) started with murder.
- Whilst common theft (40%), and housebreaking and theft (25%) were the most frequent offences the juvenile respondents had started with in their criminal careers, these crimes had decreased as their criminal careers progressed. Instead, the most frequent crimes that the respondents were most commonly arrested for during the period of this investigation were more serious crimes.
- Common theft had reduced by 30% and housebreaking and theft had reduced by 5%. The crimes that the respondents were most commonly arrested for during the period of this investigation, were armed robbery (30%); housebreaking and theft (20%); and theft of a motor vehicle (20%).

The criminal history of the twenty respondents as shown in Figure 6, shows a general trend of progression from petty crimes to more serious crimes. The findings in this study seem to support the concept that "...young offenders do not start out committing serious crimes but, rather, they move (progress) from minor to major offenses as their involvement in delinquency grows" (Barlow and Ferdinand, 1992: 66). In support of the findings in this study, the American National Youth Survey (Elliot, Huizinga, and Morse cited in Barlow and Ferdinand, 1992) found that youths who are admitted for persistent offending in any given state, almost half (44 percent) increased their involvement and moved to a higher level of seriousness and remained like that from year to year.

- Only one juvenile respondent (5%) out of the twenty had been arrested for common theft on three different occasions. Another respondent (5%) had been arrested on two separate consecutive charges of common theft, the third offence being common robbery. Only one (5%) had two separate arrests for charges of armed robbery.
- The data on their criminal history, as presented by the respondents, shows that juvenile respondents have very little specialisation (15%) in certain crimes.
- Of the total respondents, more than half (60%) committed different crimes across the continuum of criminal activities in their different criminal careers over a period of time.

It can be inferred from the findings that; "...offense specialisation is the exception rather than the rule, even among persistent recidivists" as pointed out by Barlow and Ferdinand (1992: 65). This means that persistent juvenile offenders will commit any kind of criminal offence randomly at any given time without necessarily preferring certain crimes to the others.

4.4.4 Ages of the respondents on first arrest and the record of crimes committed

Table 10

Age on first arrest	No. of respondents	%	No. of previous crimes and arrests including the current offence and arrest	%
10 years	2	10%	13	16.88%
13 years	3	15%	9	11.69%
14 years	5	25%	16	20.78%
15 years	8	40%	33	42.86%
16 years	1	5%	2	2.60%
18 years*	1	5%	4	5.19%
TOTAL	20	100%	77	100%

* The juvenile stated that he was 18 years old when he was first arrested and during the period of investigation he confessed to having been 22 years old.

- The above table indicates that the twenty respondents had been arrested for a total of 77 different cases in their criminal activities.
- The most frequent age at which the respondents began their criminal careers was 15 years (40%).
- The minimum age of the respondents during their first arrests was 10 years (10%). The maximum age of the respondent during first arrest was 18 years (5%).
- One respondent, who was 10 years old during his first arrest and was 17 years during the period of investigation, had already been arrested for 7 different offences. The

first time he was released on warning. In two of his subsequent cases the court had discharged him. Three of his cases had been withdrawn from the court roll.

- The other respondent who was 10 years old on his first arrest had subsequently been arrested for six different offences. After his first arrest the police had released him with a warning. In one the court had discharged him. Two cases had been withdrawn from the court roll. In the most recent case he had been sentenced to the school of industry from which he had absconded.

Barlow and Ferdinand (1992: 71) observed that “(e)arly arrest (and punishment) by criminal justice authorities is another sign of failure and is also associated with chronic delinquency.” Hamparian et al. (cited in West, 1982) concluded in their study that, “...the younger the age at first arrest the greater the average number of re-arrests”.

Masters (1994) points out a positive aspect of working with young offenders: as young offenders mature, many outgrow their delinquencies as they begin to take on responsibilities. This notion is challenged by Robertson (cited in Masters, 1994) who argued that the earlier the person gets involved with the justice system as an offender, the greater the likelihood that he or she will continue criminal behavior into adulthood. The findings in this study support the latter proposition, in that some of the respondents confessed their true ages to be well into the mid-twenties.

It should be noted that a significant number of respondents in this study confessed that their true ages were 19 years and above, and some had taken on certain adult responsibilities like maintenance of their children or younger siblings. They reported that they generated their income through criminal activities so as to meet some of their basic financial responsibilities. This suggests that juvenile offenders get accustomed to criminal means of generating income well into their adulthood and eventually end up as chronic offenders and recidivists. A challenge then for helping professionals working with juvenile offenders, as posed by West (1982), is the identification of those who are at risk of becoming long-term delinquents at an early age.

4.4.5 Co-accused involvement in previous and current cases

Table 11

Association	Previous cases		Current cases	
	No.	%	No.	%
With co-accused	9	45%	10	50%
None	11	55%	10	50%
TOTAL	20	100%	20	100%

- Nearly a half of the respondents (45%) had had co-accused collaborators in their previous cases and a half (50%) of the respondents had co-accused collaborators in the cases for which they had been arrested during the period of the investigation.
- Just over a half of the respondents (55%) had previously had no collaborators whilst a half of the respondents (50%) had no collaborators in the crimes for which they had most recently been arrested.

The findings presented in the Table 11 show an almost equal distribution of scores. Peer influence and peer pressure seem to be some of the major factors influencing their participation in criminal activities. However, almost half of the respondents had committed their previous and current criminal activities of their own accord and they confessed to having committed the crimes alone.

These findings support the proposition made by Barlow and Ferdinand (1992) with regard to the tendency of juvenile offenders to associate with other delinquents. They proposed that 'it is probably a bit of both'. They point to powerful influencing factors like failure or rejection at school and criminality in the family that can motivate individual participation in criminal activities. On the other hand, for those who usually have co-accused offenders in their criminal offences it could simply be that, the "...rejected youths gravitate toward each other, and the experience enhances everyone's chances of being rejected by conventional society" (Barlow and Ferdinand: 1992: 72).

4.4.6 Other outstanding case(s) the respondents had apart from the ones which they were detained for at DYC

- Only three (15%) of the twenty respondents reported that they faced other, outstanding charges besides those that they had been arrested for during the period of the investigation.

However, the number could be higher. The above data were drawn mainly from the self-reports and the limited Dyambu Youth Centre computer database. This could be viewed as a limitation with regard to this variable. Other data systems like the data from the referring courts were not accessible to validate the information reported by the respondents and that would have helped to reveal a more complete picture of the respondents' other outstanding cases and previous criminal records.

4.4.7 Final outcome of previous case(s)

Table 12

Final outcome of previous offence(s):	No.	%
Case withdrawn	9	45%
Not guilty and discharged	5	25%
Suspended sentence	3	15%
Diversion to NICRO	1	5%
Release on warning	1	5%
5 years direct imprisonment sentence	1	5%
TOTAL	20	100%

- Almost all the respondents (95%) had received light and favourable finalisation for their previous offences.
- Only one respondent (5%) out of the twenty had received a direct imprisonment sentence in respect of which he specified that he served only two years and had been later released on parole.

The section that follows investigates the reasons that the respondents attributed to the favourable finalisation of their cases. The reasons attributed for favourable outcome from

the court helped to shed light on how juvenile offenders generally perceive the justice system.

4.4.8 Reasons attributed to the final outcome of previous cases

Table 13

Reasons:	No.	%
The complainant did not attend the hearings at court	5	36.71%
There was not enough evidence presented to the court to link the youth to the alleged crime	3	21.43%
Pleading guilty to the offence as charged	2	14.28%
The cost of damage was too little	2	14.28%
Too young, first offender and it was a petty offence	2	14.28%
TOTAL	14*	100%

* The number is lower than the total number of the respondents since while some respondents attributed more than one reason to the final outcome of their previous offences, others did not specify any reason.

- Table 13 indicates that the most frequent reasons cited by respondents for the favourable outcome of their previous court cases were: the complainant did not attend hearings at court (36.71%); the court did not have sufficient evidence to prove them guilty (21.43%).

There seems to be a strong relationship between favourable finalisation of a court case and recidivism amongst young offenders. As was mentioned earlier, young offenders seem to misinterpret the sympathetic approach in the manner of the courts dealing with their cases. They usually presume that if they managed to “get away” with their last offences, they will still be able to “get away” again with their future crimes.

4.4.9 Respondents' prediction of the courts' finalisation of their current cases

Table 14

Prediction of the final outcome:	No.	%
Not guilty and will be discharged	8	40%
Suspended sentence	5	25%
Case will be withdrawn	3	15%
Ordered to a drug rehabilitation programme	2	10%
Found guilty already and awaiting sentencing	2	10%
TOTAL	20	100%

Table 14 indicates that almost all (90%) of the respondents were hoping to receive a lighter sentence or to be discharged at the end of the court inquiry.

- None of them predicted the possibility of being given a direct imprisonment sentence.

The reasons cited by those who thought that they would be discharged at the end of the court inquiry included the following:

- They were innocent;
- They had good legal assistance;
- The court did not have sufficient evidence to link them to the various alleged criminal offences that they had been charged with.

The reason cited by those who were hoping to be given a suspended sentence was that they had pleaded guilty so as to bargain for a lighter sentence and were hoping that the probation officer would not inform the court about their previous criminal records.

The reasons provided by those who thought that their cases would be withdrawn included the following: they had not been directly involved in committing the offence; innocence; the hope that the court would understand that he needed to return to school.

The reasons that respondents attributed to the final outcomes of previous cases and their predictions of the final outcomes of cases for which they were awaiting trial indicate a trend of optimism. This is one of the errors of criminal thinking amongst persistent young offenders identified by Yochelson and Samenow (cited in Conklin, 1995). It can, therefore, be inferred from the common trends identified in this study and in the supporting literature, that juvenile offenders persistently engaged in criminal activities, hoping that the courts would not be able to acquire sufficient evidence to prove them guilty (21.43%) or the complainants would not attend the court hearings (36.71%). The respondents seemed very optimistic that the courts eventually would find them not guilty and, therefore, would discharge them (40%), give them a suspended sentences (25%) or withdraw their cases (15%).

The findings in this study indicate that recidivism amongst juvenile offenders is partly related in the manner in which the court had dealt with their previous cases and to their understanding of how the courts operate: their understanding of the 'psychology' of the courts.

4.4.10 Respondents' period of liberty prior to current arrest compared with the number of respondents in previous period of detention

Table 15

	Respondents' period of liberty prior to current arrest		Number of respondents in previous period of detention	
	No.	%	No.	%
Up to one week (7 days)	1	05%	02	10%
Over a week, up to 1 month (31 days)	3	15%	03	15%
Over a month, up to 6 months (186 days)	2	10%	12	60%
Over 6 months, up to one year (352 days)	5	25%	3	15%
Over a year (352 days plus)	9	45%	-	-
TOTAL	20	100%	20	100%

Please note:

- All the respondents had been previously detained at DYC except two who, in addition to their previous detention at DYC, had also been detained in prison to await trial; one in Johannesburg prison and one in Boksburg prison.

The maximum period during which a significant number of respondents (45%) had been at liberty prior to their current arrest, as shown in the above table, was 1408 days: exceeding a year and up to four years.

The maximum period that a majority of the respondents (60%) had spent in detention in a secure care facility during their cases, as indicated in the above table, was 186 days: up to 6 months.

Nearly half (45%) of the respondents had spent almost four years in the community before their current arrest. This finding indicates that criminal careers of some respondents span long periods of time. It is unclear whether during the gap period prior to their arrest the respondents were not involved in other criminal activities for which they never got arrested. As Conklin (1995) argued, that a clear calculation of 'recidivism rate' should not take into account only the number of re-arrests but should include the number of crimes that the offenders might have committed, for which they were not arrested.

The findings also indicate that over a half of the respondents (60%) had spent up to six months in detention after their previous arrest. The ineffectiveness of custody as a means of preventing young people from re-offending is evidenced in this study. The National Council on Crime and Delinquency in California (1972) found that "...83% of those (juvenile offenders) who finished Youth Custody Orders in 1983 were re-convicted within 2 years" (cited in Curtis, 1989: 08). It can be inferred from the findings in this study and supporting literature that a lengthy period of detention does not necessarily deter juvenile offenders from engaging in future criminal behaviour.

4.5 Motivating factors for respondents to re-commit crime

Table 16

Reasons:	No.	%
"The usual way of making money for me and my friends"	9	22.5%
Wanting to wear stylish clothes as friends	7	17.5%
Helping to bring food home	7	17.5%
Wanting to please my girlfriend	5	12.5%
Money to buy drugs from addiction	5	12.5%
Means of generating income to pay the child's maintenance	2	5%
To gain approval and a sense of belonging amongst my friends	1	2.5%
Forced by circumstances when I need money desperately	1	2.5%
Helps me gain financial security	1	2.5%
Helps with money to have nice time at the Discos	1	2.5%
"I do not do crime"	1	2.5%
TOTAL	40*	100%

* The number is higher than the total number of respondents because several gave more than one reason.

- The above table indicates that a high proportion of the respondents (40%) were motivated mainly by personal financial gain and wanting to satisfy their own interests and wants. These include: a "usual way of making money with friends" (22.5%); drugs (12.5%); personal financial security (2.5%); raving in the discos (2.5%).
- A sizeable number of respondents (20%) were motivated by factors associated with financial need and destitution that drove them to become involved in criminal activities. Needs included: food for their home (12.5%); maintenance of their children (5%); and, domestic financial circumstances (2.5%).
- A significant number of respondents (32.5%) were motivated, probably unconsciously, by factors relating to social and peer pressure to become involved in criminal activities. These included; wanting to wear stylish clothes (17.5%), wanting to please a girlfriend (12.5%), and to gain approval and a sense of belonging with friends (2.5%).

In their research: “The Delinquent Way of Life”, West and Farrington (1977) found the following pattern of motives amongst the male juvenile delinquents that they had studied:

- Rational motives (material and financial gain): 41.3%;
- Enjoyment (for fun and to relieve boredom): 21.6%;
- Self-exculpatory: 18.3%;
- Encouragement by, or solidarity with mates: 10.8%;
- Miscellaneous: 3.3%;
- Perception that nothing is wrong with the delinquent acts: 0.5%.

As in this present study, the pattern of motives varied considerably with the type of crime. Rational motives (financial need and gain) were some of the major motives behind respondents becoming constantly involved in criminal activities. In contrast to the findings by West and Farrington (1977), enjoyment and self-exculpatory reasons were insignificant. Instead, the findings in this study support ‘encouragement by, and solidarity with mates’ and ‘social and peer pressure’ as a second major category motivating juvenile offenders to become constantly involved in delinquent activities.

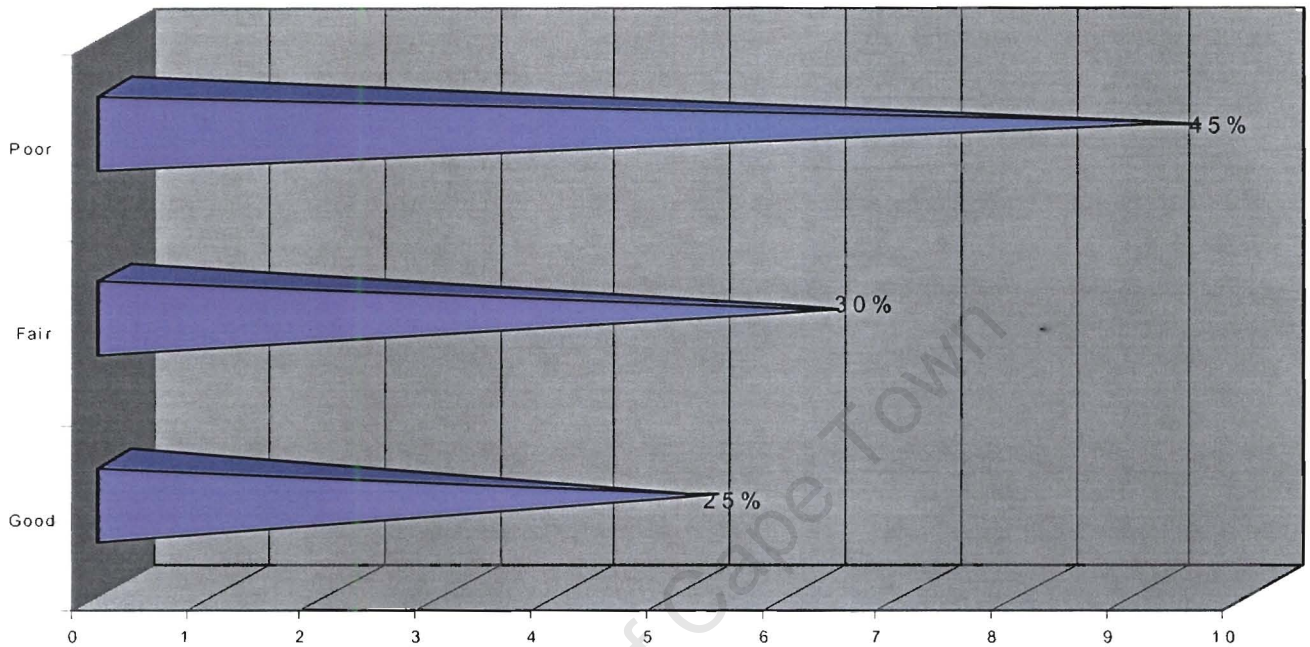
The findings on financial need and gain are consistent with the report of TRENDS: PROTEM DETENTION (2001-2002), which states that “Financial gain in the form of crime-committal is the highest amongst youth. In November/December 2001 more than 82% of youth admitted at Protem were charged with scheduled offences e.g. murder, armed robbery and rape”. Similarly, it would seem that the respondents committed property related crimes mainly out of financial need and poverty.

The literature and findings discussed above seem to indicate that financial need and gain play a significant role in recidivism amongst young offenders. Young people are generally preoccupied with gratification of material needs. In the light of unemployment amongst young people and scarce financial resources, crime is often seen as a viable solution in meeting their otherwise unmet needs.

4.6 Respondents evaluation of the judiciary and custodial systems

4.6.1 Respondents' general evaluation of the police officers' services

Figure 7



A high proportion, almost half of the respondents (45%) rated the services of the police officers as *poor and very poor*. The main reasons that the respondents offered were:

- *“They presume that you are a criminal and treat you like one even if you are still a suspect.”*
- *“They will not listen to your side of the story.”*
- *“They are often violent and will sometimes kill or injure the suspect especially if found directly involved in the scene of crime.”*
- *“They are corrupt and will often accept a bribe to drop charges.”*
- *“They are not willing to do favours like handing over material goods or money to the prisoners whilst waiting at the court holding cells if they are requested to do so by our families or friends.”*

A quarter (25%) of the respondents, as indicated in Figure 7, rated the services of the police officers as *good*. The main reasons declared were:

- *”Police do their job well of arresting criminals and the upcoming criminals like us”;*
- *“They help to keep order and reduce crime in the society”.*

Just over a quarter (30%) of the respondents felt that the police officers are fair.

The main reasons that the respondents gave were:

- *“They treat the suspects fairly”;*
- *“They do not take things personal, they are only doing their job which is to arrest suspect criminals”.*

Just under a half (45%) of the respondents evaluated the services of the police officers in a negative light. This perhaps reinforces the general stereotype of the police that the community subscribes to. In a survey of young offenders on the new Child Justice Bill, by the Sunday Times (1999) found that most of them perceived the police negatively. They described the experience of being arrested as “frightening, confusing, and humiliating. Most (75,9%) of the respondents felt that time spent in police cells should be shortened as much as possible” (Sunday Times, 19th. December, 1999: 03).

Contrary to the common perception of the police reported in the newspaper, a significant number of the respondents, nearly half (45%), perceived the services of the police officers in a positive light. It is interesting to note that a good number of the respondents, young as they are, had a good understanding of the primary role and the duties of the police officers. They stated that without the services of the police officers, crime would be difficult to control and prevent crime.

The findings indicate that their perceptions of the police officers do not play any significant role in recidivism amongst juvenile offenders in general.

4.6.2 The respondents’ general perceptions of the judicial system (courts) regarding the manner in which juvenile offenders are treated

- Almost half (45%) of the respondents perceived the judicial system to be fair;
- Forty percent of them perceived the judicial system as very harsh;

- Fifteen percent felt that the judiciary system was always lenient when dealing with juvenile offenders.

The reasons provided by those who perceived the judiciary system to be **fair** include the following:

- *“Cases are judged on merits”;*
- *“Suspect juvenile offenders are detained at a youth detention centre as and when it is deemed necessary so as to give young offenders a lesson for the consequences of their wrong doing in the community”.*

The reasons given by those who perceived the judiciary system to be **very harsh** include:

- *“The juveniles are given long unnecessary remands”;*
- *“The courts often take sides of the complainant without being given a fair hearing”;*
- *“It is unfair for the young people to be detained for a long time unnecessarily especially where at the end of the investigations they are found not to be guilty and have to be released”;*
- *“The courts punish young offenders severely because they commit even more serious crimes than adult offenders do”.*

The reasons cited by those who perceived the judiciary system to be **lenient** include the following:

- *“The courts have young peoples’ interest at heart and they are given a second chance in life because they know that they are the future of the world”;*
- *“Wherever necessary young offenders will be granted a free bail so that they can be in a position to go back to school”.*

These data show that the respondents’ individual understanding of how the courts operate was based on their history of interaction with the criminal justice system. The findings indicate that the manner in which juvenile offenders perceive the courts plays a significant role in recidivism amongst juvenile offenders. The ultimate goal of the youngsters is to receive favourable consideration from the court.

4.7 Respondents' evaluation of the probation officers' services pre- and post-trial

Table17

Assessment	Pre-trial		Post-trial	
	No.	%	No.	%
Excellent	3	15%	5	25%
Good	4	20%	4	20%
Fair	4	20%	2	10%
Poor	3	15%	-	-
Very poor	-	-	-	-
No services	6	30%	9	45%
TOTAL	20	100%	20	100%

A significant percentage of the respondents, just over a quarter (30%) had never received the services of probation officers since they first came into contact with the judicial system, either in pre-trial (30%) or in post-trial (45%), as shown in the above table.

Pre-Trial

Twenty percent of the respondents who had received the services of the probation officers felt that the services of these were **good** and offered the following reasons:

- *“Probation officers show understanding of your situation”;*
- *“They are able to work with young people”;*
- *“They will always decide what is best for the child and place children in a place of safety rather than in prison to await trial whilst the court is busy with further investigations.”*

Twenty percent of the respondents felt that the services of the probation officers were **fair** because:

- *“They are able to guide juvenile offenders what to expect at court and the possible outcome after appearing at court”;*

A low proportion of the respondents (15%) rated the services of the probation officers as poor, stating:

- *“Probation officers are more concerned with the courts than us”;*
- *“I have once given a false age to the court officials and confessed a true age to a probation officer, the probation officer in turn informed the court about my true age”;*
- *“The probation officer once promised me that I would be released to the care of my parents so that I could go back to school. However the probation officer failed to convince the court and the next thing I found myself detained in a secure care centre awaiting trial for a long time and this affected my schooling badly”;*
- *“If I had received good counselling from the probation officer during my first arrest, I probably would have stopped doing crime”.*

An equally low proportion of the respondents (15%) rated the services of the probation officers as **excellent** for the following reasons:

- *“They genuinely listen to you, explain the court procedures to you, and make contacts with the parents who eventually come to attend at court, and provide the necessary required information about us to the court”.*

Post-Trial

A quarter (25%) and a fifth (20%) of the respondents who had received the services of probation officers rated them as **excellent and good** respectively. The main reasons given were:

- *“The manner she talked to me showed a genuine concern about my future”;*
- *“She honestly explained to me about the possible outcome and the finalisation of the case in the court I knew what to expect”;*
- *“They will help you to get a lighter sentence”.*

Only 10% of the respondents rated the services of the probation officers as fair and cited the following reasons:

- *“Probation officers seem to know what is best for the child and they will give a true report about the child at court and this in turn helps the court to make informed decision about the future of the child. This often results in court giving the child a second chance in life”.*

The data presented above indicate a trend in the evaluation of probation officers' services: these were perceived in a positive light where the juvenile offender had received favourable outcome in court, and negatively when the juvenile received an unfavourable outcome from in court.

It is disturbing to note that a significant number of juvenile respondents (45%) had never received the services of the probation officers in the pre-trial and/ or post-trial. According to Brown (2003), the Deputy Director of Youth Strategy in the Probation Services (Department of Social Services and Population Development: Gauteng), serious gaps exist between what the probation officers are expected to perform and their ability to do so, owing to limited human resources. Her 2003 report on 'Probation Services in Guateng' revealed that the are:

- only 51 probation officers doing exclusively probation work.
- only 20 social workers doing probation work as part of a generic service.
- 43 Magistrates courts to be served;
- 134 police stations to be served;
- 7 prisons to be served;
- 4 places of safety/secure care to be served;
- only 3 structured Reception, Assessment and Referral (RAR) centres;
- only 3 Departmental diversion programmes;
- 7 NGOs funded for diversion programmes.

Taking into account the expectations and the constraints faced by the Department of Social Services, as highlighted above, the probation officers are expected to provide the following services (Brown, 2003):

- Crime prevention programmes;
- Mandatory assessment of every child;
- Diversion programmes;
- Establishment of Reception Assessment and Referral (RAR)/One-Stop centres
- Social services to persons awaiting trial;
- Attendance at preliminary inquiry;
- Development of Care Plans and Individual Developmental Plans (IDP) for every child in detention;
- Information classes;

- Probational supervision;
- Re-integration services;
- Development of alternative sentencing;
- Reporting on circumstances prior to conviction;
- Development of victim compensation programmes.

From the findings in this study and the above-mentioned report, it evident that the after-care services for young offenders, which would otherwise help to minimize the high rate of recidivism amongst young offenders are inadequate.

Re-integration services are an area, which is grossly neglected in the field of probation service provision. They have been found to be crucial for effective prevention of recidivism in the general offender population (Sibeko, 1993 and Solomon, 2001). According to Brown (2003), re-integration services for ex-offenders after their release are one of the major areas in which probation service provision falls short in South Africa.

4.8 Family responses and support during custody and throughout the statutory process.

4.8.1 Family response to first arrest compared to family response to current arrest.

Table 18

General family response to the juvenile:	First arrest		Current arrest	
	No.	%	No.	%
Angry	5	25%	6	30%
Disappointed	4	20%	4	20%
Shocked and disappointed	4	20%	–	–
Shocked, angry and disappointed	3	15%	–	–
Unaware	1	5%	–	–
Mixed feelings	1	5%	–	–
Indifferent	1	5%	4	20%
Angry and disappointed	1	5%	2	10%
Supportive and understanding	–	–	3	15%
Shocked	–	–	1	5%
TOTAL	20	100%	20	100%

- Table 18 shows that the most frequent responses from the families of the respondents to their first arrest were anger (45%), disappointment (60%), and shock (35%).
- Their most frequent responses to the respondents' current arrest were mainly anger (40%) and disappointment (30%).
- To a certain degree, some families had actually progressed from intense feelings of shock, anger and disappointment to acceptance and supportiveness (15%).

The reasons that the respondents attached to their families' progression from less to more intense feelings of anger and disappointment included the following (in summary):

- *Embarrassment to the family, especially the stigma that the family has to face in the community;*

- *Failing to live up to expectations of the family regarding their promises about criminal behaviour. Some parents will not show up at court nor visit the juvenile at a secure care centre.*

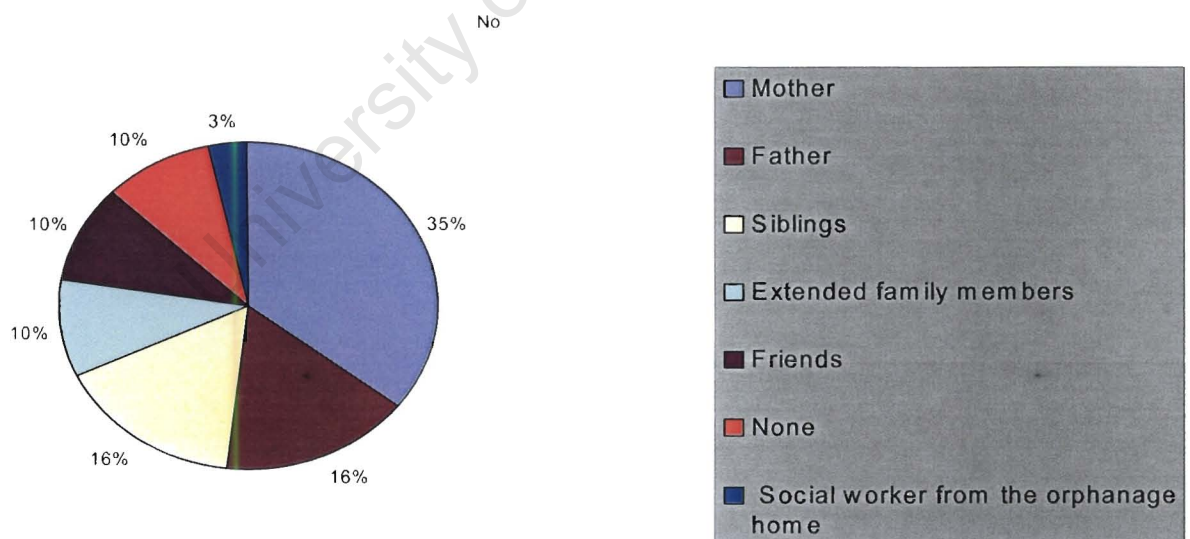
The main reason offered by respondents for their respective families' progression from intense feelings of disapproval towards acceptance, supportiveness and understanding was that (in summary):

- *The families are growing to accept that they cannot change them and that they have decided to live a criminal lifestyle to earn a living. Some of the money generated through criminal activities helps towards basic needs at home like food and electricity.*

Three respondents (15%) reported that they are unsure about the feelings of their families because they had lost contact with them.

4.8.2 People who were supportive during previous arrest and detention

Figure 8.



Please note: The total number is higher than the number of respondents since some of the respondents specified more than one person who had been supportive during their previous arrest and detention.

- Mothers were specified by 35% of the respondents, as compared to the fathers, who were specified by 16% of the respondents as the persons who had constantly provided them with social support during their previous arrest and detention.
- A low percentage of the respondents had received some social support from their extended family members (10%) and friends (10%), whilst a further 10% of the respondents had received no social support at all.

The mother received the highest rating (at 35%) amongst people who had been supportive to the respondents during their previous arrest and detention. This finding seems to be in line with West and Farrington's (1973) research on how the juvenile respondents were relating with their parents. They found that 63.4% got on very well with their mothers, compared to 50.1% who related very well to their fathers.

It is clear that many of the families are put in an awkward position. They usually want to support the juveniles emotionally but, on the other hand, they want to communicate their disapproval of the juvenile's anti-social behaviour. Hence, some families will often rather stay away to send a clear message of disapproval.

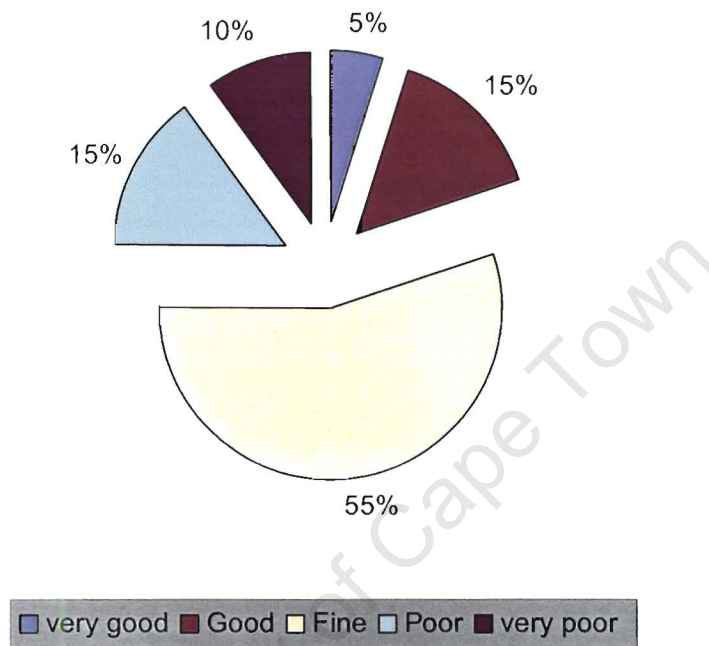
Families usually lack the skills to communicate their feelings about the child's anti-social behaviour whilst at the same time support them emotionally. Family conferences between the child and his family professionally facilitated by the child's DYC social worker usually seem effective in helping the family to talk and express their feelings within a safe environment.

The findings in this study show an important and direct role that the family plays towards encouragement or discouragement of recidivism amongst child offenders. As discussed in Chapter One, children with poor self-esteem are usually those lacking parental support and a sense of belonging (Brendtro *et al.* 1990). This has a huge impact on how the children view the world and this usually contributes to a sense of hopelessness in young people. Hence their constant involvement with breaking the law (Fine, 1996).

4.9 Relationships with fellow detainees and staff members whilst in custody at DYC

4.9.1 General relationship with fellow inmates during previous detention at DYC

Figure 9



- Figure 9 shows scores that are equally distributed across negative and positive scales of evaluation. While 20% of the respondents enjoyed a good relationship with other juvenile inmates in the Centre, nearly the same number (25%) of the respondents related poorly to other youngsters in the Centre.

The section that follows explores some of the relationships that the juvenile inmates had with other inmates, and how such relationships could possibly have promoted the culture of recidivism amongst juvenile offenders.

4.9.2 Fellow inmates with whom the respondents had had the most caring relationship with, compared to those with whom they had had the poorest relationship with during their previous detention at DYC.

Table 19

	Most caring relationship with		Poorest relationship with	
	No.	%	No.	%
Juvenile				
Co-accused	4	20%	2	10%
Room leader	4	20%	5	25%
Workshop/class mate	2	10%	-	-
Home boy	8	40%	2	10%
Juvenile inmate just met	1	5%	1	10%
Gang leader	-	-	6	30%
None	1	5%	4	20%
TOTAL	20	100%	20	100%

- Table 19 indicates that nearly half (40%) of the respondents had only had a **good relationship** with the inmates who came from the same township as themselves.
- About one third (30%) had experienced the **poorest relationship** with juvenile inmates who were **gang leaders**.
- The number of respondents who had had **poor relationships with room leaders** was relatively larger (25%) than those who had a caring relationship with the juveniles who were **room leaders** (20%).

The findings on relationships with the room leaders raise concerns that may need to be reviewed by the organisation where research was conducted. A room leader is a juvenile inmate who is democratically elected by the juveniles, together with the staff member, into the position and acts like a prefect in the normal mainstream schooling system. If a quarter of the respondents had experienced a poor relationship with the room leader, this raises questions with regard to the conduct of the room leaders. Possibly, some room

leaders may have abused the power invested in them, to intimidate and oppress other fellow room mates instead of providing support and counselling to them.

It is a matter for great concern that about one third of the respondents (30%) cited gang leaders as the fellow inmates with whom they had the poorest relationships. This finding indicates a culture of gangsterism amongst juvenile inmates in the secure care centres. It is a subtle form of social interaction amongst the juveniles based on the principles of control and subordination amongst various sub-groups in the Centre. This form of social interaction among sub-groups of juvenile inmates usually goes on undetected until it has blown into a huge fight between two or more rival groups.

The culture of power, fear and control amongst juvenile offenders usually drives the juvenile detainees to seek protection from other detainees and to establish support groups based on what could be called 'cycles of recidivism'. This refers to familiarity with each other and social relationships having been established during previous detentions in the same secure care centres.

Certain social support structures amongst juvenile inmates are based purely on the notion that they need to stick together since they come from the same township. A high proportion (40%) of the respondents had had a good relationship only with other juveniles who came from their township. These groups often end up operating like the gangs that they try to oppose. In certain instances, the juveniles are pressurized to simply join the gangs on the principle of 'if you can't beat them, join them and you will be protected'.

The above findings will not come as a surprise to those people who have worked with repeat juvenile offenders. It is known that some of the repeat offenders have spent some time in prison either awaiting trial before being transferred to a secure care centre or they have once served a prison term. These young offenders usually try to enforce and coerce other inmates into the prison mentality and practice of gang culture in a secure care centre. The culture of gang activities in the secure care centres is documented in the TRENDS: PROTEM DETENTION Report, 2001-2002:05, which states that:

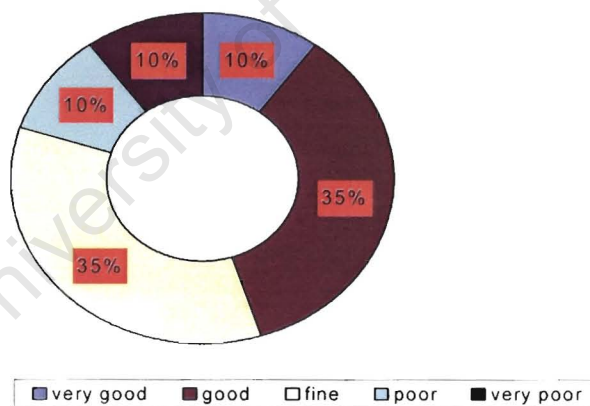
"Youth who come from abusive families tend to use force/power as the only means of survival. Youth coming from worthy families with well established parent relationships,

tend to be caught up in gangsterism. This is because more focus is placed on material needs than on any emotional care/support. These youths tend to find comfort in the negative peer groups. They end-up forming/continuing with their gangs in the Centre, especially when coming from the same township”.

It can be inferred from the above that most of the juveniles will establish social support networks and relationships that can provide protection for them from abuse by other juveniles and give them a sense of belonging especially those who have poor relationships with their families. Even though these social support networks may serve a good purpose for the juveniles who may have been disowned by their families, they can also have an adverse impact. Some youngsters may have a stronger sense of belonging to other juveniles’ sub-groups than they have with their families when they are in the community. As a result, recidivism and detention can have a positive benefit for them.

4.9.3 The nature of relationships that the respondents generally had with staff members during previous detention at DYC

Figure 10



The above figure shows that:

- Only 10% of the respondents experienced a **very warm and caring** relationship with most of the staff members;
- Nearly three quarters (70%), described the relationship that they had had with most staff members at DYC during previous detention as “**fine**” and generally **good**;
- A minority had suffered **poor** (10%) and **very poor** (10%) relationships with most of the staff members during their previous detention at DYC.

The section that follows explores the relationships that the juvenile inmates had with staff members during their previous detention at DYC, and how these relationships possibly contributed towards recidivism amongst juvenile inmates.

4.9.4 Staff members with whom the respondents had enjoyed the most caring relationship, compared to those with whom they had had the poorest relationships during their previous detention at DYC

Table 20

	Most caring relationship with		Poorest relationship with	
	No.	%	No.	%
Staff members				
Room elder	07	35%	-	-
Workshop instructor	05	25%	01	05%
Social worker	03	15%	02	10%
Secure care worker (security)	01	05%	06	30%
Care worker	02	10%	03	15%
None	02	10%	08	40%
TOTAL	20	100%	20	100%

Table 20 indicates that over half, (35%) and (25%) of the respondents had enjoyed a **caring relationship** with their **room elders and workshop instructors** respectively. The table also shows that just over a quarter (30%) of them had had the poorest relationship with the secure care workers (security guards).

Room elders are staff members who are assigned two rooms. They conduct room inspection and personal development lessons with the juveniles in those two rooms every morning during the week. They develop a close relationship with all the boys in their respective rooms and monitor their behaviour in the room and their general scholastic involvement and progress in the Centre.

- The respondents felt that the room elders were caring because they responded to their everyday needs. Some reported that they had greatly admired the room elders who shared their personal life experiences with them when presenting the personal development lessons, to make those more meaningful so that they could relate the lessons to their own lives.
- A quarter (25%) had experienced a caring relationship with their various workshop instructors.

Workshop instructors are staff members who spend most of the time with the boys during the day in their different technical skills training workshops. The respondents felt that certain instructors make good teachers; they are very friendly and sociable. As a result, they found it easy to relate to them and shared their problems with them.

- A significantly high number, just over a quarter (30%) of the respondents had had the poorest relationships with the secure care workers (security guards). The main reasons they attributed to this kind of relationship with secure care workers were the following:
 - “*They are always violent and aggressive*”;
 - “*They will beat you up for no apparent reason and always use abusive language when talking to you*”.
- A relatively small percentage of the respondents (15%) reported that their poorest relationships had been with the care workers. The main reason given was:
 - “*Care workers would always promise to help you and would end up in a conflict instead when they were supposed to give the help they were promised*”.
- A low proportion of the respondents (10%) had had their poorest relationship with the respective social workers. The main reason given was:
 - “*Social workers always postponed us whenever we were supposed to make usage of the telephone*”.
- Only 10% of the respondents had experienced a poor relationship with the workshop instructor. The main reason offered was:
 - “*Denied an admission to the workshop and it was always a fight whenever attempts were made to gain entry to the workshop*”.

The above data shows a consistent pattern in respondents' evaluation of different staff members. It seems that the juveniles evaluated certain staff members positively when they had received certain favours and services from them. Likewise, those staff members from whom the respondents did not receive favours and support were evaluated negatively.

It can be inferred that some juveniles will bond and develop a caring and genuine relationship with a staff member who will automatically serve as a parent figure. The above findings highlight the positive value of the 'room elders' system. Amongst all staff members, most of the respondents got on very well with their respective room elders. This could be attributed to the interactions that the room elders have with the juvenile offenders in their respective rooms every morning.

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4.10 Rehabilitation programmes and social services received whilst in custody at DYC

4.10.1 Evaluation of social workers' services during previous detention at DYC

Figure 11.

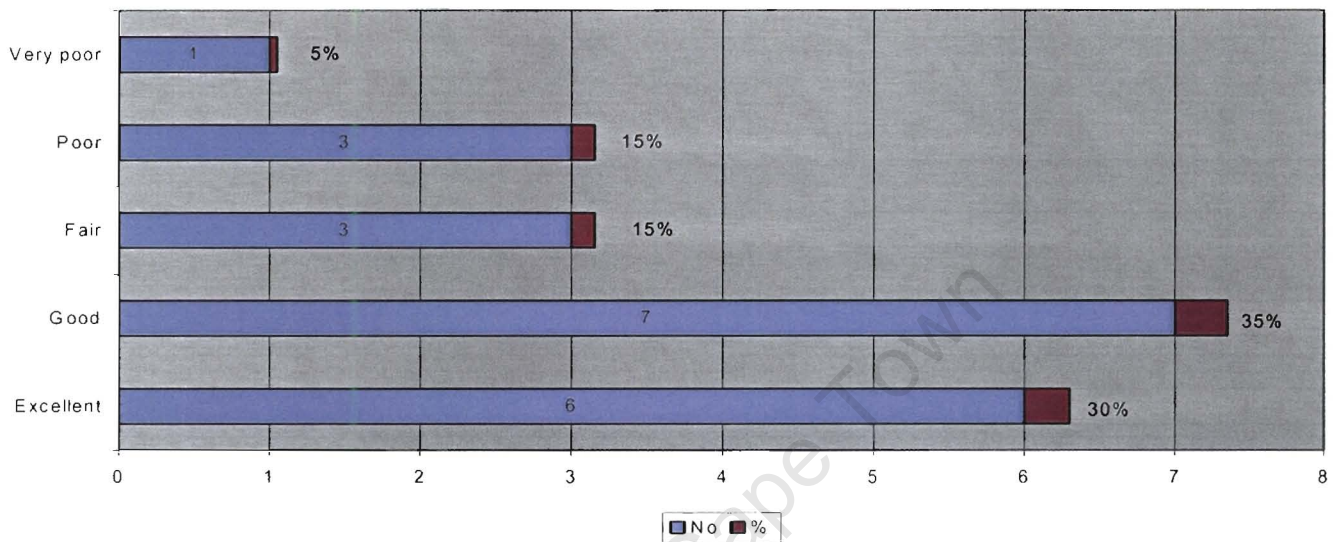


Figure 11 shows that, more than half (65%), of the respondents rated the services of the social workers at DYC positively. Their reasons were :

- *“They listen attentively to us and try their best to help us with our problems”;*
- *“They showed understanding of my situation”;*
- *“They have great respect for juvenile offenders and they reach out and help the juveniles wherever they can”;*
- *“They write good progress reports to the courts which in turn help juveniles to be released, and are willing to help even after being released”.*

A low proportion (15%) felt that the services of social workers at DYC had been ‘fair’ and gave the following reasons:

- *“You are able to talk to them freely about your case”;*
- *“Sometimes they were able to help with problems and sometimes they were not”.*

Almost a quarter (20%) negatively rated the services of the social workers at DYC. The reasons that they gave were:

- *“They were racist and only helped juveniles of their own race group”;*
- *“They cooperate with the courts with sentences like sending us to industrial or reformatory school”;*
- *“They would not allow some of us to use their office phones and this clearly indicated to some of us that they did not care”.*

It can be inferred from these findings that most of the respondents generally seem to have had a good relationship with the social workers at DYC. It would seem that the social workers were perceived and rated in accordance with the services that they received or did not receive from them. Those who received some help from the social workers rated their services positively and those who did not receive help, rated their services negatively.

Juveniles often take some time to develop trust in a social worker and to ascertain whether the social worker is ‘on their side’ or on that of the of the judicial system. They will often test the water during first contacts, but as soon as they have developed trust in the social worker, usually open up in assurance that none of the information that they share will be divulged to the court and used against them.

As with the probation officers, the residential social workers could be unconsciously playing a significant role towards recidivism amongst young offenders. The ultimate help that most of the juvenile offenders want from the social workers is a good progress report that will convince the court that they have made good progress during their detention in the Centre and are ready for re-integration into the community. However, if juvenile offenders are returned to the community without full rehabilitation, social workers and probation officers do, in a way, unconsciously contribute towards the recidivism of juvenile offenders. Interventions that are focused on and limited to the individual client may eventually prove ineffective since juvenile offenders desperate to be released will often fake an insight into their criminal behaviour. Therefore, in an attempt to reduce chances of recidivism, social work interventions and probation services should incorporate interventions with the families and the communities to which juveniles are returned.

4.10.2 Respondents' evaluation of skills and knowledge gained during previous detention at DYC

Table 21

Class or workshop	Most useful		Least useful	
	No.	%	No.	%
Computer training workshop	5	22.72%	-	-
Life skills class	4	18.18%	2	10.52%
Arc welding workshop	3	13.63%	1	5.26%
Wood work	3	13.63%	-	-
Arts and craft	3	13.63%	3	15.78%
Electrical training workshop	1	4.54%	-	-
Motor mechanic training workshop	1	4.54%	-	-
Catering training workshop	1	4.54%	-	-
Chapel	1	4.54%	1	5.26%
None	-	-	12	54.54%
TOTAL	22*	100%	19**	100%

*The total number is greater than the number of respondents as some of the respondents specified more than one workshop or class.

**The total number is less than the number of the respondents since one of the respondents chose not to respond to the question.

- Just over a half (54.54%) reported that none of the skills and knowledge they had acquired at DYC had proved unhelpful in the community.
- Almost a quarter (22.7%) of the respondents found the skills they had gained from the computer-training workshop to have been the most useful out in the community.
- A fair number (18.18%) of the respondents had found the life skills programme very useful.
- A low percentage (15.78%) had found the skills and knowledge acquired from arts and craft workshop to have been the least useful because it had been difficult to find a job and they had lost interest in the craft.

- A low proportion (10.52%) viewed Life skills programme as the least useful because when in the community, they had forgotten all they had learned.
- Only one respondent (5.26%) chose the arc welding workshop and another (5.26%), chapel, because they found that what they had learnt had not suited their lifestyle in the community.

The reasons given for usefulness of knowledge and skills included the following:

- *“I could manufacture products of my own in working with my father in his carpentry business”;*
- *“The certificate helped me to get a job”;*
- *“Life skills helped me to know myself better and make informed choices and face the consequences of the choices I made”;*
- *“The skills I learnt in electrical workshop helped me to repair electrical appliances around the community where I live”;*
- *“The skills gained from motor mechanic helped me to assist my uncle in repairing his car whenever it was broken down”.*

The findings indicate that a high proportion of the respondents had acquired some useful knowledge and skills during their previous stay at DYC. It would seem that the challenge with which the respondents had been faced in the community was finding a job opportunity to implement what they had learnt during their stay at DYC.

Job prospects, or opportunities to advance in the skills that they had learnt through practice and further skill development largely determined their assessment of the skills development rehabilitation programmes offered at DYC. It would seem that a lack of job opportunities to make their living from various technical skills acquired at DYC had been a major factor contributing towards their recidivism.

4.11 Respondents' reception and integration into family and community after their release from previous detention

4.11.1 Respondents' evaluation of the manner in which they had been welcomed by their families after being released from previous detention

Figure 12

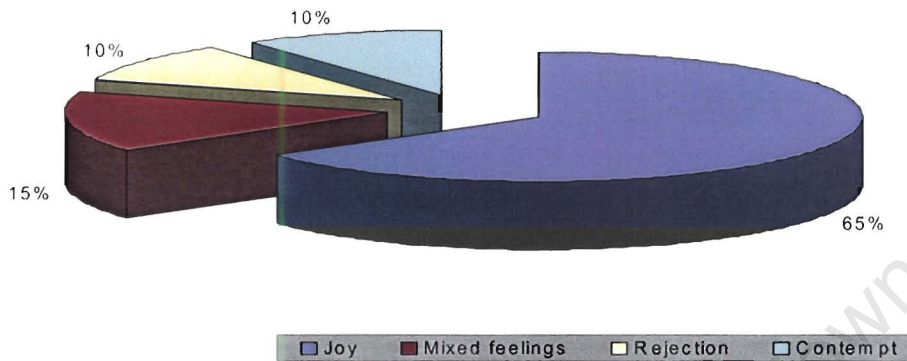
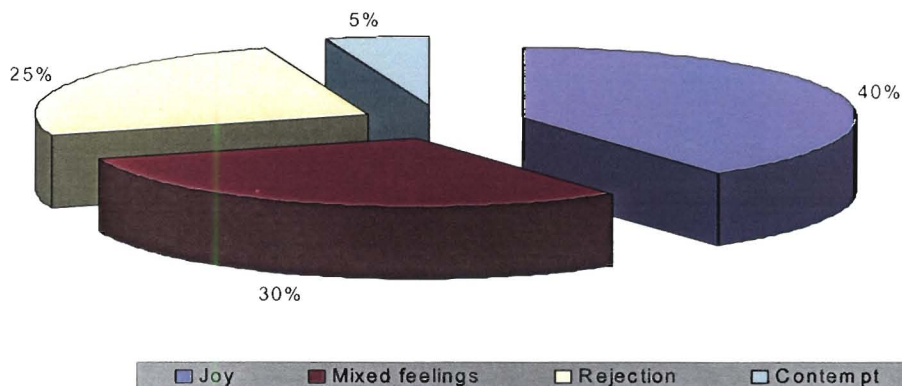


Figure 12 indicates that more than half of the respondents (65%) were welcomed by their families with joy and understanding. The sections that follow investigate challenges and other factors that drove some respondents to recidivate despite their having been received with warm welcome and acceptance by their families.

4.11.2 Respondents' evaluation of the manner in which they were received by their communities after being released from previous detention

Figure 13



- Figure 13 indicates that just over half of the respondents (65%), had been received by their different communities with rejection (30%), mixed feelings (30%) and contempt (5%).
- Only 40% of them had been received with joy by their different communities.

A large proportion of the respondents had experienced rejection from their families and community after their release from their previous detention. The findings in this study concur with those of Solomon (2001) and Sibeko (1993), who found that acceptance and support from families and communities are the most important factors that ex-prisoners identified as helpful in their reintegration process. It can be inferred from the findings and literature that, if the juvenile ex-offenders continue to suffer rejection and discomfort in their respective communities and families when they return to them, they are more likely to recidivate and seek social support and acceptance from fellow inmates in a familiar environment (secure care centre).

4.11.3 Respondents' evaluation of their feelings after being released from their previous detention

Table 22

The way the respondents felt:	No.	%
Highly needed and very important	8	40%
Good and needed by the family	1	5%
Just happy to be outside	1	5%
Mixed feelings and uncertainty	1	5%
Confused	1	5%
Very bad and isolated	5	25%
Really bad	1	5%
Highly unwanted and rejected	2	10%
TOTAL	20	100%

- Half of the respondents (50%) had felt good when they were outside in the community: highly needed (40%), needed by the family (5%), and happy to be outside (5%).

- On the other hand, a significantly high proportion (40%) of the respondents had not felt accepted: very bad (25%), bad (5%) and highly unwanted and rejected (10%).

Respondents who had been welcomed with **positive feelings** and those who felt **good** after their previous release gave the following reasons:

- *“I am important and happy to be released from Dyambu and not from prison”;*
- *“To be free and enjoy my liberation and it was nice being with my family”;*
- *“I convinced myself not to do crime again”;*
- *“The way I was welcomed confirmed my jolly personality”.*

Respondents who had been received with **negative attitudes** after their previous release and had not felt good stated the following:

- *“People saw me as a drug addict and a thief”;*
- *“I was remorseful about my violent behaviour and I felt guilty because I knew I had done something wrong and deserved a punishment”;*
- *“People gave me a suspicious glance, I had a bad name in the community and had a negative attitude towards the community, they hated me and I also hated them in return”.*

The findings indicate that how the respondents had felt about their release from previous detention, had somehow depended on how they had been received by their families and communities. Cohen’s 1972 study (cited in Eldefonso and Hartinger, 1976) of delinquent subculture amongst working class minors, attempted to discover why some minors exposed to a certain culture become delinquent while others do not. He found that a child who had a strong self-concept, self-respect, self-confidence, and self-understanding was able to withstand the pressures from the delinquent subculture. On the other hand, those who were relatively insecure and unhappy would submit easily to peer pressure to engage in antisocial behaviour.

The notion of a healthy self-concept has been echoed by Brendtro *et al.* (1990) who theorized that fostering self-esteem should be a main goal in socializing normal children as well as in specialized work with children and adolescents at risk. They maintained that, without a sense of worth, a young person is exposed to a host of social and psychological behavioural problems. The findings in this study and the literature seem to point to a

possible relationship between poor self-esteem and recidivism amongst young offenders in general.

4.11.4 Factors that had made it difficult for the respondents to re-integrate into the community after their previous release

Table 23

Factors that made it difficult:	No.	%
Lack of stable source of income	6	22.22%
Denied re-admission at previous school	5	18.51%
None	5	18.51%
Rejection by the family and parents	4	14.81%
Rejection by previous friends	4	14.81%
Lack of accommodation	3	11.11%
TOTAL	27*	100%

* The number of responses is higher than that of the total respondents since some gave more than one reason why re-integration into the community after their previous release had been difficult.

- A lack of a stable source of income seems to have been the most common factor for almost a quarter (22.22%) of the respondents.
- Denial of re-admission to a previous school was the second most frequently blamed factor - by 18.51% of the respondents. However, some respondents confessed that nothing that made it difficult for them settle back into the community.
- The third most frequent factor identified by 14.81% of respondents was rejection by family, parents and previous friends.

Individual reasons supplied by some of the respondents regarding difficulty in settling back into the community included the following:

- *“I was not given emotional support”;*
- *“Most of my friends did no longer trust me”;*

- *"Some friends gave me a criminal label whilst other friends discouraged me when I told them I had changed and they began to disown me";*
- *" I disappointed my mother";*
- *"I was always a suspect whenever something got lost in the house. They started locking up everything whenever I was around";*
- *"There was no peace in the family".*

The predominant factors that had made it difficult for the respondents to reintegrate into the community as identified in this study correlated with those identified by Sibeko (1993) and Solomon (2001). They include: rejection by the family and the community in general, lack of family support, financial insecurity, relationship problems within the family and drug addiction. It can therefore be inferred that without good social support and acceptance from the family and community, the juvenile respondents are more likely to recidivate so as to avoid discomfort and rejection from their families and communities.

4.12 Decisions reached by the respondents regarding further criminal behaviour

- Seventeen of the respondents (85%) specified that they had decided never to do crime again, no matter what might come their way.
- Two (10%) specified that they would like to live a crime free lifestyle. However, if the opportunity availed itself through crime, they confessed that they would definitely turn to crime again. The main reason given by them was the lack of a stable source of income from their different families.
- Only one respondent (5%) earnestly confessed that he would definitely continue with criminal behaviour if legitimate means of resolving his problematic situation were not available to him. He insisted, *"Crime is the only way out"*.

Reasons most frequently given by those who had finally decided never to do crime again, no matter what, included:

- *"If I am out of drugs, I won't have a reason to do crime";*
- *"Decided to take a stand in life and quit drugs";*
- *"I have now realised that crime does not pay";*
- *"I have had enough of crime, I want to move on with my life";*
- *"It is not nice to be in jail";*

- *“I want to start a business and I want a fresh new start in life”.*

From the above data, it can be inferred that many juvenile recidivists commit themselves to discontinue their criminal behaviour. However, the situations that they find themselves in when they are in the community drive them to criminal involvement, even though they are aware of the negative consequences of crime.

A relationship between substance abuse and recidivism amongst young offenders was prominently evident. Two of the respondents who had decided to quit crime were afraid that they might relapse if they were not helped to escape drug addiction. They said: *“If I am out of drugs, I won’t have a reason to do crime”* and *“decided to take a stand in life and quit drugs”*.

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4.13 Factors that have influenced the respondents' decision to stop participating in crime

Table 24

Influencing factors	No.	%
Fear of heavy criminal record	10	20.83%
Causing a disgrace in the family	10	20.83%
Technical skills acquired from the workshops in DYC	4	8.33%
Education and awareness from life skills programme	3	6.25%
Difficulties experienced with regard to reintegration into the community	3	6.25%
Fear of encounter with courts	3	6.25%
Fear of encounter with police	2	4.16%
Counselling from the social workers at DYC	2	4.16%
Counselling from general staff members at DYC	2	4.16%
Counselling from fellow inmates at DYC	2	4.16%
Improved economic family status	2	4.16%
Counselling from the probation officer	1	2.08%
None of the factors discussed in the interview (change of attitude from within)	4	8.33%
TOTAL	48*	100%

* The number is higher than the total number of respondents since some mentioned more than one factor that had influenced them to change their attitude towards criminal behaviour.

The two major reasons why 20.83% of the respondents had decided to stop participating in crime were:

- *Fear of heavy criminal record,*
- *Causing a disgrace for the family.*

The third factor (8.51%) was their motivation that they gained through acquiring technical skills from various workshops at DYC.

A further 8.51% of the respondents claimed that the change of attitude came from their own independent thinking, that is, no particular factor discussed in the interview that had influenced their decision to abandon crime.

Some respondents specified 'fear of heavy criminal record' and 'own individual thinking'; which were not discussed in the interview. This points to various factors that affect the life of the child who comes into contact with the criminal justice system.

It is generally accepted that it is the function of the social worker and rehabilitation programmes to treat and rehabilitate the offender. However, the data in this study shows that various factors and people can influence young offenders' to criminal behaviour. Therefore, any professional person and staff member who interacts with the child in the process can contribute to rehabilitation of the young offenders. As shown earlier, some of the juvenile offenders found it easier to relate to certain staff members than to others. All staff members, therefore, need to utilize the positive relationships they develop with the juveniles through their interaction with them, to facilitate changes of attitude towards criminal behaviour and recidivism.

CHAPTER 5

MAIN FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The study focussed on the problem of recidivism amongst male trial-awaiting youths detained at Bosasa's Dyambu Youth Centre (DYC). The findings in this study describe the respondents' evaluation of their experiences of and perspectives on several variables that were investigated. The research was conducted at DYC in Krugersdorp, the researcher's workplace, where the problem of recidivism was identified. Dyambu Youth Centre is the biggest secure care centre in South Africa and houses about 450 male trial awaiting youth in conflict with the law.

Some of the findings in this study may not be easily generalised to other secure care centres, as the inmate population, rehabilitation programmes and staff composition differ from one centre to another. However, the major findings of this study can make a valuable contribution to understanding the perspectives of young recidivists regarding their own recidivism.

It is hoped that the recommendations will enable to those who work within the area of youth in conflict with the law to formulate more effective social policies, intervention strategies and rehabilitation programmes to curb or minimize the high rate of recidivism amongst young offenders.

As shown in this study, various interrelated factors contribute to the social problem of recidivism amongst young offenders. Understanding any social problem requires study and understanding of the dynamic nature of interaction between the person and the environment. Hence, this research commenced by studying the respondents' psycho-socio-economic and family backgrounds and other environmental variables with which

the respondents interacted during the statutory processes. The following were investigated included investigation in respect of the following:

- Criminal history;
- Motivation to re-offend;
- Interaction with the custodial and judiciary system;
- Interaction with probation officers pre- and post-trial;
- Family response and support whilst in custody and throughout the statutory process;
- Relationships with fellow detainees and staff members whilst in custody at Dyambu Youth Centre;
- Rehabilitation programmes and social services received whilst in custody at Dyambu Youth Centre;
- Reception and integration into the community and/ or family after release from previous detention.

The purpose of this exercise was to determine whether the respondents' experience of, and interaction with all or some of the above variables had, in any way, influenced them to consider changing their attitudes towards criminal behaviour. The study enabled objective identification of patterns, trends, individual and environmental factors that contribute towards the problem of recidivism amongst male juvenile offenders.

5.2 Discussion of the main findings

The main findings of the study are related to the aims and objectives of the study.

5.2.1 The respondents' psycho-socio-economic and family backgrounds

Three quarters of the respondents had been living with their parents and families, or with extended family members, either in a house or in a flat before their arrest. A quarter of the respondents had been living independently in own backyard rooms with friends and or with girlfriends. These findings concur with those of West and Farrington (1973), who maintained that, juvenile offenders have a desire for independence and those staying with parents do so purely for financial convenience.

In agreement with other writers (Barlow and Ferdinand, 1992, West and Farrington, 1977), the findings in this study strongly identify a relationship between chronic juvenile delinquency and criminality in the family. Almost every respondent had someone in his

immediate or extended family who had been arrested for a criminal offence. It would appear, therefore, that a strong link exists between criminality in the children and the presence of criminal role models in the family, as also found by Haskell and Yabonsky (1998).

Another important finding of this study is a close relationship between poor scholastic performance and/or school 'drop-out' and criminality. Again this concurs with the findings of other studies, such as those of the Californian Department of Youth Authority (cited in Eldefonso and Hartinger, 1976), which found that juvenile offenders display a negative attitude toward school, usually have poor academic achievement and are often involved in misconduct at school.

Nearly all respondents had a very limited, or no source of income or financial maintenance. Only two of the twenty had an adequate source of financial maintenance, both parents being employed and contributing towards their maintenance. Almost half (45%) reported that they had relied on money generated through criminal activities to meet basic needs like food and clothing. The questions dealing with perceived unmet needs, casual clothing and money for entertainment received the highest response rate amongst the respondents. One would have expected a higher response rate on the needs relating to food and shelter. This finding highlights the importance of socio-cultural needs, such as the need to be seen by peers to be fashionable, in the etiology of juvenile crime.

The findings in this study revealed a relatively high incidence of alcohol and drug abuse amongst young offenders. Substances that were frequently abused by the respondents were those considered to be "light" and easily available in the community. These included cigarettes, beer, dagga, brandy and cider. As was found in this study, and highlighted in the SACENNDU (2002) report, dagga had often served as a gateway drug to other 'harder' drugs. 'Hard' drugs which were frequently abused amongst the respondents included 'VW star', 'rock', and mandrax. All respondents confessed to having consumed more than one intoxicating substance at different times in their lives, in accordance with their availability and affordability at the time of consumption.

5.2.2 The respondents' criminal histories and activities

The average age at which the respondents began their criminal careers was 15 years. A significant number had been 13 years old and others, 10 years old during their first arrest. The findings of this study indicate a relationship between first arrest and chronic delinquency amongst young offenders, as have those of other writers, including Barlow and Ferdinand (1992), Masters and Robertson (cited in Masters, 1994), and Hamparian et al. (cited in West, 1982).

Contrary to the proposition of Masters (1994) that, as young offenders mature, many outgrow their delinquency as they begin to take on responsibilities, this study found a large number of respondents' true age was above 19 years of age. They admitted to having given a false, reduced age statements to court officials, in order to await trial in a secure care centre rather than in prison. A significant number of these respondents reported that they had already assumed some form of social and financial responsibility for their own children or for their siblings. They continued to rely on criminal activities to generate income.

The criminal history of the respondents revealed a general trend of progression from petty crimes to more serious crimes. The findings did not support any specialisation in particular crimes. It can, therefore, be inferred that repeated juvenile offenders are general offenders and may commit any crimes at any given time without necessarily preferring certain ones.

The analysis of the reasons that the respondents attributed to the positive outcomes of their previous cases and their predictions of the final outcome of their cases indicate a pervasive pattern of optimistic thinking based on manipulation of the justice system. Inference can therefore be made that one of the major motivating factors behind juvenile offenders' recidivism is the manipulation of the justice system through false information.

The findings in this study reveal that the period, which the respondents spend in detention undergoing education and training programmes in a secure care facility, does not necessarily deter the young person from engaging in future criminal activities. However, they do show a possible relationship between a lighter sentence in previous case(s) and

subsequent recidivism amongst young offenders. This is one of the clearest common patterns identified in the criminal history of the respondents.

5.2.3 The respondents' motivation to re-offend

While nearly half of the respondents were motivated mainly by financial need to become repeatedly involved in criminal activities, a significant number were motivated by factors relating to social and peer pressure. Other researchers have also noted the power of peer influence and pressure in relation to the commission of crimes (West and Farrington, 1977, and Solomon, 2001). However the findings in this study indicate an equal distribution of scores with regard to respondents' commission of crimes individually or in association with peers. Half had committed their various criminal offences alone and the other half in association with peers. Individual intentions to commit crimes point to powerful individual and environmental factors that make some youngsters more vulnerable and pre-disposed to crime than others (Barlow and Ferdinand, 1992, and; Thompson and Bynum, 1991).

One of the most predominant factors leading to commission of crime, alongside financial need and peer pressure, was "money to buy drugs". As evidenced in this study, the findings reveal a possible relationship between substance abuse and recidivism amongst young offenders. The relationship between drug addiction and high crime rates amongst young offenders, as found in this study, has also been documented in the TRENDS: PROTEM DETENTION report, 2001-2002.

The findings in this study revealed that financial gain, drug addiction and peer pressure were the major driving forces that influenced the respondents to become repeatedly involved in criminal behaviour. The power of peer pressure, as evidenced in this study, is best described by Solomon (2001: 94) who noted that, "(p)eer pressure can play a significant role in some offender's lives, especially those who live in high criminogenic areas which were rife with gang warfare, drug peddling and the like".

5.2.4 The respondents' assessment of their experience of the judicial and custodial systems

Almost half of the respondents evaluated the services of police officers in a negative light, based on the hostile treatment they had received from them. A quarter evaluated

them positively. The reasons given clearly indicate their awareness and understanding of the crucial role of police officers in fighting crime. On the basis of this the young offenders would prepare themselves for the nature of routine interaction with them if they were arrested. Therefore, it can be inferred that the hostile treatment that the juvenile offenders often receive from the police officers does not necessarily deter them from future recidivism.

The reasons which almost half of the respondents gave for their negative evaluation of the judicial system (like long remands) were strongly associated with the frustrations experienced with regard to the courts during the period of investigation. Positive evaluation of the judicial system by a significant number of the respondents is consistent with their general optimism in respect to the courts, particularly with regard to positive considerations that they had previously received from them. It can, therefore, be inferred that juvenile recidivists are, to a certain extent, motivated by optimism about positive outcomes in the finalisation of their cases by the courts, to become constantly involved with criminal activities.

5.2.5 The respondents' assessments of their experiences of and the services from, the probation officers, pre- and post- trial, based on their interaction with them.

A significant number of respondents had not received the services of probation officers since they had come into contact with the criminal justice system. This is a cause for great concern, particularly when the main functions and duties of probation officers with respect to probation and correctional practice in cases that include young offenders, as stipulated in Sections 3 and 4 of the Probation Services Act (No. 116 of 1991), are taken into account.

Just over a half of the respondents who had received the services of probation officers in both the pre-trial and post-trial phases of case proceedings at court evaluated the services of probation officers in a generally positive light. A positive evaluation of the probation officers was generally based on favourable considerations that the respondents had received from the courts through a probation officer's recommendations. It can, therefore, be inferred that if human resources regarding probation and correctional practice are not

expanded, many more young offenders will continue to be disadvantaged in the hands of the criminal justice system.

Secondly, the findings reveal that juvenile offenders do not have a clear understanding of the role of the probation officer. Their role seems to be mistakenly equated to that of a legal practitioner or a state prosecutor. Juvenile offenders often are desperate to be released and usually have unrealistic expectations of any helping professional. The reason for such confusion is not clear. It may be caused by failure on the part of the probation officers to clarify their role so that they do not create false expectations, or by failure on the part of the juvenile offenders out of sheer desperation, to form unrealistic expectations about the probation officers.

It is hoped that once the Child Justice Bill (2002) has been passed to be an Act, that will increase pressure on the government to extend the professional services of the probation officers (Brown, 2003). The Bill states clearly that every child must be assessed and a preliminary inquiry must be held as part of proceedings of the child justice court. According to Brown (2003), the services of the probation officers will deteriorate even further if the government does not address the issue of the shortage of the probation officers.

5.2.6 The respondents' evaluation of their families' response and support whilst they were in custody and throughout the statutory processes

The findings indicate that, most of the families had initially responded mainly with disappointment, anger and shock to the respondents on their first arrests. A large proportion of the families' response remained relatively similar over the span of their criminal careers. A small percentage of the families had eventually progressed from initial disappointment, anger and shock to acceptance and supportiveness over a period of time in the juvenile offenders' criminal careers.

The findings indicate that respondents received varied degrees of social support from various people whom they had known. Whilst a high proportion of the respondents received social support largely from their immediate families, mainly from the mother, the others lacked this form of social support.

It can be inferred from the above findings that a majority of the persistent juvenile offenders had become accustomed to criminal behaviour despite disapproval and negative feelings that they had invoked in their families. Some of the juvenile respondents had drifted far away from their parents and created their own social support networks in their continual criminal way of life.

Because the juvenile inmates have been taken away from their natural social support systems they often establish temporary social support networks in the secure care centres, particularly those that were disowned by their families and friends. Mzinyathi (1992) identified providing social support to law-abiding youth and delinquent youngsters as one of the primary functions of the family for both delinquent and non-delinquent youth. The nature of social support that the children receive from the family will determine that individual's sense of value and well being. On the other hand, a lack of social support from the family may lead to a sense of purposelessness and poor self-esteem (Fine, 1996). This, in turn, provides a fertile ground for delinquent behaviour.

5.2.7 The respondents' assessment of their relationships with fellow detainees and staff members whilst in custody at Dyambu Youth Centre, based on their interaction with them

Most of the respondents related well to their fellow inmates, especially with those who came from the same township as they did. The supportive social networks amongst juvenile offenders in the secure care centre serve an important function in their lives. Not only do they provide them with protection and support; they usually also provide them with a sense of purpose in life and a sense of worth, particularly if they have been disowned by their families and communities and crave a sense of belonging and social recognition.

The respondents seem to have had the poorest relationship with juveniles who were gang leaders. This points to active yet subtle forms of gang activity amongst juvenile detainees in the secure care centres. It is problematic that prison culture and mentality persist among juvenile offenders detained in the secure care centres. The tendency has been documented in the Trends: Protem Detention, 2001-2002 report; that the youngsters who

form groups because they come from the same township, eventually operate in the same way as the gangs that they seek to oppose.

A quarter of the respondents experienced their poorest relationship with their room leaders, who were representatives and caretakers of the boys in their respective rooms. The room leader system may need to be reviewed if it is not serving the purpose it was intended to serve, since several respondents had experienced abuse from the respective room leaders.

The majority of the respondents enjoyed good relationship with most of the staff members. Most experienced the most caring relationship from room elders. This indicates that the “room elders” system has positive value. Not only are room elders in a position to communicate genuine concern and care for the inmates but they also serve unconsciously as parent figures to the juveniles. Due to the frequency and nature of interaction between the room elder and the inmates, room elders are automatically vested with a great deal of power and opportunity to influence and change attitudes towards criminal behaviour of boys in their respective rooms.

Recidivism could have a positive value in the perceptions of young offenders who come from dysfunctional and broken family backgrounds. Several respondents seem to have experienced special attention, caring and recognition from some of the staff members, which they would not have received from their families or other social support systems in the community.

It emerged from the study that the poorest relationship that most of the respondents had experienced was with the secure care workers. These staff members are responsible for the safe keeping of the inmates. The reasons given by the respondents for negative evaluation of their relationships with secure care workers intimate that they had experienced considerable physical and verbal abuse from them. Like all other staff members working extensively with young offenders in a secure care facility, this category of staff members should exercise exemplary the nature of the interaction and communication with the young offenders.

5.2.8 The respondents' assessment of the rehabilitation programmes and social services received whilst at DYC

Respondents generally seem to have enjoyed good relationships with the social workers at DYC. They appreciated the individual attention received from the social workers during their previous detention at DYC and good progress reports that had helped to convince the court that they deserved a second chance in life. What also emerged from the findings was that no indication was given of extended after-care services received from the social workers after that the court had released the juvenile offenders.

The respondents generally seem to have acquired very useful knowledge and skills from various rehabilitation programmes during their stay at DYC, since over half of them reported that they found nothing they had learnt at DYC to be least useful when they were in the community. Therefore, if knowledge and skills that they had acquired from various rehabilitation programmes did not reduce recidivism, other factors are likely to have played a role in the high rate of recidivism. These other factors are explored in the section that follows, which outlines some of the major factors that made re-integration into the community difficult and subsequently contributed to recidivism.

5.2.9 The respondents' assessment of their reception by and integration into the family and community after their release from their previous detention

Although their families and communities received most of the respondents in a positive way, a significant number experienced rejection and isolation. They felt highly unwanted by their different families and communities. The family response to juvenile offenders' criminal behavioural tendency, that it is a relief for some parents if the youth is not at home is documented in the report, TRENDS: PROTEM DETENTION (2001-2002: 06). Hence, some parents will not even attend the court hearings, in order to prolong the duration of the child's custody.

The factors that had made re-integration difficult for the respondents during their previous release were the lack of a stable source of income, denial of re-admission to school, rejection by family and friends, and the lack of stable accommodation. These factors should perhaps be considered as the primary focus of rehabilitation and after-care services, in order to reduce recidivism amongst young offenders.

The findings in this study underline the inadequacy of service provision with regard to reduction and prevention of recidivism amongst juvenile offenders. Reintegration services appear grossly neglected in the field of probation services.

5.2.10 The respondents' assessment of the factors that had influenced them to consider abandoning criminal involvement

Nearly all the respondents (85%) expressed the desire to abandon their criminal lifestyles, but the situations with which they are faced and various other factors like peer pressure and substance abuse drive them to crime. The major factors that had influenced the respondents to wish to discontinue their criminal activities were fear of a heavy criminal record, disgracing their families, acquisition of various skills and knowledge from the DYC workshops and classes and 'own individual thinking'. By 'own individual thinking' the respondents implied that they did not credit any social force as having contributed towards their change of attitude towards criminal behaviour. They had finally decided to take the decision on their own.

The respondents were very aware of the long-term negative consequences of their persistent criminal behaviour. However, the situations that they are usually faced with and powerful forces like peer influence and substance abuse had usually driven them to continued criminal behaviour. It would, therefore, be appropriate to assist youngsters to identify the main factors that need to be changed in their way of life in order to enable them to lead law-abiding lives in the community after their release. As Curtis (1989) suggested that one of the important ways to reduce recidivism amongst young people is preparing them for the challenges that they will face when they are out in the community.

5.3 Conclusion

Recidivism amongst young offenders is a significant social problem with many facets, as shown in this study. Therefore, all strategies that seek to address the problem will need to be holistic in approach. Some of the young people seemed to be vulnerable and predisposed to criminal behaviour because of their psycho-socio-economic and family backgrounds. Adopting criminal means of survival is common with these young people,

even though they are generally aware of the negative consequences of their anti-social behaviour.

The optimism regarding a positive outcome of the criminal cases that the respondents were charged with, mainly has its origin in their previous interaction with the criminal justice system, and in errors of criminal thinking identified by Yochelson and Samenow (cited in Conklin, 1995). The criminal histories of the respondents show that persistent juvenile offenders develop their own understanding and perceptions of what could be called the 'psychology of the criminal justice system', through their use of various tactics and manipulation of the justice system. They develop their own coping strategies and support networks during 'cycles of recidivism'. Some of the juvenile inmates aspired to the prison culture and would inculcate the prison mentality into the other fellow inmates in the secure care centres.

Contrary to the notion expressed by Fine (1996) that 'nothing matters' to the persistent young offenders, the respondents in this study actually expressed their concern about various matters, including the embarrassment and shame that they caused their families. However, they needed help with regard to long-term social and economic sustainability. Addiction to drugs was one of the major driving forces that had driven the recidivists to constant involvement with crime. Therefore, drug rehabilitation is an essential part of intervention for these juvenile offenders.

Intervention strategies that sought to change their offending behavior had been limited to the individual child, rather than to other systems related to the child, like his family and community. The young offenders needed transformation rather than being changed in how they perceived themselves and the world around them, Fine (1996) found.

Helping professionals need to mobilise and advocate for transformation even in the broader and social macro structures like the institutions that provide services and policies that inform practice with young people in conflict with the law. The justice system needs to move more towards a restorative justice approach in dealing with young offenders. Whilst it is understood that young people need to be afforded a second chance in life, they need to be helped to understand the impact of their anti-social and criminal behaviour on their victims and take responsibility for their action in a non-damaging manner.

The study has shown that prevention and after-care services for young offenders are almost none-existent. Intervention strategies and programmes should address core and underlying issues behind persistent criminal behaviour in young people. As shown in this study, these would include implementing intervention strategies and programmes that can ensure the family's social and economic well-being, preventative and treatment programmes regarding alcohol and drug rehabilitation, and specialised training and professional service delivery in the field of young people in conflict with the law.

5.4 Recommendations

- Crime prevention programmes need to be established in schools through school talks, and in the community through awareness programmes, particularly for those youngsters who are more predisposed to criminal behaviour in the 'criminogenic' communities.
- The age of each juvenile offender needs to be established at court. This should form part of the core function of the court officials, rather than of the secure care centre. There needs to be a central computer database at the courts, with a record of the age of each juvenile offender who comes into contact with criminal justice system.
- Young people need to be afforded job opportunities either on part-time or full time basis, particularly those who lack economic support. NGOs and private companies that work with young people in conflict with the law, like NICRO and BOSASA, need to approach private and public companies to create job opportunities for young ex-offenders.
- Schools need to be sensitised through awareness programmes by probation officers and secure care centre residential social workers, on how they often contribute to recidivism amongst young offenders. Schools should be encouraged to re-admit young ex-offenders who want to continue their schooling rather than simply denying them re-admission and labeling them.
- Families and communities need to support young ex-offenders who want to start a new way of life, rather than rejecting and stigmatising them. Acceptance was one of the most crucial factors that the respondents declared for effective reintegration into the community. Probation officers and residential social workers need to advocate acceptance of by their families, through family conferences and family preservation programmes.

- Re-integration and after-care services for young ex-offenders should form an integral part of probation and social work service delivery. Halfway houses may be necessary for young ex-offenders who might need accommodation while being helped to get their lives back on track.
- General social work interventions for young offenders- both from probation officers to secure care facilities should include family intervention and family preservation programmes, during both pre-and post-trial statutory phases of the court inquiry.
- Young people need to be sensitised to the consequences of substance abuse through awareness and prevention programmes in schools and in public and social gatherings by organisations like SANCA and Drugwise.
- Drug and alcohol abuse rehabilitation programmes should form a major part of early treatment and intervention in the services provided for young people in conflict with the law, association with drugs and alcohol often result in participation in criminal activities.
- Staff members who work with young offenders in secure care centres need to be sensitised to the rehabilitative responsibilities in their daily interactions with young inmates.
- Positive feedback should be continuously communicated to room elders by their supervisors and social workers with respect to their important role in the lives of the juvenile offenders. This should be done with the purpose of recognising their rehabilitative role and encouraging them to become consciously aware of it.
- Room leaders need training and constant supervision regarding the role that they play in the lives of other boys in their respective rooms.
- Basic values and principles of helping should form an integral part of the secure care workers' (security guards) and care workers' training.
- Social workers who want to follow careers as probation officers should have post-graduate training in the probation work, since it is a specialised field that needs extensive expertise in the service area.

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APPENDIX A : Glossary of Substances

Information is mainly based on the Drug Information Guide (2003): Lion Quest Skills for Adolescence programme unpublished course material.

Substances as described in this study refer to three major categories, which are **nicotine, alcohol and drugs.**

- **Nicotine:** referred to in this study as cigarettes. It is the main ingredient in tobacco. This stimulant causes the bodily organs to work faster.
- **Alcohol:** a liquid depressant fermented or distilled from grapes and grains. Sold legally to adults as beer, wine, cider, brandy, etc.; also sold to and used illegally by children and young persons.
- **Drug:** any chemical that changes the functioning of the mind or body—or both. Most mind altering drugs fall into one of four major categories: **depressants, hallucinogens, narcotics, or stimulants.**
 - **Depressant:** a drug that slows down the brain, central nervous system, all muscles, including the heart and other bodily systems.
 - **Hallucinogen:** a mind-altering drug that changes a user's perceptions, thinking, and emotions.
 - **Narcotics:** a category of mind-altering drugs that includes natural opiates, such as heroin and morphine.
 - **Stimulant:** a drug that speeds up nervous or muscular activity.
 - **Dagga:** (Slang and other names: cannabis, pot, grass, weed, dope, zol, marijuana, joint, matekwane): a drug that can act as a stimulant (speeding up the heart rate), a depressant (slowing down messages from the brain), and a hallucinogen (causing the user to see or hear things that aren't really there).
 - **VW Star:** a drug that comes in pill form that is a bit larger than average pill size. It has stars on both sides of the pill and often is mixed with dagga to be smoked.
 - **Trap and loss (Ndanda):** a drug that comes in a pill form and often is crushed in order to be smoked with dagga. The pill is consumed in short intervals since it has short temporary episodic effects on the brain system when used hence the drug's name.

- **Rock:** (a slang name for 'crack') a form of cocaine that looks like small, light-brown 'rocks'. The 'rocks' make a crackling sound when used hence the drug's name, 'crack'.
- **Shining Top:** a drug that comes in a bullet-capsule form. Its powder often is mixed with dagga to be smoked.

University of Cape Town

APPENDIX B: AN OFFICIAL LETTER TO THE PRINCIPAL OF THE CENTER REQUESTING CONSENT TO CONDUCT THE RESEARCH AT DYAMBU YOUTH CENTER.

16.August 2001.

Attention: Peter Sadie (Mr.)

The Principal: Dyambu Youth Center

RE: Request for conducting a research at Dyambu Youth Center.

I hereby wish to formally negotiate consent to conduct a Masters' degree research at Dyambu Youth Center.

My purpose of carrying out this research is to investigate the problem of 'recidivism' and contributory factors amongst young offenders detained at Dyambu Youth Center. It is hoped that the findings of this study will help to provide a good understanding of this problem and guide our intervention strategies and rehabilitation programmes so they can be more focused on specific recurrent factors that will be identified in the study. This will hopefully help to stabilize change efforts and minimize the escalating 'recidivism rate' in the center.

Your organisation's contribution towards prevention of crime, rehabilitation of young offenders and community development in South Africa is much appreciated. A final copy of the research report, which will be submitted to the university, will also be provided to the center at the end.

I want to thank you in advance for your cooperation. Further correspondence regarding the exact dates of carrying out the research interviews will be communicated directly to you since we work together on daily bases at in the center.

Yours in community development

Eric Thulane Gxubane (Mr.)

Senior Social Worker: Dyambu Youth Center.

APPENDIX C : INTERVIEW SCHEDULE

Dear respondent

I am a student currently registered for a Masters degree by research in social work with the Department of Social Development, University of Cape Town. I am researching 'recidivism' and contributory factors amongst young offenders detained at Dyambu youth center. Recidivism can briefly be described as the habit of juvenile offenders to relapse into crime despite having gone through rehabilitation programmes in a detention center.

Please note that participation in the study is **voluntary**. All information obtained will be strictly **confidential** and you are not required to identify yourself by name. You are requested to be as honest as possible when responding to the questions asked in the interview. Please remember that this is not a test. There are no wrong or right answers. I am really only interested in what you think and your own experience. Your contribution towards the study will help provide a better understanding of various factors that contribute towards recidivism among youth detained at Dyambu Youth Centre.

So that you can have an access to the findings of this study, a copy of the final research report will be made available to Dyambu Youth Centre at the end of the study.

Thank you for your willingness to participate.

Thulane Gxubane.

SECTION 1: DEMOGRAPHIC DATA:

1.1 YOUR RACE (FOR STATISTICS PURPOSE ONLY)

(TICK ONE ONLY):

1) BLACK	2) WHITE	3) COLOURED	4) INDIAN	5) ASIAN	6) OTHER (PLEASE SPECIFY:
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1.2 YOUR RELIGEON

(TICK ONE ONLY):

1) CHRISTIAN	2) TRADITIONALIST	3) RASTAFARIAN	4) SATANIST	5) NO RELIGEON	6) OTHER (PLEASE SPECIFY:
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1.3 YOUR TRUE AGE

(TICK ONE ONLY):

1) 14 YEARS	2) 15 YEARS	3) 16 YEARS	4) 17YEARS	5) 18 YEARS	6) 19 YEARS AND ABOVE
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SECTION 2: PSYCHOLOGICAL, SOCIAL, ECONOMIC AND FAMILY BACKGROUND:

2.1 YOUR PLACE OF RESIDENCE PRIOR TO CURRENT ARREST

(TICK ONE ONLY):

1) HOUSE	2) FLAT	3) HOME BACK-YARD ROOM/SHACK	4) OWN A SHACK IN A SQUATER CAMP	5) IN THE STREET	6) OTHER (PLEASE SPECIFY:
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2.2 WHO DID YOU RESIDE WITH PRIOR TO YOUR CURRENT ARREST?

.....
.....

2.3 WHO MAINTAINS YOU FINANCIALLY AND WHAT IS THE SOURCE OF INCOME?

.....

2.4 PLEASE SPECIFY IF THERE IS ANY PERSON (S) IN YOUR FAMILY WHO HAS EVER BEEN ARRESTED FOR A CRIMINAL OFFENCE, PLEASE STATE THEIR RELATION TO YOU AND THEIR ALLEGED OFFENCE (S) BUT DO NOT STATE THEIR NAMES:

.....

2.5 YOU ARE NOT SATISFIED WITH YOUR MAINTENANCE, WHICH OF THE FOLLOWING NEED (S) IS/ARE NOT ADEQUATELY MET BY THE ABOVE PERSON (S)?

(TICK ALL THAT APPLIES)

1) SECURED PLACE TO SLEEP	3) POCKET MONEY FOR ENTERTAINMENT	5) CASUAL CLOTHING	7) HAIR CARE	9) SCHOOL TEXT-BOOKS
2) ADEQUATE FOOD AT HOME	4) COMPLETE SCHOOL UNIFORM	6) MONEY FOR TUCK-SHOP AT SCHOOL	8) CASUAL SHOES	10) SCHOOL FEES

11) OTHER, PLEASE SPECIFY:

.....
 EXPLAIN:.....

2.6 IF YOU WERE SCHOOLING BEFORE YOUR ARREST, WHAT GRADE WERE YOU IN?

(TICK ONE ONLY):

1) III	2) IV	3) V	4) VI	5) VII	6) VIII	7) IX	8) X	9) XI	10) XII
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11) OTHER, PLEASE SPECIFY:.....

2.7 IF YOU WERE NOT SCHOOLING DURING THE TIME OF YOUR ARREST, WHAT WERE THE REASONS FOR LEAVING SCHOOL AND THE STANDARD /GRADE YOU DROPPED OUT?

(TICK ALL THAT APPLIES)

1) FINANCIAL DIFFICULTIES	3) FOUND A JOB	5) SCHOOL WAS BORING AND YOU LOST INTEREST	7) FAILED ONE OR MORE GRADE (S) REPEATEDLY	9) CORPORAL PUNISHMENT
2) EXPULSION FROM SCHOOL	4) MADE A GIRL PREGNANT	6) STUDIES WERE TOO DIFFICULT	8) HAD A FIGHT AT SCHOOL	10) OBLIGATIONS TO BE TAKEN CARE OF AT HOME

OTHER, PLEASE SPECIFY:.....

2.8 WHICH OF THE FOLLOWING SUBSTANCES DID YOU USE IN ORDER TO RELAX THE MIND AND TO HAVE FUN, IF YOU CONSUMED ANY?

(TICK ALL THAT APPLIES)

1) CIGARETTES	4) BEERS	7) BRANDY	10) WINE	13) MANDRAX
2) DAGGA	5) CIDERS	8) TRAP AND LOS (NDANDA)	11) COCAINE	14) SHINING TOP
3) VW STAR	6) ECTASY	9) CAPSULE	12) ROCK	15) GLUE

16) OTHER, PLEASE SPECIFY:.....

SECTION 3: CRIMINAL HISTORY

3.1 AGE ACCORDING TO THE DETENTION ORDER (J7) FROM COURT:

(TICK ONE ONLY):

1) 13 YEARS	2) 14 YEARS	3) 15 YEARS	4) 16 YEARS	5) 17 YEARS
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3.2 IF YOU DID NOT GIVE A TRUE AGE WHAT IS THE REASON?

(TICK ALL THAT APPLIES):

- ...1) YOU WANTED THE COURT TO FEEL PITY FOR YOU.
- ...2) YOU WANTED TO BE RELEASED TO THE CUSTODY OF YOUR PARENTS /GUARDIANS.
- ...3) YOU WANTED A FREE BAIL.
- ...4) YOU WANTED TO BE RELEASED ON A WARNING.
- ...5) YOU WANTED TO BE DETAINED IN A YOUTH DETENTION PLACE OF SAFETY RATHER THAN IN PRISON.

...6) OTHER, PLEASE SPECIFY:

.....

3.3 ALL YOUR ALLEGED PREVIOUS OFFENCES AND ARRESTS IN CHRONOLOGICAL ORDER AND THEIR OUTCOMES:

- 1).....
- 2).....
- 3).....
- 4).....
- 5).....
- 6).....

3.4 FIRST OFFENCE:

- 1) CHARGE:
- 2) AGE:
- 3) PLEADED:
- 4) LEGAL ASSISTANCE:
- 5) CO-ACCUSED AND THEIR AGES (IF ANY):
- 6) PLACE (S) AND PERIOD OF DETENTION (IF DETAINED):
- 7) GUARDIAN IF GRANTED A FREE BAIL:
- 8) FINAL OUTCOME OF THE CASE:
- 9) WHAT DO YOU ATTRIBUTE TO THE FINAL OUTCOME OF THE FIRST CASE:

3.5 PREVIOUS OFFENCE:

- 1) CHARGE:
- 2) AGE:
- 3) PLEADED:
- 4) LEGAL ASSISTANCE:
- 5) CO-ACCUSED AND THEIR AGES (IF ANY):
- 6) PLACE (S) AND PERIOD OF DETENTION (IF DETAINED):
- 7) GUARDIAN IF GRANTED A FREE BAIL:
- 8) FINAL OUTCOME OF THE CASE:
- 9) WHAT DO YOU ATTRIBUTE TO THE FINAL OUTCOME OF THE PREVIOUS CASE:

3.6 CURRENT OFFENCE:

- 1) CHARGE:
- 2) PLEADING:

- 3) OTHER OUTSTANDING CASES STILL PENDING:
- 4) PERIOD AT LIBERTY BEFORE YOUR ARREST FOR THE CURRENT CHARGE:.....
- 5) LEGAL ASSISTANCE:
- 6) CO-ACCUSED AND THEIR AGES (IF ANY):
- 7) PLACE (S) AND PERIOD OF DETENTION FOR CURRENT CHARGE:
- 8) WHAT IS YOUR PREDICTION OF THE FINAL OUTCOME OF THE CURRENT CASE?

.....

GIVE REASONS:.....

.....

3.7 WHICH OF THE FOLLOWING MADE YOU COMMIT CRIME EVEN IF YOU DID NOT WANT TO?

(TICK ALL THAT APPLIES)

1) WANTING TO WEAR THE SAME STYLISH CLOTHES AS YOUR FRIENDS	2) THE USUAL WAY OF MAKING A LIVING FOR YOU AND YOUR FRIENDS	3) WANTING TO MAKE YOUR GIRLFRIEND (S) HAPPY	4) HELPING TO BRING FOOD HOME	5) OTHER (PLEASE SPECIFY:
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EXPLAIN:.....

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SECTION4: RECEPTION PROCEDURES AND INTERACTION WITH CUSTODIAL AND JUDICIARY

(COURT) SYSTEM:

4.1 HOW WOULD YOU GENERALLY RATE THE SERVICES OF THE POLICE OFFICERS?

(TICK ONE ONLY)

1. EXCELLENT	2. GOOD	3. FAIR	4. POOR	5. VERY POOR
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GIVE

REASONS:.....

.....

4.2 HOW WOULD YOU RATE THE MANNER IN, WHICH THE JUSTICE (COURT) SYSTEM USUALLY DEALS WITH JUVENILE OFFENDERS?

(TICK ONE ONLY):

1) ALWAYS LINIENT	2) FAIR	3) VERY HARSH
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GIVE REASONS:.....
.....

SECTION 5: INTERACTION WITH SOCIAL WORKERS KNOWN AS PROBATION OFFICERS:

5.1 PRE-TRIAL:

5.1.1 HOW WOULD YOU GENERALLY RATE THE SERVICES OF THE PROBATION OFFICERS ON YOUR RECEPTION AT COURT OR POLICE STATION (IF YOU HAD RECEIVED ANY)?

(TICK ONE ONLY)

1) EXCELLENT	2) GOOD	3) FAIR	4) POOR	5) VERY POOR
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GIVE REASONS:.....
.....

5.2 POST-TRIAL.

5.2.1 HOW WOULD YOU RATE THE SERVICES OF THE PROBATION OFFICER WHO INTERVIEWED YOU JUST BEFORE THE FINALISATION OF YOUR PREVIOUS COURT CASE?

1) EXCELLENT	2) GOOD	3) FAIR	4) POOR	5) VERY POOR
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GIVE REASONS:.....
.....

SECTION 6: FAMILY RESPONSE AND SUPPORT

6.1 WHICH OF THE FOLLOWING DESCRIBES YOUR FAMILY'S INITIAL RESPONSE TO YOU ON YOUR FIRST OFFENCE AND ARREST?

(TICK ALL THAT APPLIES)

1) SHOCKED	2) ANGRY	3) DISSAPPOINTED	4) SUPPORTIVE	5) OTHER (PLEASE SPECIFY):
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6.2 WHAT IS YOUR FAMILY RESPONSE TO YOU ON THE CURRENT OFFENCE AND ARREST?

(TICK ALL THAT APPLIES)

1) SHOCKED	2) ANGRY	3) DISSAPPOINTED	4) SUPPORTIVE	5) OTHER: (PLEASE SPECIFY):
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6.3 WHO OF THE FOLLOWING PEOPLE SHOWED MORE SUPPORT DURING YOUR PREVIOUS ARREST (S) AND DETENTION?

(TICK ALL THAT APPLIES)

1) PARENT (S)	2) FRIEND (S)	3) GIRLFRIEND (S)	4) EXTENDED FAMILY MEMBERS	5) OTHER: (PLEASE SPECIFY):
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**SECTION 7: INTERACTION WITH FELLOW DETAINEES AND STAFF MEMBERS WHILST IN
DETENTION AT DYAMBU YOUTH CENTRE:**

7.1 RELATIONSHIP WITH FELLOW DETAINEES

7.1.1 WHICH FROM THE FOLLOWING DESCRIBES THE KIND OF RELATIONSHIPS YOU HAD WITH
FELLOW JUVENILES AT DYAMBU YOUTH CENTRE DURING YOUR PREVIOUS DETENTION?

(TICK ONE ONLY):

1) VERY GOOD	2) GOOD	3) FINE	4) POOR	5) VERY POOR
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7.1.2 WHICH FROM THE FOLLOWING FELLOW JUVENILES DID YOU HAVE THE MOST CARING
RELATIONSHIP WITH?

(TICK ONE ONLY):

1) CO-ACCUSED	2) ROOM LEADER	3) WORKSHOP OR CLASS MATE	4) HOME BOY	5) GANG LEADER
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6) OTHER, (PLEASE SPECIFY):.....

GIVE REASONS:.....

7.1.3 WHICH FROM THE ABOVE FELLOW JUVENILES DID YOU HAVE THE MOST POOR
RELATIONSHIP WITH?:.....

GIVE

REASONS:.....

7.2 RELATIONSHIP WITH STAFF MEMBERS

7.2.1 WHICH OF THE FOLLOWING DESCRIBES THE KIND OF RELATIONSHIP YOU HAD WITH MOST
OF THE STAFF MEMBERS AT DYAMBU YOUTH CENTRE DURING YOUR PREVIOUS DETENTION?

(TICK ONE ONLY):

1) VERY GOOD	2) GOOD	3) FINE	4) POOR	5) VERY POOR
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7.2.2 WHICH OF THE FOLLOWING STAFF MEMBERS DID YOU HAVE THE MOST CARING
RELATIONSHIP WITH DURING YOUR PREVIOUS DETENTION AT DYAMBU YOUTH CENTRE?

(TICK ONE ONLY):

1) YOUR ROOM ELDER	2) YOUR WORKSHOP INSTRUCTOR	3) YOUR SOCIAL WORKER	4) A SECURE CARE WORKER (SECURITY)
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5) OTHER, PLEASE SPECIFY:.....
 GIVE REASONS:.....

7.2.3 WHICH FROM THE ABOVE LIST OF STAFF MEMBERS DID YOU HAVE THE MOST POOR
 RELATIONSHIP WITH?

.....
 OTHER, PLEASE SPECIFY:.....
 GIVE REASONS:.....

SECTION 8: SOCIAL SERVICES AND REHABILITATION PROGRAMMES WHILST IN DETENTION CENTRE.

8.1. SOCIAL WORK SERVICES

8.1.1. DRAWING FROM YOUR EXPERIENCE OF INTERACTON WITH THE SOCIAL WORKERS AT
 DYAMBU YOUTH CENTRE FROM YOUR PREVIOUS DETENTION, HOW WOULD YOU GENERALLY
 RATE THEIR SERVICES?

(TICK ONE ONLY)

1) EXCELLENT	2) GOOD	3) FAIR	4) POOR	5) VERY POOR
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GIVE REASONS:.....

8.2 REHABILITATION PROGRAMMES AT DYAMBU YOUTH CENTRE

8.2.1 WHICH OF THE FOLLOWING WORKSHOPS AND GENERAL CLASSES WERE YOU ENROLLED IN DURING YOUR PREVIOUS DETENTION AT DYAMBU YOUTH CENTRE?

(TICK ALL THAT APPLIES)

1) LIFE SKILLS	5) AGRICULTURE AND ENVIRONMENT	9) WOOD WORK	13) COMPUTER
2) LITERACY CLASS	6) ELECTRICAL	10) ARTS AND CRAFT	14) CARRER GUIDANCE
3) CHAPEL	7) ARC WELDING	11) CATERING	15) ADVANCED LIFE SKILLS
4) DRAMA	8) MOTOR MECHANIC	12) SEWING	16) LAUNDRY

17) OTHER, PLEASE SPECIFY:.....

8.2.3 DRAWING FROM ALL THE SKILLS AND KNOLEDGE YOU HAVE GAINED FROM SPECIFIC CLASSES AND WORKSHOPS DURING YOUR STAY AT DYAMBU, WHICH SKILLS, CLASSES AND WORKSHOPS DID YOU FIND MOST USEFUL WHEN YOU WERE IN THE COMMUNITY?

(PLEASE SPECIFY:.....

.....

GIVE REASONS:.....

.....

8.2.4 DRAWING FROM ALL THE SKILLS AND KNOWLEDGE GAINED FROM SPECIFIC CLASSES AND WORKSHOPS DURING YOUR STAY AT THE DETENTION CENTRE, WHICH SKILLS, CLASSES AND WORKSHOPS DID YOU FIND LEAST USEFUL WHEN YOU WERE IN THE COMMUNITY?

(PLEASE SPECIFY:.....

.....

GIVE

REASONS:.....

.....

SECTION 9: INTEGRATION INTO THE COMMUNITY

9.1 WHICH OF THE FOLLOWING DESCRIBES THE MANNER YOU WERE WELCOMED BY MOST OF YOUR FAMILY MEMBERS AFTER YOUR PREVIOUS RELEASE?

(TICK ONE ONLY)

1) WITH JOY	2) WITH MIXED FEELINGS	3) WITH REJECTION	4) WITH CONTEMPT L	5) OTHER (PLEASE SPECIFY:
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9.2 WHICH OF THE FOLLOWING DESCRIBES THE MANNER YOU WERE WELCOMED BY MOST OF YOUR COMMUNITY MEMBERS AFTER YOUR PREVIOUS RELEASE?

1) WITH JOY	2) WITH MIXED FEELINGS	3) WITH REJECTION	4) WITH CONTEMPT	5) OTHER (PLEASE SPECIFY:
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9.3 WHICH OF THE FOLLOWING DESCRIBES THE MANNER YOU GENERALLY FELT WHEN YOU WERE OUTSIDE AFTER YOUR PREVIOUS RELEASE? (TICK ALL THAT APPLIES)

1) VERY IMPORTANT	2) MIXED FEELINGS AND UNSURE	3) HIGHLY UNWANTED (ISOLATED)	4) VERY BAD	5) OTHER (PLEASE SPECIFY:
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GIVE REASONS:.....

9.4 IF YOU FOUND SETTLING BACK INTO THE COMMUNITY DIFFICULT, WHICH OF THE FOLLOWING MADE IT DIFFICULT FOR YOU?

(TICK ALL THAT APPIES)

1) REJECTION BY PARENTS AND FAMILY	2) LACK OF PLACE OR HOME TO STAY	3) REJECTION BY PREVIOUS FRIENDS	4) LACK OF STABLE SOURCE OF INCOME	5) DENIED RE-ADMISSION AT PREVIOUS SCHOOL	6) OTHER (PLEASE SPECIFY:
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EXPLAIN:.....

SECTION 09: DECISION ABOUT CRIMINAL BEHAVIOUR

10.1 WHAT DECISION HAVE YOU REACHED SO FAR ABOUT CRIMINAL BEHAVIOUR?

(TICK ONE ONLY)

...1) YOU WILL DEFINATELY CONTINUE WITH CRIMINAL MEANS IF LEGAL MEANS TO RESOLVE YOUR PROBLEM SITUATION (S) IS NOT AVAILABLE TO YOU.

...2) YOU WILL TRY TO LIVE A CRIME FREE LIFE STYLE BUT IF OPPORTUNITY AVAILSITSELF THROUGH CRIME YOU WILL DEFINITELY GO FOR IT.

...3) YOU ARE UNSURE YET IF YOU HAVE DECIDED WHETHER TO GO ON OR NOT TO GO ON WITH CRIME.

...4) YOU HAVE FINALLY DECIDED NEVER TO DO CRIME AGAIN NO MATTER WHAT MAY COME YOUR WAY.

...5) OTHER, PLEASE SPECIFY:.....

.....

GIVE REASONS:.....

.....

10.2 WHICH FROM THE VARIOUS FACTORS DISCUSSED IN THIS INTERVIEW HAS INFLUENCED YOU THE MOST TO REACH THE ABOVE CHOSEN DECISION?

(TICK ALL THAT APPLIES):

1) FEAR OF A HEAVY CRIMINAL RECORD	3) JUSTICE (COURT) SYSTEM	5) DISGRACE IN THE FAMILY	7) WORKSHOP (S) AT DYAMBU	9) GENERAL STAFF MEMBERS AT DYAMBU	11) PROCESS OF INTEGRATION INTO THE COMMUNITY
2) CUSTODIAL (POLICE) OFFICERS	4) PROBATION OFFICERS (PRE-OR POST TRIAL)	6) SOCIAL WORKER AT DYAMBU	8) LIFE SKILLS LESSONS LEARNT AT DYAMBU	10) FELLOW JUVENILES AT DYAMBU	12) FAMILY ECONOMIC STATUS

13) OTHER, PLEASE SPECIFY:.....

.....

EXPLAIN:.....

.....

“Thank you for your co-operation and participation in the research”