IMAGINING 'POSSIBLE SELVES' AS AN INTERVENTION STRATEGY FOR INCARCERATED YOUTH

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DECLARATION

Research task presented for the approval of Senate in fulfilment of part of the requirements for the Masters in Human Rights Law Dissertation for which the research project is required.

I heareby declare that I have read and understood the regulations governing the submission of Masters in Human Rights Law Dissertation for which the research project is required including those relating to length and plagiarism, as contained in the rules of this University, and that this research project conforms to those regulations.

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ABSTRACT

This minor dissertation involves exploratory research by way of in-depth qualitative interviews with two past juvenile offenders exploring the idea of 'possible selves' as an intervention strategy for incarcerated youth. The participants share experiences of their own incarceration as juveniles as well as insights gained through their recent working experience with incarcerated youth. This study concerns itself with risk and resilience factors relating to offending behaviour. It is acknowledged that there has been a recent shift in criminological debates with a greater focus on primary prevention efforts in building resilience to anti-social behaviour in a child's formative years. However, the current study is focused on secondary prevention efforts with a specific focus on incarcerated youth. The well-developed body of work on risk factors is consulted which determines criminal victimisation, family violence, school violence, structural violence in the form of poverty and institutional violence in the form of incarceration as key factors which may contribute to offending behaviour. Acknowledging that the attention to date has largely focused on what past factors may influence or contribute to a criminal trajectory, this study shifts the focus to the idea of 'possible selves' and the potential that future expectations, fears and hopes can have on preventing further offending behaviour. 'Possible selves' is a social-psychological construct initially devised by Markus and Nurius in 1986. It is largely an under-developed area of research with only a few key studies undertaken and limited application to delinquent and incarcerated youth. Findings have however indicated that 'possible selves' do have the ability to influence present and future behaviour, particularly when balance (i.e. goals and fears are developed in the same life domain) and feasible strategies to achieve desired selves and avoid feared selves are developed. Youth offending in the South African context is reviewed to explore the current climate and determine the extent of current interventions focusing on the re-integration of incarcerated youth offenders both during and post-release. The empirical component of this study produced findings across five key themes being risk factors present prior to incarceration, the nature of possible selves of incarcerated youth, the impact of incarceration, possible selves are limited by context and the self and implications for practice of a 'possible selves' intervention.

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In memory of my father, John Wilson Fernan
who was ever present on this journey

'Our children are the rock on which our future will be built, our greatest asset as a nation. They will be the leaders of our country, the creators of our national wealth, those who care for and protect our people' – Nelson Mandela.

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CHAPTER ONE: INTRODUCTION

1.1 Introduction

When we think of our future, we imagine the selves we expect to become, the selves we hope to become and the selves we fear becoming. These 'possible selves' have the power to impact our current and future behaviour. The over-arching concern of this study is whether 'possible selves' as an intervention strategy has the potential to interrupt the criminal trajectories of incarcerated youth and prevent further offending. Two past youth offenders who experienced incarceration themselves as juveniles and who have recent experience working with incarcerated youth are engaged with in the empirical component of this study by way of in-depth qualitative interviews to explore this idea. This study is concerned with risk and resilience factors relating to offending behaviour. It is suggested that in order to effectively implement recidivism oriented intervention strategies the lives and motivations of the targeted youth offenders must firstly be understood. Given this, the well-developed and dense criminological body of work on risk factors being life experiences, which may have a contributing influence on offending behaviour, is reviewed. To date this body of work has largely focused on what has gone wrong in a person's past whereas this study aims to redirect perspectives towards considering how imagining future selves can influence behaviour. A shift in focus is therefore undertaken, from the sociology cum criminology based studies on risk factors to a review of the social-psychological body of work on 'possible selves,' a construct initially devised by Markus and Nurius in 1986.[1] These bodies of work offer different perspectives grounded in their distinctive fields. 'Possible selves' is a largely under-developed area of research with only a few key studies undertaken and limited application to delinquent and incarcerated youth. However, findings have indicated that 'possible selves' do have the ability to influence present and future behaviour. It is this potential to influence change that is of particular interest as to whether such could be useful to prevent further offending of incarcerated youth.

Why focus on incarcerated youth offenders? Young people make up a significant proportion of the South African population with estimates based on the 2011 national census suggesting that 45.88 per cent of the population comprises of people aged 24 years and younger in 2018.[2] South Africa's crime rate is among the top ten worst countries in the world and of its nine provinces, the

[1] Markus, H. and Nurius, P., 'Possible Selves' (1986) *American Psychologist,* 41(9) 954-969.
[2] 'South Africa Demographics Profile 2018' available at *https://www.indexmundi.com/south_africa/demographics_profile.html* accessed 25 September 2018.

Western Cape accounts for almost a quarter of all crime reported.[3] A 2016 Study found that approximately 70 per cent of South Africa's young people are more likely to be victims and perpetrators of crime than adults.[4] In the Western Cape alone, 45 per cent of youth live in income-poor households, 41.2 per cent of youth aged 15 to 24 are unemployed and 44.6 per cent of youth aged between 20 and 24 did not matriculate.[5] Youth are growing up in violent families, un-protective schools and crime-ridden neighbourhoods.[6] Unfortunately there are no official recidivism figures in South Africa. However, studies by Van Wyk (2014), McAree (2011) and Schoeman (2001) have made estimates of between 66 to 95 per cent return rate to prison.[7] Once released from incarceration, youth offenders are expected to re-enter the same communities with largely unchanged circumstances, which may make it difficult to always make law-abiding decisions despite good intentions that may exist. It is clear that South Africa's youth are at significant risk of involvement in crime, deeming this population worthy of research attention.

The United Nations defines youth as persons between the ages of 14 to 24 while the South African National Youth Policy employs a much broader definition of 14 to 35 years of age.[8] This broader age bracket was employed to acknowledge that the education and development of many people was compromised during Apartheid rule.[9] The Child Justice Act No 75 of 2008 provides that the earliest an individual can be deemed to have criminal capacity is age 10.[10] The South African Department of Correctional Services (DCS) recognises children as persons under the age of 18 and juveniles as persons aged 18 to 21 years old.[11] The Child Justice Act provides for 'non-custodial' sentencing options, which includes compulsory residence in a Child and Youth Care Centre (CYCC) as opposed to imprisonment.[12] Both sentences however involve incarceration and inherent deprivation of liberty. Consequentially, the current study is suggested to be most relevant for young persons aged 10 to 21 years of age and incarcerated at either CYCCs or prisons.

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[3] UNODC, 'Line Up- Live UP: UNODC/DCAS Project Mobilises Youth and Communities To Take Action Against Crime and Drugs' available at *https://www.unodc.org/southernafrica/en/cjc/public-awareness-on-global-awareness-against-drug-abuse-and-illicit-trafficking.html* accessed on 25 September 2018.
[4] Seeth, A and Mapumalo, Z., 'Shocking Stats for SA Youth' *City Press* 27 April 2016 available at *https://city-press.news24.com/News/shocking-stats-for-sa-youth-20160427* accessed on 25 September 2018.
[5] 'Youth Explorer' available at *https://youthexplorer.org.za/profiles/province-WC-western-cape/#poverty* accessed on 25 September 2018.
[6] Ward, C et al., 'Youth Violence in South Africa: Setting the Scene' in Ward, C et al (eds) *Youth Violence: Sources and Solutions in South Africa* (2012) UCT Press, Juta and Company Ltd, South Africa, 1-20.
[7] NICRO, 'Annual Report 2016 – 2017' (2017)
[8] United Nations, 'United Nations Expert Group Meeting on Adolescents, Youth and Development' (2011) *Department of Economic and Social Affairs*; 'National Youth Policy 2015-2020' (2015) *The Presidency Republic of South Africa*.
[9] Ward, C et al., above n 6.
[10] Child Justice Act 75 of 2008, Part 2 Section 7.
[11] Department of Correctional Services South Africa '2016 – 2017 4th Annual Report: Implementation of the Child Justice Act 75 of 2008' (2017).
[12] Child Justice Act 75 of 2008.

1.2 Chapter Overview

Ultimately, this study consists of an analytical review of the existing literature on risk factors and resilience through the concept of 'possible selves', an overview of youth offending in the South African context followed by an exploration of these ideas with two past youth offenders. The remainder of this chapter discusses the evolution of the research including shifts in areas of exploration and the administrative challenges encountered. The research problem and methodology is then discussed including details about the participants, interviews, anonymity and confidentiality, harm and safeguards. This chapter concludes by acknowledging the study's limitations.

Chapter 2 acknowledges the recent shift in the criminological debate from exploring risk factors associated with offending to a greater focus on primary prevention strategies which largely consider the child as a biological being and aim to develop resilience to offending behaviour in its formative years. Whilst not discounting the importance of this work, the current study's focus is on secondary prevention methods with a particular application to incarcerated youth offenders and the well developed body of work on risk factors is therefore consulted. The focus of chapter 2 is on exploring key risk factors identified from the literature review of criminal victimisation, witnessing violence, family violence, school violence, structural violence in the form of poverty and inequality and institutional violence in the form of incarceration. It is subsequently discussed how these factors can be considered various forms of 'victimisation' which can translate into offending behaviour causing a victim-offender duality. As the current study is concerned with building resilience through the concept of 'possible selves' this chapter also considers why some young people raised amidst the same risk factors, desist from offending. This chapter concludes by exploring how the risk factors discussed not only have implications for offending behaviour generally but for becoming 'life-course persistent' offenders.

Chapter 3 shifts from the focus of chapter 2, which explores *past* harmful experiences shaping offending behaviour to the consideration of imagining *future* 'possible selves' as having the potential to influence present and future behaviour. The small and still evolving body of social-psychological work, which has developed since Markus and Nurius first coined the construct in 1986 and involves some limited application to delinquent and incarcerated youth, is reviewed. This chapter explores the underlying theory of possible selves and how this concept can serve as motivation for change before considering the specific importance of exploring possible selves for delinquent or incarcerated youth. In conclusion it is considered that although limited, the studies do suggest potential for behavioural change through 'possible selves' but highlight a need to identify social resources available to support youth particularly during post-release reintegration.

In order to effectively review how a possible selves intervention would apply to incarcerated youth offenders there is a need to understand youth offending within the South African context.

Chapter 4 therefore provides a broad overview of the level of crime in South Africa and the Western Cape before a closer look at the push and pull of gangs on the Cape Flats. Preliminary enquiry and sentencing statistics are then reviewed to explore the types and severity of crime being committed by the youth, their ages, their convictions and the sentences being imposed on them. The populations of youth in CYCCs and prisons are also considered. Drawing on the need raised in chapter 3 to identify what social resources incarcerated youth have access to, this chapter concludes by reviewing what pre and post release support is currently provided for these youth offenders.

Chapter 5 presents the findings from the empirical component of this study, which involved in-depth qualitative interviews with two past youth offenders to explore the overarching areas of exploration of risk factors and possible selves. The findings for risk factors are presented under the sub-themes of factors existing in the participant's lives prior to incarceration and their own experience with crime and incarceration while the findings for possible selves are presented under the sub-themes of what the possible selves of incarcerated youth look like and the idea of possible selves as a practical intervention strategy. Chapter 6 then provides a discussion of these findings under five key themes of risk factors present prior to incarceration, the nature of possible selves of incarcerated youth, impact of incarceration, possible selves are limited, implications for practice of a 'possible selves' intervention and the conclusion.

1.3 Evolution of the Research

The original research proposal was concerned with addressing recidivism through a focus on the concept of the victim-offender duality, which recognises that negative life experiences (which can be considered various forms of victimisation) can end up playing a contributing role in offending behaviour. The idea that victim and offender identities are not mutually exclusive but ambiguous, interchangeable identities is a challenging concept and one that is not openly recognised by criminal justice systems. The study therefore intended to gain a deeper understanding of youth offender risk factors and explore how a better recognition of victim-offender dualities within criminal justice processes targeting recidivism could prove more effective. However, while undertaking the literature review it was discovered that the work on risk factors is well-developed involving a significant focus on the root causes of crime. It was further discovered that with such a focus on *past* factors influencing offending behaviour, much less is known about the influence imagining *future* selves can have on behaviour. An American study by Clinkinbeard and Zohra (2012) stood out as it not only recognised that incarcerated youth are likely to have faced many challenges which contributed to their contact with the criminal justice system but that these factors

do not simply disappear upon release.[13] This study aimed to explore how the concept of 'possible selves' could facilitate pro-social behaviour with a particular focus on the transition from incarceration to the community.[14] It was found that this was an area of limited research presenting a unique opportunity for the current study to shift its focus to explore the emerging debates on future factors and possible selves as an avenue to prevent further offending of incarcerated youth.

The study was subsequently met with a number of access difficulties. It is advocated that strategies seeking to effectively target youth offending should be informed by the very youth offenders they seek to target in order to understand their realities, needs and opportunities for intervention. Researchers often treat young persons as objects of a study rather than as meaningful subjects who can provide authentic voices of their reality.[15] For this reason, it was intended that an empirical component would be undertaken by way of interviewing sentenced female youth incarcerated at Vredalus, Elsies River and sentenced male youth incarcerated at Bonnytoun, Kraaifontein. To do so, ethics approval was required by the Research Ethics Committee (REC) of both the Department of Social Development (DSD) and University of Cape Town (UCT). A DSD representative was consulted who stipulated that a number of ethical and safety concerns must be addressed. A comprehensive application and accompanying research proposal addressing these concerns was provided to DSD. Some key concerns addressed included that only sentenced youth would be interviewed so that any on-foot legal proceedings of awaiting trial youth would not be interfered with. Acknowledging that being minors, the youth would be unable to consent, written informed consent would be sought from their parents as well as from the youth to ensure their participation was voluntary. It was suggested that a social worker or facility staff member be present to address safety concerns and a willingness to undertake any induction as required by DSD prior to engaging with the youth was also proposed. The application was subsequently rejected without reasons. After requesting reasons it was provided two weeks later that DSD service providers did not have the capacity to facilitate the interviews.

The study therefore had to be revised and reworked. As a result of involvement in justice networks, professional relationships had been developed with two adult males whose social histories were known to me, being involvement in criminal offending from a young age, subsequent incarceration as juveniles at Bonnytoun and recent work experience with incarcerated youth. It is acknowledged that the professional relationships evolved over time into social relationships through which significant trust was established. These individuals were also in a unique position to provide

[13] Clinkinbeard, S. and Zohra, T., 'Expectations, Fears and Strategies: Juvenile Offender Thoughts on a Future Outside of Incarceration' (2012) *Youth and Society* 44(2) 236 – 257.
[14] Ibid.
[15] Shears, G., 'What Do We Think? Investigating the Attitudes and Life Goals of Young Offenders' (2004) *International Journal of Police Science and Management* 6(3) 126-135.

insights bridging the gap between their own past experiences and those of current incarcerated youth, enabling them to provide a representative voice of the youth offenders the possible selves intervention seeks to target. It is for these reasons that these individuals were approached for participation in this study to which they both voluntarily agreed.

In order to interview these two participants however, a further REC application was required by UCT. In response to my initial application UCT REC raised a confidentiality concern regarding what my response would be should a participant disclose involvement in illegal activities, which needed to be addressed before approval could be granted. The subject matter of the interviews had the potential to be 'legally problematic' given that they explored the participants' involvement in crime before, during and after incarceration. To address this concern a number of the interview questions were amended with the aim of exploring the participants' lifestyle rather than details of any particular crimes they may have been involved in. For example, *'are you still involved in crime today?'* was amended to a yes or no question in order to still gain an understanding of the direction that the participant's trajectory has taken, but not the details of any crimes being committed. A strategy was proposed that should a participant start to divulge their specific involvement in a crime, the recording would be paused and either the question would be clarified prior to re-starting the recording or the interview would proceed to the next question. It was my position that guaranteeing maximum confidentiality is important for obtaining accurate responses as participants are less likely to participate honestly if they anticipate suffering adverse consequences. However, this could only be guaranteed in so far as my own legal obligations to report certain disclosures which are detailed under 'Anonymity and Confidentiality' below. Satisfied that the ethical issues had been adequately addressed, UCT granted ethics approval.

As the study involves participants who were incarcerated at Bonnytoun I intended on providing a case study on the current Bonnytoun facility. To do so, I requested information from DSD including the number of youth residing at the facility, the number of youth awaiting trial, the age range intake, an indication of the most common offences, average time youth spend in the facility and locations that the youth are predominantly coming from. I also sought information on the programs provided by the facility, whether there is a difference in the programs awaiting trial and sentenced youth have access to and a brief history of Bonnytoun given its relocation from Wynberg to Kraaifontein. I was subsequently advised by DSD that such information is not readily available and I would have to complete a further REC application for an interview with a Bonnytoun official. However, this application required prior UCT REC approval. A further application was submitted to UCT REC however due to the delay in providing approval (over a month later) I have been unable to complete this component given time constraints. The importance of meeting ethical standards when studying human participants is appreciated. However, the

experience with both DSD and UCT REC processes has revealed what seems to be a greater concern with the administrative process than the end goal, which has proven to be significantly time consuming to the detriment of the actual study.

1.4 Research Problem

The principal area of exploration is whether 'possible selves' as an intervention strategy has the potential to interrupt the criminal trajectories of incarcerated youth and prevent further offending. The study is particularly concerned with the transition of youth offenders from incarceration to the community and the implications of this for such an intervention. The enquiry is made up of a series of interlinked considerations of risk factors and possible selves as follows:

- What risk factors are present in youth offenders' lives, which may have contributed to offending behaviour?
- Which risk factors do youth offenders personally view as contributing to their own offending behaviour?
- What impact does incarceration itself have on whether a youth offender is likely to re-offend?
- What do the possible selves of incarcerated youth look like?
- What value is there in exploring possible selves and developing strategies to achieve these with youth offenders *while* they are incarcerated?
- What factors could help make such an intervention successful and what factors could present barriers to its success, particularly during the transition from incarceration to community?

The study draws from the well-developed body of work on risk factors but aims to make a contribution to the less developed work on 'possible selves' particularly in its application to incarcerated youth offenders in Cape Town. It is hoped that the study can contribute to recommendations for the development of interventions for incarcerated youth offenders.

1.5 Research Methodology

This section provides information on the practical methodology of the empirical component of this study involving face-to-face interviews with two participants.

1.5.1 Participants

James is 28 years old, was born in Lavender Hill but grew up in Vrygrond, Cape Town. He speaks English most often, Afrikaans at home and understands Xhosa. He was sentenced to reside at Bonnytoun for four months in 2001 at age 12. Russell is 35 years old, was born and raised in

Wynberg until age 13 and lived in Lavender Hill thereafter. He speaks English and Afrikaans equally. He was sentenced to reside at Bonnytoun for five months in 1996 at age 13 and for a further six months in 1998 at age 15. He was subsequently convicted as an adult and sent to Pollsmoor prison where he spent most of his adult life until his most recent release six years ago in 2012. Both James and Russell were incarcerated at Bonnytoun when it was located in Wynberg. In addition to their own experience with incarceration as juveniles, James and Russell have both worked in recent years with incarcerated youth offenders at various CYCCs in Cape Town. It is acknowledged that both participants strongly identify as being 'Coloured' and often refer to their 'Coloured communities.' Though there is great debate about whether using such terminology is politically correct, being such an important element of the participants' identities this term is used openly in this study.

1.5.2 Interviews

The study was undertaken in the form of single qualitative in-depth interviews consisting of both open ended and closed questions with both participants. The interview schedule is attached at Annexure A. James's interview ran for a total of 1 hour and 52 minutes and was undertaken at my home. Russell's interview ran for a total of 2 hours and 22 minutes and was undertaken at his home. The mood of the interviews and receptiveness of the participants is addressed in Chapter 5.

1.5.3 Anonymity and Confidentiality

There was no recording of the participants' real names or identifying characteristics and each was attributed an alias name. Each participant was informed of the process to ensure their anonymity and confidentiality both in the Information and Consent Form attached at Annexure B and in person before the commencement of each interview. The participants were informed that the interview would be conducted with maximum confidentially but that I was obliged by law to report any disclosure of commission of a sexual offence or an offence against a child. The interviews were recorded using an audio recording application on my phone, which was used to subsequently transcribe the interviews on my laptop. It was made clear to the participants that only I would have access to the recordings and transcription.

1.5.4 Possible Harm and Safeguards

The main risk of harm to the participants in partaking in the research was identified as psychological as the interview had the potential to bring up difficult or upsetting memories and experiences. From the outset it was made clear that the interview was entirely voluntary in nature and that the participants could decline to answer any questions and could stop the interview for a

break or entirely at any time. The Information and Consent Form also included the details of FAMSA, a free counselling service as well as Lifeline, the national counselling hotline. Both participants voluntarily agreed to participate and signed the Information and Consent Form.

1.6 Limitations

In the first instance, this is a theoretical enquiry involving an analytical review of the dense literature on risk factors and the resilience potential embedded in the concept of possible selves, a body of work which is only in the beginnings of development. This is followed by an exploratory enquiry into these ideas with two adult males, who grew up on the Cape Flats in close proximity of each other and who strongly identify with their Coloured communities. This enquiry is entirely exploratory and cannot hope to generalise or offer conclusive solutions. Rather, it is considered an opportunity to use the insights of the participants to develop deeper understandings on risk factors and possible selves, a difficult and complex construct of which the dimensions, context and limitations are yet to be fully understood.

CHAPTER TWO: RISK FACTORS FOR YOUTH OFFENDERS

2.1 Risk Factors for Youth Offenders

Youth offending is generally understood as the consequence of a combination of factors stemming from the individual as well as the social contexts in which they live. The literature on youth offending 'risk factors' is dense. While not possible to do justice to the entirety and complexity of this work, this chapter aims to provide a summary of the key international and local South African criminological debates on the subject. The recent shift in the criminological debate from broad social risk factors to more socio-biological oriented studies is acknowledged. This work adopts an ecological point of view seeing the child as a biological being within an interactive system comprising of the microsystem (family, peers, school), the exosytem (neighbourhoods, social services, media) and the macrosystem (government policies, socio-economic factors, culture etc).[16] Pinock's recent publication *Gang Town* (2016) provides a comprehensive mapping of risk factors before suggesting re-thinking early childhood development through nurturing, brain development and pro-social parental bonding as a critical tool for building resilience to crime involvement.[17] Gould (2015) similarly agrees that preventing individuals becoming perpetrators of violent crime is to ensure that infants are not exposed to violence or toxic relationships at home but are lovingly cared for.[18] While not discounting the importance of this work, these ideas are more relevant for primary prevention efforts whereas the focus of the current study is on secondary prevention efforts, with a particular application to incarcerated youth offenders.

Building resilience is a key component of the current study and is explored through the concept of 'possible selves' in Chapter 3. It is important to identify risk factors, which may play a contributing role in offending behaviour in order to then build resilience around them. Potential risk factors are diverse and complex. However, from review of the existing literature, criminal victimisation, witnessing violence, family violence, school violence, structural violence in the form of poverty and inequality and institutional violence in the form of incarceration emerge as key risk factors and are discussed here. Subsequently, it is considered how these factors can be considered various forms of 'victimisation' and can actually translate into offending behaviour, generating a 'victim-offender' duality. It is also considered why certain young people raised in the same environments fraught with the same risk factors desist from offending. Results from a local Youth

[16] Ward, C et al., 'Issues in Medicine: Violence, Violence Prevention, and Safety: A Research Agenda for South Africa' (2012) *South African Medical Journal* 102(4).
[17] Pinnock, D., *Gang Town* (2016) NB publishers, South Africa.
[18] Gould, C., 'Beaten Bad: The Life Stories of Violent Offenders' (2015) *Institute for Security Studies Monograph,* 192.

Resilience Study (2009) are therefore consulted.[19] The concluding section of this chapter discusses that risk factors are not only relevant for offending generally but for becoming a 'life-course persistent' offender who by definition, will continue to offend throughout their life span unless their trajectories are interrupted.[20]

2.1.1 Criminal Victimisation

Youth violence is deeply normalised in South Africa, with a long history of youth involvement in political, criminal and gang-related activity. Being a victim of crime itself can lead to antisocial behaviour and has been recognised as a key risk factor in contributing to both the risk and severity of offending. Gould (2015) explored how exposure to crime creates environments conducive to violent offending discovering that 'perpetrators of violence have, in the majority of cases, experienced as much violence in their lives as they have carried out.'[21] As an indication of criminal victimisation, a 2014 Survey found that over half of South Africans aged between 16 and 24 had been victims of assault in the preceding year.[22] A 2016 Study found that 70 per cent of South Africa's young people aged between 15 and 34 were more likely to be victims and perpetrators of assault, robbery and property theft than adults.[23] Young persons are therefore in the most likely age cohort to be not only victims but also perpetrators of crime. Having never been the victim of crime has found these individuals 6 times more resilient to committing a criminal offence.[24]

2.1.2 Witnessing Violence

Witnessing violence has been identified as a significant predictor of future antisocial behaviour. A National School Violence Study (2012) found the average age at which learners first reported witnessing violence in their community was 14 years old.[25] In the month prior to being interviewed 35.9 per cent had witnessed a fight in their community.[26] One in two learners who witnessed neighbourhood violence reported knowing the victims and in 12.5 per cent of these cases victims were the relatives of the learners.[27] The perpetrators were also known to almost half of the

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[19] Leoschut, L and Burton, P., 'Building Resilience to Crime and Violence in South Africa' (2009) *Centre for Justice and Crime Prevention Research Bulletin* (4).
[20] Souverein, F et al., 'Serious, Violent Young Offenders in South Africa: Are They Life-Course Persistent Offenders?' (2015) *Journal of Interpersonal Violence* 1-24.
[21] Gould, C., above n 18.
[22] 'Young People Face Bleak Future' *ENCA* 19 April 2016, available at *https://www.enca.com/south-africa/south-africa-not-safe-young-people-stats-sa* accessed on 25 October 2018.
[23] NICRO, above n 7.
[24] Burton, P et al., 'Walking the Tightrope: Youth Resilience to crime in South Africa' (2009) *Centre for Justice and Crime Prevention Monograph Series* (7).
[25] Burton, P and Leoschut, L., 'School Violence in South Africa: Results of the 2012 National School Violence Study' (2013) *Centre for Justice and Crime Prevention Monograph Series* (12).
[26] Ibid.
[27] Ibid.

learners. This suggests many young people grow up in violent communities where known individuals participate in violent behavior.[28] This is significant as violence becomes normalised for that young person who is even more likely to replicate it when the person exhibiting the behavior is known.[29]

2.1.3 Family Violence

Family violence appears in a variety of forms including absent parenting, physical violence and family members involved in criminal activity which can also play a role in a young person's risk for offending behaviour. Father absenteeism is a particular problem with a 2011 study finding one third of 55 incarcerated South African women losing their fathers during childhood, an additional third had no relationship with their fathers, even though they were alive and 20 per cent described transient fathers who provided little stability, support and guidance.[30] Pinnock (2016) suggests that the absence of a male guide and protector, particularly for young males, is a risk factor for later delinquency as they question the absence or neglect of their father resulting in feelings of unworthiness, shame and anger.[31] A study by Gould (2015) demonstrates how a young man who felt abandoned by his father who had passed on and rejected by his mother who had quickly taken up a relationship with another man developed anger which drove him to seek support and purpose with gangs in his community. His gang involvement ultimately resulted in a conviction of multiple counts of murder committed during violent gang retaliation.[32] These studies demonstrate how distressed bonds with parents can leave young persons vulnerable to seeking alternative support mechanisms such as the gang. It has been found that young people who have pro-social bonds with their caregivers are more resilient to antisocial behaviour.[33]

Witnessing or being direct victims of violence and crime modelled by family members can influence the same behaviour among youth. The National School Violence Study (2012) found that one in ten high school learners has been assaulted at home and a further 12.2 per cent of learners had witnessed family members intentionally hurting each other physically with over half of these incidents involving weapons.[34] The message being communicated here is that violence is an acceptable means of resolving conflict and young people learn this behaviour by watching and imitating. Parents who are themselves caught up in cycles of violence at home may also experience difficulty being emotionally present and responsive to the needs of their children which has its own

[28] Ibid.
[29] Ibid.
[30] Artz., L. et al., 'Women, Crime and Incarceration: Exploring Pathways of Women in Conflict with the Law' (2011) *The Programme to Support Pro-Poor Policy Development Discussion Paper Series*.
[31] Pinnock, D., above n 17.
[32] Gould, above n 18.
[33] Burton, P et al., above n 24.
[34] Burton, P and Leoschut, L., above n 25.

implications as discussed above. Young people who are raised in homes where disputes are resolved without violence have been found to be 6.8 times more resilient to engaging in offending behaviour.[35] Family criminality is also widespread with the same study finding that almost a third of high school learners had siblings, and almost one in ten had parents or caregivers, who had been imprisoned at some point.[36] A United Nations Survey (2012) also found that 15 per cent of high school learners in the Western Cape live in households where someone is a gang member.[37] Young people who aren't exposed to antisocial role models within their family are more likely to refrain from offending behaviour.[38] In addition to the risk of behaviours becoming normalised and replicated by young people, close proximity to potential offenders also heightens the possibility for their own criminal victimisation, which in of itself is a risk factor for offending.

2.1.4 School Violence

The school environment can serve as important protective factor against offending. However, many South African schools are tumultuous rather than enriching environments with the 2012 study finding that 22.2 per cent of high school learners had experienced some form of violence *at school* in the prior year, almost a quarter knew someone who had brought a weapon to school and one tenth knew someone at school involved in drug dealing.[39] Despite corporal punishment being illegal in schools in South Africa, almost half of the learners reported receiving it at school.[40] The presence of violence at school not only heightens a young person's personal victimisation risk but the likelihood of turning to violence and crime themselves as violence exposure generates attitudes of tolerance. This is exhibited in the concerning finding that 12 per cent of learners exhibited the attitude that it was permissible to physically hurt someone who had hurt them or taken something from them.[41] Youth who experience violence at school have been found twice as likely to become involved in violent offending.[42] Violent school environments also generate atmospheres of fear and apprehension, which can be detrimental to a student's ability to engage at school and can leave them vulnerable to delinquency.[43] This is exhibited in the finding that individuals who are disengaged with school are 31 times more likely to engage with criminal offending than their peers who regard school as personally important and desire progressing to

[35] Leoschut, L and Burton, P., above n 19.
[36] Burton, P and Leoschut, L., above n 25.
[37] UNODC, Above n 3.
[38] Leoschut, L and Burton, P., above n 19.
[39] Burton, P and Leoschut, L., above n 25.
[40] 'Youth Violence' *Saferspaces,* available at *https://www.saferspaces.org.za/understand/entry/youth-violence,* accessed on 25 September 2018.
[41] Burton, P and Leoschut, L., above n 25.
[42] Leoschut, L and Burton, P., above n 19.
[43] Ibid.

university.[44] Completing school has also been found to be one of the most important protective factors against offending finding matriculants six times less likely to engage in crime than non-matriculants.[45]

2.1.5 Structural Violence: Poverty

Structural violence in the form of poverty itself and inequality seem to play a vital role in criminal offending. In 2015, 30.4 million of South Africa's 55 million citizens lived in poverty.[46] Further breakdown provides that 46.6 per cent of the Black population and 32.2 per cent of the Coloured population live in poverty while for the White population the figure is less than 1 per cent.[47] In the Western Cape, 45 per cent of youth aged between 15 and 24 are considered to live in income-poor households and 41.2 per cent of youth in the same age bracket are unemployed.[48] Cooper (2015) suggests that the reason for such high crime rates among youth in South Africa is that material and economic transformation is yet to occur in the post-Apartheid period.[49] Despite the transition to democracy, Apartheid's traces remain entrenched in neighbourhoods, which are still largely segregated along lines of class and race.[50] Consequentially, *'crime is a symptom of unresolved race and class conflict'* (Samara 2005).[51]

Exposure to violence is not new for youth growing up in South Africa's poor and marginalised communities exhibited by a 1997 study of 60 youth from Khayelitsha aged between 10 and 16 years old which found all participants had been exposed to community violence while 56 per cent had been victims and 45 per cent had witnessed at least one murder in their community.[52] The psychological impact of such resulting in 22 per cent of these children fitting the diagnosis for PTSD.[53] Yearly South African Police Service (SAPS) statistics have continued to confirm that violent crime occurs most frequently in poor, marginalised Black and Coloured townships with areas like Khayelitsha, Gugulethu, Kraaifonteinand, Mitchells Plain featuring prominently.[54] Exposure to violent crime continues to fall disproportionately on the poor.

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[44] Ibid.
[45] Ibid.
[46] Lehohla, P., 'Poverty Trends in South Africa: An Examination of Absolute Poverty between 2006 and 2015' (2017) *Statistics South Africa*.
[47] Ibid.
[48] Youth Explorer, above n 5.
[49] Cooper, A., 'Juvenile Justice In South Africa' in Krohn, M and Lane, J., (eds) *The Handbook of Juvenile Delinquency and Juvenile Justice* (2015) John Wiley & Sons, America 65-75.
[50] Ward, C et al., above n 6.
[51] Samara, T., 'Youth, Crime and Urban Renewal in the Western Cape' (2005) *Journal of Southern African Studies,* 32(1) 209 – 227.
[52] Ensink, K. et al., 'Post-Traumatic Stress Disorder in Children Exposed to Violence' (1997) *South African Medical Journal*, 87, 1533–1537.
[53] Ibid.
[54] Foster, D., 'Gender, Class, 'Race' and Violence' in Ward, C et al (eds) *Sources and Solutions* (2012) UCT Press, Juta and Company Ltd, South Africa, 23-52.

It should be acknowledged that absolute poverty is not required for violence and crime with inequality playing a contributing role. South Africa is one of the most unequal societies in the world.[55] A 2007 study examining the relationship between violence and inequality found that the two most unequal provinces (Gautang and Western Cape) reported the highest violence rates, while the two poorest provinces (Eastern Cape and Limpopo) reported the lowest violence rates.[56] The Western Cape is among one of South Africa's wealthiest provinces, which suggests that it is not absolute poverty that causes crime but rather relative deprivation or inequality. Ward's 2006 study found youth join gangs in Cape Town because this gave them access to material commodities such as branded clothing that were perceived as being central to full participation in society.[57] It is therefore class in the context of wider inequality and the perceived gap between rich and poor, which provides causal pathways to youth violence and crime.

2.1.6 Institutional Violence: Prison

Goffman (1961) argued that 'total institutions' such as prisons shape adverse identities of those held within them that may lead to further offending.[58] Violence in South African prisons is predominantly influenced by gangsterism, which is interwoven in the hierarchies of inmate culture and controls almost every aspect of prison life.[59] Youth offenders are exposed to the presence of gangs in both CYCCs and prisons. A 2006 study involving 6 incarcerated juveniles found that inmates fell victim to *'physical, sexual and emotional manipulation'* or '*witnessed others misfortune,'* reporting a general inability to sleep due to fear of being sodomised.[60] These threats of physical and sexual violence may pressure inmates to affiliate with prison gangs with one participant stating '*funny things happen to a person…sodomy and other things…they* [the gang] *can protect you from everything*.'[61] South African prison overcrowding only further exacerbates the problem. In 2017 prisons were overpopulated by 35 per cent on average.[62] A participant in a Johannesburg Study (2015) stated '*for you to get a nice sleeping place or whatever, you must be somebody, and to be somebody you must be violent, you must be known*.'[63] Prison gang membership

[55] Ibid.
[56] Ibid.
[57] Ward, C., 'It Feels Like It's The End of the World: Cape Town's Young People Talk About Gangs and Community Violence' (2006) *Report to The Institute For Security Studies On The Child Participation Study In Support Of The COAV Cities Project*.
[58] Goffman, E.,*Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (1961) Random House, America.
[59] The *Whitepaper on Corrections in South Africa*, (2005).
[60] Matthews, J., *An Exploration of Juvenile Prison Inmates Subjective Perceptions of their Return to Prison* (unpublished LLM thesis, University of the Western Cape 2006).
[61] Ibid.
[62] Department of Correctional Services South Africa, above n 11.
[63] Gear, S., 'In Their Boots: Staff Perspectives on Violence Behind Bars in Johannesburg' (2015) *Just Detention International - South Africa*.

brings with it a certain type of 'brotherhood' that the inmates perceive as a useful protection. However, violent acts must be committed to earn this protection and inmates risk facing violent victimisation themselves should they fail to do so.[64] Furthermore, the decision to leave the gang may come with the burden of risking one's life. In this way, youth offenders become victims of the prison's institutional violence as well as offenders.[65] Becoming ensnared in prison not only takes away from present opportunities to engage in pro-social avenues such as education and employment but criminal records present barriers to the viability of such opportunities arising in the future.[66] Consequentially, offenders may find themselves both hardened and restricted by their incarceration experience, which is likely to perpetuate further offending rather than deter it.

2.1.7 Victim-Offender Duality

It emerges that the risk factors discussed above are also various forms of 'victimisation', which can translate into offending behaviour when suffered by a young person generating an identity that is both victim and offender. Being a victim or witness of crime or violence, whether it is in the family, school or community, normalises that behaviour. Attitudes of tolerance are generated as youth come to believe violence and aggressive behaviours are permissible ways of resolving disputes and retaliating to their own victimisation. Violent and criminal behaviours are experienced, seen, learnt and replicated blurring the distinction between victim and offender. The risk for this is even greater when the young person knows those modelling the behaviour. Lack of supportive family relationships and positive role models can drive a young person to seek a sense of belonging or support elsewhere, a void often filled by joining a gang, but which inherently leads to crime and violence. This victim-offender duality is further perpetuated during incarceration where youth offenders join gangs for protection against their own victimisation but are required to commit violent acts themselves to earn that protection. The young person becomes both an offender and victim of the institutional violence of the prison structure. This is not to suggest that offending youth are blameless or unaccountable for their acts, which cause great harm to their victims, communities and themselves. However, it does imply that for intervention strategies to be effective, there is a need to recognise and understand the schizophrenic nature of this victim-offender duality and perhaps the employment of a more compassionate approach.

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[64] Ibid.
[65] Lindegaard, R. & Gear, S., 'Violence makes Safe in South African Prisons: Prison Gangs, Violent Acts, and Victimization Among Inmates' (2014) *Focaal*, (68) 35-54.
[66] Moffitt, T., 'Adolescence Limited and Life-Course-Persistent Antisocial Behavior: A Developmental Taxonomy' (1993) *Psychological Review* 100(4) 674 – 701.

2.2 'Life Course Persistent' v 'Adolescent Limited'

Moffitt (1993) was particularly concerned with offenders who are on a 'life-course persistent trajectory.'[67] Life-course persistent offenders are distinguished from 'adolescence limited' offenders whose offending behaviour is primarily linked to adolescent development during which they may temporarily engage in offending behaviour but generally desist as they mature from adolescence.[68] A life-course persistent offender by contrast, is distinguished by antisocial behaviour originating early in life and across multiple domains, which combines with environmental risk factors leading to continued and *serious* offending throughout their lifespan.[69] Their antisocial behaviour ultimately lacks consideration for the wellbeing of others e.g. biting and hitting at age 3, stealing at age 10, drug dealing and car theft at age 16, armed robbery and rape at 21, domestic violence at 30.[70]

The National Youth Offending and Resilience Study (2007) found support for the hallmarks of life-course persistent offenders in that early starters committed increasingly more serious crimes.[71] Of 395 participating inmates aged 12 to 25, it was found that 41.5 per cent had early onset of offending (before age 14), displayed severe antisocial behaviour and were considered to be on a life-course persistent trajectory.[72] This proportion is significantly high when compared to a similar Dutch study in which only 7.3 per cent of the offenders were identified as life-course persistent.[73] Furthermore, key risk factors discussed in this chapter align with those for life-course persistent offending with youth ending up in this category reporting family violence, school violence and criminal victimisation. Youth from families in which one or more adults had been in prison were almost twice as likely to be identified in this category.[74]

The identification of a large proportion of the sample as life-course persistent is both significant and concerning because these offenders are more likely to reoffend and in an increasingly serious and violent manner. At the end of 2011, DCS reported 31,678 sentenced inmates aged 14 to 25 years old were being held in their facilities.[75] If 41.5 per cent of these youth were likely to be life-course persistent offenders then approximately 13,146 young offenders were in need of assistance in breaking not only a general criminal trajectory but a *life-course persistent* trajectory. While primary prevention efforts aimed at preventing youth ending up on such a

[67] Ibid.
[68] Souverein, F et al., above n 20.
[69] Moffitt, T. et al., 'Males on The Life-Course-Persistent and Adolescence-Limited Antisocial Pathways: Follow-Up at Age 26 Years' (2002) *Development and Psychopathology* 14(1) 179-207.
[70] Moffitt, T., above n 66..
[71] Ibid.
[72] Souverein, F et al., above n 20.
[73] Blokland, A et al., 'Life Span Offending Trajectories of a Dutch Conviction Cohort' (2005) *Criminology* 43 (4) 919 – 954.
[74] Souverein, F et al., above n 20.
[75] Department of Correctional Services South Africa '2015 – 2016 3rd Annual Report: Implementation of the Child Justice Act 75 of 2008' (2016).

trajectory are fundamental, there is still a clear need for secondary prevention efforts targeting serious young offenders who are incarcerated. Good use of the opportunity presented by incarceration could prevent young offenders from continuing on the life-course persistent path. The concept of 'possible selves' as one such intervention will now be explored in Chapter 3.

CHAPTER THREE: POSSIBLE SELVES AND YOUTH OFFENDERS

3.1 Possible Selves and Youth Offenders

Whilst recognising the importance of past factors in shaping life choices we are yet to explore many facets of future orientated hopes, expectations and fears. Evidently, there is a well-developed body of work recognising the risk factors of youth offending with criminal victimisation, witnessing crime, family violence, school violence, poverty and inequality and incarceration all emerging as key factors with the potential for a causative role in offending behaviour. However, the research discussed in chapter 2 focuses predominantly on harmful *past* experiences, whereas we now turn our consideration to imaging *future* 'possible selves' as a motivational and self-regulator in shaping present and future behaviour. A small body of empirical work has accumulated on the content and consequences of possible selves since psychologists Markus and Nurius initially devised the construct in 1986.[76] In venturing into these debates it is acknowledged that this is at best an emerging body of work, accounting for the reliance on only few key studies including Oyserman and Markus (1990), Oyserman and Saltz (1993), Newberry and Duncan (2001) and Clinkinbeard and Zohra (2012). Much more work, of both a theoretical and empirical nature, needs to be done so as to appreciate complexities and nuances of possible selves. With this caveat in mind the discussion turns to a consideration of the emerging concepts and debates on the notion.

In this chapter we undertake a dramatic shift in perspectives from the criminology or sociology based work on risk factors which explores the nature, causes, consequences and prevention of criminal behaviour to a concept which emerges from the field of social-psychology, which considers how a person's behaviour is influenced by the actual or imagined presence of other human beings and the social environment in which that behaviour takes place.[77] Oyserman who holds a Ph.D. in psychology and social work and is a professor in the Department of Psychology at the University of Southern California has approached her research with a focus on identity based motivation, considering how changes in context can shift mindsets with consequential outcomes on the effective pursuit of life goals.[78] Clinkinbeard holds a Ph.D. in social psychology, is a professor at the University of Nebraska Omaha School of Criminology and Criminal Justice and applies a future orientation and motivation disciplinary approach with a particular application to juvenile

[76] Markus, H. and Nurius, P., above n 1.
[77] Cherry, K., 'An Overview of Social Psychology' *Very Well Mind* 5 February 2018, available at *https://www.verywellmind.com/social-psychology-4157177* accessed on 25 September 2018.
[78] 'Daphna Oyserman' *University of Southern California,* available at *https://dornsife.usc.edu/daphna-oyserman* accessed on 25 October 2018.

delinquency.[79] Although relatively limited, the application of some of these studies to delinquent populations make this work relevant and offer opportunities for the insights gained to be capitalised on in the current study to learn more about the viability of a possible selves intervention for incarcerated youth to prevent further offending.

This chapter also stands in contrast to the previous chapter's exploration of large institutional notions and constructions of the family, school, community and prison by concerning itself with the minutiae of the 'self' within these contexts. We begin with a definition of possible selves, an exploration of the underlying theory and how this concept can serve as motivation for change. We then consider the psychological constructs of 'balance' and 'strategy' as they relate to possible selves and how these combine to generate 'motivational capital' (i.e. the greatest potential for change) before considering the unique importance of exploring possible selves for delinquent youth.

3.2 Theory of Possible Selves

Possible selves is an extension of the 'self-concept', with Markus and Nurius's own literature review acknowledging that prior conceptions of the self, except some limited attention to the 'ideal self', were primarily focused on those of the *current* self.[80] Bringing the focus to the *future-oriented* self, Markus and Nurius suggest that possible selves are multifaceted involving what one *expects* to become, *fears* becoming and *hopes* to become.[81] Markus and Nurius argued that possible selves are different and separable from the present self, yet fundamentally connected to it.[82] They can be imagined in the far future e.g. for a young person, 'the self I will become as an adult' or the short-term future e.g. 'the self I will become next year.'[83] They may include both positive and negative aspects, e.g. the desired possible self, 'the intelligent self with a job and high income' or the feared possible self, 'the poor unemployed self,' both of which can motivate an individual towards or away from these end states.[84]

As to the source of possible selves, Oyserman and Fryberg (2006) suggest that they are individualised and varied for each person, rooted in past behaviour or accomplishments as well as present goals, motives, fears and aspirations.[85] However, although an individual is free to create a

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[79] 'Samantha Clinkenbeard' *University of Nebraska Omaha,* available at *https://www.unomaha.edu/college-of-public-affairs-and-community-service/criminology-and-criminal-justice/about-us/samantha-clinkinbeard.php* accessed on 25 October 2018

[80] Markus, H. and Nurius, P., above n 1.

[81] Ibid.

[82] Markus, H. and Nurius, P., above n 1.

[83] Oyserman, D. and Fryberg, S., 'The Possible Selves of Diverse Adolescents: Content and Function Across Gender, Race and National Origin' in Dunkel, C. and Kerpelman, J., (eds) *Possible Selves: Theory, Research and Applications* (2006) Nova Science Publishers, America.

[84] Clinkinbeard, S. and Zohra, T., above n 13.

[85] Oyserman, D. and Fryberg, S., above n 83.

great variety of possible selves, Newberry and Duncan (2001) propose they are invariably limited by their particular sociocultural and historical contexts as well as immediate social experiences.[86] Thompson (2002) suggests that the possible selves of youth in particular are mediated by class, race, neighbourhood and traditional ideals encompassed in conventional avenues of the life course.[87] They are also highly gender specific (Lips 2004).[88] Importantly, Markus and Nurius highlight that possible selves reveal the imaginative and resourceful nature of the self while simultaneously exposing the extent to which the self is contextually determined and limited.[89] Ultimately, an individual cannot become that which they do not know.[90]

3.2.1 Motivation for Change

Possible selves are thought to have powerful motivational impact with Markus and Nurius suggesting that they can influence both present and future behaviour by providing representations of the self to either be worked towards or avoided. Recognition of future goals can motivate individuals to reduce discrepancies between current situations and desired future selves.[91] For example, being able to imagine a *desired* future self such as 'the employed self' can incentivise behaviour which will help achieve that desired future self such as finishing school in order to have better prospects of obtaining employment.[92] It is considered however that this is fairly dependent on an individual's access to realistic future opportunities and viable avenues that could propel them there.

While positive desires for the future can be helpful in enhancing motivation, the desire to avoid a negative future self e.g. 'the poor or unemployed self' can provide an additional motivational push.[93] Oyserman and Markus (1990) suggest fears are useful in assisting a person recognise competing selves and prioritise behaviour.[94] For example, individuals who expect to graduate high school but lack the fear of failing school may find themselves in a competitive state with other goals such as wanting to be popular.[95] When faced with a decision to skip class with friends or stay in school, individuals who fear failing school will arguably be more motivated not to

[86] Newberry, A. and Duncan R., 'Roles of Boredom and Life Goals in Juvenile Delinquency' (2001) *Journal of Applied Social Psychology,* 31(3) 527-541.
[87] Thompson, R. et al., 'Critical Moments: Choice, Chance and Opportunity in Young People's Narratives of Transition' (2002) *Sociology* 36(2) 335 – 354.
[88] Lips, H., 'The Gender Gap in Possible Selves: Divergence of Academic Self-Views Among High School and University Students' (2004) *Sex Roles* 50(5-6) 357-371.
[89] Markus, H. and Nurius, P., above n 1.
[90] Ibid.
[91] Markus, H. and Nurius, P., above n 1.
[92] Clinkinbeard, S. and Zohra, T., above n 13.
[93] Ibid.
[94] Oyserman, D. and Markus, H., 'Possible-Selves and Delinquency' (1990) *Journal of Personality and Social Psychology* 59, 112-125.
[95] Oyserman, D. and Markus, H., 'Possible-Selves in Balance: Implications for Delinquency' (1990) *Journal of Social Issues* 46, 141-157.

skip class. In this way, Newberry and Duncan (2001), suggest possible selves give meaning to present behavior as an individual weighs and compares behavior to the potential of achieving their desired possible selves.[96] However, these assumptions seem to be highly contingent on the rational human being capable of weighing up benefits and consequences.

Possible selves can also give meaning to present behavior by having the potential to contribute to a positive mindset. Things may not be going well for an individual 'now' but a possible self suggests the promise of change.[97] Being able to focus on an improved future self can make that individual feel better in the moment while also incentivising behaviour designed to achieve that future self. Regardless of one's current situation, planning for a more successful future can serve to enhance self-esteem and positive emotion.[98] Markus and Nurius suggested that the motivation to carry out all but the most routine and mundane actions depends on the creation of possible selves. Possible selves, so the argument goes, are therefore capable of improving an individual's ability to self-regulate behaviour by increasing the focus on positive goals and lessening the influence of negative distractions.

3.2.2 Balanced Selves

Oyserman and Fryberg (1993) provide that 'balance' refers to the development of a positive and negative possible self within the same life domain (e.g. the domain of employment, or the domain of education).[99] For example, 'I expect to finish school and fear failing' would be recognition of a positive and negative possible self within the same academic domain.[100] Oyserman and Markus (1990) suggested that if a positive expected self can be matched with a negative representation of what could happen if the desired state is not realised, there is greater potential for a positive future self to be achieved.[101] Furthermore, a lack of balance can have the consequence that individuals are more likely to act without taking into account possible negative consequences for a possible self.[102] For example, when a positive possible self such as 'finishing school' is not particularly compelling because of competing short-term possible selves such as 'becoming popular by skipping class with friends' then the matched feared possible self of 'failing in school' can be recruited and the desire to avoid this negative self should strengthen ones motivation to achieve the

[96] Newberry, A. and Duncan R., above n 86..
[97] Oyserman, D. and James, L., 'Possible Identities' in Schwartz, S et al., (eds) *Handbook of Identity Theory and Research* (2011) 117 – 145.
[98] Oyserman, D et al., 'Possible Selves as Roadmaps' (2004) *Journal of Research in Personality* 38, 130-149.
[99] Oyserman, D. and Fryberg, S., above n 83.
[100] Ibid.
[101] Oyserman, D. and Markus, H., above n 94.
[102] Ibid.

desired state.[103] Achieving a balance can arguably assist individuals recognise potential barriers to their goals and make the necessary behavioural changes to overcome these.

3.2.3 Strategy

Oyserman (2004) suggests that actually achieving possible selves becomes more feasible when they are linked to plausible strategies, which provides an individual with an action plan for achieving desired selves and avoiding feared ones.[104] Simply imagining a desired self cannot by itself make it a reality but understanding how to achieve the future self makes goals more realistic and obtainable. Strategies are therefore required to transform expectation into reality e.g. 'I want to avoid using drugs therefore I will undertake drug-abuse counselling once a week to help me reach that goal.'[105] The more concrete, achievable and detailed the strategy is, the more likely they will lead to actual behaviour.[106] If future goals seem too distant or removed, individuals are less motivated to change their behaviours. Strategies can serve to reduce this psychological distance between present and future.[107] For example, an individual who hopes to stop smoking and fears getting lung cancer may have achieved 'balance' in their possible self but a goal lacking urgency e.g. 'I have plenty of time to quit' and a strategy, becomes more unlikely to be attained. With a strategy, a goal like quitting smoking could become more realistic and provide a greater incentive for an individual to invest in their future.[108]

Despite strategies being recognised as important for influencing real behavioural change, research in the area has been limited. One study by Oyserman (2004) with eighth graders from predominantly ethnic minority and high poverty households found that the average eighth grader tended to drop in school participation and homework dedication during the year.[109] However, youth who were able to identify strategies tended to avoid this negative shift and improved their grades, increased time spent on homework and reduced the chances of summer school referral.[110] For example, a student's possible self to pass the eighth grade by coming to school on time each day and not skipping class with friends is a goal automatically evoking a strategy linked to self action. For a student whose goal is to simply 'pass eighth grade' a positive self has been evoked, necessary but perhaps not sufficient for movement towards that end goal.[111] Important determinants regarding the feasibility of a strategy include whether there is the necessary urgency, means, opportunities and

[103] Ibid.
[104] Oyserman, D et al., above n 98.
[105] Clinkinbeard, S. and Zohra, T., above n 13.
[106] Oyserman, D et al., above n 98.
[107] Oyserman, D. and Fryberg, S., above n 83.
[108] Clinkinbeard, S. and Zohra, T., above n 13.
[109] Oyserman, D et al., above n 98.
[110] Ibid.
[111] Ibid.

time to accomplish the goal. For goals to be realistic, individuals need to understand their environment, their potential and sacrifices that may need to be made.[112] However, this again raises an assumption that firstly positive opportunities, and secondly resources are available to fit out a strategy with a viable pathway to an end goal. It is questioned what the prospects of this could be within environments lacking opportunities, resources and social supports. Theoretically however, in addition to 'balance' possible selves linked with strategies are argued to provide greater potential for behavioural change.

3.3 The Importance of Considering Possible Selves for Youth Offenders

We now consider the significance of exploring the possible selves of youth offenders. This group deserves attention for a number of reasons. Adolescence is a particularly vulnerable stage of life and one that can lend itself to delinquency when difficulty is experienced in achieving positive possible selves through traditional societal avenues as supported by the studies of Oyserman and Markus (1990) Oyserman and Saltz (1993) and Cooper (2005). There are clear motivational differences between delinquent and non-delinquent populations with a tendency for delinquent youth to report more negative possible selves than non-delinquent youth supported by the studies of Oyserman and Markus (1990) and Newberry and Duncan (2001). Furthermore, delinquent youth tend to generate limited 'motivational capital' (i.e. the combination of 'balanced' selves and strategies) which has implications for effecting positive behaviour change as indicated by the studies of Oyserman and Markus (1990), Meek (2011) and Clinkinbeard and Zohra (2012).

3.3.1 Adolescence and Delinquency

Research has found that delinquent behaviour is a common occurrence during adolescence, a stage of life in which a great deal of time is spent imagining and trying on potential future selves.[113] Oyserman (2006) suggests that during this time, imagined future selves become increasingly important to self-regulation and wellbeing.[114] Adolescents are tasked with developing a set of positive possible selves that are both personally satisfying and support the transition to adulthood.[115] It has been argued that success in this process critically depends on one's ability to translate desired identities into the possibilities afforded by their social environment.[116] For some adolescents this is relatively attainable. However, for others this is a process inundated with frustration and failure as they are unsuccessful in constructing and maintaining positive possible

[112] Ibid.
[113] Oyserman, D. and Markus, H., above n 94.
[114] Oyserman, D. and Fryberg, S., above n 83.
[115] Cantor, N. and Kihlstrom, J., *Personality and Social Intelligence* (1987) Prentince Hall, America.
[116] Cantor, N et al., 'A Prototype Analysis of Psychological Situations' (1982) *Cognitive Therapy and Research* 13, 247-261.

selves in the traditional domains of the family, friends or school.[117] Adolescents, who are unable to achieve positive possible selves through such avenues, develop negative expected selves and are likely to seek alternative ways to define the self.[118] Oyserman and Markus (1990) suggest that these adolescents might turn to delinquent activity as an alternative means of positive self-definition such as becoming 'independent', 'daring', 'competent' or 'adventurous.'[119] For example, a Cape Town based study by Cooper (2005) involving coloured adolescent males awaiting trial for violent crimes, found that their depiction of masculinity was dominated by ideals of strength, gang related activities and an obsession with guns and shooting.[120] These boys came from deprived and marginalised upbringings and appeared to take up these gang-inspired masculinities as one of the limited options offered by their communities for achieving a positive male identity.[121] Thus the critical finding emerges that delinquent activity can arguably achieve positive identities in the form of success or prestige among peers.[122]

Oyserman and Saltz's 1993 study involving 230 adolescent males aged between 12 and 17 from two subsamples of public school and a detention centre, located in Detroit, provides further support for the idea that adolescents unable to attain positive possible selves through traditional modes may turn to delinquent behaviour. The study found that delinquent adolescents reported feeling alienated from traditional adult models such as teachers and parents.[123] The officially delinquent youth were found to be less competent in their social interactions and more likely to choose a deviant response to immediate opportunities provided in the social environment as a means of attaining identity, particularly as it either smoothed entry to a particular social group or because it was self-symbolising in other ways.[124] Adolescent males in particular have been found to be highly influenced by delinquent peers particularly if they are feeling alienated from traditional role models.[125] Furthermore, researchers have found that males are more likely than females to have friends who engage in delinquent activities and are more vulnerable than females to the negative influences of deviant friends.[126] The Building Resilience Study (2009) found that interaction with non-delinquent peers was one of the most important predictors of non-offending. Young people who have close friends who have never been arrested are 5.7 times more resilient to engaging in

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[117] Oyserman, D. and Markus, H., above n 94.
[118] Oyserman, D. and Markus, H., above n 95.
[119] Ibid.
[120] Cooper, A., '*Democracy's Children? The Constitution of Male Subjectivities of Coloured Adolescents Awaiting Trial in Post-Apartheid Cape Town*' (Unpublished M Soc Sci Thesis, University of Cape Town 2005).
[121] Ibid.
[122] Oyserman, D. and Markus, H., above n 94.
[123] Oyserman, D., and Saltz, E., 'Competence, Delinquency and Attempts to Attain Possible Selves' (1993) *Journal of Personality and Social Psychology* 65, 360 – 374.
[124] Ibid.
[125] Leoschut, L and Burton, P., above n 19.
[126] Crosnoe, R et al., 'Protective Functions of Family Relationships and The School Factors on the Deviant Behaviour of Adolescent Boys and Girls: Reducing the Impact of Risky Friendships' (2002) *Youth and Society* 33(4) 515-544.

criminal behaviour than those who do interact with peers who have been arrested.[127] Similarly, those whose close friends have never dropped out of school are twice as likely not to commit an offence as those young people whose close friends have dropped out of school.[128]

3.3.2 Youth Offenders Generate More Negative Possible Selves

Research on delinquent and non-delinquent youth has established motivational differences between the two groups with a critical finding that delinquents generally report more negative possible selves than non-delinquents. Oyserman and Markus's 1990 study explored the possible selves of 238 young persons aged 13 to 16 in Detroit from four subsamples distinguishing their degree of official delinquency i.e. public school, community placement, group home and state training school (with public school being the least delinquent and state training school being the most).[129] Participants were asked about their expected, feared and hoped for selves for the next year. In respect of expected possible selves, the least delinquent youth most commonly generated responses on 'doing well in school,' accounting for 33 per cent of responses while 'getting along in school' accounted for only 13.9 per cent of responses given by the most delinquent group.[130] Similarly, the achievement related response of 'having a job' was the third or fourth most frequently generated expected self for the least delinquent youth groups while this response didn't appear at all for the two most delinquent groups.[131] Instead, a variety of negatively valued possible selves were generated such as 'junkie', 'depressed', 'alone', 'flunking out of school', 'pusher', or 'criminal'. It is important to note that these negative selves were generated not in response to feared selves but in relation to *expected* possible selves.[132]

In relation to feared selves, the most common response for the least delinquent group was 'not getting along in school' accounting for nearly 25 per cent of all responses.[133] For the other three groups however, the most reported response was the fear of being a criminal, a 'thief' or a 'murderer'. Significantly, for the two most delinquent groups, this fear accounted for a third of all responses.[134] In contrast, the fear of being criminal did not appear at all among the five most frequent responses of the public school youth, with only 8 per cent reporting this self at all.[135] The most delinquent youth were least likely to generate conventional achievement related school or job

[127] Leoschut, L and Burton, P., above n 19.
[128] Ibid.
[129] Oyserman, D. and Markus, H., above n 94.
[130] Oyserman, D. and Fryberg, S., above n 83.
[131] Ibid.
[132] Ibid.
[133] Ibid.
[134] Ibid.
[135] Ibid.

expected selves and were most likely to report fears of future criminal behaviour overall generating more negative possible selves than the least delinquent youth groups.

A later study by Duncan and Newberry (2001) also found that delinquent youth exhibited fewer positive possible selves than non-delinquent youth and that a negative view of the future strongly correlates with delinquent behaviour.[136] Possible selves are resources that individuals can use in the control and direction of their own actions. Consequentially, adolescents with few positive expected selves that they regard as likely to be realised will show a relatively greater tendency to drift into delinquency than those with more positive expected selves.[137] Adolescents with more expected positive possible selves tend to have more stable definitions of self and greater resource pools to draw from when faced with feared events or situations.[138]

3.3.3 Youth Offenders Generate less Motivational Capital

'Motivational capital' is a psychological construct referring to a combination of balance (i.e. expectations and fears in the same life domain) connected to a concrete feasible strategy, which is said to provide the greatest opportunity to effect positive behaviour change. It emerges from the following studies that delinquent youth tend to generate less motivational capital than non-delinquent youth. Oyserman and Markus (1990) found that the two most delinquent youth groups in their study were less likely than the least delinquent youth groups to report balance between expectations and fears.[139] A pair of responses (expected and feared self) was considered in balance if they represented a positive and negative aspect of the same content area.[140] It was found that 81 per cent of non-delinquent youth exhibited at least one balance between their expected positive selves and their feared possible selves, whereas only 37 per cent of the most delinquent youth exhibited this type of balance.[141] Of the most delinquent youth in this sample, 33 to 37 per cent feared becoming criminal, yet these feared selves were not balanced by expectations, which focused on avoiding crime and attaining conventional achievement.[142] For example, the two most delinquent groups did not expect 'to have a job' and only 14-19 per cent of them expected to 'get along in school'.[143] Similarly in a study by Meek (2011) which explored the expected possible selves of 34 young fathers aged between 18 and 21, almost half of all feared selves related to re-offending or return to prison (44 per cent) but very few participants identified an expected self in this domain. Although these youth exhibit the type of feared selves that might be associated with avoiding

[136] Newberry, A. and Duncan R., above n 86.
[137] Oyserman, D. and Markus, H., above n 95.
[138] Ibid.
[139] Oyserman, D. and Markus, H., above n 94.
[140] Ibid.
[141] Oyserman, D. and Fryberg, S., Above n 83.
[142] Ibid.
[143] ibid.

further delinquent activity, many of them are missing the expected selves that could provide the motivating vision of how they might avoid criminal activity.[144]

Another study by Clinkinbeard and Zohra (2012) exploring the possible selves of 543 incarcerated juvenile offenders across four states in America, found with respect to balance, almost identical results to the Oyserman and Markus's 1990 study finding 36 per cent reported a balance in their possible selves.[145] Notably, nearly half of those who did generate a balanced self did so in the domain of incarceration e.g. expecting to be released from the facility and fearing returning. Although desiring release and hoping to never return constitutes a balance by definition, the study highlighted that all participants were incarcerated at the time and therefore not a great deal of cognitive effort was required for a youth whose liberty is currently restricted to generate this type of balance.[146] If those youth are excluded, only 25 per cent of the sample was left who were able to generate a balance. This meant that 75 per cent of incarcerated youth were likely to return to their communities with expectations unbalanced by fears and vice versa.[147] These youth may have positive hopes to finish school or obtain employment but no fears about doing so and therefore little to stop them skipping the occasional class or turning up late for their new job.[148] The absence of the feared situation could motivate the adolescent into delinquent activities because they lack the negative information generated from the feared self, which would outline the consequences of engaging in delinquent behaviours.[149]

In terms of strategy generation, Clinkinbeard and Zohra (2012) found that the majority of youth, approximately 91 per cent, were able to identify at least one strategy for either expected or feared selves.[150] However, not all the strategies generated were concrete enough to be effectively implemented with many being abstract in nature and unlikely to be helpful toward goal achievement. For example, one youth expected to be 'living on my own with my daughter and girlfriend' and his strategy was 'by changing my life' while another youth expected to be 'in my own home with a good stable job' and the strategy was 'by waiting until my release date'.[151] Although many incarcerated youth have the ability to recognise the importance of succeeding in school or staying off drugs, nearly 50 per cent were unable to identify even one concrete strategy that would help them achieve these goals.[152] Overall, only 14 per cent of the youth were able to identify at least one balanced expectation and fear and a concrete strategy for both expectation and

[144] Ibid.
[145] Clinkinbeard, S. and Zohra, T., above n 13.
[146] Ibid.
[147] Ibid.
[148] Ibid.
[149] Oyserman, D. and Markus, H., above n 95.
[150] Clinkinbeard, S. and Zohra, T., above n 13.
[151] Ibid.
[152] Ibid.

fear.[153] The lack of balance and concrete strategies generated by delinquent and incarcerated youth has significant implications as they have a decreased chance in achieving positive behaviour change and are less equipped to face the challenges likely to be encountered post release. The study also raised that little was known about post-incarceration social resources available to the 14 per cent of youth who did have a plan for change and appealed for further research into what types of social resources are available to support youth during the transition from incarceration to community.

3.4 Conclusion

Evidently, some critical links have been made between possible selves and delinquency. However, the number of these studies specifically applying to delinquent populations or more specifically, incarcerated youth offenders has been limited. It is understood that possible selves studies, which have included incarcerated samples, have been limited to American correctional facilities. Explorations with offending youth have focused primarily on expected and feared outcomes, categories of selves and balance between expectations and fears with little attention paid to strategies. Although strategies do not guarantee success against further offending, the literature reviewed suggests that the more balanced possible selves become and the more connected they are to concrete feasible strategies, the greater the potential to influence positive behavioural change. This presents a unique opportunity to address recidivism among incarcerated youth offenders and is an area that needs further investigation. At this point, it is raised that two critical findings have emerged from this literature review. Firstly, possible selves seem to be particularly limited by realities and contexts. One can have dreams and aspirations but these are ultimately defined by ones immediate social environment, what they know, have experienced and what resources one can access. This leads us to the second critical realisation, that possible selves are ultimately not removed from the present self. Possible selves can be said to be limited by context and the self, itself.

[153] Ibid.

CHAPTER FOUR: YOUTH OFFENDING IN THE SOUTH AFRICAN CONTEXT

4.1 Youth Offending in the South African Context

In order to effectively review how a possible selves intervention would apply to incarcerated youth offenders there is a need to understand youth offending within the South African context. This chapter therefore provides an overview of the level of crime in South Africa and the Western Cape specifically before exploring the influence of gangs on the lives of young people on the Cape Flats. The national legislative framework governing youth and crime is considered before consulting preliminary enquiry and sentencing statistics to inform a deeper understanding of the types and severity of crime being committed by the youth, their ages, their convictions and the sentences being imposed on them. Drawing on the need raised in the previous chapter to identify what social resources are available to youth offenders to assist them with positive reintegration, we conclude by exploring what local pre and post-release support is currently offered to youth offenders.

4.2 Crime in South Africa and the Western Cape

Crime in South Africa is a national concern given the country ranks in the top ten worst countries reporting crime statistics.[154] Violent crime is increasing, reflected in the steady increase in the national murder rate. In 2016/17, SAPS recorded a total of 19,016 murders up from 18,673 in 2015/16.[155] The murder rate stands at 32.1 per 100,000 people, an average of 52.1 people murdered nationally every day.[156] The murder rate has risen nationally for the fifth year in a row.[157] This rate is significantly high when compared with other countries such as Germany, which had a murder rate of 0.7 per 100,000 in 2012[158] and New Zealand, which had a rate of 0.009 per 100,000.[159] Looking at youth specifically, in 2000, the homicide rate among South African males (15 – 29 years) was particularly high at 184 per 100,000. This was more than nine times the global average.[160]

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[154] Kriegler, A., 'South Africa's Shock Crime Statistics: More Worrying than Corruption?' *Biznews* 13 September 2016 available at *https://www.biznews.com/leadership/2016/09/13/south-africas-shock-crime-statistics-more-worrying-than-corruption-expert-analysis* accessed on 25 September 2018.
[155] South African Police Service, 'SAPS Annual Crime Statistics 2016/2017' (2017).
[156] Ibid.
[157] Ibid.
[158] Bundesministerium des Innern, 'Polizeiliche Kriminal-Statistik 2012' (Police Crime Statistics 2012).
[159] New Zealand Police National Headquarters 'New Zealand Crime Statistics 2012: A Summary of Recorded and Resolved Offence Statistics.'(2013)
[160] Norman, R., 'The High Burden of Injuries in South Africa' (2007) *Bulletin of the World Health Organisation* 85(9) 695-702.

The Western Cape itself accounts for almost a quarter (22.78 per cent) of all crime reported in South Africa in 2016-2017.[161] A third (10) of the top 30 police stations with the highest recorded contact crimes in the country are in the Western Cape, with 9 of these 10 located within the City of Cape Town.[162] Violent crime in the Western Cape continues to increase. Significantly, Cape Town's murder rate increased 2.7 per cent from 2015/16 to 1016/17 with 62 people per 100,000 murdered, almost twice the national rate and among the highest in the world.[163] Other notable increases include robbery with aggravated circumstances up (1.3 per cent), sexual assault (6 per cent), car-jacking (8.3 per cent) robbery of cash in transit (45.8 per cent).[164] Cape Town itself accounts for more than 36 per cent of all drug-related crime in the province.[165]

4.2.1 Gang Dominance on the Cape Flats

Gangs, although prevalent in Cape Town since as far back as the 1940's, underwent fundamental change at the end of Apartheid in 1994. Ineffective SAPS regulation saw them evolve from typical street gangs comprising of unruly youngsters to organised and efficient criminal enterprises.[166] By the late 1990s it was estimated that 130 gangs with a combined following of 100,000 were operating on the Cape Flats, a largely impoverished area used to accommodate Coloured people through forced removals during Apartheid.[167] Notoriously powerful and violent gangs now operate drug trades, abalone poaching, prostitution and demand burdensome rent or 'protection tax' from local businesses, infiltrating a range of economic and social activities in the Cape Flats community. Their aggressive expansion of territories has involved active recruitment of young people as young as 12 (Legget 2005).[168] Poverty, low household income, absent fathering, low matric completion rate and a high unemployment among youth on the Cape Flats are just some reasons young people here are vulnerable to the enticement of wealth, branded clothing and drugs in return for their recruitment.[169] In a sense, gangs actually provide economic avenues for youth to make money and afford consumer goods. Opportunities, which otherwise do not exist and therefore form a core dimension of this community. Gang leaders have even gained community respect, with some Manenberg gang leaders being well known for giving money to children and for sponsoring

[161] South African Police Service, above n 155.
[162] UNODC, above n 3.
[163] Kriegler, A., above n 154.
[164] UNODC, above n 3.
[165] Ibid.
[166] Standing, A. 'The Threat of Gangs and Anti-Gang Policy' (2005) *Institute for Security Studies* (116).
[167] Ibid.
[168] Legget, T., 'Terugskiet (returning fire): Growing up on the Street Corners of Manenberg, South Africa' in L. Dowdney (ed.), *Neither War nor Peace: International Comparisons of Children and Youth in Organised Armed Violence* (2005) Letras, Brazil, 296–315.
[169] Cooper, A., 'Gevaarlike Transitions: Negotiating Hegemonic Masculinity and Rites of Passage Amongst Coloured Boys Awaiting Trial on the Cape Flats' (2009) *Psychology in Society* (37) 1-17.

community events.[170] The converse to this of course is constant community fear, public gunfights often claiming lives of innocent bystanders and threats of violence should anyone stand in the way of the gang, evidenced by numerous murders of those attempting to testify against them.[171] In a recent spate of community protests and shutdowns, a number of Cape Flats communities desperately called for greater assistance from the government whose responses to date have been distressingly ineffective in combatting gang violence.[172] Ultimately, gangs in the Cape Flats infiltrate all forms of life and operate as sovereign forms of organised counter-government amidst a time of state withdrawal.[173]

4.2.2 Legal Framework

Prior to 1994 there was a lack of legal protection for children in South Africa who were detained with adults in prisons and subjected to many contraventions of their human rights.[174] A paradigm shift from a system of retributive punishment to one, which embodies ideals of restorative justice, has since occurred. It has been eight years since the Child Justice Act came into operation in 2010, the main object of which was to establish a child justice system which promotes restorative justice, holding children accountable for their actions, without necessarily treating them as criminals and endorses rehabilitation and reintegration of children back into their communities. Under the Act, a child under 10 is deemed not to have criminal capacity, a rebuttable presumption against capacity exists for children aged 10 to 13 while children aged 14 to 17 do have criminal capacity and can be arrested.[175] It employs a human rights based approach by providing for a broad range of non-prison sentencing options, which includes residence in a CYCC. In doing so, it seeks to comply with Article 37 of the United Nations Convention on the Rights of the Child (1989) and Section 28(1)(g) of the South African Constitution, which entrenches the right of every child not to be detained except as a measure of last resort.[176] In 2017 there were 237 active correction centres in South Africa, 13 of which were specifically for youth. In the Western Cape, there are 5 CYCCs being Bonnytoun in Kraaifontein, Bosasa in Clanwilliam, Horizon in Eertse River and Outenikwa

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[170] Legget, T., above n 168.
[171] Standing, A., above n 166.
[172] Hendricks, A., and Maregele, B., 'Where are they When the Shootings Happen?' *News 24,* 25 September 2018 available at *https://www.news24.com/SouthAfrica/News/where-are-they-when-the-shootings-happen-look-at-all-this-police-shutdown-protester-20180925* accessed on 25 October 2018.
[173] Standing, A., 'The Social Contradictions of Organised Crime on the Cape Flats' (2003) *Institute for Security Studies* (74).
[174] Skelton, A., *The Influence of the Theory and Practice of Restorative Justice in South Africa with Special Reference to Child Justice* (Doctoral Thesis, University of Pretoria) 2004.
[175] Child Justice Act 75 of 2008.
[176] UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, United Nations, Treaty Series, vol. 1577, Article 37; Constitution of the Republic of South Africa, 1996, Section 28(1)(g)

in George which accommodate male youth, Vredalus in Elsies River which accommodates female youth and Lindelani in Stellenbosch which accommodates predominately younger girls and boys.

4.2.3 Preliminary Inquiries

Preliminary inquiry statistics are reviewed to provide an overview of youth involvement in crime in South Africa. Preliminary inquiries must be held in respect of all children charged with a crime, with the only exceptions being where a prosecutor has diverted the matter, the child is under 10 or the charge has been withdrawn.[177] The Child Justice Act also allows youth aged over 18 but under the age of 21 to appear at a preliminary inquiry if the alleged offence was committed under the age of 18.[178] The purpose is to establish whether the matter can be diverted or referred to a children's court. In 2015/16 there were 18,575 youth nationally involved in inquiries, down from 21,562 in 2013/14.[179] The top ten crimes *allegedly* committed by youth appearing at preliminary inquiries in 2015/16 were as follows:[180]

1. Theft (14.3%)
2. Possession/use of Drugs (13.6%)
3. Assault with Intent to do Grievous Bodily Harm (13.2%)
4. Intent to Steal and Theft (8.8%)
5. Rape (8.7%)
6. Assault common (7.9%)
7. Robbery (5.4%)
8. Malicious Injury to Property (3.9%)
9. Robbery with Aggravating Circumstances (2.6%)
10. Murder (2.5%)

These statistics suggest that youth frequently commit theft, drug-related offences and assault. It concerning that 462 youth were charged with murder.[181] Of the 18,575 youth involved in a preliminary inquiry in 2015/16, 3,300 were recorded with the age of 0 due to data capturing errors. With this in mind, the rest of the data indicates that children aged 17 are responsible for the most offences (35 per cent) allegedly committed.[182]

[177] Department of Correctional Services South Africa, above n 75.
[178] Child Justice Act 75 of 2008, Section 4(2).
[179] Department of Justice and Constitutional Development South Africa, 'Implementation of the Child Justice Act 2008 Annual Report 2015 – 2016' (2016).
[180] Ibid.
[181] Ibid.
[182] Ibid.

4.2.4 Convictions and Sentencing

This section aims to provide an overview of the most common crimes youth are convicted of and the sentences imposed on them. As discussed, the Child Justice Act creates the opportunity for diverting matters involving children who have committed offences away from the criminal justice system. Through diversion, children importantly avoid incarceration and a criminal record, which creates barriers to community reintegration and full participation in society.[183] In 2015/16, 3026 of 18,575 youth appearing at preliminary inquiries were diverted accounting for 19 per cent of all matters dealt with. Young persons unsuitable for diversion are referred to Child Justice Courts for plea and trial. The top 10 offences that children were *convicted* of for 2015/16 were:[184]

1. Housebreaking with Intent to Steal and Theft (27%)
2. Theft (12%)
3. Assault with intent to do Grievous Bodily Harm (9%)
4. Rape (8%)
5. Robbery (6%)
6. Possession/Use of Drugs (5%)
7. Housebreaking with Intent to Rob and Robbery with Aggravating Circs (4%)
8. Robbery with Aggravating Circs (4%)
9. Attempted Robbery with Aggravating Circs (3%)
10. Murder (3%)

This indicated children are most commonly convicted of housebreaking, theft and assault. Children aged 15 to 17 were responsible for 94 per cent of these convictions. Data on how these youth were then sentenced was not available for the 2015/16 year but statistics from earlier years can provide an indication. In 2014/15 sentences were imposed on a total of 1342 youth (down from 2072 sentences imposed in the preceding year) with 735 of these being community based sentences, 245 being compulsory residence at a child and youth care centre and 39 being imprisonment.[185]

4.2.5 Youth Populations in Child and Youth Care Centres and Prisons

As at March 2016 there was a total of 323 children (aged under 18) held in DCS prison facilities.[186] Of this number 187 children were serving sentences while 136 were awaiting trial.[187] There has been a significant decrease of 73.92% from 717 children sentenced to prison in 2010 to

[183] Western Cape Government, 'What is NICRO?' available at *https://www.westerncape.gov.za/general-publication/what-nicro,* accessed on 25 September 2018.
[184] Department of Justice and Constitutional Development South Africa, above n 179.
[185] Ibid
[186] Department of Correctional Services South Africa, above n 75.
[187] Ibid.

the figures presented in 2016.[188] Of the 187 sentenced children, 184 were males and 3 were females. The top 3 crimes that the sentenced children were in convicted for were rape, murder and robbery.[189] For the 2015/16 year there was an additional 4126 sentenced juveniles (18 – 20 year olds) comprising of 4,023 males and 103 females and 4463 juvenile remand detainees comprising of 4376 males and 87 females.[190] The number of incarcerated youth has significantly declined from 28,827 in 2004, most likely due to the implementation of the Child Justice Act in 2010 and its focus on diversion. However, there is still a significant number of sentenced and un-sentenced incarcerated youth (particularly when you include the juvenile age bracket) who are predominantly male. Females accounted for only 2 per cent of the sentenced and un-sentenced population over a ten-year period from 1995 to 2005.[191]

In terms of youth residing at CYCCs, in 2017/18 160 youth were sentenced to reside in a CYCC and a further 1309 youth were residing in CYCCs awaiting trial.[192] However, this does not provide an indication of the overall number of youth residing at CYCCs for this year as there would have been youth sentenced from previous years still residing in them. DSD was contacted directly for an overall population number but has been unable to provide this. A 2015/16 DSD Report states that there was a 'bed capacity' for 17,323 in the year of 2015/16 and an 'overall admission' to CYCCs of 5,148 and 'overall release' of 4,713.[193] As the report was not particularly clear, overall admission is assumed to be the overall population numbers of youth residing in CYCCs for the 2015/16 year. Clarification was also sought from DSD, however this is yet to be provided.

4.2.6 Existing Pre and Post-Release Support

This section reviews what reintegration focused initiatives are provided to youth offenders by DCS, DSD and civil society organisations. Reintegration initiatives focus on developing offender capacity to function within their community, family, employment post-release and manage circumstances in a manner that circumvents risk and prevents engagement with criminal activity.[194]

Reintegration programs are in operation at DCS prison facilities but are not accessible by awaiting trial offenders (who comprise approximately a third of the overall prison population) or inmates who are serving sentences of less than 24 months.[195] The waiting period for remand

[188] Ibid.
[189] Ibid.
[190] Ibid.
[191] Foster, D., above n 54.
[192] Department of Social Development South Africa, 'Annual Report 2017 – 2018' (2018).
[193] Department of Social Development South Africa, 'Report on the Implementation of the Child Justice Act 2008 for the Financial Year 2015 – 2016' (2016).
[194] Singh, S., 'Offender Rehabilitation and Reintegration: A South African Perspective' *Journal of Social Sciences* (2016) 46(1) 1-10.
[195] Ibid.

detainees can at times exceed two years.[196] Considering this and the 2015/16 statistics, 4463 juvenile remand detainees wouldn't have had access to any reintegration programs while a further 4126 sentenced juveniles would have only had access if serving sentences of 24 months or longer. It is understood that some programmes are offered to child inmates (18 years and younger) which include anger management, life skills, substance abuse and resilience enhancement but not to children on remand of which there were 110 in 2017.[197] There does appear to be an increased focus by DCS on restorative justice initiatives with the total number of offenders and parolees participating in such processes at 5063 in 2016/17 up from 3630 in 2015/16.[198] However, it is noted that only 2 'children' participated in such programs for the 2015/16 year and it is not known how many of the 5063 recent participants are juveniles. Despite the presence of reintegration programs it appears a significant number of both awaiting trial and sentenced youth may not be accessing them.

The following overview of Bonnytoun CYCC aims to provide a general idea of reintegration support available to youth held at CYCCs. In 2017 Bonnytoun provided care to 130 awaiting trial and sentenced offenders between the ages of 14 to 21 years of age.[199] Sentenced children are separated from children awaiting trial at all times.[200] Bonnytoun is a registered school with a five-day formal educational program in which all children are involved and occupied for the entire day.[201]A Report by the Standing Committee on Community Development following an oversight visit to Bonnytoun found that the facility provides youth with empowerment and development services through its therapeutic, entrepreneurial and workplace skills programs.[202] The programs provided were said to focus on needs such as 'physical, emotional, social and spiritual wellbeing,' however did not provide further details on what each program actually involves. Bonnytoun also had a total of four social workers with the ratio being 1 social worker to every 35 children.[203] Although it appears CYCCs are providing youth with formal education and various programs, which may be helpful for reintegration, without greater transparency on what these entail it is difficult to assess how effective these are.

The White Paper on Corrections (2005) provides that the reintegration of the offender into society is a societal responsibility and that civil society organisations have a critical role to play.[204] NICRO is a well-established South African NGO with a strong focus on offender reintegration

[196] Ibid.
[197] Department of Correctional Services South Africa, above n 75.
[198] Department of Correctional Services South Africa, above n 11.
[199] Parliament of the Province of the Western Cape, 'Report of the Standing Committee on Community Development on an Oversight visit to the Bonnytoun Child and Youth Care Centre in Kraaifontein on Tuesday 13 June 2017' (2017).
[200] Ibid.
[201] Ibid.
[202] Ibid.
[203] Ibid.
[204] Singh, S., above n 194.

initiatives providing diversion services for children since 1992.[205] During 2016/17 NICRO diverted 2321 children (who committed non-serious offences and were first time offenders) through programmes aimed at building resilience against further crime involvement such as the Youth Empowerment Scheme, community service and victim-offender mediations.[206] NICRO claims that 98 per cent of diversion participants do not repeat offend.[207] NICRO's Safety Ambassadors Programme, involving 5127 learners nation wide, aims to develop selected young people as positive role models who can dissuade others from participating in crime.[208] During 2016/17 NICRO rendered offender reintegration services to 1011 offenders who received non-custodial sentences or had been released from prison.[209] The *NICRO, Help I am free! Program* crucially supports inmates throughout their last year of imprisonment and first year of freedom by developing life-skills and the innovative use of theatre as a tool for empowerment involving live performances at Cape Town's Artscape Theatre.[210] NICRO is also an advocate for developing a national offender reintegration strategy.[211]

Khulisa is another NGO providing various intervention and reintegration programmes. Currently, Khulisa provides 2,500 youth in conflict with the law with programme support.[212] The *My Path Program* is offered to incarcerated offenders with at least two years left to serve aims to assist offenders prepare for positive re-entry to their communities upon release through a focus on corrective behaviour therapy and personal development.[213] Khulisa's employer partnerships help to make jobs available to ex-offenders upon release and Khulisa itself tries to employ ex-offenders whenever possible.[214]

The Chrysalis Academy based in Cape Town is a preventative initiative as opposed to rehabilitative, providing youth with an opportunity to undertake an intensive 3 month personal development course that focuses on building youth empowerment and resilience against the hardships and challenges of life particularly associated with residing in a disadvantaged community. To ensure sustainability of the program, graduates are followed up by the Academy throughout the subsequent five years to assess progress, identify any further needs for intervention and to explore volunteer and employment opportunities. The course is available to youth aged between 18 and 25,

[205] Western Cape Government, above n 183.
[206] Ibid.
[207] Ibid.
[208] Ibid.
[209] Ibid.
[210] Ibid.
[211] NICRO, above n 7.
[212] Khulisa, 'The Latest News from Khulisa Social Solutions' available at *http://www.khulisa.org.za* accessed on 25 September 2018.
[213] Singh, S., above n 194.
[214] Ibid.

who have passed grade 9 but currently not attending school, are presently unemployed and have no criminal record.[215]

4.3 Conclusion

It is clear that there is a gap between a good legal framework and uneven practices on the ground. The existing policies reflect very modern ideas about youth vulnerability and the strengths of restorative justice processes. There appears to be a progressive reduction in children being sentenced to prison or even residence in CYCCs since the implementation of the Child Justice Act. However, it is evident that there is still a significant amount of youth incarcerated at CYCCs and prison facilities that require assistance reintegrating into their communities post-release but who do not necessarily have access to such support. Initiatives such as NICRO's Safety Ambassadors and the Chrysalis Academy may provide important primary prevention support in capturing vulnerable youth and developing resilience before offending behaviour has developed, but are not helpful for youth already incarcerated. NICRO and Khulisa have both operated reintegration and post-release support programs, which would be relevant for such youth, but it is not clear how many youth are accessing these specifically. Additionally, on the ground social networks are up against gangs filling voids for alternative forms of belonging, endemic poverty, inequality, social disorganisation and communities which simply lack opportunities for 'positive' reintegration which all combine against pragmatic intervention.

[215] Chrysalis Academy, 'About Us' available at *http://chrysalisacademy.org.za/about-us/,* accessed on 25 September 2018.

CHAPTER FIVE: INSIGHTS FROM PAST YOUTH OFFENDERS

5.1 Introduction

This chapter presents the findings of the interviews undertaken with Russell and James. The theme of risk factors was explored with each participant through an enquiry of risk factors existing in their lives prior to incarceration and their own experience with crime and incarceration. The theme of possible selves was explored through an enquiry of what the possible selves of incarcerated youth look like and the idea of possible selves as a practical intervention strategy. The interview schedule used in each interview is attached at Annexure A. Each participant was asked all questions exactly as they appear on the schedule. There was some deviation in the form of requesting elaboration, clarification or asking for reasons *why* they held certain opinions. Given the trust relationship established with the participants the interviews felt relaxed and comfortable with a general receptiveness to the questions and responses often containing detailed and personal experiences. It is not possible to present the entirety of the findings here, however it is hoped that those discussed represent the experiences and insights of the participants as genuinely as possible.

5.2. Risk Factors Prior to Incarceration

This section of the interview involved asking the participants about their home, family, school and community life to determine whether key risk factors identified in Chapter 2 were present in their childhood prior to incarceration. Following this initial general enquiry, the participants were asked which risk factors they personally viewed as having a direct impact on their own offending, which is discussed at the end of this section.

Russell and James were asked to describe their standard of living on a scale of well off, average, poor and very poor. Russell responded 'average' and was adamant that he came from a *'normal family'* and *'a very good upbringing.'* James described his home circumstances as 'poor,' saying, *'if I have to beg for myself, it means I am poor uh?'* James recalled times of rummaging through the Mitchells Plain dump yard for food that was still edible.

The participants were asked who they lived with growing up and how supportive their relationship was with their parents. Russell grew up with his mother as his father passed away at age 5, stating that the relationship with his mother was '*very supportive'* but did describe times where she would pay him off to behave. Russell left home at the age of 13 finding it difficult to live with the man his mother re-married shortly after his father's passing and was subsequently homeless in Lavender hill. James lived with both parents '*most of the time'* but said his father would often leave his mother and then return. He said his parents were often high or drunk but were supportive in that they made sure he went to school and put food on the table if they could.

A risk factor that emerged that wasn't specifically asked about was family member substance abuse. Russell recalled his neighbouring uncle's parties where at 5 or 6 years of age he started drinking their alcohol saying, *'they would think its cool to give this little kid alcohol and I'd be drinking.'* James similarly recalled that before the age of 12, '*I also started sniffing glue… and smoking marijuana… because I'm seeing it every day and my mum and my dad doing it…and I was like what's stopping me?'*

Russell and James were asked whether they knew of any family members involved in crime. Russell responded, *'I'm the only one in my whole family…that has ever been a criminal, ever been to prison, ever been on drugs.'* James's response bluntly contrasted that of Russell's saying, *'my father has been in and out of jail most of his life… his most recent crime that he committed was murder… my mum was convicted, my dad was convicted, my sister was convicted, my brother-in-law was convicted.'*

The participants were asked whether they had ever witnessed, been victims of or participated in violence at school. Russell recalled that towards the end of primary school he was already involved with a gang, which would fight with a rival gang during intervals, *'fist-fighting, beating each other up physically, no weapons.'* James recalled witnessing a lot of gang violence at school, '*you would hear the gun shots, see the gunshots, or the people shooting at each other, they would sometimes run into school and then we'd have to be locked in our classrooms.'* He also witnessed students trying to stab each other and throwing bricks at teachers. In relation to being a victim he recalls a student throwing a stone at his head for no reason and a number of fistfights.

Russell and James were asked about the level of crime they witnessed during childhood generally. Initially, Russell did not recall a real-life childhood memory of witnessing crime, *'only on TV.'* However, he subsequently recalled, *'the only violence would be my mother's eldest brother was an alcoholic and he'd beat his family up.'* James responded that he had witnessed '*a man hitting another man with a spade over the head and not long after that… I also witnessed another man that was axed in the head… and was laying in a puddle of water… I also witnessed a family member almost macheteing someone…and then he walked away and a dog came by and he just slashed the dog and the dog passed on,'* all before he was 8 or 9 years old.

The participants were asked if they were involved in a gang and if so, how they became involved. Russell said that he found the working class boring, seeing his family working hard and coming home tired and wanted to get rich quickly. He said he liked the way the gangsters were doing it, *'flashy cars…gold rings and chains…and I was like, that's what I want to do, I want to be with them. I think I was around 10 or 11 years old when I started hanging around with these people.'* In relation to *how* he became involved, Russell recalls being with two friends and standing up to some older boys involved in a gang who were trying to rob them, '*we were throwing them*

with bricks…and then they were like, 'we can use you guys'…then we just started chilling with them and they started using us to commit crimes.' James said that around the age of 12 he and his friends started their own group after being inspired by the movie 'Malibu's Most Wanted', *'it was a group of boys that were just chilling together but slowly one by one they would introduce something to the group, whether it was drugs or it was a gun or it was a knife.'* He says they built an underground hideout, an idea inspired by his Dad when he used to be a drug-smuggler. James says that when the police shutdown their hideout, he and his friends went back to their different parts of the community where more advanced gangs, '*The Americans, The Bostons, The Nice Time Kids',* were already formed. James joined one, '*because by that time I'd already started using crystal meth… I'd already been playing with guns…they already had all these things…also because I lived in that area and wanted to be protected…it was also a way to feed myself, I don't want to look like the little garbage boy and I need to survive so I got money from the gang.'*

Following these general enquiries Russell and James were asked for their personal opinion on which particular factors, if any, they viewed as having an influencing effect on their own offending behaviour. Russell identified possible contributing factors as his stepfather taking way the attention of his mother, *'they fell in love and a lot of the attention was then given to my step-father or their relationship and not to me,'* and referred to his mother paying him off to behave. He also referred to witnessing his uncle beating up his family and thinking *'this is what a strong man is,'* as well as witnessing his uncles' drinking and giving him alcohol at parties, *'witnessing that at a young age could have possibly given me the wrong impression.'* James identified drug use as the main contributing factor to his offending behaviour, *'I think I obviously started using drugs because of my parents because I saw them use it and they were fine with it so I thought I can also use it and be fine with it but for me it ended up me chilling with bad people that made me go and steal and got me to go with to do crimes.'*

5.3. Crime and Incarceration

This section of the interview is still concerned with risk factors aiming to explore the institutional violence of incarceration through enquiries into the participants' initial contact with the criminal justice system, their experiences with prison violence and gang involvement, differences in CYCCs between their time and now, their views on the impact of incarceration on youth offenders and how they came to leave crime and the gang.

5.3.1 Contact with Criminal Justice System

Russell and James were asked how old they were when they first did something that could be considered a crime and about their subsequent contact with the criminal justice system. Russell

recalls his first crime as stealing food from a shop when he was 4 or 5 years old. After being caught stealing from another shop at age 6 he was sent to Bonnytoun for a weekend to receive corporal punishment. He recalls receiving this a few times further before being convicted of theft at age 13 and sent to Bonnytoun for 4 months. At age 15 he was convicted of theft with aggravating circumstances and sent to Bonnytoun for a further 6 months. A few years later he was convicted as an adult and sent to Pollsmoor. The last time he was incarcerated was at Pollsmoor from which he was released at the end of 2012. James recalled his first crime as stealing money from a friend's mum when he was 11 years old. He was 12 when he was convicted of housebreaking and sent to Bonnytoun for 4 months. Subsequently he was occasionally accused of further crimes and locked up in police cells but the charges were withdrawn.

5.3.2 Prison Violence and Gang Involvement

Russell and James both confirmed that they witnessed, were victims of and participated in violence while incarcerated at Bonnytoun. In relation to being a victim, Russell recalls being *'beaten up a few times'* referring to a particular incident where '*a group of guys coming to me with soap in socks and beating the shit out of me.'* James also recalls being beaten up physically by inmates. Both Russell and James both said they were involved with gangs inside the facility. In relation to why, Russell spoke of being a '*very insecure kid'* and wanting to belong, '*the fact that I didn't feel that connection and that belonging with my family…I'm not going to be a nobody.'* James cited protection as his main reason, '*I am one person, I'm short, I'm scared to be honest…they feed off your fear so I was just like I need to protect myself and then I joined.*

5.3.3 Differences between Child and Youth Care Centres between Then and Now

Both Russell and James were asked to describe their experiences and the living conditions at Bonnytoun. It is noted that the participants' responses are highly subjective and likely to be influenced by comparisons to their differing home circumstances. Russell recalled it being physically prison-like '*with the bars and all those kinds of things'* but with less structure than adult prison. He said that they did a lot of sports, ate a lot, attending something like school, *'you do like 2 hours of school…maths, English, Afrikaans,'* no privacy, a communal shower and sleeping in a room with 25 to 30 beds. When James was asked about the living conditions of Bonnytoun he laughed saying *'I mean at that time how do I know what a good living condition is?'* He said they were locked up most of the time and recalled an incident of solitary confinement as punishment for escaping once as one of the worst experiences. He also recalled something like school, which involved arts and crafts, woodwork, sports, maths and English. He agreed that there was no privacy, sleeping in a room with 10 to 15 beds. He also recalled attending occupational therapy once a week.

Both Russell and James likened the experience to something similar to a boarding school and recalled the prevalence of corporal punishment being used as discipline.

The participants were then asked to describe what they considered to be the main differences between their experience with Bonnytoun and today's CYCC's, drawing on their recent experiences working with youth offenders in such facilities. James expressed concern that changes to the physical infrastructure, *'prison gates, the keys they use, the guards they have… the double fences, the security, away from society, isolated'* have made CYCCs become more like normal prisons. He also suggested that the 'lifestyle' being adopted by the youth today was more prison-like, '*back when we were in Bonnytoun… we didn't want to make tattoos and things like that, we'd rather draw on a piece of paper, now because they've been exposed and see how gangs have tattoos and how in normal prison they do it, they are doing exactly the same thing inside there.*'

Russell spoke to the differences in crime committed by youth ending up in CYCCs in his time and now. He expressed particular concern that there has been an increase in young children being targeted by gangs to be used to commit very serious crimes, '*now it's the youngest member or the newest member, even if you're like 11, 12… you're going to be the hit man, it wasn't like that back in my day…my time was thieves…the level of crime, its much more extreme than back in my day.'* At this point I asked Russell *why* he thought gangs were targeting younger children. Russell put it down to a loss of discipline and structure within gangs generally recalling that in his time gangs would actually inform the community of a curfew and when they were going to have shootings as opposed to today where gangs shoot when the kids are playing or when they're going to school. James agreed that the crimes the youth today are committing are '*way bigger and way more insane.*'

Russell and James both agreed that the majority of youth offenders inside CYCCs today are associated with gangs. Russell believes that this is because most of their parents are involved with gangs themselves, '*they come from a generation of gang, drug addict, crystal meth addict parents.*' He also comments that today's youth no longer fear or respect adults, '*now the kids don't have those that they are afraid of, because they're doing drugs with their parents.*' James suggests that absent parenting and having to fend for oneself is another main cause of youth involvement, *'the gangs make them feel some sort of belonging and now they have to do what the gang do and this causes them to do so many bad things.'*

5.3.4 Impact of Incarceration

Russell and James were asked what they thought the experience of incarceration itself has on the likeliness of whether an incarcerated youth will continue to offend. Russell was adamant that incarceration has no positive impact because, *'all you do the whole day, everyday…is glamourise*

crime, how much money you got away with and how you can become a better criminal,' admitting that incarceration made himself more of a criminal. He does not believe incarceration is a deterrent to crime, *'through my years of going to prison meeting the same people over and over…going to prison makes you more of a criminal.'*

James spoke about how incarceration itself facilitates violence, *'you have to fend for yourself, you know you kind of have to use violence… you have to join either a gang inside or basically fight for yourself.'* He believes that the reputation gained from being inside can also facilitate further crime, *'when I came out some people were like 'oh you went to jail!','* saying that he felt a sense of proudness, especially coming from a poor community and '*not being seen as anything,'* and that this can influence youth to strive for a higher rank in the gang when they come out.

5.3.5 Leaving Crime and the Gang

It is important to acknowledge that both Russell and James admitted to continuing to commit crimes and gang involvement post Bonnytoun. However, they were asked whether they were involved in any criminal activity today to which they both responded that they were not whatsoever. They were then asked what had changed for them and how they managed to leave their gangs considering the well-known perception as Russell states, *'once you in, the only way you leave is in a coffin.'*

Upon release from Pollsmoor in 2012 Russell returned to his community gang where he had a near death experience. At the time, Russell's two daughters were around the same age he was when his father passed away and did not want them to go through the same. Russell used money he had made through gang ventures to put himself through rehab, following which he relocated from Lavender Hill and disassociated from everyone there. He says that during rehab, it started out with *'one man trusting me, before I trusted myself, which made me want to be a better person'* and he learnt that he had to avoid *'people, places and things…that could spark you to go back to doing your old behaviour.'* His advice to a young person trying to leave a gang would be to physically relocate from their community.

James witnessed the commission of a particularly serious crime by his gang at which point he realised he couldn't be involved anymore, *'I was high, but I was like this is not right.'* He said he realised he could not just run away so started substituting time he would spend with the gang with other activities. He started volunteering at the library after school, which assisted with enrolling him in the cadets on Saturdays and on Sundays he would play in the cadet and local church bands. He says by doing this the gang still saw him and knew he hadn't run away or joined another gang which prevented animosity. His advice to a young person trying to leave a gang would be *'if you*

can find something whether its sports whether it's a new hobby…to substitute all that hours that you spent with that gang…and let them see you do it, you shouldn't have a problem.'

5.4 Possible Selves

This section of the interview aimed to explore the possible selves of the participants at the time of juvenile incarceration and those of the youth offenders they have worked with.

5.4.1 The Possible Selves of Past Youth Offenders

The participants were asked to try to go back to their mind-set at the time they were incarcerated as juveniles and were asked what their expectations, fears and hopes for themselves would have been then. Russell responded that his future expectations were to progress as a criminal and as a gangster, continue to commit crimes and return to prison. In relation to his fears for the future, he initially said, '*to be honest with you, I feared nothing, I didn't fear the law.'* He subsequently added that the only two people he feared at that time were his mother's brothers, '*I was more thinking what kind of beating I was going to get when I got released.'* In relation to hopes, Russell responded, *'I wanted to become a professional soccer player and I wanted to become the craziest gangster, most successful drug dealer…together.'* James's expectations of himself were similar to Russell's in that they were crime oriented, expecting *'to be locked up for a long time, become a big gangster and have lots of tattoos.'* In relation to his fears for the future, he said that he feared becoming like his father, '*in and out of prison for the rest of my life, the last crime he committed he was 60 years old.'* However, he hoped not to return to incarceration.

5.4.2 The Possible Selves of Today's Incarcerated Youth

Russell and James were asked how important they thought the following goals realistically are for the youth offenders they have worked with.

5.4.2.1 Education

Russell responded that education (in the conventional sense) is not important:

'It is not important to them at all…You don't necessarily find the successful doctor or lawyer…those that actually get out and become successful move, so there's no positive role models for the youth… so they don't see education as important, they see more, learning how to speak the gangster language, learning how to become a gangster, that is of more importance. That is education in their eyes.'

James responded that education should be important but there are barriers:

'I think education is very, very important for the kids because most of them, before coming in there, they cannot even write in there, they didn't even go to school.'

'Because of pride and because of not wanting to look like someone who is stupid they sometimes don't want to go to school because other children is going to mock them and the other children is going to look down on them because they can't read….and because of pride and things like that they don't find it as important as it should be.'

5.4.2.2 Positive Family Relationships

Russell claims the youths' relationships with their mothers are the most important:

'A lot of the kids value the relationships with their mothers… a lot of the kids identify their fathers as a problem…even a drug-addict mother still looks after her kids in whichever way she can, so that is the most important relationship in these kids lives.'

Russell also suggests that a reason for this is because in Coloured communities it is common for fathers to use corporal punishment to discipline their children:

'Your mother would shout at you for however long until your father arrives and the father doesn't even need to know what you done wrong…. You beat first and you ask questions later, so we build that grudge against our fathers.'

James responded:

'It's very important because I mean most of these kids, they are there because mum said its fine lock him up…maybe there was another option…its fine lock him up because she can't deal anymore with the problems.'

'So for me, from my personal opinion, if my parents had to spend a little more time on me, I probably never would have ended up in Bonnytoun.'

5.4.2.3 Having Own Family

Russell revealed that the youth do want children of their own but not necessarily for conventional reasons and that the following is particularly prevalent amongst youth who are gangsters:

'*So a lot of them want to have children, for the wrong reasons. They don't necessarily want to be a father, to be a father. They want to be a father to leave a legacy, to leave something behind that carries their name…because that's what they say, 'I want to have kids with different women, all different women in different areas… so that my name can continue.'*

James suggests it is an important goal for the youth with many of them already being parents:

'Some of them already have families, when I say family they maybe have a child or maybe a girlfriend…when I talk to them you know 'don't you want to be a father one day?' It is there dream, most of them, I've never heard the boys say no they don't want a family… so that is one of the important things for them as well.'

5.4.2.4 Having a Job

Russell claimed that having a conventional job is not important:

'Not at all, job would be being a criminal, and selling drugs, as a job…that's what jobs they want.'

'Because in the prison structure, when you're a gang member, you're like successful, becoming a gang member is right of passage, you're the man… you a king, and that is more what they want to be.'

'We were doing a workshop on things that you could pursue as a career… and I asked this one group, what are you good at? And one boy was saying that he's good at speaking the gangster language so I got so annoyed at him and I was like how is this going to help you?'

'It's been indoctrinated by the gang members, by their parents, once you've got a criminal record you can't get a job…so you're already brainwashed into thinking that there's nothing else for me to do than further my criminal career.'

James responded that a job might be important but there are barriers which deprioritises it:

'Some of them have printed tattoos in front of their head that says Doctor Duiwel…Devil in Afrikaans, and he said ya I want to be a police officer one day, the other said I want to be a social worker, then another one said I want to be a lawyer, and then you're looking at them and their body tattoos and you're thinking, is it going to happen?

'So for some of them, getting a job is important, but because they know they won't be able to get a proper job they just say ill be a drug dealer. It's something that they want, but so many complications. For some, that is not so fully tattooed they think 'okay, I could still make it' but for the others, they are just thinking like… I have to make easy money.'

5.4.2.5 Having Wealth

Russell responded that wealth is one of the most important goals:

'Very…most of them want to become wealthy, a lot of them also just want to become well-known…top priorities are either to become the craziest hit man… or become a rich drug dealer.'

Similarly, James responded:

'They want money, all of them want money, they love money. They know that without money they probably can't do anything that's how they see it, they love wealth.'

'You ask, 'why you want money?' and they say because you can buy a house, you can buy a car, you can buy anything so they want money…and that is why they did most of their crimes, its for money.'

5.4.2.6 Having Good Living Conditions

Russell responded:

'Yeh… that's an eventual goal.'

James agrees with Russell in that having good living conditions is a goal but other goals like wealth come first:

'*They want that as well…we once did a program where they had to draw their dream house and its big! They want a mansion, they want to have swimming pools, all these things they see on TV, so they want better living conditions but knowing where they live now…they know they are going to need a lot of money so the money would probably be more of a priority then a house at the moment.*'

5.4.2.7 Having a Good Neighbourhood

Russell responded that good neighbourhoods are boring in the eyes of the youth:

'They've become so used to the on goings in that types of areas that they aren't necessarily open to moving neighbourhoods. This is boring for them, if you don't hear shouting, fighting, arguing drinking, gunshots going off, its boring.'

'I've mentioned it a couple of times to them and they are not open to wanting to move to decent areas. You ask them, what if I give you 1 million rand right now, what are you going to do? Are you going to move to a decent area? No, I'm going to convert that million into 10 million by buying a huge shipment of drugs, and selling the drugs in my area… so you're a millionaire but you don't want to leave the community.'

James comments that if the youth have committed serious crimes against other gang members or rival gangs in the same neighbourhood, they are at risk of retaliation when they are released, making not returning to that neighbourhood important:

'I think this is one of the biggest concerns for them because they know they are going back to a gang infested area…there's going to be hatred in that gang until the child becomes an adult even… It's not a goal for them to go back to that same community.'

However, James highlights a significant barrier to this:

'You can't just relocate on your own… where are you going to get the money, you're living in a township?'

Alternatively, for youth who hasn't hurt a rival gang member in the community and is motivated by gang involvement, returning to their neighbourhood would be a goal:

'They have built a rank in the facility and now this rank is going to give them more power when they're outside but in the gang-infested environment but not within a normal civilised environment.'

5.4.2.8 Having Positive Peers

Russell responded that the youth's idea of 'positive' isn't necessarily conventional:

'Positive peers in their opinion would be the people who have gotten away with specific crimes that they want to get away with.'

However, James responded that having positive peers is an important goal for the youth:

'They always said they are going to need someone to talk to because if they don't get someone to talk to that is when they start using drugs, that is when they start becoming angry and aggressive so they feel it is important to have someone talking to them.'

5.4.3 Important Goals to Help Prevent Reoffending

Russell and James were asked which goals they thought are the most important for a youth to focus on that could help prevent further offending. Russell responded that rehab, relocating from toxic communities and subsequently focusing on finding a proper job are most important. James believes education should be prioritised as well as re-thinking the community they are returning to.

5.5 'Possible Selves' as a Practical Intervention Strategy

This section of the interview aimed to explore the practical implications of 'possible selves' as an intervention strategy for incarcerated youth. Russell and James were asked whether they saw any value in a program that explores an incarcerated youth offender's expectations, hopes and fears and develops individual strategies to help achieve or avoid those. Both Russell and James strongly agreed that such a program would be valuable. James saw particular value in that it could help a youth offender prepare for when he leaves the facility. He says for the youth the greater struggle is when they return to the real world, '*incarcerated, you get everything you need…you get a bed that*

you can sleep on, whereas you might not have that, you have a few meals a day, which outside you might not have or have to steal for that… outside they have no clue what to do…straight back to the gang, because it's the only thing they know.' James considered that the intervention could be used to develop feasible and positive alternatives using the example of a youth who says he wants to become a pilot. It must first be understood *why* he wants to become a pilot. If it's for money you can start to put more feasible options in front of him such as becoming a bus driver and showing them they can still achieve their goal of making money but through a more feasible avenue.

Russell and James were asked what factors they thought could help make such an intervention successful. Russell was adamant that for such a program to have any chance of countering the negative influences of incarceration it must have an everyday comprehensive structure, '*an hour or 40 minutes twice a week does absolutely nothing… because after the programs you just go back to your cell and back to prison reality.'* He also suggests identifying the youth inside CYCCs that genuinely want to change and focus on them saying that he believed out of around 300 youth only 80 might consider wanting to change, '*because at the end of the day, the only time we addicts, as criminals, as gangsters, the only time we change, is when we want to change.'* James suggested a post-release mentor could help the young person follow through on plans they have developed while inside the facility and put them into action post-release. He says having someone look out for them can also help take the place of the gang members who also 'look out' for them in a certain way. He says the young person's family should be involved in this process where appropriate. James also comments that multiple alternative pathways should be developed for each youth so that the young person continues to have options should one fall through.

Russell and James were asked what factors would present barriers to the success of a possible selves intervention. Russell maintained that the youth returning to their original communities is the most powerful barrier to such a program as they return to old influences. He suggested that some youth need to physically break away from their communities to make a change but unlike prisons like Pollsmoor, CYCCs don't have halfway houses to support this. James commented on the need to focus the intervention individually on each child but recognised lack of staff as a significant barrier to this, which would undermine its effectiveness. It was also suggested that there is a lack of existing post-release support for youth offenders, which could help put the intervention into practice, with Russell identifying only one organisation called 'Restore' and James identifying two organisations called 'Young in Prison and ICANN.'

5.6 Conclusion

Although the interviews were successful in obtaining information relating to various subthemes under the overarching enquires into risk factors and possible selves there are a few

reflections to be made. They were prepared for extensively with a lengthy interview schedule consisting of numerous questions. The willingness of the participants to engage and respond meant that at times, responses would provide additional information relevant to the area of enquiry but not specifically asked about. However, opportunities to explore and converse on this further information were limited by the pressure of having to complete the entire questionnaire in one sitting. This may have compromised access to meaningful insights. Additionally, the mapping of the life history, which has already been covered by the literature on risk factors, was time consuming and resulted in less depth in the exploration of possible selves, the main area of enquiry. On reflection, it is considered that two interviews conducted in separate settings, one focusing on risk factors and one on possible selves, with a less structured, shopping list-style approach could have provided greater opportunities for conversation and exploring ideas on a deeper level. Admittedly, a reason for the interview structure was to provide maximum transparency of the interview questions to increase chances of UCT ethics approval given difficulties with this process previously encountered.

CHAPTER SIX: DISCUSSION AND CONCLUSION

6.1 Introduction

The empirical component of this study produced findings across five key themes being risk factors present prior to incarceration, the nature of possible selves of incarcerated youth, the impact of incarceration, possible selves are limited by context and the self and implications for practice of a 'possible selves' intervention. These findings are discussed below.

6.2 Risk Factors

The literature review undertaken in chapter 2 identified a number of key risk factors as having the potential to influence or contribute to offending behaviour. It is not possible to objectively determine which factors actually contributed to Russell and James's offending, rather a general enquiry was made with each participant on certain aspects of their life to determine which of these risk factors, if any, were *present* in their lives prior to incarceration. The findings suggest that for Russell's childhood, the risk factors present were an absent father and a compromised supportive relationship with his mother by the presence of his step-father and being paid off to behave in place of the motherly loving attention he may have been seeking at that point. Other factors include witnessing the use of violence and substance abuse by his uncles and engaging in his own substance abuse at an early age. For James, the findings suggest that the risk factors present include poverty, erratic parenting in the inconsistent presence of his father and supportive relationships with his parents compromised by their substance abuse. Other factors include his own substance abuse from a young age, family involvement with crime and prison, witnessing violent crime in the community, witnessing and being a victim of violence at school. It is interesting that Russell's childhood arguably had less risk factors amidst an otherwise comfortable upbringing admitting himself, '*I had everything that I needed,*' suggesting that the presence of even one or only a few risk factors may be enough to influence delinquent behaviour. Little is known about the magnification of risk when these factors compound and interact, however the indication of a presence of multiple risk factors in the lives of both participants prior to the development of offending behaviour is largely consistent with the literature on risk factors discussed in Chapter 2.

Given that assumptions cannot be made that the risk factors indicated to be present above had any direct influence on Russell and James's offending, this study aimed to add a point of difference to the existing body of work by gaining insight into which factors, if any, the participants personally viewed as contributing to their own offending. It was interesting that both Russell and James pointed to the behaviours of their parental generation as having an influencing effect. For Russell, this included his mother's neglect and his uncles' violence and substance abuse while for

James this primarily involved his parents' substance abuse. Although raised at a later point during the interview in relation to a question on differences between youth in CYCCs today and during his time, Russell highlighted that today's youth criminal involvement is highly influenced by their parents, '*compared to us who come from a generation of working class parents…the kids nowadays… come from a generation of gang, drug addict, crystal meth addict parents.*' This is relevant here as it could imply that the behaviours of the parental generation are not only a main risk factor generally but have become increasingly critical overtime in influencing the behaviour of youth. Practically, this could suggest that interventions for incarcerated youth should be implemented with an awareness of this risk factor by incorporating an understanding of the youths' relationship with their parents and how this may present barriers to future law-abiding behaviour in order to identify where resilience may need to be built.

As the studies in chapter 2 evidence and as the findings from this study suggest, youth who have become incarcerated are likely to have endured many challenges in life, which may have contributed to their involvement with crime in the first place. These are factors, which do not simply disappear when a youth offender returns to their community. Past studies have demonstrated that marginalised youth are vulnerable to suffering a greater range of barriers to successful re-entry and that many programs fail to recognise these.[216] It is therefore suggested that a young person should be understood not only as an offender but as a victim of various experiences in the family, school and community in order to have the best chance of assisting them reintegrate post release as positively as possible.

6.3 Imagining Possible Selves

Modern developed societies generally encourage individuals to pursue goals of success, predominantly measured by wealth and material commodities, and expect these to be obtained through legitimate avenues such as conventional education and employment.[217] The findings suggest that incarcerated youth have these *success* goals but the methods of achieving them, seem to be heavily influenced by involvement in gangs. When asked what their *expectations* of themselves would have been as incarcerated juveniles, Russell and James's responses included continuing to commit crimes, going to prison and becoming gangsters. It is interesting however that Russell *hoped* to progress as a gangster while James *hoped* not to return to incarceration. This indicates an unfortunate reality that for some incarcerated youth they genuinely desire to progress as gangsters and in a life of crime. As will be discussed, the findings unexpectedly reveal that many

[216] Spencer, M. and Jones-Walker, C., 'Interventions and Services Offered to Former Juvenile Offenders Reentering Their Communities: An Analysis of Program Effectiveness. (2004) *Youth Violence and Juvenile Justice, 2*(1) 88-97.
[217] Merton, R., 'Social Structure and Anomie' in Merton, R., *Social Theory and Social Structure* (1968) Free Press, America, 185 – 214.

goals of incarcerated youth are in fact influenced by this desire. However, James's *hope* to not return also indicates that some youth do desire change in their lives.

The findings suggest that having wealth is possibly the most significant goal for incarcerated youth. It is also indicated that they desire better living conditions than what they currently have but recognise that they will need money to achieve this goal and as a result, obtaining wealth is prioritised. They desire money and material commodities in the form of a big house, a nice car and even a swimming pool. It appears that the prioritised goals of these youth really just mirror those of general society or at least the Western yearning for wealth and commodities, which is logical when inspired by *'all these things they see on TV.'* This goal is also reflective of a South African study's (Ward 2006) finding of the perception among delinquent youth that material commodities are central to full participation in society.[218]

Education, as a general societal assumption, is an important goal as it helps to generate career possibilities and personal growth. It was therefore notable that education, as a goal for incarcerated youth does not seem to have the prioritisation that it should. A number of reasons emerged for why this might be. One reason may be that the education sector serving poor communities has long been dysfunctional. Positive role models with conventional jobs are not present in the communities that the incarcerated youth are coming from because as Russell indicates, once someone has become successful in their career and can afford to, they will move from a crime-ridden area. If a young person is a gangster and desires to progress as a gangster, they will focus on learning the gangster language and learning how to progress, rather than on formal education. Low literacy skills among incarcerated youth may also prevent them from prioritising education, as they feel uncomfortable or embarrassed in learning environments.

Recognising that the notion of 'decent job' varies across contexts and class, it can be said generally that obtaining a decent job in the conventional sense which brings with it reputation and wealth, is a common goal for society at large. However, from the findings it emerges that a yearning for a decent job is replaced by the desire to progress as a gangster, which denotes success to a youth offender. Russell comments that it is a common mentality in Coloured communities and particularly the poorer ones, that *'you join a gang, you go to prison, and that is your right of passage, you come out, you a man.'* The findings also indicate that incarcerated youth are conscious of the difficulties that a criminal record brings with it in relation to attaining what society generally views as a traditional or 'proper' job. These difficulties are further realised by youth who have body and face tattoos marking their gang membership. It can therefore be reasoned why incarcerated youth focus on making 'easy money' through illicit avenues such as drug dealing or committing

[218] Ward, C., above n 57.

crimes on behalf of their gang for which they receive payment in the form of cash or drugs (which they choose to consume or sell). James comments, *'this is why they did most of their crimes, it's for money.'* Relevantly, a small South African study (Legget, 2005) found that young Manenberg gang members said they would leave their gang if only they could find trade-level jobs.[219]

In terms of family relationships, the findings indicate that incarcerated youth value positive relationships with their mothers. Influencing factors for this may include, as Russell raises, that fathers are viewed as disciplinary figures particularly in Coloured communities or the prevalence of absent fathering as indicated by studies reviewed in chapter 2. It is also indicated that incarcerated youth generally hope to have a family of their own in the future, that is if they do not already have children. However, it was unexpected to discover that motives behind what is otherwise considered a 'traditional' societal goal may not necessarily be pro-social with some incarcerated youth desiring children for the purposes of spreading the reputation they have built for themselves in their gang. A study by Meek (2011) suggests that identifying as a parent provides a positive alternative identity to that of offender or prisoner and may have benefits in mediating the transition from incarceration to community.[220] However, it is difficult to see how a youth offender with a family goal for the purposes of leaving behind his gang legacy will deter further offending.

The neighbourhood or community to which youth offenders return post-release emerged from the findings as a goal that the youth are very concerned with due to two distinct scenarios. A young person who has committed serious crimes against another gang member or rival gang in the same area, prior to incarceration are at serious risk of retaliation from that gang member or gang should they return to that community. For these youth, relocation from their old communities would be a priority goal. This scenario is starkly contrasted by a youth who hasn't hurt a rival gang member in the community but is motivated by progressing in their gang. For them, returning to their community will be a priority having gained greater rank in the gang from their incarceration experience. The findings also indicate that unless one is at serious risk of harm in returning to their community, there is a general discontent with moving to decent neighbourhoods, viewing such areas as 'boring.'

Merton (1968), an American sociologist suggested that despite society's imposition of success goals, it doesn't always provide legitimate means for everyone to achieve these, putting great pressure on individuals to achieve them through other avenues to avoid being branded a failure.[221] This strain or 'anomie' as coined by Merton, results in people adapting in a number of ways. Perhaps most relevantly here is innovation in which society's goals are accepted but which sees alternative means, that society doesn't necessarily approve of, being engaged with to achieve

[219] Legget, T., above n 168.
[220] Meek, R., 'The Possible Selves of Young Fathers in Prison' (2011) *Journal of Adolescence,* 34(5) 941 – 949.
[221] Merton, R., above n 217.

these goals.[222] Merton's theory is relevant to the highly unequal and divided South African society, which promotes success goals that only some of its population can realistically hope to achieve, at least legitimately.

Overall, the nature of the possible selves of incarcerated youth involves a prioritisation of success goals as characterised by wealth and commodities but are influenced heavily by gang involvement and the desire to *succeed* within those gangs as methods to achieve them. Returning to the same community emerges as both a significant goal and a fear depending on desires to progress in the gang or the serious repercussions one may face as a result of past actions. Movement towards success goals through conventional means is realistically difficult for those equipped with little formal education and few economic resources.[223] It emerges that incarcerated youth exhibit the ability to recognise barriers to their goals and strategically prioritise goals according to these. Barriers including criminal records, body tattoos or even limited opportunities in their own communities result in traditional jobs being perceived as unattainable by these youth, the logical flow on effect being a decreased focus on attaining formal education and increased focus on other innovative money-making avenues such as through the gang.

6.4 Impact of Incarceration

The findings indicate that CYCCs have evolved over time to become more 'prison-like' and facilitate criminalisation. James speaks to the changes in the physical infrastructure with smaller cells, gates, double fences, security and isolation all being aspects making the facilities feel physically like a real prison, just a smaller version. It is also indicated that 'prison lifestyle' is being adopted by the youth. Both Russell and James agree that the majority of incarcerated youth are involved with gangs. They also agree that the youth in these centres are involved in much more serious crimes than during their time. This supports the concern, which emerged in the latest Implementation of Child Justice Act Report.[224] An influencing factor may be the trend that Russell comments on of gangs targeting very young children to commit serious crimes on their behalf, taking advantage of less stringent child justice laws and even using them as 'hit-men.' It seems while incarcerated, youth tend to focus on idealising crime and working out ways to become better criminals. Russell admits that his own experience of incarceration only made him more of a criminal. The idealisation of crime is reflected in the practice raised by James of youth tattooing themselves with gang symbolisation. Both Russell and James were victims, witnesses and participants in violence while incarcerated. It is suggested that violence while incarcerated is inevitable and youth are left with a choice to fight either by themselves or alongside a gang (which

[222] Ibid.
[223] Ibid.
[224] Department of Justice and Constitutional Development South Africa, above n 179.

has its own violent consequences). These findings are also supportive of the literature suggesting that incarceration facilitates a victim-offender duality. In relation to incarceration being a deterrent, it is noted that both Russell and James continued gang involvement and crime post-release, indicating little impact. It is also suggested that an incarceration experience actually earns a young person a positive reputation with their gang, which encourages further offending, particularly among young persons from poor communities who otherwise perceive themselves as 'nobodies.' If the current state of CYCCs are as indicated, it emerges that their environments facilitate criminalisation and violence. This has serious implications on the likeliness that incarcerated youth will re-offend and raises a number of significant barriers to the implementation of any crime prevention intervention.

6.4 Possible Selves are Limited

As discussed in Chapter 3, Possible Selves are limited by context, being a reflection of one's immediate surroundings.[225] Although an individual is free to create any number of possible selves they are inextricably limited by their past and immediate social experiences.[226] Ultimately, an individual cannot become that which they do not know.[227] The findings suggest that the issue of context is extremely important when exploring possible selves with youth in an institutionalised setting. What the findings show is that there is little space for the development of 'pro-social' or 'positive' possible selves with youth offenders being significantly influenced by their communities, their gangs and their incarceration populating selves, which are rather 'pro-deviant.' The findings also indicate that we imagine ourselves in material ways with incarcerated youth demonstrating a conventional desire to achieve *success* goals of wealth and material commodities. As raised by Merton, if the path along conventional routes towards achieving such things such as school and a traditional job has too many barriers, one is likely to turn to deviant behaviour to achieve the same.[228] Ultimately, these youth desire what the population at large desires, but they are limited by the harsh realities and limited opportunities of their environments to achieve these goals, using whatever resources they have access to – the gang. In the Western Cape alone, 45 per cent of youth aged between 15 and 24 reside in income-poor households and 41.2 per cent of youth aged 14 to 24 are unemployed.[229] The society in which these youth live is rife with social inequality. These youth are conscious and strategic beings and in these circumstances understand that the gang realistically serves as a much more economically viable route than traditional education and employment.

[225] Oyserman, D. and Markus, H., above n 94.
[226] Newberry, A. and Duncan R., above n 86.
[227] Markus, H. and Nurius, P., above n 1.
[228] Merton, R., above n 217.
[229] Youth Explorer, above n 5.

Pragmatically, the illicit economy provides them with many more feasible opportunities than the licit one. The gang is therefore likely to be victorious in these youths' pathways. What can we expect the imagined possible self to reasonably be when generated from the harshness of this society, their gangs and the pro-deviant nature of incarceration? The aspirations of the youth, to succeed in their gangs in order to achieve the same goals as the rest of society, are ultimately appropriate in their circumstances. This raises a fundamental challenge to our existing assumptions about pro-social and pro-delinquent behaviour, as the behaviour and possible selves being exhibited by these youth may be as pro-social as possible as their communities allow for.

6.5 Implications for Practice

The Child Justice Act provides a solid legal framework for youth justice particularly through its opportunities for diversion and alternatives to prison sentences such as residence in a CYCC. From the discussion in Chapter 4 it is evident that a significant number of youth are successfully diverted away from the criminal justice system importantly avoiding a criminal record and keeping legitimate means to achieve goals open. The findings indicate however that over time, CYCCs have become increasingly 'prison-like' and that youth residing at these facilities may be dangerous, capable of committing serious crimes and are more than likely involved with gangs. It is therefore understandable that measures are taken to ensure the youth are held securely while under the care of DSD and may account for the move towards more prison-like physical infrastructure. However, the Child Justice Act does not recognise residence in a CYCC as a 'custodial sentence' and care needs to be taken to ensure these facilities are distinguished from prisons as less restrictive options. The findings indicate a need to refocus CYCCs from harsh prison-like environments to places of rehabilitative and reintegration support. Possible selves as an intervention strategy, presents one such opportunity of which the practical implications are discussed below.

Firstly, the very notion of possible selves itself must be questioned given its heavy reliance on an individual's access to resources and viable alternative options to enable successful change in one's life. The findings suggest that the lives of incarcerated youth present quite the opposite to this and would require significant assistance in developing possible selves beyond the limitations of their past and immediate social context. Markus and Nurius (1986) proposed that positive possible selves have the potential to be liberating as they foster hope that the present self is not unchallengeable.[230] However, it has been discovered that the possible selves of incarcerated youth offenders are not necessarily 'pro-social' or 'positive' in the eye of conventional society. For example, a youth offender 'aspires' to make money by progressing as a gangster, but the reason for this aspiration might be because he sees attaining a traditional job as impractical due to his criminal

[230] Markus, H. and Nurius, P., above n 1.

record, and will hardly trade his self-worth which is inextricably connected to his gang, for menial employment on the margins of the informal economy within his community. A key element of a possible selves intervention would be to firstly explore risk factors with the youth offender in order to understand the historical and social context that is the world of that individual (what they know) and forms the pool of resources from which they can develop their possible selves. If this pool is limited, e.g. through poverty, absent parents and role models etc. it can be reasoned that their generated possible selves may not form the full range of selves that they are actually capable of becoming. Exploring risk factors could also assist in identifying aspects of their lives that may have an influencing effect on offending behaviour or in identifying areas in which they have fears or want to avoid.

Secondly, assistance should be provided in the production and elaboration of possible selves by opening that youth offender's mind up to other realistic and meaningful law abiding possibilities that they might not consider because these exist beyond what they know. Youth offenders who come to believe they can succeed in spite of obstacles such as limited employment opportunities in their communities, criminal records and gang tattoos may be able to create positive possible selves despite a past lack of success in doing so. In these cases, possible selves must be created from something other than simple repetition of current and past outcomes.[231]

Once positive or 'pro-social' (as understood in the conventional sense given the realisation that the definition of pro-social varies between and across context and class) possible selves have been imagined, *feasible* strategies should be developed with each youth offender which works towards achieving desired selves and avoiding feared selves. Since most offenders will return to the family, school and community that played a role in their offending to begin with, youth offenders should be equipped with skills and a realistic plan in order to resist old influences.

Clinkenbeard and Zohra (2012) found that many incarcerated youth were able to recognise the importance of succeeding in school or staying off drugs but that nearly 50 per cent were unable to identify one concrete strategy that would help them achieve these goals.[232] As discussed in Chapter 3, the more feasible a strategy is, the greater impact on present behaviour. Applying this to the incarcerated youth offender, such could influence increased attention on achieving their hoped for selves and a decreased focus on idealising crime or learning ways to become a more successful criminal. In order to create feasible strategies hoped for selves must be attainable and the youth offender must believe in the possibility. Practically speaking this would likely require partnerships with companies, organisations, schools (both formal and skills-based) which would employ or admit youth with criminal records or unfavourable tattoos. James suggests incarcerated youth

[231] Oyserman, D. and Fryberg, S., above n 83.
[232] Clinkinbeard, S. and Zohra, T., above n 13.

require multiple feasible options not just one so they continue to have options should one positive pathway fall through.

A possible selves intervention may have the potential to be used as a tool for helping youth leave gangs. The findings indicate a significant influence and prevalence of gang involvement amongst incarcerated youth, which needs to be acknowledged in any intervention program seeking to target this group. The presence of gangs seems to not only influence involvement in crime in the first place, but on idealising crime during incarceration and continuing involvement in crime post-release. Whether or not a young person returns to a gang obviously has a significant impact on whether that young person will continue to offend. If a youth offender acknowledges gang involvement and *hope* to leave their gang, it could be explored whether implementing a disengagement strategy like James's suggestion which aims to detach a young person from their gang by replacing time spent with the gang with substitute activities such as volunteering, sports and other hobbies is feasible within their community. However, despite the initial success of some disengagement programs, a young person may fall vulnerable to returning to the gang lifestyle should they fail to attain satisfying employment.[233] Furthermore, a young person wanting to leave their gang faces significant difficulties such as threat of violence from members remaining in the gang and from rival gangs' members who may want revenge.[234] In some instances, a young person's community may not offer viable disengagement options or the danger to the gang member attempting to leave is so great that the individual is left with no choice but to physically relocate as Russell suggests.[235] It is acknowledged that a number of difficulties would need to be addressed here including that they are minors, under whose care would they be placed and the costs associated with relocating.

The findings suggest that such an intervention must be comprehensive and consistent in order to have any chance in counteracting the pro-deviant nature of the environment. Russell also suggests that such an intervention should try to identify and focus on youth who genuinely desire to change, '*because at the end of the day, the only time we addicts, as criminals, as gangsters, the only time we change is when we want to change.*' James suggests the need for a one on one approach with each participating individual. This is important as the presence of peers may influence a youth offenders' engagement with the intervention. A young person who genuinely wants to leave their gang may not realistically be honest about this in front of their peers.

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[233] Cooper, A., and Ward, C., 'Intervening with Youth in Gangs' in Ward, C et al (eds) *Youth Violence: Sources and Solutions in South Africa* (2012) UCT Press, Juta and Company Ltd, South Africa.
[234] Ibid.
[235] Young, A., & Gonzalez, V., 'Getting out of Gangs: Gang Intervention and Desistance Strategies' (2013) *National Gang Center Bulletin* (8)

Overall, the attempt of an intervention to assist youth plan for re-entry may be futile in the absence of post-release support mechanisms with both Russell and James advocating the need for this. Suggestions for success in the transition from incarceration to community include post-release mentors with the involvement of the young person's family if appropriate and halfway houses or accommodation options to assist the young person physically break away from negative influences in their communities. From research undertaken in Chapter 4 it was discovered that although there are some reintegration programs in operation through organisations such as NICRO and Khulisa, there is not a great deal of post-release support that focuses specifically on incarcerated youth offenders. The findings of the current research also indicate a lack of organisations focusing on post-release support for youth offenders.

6. 6 Conclusion

This study set out to explore whether possible selves as an intervention had the potential to disrupt criminal pathways and prevent further offending of incarcerated youth offenders through the opportunities it presents to escape the mundane reality of one's day to day life. The risk-factor rife environments South African youth are growing up in, the bleak reality of gang prevalence and the criminalising nature of incarceration are all factors emerging from this study which suggest a greater focus on incarcerated youth offenders particularly in the secondary prevention efforts of post-release transition to community, is needed. Although still a developing body of work, the possible selves studies reviewed do reveal a potential for present and future behavioural change particularly where hoped for selves are balanced by feared selves in the same life domain and feasible strategies are developed to practically obtain and avoid these selves. Therefore both the need for such an intervention and the potential for effectiveness to prevent further offending behaviour exist. However, this study has generated a deeper understanding about a number of considerations that may need to be taken into account in order to make this intervention effective specifically for incarcerated youth offenders.

The findings suggest that such an intervention strategy should be implemented with a consideration of risk factors present in the lives of the youth it seeks to target and an approach which understands the young person as both a victim and an offender in order to identify barriers to law-abiding behaviour and areas in which resilience needs to be developed. Interestingly this study raised that the behaviours of the parental generation in the form of substance abuse, crime and gang involvement, may be one of the more significant risk factors with the past offenders themselves recognising this as having a direct influence on their own offending behaviour.

The nature of possible selves are clearly limited by structural realities with communities, gangs and incarceration having a significant influence on the pro-deviant nature of the possible

selves generated by incarcerated youth offenders with little room for the development of 'pro-social' possible selves as perceived by general society. Goals are driven by gang involvement and a desire to succeed within those gangs given perceptions that conventional or legitimate avenues to achieve goals of wealth, material commodities and better living conditions, are not feasible. Unexpectedly, common societal goals of having a traditional job or attaining formal education are given little prioritisation by the incarcerated youth who exhibit a strategic ability to recognise barriers, re-arrange goals accordingly and focus on avenues presenting more feasible money-making opportunities such as criminal dealings through the gang. For many incarcerated youth, the possible self is ultimately the gang-self and the hierarchy and status symbols this encompasses. Dreams and aspirations synonymous with the rest of societies' exist, but the ways these are hoped to be achieved are not in ways conventional society understands. These findings ultimately challenge pre-conceptions about pro-social behaviour when it is considered that these youth are simply capitalising on what particularly limited resources their communities and circumstances provide them with leaving us with the damning realisation of the realities of possible selves existing in this different normative universe.

The findings suggest that incarcerated youth need assistance in generating non-deviant or positive possible selves, which may exist beyond what they know. In this sense, any future possible self is inextricably connected to the current self. In addition to possible selves being restricted by context, they are restricted by the self. A core aim of the intervention would be then to broaden alternative positive possibilities for youth offenders. However, it would be important that these alternatives are feasible and the youth offender must believe in their possibility in order to have the best chance of impacting behaviour. This is likely to require the development of a resource pool of realistic educational and employment opportunities that the youth could be linked up with post-release.

The findings suggest that CYCCs are becoming more prison like than they may have been in the past both in their physical infrastructure and the prison lifestyle being adopted by the youth inside. The experience of incarceration seems to facilitate criminalisation and violence rather than deter it, which has significant implications for the likeliness of a youth to reoffend and highlights the comprehensiveness required of any intervention strategy, which aims to counteract this.

The limitations of this study were acknowledged from the outset. The engagement with the two participants can only provide a glimpse of insight into the broader and complex world of incarcerated youth offenders and their possible selves. This exploration suggests we are only beginning to engage with this construct and its associated ideas with much more empirical and conceptual work to be done. Further study would benefit from a large sample size of currently incarcerated youth offenders as it is maintained that interventions should be informed by the very

incarcerated youth they seek to target in order to best understand the realities and needs of these individuals.

There does exist potential for a possible selves intervention to interfere with criminal trajectories and prevent further offending by opening youth offenders' minds up to alternative positive pathways, which may not have otherwise been contemplated given the critical finding that possible selves are ultimately constrained by contextual realities and the self. However, the endemic social inequalities, systemic problems and deprivation which exists both prior to and post-release creates hard work for an intervention which needs to be implemented in a way that acknowledges and understands these realities if it is to have any chance of effecting real change in the lives of youth who society has failed.

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APPENDIX A

INTERVIEW SCHEDULE

Exploratory Research with Past Juvenile Offenders in Cape Town

Victim-Offender Duality, Future Trajectories & Offending Amongst Disadvantaged Youth

Note: text in blue will not be stated out loud in interview.

Interview Structure (this does not form part of the interview itself)

1. Introduction including reasons for interview, what will be done with the information, voluntary nature, audio recorded, anonymity and confidentiality etc.
2. Background information including general questions about the participant's background and upbringing.
3. Information about the participants experience with crime and incarceration as a juvenile.
4. Whether past youth offenders can identify factors which may have contributed to their criminal trajectory.
5. Hopes/goals/fears that past youth offenders might have had at the time of incarceration as a juvenile.
6. Intervention - what past youth offenders percieve as most important interventions or support upon release, to help them avoid future offending.
7. Conclusion – The participant is granted an opportunity to provide any further opinions/thoughts on what has been discussed.

1. Introduction

My name is Tess Fernan and I am a graduate student at the University of Cape Town. My research is concerned with addressing recidivism of youth offenders. I am interested in learning more about your upbringing, your experience with crime and incarceration as a juvenile, hopes, goals & fears you may have had at the time, and your view on helpful interventions. In order to effectively address over-representation of disadvantaged youth in crime, I believe that the strategies, policies and processes need to be informed by the youth offenders they seek to target. I am therefore interested in interviewing you as a representative of this group having experience as a past youth offender and incarceration as a juvenile. Please try to be as honest as you can and don't just give me the answer you think I want to hear. The interview is completely voluntary. You can ask me to stop the interview at any time if you would like a break or to discontinue entirely, there will be no consequences. As you have agreed, this interview will be audio-recorded which will be used for transcription purposes. This interview is confidential. However please note that should you disclose evidence of having committed a sexual offence, or an offence against a child, that I am obligated by law to report such offences.

2. Background information/upbringing

This section of the interview aims to explore what your upbringing was like (before Bonnytoun).

How old are you?

What is your home language?

Where did you grow up?

[Poverty/low-socio economic upbringing]

Would you describe the home circumstances you grew up in as well-off, average, poor or very poor?

[Family support]

Did you live with both your parents growing up?

- If no – where was your mother/father?

Can you describe your relationship with your parent/s – was it supportive?

Was there anyone else that you would go to for support - other family members/members of the community etc?

Did you know of any of your family members being involved in crime as you were growing up?

Were any of your family members in prison as you were growing up?

Overall, how much support do you feel you had as you were growing up?

[School environment]

Did you ever witness violence at school?

- If yes - can you describe what kind of violence you witnessed?

Were you ever a victim of violence at school?

- If yes – can you describe what kind of violence this was?

Did you ever participate in violence at school yourself?

- If yes – can you describe what kind of violence was involved?

[Victim of Crime]

How old do you think you were when you first witnessed crime and can you describe what it was?

Growing up, were you ever a victim of crime yourself?

- If yes – can you describe what happened?

Can you describe the overall level of crime in your community as you were growing up?

[Gang Involvement]

While you were growing up – did you ever become involved with a gang?

How old do you think you were and how did you become involved?

3. Crime and Incarceration

This section of the interview aims to explore your experiences with crime and prison as a juvenile.

How old do you think you were when you first did something that would be considered a crime?

- can you describe what type of crime it was?

How old were you when you first went to Bonnytoun?

What crime was this for?

How long you were sentenced to for this crime?

How many times were you released, and how many times did you return?

How long were you inside overall at Bonnytoun?

[This section explores your experience while inside Bonnytoun]

Can you describe what an average day was like inside Bonnytoun?

Did you attend school?

What were the living conditions like such as food, sleeping arrangements and privacy?

Were you involved in any other educational or social programs, if so what were these?

[Victim/offender identity in prison]

Did you ever witness violence inside?

- If yes, what kind of violence was it and who was it between e.g. inmates v inmates / inmates v staff?

Were you ever a victim of violence?

- If yes, what kind of violence was it?

Did you ever participate in violence yourself?

- If yes, what kind of violence was involved?

Were you involved with a gang inside?

- if yes, why did you become involved?

[Impact of juvenile prison]

What impact (both positive and negative) do you think being incarcerated as a juvenile had on you personally?

What influence do you think this experience can have on a young person as to whether or not they will continue or discontinue crime?

[Trajectory post Bonnytoun]

Did you continue or discontinue crime after you left Bonnytoun?

- If continued - Did you spend any further time in prison?

- If yes – how long ago was the last time you were in prison and which institution was it?

This is a yes or no question. Today, are you involved in any criminal activity?

Do you think you are likely to commit further crime in the future and why?

4. Risk Factors

This section of the interview aims to explore whether you think certain life experiences contribute to offending.

In your opinion, what are some of the main factors that you identify as contributing to the offending of the youth offenders that you work with?

Do you think they have self-awareness that these factors may contribute to their offending?

Do you believe that certain factors or experiences in your upbringing influenced your own offending and if so, can you identify them?

5. Hopes/Goals/Fears

This section of the interview aims to explore youth offenders hopes, goals and fears. Try and go back to your mind-set at the time you were in prison as a juvenile.

While you were in prison what main expectations of yourself did you have for your future?

While you were in prison what main hopes do you think you had for your future?

While you were in prison what main fears do you think you had for your future?

Did you have any particular fears about returning to your community upon release?

Focus on transition period

I am going to identify a number of areas in which people often have hopes and goals. Given your experience working with juvenile offenders, realistically how important do you think these goals are for them?

- Education?
- Family relationships?
- Having own family?
- Having a job?
- Having wealth?
- Having good living conditions?
- Neighbourhood?
- Peers?

In your opinion, what do you think are the most important hopes or goals for a young person to have, which could help prevent future offending?

- *E,g. have positive peers, finish school*

Why do you think those certain hopes or goals could help someone avoid further offending?

6. Intervention

This section aims to explore your views on what the most helpful interventions are for youth offenders to deter them from future offending.

[Possible selves focused programs in prison]

Do you see any value in a program that considers the expectations, hopes and fears of juvenile offenders while they are incarcerated, and develops individual strategies to help them achieve and avoid these?

Were you involved in anything like this while you were inside?

I'm interested in the transition from prison to community. What barriers can you think of that would make a program like this unsuccessful – especially once a young person is released?

Can you think of any factors that could make this program more successful once a young person is released?

[Prison → community transition]

Do you have any suggestions on anything else what would assist a juvenile offender during the stage of transition from incarceration to the community?

How much post-release support do you believe there is for juvenile offenders?

Do you think post-release support is important and why?

Can you name any organisations/programs that provide post-release support for juvenile offenders?

What advice would you give to a young person who has become involved in a gang and wants to leave?

7. Conclusion

Is there anything else you would like to add?

APPENDIX B

LLM in Human Rights Law
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INFORMATION SHEET AND CONSENT FORM

Exploratory Research with Past Juvenile Inmates of Bonnytoun

Introduction and Purpose

I invite you to take part in my research study, which is concerned with addressing recidivism of youth offenders. I am interested in interviewing you given your personal experience with incarceration at Bonnytoun and recent work with juvenile offenders. The overarching purpose of this research is to explore whether there are more effective ways of interrupting a juvenile offender's criminal trajectory that are not currently implemented within the existing criminal justice framework. The interview will therefore involve a number of questions aimed at exploring your upbringing, your experience with crime and incarceration, the hopes/goals and fears of juvenile offenders and your views on interventions and strategies. I believe it is important for interventions to be informed by the youth offenders they seek to target. I am therefore interested in your honest opinions as a representative of this group and value your participation.

Voluntary Participation

Participating in this research is voluntary. You are free to decline to answer questions if you do not want to and you may stop the interview for a break or entirely at any point in time.

Procedure

If you agree to participate in my research, I will conduct an interview with you, which I anticipate to run for approximately 1 – 2 hours. I expect to only conduct one interview with you but may follow up with you for clarification.

Recording

With your permission, I will use an audio recording device to record the interview. The purpose of this is to accurately record your responses and will be used for transcription purposes only. Only I will have access to the audio recordings.

Risks/Harm

The main risk of harm to you by participating in this research is psychological as some interview questions may trigger difficult or upsetting memories and experiences. Please understand that you are free to decline any questions you do not feel comfortable answering, you may request a break or you may stop the interview entirely.

Anonymity

I will not record any of your personal details. You will be given a code name, which will be used during the interview, in my thesis and in any other publication. The recordings will be kept for one year to allow for any further research or publication. The recordings will be kept securely on my laptop and will be password protected.

Confidentiality

I will conduct this interview with maximum confidentiality. However, please note that should you disclose evidence of having committed a sexual offence, or an offence against a child, that I am obliged by law to report such offences.

Benefit

It is my belief that the voices of youth offenders (and particularly those who are marginalised) can often be unheard and consequentially, effective strategies may not be incorporated into criminal justice systems. I hope this interview offers you a meaningful opportunity to voice your own experiences and honest opinions about the criminal justice system. It is hoped that the findings of the research may contribute to developing interventions and strategies that better address the real needs of juvenile offenders.

Compensation

There is no compensation or inducement for taking part in this study.

Questions

If you have any questions about this research, please don't hesitate to contact me at frntes002@myuct.co.za or 0799964399.

*'If you have **concerns about the research, its risks and benefits or about your rights as a research participant in this study**, you may contact the Law Faculty Research Ethics Committee Administrator, Ms Lamize Viljoen, at +27 (0) 21 650 3080 or at lamize.viljoen@uct.ac.za.* ***Alternatively, you may write to the Law Faculty Research Ethics Committee Administrator, Room 6.29, Kramer Law Building, Law Faculty, UCT, Private Bag, Rondebosch 7701**.'*

Referral Information:

FAMSA: Free counselling services available at Observatory, Khayelitsha, Mitchells Plain, Elsies River and Dunoon: 021 447 7951.

Lifeline: National Counselling Hotline: 0861 322 322

Consent

If you wish to voluntarily participate in this research and agree to being audio-recorded please sign and date below.

You will be provided a copy of this consent form for your own records.

_____

Participant's Name *(please print)*

_____ _____

Participant's Signature Date