

**THE EXPERIENCES OF DIVERSION WORKERS AND VOLUNTEERS IN THE
IMPLEMENTATION OF THE YOUTH EMPOWERMENT SCHEME (YES) AS A
DIVERSION PROGRAMME IN THE WESTERN CAPE: AN EVALUATIVE STUDY.**

by

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ARNNIC001

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ABSTRACT

The aim of this study is to determine the experiences of NICRO volunteers and diversion workers in the implementation of the YES programme as a diversion option in the Western Cape. This stems from the need to examine the current practice of diversion services in anticipation of the implementation of the Child Justice Bill (Bill 49 of 2002). The implementation of this Bill will have far-reaching repercussions for diversion service providers as it will mean an increase in demand for diversion services and the implementation of minimum standards for such services.

A qualitative, evaluative research design was used for this cross-sectional study. The population of NICRO diversion workers in the Western Cape and a sample of volunteers from each of the NICRO offices in the Western Cape were included in the study. Individual interviews were conducted with the volunteers in their respective towns across the Western Cape using an interview schedule. Two focus group sessions were held with the diversion workers. Audio recordings were made of the interviews with volunteers and of the focus group sessions. The transcripts were then analysed for trends, themes and categories. The results were compiled and conclusions drawn.

Volunteers and diversion workers generally experienced the YES programme as being positive and making a difference to the lives of participants. The volunteers derived personal satisfaction from facilitating programmes and receiving positive feedback from parents and participants alike. They faced a number of challenges, though, when facilitating the programme. Examples of such problems are with diversity of language, culture, age and educational levels within groups and the lack of co-operation of parents and resistant participants. These challenges volunteers faced with the assistance and guidance of the diversion workers and drawing on their own strengths and capacities.

Some of the challenges faced by diversion workers included difficulties in finding suitable venues, recruiting and retaining volunteers, a lack of commitment by some participants and parents, the lack of capacity in volunteers to facilitate groups of a complex composition, their workload and responsibilities as diversion workers, and the extensive geographical areas they serve. The success of their interventions is ultimately dependent on factors such as relationships with various roleplayers, experienced volunteers and accessible venues in some locations.

The motivation for volunteers and diversion workers to continue with services is directly related to the outcome of the impact of their work on participants and parents. Both volunteers and diversion workers see a definite future for the programme as a diversion option.

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CHAPTER ONE: INTRODUCTION TO THE STUDY

1.1 INTRODUCTION

The Child Justice Bill (Bill 49 of 2002) was presented to the South African National Assembly in 2002. The Bill represents the establishment and formalisation of a criminal justice process for young offenders that aims to protect the rights of children as embodied in Section 30 of the Constitution of the Republic of South Africa and other international provisions such as in Articles 37 and 40 of the United Nations (UN) Convention on the Rights of the Child (1990), Article 17 of the African Charter on the Rights and Welfare of the Child (1990), the UN Standard Minimum Rules for the Administration of Juvenile Justice (1985) and the UN Rules for the Protection of Juveniles Deprived of their Liberty (1990). A significant feature of this Bill is that it makes diversion a central part of the criminal justice process. Once the Bill becomes a legislated Act, it will pose major implications for diversion service providers with regard to the numbers referred to programmes, the diversity of programmes needed and the introduction of minimum standards for such services.

While the future for diversion in South Africa can only be speculated about until legislation is introduced, an examination of current diversion services should present a clear idea of what works, doesn't work and the reasons for this state of affairs. This may provide vitally important and enlightening insights as to what direction diversion may need to take. This research aims to explore the experiences of those on the ground in diversion services with regards to the implementation of diversion programmes. It is hoped that this study will assist in shedding some light on the current reality and possibilities for diversion in the future.

1.1.1 Motivation for the research

Diversion forms a vital part of the formalisation of the criminal justice process. Not only does the Bill formalise diversion, it also broadens its definition so that it can be included at any stage of the criminal justice process in various forms. The Bill also introduces minimum standards for all diversion programmes and activities. This presents major challenges to role-players currently involved in offering diversion programmes. Implementation of the Bill will most probably mean an increase in demand for services and, where necessary, bring programmes in line with minimum standards.

The researcher is currently involved in the delivery of diversion services. This has made the researcher aware of the need for the reality of diversion service delivery to be examined in anticipation of the eventual implementation of the Child Justice Bill, albeit most probably in a revised form.

1.2 PRELIMINARY LITERATURE STUDY

The first two studies that evaluated diversion in South Africa were conducted by the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) in 1998 and the follow-up survey in 2000. They were conducted with the purpose of evaluating the effectiveness of the NICRO diversion programmes in preventing re-offending. The South African Young Sex Offenders Project (SAYStOP) (2002) also conducted evaluative research into the long-term impact of its diversion programme for child sex offenders. This was done in response to the concerns raised by both sceptics and supporters of the programme about its effectiveness due to its short duration. The study gauged recidivism rates, assessed the impact of the programme content, and explored the children's experience of attending the diversion programme. Diversion into Music Education (DIME) (2002) also conducted an evaluation to assess the effect of music and mentoring on reintegration and crime prevention (Wood 2003). The above-mentioned studies focused on the effectiveness and successes of programmes. They did not focus on challenges and issues faced by those who had to implement these programmes. It can be debated that consideration of these aspects may have shed some light on the reasons why particular results were obtained from these studies.

In 1999, an evaluation of the cost of the implementation of the Child Justice Bill was done by the Applied Fiscal Research Centre (AFREC). AFREC estimates showed that in a baseline scenario, i.e. the annual baseline of arrest, detention, trial and sentence of children in the present system, about 20% or 27 617 of children who enter the criminal justice system are diverted or sentenced. Of this group, less than 30% or 12 985 children were diverted. The implementation of the Bill in the "roll-out" scenario, i.e. taken at a mid-point in the process of implementation, may see that more than 50% of children (71 901) who allegedly commit offences and enter the criminal justice system would be diverted, receive an alternative sentence or get a residential sentence. In a "full" scenario, the ultimate point of implementation, it is estimated that 85% of these children (61 525) would be diverted (Wood 2003:6). This already reflected serious implications for the ability of diversion service providers to respond to such an eventual increase in numbers and the demand for services.

In the period between April 2003 and March 2004, the National Prosecuting Authority (NPA) on average diverted 1 500 children every month. During this period, NICRO rendered services to 91% of all these children diverted by the National Prosecuting Authority. (NICRO 2004:4). In the period between April 2004 and March 2005, NICRO rendered services to 17 786 children and youth in South Africa. This reflected an increase of 7.8% in comparison to the previous year (NICRO 2005:7). These facts clearly reflect the important role NICRO plays in providing diversion services nationally.

Of the 17 786 young offenders diverted to NICRO programmes, 55.3% or 9 836 were diverted to the Youth Empowerment Scheme (YES) (NICRO 2005:6). The YES programme is an eight-week life skills programme. One session of two hours duration is held weekly for eight weeks. The first and last sessions of the programme are attended by the parents or guardians of the participants. The sessions are facilitated by trained NICRO volunteers. The above information reflects the major role NICRO is playing in diversion. The organisation thus represents an ideal site to research experiences with implementation of diversion programmes and activities, specifically the YES programme.

1.3 RESEARCH AIM AND OBJECTIVES

This study aims to ascertain the experiences of NICRO volunteers and diversion workers in the implementation of the YES programme as a diversion option in the Western Cape. The study does not propose to uncover what the volunteers and diversion workers think about the general impact of the programme or the appropriateness or effectiveness of its content. The focus is rather on the experience regarding implementation of the programme.

The objectives of the study are the following:

1. To review existing literature which inform diversion programmes.
2. To determine what the experiences of the volunteers and diversion workers have been with regards to the implementation of the YES programme and challenges and successes experienced.
3. To ascertain what has motivated volunteers and diversion workers to continue with their work, what would help improve the implementation process and the future they see for the YES programme.
4. To make recommendations regarding improvements to the YES programme and its implementation.

1.4 RESEARCH DESIGN

The research is a qualitative, evaluative study which focuses on the experiences of diversion workers and volunteers of NICRO in the Western Cape. The study is qualitative as it aims to discover "what people think and how they act, and why, in some social setting" (Schutt 2004:278). The focus is on discovering the meaning participants give to events, i.e. YES programmes. (Schutt 2004:278). The research design is cross-sectional since data was collected at a specific point in time (Schutt 2004:166). This was due to time constraints and the availability of human resources. A qualitative study allows for depth in research and enables unique, individual experiences to come to the fore. Schutt (2004:168) indicates that while respondents are not always able to report reliably the frequency and timing of past events, retrospective data obtained concerning "major, persistent experiences in the past" tends to be reliable. The study will also be evaluative in nature as it hopes to determine what has practically worked and not worked in making the YES programme a reality.

1.5. RESEARCH METHODOLOGY

NICRO was used as the site for the research as the organisation has always been a strong proponent of diversion and a pioneer in this field. It has developed diversion programmes of which the Youth Empowerment Scheme (YES) is the most commonly used and promoted one. The Western Cape province has five NICRO offices. Four are situated outside of Cape Town. It has nine diversion workers responsible for the implementation of diversion programmes in their respective areas. Community volunteers are used to present the YES programme to participants. Thus, important role-players in the study are the diversion workers and the community volunteers.

1.5.1 Research questions

The research questions of the study are the following:

1. What have the volunteers and diversion workers experienced with regards to the implementation of the YES programme?
2. What challenges have they faced in the past and currently, and what have been their successes?
3. What motivates them to continue, and what could make their job easier?
4. What future do they see for the YES programme as a diversion option?

1.5.2 Sampling

1.5.2.1 Volunteers

Due to the different numbers of volunteers at each NICRO office, the practical limitations of time, human resources and accessibility, a sample of one volunteer per office should provide valuable insight into the experiences of volunteers in the implementation of diversion programmes. The most experienced volunteer of each office will thus be targeted. Sampling will thus be selective and will be done by the diversion workers of the various offices.

1.5.2.2 Diversion workers

All the diversion workers of the Western Cape will be included in the study. This should be possible as NICRO conducts quarterly provincial meetings where all the staff members of their various offices meet for a week of meetings. An arrangement can thus be made during this period for all the diversion workers to partake in the study.

1.5.3 Method of data collection

1.5.3.1 Volunteers

As the volunteers are a vital component in the implementation of the YES programme, the most experienced volunteer from each office will be interviewed individually using an interview schedule. This will enable the richness of their experiences to be captured. Open-ended questions will mainly be used during this interview to draw out these experiences.

1.5.3.2 Diversion workers

A focus group meeting will be conducted with all the diversion workers during the NICRO provincial week. A focus group presents the most viable means to obtain the broadest picture of what is happening with regards to implementation within a limited time period. It enables the generation of qualitative data about participants' experiences about something specific. It also excludes the possibility of duplication of information that could arise if each diversion worker is interviewed separately. On the other hand, one focus group interview does not allow for controlling of observation effects, an emergency, dominant and demanding participants, or an uncontrollable disruption (Schurink, et. al. 1998:315). The researcher is cognisant of these risks in conducting a once-off focus group session.

In both the focus group and interviews with volunteers, more open-ended questions will be used. This would enable respondents to share their experiences and opinions in their own words and not be limited to what the researcher may wish to hear.

In order to obtain a more comprehensive and deeper picture of the implementation experience, different methods will be used to measure the implementation experience. This is what De Vos (2002:341) terms as “triangulation of measures”. This is where researchers apply multiple measures of the same phenomenon in order to observe and understand all aspects of the phenomenon (De Vos 2002:341). The researcher is applying triangulation of measures by conducting a literature study, conducting individual interviews with volunteers, and conducting a focus group with the diversion workers as methods of collecting data in this study.

The recording of data will occur through the use of a tape recorder to record the focus group and individual interviews. Permission of respondents will first be obtained before this recording medium is used. If a tape recorder cannot be used, the researcher will have to make detailed notes of interviews. This could stifle the flow of the interview and observation processes.

1.5.4 Method of data analysis

The information from the audio tapes will be transcribed and closely examined. Themes and sub-themes and particular observations will be drawn from the transcripts. Quotations will also be used to illustrate the existence of themes or to demonstrate a point. While the results obtained from the study cannot be generalised to what is happening in NICRO on a national level, the representative sample of diversion workers in the Western Cape will increase the validity of the results for the Western Cape.

1.5.5 Ethical Considerations

1.5.5.1 Practitioner-Researcher/Evaluator

Of particular relevance to this study is the awareness and significance of the subjective role of the researcher in qualitative research (Schutt 2004:279) as the researcher in this study is a diversion worker at NICRO. Essentially, the researcher is put in the position of being a practitioner and evaluator of practice simultaneously. Everitt, et. al (1992:132) speaks about

the fundamental role of the "practitioner-evaluator" as that of engaging and facilitating dialogue. This means not only evaluating personal practice, but enabling others also the opportunity for evaluation. Issues with regards to this role is the practitioner-evaluator's ability to be self-critical, to have the confidence to believe that their knowledge is relevant, to let go of long-held ideas and to have the skill to encourage and facilitate debate, analysis and reflection. Furthermore, skills necessary include those facilitating "dialogical evaluation". This is enabled by the understanding that no participant has prior claim to being right and that perceptions are partial and at times, mistaken. The understanding is that evaluation has to do with change and not defence. The result is a relationship between knowledge, action and change that becomes dynamic (Everitt, et. al. 1992:133). It is, thus, clear that the researcher has to be open to self-criticism and also enable this in participants. Here issues of safety and vulnerability become important. Confidentiality is seen as vital in enabling participants to feel safe and promote a reflective process. The researcher's ability to be non-judgemental and accepting will also be important in this regard.

1.5.5.2 Confidentiality

The fact that the researcher is a NICRO worker could impact the research in two ways. Firstly, it could be seen as a blessing in disguise as it may enable co-workers to open up and speak freely as they may feel that the researcher will have a better understanding of what will be said. On the other hand, it may also stifle participants as they may fear that what is said, especially if not favourable towards NICRO, could be communicated to the NICRO leadership. The issue of confidentiality and, especially, clarifying what is to happen with information obtained will need to be addressed with all participants from the start before proceeding with the interviews or focus group session.

1.5.5.3 Anonymity

A focus group does not make provision for its participants to remain anonymous. The diversion workers will know which volunteer from their office is to be interviewed as they are to make arrangements for the volunteer to be interviewed by the researcher. Thus, it will be vital to explain to all participants the format reporting of research results will take in order to promote openness and rapport. The volunteers will be given the option of using their own name or a nom de plum.

1.6 LIMITATIONS OF THE STUDY

1.6.1 Reliability

Due to the position of the researcher as a NICRO diversion worker, issues of credibility and acceptance as a researcher may influence the reliability of the study. The selective sampling of volunteers may also affect the reliability of the study.

1.6.2 Validity

The fact that this is a once-off study will influence the validity of information obtained. No follow-up interviews, for example, will be done due to insufficient time and human resources. Capturing the experience of implementation over a period of time is not possible and the validity of the study is thus compromised to some extent.

1.6.3 Representivity

The research is limited to the experience of implementation in the Western Cape and thus results cannot be generalised to the South African context. All volunteers involved in the YES programme in the Western Cape are not participating in the study due to practical constraints. Capturing the full experience of implementation at a particular point in time is thus not possible.

1.7 DEFINITION OF CONCEPTS

For the purpose of this study, **diversion** is seen as a process in the criminal justice system which is utilised in dealing with mainly juvenile, first-time, petty offenders. It entails diversion from prosecution and involves charges being withdrawn at a pre-trial stage on certain conditions which offenders need to comply with, usually participation in a specified programme or activity.

The specific programme this study focused on is the widely used **Youth Empowerment Scheme (YES)** programme. It is an identifiable and definable juvenile diversion programme with a specific number of sessions and predetermined content per session. This programme is explicitly used as a diversion programme. **Implementation of the YES programmes** refers to all activities, conditions, events and processes before, during and after the programme which enable the programmes to take place. The **experience of implementation** refers to the subjective experience of those involved in making it possible for the YES programme to be presented.

A volunteer is defined as an active NICRO volunteer who facilitates the YES programme in a specific area or community. The **diversion workers** are the paid staff members who are responsible for the setting up and co-ordination of the YES programmes in the respective areas NICRO serves. A **YES participant** is a participant of the YES programme who was referred by a court or other referral agency to attend the programme. The **Western Cape** refers to the geographical province of the Republic of South Africa.

1.8 PRESENTATION OF THE STUDY

This study is presented in the following manner:

- Chapter one is the introduction to the study. It gives an indication of the motive for the study, its aims and objectives, concepts utilised, and a brief description of the research design and methodology. It also mentions the study's limitations and ethical considerations;
- Chapter two provides a review of literature relevant to the study. This includes a background to diversion practice, research conducted and a description of the programme being focused on;
- Chapter three sets out in detail the research design and methodology used, the research process followed, possible sources of error and ethical considerations;
- Chapter four focuses on the results obtained and the analysis of these results; and
- Chapter five provides a brief summary of the results, conclusions reached and recommendations for future practice.

CHAPTER TWO: LITERATURE REVIEW

2.1 INTRODUCTION

One of the distinguishing characteristics of youth justice has been the procedures and processes aimed at avoiding the stigma of the formal adult-style court processes and incarceration through the criminal justice system. This has taken the form of crime prevention (diversion from crime), cautioning (diversion from prosecution) or community corrections (diversion from custody) (Muncie, et al. 2002:255). This chapter focuses on literature regarding diversion in child justice, the general practice of diversion, and related child justice issues. It draws on international and South African literature. Diversion practice in South Africa as done by NICRO is also described. This helps to set the context within which this study took place.

2.2 THE CONCEPT OF DIVERSION

In predominantly Western countries in the 1960s, diversion emerged as a trend in youth justice with a number of initiatives aimed at keeping young people out of court, custody and residential care (Muncie, et al. 2002:255). Muncie (1999:305) describes diversion as youth justice strategies aimed at preventing young people from committing crime or ensuring that they are not subject to formal court action and custody if they are arrested and prosecuted.

In the South African context, Muntingh (1997:7) in a booklet on diversion defines it as "the channelling of *prima facie* cases from the formal criminal justice system on certain conditions to extra-judicial programmes, at the discretion of the prosecution". This definition is reflected in Issue Paper 9 on Juvenile Justice of the South African Law Commission (SALC 1997) and by Sloth-Nielsen (2002:418). Gallinetti, et al (2004:32) indicates that the referral may also have conditions attached or may be unconditional. The referral option can mean attending a course, performing community service or making restitution to the victim. Other diversion options include cautioning, referral for counselling, supervision or an alternative means of dispute resolution (Sloth Nielsen 2002:418; Wood 2003:1).

While a case involving a first-time juvenile offender has to be considered for diversion, diversion is generally not considered in the following circumstances:

- “The child intends to plead not guilty to the charge;
- The right to remain silent is not understood by the child;
- The child has been unduly coerced into accepting responsibility for the crime;
- There is not sufficient evidence to continue to trial;
- The child and parents/guardian have not consented to diversion.” (Gallinetti, et. al. 2004:33)

2.3 THE INTERNATIONAL FRAMEWORK FOR DIVERSION

Various international instruments have directly or indirectly provided the framework within which preferable approaches to children in conflict with the law have been detailed. The following sections of these instruments are of special importance:

2.3.1 United Nations Convention on the Rights and Welfare of the Child (1989)

Article 40

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

United Nations Convention on the Rights and Welfare of the Child

These above-mentioned articles emphasise the importance of making provision for dealing with children in conflict with the law outside the judicial system. The measures used must take into account the child's well-being, circumstances and offence.

2.3.2 African Charter on the Rights and Welfare of the Child (1990)

Article 17: Administration of Juvenile Justice

17.1. Every child accused or found guilty of having infringed penal law shall have the right to special treatment in a manner consistent with the child's sense of dignity and worth and which reinforces the child's respect for human rights and fundamental freedoms of others.

17.3. The essential aim of treatment of every child during the trial and also if found guilty of infringing the penal law shall be his or her reformation, re-integration into his or her family and social rehabilitation.

African Charter on the Rights and Welfare of the Child

Here again the emphasis is on the need to treat the child differently and promote his/her sense of worth and dignity. Of particular significance in this instrument is the focus on the child's obligation to respect the rights and freedoms of others. The focus of treatment is also on changing behaviour and maintaining the links with the child's family and broader social structure.

2.3.3 The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985)

11. Diversion

11.1 Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority...

11.2 The police, the prosecution or other agencies dealing with juvenile cases shall be empowered to dispose of such cases, at their discretion, without recourse to formal hearings, in accordance with the criteria laid down for that purpose in the respective legal system and also in accordance with the principles contained in these rules.

11.3 Any diversion involving referral to appropriate community or other services shall require the consent of the juvenile, or her or his parents or guardian, provided that such decision to refer a case shall be subject to review by a competent authority, upon application.

11.4 In order to facilitate the discretionary disposition of juvenile cases, efforts shall be made to provide for community programmes, such as temporary supervision and guidance, restitution, and compensation of victims.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice

This instrument specifically talks about the need for diversion as a means to deal with cases involving children. The need for standards and principles and the monitoring of the application of these is emphasised due to the discretionary powers certain role-players need to have to fulfil their functions. Again there is emphasis on working with the child in their community context.

2.4 INTERNATIONAL DIVERSION PRACTICE

According to Austin and Krisberg (2002:259), the implementation of diversion in the United States occurred through the addition of new programmes and resources to existing justice systems by criminal justice agencies. These programmes were administered at the pre-trial level and served to divert offenders from the stigma associated with court conviction and incarceration. It was hoped that divertees would be less susceptible to the phenomenon of "secondary deviance", crime would decrease, court congestion and costs would be reduced and prison populations would drop. The assumption was that criminal justice is a closed and linear process in which reduced intervention at the front end would lead to a reduction in more severe forms of intervention, e.g. imprisonment, later in the process. Thus, reducing the net at the points of arrest and prosecution would lead to similar reductions in prison populations. The actual tendency has shown that while diversion may have been implemented with the intention of decreasing the number of youth proceeding through the criminal justice system at the initial stages, it had the opposite effect. Other concerns and issues were also noted (Austin & Krisberg 2002:259).

Problems were identified with the wide discretionary powers of diverse decision makers and agencies which compete and conflict with one another, and diversion programmes becoming a means of extending the net of formal, state control, making the net stronger and creating new nets. These concerns were reflected in trends where diversion was used in cases where the prosecution would otherwise not have been able to or been unwilling to prosecute (Austin & Krisberg 2002:259). These concerns have also been expressed by Muncie (1999:277). Pratt (2002:406) refers to the "administrative discretion" that diversion encouraged in the British youth justice system in the form of pre-court tribunals or other "decision-making committees". These realities have impacted negatively on the success rates of diversion. Court congestion was not necessarily decreased. In fact, the court's jurisdiction increased rather than decreased (Austin & Krisberg 2002:260).

Diversion has also been criticised for not being able to respect the due process rights of those diverted (Austin & Krisberg 2002:260). In response, programme administrators have taken the road of establishing formal contractual agreements with diversion participants. These agreements list conditions of supervision and services, waivers to applicable constitutional rights and formal admission of guilt. The admission of guilt could later be used in court if the divertee failed to comply with the agreed upon conditions. Such agreements thus represented an extension of rules, procedures and policies governing potential clients, both adult and youths, frequently before any determination of guilt is made (Austin & Krisberg 2002:260).

2.5 INTERNATIONAL RESEARCH REGARDING DIVERSION

Austin and Krisberg (2002) did a critical analysis of the intended and unintended consequences of developments and changes in approaches to youth justice and diversion using a number of studies conducted in the United States in the 1970s and early '80s. Their analysis revealed a tendency to draw more, than the intended less, young offenders into the "remit of state intervention". The increasing use of prevention initiatives also had the effect of bringing younger populations under formal control. Development and broadening of alternative community-based options of dealing with young people occurred. Strengthening of nets also occurred as a result of developments in due process, just deserts, decarceration and decriminalisation which resulted in the hardening of attitudes to young offenders (Muncie, et al. 2002:255).

One of the conclusions reached in research commissioned by the British government on cognitive-behavioural, offending-focused groupwork programmes in the late eighties by Vennard, et al. (1997), cited in Austin and Krisberg (2002), was that much was still "to be known about what type of approach works best, under what conditions, types of setting, and with whom". The research findings indicated that cognitive-behavioural programmes were frequently delivered by under-trained staff that hardly paid attention to "programme integrity, risk and need principles, or whether programmes were effective". It also indicated the need for more research on the correlation between risk and level of intervention and what subsequent work could best maintain any progress made during the course of a programme (Smith 2006:85).

Underdown in Smith (2006:85) indicates that few of the many cognitive behavioural programmes in the probation services had been properly evaluated for their effectiveness. A further comment was that unless one came to know in detail how outcomes were produced, it is unlikely that these outcomes could be replicated (Smith 2006:86). Chitty in Smith (2006:85) in reviewing information and knowledge on "what works" produced by 30 studies, came to the conclusion that the evidence produced was mixed and limited. Chitty noted that the results had much to say about implementation, its problems and its impact on outcome rather than the real effects of interventions. A later study conducted by MacMohan and others (2004), cited in Smith (2006), for the British Home Office found that intervention evaluations became problematic as they encountered numerous practical problems in the study. In some cases numbers were too small for any conclusion to be drawn about effectiveness. For example, of those offenders assessed and identified as having basic skills needs, very few actually started and participated in the projects and programmes designed for them and fewer actually completed them (Smith 2006:86).

The conditions under which these groupwork programmes had been implemented may have reduced the chances of success, e.g. a long waiting period before an offender enters a programme, group members were uncomfortable in each other's company or the facilitators were unmotivated. The above research studies show that implementation is always going to be challenging, especially when projects move beyond the pilot phase due to inevitable variations in management competence, offender motivation, staff skill and interest, the quality and accessibility of the programme site, the mix of personalities in the group, etc. One conclusion reached is that ideal implementation may seem to be unattainable (Smith 2006:86). Realistically, youth justice or criminal justice policy in general is not going to be shaped by research only, but it is reasonable to expect that research is going to be one of the factors that is going to influence and inform it (Smith 2006:88). What can thus be learnt

from the above-mentioned is the need to focus on programme implementation rather than on the effects of programme intervention only when researching programme interventions as the former has a definite impact on the latter.

On conducting a meta-analysis of a large number of research studies done on the efficacy of interventions in reducing offending, Lipsey (1992), cited in Haines and Drakeford (1998:200), examined what had worked and not worked effectively with young offenders. The analysis of a sample of over 400 research studies, mainly American, but also Canadian and British studies, showed that of the variables directly related to treatment, it was the type of treatment an individual received that most significantly reduced offending (Haines & Drakeford 1998:200). In terms of both negative and positive effects, it was shown that the more structured and focused treatments, i.e. behavioural or skills-oriented and multimodal interventions, were more effective than those less structured and focused, e.g. counselling interventions. Furthermore, these treatments had clear aims and steps for promoting positive behaviour. Yet, only if they were successfully implemented did they impact significantly on reducing offending behaviour (Haines & Drakeford 1998:201). This is a significant indication that the way in which programmes are implemented impacts on the outcomes they produce.

2.6 A BRIEF BACKGROUND TO CHILD JUSTICE AND THE DEVELOPMENT OF DIVERSION PRACTICE IN SOUTH AFRICA

Historically, that is before the period of democratic change in South Africa, children who were charged with criminal offences were generally treated similarly to adults charged with offending in terms of court proceedings and the criminal justice processes followed. Limited concessions were made in the course of criminal proceedings to allow for the youth and immaturity of children (Sloth-Nielsen 1999:1). Managing youth offending during this period was a difficult task for the following reasons:

- systems dealing with the care and protection of children were fragmented across different ministries, departments and disciplines, and also according to population groupings;
- legislation that made provision for young offenders i.e. Criminal Procedure Act (51 of 1977), Child Care Act (74 of 1983), and the Correctional Services Act (8 of 1959) proved inadequate in enabling an effective and comprehensive manner in addressing youth offending;
- systems dealing with juvenile offending were pathology orientated in that they did not focus on the strengths of young people and their families;

- the role of communities in dealing with offending and other problematic behaviour in children was virtually non-existent;
- more attention was given to statutory intervention than prevention or early intervention; and
- services were minimal or non-existent in rural areas (Steyn 2005:15).

The move towards juvenile justice law reform originated from the concern for the plight of child detainees during the apartheid era in the 1980s and 1990s. Children involved in the struggle for democratic rule and who resisted apartheid were liable to be detained without trial as a means of punishment for their political activism. Hundreds of children were detained without trial, frequently in adult prisons, under the security legislation of the time. Their detention could last for months with their parents frequently not informed of the whereabouts of their children (Sloth Nielsen 1999:1).

During the early 1990s, the political climate changed. The aim of those resisting apartheid had been to achieve basic human rights and franchise for all South Africans. Only after this period and with the changeover to democratic rule in South Africa did the focus change from children as political detainees to obtaining procedural rights for children in the conventional criminal justice system (Sloth-Nielsen 1999:1).

The death of a 13-year old boy, murdered by his cell mates in a police cell in Robertson in October 1992, led to a turning point in the country's youth justice history. It was after this tragic event that the National Working Committee on Children in Detention was formed. Seminars and conferences planned future strategies for dealing with children in conflict with the law. In November 1994, the Juvenile Justice Drafting Consultancy published a document entitled "Juvenile Justice for South Africa: Proposals for Policy and Legislative Change". Proposals dealt with procedures for the arrest, reception and referral of youth at risk. It noticeably also dealt with approaches to diversion and the sentencing of young offenders (Steyn 2005:15).

Other significant events in the early 1990s were the two prominent campaigns held in regard to children in detention. These were the "Release a Child for Christmas Campaign" and the "No Child Should be Caged" initiatives. Subsequently, legislative enactments were made with the aim of managing the pre-trial incarceration of children (Sloth-Nielsen 1999:1). The release of children from prison in 1995 after the first legislative amendment was passed, created a major crisis. Cabinet then formed the Inter-ministerial Committee on Young People

at Risk (IMC) to address this crisis. The IMC was also tasked to investigate practical ways to respond to the crisis in juvenile facilities (Sloth-Nielsen 2000:391).

After conducting their investigations, the IMC eventually released their Interim Policy Recommendations report. The policy recommendations included the first sustained consideration of diversion and gave attention to the broadening of diversion in its policy formulation proposals (Sloth-Nielsen 2000:422; Gallinetti 2004:66). The contribution of these policy recommendations to the development of legislation regarding diversion was threefold. Firstly, it formally documented the low rate of access to existing diversion programmes and the limited opportunities for some children to gain access to diversion. It thus recommended that an effective referral process be instituted. Secondly, it proposed that diversion be provided at a range of levels from simple cautions for lesser offences to more restrictive and intensive programmes for more serious offences. Thirdly, family group conferencing as a diversion was tested in one of the IMC's pilot projects (Sloth-Nielsen 2000:422).

The Interim Policy Recommendations helped to set off other major developments in juvenile law reform. In 1996, the National Crime Prevention Strategy acknowledged diversion as a viable way of dealing with young offenders (Steyn 2005:17). In December 1996, the Minister of Justice appointed a project committee, namely the Juvenile Justice Project Committee of the South African Law Commission, to develop proposals for a juvenile justice statute for South Africa. The project committee, at the time of its appointment, comprised entirely of representatives from NGOs that were involved in earlier campaigns. This was a culmination of the earlier efforts of NGOs to promote the creation of separate legislation for juvenile justice. It also stemmed from the South African ratification of the United Nations Convention on the Rights of the Child of 1989. This required the ratifying country to put together legislation specifically related to juvenile justice (Sloth-Nielsen 1999:4).

In May 1997, the Juvenile Justice Project Committee produced and circulated an Issue Paper entitled "Juvenile Justice". The Issue Paper developed the IMC's Interim Policy Recommendations by means of presenting a series of questions aimed at getting feedback around the way the legislative framework should be structured for diversion. After consultations, submissions were received in response to the Issue Paper. These submissions were integrated into a Discussion Paper (Discussion Paper 79), that was released in December 1998. The Discussion Paper included a draft version of the Child Justice Bill. In this Paper, diversion became a central constituent of the proposed new system with the Discussion Paper putting forward proposals for a more effective referral process (Wood 2003:3). The final report was submitted to the Minister of Justice in August

2000 and a year later it was approved by Cabinet for introduction into Parliament. This occurred in August 2002 when the Bill was introduced as the Child Justice Bill (Bill 49 of 2002). The Bill has since gone through a second phase of reworking by the Portfolio Committee for Justice and Constitutional Development (Steyn 2005:16).

Another major development which occurred parallel to the above-mentioned changes in youth justice before 1994 was the development in 1992 of the diversion of juvenile offenders by NICRO. The Youth Empowerment Scheme (YES) programme was started as a joint effort by NICRO and the Office of the Attorney General to divert young offenders (Van der Sandt & Wessels 1997:18). The first programmes were started in 1992 in KwaZulu-Natal and were known as Young Offenders Programme (YOP). About 900 children went through the programme in the first year of its functioning (Shearar & Graser 2005:157). Diversion programmes have since been extended to all provinces in the country in addition to the development of other diversion options. These are discussed in more detail later (see section 2.10).

Another significant development that created an even greater need for the overhaul of the juvenile justice system was the abolition of corporal punishment as punishment for offenders in 1995. This was as a result of a judgement by the then newly established Constitutional Court in the case of *S. v. Williams and Others* (3)SA 632 CC. In the period preceding this judgement, judicial officers could order strokes with a rod as common penalty in juvenile criminal cases. The abolition of this option led to increasing pressure to find alternative sentencing options for juveniles in conflict with the law (Sloth-Nielsen 1999:2).

Currently, the Criminal Procedure Act 51 of 1977 still applies when dealing with children in conflict with the law. The provisions for those under 18 years of age include the requirements that parents be notified of the arrest of the child, that court proceedings be held in camera, and that sentences passed be different for children and adults (Sloth-Nielsen 2000:389).

It is thus clear that the development of diversion and diversion options occurred at a time in South Africa's history in response to the need for greater respect for and the entrenchment of the rights of children in conflict with the law. This was as a result of the gap left by the abolition of corporal punishment as a sentence for juveniles and the need for a more productive, cost-effective and less punitive means for dealing with juveniles in conflict with the law.

The impetus and skills for innovation in the diversion field have frequently originated in the voluntary and non-governmental sector. According to Sloth-Nielsen (2004:43), government officials have often lacked the capacity to deliver diversionary programmes due to their orientation towards the production of documentation and reports, and an inability to deal with the basics of organising programmes. She further contends that the non-governmental and voluntary sectors are better placed organisationally to offer more creative and less office-bound activities and programmes for children. She contends, though, that the state should play a regulatory role in order to protect children from harmful and exploitative practices (Sloth-Nielsen 2004:43).

2.7 THE LEGAL FRAMEWORK FOR DIVERSION IN SOUTH AFRICA

Since its inception, diversion in South Africa has been practiced without a regulating legal framework. Guidelines for diversion were developed by the Director of Public Prosecutions during the late 1990s to assist district court prosecutors who were required to decide on the referral of cases (Sloth-Nielsen 2002:422). South African criminal law allows the Director of Public Prosecutions to withdraw charges against any accused person conditionally or unconditionally. This authority is delegated to prosecutors at district courts (Wood 2003:2).

The Child Justice Bill (Bill 49 of 2002) makes diversion a core component of the proposed new child justice system. The Bill proposes three levels of diversion ranging from less intensive short programmes to programmes with increasing intensity and duration the more serious the offence. The Bill also makes provision for minimum standards for diversion. It builds in procedural rights protection for children being offered diversion (Skelton 2002:502,503).

The Child Justice Bill (Bill 49 of 2002) reflects the aim of diversion as stated by Muntingh (1997:7). The purpose of diversion in the Bill has not changed in nature as defined by Muntingh and the Bill formalises what diversion is supposed to achieve.

Section 1 of the Bill (Bill 49 of 2002) defines diversion as “diversion of a child away from the formal court procedures to informal procedures...” while Section 43 of the Bill (Bill 49 of 2002) describes the objectives of diversion as follows:

- to encourage the child to be accountable for any harm caused;
- to meet the particular needs of the individual child;

- to promote the reintegration of the child into the family and community;
- to give an opportunity to those harmed to express their views on its impact on them;
- to encourage the child to render to the victim a symbolic benefit or to deliver some object as compensation for the harm caused;
- to encourage reconciliation between the child and the affected person or community;
- to prevent stigmatisation of the child and adverse consequences due to being subject to the criminal justice system; and
- to prevent the child from obtaining a criminal record.

The Bill further provides a set of minimum standards applicable to diversion and diversion options. The minimum standards of particular relevance detailed in Section 45 (3) and (4) are the following:

“(3) Diversion options-

- (a) must promote the dignity and well-being of a child, and the development of his or her sense of self-worth and ability to contribute to society;
- (b) may not be exploitative, harmful or hazardous to a child's physical or mental health;
- (c) must be appropriate to the age and maturity of a child; and
- (d) may not interfere with a child's schooling.

(4) Diversion options must, where reasonably possible-

- (a) impart useful skills;
- (b) include a restorative justice element which aims at healing relationships, including the relationship with the victim;
- (c) include an element which seeks to ensure that the child understands the impact of his or her behaviour on others, including the victims of the offence, and may include compensation or restitution; and
- (d) be presented in a location reasonably accessible to the child, and a child who cannot afford transport in order to attend a selected diversion programme should, as far as is reasonably possible, be provided with the means to do so.” (Child Justice Bill 49 of 2002)

These minimum standards thus compel diversion service providers to provide diversion services that are relevant, effective, accessible and respond to a range of individual needs and different ages. Evaluation of current services and planning for development of current and new services would need to occur, especially where current services are not in line with these standards.

The Probation Services Amendment Act (No. 35 of 2002) makes provision for the following definitions and processes related to diversion:

“Diversion” means diversion from the formal court procedure with or without conditions;

“Diversion programme” means a programme within the context of the family and community-

- a) in respect of a person who is alleged to have committed an offence; and
- b) which is aimed at keeping that person away from the formal court procedure;

“Early Intervention” means the provision of services, **diversion programmes** and other programmes aimed at preventing the need for a person who is alleged to have committed an offence to be dealt with in terms of the formal court procedure;

“Family group conferencing” means a gathering convened by a probation officer as a **diversion** or sentencing option to devise a restorative justice response to the offence

Section 1 (c) of the Probation Services Amendment Act 35 of 2002

The Act seems to view diversion in terms of programmes and not necessarily as activities or processes. This is in contrast to the approach of the Child Justice Bill (49 of 2002) which recognises a much wider range of diversion options, e.g., not just programmes but options such as “orders” intended to prescribe preferred behaviour options such as school attendance, formal cautions, an apology to the victim, payment of compensation, counselling, restitution and community service. This provides for a broader scope and range of options in responding to the individual needs of the child.

2.8 DIVERSION PRACTICE IN SOUTH AFRICA

Sloth-Nielsen (2002) indicates that diversion is considered to be beneficial for a number of reasons:

- “It does away with the stigma attached to being accused of committing a crime as children can be labelled for life from an early age;

- It minimises the possibility for brutalisation that may arise from contact with criminal justice system institutions such as arrest, police detention, the court system, incarceration, etc.
- The child concerned does not obtain a criminal record;
- It enables simpler and faster processing of cases, saves costs and allows for court time and resources to be devoted to more serious offenders;
- It encourages the child to accept responsibility for his/her actions and promotes restitution to the victim or community;
- It aims to impart skills” (Sloth-Nielsen 2002:418,419).

Muntingh (1997:8) further states that diversion helps to identify problems leading to the offending behaviour and provides an opportunity for educational and rehabilitative programmes. Thus, diversion can be seen as being a more effective means of dealing with juvenile offending that has multiple, long-term advantages for the offender, victim, justice system and community in general.

Diversion practice has raised a number of concerns though. For example, it is questionable whether all the criteria mentioned earlier in the discussion on the concept of diversion are duly considered in the diversion process. For example, the police, court personnel or probation services may not have explained to the child concerned their due process rights in a manner which he/she can understand before the child indicates whether he/she is innocent or guilty. There is also no specific mechanism in the process which ascertains whether the child was coerced into accepting responsibility, whether he/she understands the diversion process and its implications or even understands the charges brought against him/her. Coercion can occur when the parent wants the child to accept the diversion in order for the case not to proceed to trial or the child does not see any other way out of the situation. Thus, concerns can be raised as to whether diversion occurs in the best interest of the child and is ultimately beneficial to the child. While diversion may be implemented with the previously mentioned objectives in mind, the actual practice may compromise the intended benefits.

Other problems identified locally with diversion include infringement of due process rights at various levels, such as the right against self-incrimination and that the state proves that an offence occurred beyond reasonable doubt during formal court hearings (Sloth-Nielsen 2002:419). Skelton (2001) makes the point that when children are diverted from the criminal justice system in order to give them a “chance” and to work with them in ways that are

considered to have more impact on them, the children are being removed from a system with specific procedural safeguards, such as rules regarding due process. As diversion entails a measure of risk, professionals working with children who have been diverted need to ensure that possible threats to the rights of these children are managed and contained (Skelton 2001:8).

The diversion decision is usually not subject to judicial scrutiny and has the potential for the child being coerced to admit guilt in order to qualify for diversion (Sloth-Nielsen 2002:419). When a child who has been arrested is assessed by a probation officer, it is not mandatory for the probation officer to explain due process rights to the child and parent. It is the opinion of the researcher that often social workers in the probation field do not have the necessary knowledge to inform the child and parent/s of their legal rights and responsibilities in order for them to make an informed choice about an appropriate course of action. Thus, whatever the probation officer suggests may be accepted without question. However, those who are able to afford legal representation are informed of their rights. Thus, those with financial resources are able to make informed choices regarding their circumstances. This also raises the issue of the need for specialised training for social workers in order to practice effectively and professionally as probation officers in the criminal justice system.

As the power to divert is given to a limited number of professionals who are given wide discretionary authority, it can result in race, class and gender prejudices (Wood 2003:1; Muncie 1999:273,274). There is much reliance on positive working relationships between prosecutors, probation officers and diversion service deliverers in order for cases to be considered for diversion (Skelton 2002:502). This has been the experience of the researcher working in the diversion field. Time has to be spent in fostering positive and constructive working relationships with criminal justice, community and other relevant role-players. Role-players at various courts apply diversion criteria variably. There are disparities with regard to administrative expectations and follow up, but general procedures tend to be similar. These problems with diversion can only be effectively addressed when legislation specifies the tasks and roles of the various actors in the criminal justice field in order to curb the wide discretionary powers of role-players, as evident in current practice. There is, thus, an urgent need for comprehensive child justice legislation to be enacted.

2.9 SOUTH AFRICAN RESEARCH WITH REGARDS TO DIVERSION

In 1998, NICRO conducted a survey study of 640 children from seven provinces who had completed their respective diversion programmes. A return rate of 67% or 428 questionnaires was achieved (Muntingh 1998:10). Of all participants who had responded to the survey, 6.7% of participants had re-offended within the first twelve months after participating in a diversion programme. Most of the respondents indicated that they had experienced positive personal change after participating in a programme, especially in the area of responsible decision-making. They also gave positive feedback regarding the programme itself (Muntingh 1998:40).

In 2000, the same group of 428 respondents from the 1998 study was researched and 76.1% or 356 questionnaires were completed. Even after 24 months, many respondents could remember a good amount of detail and had positive opinions about the programmes. The rate of recidivism had increase from 6.7% in the first twelve months after completing a diversion programme to 9.8% in the second survey (Muntingh 2001: 41).

In 2002, SAYStOP conducted evaluative research into the long-term impact of its diversion programme. This was done in response to the concerns raised from both sceptics and supporters of the programme about the programme's effectiveness due to its short duration. The study gauged recidivism rates, assessed the impact of the programme content, and explored the children's experience of the SAYSTOP diversion programme. DIME also conducted an evaluation to test the effect of music and mentoring on reintegration and crime prevention (Wood 2003:13,14).

Numerous university studies regarding diversion and other aspects of youth justice are worth mentioning. A critical analysis of the NICRO YES programme was conducted by L. Maritz at Rand Afrikaans University and completed in 1999. This study provided guidelines regarding the facilitators of the programme, the social context and potential of young offenders, the content of the programme, its group size, its duration and participation of parent/s and/or guardians, amongst other things. Another study completed by S. Lewis of Rhodes University in 1998 focused on diversion as a means of keeping young people out of prison. One of the recommendations of this study is that diversion programmes be instituted as the basis for the juvenile justice system. M. Gildenhuys in her study on the application of the Child Care Act in the assessment and sentencing of young offenders completed in 2002 at Stellenbosch University emphasises the importance of the proposed child justice system envisaged in the Child Justice Bill (Bill 49 of 2002) as a means of enabling holistic and individualised services

for children in conflict with the law. Since 2000, the focus of studies have been on new sentencing options for youth offenders by E.R. van Rooyen (commenced in 2004) at the University of South Africa, the application and impact of the Bill of Rights in criminal proceedings involving juveniles by B.S. Nkosi (commenced in 2004) at the University of South Africa, and the experiences of youth at the Stepping Stones Youth Justice Centre in Port Elizabeth by N. Potgieter (2005) at the Nelson Mandela Metropolitan University (Nexus Database 2007).

During 1999/2000, a study was conducted by the University of the Free State to identify and describe the range of training needs of persons involved in the management of young offenders in the Free State province. The researchers interviewed social workers and probation officers responsible for managing young offenders. Numerous impediments in the management of these young offenders were identified. Some of these related to diversion practice and included offenders not being diverted when their cases were divertible, the lack of diversion services in many areas due to insufficient resources, and the reluctance of communities to participate in diversion programmes. The need was identified for training on implementation and management of diversion programmes (Steyn & Foster: 2001).

A study of particular relevance to the study of the researcher was conducted in 2004 by Cupido (Cupido, et. al 2005) and focused on the implementation of the YES programme, specifically on problem areas and pitfalls in the implementation process. The study involved the researcher facilitating three YES programmes. The qualitative techniques of participant observation and interviewing were used to gather data (Cupido, et. al 2005:256). The study identified the following problem areas and concerns: the extent the programme had impacted on participants, "miscommunication" between the courts and NICRO staff, poor or irregular attendance by participants who do not suffer the consequences for not completing the programme, non-completion or poor completion of assignments, assignments not being followed up, participant differences in educational levels and languages, time constraints in covering contents of sessions, lack of support and follow-up, uncertainty around court return dates, parents and participants' lack of understanding of procedures followed, unrealistic expectations from parents, attendance of parents, contents of sessions not productively used, and fear of being labelled and stereotyped (Cupido, et. al 2005:257-262).

The above study, whilst also examining the implementation of YES programmes, differed from the current study in the methodology used. It relied on the researcher's own experience as programme facilitator and interviews with one social worker, other YES facilitators, parents and participants. It differed from the current study which drew on the practical and

diverse experiences of volunteers and facilitators across the Western Cape. The study does not focus on the researcher's own experience with YES programmes. The results obtained in Cupido's study (2005) were particular to the specific geographical catchment area of the programme. Yet, these results in the form of the problems and concerns which it raised are of significance as they allow for comparisons with the results of the current study. The fact that Cupido was an outsider involved in the actual presentation of a YES programme meant that she was able to obtain insights into implementation practice on a micro level, which the current study does not provide for.

The above-mentioned studies focused on evaluating the effectiveness and successes of the various diversion programmes and other factors in the criminal justice system. They specifically targeted participants, role-players and parents, and did not focus on challenges and issues faced by those who had to implement diversion programmes. The researcher believes that consideration of aspects with regards to the implementation of programmes, not necessarily only diversion programmes, may shed some light on the reasons certain results were obtained for these studies.

In 1999, an evaluation of the cost for the implementation of the Child Justice Bill was done by the Applied Fiscal Research Centre (AFREC) of the University of Cape Town. AFREC estimates showed that in a baseline scenario, i.e. the annual baseline of arrest, detention, trial and sentence of children in the current system, about 20% or 27 617 of children who enter the criminal justice system are diverted or sentenced. Of this group, less than 30% or 12 985 children were diverted. The implementation of the Bill in the "roll-out" scenario, i.e. taken at a point halfway in the process of implementation, may see that more than 50% of a total of 71 901 children who allegedly commit offences and enter the criminal justice system would be diverted or receive an alternative sentence or a residential sentence. In a "full" scenario, i.e. the ultimate point of implementation, it is estimated that 85% or 61 525 of these children would be diverted (Wood 2003:7). This already showed serious implications regarding the ability of diversion service providers to respond to such numbers and the anticipated increase and demand for services. It also pointed out far-reaching implications for the implementation of the framework proposed in child justice legislation where diversion is a central component and minimum standards will have to be adhered to by all diversion service providers.

In 2001, AFREC recosted the Child Justice Bill where proposed changes, such as the preliminary inquiry, were taken into account. They determined that if the baseline scenario was used and based upon the input costs for 2000, government spending in dealing with

children in conflict with the law was R787 million. The full scenario predicted that the implementation of the justice system as proposed by the Child Justice Bill could be much less at R606 million a year. This suggested a saving of approximately R180 million (over 20%) per year. The roll-out scenario seemed to indicate that even if the new Child Justice system were only fully implemented in metropolitan areas, and to a lesser extent in urban and rural areas, the costs would add up to about R654.7 million, still suggesting a saving of R132 million (AFREC 2001:35).

While expenditure on serving residential sentences would decrease by R157 million (32%) between baseline and full scenarios, expenditure on diversion would increase by about R24 million. Between these two scenarios, there would still be a net saving of about R133 million. About 10 000 fewer children would be sentenced to prison, while about 50 000 more children would be dealt with through diversion or alternate sentencing options. This means that outcomes should be more positive for both the children concerned and for society as a whole (AFREC 2001:36).

A very important point that the study stressed is that the front-end stages of the criminal justice system as proposed by the Bill had to be adequately financed. The overall success of the proposed changes would be determined at these initial stages. Thus, if children were not properly assessed, the preliminary inquiry would not be effective in diverting cases. If diversion was not properly funded and organised, the major inefficiencies which currently exist in the court system, would continue (AFREC 2001:36).

Not only is diversion of central importance, but the wider use of alternative sentencing options also become much more prominent. Both diversion and alternative sentencing substantiates the overall restorative justice aims and focus of the Bill. Furthermore, increased use of diversion and alternative sentencing would bring about significant cost savings due to the decreasing use of residential sentences. Both strategies would allow more effective use of funds in that they would deal with children in conflict with the law at an early stage before they get caught in the cycle of criminality (AFREC 2001:44).

The impact for NICRO as one of the major diversion service providers would be in the way the Department of Social Development finances welfare services provided by non-governmental organisations and thus impact on the financing of diversion services. Currently, provincial departments "purchase" services from organisations by means of lump sum transfers. The change comes in where the Department will contract organisations to supply defined services. This means that the amount and quality of the service, as well as

locality in which it is delivered, will have to be clearly specified and will determine the "price". Thus, the Department will be able to purchase specific services from a range of organisations, possibly also from the private sector, or a range of services from a single organisation. Up to this point, the majority of funding for diversion has mainly gone to NICRO. With the new approach, NICRO cannot be certain of receiving this funding since the Department can purchase diversion services from whoever offers it what it wants at the most competitive rates. While NICRO may have the advantage of being the most experienced service provider in the field, other organisations cannot be stopped from offering probation services such as diversion services (AFREC 2001:73).

Khulisa is another non-governmental organisation providing diversion services as a component of its service delivery. It operates in certain parts of Gauteng, KwaZulu-Natal, Northwest province and the Western Cape. It is primarily concerned with children, unlike NICRO, which focuses on children and adults. Like NICRO, it is relatively well funded. It seems, though, that organisations like Khulisa and NICRO are facing financial constraints. The State, in certain instances, is supposedly finding both NICRO and Khulisa programmes too expensive and are running programmes itself (UYF 2006:47). Thus, if NICRO is to maintain its monopoly as the major diversion service provider, it would need to prove that it can offer effective diversion services at a competitive price to Khulisa, other service providers and to what the State itself can provide.

2.10 NICRO AND DIVERSION

NICRO is widely accepted to be the leader in diversion programmes in South Africa. It is the only national, non-governmental crime prevention service provider. It has made a substantial contribution to the introduction of diversion services in South Africa which has resulted in the widespread acceptance of the practice by the criminal justice system (Muntingh 2004:77).

At the time the research was conducted, NICRO offers the following diversion services:

- **The Youth Empowerment Scheme**

This is a life-skills programme consisting of eight weekly sessions. Parents or a guardian attend the first and last sessions.

- **Pre-trial Community Service**

This service enables the youth offender concerned to serve the community for a recommended number of hours. The young person is placed in a suitable community

service setting, taking into account their skills and where they are needed most. This option is also used in the case of adult offenders.

- **Family Group Conferencing**

The conference involves the offender, victim and their respective families in a process aimed at restoring the imbalance in relationships created by the offence and to prevent re-offending.

- **The Journey Programme**

The Journey Programme is a long-term and intensive programme aimed at young people who are most at risk. They are challenged to enter the long-term process of working towards constructive and independent living.

(Muntingh, et. al. 1997:4; NICRO undated)

In the period from April 2003 to March 2004, NICRO rendered services to 16 534 children while the National Prosecuting Authority (NPA) on average diverted 1 500 children per month. During the above-mentioned period, NICRO rendered services to 91% of all the children diverted by the NPA. This reflects the central and important role NICRO plays in providing diversion services nationally (NICRO 2004:4).

Of the 16 534 young offenders diverted to NICRO programmes in 2003/2004, more than half, i.e. 9 238 or 55.87%, were diverted to the Youth Empowerment Scheme (YES) (NICRO 2004:4). In the subsequent period of April 2004 to March 2005, a total of 17 786 children and young people were diverted. This represents an increase of 7.8% over the previous year. Of the 17 786, 55.3% or 9 836 were diverted to the Youth Empowerment Scheme (YES) (NICRO 2005:6). This provides a clear indication of the central role of the YES programme as the major diversion programme for young offenders.

The Western Cape had the third highest number of cases diverted (15.3%) of the national total (NICRO 2005:7). The YES programme still remains the preferred diversion programme with 55.3% of cases being diverted to this programme (NICRO 2005:6). Of the 3 282 cases that were diverted in the Western Cape, 2 893 involved juvenile offenders and 63% or 1 823 of the juvenile cases were diverted to the YES programme. This was by far the most used diversion option compared to pre-trial community service, which represented 24.1% of juvenile cases diverted (NICRO 2005:49). This information reflects the extent and role NICRO is playing in diversion in the Western Cape. The organisation is an ideal site to research diversion programmes, especially the YES programme.

2.10.1 NICRO, Western Cape

At the time the research was conducted, NICRO had six offices or "service points" in the Western Cape. There are offices in Mitchell's Plain, City Bowl, Atlantis, Worcester, Beaufort West and George. In 2005, nine NICRO staff members were responsible for the delivery of diversion services in the whole of the Western Cape. The breakdown of the various offices and geographical areas covered by staff are as follows:

TABLE 2.1: Number of NICRO diversion workers and the towns they serve

Office/Service Point	No. of Diversion staff members	Towns covered
Atlantis	1	Atlantis, Vredenburg, Saldanha, Hopefield, Malmesbury, Darling, Moorreesburg, Piketberg,
George	1	George, Mossel Bay, Ladismith, Knysna, Calitzdorp, Oudtshoorn
Beaufort West	1	Beaufort West, Prins Albert, Leeu-Gamka
Mitchell's Plain	5	Greater Cape Town area, Stellenbosch, Strand, Somerset West, Wellington, Paarl, Grabouw
Worcester	1	Hermanus, Gansbaai, Caledon, Robertson, Montagu, Ceres, Tulbagh, Worcester, Touws river

Eight of the staff members were qualified social workers and one was a part-time social auxiliary worker at a rural office.

2.10.2 The Youth Empowerment Scheme (YES) Programme

The YES programme is an eight-week life skills programme. Each session lasts two hours and is held once a week for eight weeks. The first and last sessions of the programme are attended by the parents or guardians of the participants. The sessions are facilitated by trained NICRO staff members or volunteers. Sessions usually take place on weekday afternoons after school or on Saturday mornings. The venues used for the programme include church halls, library halls, community halls and school classrooms. All venues are located in communities to ensure accessibility to the participants. Writing materials, handouts, stationery and facilitation material are provided by NICRO. Participants pay a nominal registration fee to cover some of the costs incurred. Those who are unable to pay are not turned away from the programme.

2.10.2.1 The aim of the programme

The overall aim of the YES programme is to prevent children from re-offending, whether the offending is defined by house rules, school rules or laws. It aims to achieve the following:

- To provide participants with skills to enable them to understand themselves, to relate to others and to take responsibility for their actions.
- To provide an opportunity for participants to express their ideas, opinions and feelings in a constructive way.
- To provide participants with skills that will enable them to cope with challenges in their environment.
- To foster communication between participants and their parent/s or guardian/s.
- To encourage self-respect, self-worth and respect for others amongst participants based on a human rights culture.
- To encourage and foster parental responsibility. (NICRO 2000)

2.10.2.2 Overview of the programme

TABLE 2.2: Outline of YES programme taken from “Mapping the future” (NICRO 2000)

Session	Focus	Content	Participants
1	Introduction	Introduction of participants, diversion and programme procedures, participants' expectations, group rules, parent and child interaction, consequences of a criminal record.	Parent/s or guardian/s; youth, diversion co-ordinator
2	Self Concept	Awareness of self-concept, awareness and formation of self image, effects of labelling and stereotypes, how participants see themselves, positive qualities of participants.	Youth
3	Assertiveness	Anger management, conflict management, positive expression of feelings, communication skills, types of behaviour	Youth
4	Decision-making	Importance of decision-making, thought process in decision-making, decision-making skills, responsibilities for own decisions	Youth
5	Children's rights	Examine own rights, rights and responsibilities, rights of victims	Youth
6	Laws and norms	Importance of laws, purpose of laws and norms, personal journey of getting involved in crime, examine punishment and sanctions	Youth
7	Gender, stereotyping and socialisation	Socialisation, gender stereotypes and misconceptions, influence of media on socialisation, challenging stereotypes	Youth
8	Mapping the future	Letters between parent and child regarding future behaviour and apology for wrong done, trust exercise with parent and child, peace-offering to parent, the way forward, being a responsible citizen, affirmations	Parent/s or guardian/s; youth, diversion co-ordinator

2.11 CONCLUSION

This chapter reviewed available literature regarding diversion. It looked at the concept of diversion, the international framework for diversion, what has happened internationally in the practice of diversion and the findings of research studies conducted.

The South African context was also discussed with the focus on the historical development of youth justice and diversion, the legal framework within which it functions, the practice of diversion and research studies conducted. Specific focus fell on NICRO and the YES programme. Implementation practice of the YES programme was explained and an overview of its contents provided.

The development of diversion practice in South Africa needs to be understood within the country's history and the resultant need for a more humane and effective approach in dealing with youth offending. Yet, reviews of practice experiences internationally and locally have raised problems and concerns. While diversion is seen as a means to address youth offending, there are unintended consequences that negatively impacted on youth offending. These are, amongst others, the rights of the child being undermined in practice, difficulties in offenders accessing services, the responsibilities of role-players not being clearly defined, the implementation of programmes and their impact on participants being questioned. While some legal framework exists, it has shown to be inadequate in providing a comprehensive and effective context within which diversion can occur.

The review of international studies have shown that there is a need to understand and take into account the implementation of programmes if one is to understand their impact on participants. There has not been sufficient research conducted taking into account this programme implementation aspect. Local studies reviewed have shown that the implementation of proposed child justice legislation will have far-reaching impact on diversion services and diversion service providers. It may permanently change the manner in which diversion services are financed by the State. The anticipated focus by the State on using diversion programmes that may be more cost effective but still have sufficient positive impact on participants compared to current programmes, will impact on service providers such as NICRO. This means that the positive impact of programmes have to be proven and their suitability as a cost-effective means of addressing offending behaviour demonstrated. Understanding the experience of implementation of the YES programmes should assist in clarifying this impact on programme outcomes and effectiveness.

CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY

3.1 INTRODUCTION

In order to explore the experiences of NICRO diversion workers and volunteers in the implementation of the YES diversion programme in the Western Cape, an appropriate research design and methodology was used – one that would be adequate to obtain the necessary information to reflect their experiences. This chapter details the research design utilised for the study, the methodology applied, the research process and related issues, and challenges which impacted on the study.

3.2 RESEARCH DESIGN

As indicated in chapter one, a qualitative design with an evaluative focus was used in order to gain depth information and allow for the individual and unique experience of each of the participants to come to the fore. The evaluative focus meant that the design needed to enable participants to reflect critically on their experiences and enable free expression of thoughts and opinions.

The study was cross sectional as it only focused on implementation at a specific point in time and not over a period of weeks or months. Lack of human resources and the short period within which the study took place did not allow for a longitudinal perspective.

3.3 RESEARCH METHODOLOGY

3.3.1 Sampling

The population of the study was all staff who was directly involved in the implementation of NICRO's YES programmes in the Western Cape. This target population consisted of two categories or sampling frames namely: (a) community volunteers, and (b) diversion workers.

3.3.1.1 Volunteers

The population of volunteers in the Western Cape is small in number and vary from office to office. Due to the purpose of the research and the limitations of time and human resources,

non-probability and purposive sampling of the volunteer population at each of the five NICRO offices was applied. The diversion worker at each office was requested to identify and recruit their longest-serving volunteer to participate in the research. The actual choice of the participant was left up to the diversion worker after the researcher explained the purpose of the research and the sampling strategy. The participation of these volunteers would help increase the validity of data being collected as it is assumed that the longest serving volunteers would have much experience of facilitating the programme. This would add to their credibility as suitable participants for the study. One volunteer per office would also make the research more manageable and assist in getting a picture of the whole province, thus helping to improve the generalisability of the results.

3.3.1.2 Diversion workers

With regards to the diversion workers, the entire population of diversion workers, excluding the researcher, was targeted. This population, comprising eight diversion workers, is small and accessible. Focus groups with diversion workers could thus be conducted when they attend the provincial staff meetings of NICRO.

3.3.2 Research instruments

The choice of research instruments was determined by the need to gain qualitative data that would reflect the experiences of participants. Semi-structured interview schedules were used for face-to-face individual interviews conducted with the volunteers and focus group sessions with the diversion workers. As most of the volunteers and a few diversion workers were Afrikaans-speaking, both research instruments were drawn up in English and Afrikaans (see appendices A & B).

3.3.2.1 Structure of the interview schedule and process used for individual interviews with volunteers

The interview commenced with the researcher explaining the purpose of the research, inviting the volunteer to participate in the study, and discussing issues of confidentiality, privacy and anonymity. Each volunteer interviewed then signed a consent form (see appendices C & D for the Afrikaans and English versions of the consent form) indicating that they voluntarily agree to participate in the research. Permission was then obtained to record the interview and an opportunity given for participants to ask questions about the research. It was made clear that the aim of the study was not to compare the experience per NICRO office or between worker and volunteer per office, but to focus on the collective experiences

This interview schedule was piloted with an experienced volunteer in Atlantis. According to Strydom and Delpont (2002:337), a pilot study helps to determine whether the relevant data can be obtained from participants. In this instance, the piloting of this research instrument enabled the researcher to determine if there were any difficulties in understanding the questions, if the questions flowed well sequentially, and if the questions asked yielded the information needed (Strydom and Delpont 2002:337).

3.3.2.2 Structure of the instrument and process used for the focus group session with the diversion workers

- The first question requested participants to briefly describe their general experience with the implementation of the YES programme. Participants were given the opportunity to make notes before describing their experience. This afforded participants the opportunity to reflect on their experiences in general.
- The following questions focused on sharing what challenges they had faced in the past, continued to face, and what had worked well in their implementation experience.
- Participants were then requested to indicate what they thought would help facilitate the implementation of the YES programme.
- Participants were then asked to share what had motivated them to continue with the programme implementation and what future they saw for the YES as a diversion programme.
- Finally, participants had the opportunity to make final comments regarding the points raised during the focus group session and anything else not previously raised through the researcher's questioning, but which may be related to their experience of programme implementation. This would enable the capturing of the whole experience of implementation and not limit the responses to areas focused on by the researcher.

The session commenced with the researcher explaining the purpose of the research, discussing issues of confidentiality and privacy, obtaining permission to record the session, and giving participants the opportunity to ask questions about the research. The researcher then worked through the interview schedule, exploring and clarifying points made when necessary.

3.4. THE RESEARCH PROCESS

The researcher is a NICRO staff member and thus already had access to the organisation as a research site. Permission was sought from the NICRO provincial management through a meeting held with the manager of the diversion project. She was given a copy of the research proposal and, in turn, submitted it to the deputy director of NICRO, Western Cape, who granted the permission. The manager's permission was also obtained for a focus group session with diversion workers and also to approach the diversion workers to assist in identifying volunteers for individual interviews.

Staff members were invited in writing to participate in the research (see appendices E & F). These staff members were also given letters inviting the volunteer they would identify to participate in the research (see appendix G & H). The invitations informed the volunteers of the research and its purpose. Subsequent arrangements were then made with the respective diversion workers for the volunteers to be interviewed at the various NICRO offices. The same procedure was used to engage with the diversion workers for their involvement in the focus group.

Three individual interviews were conducted in Afrikaans and two in English. As the researcher is bilingual, this did not pose any problem. The volunteers did not have to travel far to the respective venues for the interviews. They were interviewed at the various NICRO offices with which they were familiar and where they would feel comfortable. One interview was conducted at the private residence of the volunteer as she did not reside in the town where the NICRO office was situated. This did not present an obstacle as the volunteer lived alone and there were no distractions. Due to unforeseen circumstances and there being no diversion staff member for a long period at one specific office, there was a gap between the first and the last interview with the volunteers.

The plan for one focus group session to be conducted with all diversion workers did not materialise due to important business of the Cape Town-based staff members at the pre-arranged date. A focus group was thus conducted in Afrikaans with three diversion workers not from the Cape Town office during the NICRO provincial week. A second focus group consisting of four Cape Town diversion workers was conducted in English a few weeks later. The diversion workers were familiar with each other and this familiarity facilitated interaction and sharing of information. Both focus group sessions were conducted at the NICRO office in Mitchell's Plain.

3.5 DATA CAPTURING AND EDITING

An audio recorder was used to capture the discussion during the individual interviews and the two focus groups. The use of an audio recorder was seen as the most useful means to capture data. Permission to use the audio recorder was sought at the start of each interview and each focus group after the purpose of the recording and how the recording would be used were explained. The implications of its use, especially regarding confidentiality and anonymity, were also explained to the participants. All participants gave their consent for use of the tape recorder. The audio recordings were transcribed by an objective scribe afterwards to enable the researcher to analyse and collate the data. Recordings were not always audible and thus compromised the quality of the data obtained.

3.6 DATA ANALYSIS

Creswell (in De Vos 2002:340) identifies five steps in the process of qualitative data analysis. These are:

1. Collecting and recording data
2. Managing data
3. Reading, memoing
4. Describing, classifying, interpreting
5. Representing, visualising"

According to Creswell, these steps should not be understood as occurring in a linear fashion, but rather as a "data analysis spiral" where the steps move in circles as the researcher works towards the completion of the process (De Vos 2002:340).

After the data was collected and recorded, the data was managed in the following way: The researcher had the data transcribed by an objective party. Sections of the transcripts were then divided and grouped according to the questions responded to in the interview schedules.

The next phase Creswell describes is the reading and memoing phase. Here the researcher examined each of the transcripts of the interviews and focus groups closely. Particular points, comments and experiences were noted. The answers to the various questions of the interview schedules were also read a few times.

In the describing, classifying and interpreting phase of data analysis the researcher identified themes, sub-themes, tendencies and categories in the various sections. The points and remarks previously noted, according to the themes for the volunteers and diversion workers, were also taken into account. These themes, sub-themes and categories were then compared between the two groups of participants. Differences and similarities were highlighted. Unique experiences and quotations, and quotations illustrating themes, were lifted from the transcripts.

According to Creswell's final phase, the data was represented and visualised in line with the two groups interviewed. The results were detailed according to the questions of the interview schedules using categories and subcategories identified for each question, quotations, bulleted points, summarising and analysing data, and using tables to illustrate and compare information.

3.7 POSSIBLE SOURCES OF ERRORS

3.7.1 Representivity

Due to the small size of the target populations, ensuring representivity of the study did not pose a major challenge. Sampling of the volunteer population had to be done, though, due to time and human resources constraints. The fact that one volunteer from each NICRO office in the Western Cape was included helped to increase the representivity of the results. The fact that the whole population of the diversion workers could be targeted reflects a high degree of representivity of the participants responsible for the YES programme.

3.7.2 Validity

According to Black (1993:67), data is valid if the instrument used measures what it is supposed to measure. Thus, the instrument must be logically consistent and deal with all the aspects of the abstract concept to be studied. De Vos (2002:351) refers to this as the "credibility" or "internal validity" of the study. The research instruments used in this study aimed to capture a complete picture of the experiences about the implementation of the YES programme. The validity of the research instruments used was promoted through the use of predominantly open-ended questions, conducting the interviews in the language of the interviewee, sequencing questions to look at the broad experience followed by specific experiences, leaving time for interviewees to add to their own points if these were not

covered, and allowing them to share their opinions on the perceived success or lack thereof of the YES programme.

3.7.3 Reliability

Mouton (1996:144) indicates that the reliability of data collected can be influenced by the characteristics of the researcher and participants, the measuring instruments used, and the circumstances under which the research is conducted. The reliability of the study was promoted through the use of appropriate data collection methods suited to the type of data desired, focusing on both the diversion workers and volunteers who are involved in direct implementation of the YES programmes, using experienced volunteers as participants as their experience would lend them credibility as participants, assuring confidentiality and anonymity as far as possible and inviting participants to participate, i.e., giving participants the choice to refuse to participate. The interviews and focus group sessions were not rushed and took place in a relaxed atmosphere.

3.7.4 Practitioner-Evaluator dilemma

Part of the role of the practitioner-evaluator as indicated in chapter 1 is the facilitation of dialogue where others are afforded the opportunity to participate in evaluation. By implication, participants need to feel safe and know that their opinions are taken seriously. To enable this environment, the researcher reassured participants that she was listening to whatever they had to share, assured them that they were not being evaluated, and structured and used questions in a non-threatening and non-critical manner.

Mouton discusses the role of researcher effects due to perceptions of difference and related distance between the researcher and participants (Mouton 1996:148). With regards to the diversion workers, the researcher was in a favourable position as she had good working relationships with her colleagues. There was, thus, a pre-existing relationship of trust. They were also relatively comfortable in sharing their opinions.

The difference and distance in organisational positions between the researcher as a diversion worker and the volunteers was overcome by being open and honest with regards to the purpose of the research, emphasising the importance of their contribution in creating awareness and possible changes in policy and practice, discussing issues of confidentiality and anonymity, and creating a comfortable atmosphere.

3.7.5 Biased sampling

The sampling of the volunteers was done by the diversion workers. Although the researcher had taken time to explain to each worker the purpose of the study, the sampling criteria and procedure, errors in the sampling may possibly have occurred as the researcher had little control over the actual selection of the volunteers interviewed. The possibility of bias in the selection of volunteers can thus not be ruled out of the process.

3.8 ETHICAL CONSIDERATIONS

3.8.1 Confidentiality

According to Babbie (2001:472), confidentiality implies limiting the access to private information and identities of participants. Those who have access should make a commitment with regard to maintaining confidentiality. Participants were explained how the data collected would be used, who would have access to data, and how results would be written up in the research report before their individual interviews or focus group session commenced.

3.8.2 Privacy

This refers to the right of participants to decide who can have access to which information they reveal or share (Strydom 2002:67). Participants were explained how the data would be processed and analysed, who would have access to which data and to the research report. Once they understood this, they were requested to consent to participate in the study.

3.8.3 Reflexivity

The researcher is an employee of the organisation used as the research site. Thus, her association with this organisation and role as researcher could have led to biased responses by participants (Mouton 1996:149). However, the reason for conducting the research as in fulfilment of a Masters degree and not for the direct purpose of the organisation seemed to help decrease the possibility of biased responses.

The fact that the researcher is also a practitioner in the field could have led to biased interpretation of data. The researcher made deliberate attempts to be cognisant of her own

feelings, attitudes and opinions during the interviews and focus groups so as not to be biased and selective in her listening and questioning, hence the use of an audio recorder. As the researcher was also working with volunteers, she had to maintain an awareness of her impact on each volunteer interviewed.

3.9 LIMITATIONS OF THE STUDY

3.9.1 Cross sectional study

A lack of human resources and time did not allow for the study to be conducted over a longer period of time. A longer study may have enabled the capturing of the experience of more volunteers.

3.9.2 Once-off data collection activities

Interviews with the volunteers and the focus group sessions with the diversion workers only occurred once. No follow-up interviews were conducted with these participants. This prevented the researcher from following-up or obtaining clarification on certain points. A second interview with volunteers may have given them the opportunity to add to points made, add further points or raise issues omitted in the first interview. This would also hold for the focus group sessions with the diversion workers.

3.9.3 Generalisability

According to De Vos (2002:352), the transferability of a study refers to its "external validity" or "generalisability". In qualitative studies this is difficult to ensure, as this is only possible if the theoretical parameters of the original study is stated and used again. While the parameters within which this study was conducted were clearly stated earlier, applying the same parameters in a different setting may be problematic as the context of the settings may be different, i.e., the organisational context or profile of participants. The study was also small, which means that its generalisability is particularly limited.

3.10 DIFFICULTIES ENCOUNTERED DURING THE STUDY

3.10.1 Focus group session

One focus group session with all the diversion workers was planned, but could not take place. This meant that a second focus group session had to be arranged with those who had not participated in the first session. Another date with provision for sufficient time for the session to take place had to be negotiated with participants. A venue also had to be arranged again.

3.10.2 Access to volunteer

Due to the vacancy of a diversion worker post at a NICRO office, the researcher had difficulty accessing a suitable volunteer from the particular area to participate in the study. Access was eventually arranged and resulted in the interview being conducted a while after the interviews with the rest of the participants.

3.11 CONCLUSION

A qualitative research design with an evaluative focus was used in this cross-sectional study. The sampling of the target populations, research instruments used and process followed were described, including the capturing and analysis of the data collected.

Possible sources of error, ethical considerations, limitations and difficulties of the study were identified. While consideration of these factors was taken into account and steps to overcome or manage these factors were taken, they could not be completely alleviated and, thus, the objectivity of the study may have been compromised to some extent. It can also be argued, though, that these factors have given this study its particular character and have enriched its context.

The research process that took place and the resulting amount of data obtained shows that the design utilised was able to extract the required information. This data is described and analysed in the following chapter.

CHAPTER FOUR: RESEARCH FINDINGS AND DISCUSSION

4.1 INTRODUCTION

This chapter sets out the results of the data collected during the individual interviews with volunteers and the focus groups with the diversion workers. Responses of participants are used throughout the chapter to illustrate various points or comments made. The first part of the chapter details the results of data collected from the volunteers, followed by the data collected from the diversion workers. Where relevant, subheadings are used to group data dealing with particular aspects of the subject being dealt with. Where the responses were given in Afrikaans, a free translation is added for the benefit of readers.

4.2 KEY FINDINGS: INDIVIDUAL INTERVIEWS WITH THE VOLUNTEERS

4.2.1 Biographical profile

The following tables provide a breakdown of the biographical details of the volunteers interviewed.

TABLE 4.1: Age categories of volunteer participants	Age category	No. of participants in age category
	26-30	1
	31-35	1
	36-40	2
	41-45	1
		N = 5

All the volunteers interviewed were female.

TABLE 4.2: Number of towns/areas served per volunteer participant	Number of towns/areas served per participant	No. of participants
	1	3
	2	1
	3	1
		N = 5

The volunteer serving the largest number of areas/towns is based in a metropolitan area. It could mean that these areas experience a shortage of volunteers and thus her services are used in these areas also. The volunteers serving one town/area each work in urban and peri-urban settings. The volunteer serving two towns/areas work within a rural context where there may also be a shortage of volunteers and a need for her services to be used in more than one town/area.

TABLE 4.3: Duration of service as a volunteer	Approximate number of years of service	No. of participants
	6	1 (20%)
	5	1 (20%)
	4	1 (20%)
	3	2 (40%)
		N = 5 (100%)

The minimum number of years of service was 3 years for 40% of the volunteers and the maximum 6 years for 20% of the volunteers. The volunteers had a combined total of 18 years experience with an average of 3.6 years.

TABLE 4.4: Number of YES programmes facilitated	Approximate number of YES programmes facilitated	No. of participants
	60	1 (20%)
	20	1 (20%)
	12	1 (20%)
	10	1 (20%)
	6	1 (20%)
		N = 5 (100%)

The number of YES programmes facilitated ranged from a minimum of 6 to a maximum of 60 programmes. The combined total was 108 with an average of 21 programmes per person. There is a significant difference of 54 programmes between the volunteer who facilitated the most and the volunteer who facilitated the least programmes. This had implications for the credibility of the volunteers as the study focuses on their experiences and this skews the level of experience indicator, i.e. the average number of programmes per volunteer.

TABLE 4.5: Service profile of volunteer participants

Volunteer	Number of towns/areas served	Approximate number of years of service	Approximate number of YES programmes facilitated	Approximate number of programmes facilitated per year of service
A	1	4	12	3
B	2	3	6	2
C	1	3	20	6-7
D	1	6	10	1-2
E	3	5	60	12

The volunteer with the longest service, volunteer D, had facilitated the least number of programmes per annum, i.e. 1-2 programmes. The two volunteers with the least number of years of service, i.e. volunteers B and C, had a significant difference in the approximate number of YES programmes they had facilitated per annum, i.e. 2 and 6-7 programmes respectively. Thus, years of service only cannot be used as an indicator of the level of experience of the participants. The volunteer who had facilitated the most number of programmes, volunteer E with 60 programmes, had the second highest number of years of service, served the most towns/areas and had the highest number of programmes facilitated per annum. What needs to be taken into consideration here is that these disparities seem to exist due to the geographical contexts within which the volunteers function. This may also explain the reason for the high number of programmes facilitated by volunteer E who functions in a metropolitan context and serves more than one area. Metropolitan areas had YES programmes running continuously throughout the year. This volunteer was also the only one serving these areas in contrast to volunteer D who worked with four other volunteers in the same area.

4.2.2 General experiences of facilitating YES programmes

Volunteer A indicated that she has not experienced any problems with regards to differences in languages and age groups in the YES programme. There was usually someone to translate if a participant is Xhosa-speaking. Most, though, do understand English. There was no problem with the manual being in English as the volunteer could facilitate in English. The problem was when the participant does not understand and does not participate due to this limitation. In general though, the points made were repeated often to enable all to remember and learn. Age was also not the issue, but rather it was about what was going to be dealt with that day. No matter what the child's age, all were treated equally. There had been one participant who allegedly had foetal alcohol syndrome. She did

not participate, although the volunteer had tried to draw her out. The volunteer felt that this had been an inappropriate referral.

This volunteer's aim was to love the child individually till the programme finished. She grew to love the participants who would become comfortable with her and sometimes come and hug her. She would be sad when they finished the programme. There had been times when the participants strongly expressed their feelings towards the volunteer. This was hurtful, but was addressed by talking calmly to the participants. There had been times when she had been informed of the behaviour of a prospective participant beforehand, but found the participant to be very different in the sessions, e.g. they were very respectful towards volunteer.

Volunteer A strongly felt the need for a religious education component to be added. Otherwise, she believed strongly in the programme and what she had gained from it. Parents gave positive feedback about the change in their children once they had attended the programme, but she felt there was also a need to work with parents. Participants remembered her after completing the programme and were usually quite happy to see her. It was good for her to see those who had attended the programme making a better life for themselves. There were those for whom the programme had not been enough to benefit them. The volunteer felt that in these cases the circumstances of participants played a significant role, especially if they experienced financial difficulties and consequently became involved in criminal acts.

Volunteer B enjoyed working with the participants. She felt that since their home circumstances were not "right", they turned to crime. She had a special "feeling" for them and wanted to give her best to help change their attitude and thinking. Realistically, she felt that not all participants "could be reached". The older participants were easier to work with as the younger ones were too playful and did not pay attention. In addition, if there was only one girl in a group, she wouldn't participate. More than one girl in a group meant better participation.

Volunteer B felt that the two-hour session was too long as participants became unsettled after one hour. Since sessions were after school and it was usually hot in the afternoons, participants usually did not eat when they went home, but would come straight to the sessions. This affected their ability to concentrate. There were others who did not take the programme seriously. They would rather attend soccer practice, for example. In her experience, the eight weeks are too long for participants. She suggested that it be held

during school holidays. Participants who were motivated to attend usually had the support of their parents in comparison to those who did not have this support. They would only attend a few sessions.

Volunteer B found that it helped to have a Xhosa-speaking co-facilitator. The content would then be translated as the session proceeded. The Xhosa-speaking children then had a better understanding of the session and what was required in exercises. Due to the need to translate, the problem then was having to fit the content into the sessions. They overcame this problem by only translating parts which participants did not understand.

Volunteer B also indicated that there had been problems with the venue they used as it was in the centre of town and participants had to walk in the afternoons when it could be very hot. They then found an alternative venue at a school, but even this was not ideal. Eventually, they found their current venue which was centrally situated for participants.

Volunteer C felt that the YES programme was very good since the child usually had a better idea of their identity and what they wanted from life after completing the programme. The programme was thus beneficial to all children. It was important for children to learn the value of mistakes and that lifestyles could be changed. She indicated that from feedback received, children benefited most from conflict management and decision-making. They had gotten involved in crime in the first place due to poor decision-making skills.

This volunteer felt strongly that parents also had to be sentenced with their children and attend a parents' programme. Parents didn't know how to handle their children and frequently did not admit to the part they played in the problems with their children. The volunteers usually discovered a different picture about parents when the children shared how their parents spoke to them at home. There were other parents who were concerned about what would happen to their child as they did not know what to expect from the programme. They were usually relieved their child would not end up in prison.

There were participants from different cultural backgrounds in the groups, but most participants were Afrikaans speaking. According to her, the Xhosa speakers frequently acted as if they were deaf and did not understand what was being said. She would question them about their schooling and found that they should be able to speak and understand English due to the school they attended. The cultural differences had presented problems at times, but usually participants were open about learning about the different cultures. These were used as learning opportunities for the group. There had also been younger participants in

groups. Their presence required of the volunteers to play more games and ice-breakers to keep their focus as they were frequently disruptive.

Volunteer D described her experience as having been a rewarding one. She felt that the work was not suited to everyone and that personal drive was needed. The work could be frustrating, especially when realising what one was up against and when questioning the impact being made. The reward, though, was that she could show participants she knew where they were coming from and could use her own example and personal experiences. There had been a number of changes in social workers co-ordinating the programme. She had to work with them all and each had their own way of doing something.

The educational level of the children was a major problem. Contents of sessions, thus, had to be brought across at an appropriate level. During the sessions, she felt the need was to inform participants that it was not expected of them to be "angels", but just to try and be "good". She found it a good experience to meet participants after a few years and to see that they had stayed out of trouble.

Volunteer E indicated that in her experience one could have the manual and know the contents of each session, but depending on the group being faced, the contents had to be presented with additions and examples relevant to the lives of the participants. Much was not in the manual, but one had to be pro-active and talk the language of the youth. The youth are then surprised when she does speak their "language". As facilitator, one could move away from the contents to some extent, but the message still had to be given.

In summary, the general experiences of the volunteers reflected both the positives and difficulties of facilitating the YES programmes. The positives mentioned included the gratitude of parents and participants, the experience as being rewarding and the impact on participants. Difficulties or challenges mentioned included problems with poor attendance, lack of support from parents, cultural and language differences, the literacy levels of participants and the disparities in ages of group members. These aspects of the experiences of volunteers will be elaborated on, additions made and other aspects described. The information obtained from the general experiences of volunteers enables a snapshot of what is to follow as the results obtained from the interviews are further detailed in the following sections.

4.2.3 Training and preparation of the volunteers

Three volunteers were trained before they started facilitating YES programmes. One volunteer did not attend a formal training course, but had "in-service" training with the diversion worker. The fifth volunteer sat in on a few programmes facilitated by other volunteers before she started to facilitate programmes on her own. She underwent formal training about two years after she started facilitating programmes.

The training programmes seemed to vary in duration from two full days to five "half" days. Most were two or three days in duration. The volunteers remembered some of the content of the training they attended. The training comprised facilitation skills, presentation of sessions and report writing. Their general experience of the training was that it was good, enjoyable, understandable and worthwhile. The volunteers were open to attending further training as they felt it was a way to learn new things and to improve their own skills.

"...there is always something new to learn or new style of presenting something. Otherwise you get stuck...and you have to move with the children. You have to move with what they do."

Volunteer E

One volunteer has attended subsequent training of new volunteers with her diversion worker. On these occasions, this volunteer then gives input on her experience when discussing the presentation of sessions. Another volunteer attended a second training course approximately three years after completing her first training. This training was also with new volunteers and was seen as a refresher course. The in-service training of one volunteer entailed learning from direct observation and facilitating sessions with the diversion worker. She participated in two programmes with the diversion worker before facilitating a programme on her own.

All the volunteers were unanimous in affirming that their training – be it attending the training course or undergoing in-service training - had prepared them sufficiently for their work as YES facilitators. Two volunteers mentioned the anxiety they experienced when they had to facilitate their first programme without the assistance of the diversion worker. They also mentioned the need to translate some of the material from the YES manual into Afrikaans for the participants. They had to make their own notes in Afrikaans in order for them to have a better understanding of the material. One volunteer mentioned that more could be added to the training programme, but could not articulate what the additions should be.

Other preparation that volunteers felt helped them in their role as a YES facilitator varied from person to person. One worked as a volunteer supporter at court for victims of abuse and worked with groups at a church. Another was completing her course as a social auxiliary worker. She also has a qualification as an adult educator. Another used her own experience growing up, attended any courses that local structures such as community organisations and churches were offering, and was also involved in youth work. One volunteer has done studies in psychology and also benefited from her experiences with substance abuse in her family. The last volunteer indicated that her involvement in the local community policing forum and neighbourhood watch assisted her in preparing for her role.

There seems to be no standard training programme for volunteers in NICRO. The training and preparation received differed from volunteer to volunteer in terms of format, content and duration. It seems as if the training that took place was experienced as positive and worthwhile. The fact that one volunteer learnt about facilitation of the YES programme from other volunteers is a cause for concern since it cannot be assumed that those volunteers were modelling the correct approach and behaviour. She had to wait two years before attending a formal training course for volunteers. The general impression gained is that volunteers recognise the importance of training on a continuous basis. The other volunteer who also completed in-service training had the benefit of working directly with the diversion worker for two programmes before starting on her own. Thus, it can be assumed that she was given the correct example to observe and learn from.

All volunteers acknowledged other factors that helped them to function in their role as facilitators. Preparation gained from other sources varied from person to person. This ranged from more formal courses attended, such as a qualification in adult education, drawing on personal experiences to involvement in community structures. This can be considered as positive as it reflects motivation and drive to improve skills and to be more involved in community activities and structures.

Considering the various challenges volunteers had to face, it is questionable whether the training programme alone sufficed in preparing them as facilitators. It seems that one also needs to consider factors such as individual motivation and resilience. One volunteer faced major challenges from the time of her first YES programme in that she had to put in extra work just to help facilitate the difference in language used in the manual to the language being spoken in the group.

4.2.4 Major challenges volunteers experienced

The volunteers mentioned quite a number of challenges they had to overcome or deal with. The challenges mentioned are grouped as follows:

4.2.4.1 Parents

Challenges included the non-cooperation of parents and parents painting a rosy or false picture of home circumstances and the behaviour of their child, even with the child present, while the evidence showed otherwise.

Want kyk, die ouers is ook nie regtig eerlik as hulle kom, as jy vir hulle uitgenooi het vir 'n onderhoud, hier na die kantoor toe...Dan sal hulle net mooi voorbeelde gee van, "Ek leer die kind so en ek leer die kind so. Ek weet nie hoekom het die kind gaan steel nie." Verstaan? Maar hulle sal nie regtig sê, maar daar word dagga gerook in my huis in nie. In die huis in. Dis hoekom die kind ook so rebels is nie. Of daar word drank gedrink, of daar word drank verkoop ook by die huis en so aan.

(You see, the parents are also not completely honest when they come, when one invited them for an interview, here to the office...Then they will only give nice examples such as, "I teach the child this and I teach the child that. I don't know why the child went to steal." Understand? But they won't really say that dagga is being smoked in my house. In the house. That is why the child is so rebellious. Or that there is drinking going on or alcohol being sold at home...)

Volunteer B

The non-attendance of parents at sessions hampered the effectiveness of activities which include both parents and children. This had the effect of decreasing the energy level of the volunteers and volunteers becoming despondent. Parents also usually want their child to be sent away as they are tired of the child and his/her behaviour – hence their idea that the programme should be punitive in nature.

4.2.4.2 Group size

Large group sizes meant less participation and openness from participants who do not talk easily of their personal concerns or circumstances. It also meant an inability to give individual attention to participants.

Maar kyk, dis mos nou 'n groot groep en hulle... Hy sal mos nou nie maklik oopmaak nie, want hulle ken mos nie mekaar nie. Verstaan. Maar as dit 'n kleiner groepie gewees het, dan kon jy miskien so bietjie met hom gewerk het, of met hulle gewerk het laat hulle oopgemaak het.

(But see, it is a big group and they...He won't open up easily since they don't know each other. Understand? But if it had been a smaller group, then one could have worked with him a little, or with them that they could open up a little.)

Volunteer B

En dan is daar kinders wat regtig een tot een nodig het, maar die mannekrag is nie vir een tot een en die tyd is nie vir een tot een nie.

(And then there are children who really need one-on-one, but the human resources available is not for one-on-one and the time is not for one-on-one.)

Volunteer C

Large groups also become more challenging to manage, especially when parents are also present. This meant that the time given to each person to provide feedback, for example, is limited due to time restrictions. The sessions could also not be made longer due to the availability of venues for specific times only every week. On the other hand, too few participants have meant that sessions could not continue.

Daai kind, partykeer dan daag daar net drie kinders op. Verstaan? Of daar daag een op. Dan stuur ek en X hom maar huis toe. Want, wat maak jy nou met een kind. Verstaan? Met een of twee kinders. Die anders daag net nie op nie.

(That child, sometimes only three children turn up. Understand? Or only one turns up. Then Teacher and I send him home. Because, what do you do with one child, understand? With one or two children. The others just do not turn up.)

Volunteer B

"Nee, daar is nie 'n probleem om by die inhoud te hou nie...maar dan is dit die groep moet net nie te groot wees nie. As die groep te groot is, dan kan jy nie altyd by jou tyd hou nie."

(No, there is no problem keeping to the content...the group must then not be too big. If the group is too big, then you cannot always keep to your time.)

Volunteer C

4.2.4.3 Educational and literacy levels

One YES group contained participants with different levels of education. It was common to have participants who were illiterate or had low levels of literacy in one group with high school learners. This frequently meant that material had to be adapted and simplified in order for all participants to benefit from the programme. It became quite challenging to cater for the needs of all the participants if only one volunteer facilitated. If a second volunteer could assist, then the other could give individual attention where needed. One volunteer specifically mentioned that as many participants could not or did not read, they seemed unable to use their imagination. This made certain exercises that required projecting oneself into the future, for example, very difficult to do.

“...the literature I feel should be adapted. It needs really big changes to get down to the children’s level because a lot of those children can’t read or write.”

Volunteer D

4.2.4.4 The venue

Certain venues, such as libraries, do not allow much noise. Volunteers thus had to frequently ask participants to make less noise.

Ons werk in die biblioteeksaal waar die kind nie te veel kan raas nie...en 'n kind.. Jy kan nie vir 'n kind aanmekeer sê bly stil nie. So, die kinders vra ook vir jou; “Juffrou, kan ons nie 'n bietjie uit nie?” Dat jy voel, ja dit kan partykeer te, ..te vas raak vir die kind, nê.

Dis groot genoeg vir die groep, maar jy moet jou mooi gedra daar en 'n kind moet kan kind wees. Die kinders geniet vir hulle, maar dan moet jy so af en toe sê “Moenie so raas nie.”.

(We work in the library hall where the child can't make too much noise...and a child...One can't continuously tell a child to keep quiet. And, the children also ask you: “Miss, can't we go outside a little?” That you feel sometimes it gets too claustrophobic for the child.

It's big enough for the group, but you have to behave yourself well there and a child needs to be a child. The children enjoy themselves, but now and again one has to say: “don't make so much noise.”)

Volunteer C

As venues were also booked for a certain duration of time on a specific day, it was not possible to lengthen sessions to accommodate the needs of participants or parents to talk,

allow all participants in a large group to have their say when sharing or giving feedback, or even for volunteers to do all the activities allocated for specific sessions.

4.2.4.5 Participants

Challenges here included participants who do not appreciate the seriousness of the matter, who do not attend sessions at all or irregularly, and participants who resist being told anything by facilitators or have "bad" attitudes.

They don't want to listen and are having that bad attitude it's actually because of behaviour. Some kids,...it's cool for them to do the things and they come to this programme maybe the friends say to them: "Ag, you are going to serve and be sent to NICRO" and they don't want to co-operate.

Volunteer E

There were also those who had been displaying problem behaviour for a long time. Volunteers found that it becomes a major challenge to help these participants change their mindset and become more positive, and have respect and empathy for the victim.

Maar, umm, dit is, die grootste uitdaging sal ek dink is...daai erge stout kind, daai kind wat basies 'n gewoonte misdadiger geword het ..., om daai kind...se mind te change na positief toe en dat daai kind 'n meer respek het vir die victim...

But, the biggest challenge, I think, is that really naughty child, that child that has basically become a repeat offender...to...change that child's mind to something positive and that, that child has more respect for the victim...

Volunteer C

4.2.4.6 Personal challenges

One volunteer mentioned that with a specific YES group she discovered that she knew most of the parents and their backgrounds. This made her question how effective the programme would be and how they would accept her in assisting the children, as the parents were not examples of positive role models at all.

Toe die een dag toe ons met 'n nuwe groep moet begin, ek was nog nooit so bang soos daai dag nie. Want toe ek die kinders sien wat daar sit en ek sien die ouers saam met die kinders daar sit,...ek ken al daai gesigte, veral die ouers...en dit is ouers wat ander dag met 'n graaf in die pad rond gehardloop het dat die vonke spat...Dan sit jy met daai vrees. Ek het vir X gesê ek dink ek gaan gou huis toe, ek wil nie met die kinders werk nie, ek is te bang. (Coughs) Want... dit wat jy weet van die ouers, dan vra jy vir jouself af,...hoe hanteer jy die kinders, die kinders is seker net soos die ouers. En dit is ouers wat, as daar...dit lyk amper soos een groot vriendekring wat daar sit. Omdat jy al die gesigte ken en jy weet presies waar wie bly en daai tipe goed en nou sit jy daar met daai vrees. Jy het al gesien wat gebeur as een van daai ouers in 'n geveg betrokke raak, waar hy weet hy kan dit nie alleen hanteer nie en dan gaan haal hy die res van sy familie. As ons nou kom by die deel van die program waar jy die kind moet bewus maak van...empatie,...hoe hanteer jy die...Die ouers self het nie eers respek vir die victims nie, hoe gaan jy dan nou hier maak? Ek was regtig bang, ek belowe vir jou.

(So, the one day when we started with a new group, I was never as scared as that day...because when I saw the children that were sitting there and I saw the parents sitting with the children...I knew all the faces, especially the parents...and these are parents who the other day ran around with a spade in the road that sparks flew...then you sit with that fear. I told X I'm going home, I do not want to work with the children, I am too scared. Because...what you know about the parents, then you ask yourself,...how do you handle the children, the children are most likely just like the adults. And these are parents who...it almost looked like one big circle of friends sitting there. Because you know all the faces and you know precisely who lives where and those type of things and now you sit there with this fear. You have already seen what happens when one of those parents get involved in a fight, where he knows he can't handle it alone and then he goes to fetch the rest of his family. When one comes to the part of the programme where one has to make the child aware of...empathy...how do you handle this...The parents themselves do not have respect for the victims, what are you going to do then? I was really scared, I promise you.)

Volunteer C

Two volunteers mentioned the challenge they had in working with children who were not open to change and would go and do other wrong things, even while attending the programme. This frequently led to a sense of failure.

Vryw: Kinders challenge 'n mens...umm...Jy moet maar dapper wees. Party kinders... is maar nou net daar laat hulle vir jou laat verstaan: "Kyk hierso...". En dan gaan hulle en hulle doen weer 'n ding verkeerd...

N: Dan voel jy miskien partykeer jy het, soos hulle sê nie geslaag in jou...?
 Vryw: Jy voel jy het misluk.
 (Vol: *Children will challenge one...umm...One has to be courageous. Some children...will inform you from the start:" Look here..." And then they go and do a wrong thing again.*
 R: *Then you maybe feel sometimes you were not, as they say, successful in your...*
 Vol: *One feels one has failed.*)

Volunteer C

One volunteer also mentioned that she feels challenged when trying to teach something to the YES participants that are so different to their reality. She gave the example of resolving conflict.

" 'How can I walk away?' That is what they tell me. 'How can I turn my back and walk away? He will stab me in the back.' Now what must I say, you know? It is reality. They must stab him in the back and now I am saying turn the other cheek. I have no idea what I am talking about. So I think...that is quite frustrating."

Volunteer D

4.2.4.7 Other practical issues

Two volunteers indicated that there were also those children who did not eat before attending sessions. This led to them tiring quickly and being unable to concentrate for a long time.

Vryw: As jy ook na daai kind se omstandighede loop kyk, dan sien jy nee, maar, dis die omstandighede by die huis wat verhoed dat daai kind daar uitkom, want daar is nie kos by die huis nie, of die ouers is dronk as X daar aankom. Verstaan?
 N: So, sommige van die kinders kom honger?
 Vryw: Hulle kom honger na die program toe.
 N: En dan, net soos jy vroeër gesê het, miskien is dit die rede dan hoekom hulle nie so goed konsentreer nie?
 Vryw: Ja.
 (Vol: *If you go and look at the circumstances of that child, then you see, no, it's the circumstances at home that prevent the child from getting out of there because*

*there is no food at home or the parents are drunk when X gets there.
Understand?)*

R: *So some of the children come hungry?*

Vol: *They come to the programme hungry.*

R *And then, as you mentioned earlier, maybe this is the reason they cannot concentrate so well?*

Vol: *Yes)*

Volunteer B

Children from farm areas frequently had transport problems which led to non-attendance or frequently being late for sessions.

Maar dan die kind wat van die plaas af kom, dit is 'n probleem vir daai kind. As hy in die dorp skool gaan, fine, dan kan hy van die skool af hiema toe kom, dan hoef hy nie op die bus te klim nie. Maar hoe gaan hy huis toe vanaand?...So dit is een van ons grootste probleme. Hoe gaan die kind huis toe?

(But then the child from the farm, it is a problem for that child. If he attends school in town, fine, then he can come here after school, then he doesn't need to get the bus. But, how does he return home this evening?...So, this is one of our biggest problems. How will the child go home?)

Volunteer C

Many of the groups also had participants of different ages. One volunteer mentioned that she experienced the younger participants as playful and unable to concentrate for long periods.

"Hulle kan regtig die program ophou en hulle is spelerig en hulle lag. As jy weer sien, dan gooi hulle mekaar hier met papiertjies of so...

(They can really disrupt the programme. They are playful and laugh. Before you know it, then they are throwing bits of paper at each other...)

Volunteer B

Another volunteer had the problem of the lengthy vacancy of the diversion worker post. This led to pressure from the courts for YES programmes to be offered without the guidance of the social worker.

Ons het 'n tyd lank nie 'n maatskaplike hier gehad nie en... die hof het direk met my 'n klag geplant. Die eerste dag het ek my gat afgeskrik...En dan vra hulle vir jou of hulle die kinders kan stuur. Jy gaan aan met die program. Jy sit daar...jy word 'n bietjie bekommerd ons moet 'n maatskaplike werker kry. Maar gelukkig...deur die vriendekring waarin ek is, daar is darem nou 'n maatskaplike werker daar wat kan help, of 'n dominee of 'n ou as daar 'n probleem is wat jy nie kan hanteer nie...

(We did not have a social worker here for a while...and the court complained directly to me. The first day I got such a fright...And then they ask you if they can send the children. You continue with the programme. You sit there...you get a little worried we need to get a social worker. But fortunately...because of the circle of friends I have, there is a social worker who can help, or a pastor or someone if there is a problem you can't handle...)

Volunteer C

In summary, challenges which the volunteers experienced related to the structure, composition, contents, programme participants and logistics of the programme.

With regard to the structure and composition of groups, the challenges experienced were related to the size of the group, group composition, number of sessions per programme and the duration of sessions. A large group and limited time for feedback and sharing meant that the participants may not have been able to say openly what they wanted to as the group may have been rushed to finish the session. Similarly, if there were different literacy levels and age groups in one YES programme, it meant that certain activities may have been adapted and shortened in order for more time to explain what it is about and giving all participants a chance to finish the exercises at their own pace. These factors thus impacted on how the content of sessions were organised and presented. Similar concerns were raised by Cupido, et.al. (2995:259) as she found that the YES programme does not make provision for differences in educational levels, ages and languages.

This raises the question as to what extent all the participants learnt what they were supposed to learn and how much control and input diversion workers have in determining the modification of contents. None of the volunteers mentioned that they consulted with the diversion workers about how best to bring a message across in a session. The volunteers

have not undergone in-depth professional training enabling them to respond appropriately to these challenges. Their capacity to make the best of all these challenging factors in a YES group is thus quite limited.

Challenges regarding participants were about the level of involvement, their levels of motivation and commitment to attend and to learn about the diversion process. Some parents, for example, did not attend the first and/or last sessions, which affected the young offenders' motivation to attend as they felt there was no support for or interest displayed in them. This apparent lack of parental support could also be due to their lack of understanding the diversion process and the purpose of the YES programme, as one volunteer mentioned. Another consideration may also be that parents fear losing their employment completely or having extra money deducted from their wages or salary due to their absence from work. Cupido, et.al. (2005:260) found that some parents could not get time off work to attend sessions while others made an effort to attend the first session but left earlier. Another close relative would remain for the rest of the session.

Other challenges identified by the volunteers are about logistics. Problems with venues, transport problems and the time when the programmes are presented were considered to be problematic. Again, these aspects of the programme affect the attendance, how well the message is presented and how accessible the programme is to all participants. The absence of a diversion worker for a period of time meant that volunteers had to work on their own without support and guidance. This may have meant that volunteers experienced added pressures which may have affected their performance. Many of the challenges identified are related to the co-ordination of the programme by the diversion worker, which means that they must be informed of the problems encountered in order to identify and utilise alternatives.

Personal challenges experienced related to dealing with resistance, being able to keep a "professional" approach and stance when working with participants and parents known to volunteers, being overwhelmed by what they are up against or trying to change, and dealing with the limitations of the programme. These personal challenges seem to show that the volunteers have a deeper understanding of what their work is about but have difficulty accepting its limitations and their own "powerlessness" to bring about, changes they feel are necessary. There also seems to be issues with regards to keeping a "professional" distance that the role entails and dealing with one's own judgements and stereotyping. None of the volunteers mentioned any type of debriefing activity or session with the diversion worker or as part of a supervision session. Regular debriefing activities may assist volunteers to work

through the impact, especially emotional impact, of these personal challenges and help give a stronger sense of support.

4.2.5 How volunteers coped with these challenges

The manner in which volunteers coped with the many challenges was unique to each individual. One found her religious beliefs a source of strength, tried to keep a correct mental approach and devised practical ways to deal with challenges. For example, she gave individual attention to those who needed it while her co-facilitator continued with the session.

Al sou dit 'n uitdaging wees, ons is twee 'volunteers'...hy is daar en ek gaan besteë my aandag daar...Maar soos ek vir jou sê, daai kindjie wat dit 'n bietjie swaar vat, dan gaan sit ek...ek skyf vir my daar in...ek gaan sit daar. En soos ek sê, ek doen dit op 'n blaaie. "Verstaan jy nou...?"...ek herhaal dit.

(Even if it was a challenge, we are two volunteers...he is there and I can focus my attention there....But as I say, that child who finds it a bit difficult, then I go sit...I make a space for myself...I go sit there. And, as I said, I do it on a page. "Do you understand...?" I repeat it.)

Volunteer A

Another depended on her co-facilitator to help out if she could not handle a situation.

"Daar is van daai kinders wat met daai houding kom van 'Jy sê nie vir my nie'. Jy kry daai kinders. Dit is alles hoe hanteer jy die kind...en as ek self nie die kind, as ek self sien of voel 'Sjoe, ek kan regtig nie. Ek het probeer maar ek kan nie, dan sal ek vir X vra: 'X, help jy maar...'
(Then there are those children that come with that attitude 'Don't you tell me'. You get those children. It's about how you handle the child..and if I can't, if I see or feel 'Sjoe, I really can't. I tried, but I can't, then I'll ask X: 'X, you help...')

Volunteer C

Others also mentioned practical means that they used to address challenges with the diversion worker. These included trying to provide something to eat when possible, following up non-attendance with home visits, requesting role players such as the South African Police Service (SAPS) to assist with transport for children from the farms, adapting contents to match the intellectual level of participants by using drawings, using day to day examples

participants can relate to, telling a story, translating material into Afrikaans and applying disciplinary measures when necessary. Thus the volunteers, with the diversion workers, took steps to address problems as they arose.

En dan nou, soos ek gesê het, die kinders wat honger daar kom. Ons het al nou probeer om broodjies te vat in die middag in. Dan is daar koekies wat ons al partykeer daar gebring en so aan. Maar, soos ek gesê het, die probleem wat ons hier het is bevondsing.

(And then as I said, the children who arrive there hungry. We have tried to take sandwiches in the afternoons. Then there are little cakes we have taken. But, as I said, the problem we have here is funding.)

Volunteer B

Dit help ook nie hulle sit daar en hulle verstaan niks wat jy nou vir 'n uur of wat, wat jy nou oor gepraat het nie. Ek gaan altyd na hulle toe terug en dan verduidelik ek nou vir hulle op 'n ander manier nou: "Ok dit is nou die storie" en so aan...

(It doesn't help that they are sitting there and do not understand what one has been talking about for the past hour. I always go back to them and then I explain to them in a different way: "Ok, this is the story" and so on...)

Volunteer B

Ek is daar besig om te gesels, ook met die kaptein van Sosialemisdaadvoorkoming, waar ek vir hom gaan vra hoe hy vir ons kan help, in terme van vervoer...En dan ook nog venue, nog plek, waar ons dan nog 'n dag met die kinders kan werk.

(I am busy talking to the captain of Social Crime Prevention, where I am going to ask him how he can help us with transport...And then also a venue, more place for us to meet one more day with the children.)

Volunteer C

Vol: Our children are between fourteen and seventeen, but they read on a seven-year-old level, but they don't want to read seven-year-old books. So you've to adapt to their...

R: Adapt the contents.

Vol: Yes, you've to adapt everything.

R: To their intellectual level?

Vol: And a lot of the stuff I do it manually with them, you know, practically. I cut out a lot of writing and put drawing in place of writing a story. Draw the picture, or come and act it out, or tell the story.

Volunteer D

But sometimes we just say "Can you please leave the room". Maybe they will stand outside for a few minutes. Because, if there's anything, we go...do a go-around session. Each one talks and then when it comes to him then...it makes the others now to, to lose the concentration, so now you rather keep him out for a few minutes and so that he can see we are serious. And maybe let him come in again at the end. But, we tell him that "if you are not going to have something positive coming out of your mouth, we are going to remove you, we are going to remove you from the programme.

Volunteer E

The fact that there is co-facilitation of the YES programme made a big difference in what volunteers were able to do to handle problems which arose in the group. In terms of sorting out logistical problems, volunteers depended on the diversion worker and they worked together in resolving such issues. But, volunteers also do certain things on their own, such as adjusting the way content is presented by bringing the content to the level of the participants. One can thus question whether it is the manual itself that is flawed as far as the content is concerned, or if volunteers were adequately trained and skilled to facilitate the activities and present the content. Volunteers also used their own psychological and religious resources in dealing with these challenges. It seems, though, that being supported in one way or another, either through a co-facilitator or the diversion worker, also enabled them to cope with these challenges.

4.2.6 The worst experiences of volunteers

Two volunteers could not recall any negative experiences.

N: Daar is nie iets negatief wat u kan identifiseer as 'n ervaring of iets wat baie negatief vir u was?
Vryw Nee, nie vir my nie.
(R: *There isn't something negative you can identify or an experience or something that was very negative for you?*
Vol: *No, not for me.*)

Volunteer A

Vryw: Ek het nou nog nie op 'n negatiewe ervaring afgekom nie.

(Vol: *I haven't come across a negative experience yet.*)

Volunteer B

One volunteer mentioned one experience where two participants told the group what they had done that led them to be at the YES group. The fact that they laughed and the other participants laughed with them about the incident upset her tremendously.

"...en daar sit ek nou nog met daai...onsteltenis, want hoe kan die kinders...hoe kan hulle dit doen en nou nog met soveel...smaak vertel...en hulle lag en die klas lag oor dit want nou..dit wat hulle gedoen het aan die ou, né. Ek moes...ek moes met myself baklei daai dag om my te gedra...dit was vir my die mees ontstellendste ding gewees."

...and there I was...upset because how can the children...how can they do that and still tell it with so much gusto...and they are laughing and the class is laughing about it...about what they did to the man. I had to...I had to fight with myself that day to behave myself...it was the most upsetting thing for me

Volunteer C

Fortunately, her co-facilitator handled the situation well and used the incident to talk about empathy for victims of crime.

This volunteer also mentioned the fact that parents say one thing in front of the facilitator, but is a different person at home and in the way they treat their children.

Jy vra vir hulle hoe voel hulle oor dat hulle vandag hier is en hulle vertel vir jou die hartseerste van hartseer hoe hulle voel...en...Dan kom jy in die sessie van labelling, waar jy besef, maar toe die ouer daar gesit het... het sy seker maar lekker vergeet hoe sy vir haar gedra. Want daar by die labelling, dan kom dit uit hoe verkeerd die ouers die kinders hanteer, hoe verkeerd die ouers sy kind vra en die verkeerde voorbeeld wat die ouers vir die kind stel, deur hulle argumente voor die kind te hê. En dan hul fisiese gevegte ook voor die kind te hê. Dan sal hulle daai dag daar gesit het en vir jou die vroomste gesig neergesit het. Dit is vir my ook heeltemal ontstellend, want dit is... want dis sulke tyd wat ek voel die hof moet die ouer saam met die kind straf, want die ouer het ook nog parenting skills nodig.

(You ask them how they feel about being there today and they tell you the saddest of sad how they feel...and...Then you come to the session on labelling where you realise, but when the parent sat there...she nicely forgot how she behaves herself...Since there at the labelling it comes out how the parents do not treat the children right, how wrongly the parents ask their child incorrectly and the wrong example they set the child by having their arguments in front of the child. And then, to have their physical fights also in front of the child. Then, they will sit there that day with the most self-righteous of faces. This is very upsetting to me because...it is at times like this that I feel the court should punish the parent with the child because the parent also needs parenting skills.)

Volunteer C

Parents also do not understand what their children is experiencing and are not ready to accept a change in behaviour of the children when they do try to improve. Children would share in the sessions how their parents treated them.

Die kind is uitgevreet vir die inligting wat dan na hom toe kom, maar hy moet terug gaan na 'n huis toe ...wat...nie gereed is om vir hom te ontvang met die nuwe inligting wat hy het nie. Die huis is nie gereed vir dit wat hy wil kom uitleef nie...en...Dit is ook vir my hartseer...Baie van die kinders sal vir jou se ook: "Juffrou ek wil verander, ek gaan verander." En dan kom die kind terug vir die volgende keer, dan sal die kind vir jou vertel wat het gebeur toe hy homself probeer wees in die huis in.

(The child is eager for the information that comes his way, but he has to return to a home ... which...is not ready to receive him with the new information he has. The home is not ready for that which he wants to live by...and...it is also sad for me...Many of the children will also tell you: "Miss, I want to change, I'm going to change." And then the child returns for the next time and will tell you what happened when he tried to be himself at home...)

Volunteer C

Another example given by a volunteer of an experience that upset her was when two participants told her that the one's father was using drugs with them. Another volunteer mentioned the experience she had in one group where the watch of one of the participants went missing. She used this incident as a learning activity for the group.

"How do you handle this whole thing? To me that was difficult and you know it was like I had to handle it right away. If I do or say anything, it could really damage the whole,...I think it was like the third session or the fourth. People were just beginning to bond and...I think that was pretty bad. Fortunately, we found it."

Volunteer D

Another volunteer also mentioned how judgemental others could be towards participants:

But, but for me, its the only the people when you say you are running this programme in the location and people have that in their minds its kids who are criminals and they are surprised when they come and its all school kids!

Volunteer E

Thus, the worst experiences of volunteers are related to direct experiences with participants in the group by trying to maintain a "professional" composure when participants share their experiences or when empathising with them. It also relates to handling potentially harmful events in the sessions that could impact on the way the group functions for the rest of the programme in such a manner that the situation is contained and the whole experience can be turned around to benefit the group. The worst experiences are thus related to volunteers facing unusual and personally challenging situations and drawing on their personal experience, co-facilitator, maturity and skill to handle such experiences. These coping skills they seemed to have used well. Furthermore, the experiences described above indicate the need for debriefing time with diversion workers.

4.2.7 The most positive or best experiences of volunteers

The volunteers were unanimous in indicating that their best experiences were when they received positive feedback from parents or the participants themselves. For example, all of them mentioned being stopped on the street by a parent informing them that their child had returned to school or that the parent-child relationship had improved considerably. Parents were usually grateful for the assistance given.

"Kyk, hulle onthou 'n mens en dan gesels ek met hulle of ek kry die ma buitekant en die ma sê vir my: 'Nee, maar daai kind het sedert daai program was hy nog nooit weer in die moeilikheid gewees nie.' Ek meen, daardie dankbaarheid op daardie ouer se gesig. 'n Mens voel dan ook maar hier het jy nou regtig...jy het iets bereik."

(Look, they remember who you are and then I chat to them or I will get the mother outside and she will tell me 'No, but the child has since that programme not been in trouble again.' You know...that gratitude on the face of that parent. Here one feels one really...one achieved something.)

Volunteer C

One volunteer mentioned that she had experienced participants returning to the programme afterwards just to greet the volunteers and to thank them. One or two returned for the next programme and helped with completing the attendance register and doing other tasks to assist. Some participants also expressed the desire to do the work of the volunteers one day.

Dan is daar van die kinders wat terug kom, daai is ook baie lekker. As hulle terug kom en die kind kom sê vir jou: "Juffrou hoe gaan dit?" en gee vir jou 'n lekker vet druk en 'n soen op die wang, en hy sê vir jou: "Juffrou dit gaan goed met my en dankie dat jy daar gewees het vir my."

(Then there are of those children who return, that is also very nice. If they return and the child comes to tell you: "Miss, how are you?" en gives you a big fat hug and a kiss on the cheek and he tells you: "Miss, it is well with me and thank you that you were there for me.")

Kyk daar is kinders wat eintelik te jonk is om te fasiliteer, maar wat elke week terug kom en kom sit in die program. Ag dan gee jy vir hulle take soos, "deel jy nou vandag die blaaie uit", of "hou jy die bywoningsregister" of, "jy hou die kinders dop en dan as die klas klaar is sê jy vir my wat dink jy van...as jy iets, as jy probleme gesien het, dan sê jy vir my daar" en hulle kan dit vir jou presies vertel. En dit is dinge wat jy voel wat jou net meer aanmoedig, wat jou laat verstaan dat hierdie program kan net nog beter en beter doen. Want daar is kinders wat terug kom en vir jou kom sê: "Juffrou ek is klaar deur die program en ek wil 'n verandering maak in my lewe. So, wat kan ek vir jou doen in die program." of "Ek wil ook eendag dit doen wat jy nou doen."

(Look, there are children who are actually too young to facilitate, but who return every week and come and sit in the programme. Then you give them tasks to do like "today you can hand out the pages", or "keep the attendance register", or "you observe the children and then when the class is finished you tell me what you think about...if you, if you saw problems then you tell

me" and they can tell you exactly. And these are things that just encourage you more, which makes you understand that the programme can only do better and better. Because there are children who return and come and tell you: "Miss, I have gone through the programme and I want to make a change in my life. So, what can I do for you in the programme?" or "I also one day want to do what you are doing.)

Volunteer C

One volunteer mentioned that it was great for her to see boys become young men and make a success of their lives. Others returned to school. Another mentioned that so few of the participants were referred back to the YES programme after they had completed it. This was an indicator to her of the success of the programme.

There was one child that went back to school, during the sessions...So that was quite, quite rewarding just to know that at least...I don't know how far it went from there, but the step was made to go back to school or to try and do something.

Volunteer D

...is die 'outcome' wat ons kry...Soos ek vir jou sê, ons het net drie of vier van al ons groepe, wat weer terug na daardie wêreldjie toe wil gaan.

(...it's the outcome we get...As I've been telling you, we only have three or four of all our groups who want to return to that little world.)

Volunteer A

They are all men now, they are not small boys anymore. So there's a lot of kids who went through and it's so nice when you hear someone say "I went through that...."

Volunteer E

Volunteers' best experiences also included participants sharing with them in sessions how they are genuinely trying to stay out of trouble.

"Juffrou, ek het net gesien, dit is net 'n mens se vriende wat jou so in die moeilikheid laat kom. En toe hy weer nou die dag na my toe kom, toe sê hy ons moet weer gaan speel daar. Toe sê ek vir hom, 'ek gaan dit nie weer doen nie, gaan speel jy maar wat jy wil speel.'" En ek meen

nou...kyk die program is nog nie eers klaar nie en daar beseft die kind, hy beseft alreeds, wat kan misdaad aan 'n mens doen. Dit is vir my baie lekker.

(Miss, I realised, it is only one's friends that will get you into such trouble. And when he came to me the other day so he said we should go and play there again. So I told him 'I am not going to do it again, you go and play what you want to play'." And I mean,...look the programme is not even finished yet and there the child realises, he realises already what crime can do to a person. For me this is very nice.)

Volunteer B

There were examples where participants went the extra mile to attend all sessions and inform volunteers if they could not attend.

En hy het altyd terug na my toe gekom, want so wil hy nie sy program gemis het nie. As hy 'n probleem het, dan sal hy na my toe kom en sê: "Ek sal 'n bietjie laat wees. Ek sal so half-vier sal ek daar aankom. Is dit ooraait?

(And he always returned to me, because he did not want to miss his programme. If he had a problem, then he would come to me and say: "I will be a little late. I will arrive there about four thirty. Is this ok?")

Volunteer B

It was also positive when parents made efforts to enquire if their children attended sessions and how they were behaving. One volunteer indicated that her co-facilitator encouraged her and helped her to grow personally. She also mentioned that the example the diversion worker set for her as volunteer, the way she would assist, make her feel important and go the extra mile for her, made the experience positive and worthwhile.

Dit was baie lekker gewees...en...ek weet nie of ek nog altyd so sterk sou gestaan het sonder X nie. Want reg van die begin af ek is 'n baie...ek is 'n baie humeurige persoon, kort van humeur, ek het al vir jou gesê ek stres baie maklik ook. Dan is X weer hierdie engel, sy sal vir jou sê: "X, nee man, kom ons probeer dit so doen."

(It was very nice...and...I don't know if I would have been standing here so strong without X. Because, since the start, I am a...I am a very moody person, short-tempered, I have told you I get stressed very easily also. The X is this angel again, she will tell me: "X, no man, come we try doing it like this.)

"Want sy is nie net daar vir jou. Dis nie net 'n saak van jy moet nou kom en die program fasiliteer sodat haar werk ligter kan wees nie. Vir haar is jy as persoon baie belangrik. Sy laat vir jou belangrik en goed voel."

(Because she is not just there for you. It's not just a case that you must come and facilitate the programme in order to lighten her workload. You as a person are very important to her. She makes you feel important and good.)

Volunteer C

The best experiences of volunteers thus relate to the positive and meaningful impact of the programme on the participants and parents. What seems to make them the best or the most positive experiences is related to volunteers seeing the fruits of their labour, seeing that their efforts are worthwhile and so enhancing their sense of self-efficacy. Even Cupido (2005:257), in her study, indicated that she had observed that the YES programme had been beneficial to a few participants. Initially, her impression had been to the contrary. While not all volunteers could recall any worst experiences, all of them had no problem recalling their best experiences and the fact that it is not one specific experience, but the type of experience they have. This can be seen as an indication that volunteers generally experience the programme as positive and worth their while.

4.2.8 What would make their job as facilitators easier?

4.2.8.1 Transport

Three volunteers mentioned the issue of transport, both for facilitators and participants-participants from farm areas and for those volunteers working in towns where the summer heat drained their energy. One specifically mentioned that the transport had to be reliable and should be able to handle farm roads. She complained that the car the diversion worker used was unreliable, especially for the long distances travelled. While the diversion worker was not always available, consideration should be given to volunteers driving vehicles of the agency. Presently, this is not permitted by the agency's policy.

Jy moet ver loop om ook by die lokaal uit te kom waar die program aangebied word, verstaan?
En dan as jy ook daar kom, dan voel jy ook maar net so moeg en tam, soos die kinders self.

(One needs to walk far to also get to the venue where the programme is being presented, understand? And if you also get there, then you also feel as tired and lethargic as the children themselves.)

Volunteer B

As daar meer...as daar vervoer is, dan is dit makliker vir daai kind om te kom. Hierdie kar wat NICRO beskikbaar het, is nie voldoende nie. Ons het plaaspaai. Ons kan nie met die kar op die plaaspaai hanteer nie. En dan ook,...X is nie altyd daar nie. Ek verstaan dat NICRO nie hulle vrywilligers toelaat om met die...company kar te gebruik nie, ek verstaan dit, maar dit is hoekom ons met die polisie ook nou moet gaan gesels rondom vervoer.

Die kind...kom laat...omdat hy ver bly en nou het jy alreeds begin met dié wat daar is. Dit gee vir jou...dit ontwig so bietjie jou klas, want daar is dan nou een of twee wat laat kom en jy wil nie he hulle moet daai inligting verloor nie, hulle moet nie uitmis op daai inligting nie. Ek sal dit waardeer as daar vervoer is waar 'n mens op 'n feit vir die kind kan sê: "kyk hier, jy bly in daai omgewing, ons kom haal jou so laat dan staan ons op daai plek, jy kan saam met ons kom"...Dan is daar kinders wat met die plaasvoertuie weer moet terug gaan plaas toe, wat beteken hulle kan nie altyd hulle klas vol sit nie. Nou moet jy...met 'n spoed probeer ook deurgaan, want jy moet daai kind ook probeer in aanmerking neem. Want as die boer gesê het hy kom so laat die kind haal, dan wil jy nie hê die kind moet die volgende keer nie gehaal word nie, so jy wil probeer die kind moet op tyd daar wees vir die vervoer terug huis toe. Want as die kind daai vervoer mis, dan moet die kind hike of hy moet die polisie vra vir vervoer plaas toe. En as die kind met 'n polisie voertuig plaas toe gaan, kan dit 10 uur die aand wees...dit kan 11 uur, 12 uur raak vir die kind...dit is nie dinge wat jy wil hê nie. So, vervoer kan ons werk baie vergemaklik...

(If there's more...if there is transport, then it is easier for that child to come. This car that NICRO has available is not sufficient. We have farm roads. We cannot with the car handle the farm roads. And then also,...X is not always there. I understand that NICRO does not allow their volunteers to ...to use the company car, I understand this, but this is why we now need to go and speak to the police about transport.

The child...comes late..because he stays far and now you have already started with those who are there. It gives you...it disrupts your class a little because there are one or two who arrive late and you don't want them to lose that information, they must not miss out on that information. I will appreciate is if there is transport where one can tell the child for a fact: "look, you stay in that area, we'll come and fetch you that time then we'll stand on that spot, you can come with us...Then there are children who need to return to the farm with the farm transport, which means they cannot always sit for the complete session. Now you must...go through it at a speed because you need to take that child into consideration. Because, if the farmer said he is coming that time to fetch the child, then you don't want the child not to be fetched the next time, so you want to try that the child is going to be on time for his transport home. Because, if the child misses that transport, then the child has to hike or he has to ask the police for

transport home. And if the child goes to the farm with the police vehicle, it can be 10 'o clock the night...it can become 11 'o clock, 12 'o clock for that child...these are not things you want. So, transport can facilitate our work a lot...

Volunteer C

4.2.8.2 Incentives for volunteers

One volunteer mentioned that she questioned whether all her effort was worth her while when there is little personal financial benefit. Such a lot of work went into facilitating, i.e., the preparation, actual facilitation and then doing the administration afterwards. The incentives did not have to be monetary. It was viewed that incentives would help acknowledge the work being done and increase volunteers' motivation.

En ek dink die beloning om te werk in die program... Dit is selfs te warm om iets te kan doen. En soms voel jy maar net; ek kry so min, moet ek regtig in hierdie 38 grade hier op stap? Verstaan? As 'n mens nou eerlik wil wees, het NICRO nou regtig die volunteers vergoed vir die program? Dan het 'n mens nou seker maar meer uit jou pad uit gegaan om die program 'n bietjie beter ook aan te bied. Verstaan? Nou kry jy R20 per dag, R20 'n program, verstaan? En soms moet jy jou werk net so los by die huis om nou die program te gaan aanbied.

(And I think the reward to work in the programme...It is even too hot to do something. And sometimes one feels, I receive so little, must I really walk up here in this 38 degrees? Understand? If one is honest, has NICRO really rewarded the volunteers for the programme? Then one would have made more effort to present the programme a little better. Understand? Now you get R20 a day, R20 a programme, understand? And sometimes you must leave your work at home just like that to go and present the programme.)

Volunteer B

You know, we are not always asking for monetary rewards and on the other hand, it is quite a lot of work. You know, our groups are quite big and then you will sit with a lot of paper work. So, that takes a lot of time. I don't know how you make that less or how you could make it easier. I know we have been trying to change the forms and stuff, but it does take up a lot of your time. It is not just the two hours. It is not just the preparation for the class, it is all the stuff that's afterwards as well.

Volunteer D

4.2.8.3 Contents of sessions

The volunteers mentioned that it would make their job much easier if the YES manual was in Afrikaans. The contents also had to be simplified or adapted to accommodate those who were illiterate and had little or no education.

4.2.8.4 Structure of programme

One volunteer felt strongly that the programme was too long. The programme should either be over a period of four weeks with two sessions a week or changed to a weekend or holiday programme. This she suggested as a means to improve completion rates and maintain the interest of participants. Another volunteer suggested the opposite as she suggested an extra session to enable those who had missed out due to being absent or having to leave early due to transport constraints, to catch up. It could also be an opportunity to get to know the participants on a less formal level. This volunteer further suggested that a follow-up camp be held after every few programmes in order to show the participants that they had not been forgotten and that they were not only there because of what they had done, but that there was real concern for them and that they were important. The camp could be a joint life-skills and nature camp.

Dit sal regtig baie help. En as 'n mens miskien hierdie agt weke regtig kan verkort. Om dit dan...miskien 'n naweek program kon gemaak het, Vrydag tot wat ook al, miskien in die vakansie in. Want, weet daai kind is...of 'n week program in die vakansie in. Dan is alles oor en verby binne 'n week, of binne 'n naweek. Verstaan jy? Nou moet daai kind vir agt weke, moet hy nou so op en af loop. En dit is hoekom baie van hulle val uit hier in die middel van die program.

(It will really help a lot. And if one maybe can really shorten these eight weeks. To maybe...maybe make it a weekend programme, Friday till whenever, maybe during the holidays. Because you know that child is...or a week-long programme during the holidays. Then everything is over and done with within a week, or within a weekend. Do you understand? Now that child must for eight weeks, he must walk up and down. And that is why many of them fall by the wayside here in the middle of the programme.)

Volunteer B

...soos daai kinders wat jy nie altyd kan kry wat hulle nie die hele klas deursit nie. As jy nog 'n dag in die week het kan jy daai groep by bring. Nie net saam met die kind meer...informeel verkeer, nog meer lekker informeel verkeer, waar jy die kind meer selfvertroue kan help bou en vir die kind laat verstaan dat hy kan baie meer vir homself doen, wat tot positief vir homself kan lei.

(...like those children that you cannot always get that they sit through the whole class. If you have another day in the week, then you can bring that group up to date. Not just with the child more...engage informally, engage more informally, where you can help the child build more self-confidence and let the child understand that he can do much more for himself that can lead him to something more positive.

Volunteer C

Ek persoonlik voel na elke agt weke, as ons nou met die groep daai agt weke gestap het.. dat ons 'n naweekkamp vir die kind hou...Daar is plekke wat goedkoop naweekkampe met die kind kan organiseer word...Net dat hulle weet jy het nie vergeet van hulle nie en hulle was nie net by jou gewees omdat hulle iets verkeerd gedoen het nie. Hulle was by jou gewees omdat jy belang gestel het in hulle. Dit is wat ek voel. 'n Kind wil weet hy is belangrik.

(I personally feel after every eight weeks, if we accompanied that group through the eight weeks,...that we must have a weekend camp for the child...There are places where cheap weekend camps with the child can be arranged...Just so they know you have not forgotten them and they were not with you only because they did something wrong. They were with you because you were interested in them. This is what I feel. A child wants to know he is important.

Volunteer C

4.2.8.5 Logistics

Where volunteers facilitated programmes on their own, they expressed the desire for a co-facilitator to assist in running the programme. Yet, another volunteer mentioned that when she had worked with a co-facilitator, the co-facilitator had been unreliable. Thus, better management of co-facilitation and volunteers in general was needed. One volunteer also mentioned the need for more child-friendly venues where noise would not be a problem and more time could be spent with the participants, i.e., going beyond the agreed time would not be a problem. Consideration must also be given to the differences in ages of participants in one group. One volunteer suggested that there be YES programmes for separate age groups and even for different crime categories.

If, if there can be two...if actually you are two in facilitating, the one who's sitting who's not facilitating and running the programme that day. I mean you assess each kid, how they answer and you look – I always said to them – you're always looking the way the kids are sitting and how they react among the group. So, the other one do that while the other one is running the...

facilitating that time, so its good if it's two so that you can even learn more and see when they answer when you are in front and sitting there and they are speaking...

Volunteer E

Want meeste van die tyd moes ek dit alleen gedoen het, want ek dink dit was ook die probleem seker. Nou met die ander dame wat saam met my moes gewerk het, dan kom sy nou nie uit nie, of so. Of ek kan miskien nou nie die Dinsdag 'n uur van die program doen nie, dan maak ek nou staat op haar. En as ek daar kom, dan het sy ook nie opgedaag nie. Verstaan? As 'n mens miskien net daai kwessie kan aanspreek in die toekoms, dat die fasiliteerders regtig... As julle twee is, dan moet julle twee bly. Verstaan. As 'n mens mekaar so kan vertrou, want...So kan ek dit nie maak daai week nie, dat daai persoon regtig daar gaan wees...

(Because most of the time I had to do it alone, because I think this was maybe also the problem. Now, with the other lady who had to work with me, then she does not come. Or I maybe cannot do an hour of the programme on Tuesday, then I depend on her. And when I arrive there, then she also did not turn up. Understand? If one can maybe just address that issue in the future, that the facilitators really...If you are two, then you must remain two. Understand? If one can trust each other like that, because..I cannot make it that week, that that person is really going to be there...

Volunteer B

Die biblioteek is nice, dis lekker en ons is regtig welkom daar, maar...'n plek wat kinder-vriendelik is, is meer kinder vriendelik vir die kinders,...spandeer jy meer tyd met die kind sal ook baie lekker wees.

(The library is nice, it's enjoyable and we are really welcome there, but...a venue that is child-friendly, is more child-friendly for the children,...you can spend more time with the child will also be very nice.)

Volunteer C

In terms of what would make their work as facilitators easier, most of the suggestions centred on logistics and structure of the programme, and organisational policy. Thus, there would be implications for the diversion worker to work more on co-ordination of services, such as organising co-facilitators and better venues. Organisational policy around management of volunteers and programme management will need revision. Addressing these suggestions meant that decision-making was not in the hands of the volunteers or co-ordinators only. It would entail, amongst others, an evaluation of the programme regarding its impact and suitability in its current format before programme adjustments can be made.

Thus, buy-in from management and policymakers was necessary as changes would be far-reaching and long term.

4.2.9 If given a choice to continue or end role as facilitator...

All volunteers indicated that they would continue working as facilitators if given the choice to stay or go. Only serious illness would stop one volunteer while another indicated that even if she became employed, she would make a plan to fit her volunteer work into her work schedule. Others indicated that they saw the positives of the programme and felt they could still learn from the participants. One volunteer indicated that she would continue, but a break between programmes was necessary. Life circumstances could also change, limiting the commitment that may be necessary. The commitment to continue was evident in that the volunteer was from the same area as the participants and saw the need to continue her work to make a difference. She also saw the work as a motivation to continue her own studies.

My keuse is om aan te gaan. As dit beëindig word, dan sal dit net deur siekte wees, siekte toestand.

(My choice is to continue. If it comes to an end, it will only be due to illness, ill health.)

Volunteer A

Ek sou voort gegaan het...as fasiliteerder...As ek nou nie die betrekking nou gekry het nie, dan sou ek definitief voortgegaan het met dit...Ek geniet dit. Ek geniet dit net om met hulle te kan leer.

(I would have continued...as facilitator...If I had not gotten this post, then I would definitely have continued with this...I enjoy it. I enjoy just being able to learn with them.)

Volunteer B

Ek sal dit vir 'n siel nou beëindig nie...umm. Die program het soveel positief om vir die gemeenskap se kinders te gee, dat...daar is nie eers 'n moontlikheid om te dink aan los nie. Daar is nie eers, daar is nie eers 'n keuse nie.

(I would not end it for any soul...umm. The programme has so much that is positive to give the children in the community, that...there is not even the possibility to think about leaving. There is not even, there is not even a choice.)

Volunteer C

It is a good question.(laughs) I think, once again, you would have to ask yourself why you started. There is... and also I think there comes a time when you need a break. When you need to... like you do a session and then you've a quarter or two months break and then you do the next session again. I think that is very important. And then also to give yourself that boost again, you know. That is very important. And I think in your personal life things happen, there comes a time when you feel, ok now you really must lay-off.

But, again, I enjoy every class...But it also depends on your lifestyle. How things change in your life and, you know, whatever, because I really don't want to...say that I am going to do something and I can't commit back to it. Then, I rather feel if it is not going to work out. It is not fair to the kids. I can't get frustrated and there are ten other things that I am supposed to be doing and then...you know.

For me it would be wanting to work with children um..and because I am from X. You know, wanting to try to make a difference if even in one or two children's lives. And because I understand the circumstances that they come from. Also, I think personally, because I want to further my studies in psychology, umm particularly child psychology. So, I think, that has got a big influence there. And because I can relate to the backgrounds of many of the children, so that as well.

Volunteer D

I'd try to continue. No, I won't be happy...if you can change the mindset. So, I enjoy motivating, I enjoy talking to youth...

Volunteer E

Despite all the challenges previously identified, all volunteers made a conscious choice to continue with their role of facilitator. Thus, their motivation to continue seems to be deeply rooted and helps them to maintain their commitment to their work despite adversity.

4.2.10 If given a choice to continue the YES programmes or end it all together...

All the volunteers indicated that they would not end the YES programmes, but continue with it. All considered it as an opportunity for participants to learn something and to change their behaviour, especially since, as one indicated, this learning was not occurring at home. There were also too many other problems with crime in the communities and no other opportunity for this type of learning. This was thus a vital learning opportunity.

One volunteer specified that the programme should continue, but with the changes she suggested. Another suggested that the programme should really start at an earlier age as a prevention measure and to detect problems that may predispose a child to behaviour difficulties and crime, such as learning difficulties. She also questioned whether the programme was really effective as many participants returned to the circumstances that frequently led them to crime. They are unable to move away or change their friends as they grew up with their friends and would continue to see them on a daily basis. Their parents expect them to change their lives completely after attending a programme and leave their friends, but it proved to be practically impossible.

I think it should continue, but the ages of the kids are too...it is starting too late. That is one big... You know, I have always believed that the younger...and the kids are getting younger and younger. So, I think it is starting too late. By the time the kids are caught, really, and they end up at NICRO, I mean, they have had a life on the streets already. And now I am trying to preach to them and you know, it is: 'What are you talking about?' They know life on the streets better than what I do.

So, I really think it is a good thing, but maybe it also should not start once the children are in trouble. I feel that our kids...Ok, they do get life skills at school now, but our kids need this training at a much, much younger age.

And, a lot of the kids said it is so difficult, especially the parents want them now to: 'you don't go near that child. You don't get near those friends anymore, because you did the YES programme and done that', but they live in the same area. They grew up together and, especially with teenagers, your friends you know, that's your life. So, how do you tell your friends: 'no, I can't have anything to do with you?'

It is easy for a parent to say, you know, 'stay away from those friends', but for you as a child. you've got to go to school with those friends, you live in the, it's your next door neighbour. How do you do that? So trying to see it from the parents' point of view and the child's point of view. I mean, it is really hard.

Volunteer D

Volunteers recognised the benefits of the YES programme and acknowledged its importance. They consider it as not only beneficial to the participants and their families, but also to the community at large. They were realistic, though, in indicating that it may not benefit all its participants but that there may, on the other hand, be unrealistic expectations on the part of parents. At that time, it was seen to be the best option to address juvenile crime in communities.

4.2.11 If you had the opportunity to make changes, what would they be?

The changes the volunteers suggested were the following:

- Add a day excursion to the programme after the eighth session in order to get the child out of their surroundings.
- Include a visit to a correctional facility.
- Add a "religious education" component, which can include learning about different belief systems, cultures and histories, especially where groups are mixed.
- More sessions can be added, but consideration needs to be given to the participants' ability to cope with extra transport costs, those who live far away and participants who come to sessions hungry. The benefits of weekly sessions were that participants could think about what they learnt for the week and do their homework.
- To get a venue solely for YES programmes so that sessions can progress longer if need be and extra sessions in a week can take place.
- Adjust the YES manual, simplify it and add things that participants want to learn. Determine what they want to learn first.
- Shorten the programme to four weeks and have shorter sessions.
- Provide the participants with something to eat.
- Add a skills development aspect so that participants can provide for themselves in future in the right way and not by selling drugs, for example.
- Run a programme for parents concurrently with YES in order for parents to appreciate what process the child is experiencing.
- Enforce stricter control and consequences for non-attendance to be implemented.
- Children of a younger age group should be targeted to attend the programme.
- Follow-ups should be done to determine the situation of participants after programmes and render further assistance if needed.
- Include a mentoring component.
- The YES should also be used as a means of crime prevention.

The changes suggested by volunteers are quite comprehensive and far-reaching. They proposed changes in the structure such as shorter programmes and sessions, changes in

content such as skills development, mentoring and follow-up components, simplifying existing content, changes in logistics such as providing something to eat, other target groups such as younger children and more intensive, direct work with parents and broadening of its goals, i.e., as a tool for primary crime prevention also. Cupido, et. al. (2005:260) also identified the need for some form of follow-up contact as a means to provide further support and assistance, where necessary. Furthermore, improvements and clarification were needed regarding attendance requirements and securing and monitoring participant attendance (Cupido, et. al. 2005:257,258).

The changes suggested would mean a complete change in the nature and management of the YES programme as a life-skills programme for children in conflict with the law, more comprehensive intervention focusing on the broader client system, and having additional components. Considering the many suggestions made and the fact that volunteers still find the programme useful and having an impact, the question is rather whether all these suggestions for change stems from volunteers feeling overwhelmed with all the challenges that they see in communities, and which the participants have to face daily? They have had the experience of working with young offenders on a personal level and know what they are up against in their communities. Thus, they may feel powerlessness in not being able to address all of the issues and concerns experienced by participants. Essentially, they may not be realistic in accepting their own limitations and that of the programme.

4.2.12 The future of the YES programme as a diversion option

The general feeling among the volunteers is that the YES programme is something good, worthwhile and necessary for children. It has a role to play in preventing correctional facilities from becoming overcrowded. It helps children from getting criminal records and motivates them to change their behaviour. One volunteer expressed scepticism as to its effectiveness in the future as children in general do not seem to fear getting arrested, and do not realise the seriousness of what they have done and its implications.

Dit moet net 'n groter rol speel, want hoe anders? Mōre, oormōre loop die tronke oor van die kinders. Dit hoef nie so te wees nie.

(It must just play a bigger role, how else? Tomorrow and the next day the prisons will be overflowing with children. It does not have to be like that.)

Volunteer A

"Ek kan regtig nie sê of dit..of dit nog oor tien jaar so effektief gaan wees nie, want ek meen, die kinders raak meer rebels...hulle mind nie meer nie. Dit is nie vir hulle snaaks om in die selle te gaan lê nie. Dis nie iets snaaks meer om in die hof te verskyn nie..."

(I really can't say if it...if it will still be so effective in ten years time, what I mean is, the children are becoming more rebellious...they don't mind anymore. It is not unusual for them to be locked up in the cells anymore. It's not unusual to them anymore to appear in court...)

Volunteer B

The volunteer admitted that many of the challenges mentioned previously are factors impacting on the programme's effectiveness. Another volunteer mentioned that if relevant changes are made to the programme, then it will be a good programme.

There is thus a definite future seen for the programme as a diversion option, albeit with changes. These changes they consider as important if the YES programme is to be effective, relevant and responsive to the needs of participants and for the community to decrease prison populations and giving participants a chance for a better future than when they have a criminal record.

4.2.13 Other issues regarding YES

When given the opportunity to talk about anything else regarding the YES programme, one volunteer spoke passionately about her concern for the diversion worker co-ordinating the YES programmes. There was concern about the fact that she was driving an unreliable vehicle and frequently had to travel long distances alone between the towns that she serves. The vehicle could also not be used on the farm roads. The volunteer thus tried to accompany her on these trips as much as possible. By accompanying her, she has learnt a lot observing the diversion worker doing her work. The diversion worker also supported her by attending YES sessions when possible. This the volunteer experienced as encouraging and helpful. Another volunteer mentioned that the diversion worker she worked with was very supportive and available to talk to about anything if the volunteer felt a need for it.

...my maatskaplike werker, sy gee haar alles vir ons, maar ek sal baie graag wil sien dat haar area kleiner moet wees sodat sy ...nog meer vir ons kan gee. Sy gee reeds haar alles en ons waardeer dit, maar aan die einde van die dag, die area is so groot en juis omdat ek al saam met haar gery en gesien het waar dit is en hoe dit is, is dit 'n saak van,...in die eerste plek is die voertuig nie reg vir dit wat sy doen nie. Met die tipe voertuig kan jy nie die plase ingaan nie en nie plaaspaaie ry nie, jy gaan gereeld sit met maintenance, die kar gaan gereeld 'n probleem êrens het. Ek, dit klink miskien selfsugtig, gee vir haar 'n voertuig, 'n ding wat gerieflik is vir die plaaspaaie, wat dit vir haar maklik maak. Jy weet ons werk nog maklik, as fasiliteerder werk jy maklik want jy weet waar jy werk en met watter groep jy werk. Maar as jy uit gaan saam met haar om vir haar nog 'n ekstra hand te kan gee, dan kry jy vir haar verskriklik jammer, in die lyn dat sy moet ver plekke na toe gaan. En sy moet met 'n kar gaan wat wragtag nie elke dag reg is nie...

(...my social worker, she gives all she can give to us, but I would like to see that her area becomes smaller so that she...can give more to us. She already gives all she can and we appreciate it, but at the end of the day, the area is so big and because I have driven with her already and saw where it is and how it is, it is a matter of...in the first place the vehicle is not right for what she is doing. With that type of vehicle you cannot go to the farms and drive on the farm roads, you are going to have regular maintenance problems, the car is going to always have a problem somewhere. I, it maybe sounds selfish, give her a vehicle, something that is comfortable for all the farm roads that will make it easier for her. You know we still work easy, as facilitator we still have it easy since we know where we work and with which group we are working. But, if you go with her to give her a hand, then you really feel sorry for her, in that she has to go to far places. And she has to go with a car which really is not right every day...)

Volunteer C

N: As jy nou so praat dan kan ek aflei dat, jy en X as ko-ordineerder, julle het 'n baie noue verhouding. En sy het jou baie ondersteun. Sy was altyd daar om te luister as jy gevoel het jy wil praat oor iets. Nie noodwendig oor die YES program self nie, maar oor persoonlike goeters. Dan was sy altyd daar gewees en gewillig om te luister en dies meer.

Vryw: Altyd! Altyd!

N: En sien jy dit as 'n belangrike deel van haar rol ook as koördineerder? Om daar te wees vir julle as vrywilliger?

Vryw: Ja, ja. Nee, regtig waar.

(R: As you are talking I can pick up that you and X as co-ordinator, you have a very close relationship. And she has supported you a lot. She was always there to listen when you felt you needed to speak about something. Not necessarily about the YES programme itself, but about personal stuff. Then she was always there and willing to listen and so on.

Vol: Always! Always!

R: And do you see this as an important part of her role as co-ordinator? To be there for you as volunteers?

Vol: Yes, yes. No, really.)

Volunteer A

Two volunteers mentioned that their involvement in the YES programme and their experience with facilitation had helped them to grow personally and enriched them. The experience of co-facilitation has also helped them as the one supported and guided the other.

Ek leer alles. Ek leer elke keer, elke dag leer ek. Ek leer van X, ek leer van Y, ek leer van die kinders...en dit is nice, om van die kinders ook buite dinge te leer, né.

(I'm learning everything. I learn every time, every day I am learning. I learn from X and I learn from Y, I learn from the children...and it is nice, to learn about outside stuff from the children.)

Volunteer C

N: Dat die YES program het ook selfs vir hom gehelp om persoonlik te groei? En vir jou ook persoonlik, om te groei?

Vryw: Ja, ja! Want ek was geneig om te sê vir die kinders: "Jy't daai ding gesteel." Ek was geneig om dit te sê, ...of "Jy is blêddie lui jong". Jy weet, sulke goed. Maar nie meer nie...of sê, "Daai kind is 'n skelm wat daar gaan." Nee, nie meer nie.

(R: That the YES programme as even helped him to grow personally? And for you also personally, to grow?

V: Yes, yes! Because I tended to tell the children: "You stole that thing." I tended to say that, ...or: "You are bloody lazy." You know, things like that. But, not any more...or to say: "That child there is a thief." No. Not anymore.)

Volunteer A

Other last points mentioned by the volunteers concerned practical issues about the YES programme that they wanted to add. These included that participants should not be given another chance to return once they messed up their chance, expert guest speakers should be invited to talk at sessions about their areas of specialisation such as substance abuse, workers should be appointed who would only focus on the YES programmes, more networking partners are needed who could assist with transporting of participants, and some

volunteers emphasised earlier points they had made about suggestions for changes to the YES programme.

4.3. KEY FINDINGS: FOCUS GROUPS WITH THE DIVERSION WORKERS¹

4.3.1 Opening comments

The opening comments diversion workers made were varied. One worker indicated that she did not experience major problems. The parents generally co-operated and were grateful for the opportunity for their child. Venues were also not a problem as there were no long distances for the children to walk to sessions. Generally, people involved were supportive.

Another worker mentioned the importance of assessing the child before the YES programme started, as it helped to identify the actual problem the child may have, e.g., a substance abuse problem. Frequently though, the problems with the child were not as bad as parents made them out to be or parents made excuses for the child. After the programme, parents were generally positive as they had experienced a behaviour change in their children. Children also indicated that they had gained insight into why their actions had been wrong.

Practical issues related to the fact that sessions took place after school. Children were generally tired and sometimes it could be very hot in the afternoons. There were problems with maintaining the interest and focus of the group. Sessions were thus shortened sometimes or more games were played with the children. There were no major problems with venues as most were centrally located. Contents had to be brought to the level of the child as it was difficult for children to understand concepts such as "self-image". The literacy level of participants had an impact on the success of the programme. It was important to bring contents down to a suitable level to enable those who were illiterate to benefit from the programme. Presenting the same content continuously also meant that facilitators could become bored with the programme, so it was important to maintain their interest. This worker questioned whether volunteers could deal with all the issues that arose in groups as they were not professionally trained. It was also important to her to have the right kind of volunteer.

¹ Diversion workers were not "numbered" due to them being identifiable by virtue of their responses and the locality where they are based.

Another worker mentioned that since she did not assess cases at court, she found it difficult to identify the actual problems the child may be experiencing and intervene accordingly. Finding suitable venues was problematic to her as a few of the towns she served had large surrounding farm areas. Since there was no transport for children from the farms, it impacted negatively on their attendance.

4.3.2 Major challenges workers experienced

There were a number of major challenges diversion workers identified regarding the implementation and co-ordination of the YES programme. These can be divided into the following areas:

4.3.2.1 Group composition

Differences in ages, school grades and languages all had to be taken into consideration and dealt with in one group. If the worker wanted to address it in a practical way, she had to first consider if there are skilled volunteers - skilled in terms of being able to handle the differences and, especially, be able to overcome language differences to facilitate the group. If the group has to be divided into younger and older age categories, the question remained whether the volunteers would be able to handle a young group even if they are multi-lingual.

Een van my groot uitdagings, ek dink, is juis die oorbrugging van die verspreiding van ouderdome en veral dan skool standerd.....Ek het huidiglik, byvoorbeeld, 'n groep van veertien. Drie van hierdie seuns is twaalf jaar oud. Sommige is nog steeds elf, hy word twaalf. Dan wat die groep nou, die ander, die res, die ander elf is almal hoërskool leerders...en dan is dit nou, ...ook nie hoërskool leerders nie, van hulle is glad nie meer skoolgaande nie, maar die ander deel van die groep se ouderdome wissel van tussen sestien en sewentien jaar oud. Umm en nou...Wat dan die groep nou meer gekompliseerd maak, is die feit dat drie van hierdie groep kom uit 'n Xhosa gemeenskap uit. Hulle is Xhosa-sprekend. So, dit gee vir jou 'n idee van die kompleksiteit van die groep. En nou is die uitdaging van, wat maak ek met hierdie groep? Hoe hanteer ek hom? Want die YES program is mos nou, is 'n groepwerk program.....

Die ander probleem is, ek het 'n Xhosa sprekende volunteeër, maar kan ek daai tien tot twaalfjarige groepie aan haar sorg toevertrou? Kyk, sy gaan miskien 'n groter sukses maak van werk met die ouer kinders, dis waar sy blootstelling in het en opleiding al in gehad het. Maar vir haar is daai tien tot twaalfjariges...Sy het nie ervaring van hoe om met hulle te werk nie. So wat gaan nou dan vir my beteken, ek moet haar los by die groter kinders, dan het hulle weer daai... 'barrier', die 'language barrier'...

(One of my major challenges, I think, is specifically the bridging of the spread of ages and especially school standards...I, for example, currently have a group of fourteen. Three of these boys are twelve years of age. Some are still eleven, they will turn twelve. Then, what the group, the others, the rest, the other eleven are all high school learners...and then it is...also not high school learners, some of them are not school-going, but the other part of the group's ages are between sixteen and seventeen years of age...What makes the group more complicated is the fact that three of the group come from a Xhosa-speaking community. They are Xhosa-speaking. So, this gives you an idea about the complexity of the group. And now the challenge is what do I do with this group? How do I handle it? Because the YES programme is a groupwork programme.

The other problem is I have a Xhosa-speaking volunteer, but can I put the ten to twelve-year-old group in her care? You see, she may be more successful in working with the older children, that is where she has had the exposure and training in. But for her those 10 to twelve year olds...She does not have experience in how to work with them. So what it means to me, I must leave her with the older children, then they'll have that...barrier, the language barrier...)

Most of the participants in the groups are usually Afrikaans speaking, while the manual is in English. This meant that volunteers frequently had to translate material in order to get the message across. The contents and activities frequently had to be simplified to accommodate participants who had little education. In groups where there were Xhosa speakers, workers felt that it was a major challenge to provide an equal experience for these participants. The workers expressed concern about the message they were trying to get across or being lost in its translation.

...want 'n mens kry Xhosa-sprekende kinders wat Afrikaans kan praat, wat Afrikaans kan verstaan en Engels, maar 'n mens wonder maar net somtyds, kry hulle die boodskap soos hulle dit moet kry? En ek bedoel, hulle moet tog gelyke kans kry...

(...because you do get Xhosa-speaking children who can speak Afrikaans, who can understand Afrikaans and English, but one wonders sometimes, do they get the message as they should be getting it? And I mean, they must get equal opportunities...)

4.3.2.2 Volunteer management

All the diversion workers indicated that volunteer management was a major and complex task. Volunteers needed to be supervised closely as they were not professionally trained and, therefore, had real limitations. They also needed breaks between programmes and had

to be supported. If a volunteer left, the worker lost what was invested in them. The gap left increased the pressure on the worker to fill it.

Dis belangrik om supervisie te het oor jou vrywilligers, want, soos ek sê, en aan die een kant kan ons ook nie die vrywilligers verkwalik nie, want hulle is nie opgeleide maatskaplike werkers, of sielkundiges, of wat ook al nie.

(It is important to supervise your volunteers because, as I say, on the one hand we cannot blame the volunteers because they are not qualified social workers or psychologists or whatever.)

Dit is belangrik om jou volunteers goed te supervise spesifiek en ook maar altyd daar vir die volunteers te wees. En ook hulle 'n break te gee en ook maar daai nodige support. Dit is ook belangrik vir volunteers.

(It is important so supervise your volunteers specifically and also to be there for them. And also to give them a break and that necessary support. This is also important for volunteers.)

Workers also have to take into consideration that volunteers had their own agenda for being involved in the programme and have personal things to do. Frequently, volunteers were also committed somewhere else and, hence, the concern if the volunteer could keep to a programme commitment. Thus, when planning programmes for the year, there is always a concern if there would be enough volunteers to facilitate programmes. A worker from a metropolitan area mentioned that she does not have a problem recruiting volunteers as she offered training to new volunteers twice a year. The problem expressed was due to poverty and unemployment, people are always trying to improve their CVs by volunteering their services. This led to a high turnover of volunteers. Another problem was reimbursement of volunteers as volunteers frequently had to wait a long time for the reimbursement of their travel expenses. They have to find money to travel to the YES venue every week. Although diversion workers try to have volunteers from the area to serve that particular area, some areas are widespread which would require the volunteer to use public transport.

Ek bedoel, ek het nog nooit groot probleme met volunteers gehad nie, behalwe dat hulle miskien werk kry en so...'n Mens moet maar net ook versigtig wees wie jy kies as volunteers want ek bedoel in die verlede was daar tog volunteers wat dan nou maar hoor... Ja, gehoor het wat ander agendas gehad het, of wat ook al.

(I mean, I have never had major problems with volunteers, except that they maybe get employment...One also needs to be careful who one chooses as volunteers, because in the past there were volunteers who then... Yes, heard of who had other agendas or whatever.)

A diversion worker working in a rural area made the point that there were differences between volunteers from metropolitan/urban areas and those from rural areas. Urban volunteers frequently had more exposure and access to training and work in related fields, other organisations and structures. If someone from a rural area volunteered, it could safely be assumed that the person was completely new to doing volunteer work. This meant that the worker had to invest much time and energy in training and preparing the volunteer for their role.

...my ervaring in die plattelandse dorp...vrywilliger...Dat jy eintlik vir hulle aan meer opleiding moet blootstel. Omdat die persone in groter dorpe, of stedelike areas, het miskien nou in vorige geleenthede, in 'n hele ander kapasiteit, het hulle soort van miskien al blootstelling gehad aan opleiding waar jy in 'n landelike gebied... waar jy nou in 'n landelike area mense identifiseer, is jy dikwels, van jou organisasie se kant af, is nou die eerste persoon wat hierdie persoon gaan aanwend, soort van, as 'n vrywilliger en nou moet jy daai persoon... Jy moet hom... Jy kan geen vooraf kennis veronderstel nie. Jy moet van die veronderstel af uit gaan, ek begin met 'n vars persoon, heel nuut in hierdie veld. En dan, voordat daai persoon werklik so toegerus gaan wees, moet jy met wat opleiding betref, eers heeltemal 'n pad met hulle loop.

(...my experience in the rural town...volunteer...That you actually have to expose them more to training. Because the people in the larger towns or metropolitan areas, have maybe had on previous occasions, in a totally different capacity, they may have had possible exposure to training where you in a rural area...where you identify people in a rural area, you are often, from your organisation's side, the first person who is going to use that person, sort of, as a volunteer and now that person you must...you must...You cannot presume any prior knowledge. You must know from the start, I am starting with a new person, completely new in this field. And then, before that person is going to be completely equipped, you must in terms of training, first walk a distance with them.)

One worker mentioned that it was important to work with the volunteer on the translations to ensure that the material was fully translated and the message captured. Even before this could happen, she first had to ensure that the volunteer understood the content and activities in the manual before working on any translations, especially if the volunteer's

English was not good. This also influenced the understanding of the content by the participants. This all required a lot of time and hard work to go through the whole manual with the volunteer.

"Ek meen, dit is nie 'n voorvereiste nie, maar as jy sekerheid in jou gemoed wil hê, dat jy nie sommer jou volunteer nou in die diep kant ingooi nie, moet jy seker maak hy het 'n begrip van elke sessie, want dit is so maklik om 'n hele verkeerde boodskap oor te dra of...dan is dit miskien nie doelbewus nie...deur verkeerde interpretasie van woorde, deur verkeerde woordkeuse is dit so maklik om dan vir die kind 'n verkeerde idee te skep..."

(I mean, it is not a prerequisite, but if you want to rest assured that you are not throwing your volunteer in at the deep end, you have to ensure that he understands each session, since it is so easy to give the wrong message...then it is maybe not deliberate...by misinterpreting words, by incorrect choice of words it is so easy to give the child the wrong impression...)

This was quite frustrating for the diversion worker and raised the question as to the reason why translations had to be done by workers and volunteers instead of having the manual translated by the organisation.

4.3.2.3 Venues

Diversion workers indicated that finding venues available for six programmes a year on the same day and at the same times proved to be quite a challenge. This was especially the case where programmes run in succession throughout the year. This problem was compounded by a lack of funds available to pay for venues. NICRO preferred YES venues to be available at no cost. Venues also had to be accessible for everyone. One worker mentioned that she had a problem at one venue where the person responsible for locking up the venue always wanted them to finish the session before the scheduled time. The latter experience indicate a need to also interact with resource support staff in order to ensure accessibility.

I think for me it is just securing the venue. You know. Because your venue might be available for one course, but will it be available for six courses for the year?

W: It will be a question of "what am I going to pay for this venue, and that is a major headache...."

R: So there's no specific budget for venues?

W: No, and if you find a venue that needs to be paid for, then it's an issue.

And then, another thing, is the venue...at times some people they want us to move earlier before 5 o' clock, maybe 4:45pm...that's a challenge for me.

4.3.2.4 Responsibilities of diversion workers

The fact that co-ordination of the YES programme was not the only responsibility of diversion workers meant that they could not give this task the full attention it needed.

And the areas are too vast, man. To me, if you do the YES programme, you do the YES programme only and co-ordinate the YES programme because then you can ensure the success of the YES programme and do all the other things, but then you have to do all the other stuff as well and that takes a workload...from you because there are many times you would like to follow up with certain clients, but you can't do that..because of other work you have to do.

What frequently added more pressure was the absence of volunteers to facilitate programmes in certain areas or towns. The diversion workers thus have to facilitate the programmes on their own. These added responsibilities meant that there was insufficient time to follow up on participants and render further assistance where needed.

...you know, we as the co-ordinating body...we are expected to deliver a quality service and just like the rest of us, I've also had to...facilitate the programme on my own because of a lack of volunteers... I see so much more... that there's so much potential for the programme, if only we could be, you know, actually the sole person like doing the programme...

The areas and towns that diversion workers have to cover are quite a distance from the offices of the workers. This sometimes meant rushing to YES venues at the cost of incurring speeding fines! One worker mentioned that when looking for a YES venue in a new area, she had to deal with stereotyping of clients and community members being very suspicious. It took much effort and time to educate communities.

And then there is also stereotyping of clients from the communities. When you have to go to them you have them...they are criminals...how can I allow them to come into my place and invade our space? Won't they steal from us, won't they commit another criminal activity? And then you really have to sensitise people when you speak about that.

Diversion workers felt that NICRO management does not respond constructively to suggestions they may have. The general response from management was that they had to make space in their monthly planning to work on what they had suggested or develop resources themselves. One worker explained that when she did include this in her planning, there were frequently other priorities that demanded her attention at that particular time, which led to time being lost. Workers felt that it was no use complaining and have reached the point where they accept that they can't do everything.

4.3.2.5 Other logistical issues

Another complaint the diversion workers had was that the resources they ordered for the YES programmes, such as newsprint and pens, were often not available at the time when a YES group started.

The last challenge I would say is resources. At times you request the resources earlier on, but you find that your next group would be starting by next week only to find out you'd not received it, you didn't receive the resources yet, like that, so it is a challenge...

Office equipment such as the photocopy machine and printers at one office were overburdened or otherwise in need of repairs or paper. The YES programme demanded many photocopies. Yet, there was still the expectation that workers render a professional service and be fully prepared when a programme started.

So umm, that is another challenge because sometimes the copier machine here at our office the people that use it, its overburdened...and sometimes it doesn't even work...and umm, it doesn't aid the vast amount of things that we print at the office...umm, because it is shared here amongst everybody else at the office...

Obtaining the manual for the programme has been a source of frustration for workers also as they had frequently enquired about the availability of it at the publishers, but without any success. This had been going on for about two years. While the manual is not supposed to be copied, workers felt they had no alternative but to copy it for new volunteers who needed it to facilitate programmes, otherwise the work could not continue. It was also NICRO's policy that volunteers pay for their own manual, although they were doing voluntary work. Workers felt that this was unfair to the volunteer.

"I was told you don't copy manuals, but so far I copied all my manuals that I've given to volunteers to help them to go on. How can I ask someone to do voluntary work, but still have to pay, to buy the manual...there's conflict there..."

It is also difficult to retrieve information about cases if there are queries from court. The particular worker may be out in the field and no-one else would have access to the information. This made feedback to courts very difficult, especially if immediate feedback was needed. Frequently, there were also problems with clients giving incorrect addresses or post not reaching clients or reaching clients long after the programme had started.

Thus, the major challenges workers were facing concerns the programme participants, staffing, logistics and organisational policies.

Participants posed a particularly difficult challenge which is quite complex. The biggest challenge was about the composition of YES groups. Workers would find participants speaking different languages, be of different ages and educational levels in one group. The worker had to match the skills and abilities of the volunteers with the differences in the YES group. This was really a concern for the workers and they felt unable to satisfactorily cater for all the differences and needs in one group. This was especially true about linguistic differences. Ultimately, the challenge was to get the message across to all participants, and there were real concerns if this was really happening. It seems that what workers were, and are still facing and grappling with, is the reality of the complexity of South African society and communities, and how best to cater for the needs of all equitably. Co-ordinating YES groups brought one face to face with this reality. This was not only with regards to differences in cultures, histories, age and educational levels, but also class and ethnic differences. It raised the question about the extent to which NICRO enabled and prepared its workers to anticipate and make provision for these realities. The fact that workers were aware of this

complexity and concerned about what they could do about it are positive indications of their sense of responsibility to provide accessible services to all. Furthermore, the question can be asked if there is sufficient focus in social work training on working in multi-cultural settings in different types of communities.

Workers seemed to be experiencing significant frustration with regards to NICRO policies about the provision of resources and equipment. It seemed that workers were expected to do much over a wide geographical area without sufficient resources in place, and that management was neither understanding nor supportive of them.

Management of the volunteers presented another major challenge. This multifaceted challenge was evident especially with volunteers from rural and urban communities. While there were differences which they felt were difficult to control, for example, volunteers leaving, there were others originating due to the organisational framework and policies which they felt made life much more difficult for them. These included the fact that the manual is in English and Afrikaans-speaking volunteers, working with pre-dominantly Afrikaans-speaking participants, had to translate material. Thus, while grappling with the difficulties of co-ordinating YES programmes in communities, workers also faced difficulties in their own organisation, which added to their frustrations and seemed to make their work more challenging.

4.3.3 What worked regarding implementation

4.3.3.1 Venue

One worker indicated that when a venue was in the middle of most of the residential areas away from the business centre of the town, it prevented the participants from getting into trouble at shops. It also meant that the route to the venue was generally safer than to walk on very busy roads to the centre of the town.

By my werk my keuse van 'n lokaal werk vir my baie goed, want dis sentraal, dis in die middel van die meeste woonbuurte waaruit die verwysings gewoonlik kom...Dit is ook weg uit die dorpsgebied uit. Want as ek nou my kinders nou sou laat kom van uit die suburbs uit, in die dorpsarea, dan stel ek hulle nou nog bloot aan hulle moet deur die dorpsgebied stap en daar is moontlike beserings, want dit is die N1 wat hulle nog moet kruis en dan is daar nou 'n

dorpsarea waar hulle nou, jy weet, stoutigheid kan aanvang oppad huis toe, want hulle loop in 'n groep.

(In my case, my choice of venue works very well for me because it is central, it is in the centre of most of the residential areas from which the referrals usually come...It is also away from the town area. Because, if I now had to let my children come from the suburbs into the town area, then I still expose them to walking through the town area and there are possible injuries since they still have to cross the N1 and then there is the town area where they, you know, can get up to mischief on the way home because they walk in a group.)

This was different to the experience of another worker in another large town who indicated that the YES sessions were held at a public venue in the centre of the town and on the public transport route, meant that just about everyone knew where it was and had access to it. When participants from farm areas were accommodated by using venues such as school classrooms in their areas, it meant that they did not have to make their way into the town every week as it could also be dangerous for them.

...werk dit vir my goed om gebruik te maak van die biblioteek want dis 'n plek waar almal weet waar dit is.

(...it works well for me to make use of the library because it is a place where everyone knows where it is.)

Dan sou ek sê die venues is op baie publieke tipe plekke, wat almal kan bereik. Daar gaan taxis daar verby of wat ook al die geval is, dis nou rêrig nie buite geleë nie. Op plase maak ons maar nou gebruik van fasiliteite wat naby die kinders se huise is en so.

(Then I would say the venues are in very public places which everyone can reach. Taxis pass there or whatever the case, it is really not on the outskirts. On farms we make use of facilities that are near the children's houses.)

4.3.3.2 Volunteers

The workers generally agreed that it made a big difference if volunteers were available, reliable and committed.

Maar rêrig, hulle toegewydheid om daai ekstra myl te loop vir 'n kind en, of nie net dit nie, nie net tot sover van 'n program aanbied nie, maar daai ekstra in te sit in die program in.

(But really, their commitment to go that extra mile for that child and, not just this, not just presenting a programme, but to put that extra into the programme.)

Their commitment helped to energise workers when they noticed the enthusiasm and efforts made in presentations by volunteers. Even if volunteers were tired after a programme, they were willing to facilitate another one as they knew the worker is in a tight spot. One worker shared that she could call on past volunteers not working for NICRO anymore to help her out with facilitation if she was really desperate. These volunteers would be fully prepared and enthusiastic about facilitating a programme again.

I can actually pick up the phone and phone older volunteers who no longer volunteer for us, but who are available and say to them "look, I'm in a dire situation. I need help." And they'll say, "Sure, no problem X, I'll get there or I'll be there for you." Not only will they be there, they will bring their goodie bag with them and, you know, the bag of tricks comes out and they are energised and ready to go. And the same goes for a volunteer that commit themselves to a whole programme...you know, the way that, I know to me you feel tired sometimes, you're so drained you don't have the energy to...revitalise the volunteers during the fifth session really. But then, they had little goedjies to their session and its like so cute, you know, to see that they have energy and they just energise me, you know, and that for me is really a success and even when you know volunteers don't have the same capacity as we as workers have and after one programme sometimes, depending on how much maintenance they needed from your side, they're tired, and they know that they're tired, but they also know that you're stuck, so they will just, you know... do another one. They do another programme.

Some volunteers worked specifically as administration volunteers who helped with making photocopies and seeing to it that letters were posted. Even those who were doing their community service assisted workers with various tasks. This helped workers in getting their administration tasks completed.

One worker specifically mentioned that she had an experienced volunteer worker whom she had asked to co-ordinate the volunteers in that specific area. It kept this volunteer motivated and enabled the worker to focus on other areas needing development.

4.3.3.3 Role players

The workers found that the assessments by the probation officer helped in referring the right participants to the YES programme - those who could benefit from the programme. One worker indicated that she has had positive responses from prosecutors who were willing to bring their part and explain the seriousness of the situation to parents and the children. One prosecutor had visited the YES programme and had offered to give some input.

...die positiwiteit wat ek kry van die prosecutors, van die aanklaers rondom verwysing en ook om die erns van die saak aan die kind sowel as die ouers te verduidelik...umm...Somige van hulle laat ook daai ekstra myl te loop vir spesifieke kinders en die nodige opvolg te doen.

(...the postiveness I get from the prosecutors, from the prosecutors concerning referrals and also to explain the seriousness of the case to the child as well as the parents...umm...Some of them also walk that extra mile for specific children and to do the necessary follow-up.)

...wat bydra tot die sukses, is die betrokkenheid van die staatsaanklaers. Want kyk, hulle waarsku ook darem die kinders. So, dit dra ook by, daai bang. Hy is nou bang om weer in 'n saak te wees. En die meeste van my... Die staatsaanklaers is nie onbeskofte mense nie.

(...what contributes to the success is the involvement of the prosecutors. Because, look, they also warn the children. So this also adds to that fear. He is scared to be involved in another case. And most of my...The prosecutors are not rude people.)

Generally, the workers felt that they had good co-operation with probation officers and prosecutors as problems could be addressed with their assistance, follow-ups done and co-operation secured in working together on a case.

Ons het voortdurend skakeling met mekaar, baie telefonies, byvoorbeeld. En sou ek dan nou een of ander probleem area vir haar identifiseer, umm, is dit baie keer die geval dat sy vir my kan help om by 'n oplossing uit te kom, of wat ook al of haar input wat sy gee, of dit wat sy kan doen om by te dra om die kind te help motiveer. Miskien die ouers te motiveer of selfs al is dit ook miskien iets wat sy van kennis dra, wat ek nie van kennis dra nie, rondom die kind se situasie dra dit alles by om die YES program meer effektief te maak.

(We continuously liaise with each other, frequently by telephone, for example. And if I should identify one or other problem area for her, umm, it is frequently the case that she can help me to get to a solution or whatever or her input that she gives or that which she can contribute to help motivate the child. Maybe to motivate the parents or even if it is something that she has

knowledge of already, which I don't know of, about the child's situation, it all contributes to making the YES more effective.)

Nou ook, met die aanstelling van die assistent proefbeampte...waar ek, byvoorbeeld, nie 'n tuisbesoek kan gaan doen nie, kan hy dit moontlik gaan doen. Ons kan vinniger by 'n kind gaan opvolg wat by 'n vorige program nie kon uitkom nie en dan by die rede uitkom van hoekom die kind dit nie gemaak het vir die program nie, as daar 'n probleem is, om dit te kan aanspreek...sodat die kind net weer kan inskakel...

(Now, with the appointment of an assistant probation officer...where I am unable to conduct a home visit, he can possibly do it. We can follow up quicker why a child could not attend the previous session, if there is a problem to address it...in order for the child to slot in again...)

Community role-players also played a vital role with implementation and enabling more young people to access the programme. A successful partnership with a community-based organisation in one area where no diversion services had previously been rendered by NICRO had developed, and the community organisation assumed responsibility for the implementation of the service while NICRO trained and supervised the facilitators. Partnerships with schools in certain areas had led to an increase in referrals from schools that used the programme as crime prevention intervention. Attending community forums had also opened up opportunities for YES participants when they were invited to community activities and special events.

We've established partnerships with people like Safer Schools and our school referrals have increased, so it does become more of a crime prevention tool as opposed to sort of a react first reaction.

4.3.3.4 Parents

Parents who co-operated in ensuring that their children attend sessions regularly and helped and supported them through the process, made a positive impact. The positive feedback from parents after their child attended a programme showed that the programme worked.

Ek dink die toegewydheid van die ouers en die betrokkenheid van die ouers speel ook 'n rol by 'n kind wat 'n program sal voltooi. Want jy sal agterkom waar ouers betrokke is en waar ouers

bel en kontak maak met 'n mens, is die kind meer geneig om 'n program by te woon as wat die ouers ook maar nou nie belangstel nie, of nie kom nie.

(I think the commitment of the parents and the involvement of the parents also play a role with a child who wants to complete a programme. Because you will realise where parents are involved and where parents phone and make contact with me, the child is more likely to attend the programme unlike the case where parents are not interested or do not attend.)

4.3.3.5 Further points

Further points made by workers were that the manual was of good quality. One worker was of the opinion that a person who could read and write, use creativity and understand its contents could facilitate the programme. This person does not need to be professionally trained.

We don't have to be like a fundi. We don't have to be like a professional to implement the programme, but the fact that the manual is so good, really is so good that you can actually ask somebody who can read and write and understand, to do the programme. So that to me, and coupled with the volunteers that can really use their creativity and get them excited and make the thing successful.

Another worker made the point that it does help if the worker herself facilitated the programme. She had the opportunity to build a trusting relationship with participants who then usually opened up about what is happening in their lives. This put the worker in a position to intervene when necessary, refer the case if needed and do follow up.

I facilitated the groups on my own. Ja, it was a good experience...particularly to build that trust with you as the worker, you know, and they end up feeling comfortable to speak about their problems that they didn't even know that are the problems that they have...are, are the cause for them to commit crime, you know. And then you even make a follow-up on that, you know, meeting like the parent, you know. Something like that, you know, if you see there is a need to refer the case to the other organisation.

Workers at one office also felt that there was good support amongst each other. This was especially the case where there was more than one diversion worker at an office. Colleagues were willing to help out if another colleague was unable to facilitate a session.

And I think the support of the staff members helping out also, that has worked, you know, as a positive. Even if we need to run your programme for you if you can't and there's nobody else, and stepping in and supporting...

It also helped tremendously if resources were received on time. If the client received the dates of the programme at court and also from the NICRO worker, it ensured attendance.

Thus, it seems that one important factor that has made the difference in making implementation successful was "people". This was demonstrated in the positive working relationships between role-players and between workers who supported each other. Cupido, et. al. (2005:257) found to the contrary in her study in that the communication with roleplayers, e.g. court personnel, was not as it should be, especially regarding court dates for participants. A few new referrals from court arrived midway through a programme which led to frustrations for all parties involved. Parents who were supportive and volunteers who were committed also facilitated implementation. Other important resources that had helped to make things work are an accessible and well-known venue, and a good and simple manual.

4.3.4 What would help facilitate implementation?

The following are the replies the diversion workers gave:

- **Volunteers who can commit for a specified period and keep to that period.**
- **If someone was solely responsible for the recruitment, management and support of volunteers. This would mean an increase in the staff component. Otherwise, workers should receive training in volunteer management.**
- **Increased parental involvement and support for the child. It was suggested that a programme for parents be run concurrently with the YES, even if the number of YES sessions are decreased so that more time can be spent with parents as they play major role in the child's behaviour. More sessions with parents will also enable them to understand and appreciate the process the child is experiencing. Another suggestion was that there should also be a support group for parents.**
- **Better networking with welfare organisations that can assist with the reintegration**

of the child back into their families as the child is going through a learning and change process. Improved networking can also assist in getting a panel of social workers together from welfare agencies that will be able to respond to issues of neglect and substance abuse problems, for example. Knowledge of resources in the community was seen as vital.

- Mentors as a means of support to the child was also suggested. For example, if a child attends school, they can be referred to a teacher at the school that children feel comfortable with and to whom the child can have access during difficult times. These mentors would be trained.
- A good relationship with the probation officer would also assist the YES implementation process.
- Each worker should have their own computer and an administrative assistant who could send out warning letters for non-attendance and do other tasks.
- Faster processing of volunteer transport claims and of resource requests to shorten the waiting period for stationery.
- More incentives for volunteers so they can feel more appreciated and valued. There should be a budget available for buying small gifts for volunteers for their birthdays or other appropriate occasions. One worker suggested a wellness programme for volunteers that would focus on their physical, spiritual and emotional well-being. It could also include a debriefing component. This was seen as necessary as working with the YES groups meant working with the emotions of others, which could drain one emotionally.
- There should be a larger budget to enable payment for venues.

Thus, facilitation could be improved if there was more investment in volunteers as a means of showing appreciation and thus helping to retain them, if a staff member could spend their full attention on volunteer management, there were good working relationships with role-players, if mentors could be used as a means of support for participants, better equipment and resources were provided, and there was more work with parents in the form of group sessions with them. Shearer, et.al. (2005:159) also identified the need for further sessions to be held with parents, other than the two programme sessions they were normally requested to attend. These sessions would need to explore the responsibilities of parents to assist their child in further consolidating the positive learning and changes they experience in the YES programme.

4.3.5 Workers' motivation to continue

"Although you go through all of the nonsense, there's still something that makes it worthwhile..."

The following motivated the workers to continue with the implementation of the YES programme:

- The programme was beneficial to children; it had impact and it meant something to the children.
- The programme covered many areas, was well thought through and there was no similar alternative.
- The feedback from parents and children was positive and the workers could see how both benefited from the process. When parents met workers in public, they remembered the worker and readily informed the worker on the progress of their child. Parents would frequently also share in the sessions that they prayed for the workers and this let the worker feel good.

"I think that is very common. It happens everywhere is that parents pray for you. They explicitly mention that in the last session and think that is also what we strive for, to let the prayers go up and you feel good about that. It gives you some strength and motivation for the next group even."

- Feedback from prosecutors was positive as the children, when they returned to court, would inform the prosecutors that they had enjoyed the programme and wanted to return to the programme as volunteers. The prosecutors also noticed that most children did not re-enter the criminal justice system after attending a programme.
- There were volunteers who put in a lot of extra work, such as home visits over weekends.
- In the case where a worker facilitated the group, a relationship of trust and comfort developed to the extent that participants respected the worker. It energised the worker when the participants could recall what was done in the previous session when a recap was done.

"I can be having a really, really tough week, bad day and really no lus, no krag, no nothing to go to the group and then you go to a group and then sit down and ask them 'what did we do last week' and the you know everything, go through with them last week and it like 'wow' you know. It's like a highlight to me. That, that keeps me going. That really fuels me."

- A few weeks after the programme ended, some of the participants would phone the worker and would request to visit the group as they missed the group. The worker indicated that such phone calls would come through on days when she really needed the motivation. These phone calls motivated her so much that she felt she could keep going for another year.
- A few of the workers also indicated that the support and direction received from colleagues, the sharing of experiences that lifted spirits, the time given to each other to debrief or just talk, all helped to keep the workers going.

Thus, what helped to keep the workers motivated and gave them strength was the appreciation and positive feedback from parents and participants regarding the impact of the programme, the hard work and dedication of volunteers, positive feedback from prosecutors, a good programme that has no alternative, and support, sharing and direction received from colleagues. Workers were also able to get a sense of satisfaction from hearing that what they did had the desired effect and impact and meant something to someone.

4.3.6 Future of YES as a diversion option

"Die YES program is iets wat al 'n hele tyd aankom en ek dink dit gaan nog 'n lang tyd daar wees. Maar 'n mens moet miskien in ag neem die behoeftes en dinge wat verander, moet 'n mens die YES program ook maar miskien so aanpas."

(The YES programme is something that has come a long way and, I think, it is going to be around for a long time to come. But, one must maybe still take into account the needs and things that change, one must maybe adjust the programme accordingly.)

Workers generally felt that the YES programme had a definite future as a basic, effective diversion programme. It would need adjustment and to be adapted though, as there were new developments and new needs to respond to, such as substance abuse and HIV/Aids.

...so to me, making it 10 sessions doesn't necessarily mean adding on topics or including, although I agree strongly and I hear what X is saying and at the same time I agree with Y that we need to incorporate something about substance abuse and HIV.

One worker mentioned that it also formed an integral component of the Child Justice Bill (Bill 49 of 2000) with its different levels of intervention. It should not only be for first offenders, but for those with behavioural problems and even for the ordinary child as they would be able to benefit from it and learn skills.

Die YES program is 'n goeie program. 'n Program wat nie net...gebruik kan word vir kinders wat met misdaad betrokke is nie, maar ook ander probleemgedragskinders. So, dit maak voorsiening nie net vir kind wat by misdaad betrokke is nie, maar vir enige kind wat net kan baat daarby. Dis vaardighede wat die kind aanleer.

(The YES programme is a good programme. A programme that just cannot ...be used for children involved in crime, but also for other children with behaviour problems. So, it makes provision not only for the child involved in crime, but for any child that can benefit from it. Its skills that the child learns.)

In schools it could be used as a crime prevention programme, but it would need to become an accredited prevention programme. Some schools and communities had asked for it, which opened up the possibility of communities taking ownership of it. It could help sensitise communities around the needs of victims and not to stereotype participants of the YES. One worker suggested outsourcing the programme. Since the Department of Education has picked up on it, it was an indication that there was a future for it.

...it must be expanded to the schools, and it must be accredited as a crime prevention programme, first of all, in the schools...

Because there are lots of schools and...that are asking for the programme and lots of schools that have had to come via disciplinary process...

There were some points made around the duration of sessions and the number of sessions per programme. While one worker felt that one could talk about eight sessions, the issue was more if the contents of the eight sessions were relevant. She suggested that some

detail may be added to the topics dealt with. Another worker made the point that most of the sessions were very full and that there usually was some decision to be made as to what to include or exclude in sessions. This worker indicated that where she had presented the programme in schools, she usually requested ten sessions with the group in order to include all material. If the programme was to be extended, the issue was also if volunteers would be available for ten weeks.

Other points were that the age group should be maintained and that the YES programme could form part of a community sentence. One worker indicated that she had a good relationship with a local welfare organisation that usually came to give input at each YES programme around substance abuse.

Thus, workers saw a definite future for the YES programme, but that it had to change in order to be responsive to the needs of young people. Since it has been used in communities and at schools through partnerships, an increase in community programmes and schools should make it a more widely accessible programme. One wouldn't need to commit a crime to benefit by it!

The question regarding the number of sessions in the programme arose with the volunteers also. The point with regards to relevance of the programme, no matter the number of sessions, is important. It may be that the material in the manual was not dealt with thoroughly or that the volunteer did not have good facilitation and presentation skills. Thus, some of the content and, ultimately, the message were lost.

4.3.7 Final comments

"Die YES program op sy eie kan nie geslaag wees as jy dit nie deur 'n fasiliteerder toegewyde en kundige mense aangebied word nie. Op sy eie daar in die manual gaan hy niks beteken nie. Iemand moet hom gebruik en dit is wanneer hy gebruik word wat hy van groot waarde is."

The YES programme on its own cannot be a success if you don't through a facilitator have committed and skilful people presenting it. On its own in the manual it will mean nothing. Someone has to use it and when it is being used, it is of great value.)

"En nog belangrik...jy moet 'n hart hê vir kinders."

And what's also important...you must have a heart for children.

Comments were made around the role of the co-ordinator of the YES programme. One worker indicated that the role of the co-ordinator was a tremendous responsibility for all its aspects and one had to be accountable to many. Success of the implementation was dependent on the co-ordinator, many of whom covered a wide geographical area.

Koördineerder vir my beteken ek moet die, al het ek volonteers, ek moet nog altyd copies maak, ek moet sorg dat hulle die copies kry. Ek moet altyd ook daar beskikbaar wees as een van hulle dit nie sou kon maak nie. En ook soos X, is ek ook baie betrokke by fasilitering. En ek wil nogal sê, met so 'n groot area put dit 'n mens nogal uit want as ek dink, van Dinsdae tot Donderdae bied ek elke middag 'n YES aan. So dit is nogal uitputtend. Veral party areas het groot groepe...So, jy as koördineerder het eintlik baie verantwoordelikheid, want jy is verantwoordelik vir al die admin van dit, jy moet toesien dat briewe uitgaan as die kinders nou nie opdaag nie.

...want dit is vir my absoluut die neem van verantwoordelikheid. Jy neem verantwoordelikheid vir die spesifieke groepe in jou area en dat dit goed funksioneer, van vrywilligers wat goed moet funksioneer, want aan die einde van die dag as daar probleme kom, as daar...kom dit direk na jou as koördineerder so dis die neem van die verantwoordelikheid om te sien dat die program aan die einde van die dag goed funksioneer en ook om ander rolspelers in die omgewing, in die streke waar jy werk, te oortuig dat die program 'n sukses is aan die einde van die dag.

(Co-ordinator for me means I must, even though I have volunteers, I must still make copies, I must make sure that they get the copies. I must also always be available if one of them could not make it. And like X, I am also very involved in facilitation. And I want to say, with such a big area it tires one, because, if I think about it, from Tuesdays to Thursdays I present a YES every afternoon. So it is quite tiring. Especially, some areas have large groups...So, you as co-ordinator actually have a lot of responsibility, because you are responsible for all the admin, you must make sure that the letters are sent out when children do not turn up.

...because it is to me the absolute carrying of responsibility. You take responsibility for the specific groups in your area and that it functions well, for volunteers who must function well, because at the end of the day if problems arise, if there...it comes back to you directly as co-ordinator so it's the taking of responsibility to see to it that the programme functions well at the end of the day and also to convince other roleplayers in the area, in the regions where you work, that the programme is a success at the end of the day.

For most workers, co-ordination was quite emotionally draining. The co-ordinator thus needed someone to complain to, talk to about their emotions and provide support. This person had to be local and someone else other than their manager.

En wat vir my belangrik is, is dat daar, ek voel dat daar iewers iemand moet wees wat die koördineerder na wie toe jy spesifiek ook kan gaan om net n bietjie te kan kla. (laughs) Ek dink dit is baie belangrik. Behalwe nou die manager, maar as daar iewers op 'n emosionele vlak... iemand in jou spesifieke area met wie jy met gemak kan wees en wat vir jou die nodige professionele leiding ook kan gee in spesifieke sake... Ja, want dit is so, baie keer kry jy die gevalle wat jou emotioneel kan ontstel, kort jy as koördineerder iemand wat kan luister.

(And what is important to me is that there, I feel that there somewhere should be someone that the co-ordinator, to who you can also go specifically just to complain a little (laughs). I think this is very important. Other than the manager, but if somewhere on an emotional level... Someone in your specific area with whom you can be comfortable and who can also give you the necessary professional guidance in specific cases... Yes, since it is, many times you get those cases that can upset you emotionally, you need as co-ordinator someone who can listen.)

If the worker facilitated the programme herself, it frequently ended up that the worker had more responsibilities in the direct work with the child as the worker had more opportunity to identify problem areas and concerns. The chances of mistakes being made in the facilitation would also be minimised as workers were more skilled than volunteers.

There were also concerns expressed as to how to market the programme. The need was identified for a "marketing tool" so that funders could buy into the revised programme. If NICRO was not going to outsource the programme, "branding" would be needed in order to raise funds. Thus, the question was how to market the programme for funders to say: "This is it. This is what we want. This is the answer."

The point was also raised that communities should take ownership of the programme in an advisory capacity. Those who had been through the programme and had become successful in life should be targeted as to how they could plough back into the programme, become patrons, for example.

W: I think for me the concern would be... how do we market this process... to fundable organisations or fundable structures? How do we put that marketing ... tool or that whole thing of marketing together? umm and then ja... that is the other challenge in that there is not enough money. If we would have it for what we said, you know, solutions we've mentioned. How do we look for people to buy in on this project... and umm it has always

been a concern though that the community must take ownership of our programmes. So, how can we get the community to take ownership of this specific programme ...

R: You mean for them to take over and run the programme, is that what your saying or what?

W: Maybe not run the programme, but advisory committee for this project...and sort of, "you've been part of the YES and you've qualified now as a doctor". How to become a patron, as part of the project? How did he become a person that will plough back into this project, you know, because surely the project will impact, have served you...But we haven't gone that far yet..

It was also mentioned that workers should be attending refresher courses or training in therapeutic skills as many factors came into play where these skills were needed. The reality was that workers did not keep themselves up to date after obtaining their professional qualification.

You know, therapeutic stuff man. I mean, I studied, I finished in '97 and I haven't touched a book since then.

According to one worker, the training would also need to include project management skills as workers needed to manage volunteers. Managers also needed to look at the transfer of skills as they attended these courses.

The need for proper, structured research to determine the effectiveness of the programme and management of the volunteers was identified. A research gap existed. This worker also suggested that an external evaluator be called in to look at the volunteer management system and who could advise on improvements.

I think one thing lacking from this project is the research gap. So umm, that is a very important aspect that we still need to build on. Proper research. You follow up on individuals, but holistically. It is structured. What are you following up on? Why are you doing it? So the research needs to become a very important component.

Workers also felt the need to look at how the knowledge and skills base of YES participants could be broadened as they had many talents. The question was how they could be matched with other structures and organisations in the community as a way of helping them with a career path. The concern was raised as to the ability of the worker to spend time on individuals to do this as this could only occur on an individual basis.

One aspect that the study did not focus on was the relationship between the diversion worker and volunteers. This was mentioned here, but it may be a further aspect to examine in future research studies.

4.4 CONCLUSION

This chapter described the results obtained of the data collected in the individual interviews with volunteers and the focus group sessions with the diversion workers. The results were described according to the questions used in the interview schedules. The results of the questions were detailed according to categories and themes identified, where appropriate. The evaluation and comments of the results described were also provided. This has set the scene for the final chapter to be compiled. This chapter will focus on the conclusions and recommendations that can be drawn from this study.

CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

The purpose of this research study was to determine the experiences of volunteers and diversion workers in the implementation of the NICRO Youth Empowerment Scheme (YES) programme in the Western Cape. This was conducted due to the importance of diversion in dealing with young offenders in the current justice system. It was also conducted in anticipation of the eventual passing of the Child Justice Bill (Bill 49 of 2002) of which diversion is an integral part. This Bill also proposes the implementation of minimum standards for diversion programmes and services which has major implications for service delivery.

This chapter provides an overview of the research conducted and the results obtained. The results shed some light on the realities of making a diversion programme possible in communities and the impact this has on volunteers, diversion workers, the children referred and their parents or guardian.

5.2 AN OVERVIEW OF THE RESEARCH PROCESS

The objectives of the study as previously mentioned are the following:

1. To review existing literature which inform diversion programmes.
2. To determine what the experiences of the volunteers and diversion workers have been with regards to the implementation of the YES programme and challenges and successes experienced.
3. To ascertain what has motivated volunteers and diversion workers to continue with their work, what would help improve the implementation process, and the future they see for the YES programme.
4. To make recommendations regarding improvements to the YES programme and its implementation.

A qualitative, evaluative research design was used for this cross-sectional study. In order to obtain a comprehensive picture of the reality of implementation, both volunteers and the diversion workers were part of the research. The population of diversion workers in the Western Cape was included in the study, while a sample of volunteers was selected.

Individual interviews were conducted with each of the volunteers in their respective towns across the Western Cape, and focus groups were held with diversion workers.

Audio recordings were made of the interviews with volunteers and the focus groups with the expressed permission of the participants. These recordings were transcribed by an independent scribe. The transcripts were then examined for trends, themes and categories. Results were compiled and conclusions drawn.

5.3 THE RESEARCH FINDINGS AND CONCLUSIONS DRAWN

5.3.1 Objective 1

To review existing literature which inform diversion programmes.

5.3.1.1 Findings

The existing international instruments which inform diversion practice are Articles 37 and 40 of the United Nations (UN) Convention on the Rights of the Child, Article 17 of the African Charter on the Rights and Welfare of the Child, the UN Standard Minimum Rules for the Administration of Juvenile Justice and the UN Rules for the Protection of Juveniles Deprived of their Liberty. These above-mentioned articles emphasised the importance of making provision for dealing with children in conflict with the law outside the judicial system, taking into account the child's well-being, circumstances and offence. The UN Standard Minimum Rules for the Administration of Juvenile Justice specifically talked about the need for diversion as a means to deal with cases involving children. It specified the need for standards and principles, and the monitoring of the application of these were emphasised due to the discretionary powers certain role-players needed to have to fulfil their functions. There was also emphasis on working with the child in their community context.

In the national context, Section 2(a) of the Constitution of the Republic of South Africa aims to protect the rights of children in conflict with the law. The Child Justice Bill (49 of 2002) proposed diversion as a central part of the criminal justice process. It proposed the formalisation of diversion practice and introduced minimum standards for diversion practice. Current legislation which makes provision for the definition of diversion and certain practices related to diversion was the Probation Services Amendment Act (35 of 2002).

International research conducted on programmes addressing offending behaviour by Vennard, et al. (1997), cited in Austin and Krisberg (2002), MacMohan and others (2004),

cited in Smith (2006) and Lipsey (1992), cited in Haines and Drakeford (1998:200) had shown that even after a number of research studies conducted over a number of years, there was still a need for more investigation as to the type of approach which worked best, under what conditions, types of settings, and with whom. The need was also identified for more research on the correlation between risk and level of intervention, and the subsequent work needed to best maintain any progress made during the course of a programme. Furthermore, there was also a need to evaluate programmes used for their impact and effectiveness. Where programme evaluation had been conducted, it showed that the conditions under which groupwork programmes were implemented may have decreased the chances of the programmes' success.

Research studies (Austin & Krisberg 2002) also brought to light the intended and unintended consequences of diversion, and that the practice of diversion may not be as beneficial to offenders, communities and the criminal justice system as anticipated.

The limited South Africa research studies, including studies by NICRO (Muntingh 1998 & 2001), have shown that diversion programmes such as the YES programme have had a positive impact on participants and helped to reduce their offending behaviour. Research into the costing of the Child Justice Bill (Bill 49 of 2002) have shown a significant increase in the number of referrals to diversion programmes that will take place if the Bill was implemented in its current form. Various studies on smaller scales have also been conducted about children in conflict with the law. One specific research study (Cupido, et. al 2005), which also focused on implementation of the NICRO YES programme, identified a number of problems and challenges. These ranged from problems and issues with attendance by participants, a lack of support after programme completion, and the content of sessions. This study, which focused on implementation in one specific area, already raised a number of concerns.

5.3.1.2 Conclusion and recommendations

Until the Child Justice Bill (Bill 49 of 2002), or an amended form of the Bill, becomes legislation, diversion practice will continue to function within a framework that is inadequate and does not provide specific guidelines for practice standards for various role-players, the roll-out of programmes, and options and the process/es which a young person in conflict with the law will experience.

There remains a significant gap in research studies, especially evaluative studies, focused on youth in conflict of the law and diversion programmes. For example, the other diversion options that NICRO presents, such as pre-trial community service, does not seem to have

been researched nor evaluated on a broad and significant scale. It also raises concern as to whether diversion service providers have sufficient and relevant information by which they could measure whether they are ready for the implementation of the Child Justice Bill (Bill 49 of 2002), the resultant increase in referrals, the demand for greater variety of options and readiness for compliance with minimum standards.

5.3.2 Objective 2

To determine what the experiences of the volunteers and diversion workers have been with regards to the implementation of the YES programme, and challenges and successes experienced.

5.3.2.1 Findings

5.3.2.1.1 Volunteers

Volunteers generally experienced the YES programme positively and as effective in addressing offending behaviour. They derived personal satisfaction from facilitating programmes and receiving positive feedback from parents and participants alike. They faced a number of challenges, though, when facilitating sessions. These included:

- unrealistic parental expectations;
- participants of different ages, educational levels and cultural backgrounds in one group;
- the manual being in English while most participants were Afrikaans or Xhosa speaking and, thus, the material had to be translated;
- sessions being too long or being too short;
- participants and parents not co-operating and not attending sessions;
- inappropriate venues; and
- accessibility problems with participants from farms being unable to attend or frequently having problems with transport due to the long distance to the programme venue.

Cupido (2005) In her study also identified some of the above-mentioned challenges as effecting the implementation of YES programmes. These challenges were addressed by calling on the diversion workers for assistance and guidance in addressing and managing challenges, drawing on their own strengths and capacities, and using their own initiative and means to address challenges as they arose, especially within sessions.

The volunteers indicated that the positive feedback they received, gratitude from parents and participants when they met them after the programme, the fact that some participants came to see them again after having completed the programme to thank them or to assist

them in some way, and to see some participants returning to school and making a success of their lives, were seen as successes by volunteers.

5.3.2.1.2 Diversion workers

The diversion workers also indicated that they experienced the YES programme to be something positive and effective, and made a difference in the lives of the participants. The diversion workers listed amongst their major challenges factors related to logistics, such as difficulties in finding suitable venues, not having a large budget to pay for venues, finding and maintaining suitable volunteers, obtaining new manuals for new volunteers, the lack of commitment from some participants and parents, the lack of capacity in volunteers to facilitate groups of a complex composition, perceived lack of support from NICRO management, their broader work responsibilities as diversion workers, and the wide geographical areas they have to serve.

The successes with regards to implementation were having the right venue that was easily accessible, co-operative parents, having committed and reliable volunteers and managing them well, positive and constructive working relationships with other role-players, e.g., probation officers, assistant probation officers and prosecutors, the manual as a good tool, the trust relationship that developed between participants and workers when workers facilitated the programmes, enabling them to respond appropriately to the needs of the participants, and the good support amongst workers .

5.3.2.2 Conclusions and recommendations

While there may be the current human capacity to implement and manage the programmes in various towns, these capacities will be severely stretched with increased demand for diversion programmes from courts where no NICRO services exist or with increasing referrals and demands on existing service.

While there are these continuous challenges to face, both workers and volunteers are able to look at the positives in the challenges they face and what has helped them in doing their work. This already gives an indication that there is not an embedded bitterness or frustration that blocks their ability to consider the successes of the programme. It seems, though, that the successes are ultimately dependent on the situation of that particular town or area. For example, it depends on what appropriate venue is available or if the prosecutor and probation officer are co-operative or if there are volunteers available or on the profiles of participants.

In order for any programme to be effective, it must effectively address a need that exists within the programme's participants. The fact that the manual is only available in English presents a challenge to volunteers and workers. There is thus a need to translate the manual into other South African languages in order to facilitate the presentation of content. There should also be a revision of the manner in which content is presented and the expectations of its activities and exercises in order to determine if they are suitable for participants with little education, younger participants or participants from different cultural backgrounds. Diversion workers would need to know the profile of the participants of a YES group, anticipate possible challenges and help volunteers in preparation for facing these challenges.

The various language competencies, age and educational levels, present a major challenge to volunteers. The composition of the YES groups would need to be examined as there seems to be participants that may not be able to fully benefit from attending a programme. Assessment of referrals received before commencing a programme may address this problem to some extent. Volunteers are community members who are usually not professionally trained, and thus may not have the necessary skills to facilitate diverse groups. This situation needs to be monitored and evaluated. A strategic plan needs to be put in place in order to address this problem.

There seems to be a need to focus on more formalised means of support for both workers and volunteers. There was no mention made during interviews regarding formal supervision sessions or meetings between volunteers and workers, although there does seem to be regular contact and communication between these two parties. Co-facilitation played an important role, also with regards to volunteers feeling supported and being empowered to deal with challenges. This is an area that would need attention as a more formal means of providing support, such as debriefing sessions after completing a programme, should assist volunteers in facing the emotional challenges of a YES programme. There seems to be instances where volunteers perceive the diversion workers to be very supportive and available to help. This may not be the case at all the NICRO offices. Formal supervision for all volunteers has to become part of volunteer management.

The lack of sufficient funding to pay for venues, gifts for volunteers and other items, does present a problem to workers. The organisation also needs to investigate the problems around obtaining new manuals for volunteers and the payment of these manuals. NICRO must examine its financial commitment to the YES programme in this regard.

5.3.3 Objective 3

To ascertain what has motivated volunteers and diversion workers to continue with their work, what would help improve the implementation process and the future they see for the YES programme.

5.3.3.1 Results

The motivation for both volunteers and diversion workers to continue stem from being able to see the impact of their work on the participants and parents. Both the volunteers and diversion workers feel strongly about the YES programme as they chose to continue with it even if they had the power to terminate the programme. Both the workers and volunteers also seem to see a definite future for the programme as a diversion option, albeit with changes. They saw it as beneficial not only to participants, but also to the community.

5.3.3.1.1 Volunteers

The feedback received from parents when meeting them by chance is a real inspiration to volunteers and workers. More than this, positive feedback from participants and those who even return to the group to say hello or help out in some way or another are also strong motivators to continue with their work. It, thus, made facing all the challenges and problems worthwhile. All the volunteers indicated that they would continue working as facilitators if given the choice to end or continue in this role. They would also continue with the YES programme, even if given the choice to continue or stop the programme altogether.

Transport for volunteers and participants, especially for participants from farm areas, incentives for volunteers, simplification of the contents of the YES programme for those with little education, translation of the manual into Afrikaans, decreasing the number of sessions, having a follow-up camp, having a co-facilitator and using child-friendly venues were all suggestions volunteers put forward which would make their work as facilitator easier.

They saw the need for the programme to change in its structure, i.e., the number of sessions, duration of sessions and having additional components such as a camp, follow-ups, skills development, visits to correctional facilities and mentoring. They also identified the need for the content to be adapted and additions to be made that would be relevant and more responsive to the needs and situations of participants. There were also suggestions to broaden the scope of the programme to younger children and to use it as a crime prevention mechanism. A programme for parents was also suggested. The future of the YES programme was seen as dependent on its ability to respond to the needs of the participants

and the community in an effective and relevant manner. It would help prevent children from getting a criminal record and motivate them to change their behaviour.

5.3.3.1.2 Diversion workers

As in the case of the volunteers, they also saw success in their work through the feedback received when they met participants and parents afterwards. Parents were usually grateful for the assistance their children received.

The workers were motivated to continue in their roles as co-ordinators as they recognised the programme as being beneficial to participants. The programme was seen to be comprehensive and no equal existed in communities currently. The commitment and hard work they saw in the volunteers and the support received from colleagues also gave them strength to continue with their work.

The diversion workers saw a definite future for the YES programme, but only if it changed and became more responsive to the needs of youth. The format of these changes could not be agreed upon, but seemed to depend on various factors. Since it already had been used in communities and schools through partnerships forged with NICRO, more programmes in schools and communities should make it a widely accessible programme. Increased prominence in communities should also lead to communities providing input on the programme and implementation in an advisory capacity.

5.3.3.2 Conclusion and recommendations

Volunteers play a vital role in the roll-out of YES programmes. The fact that there are volunteers means that more children can have access to this diversion option. Using community volunteers is one way in which NICRO is building capacity in communities to address the problem of crime. This vital service thus needs to be managed in the best way possible. There is a need within NICRO to evaluate its policies concerning the management of volunteers. This would include the aspects of incentives, training and preparation, support, supervision, monitoring, and further development and advancement. These aspects contribute towards the volunteers feeling valued and capable of doing their work.

Training of volunteers has to become compulsory and standardised. The training should enable volunteers to address the challenges of diversity in groups, resistant participants, and presenting content in a manner suited to participants with little or no basic literacy skills. Well trained volunteers will facilitate effective implementation of the YES programme. Minimum standards regarding training, preparation and management of volunteers should be

compiled. These standards should allow for variations in training and management, but provide a baseline of requirements that will ensure quality and effective management.

There were concerns raised regarding the workload of diversion workers, the geographical areas they have to serve, and the resources available to them. They had also identified the need for further training and skills development, such as volunteer management skills. This is in line with results obtained by Steyn and Foster (2001), where the social workers and probation officers also felt the need for more training on the implementation and management of diversion programmes. They also mentioned insufficient resources as hampering implementation of programmes. While there seems to be a strong commitment from workers to make the YES programmes happen and successful, these factors limit the abilities of workers to focus on the development and successful implementation of the programmes. A review of the roles, tasks and responsibilities of diversion workers is needed in order to determine the most effective means of delivery of diversion programmes and the YES programme in particular.

5.4 CONCLUSION

The Child Justice Bill (Bill 49 of 2002) proposes minimum standards for diversion and diversion options. Standards such as options needing to be appropriate to the age and maturity of the child, options having to provide useful skills, having to be accessible and enabling the child to understand the impact of their behaviour on others, especially the victim, sets quite a task for current diversion service deliverers who wish to bring their services in line with these standards.

This study has shown that the implementation of the YES programme seems to vary according to factors such as the availability of volunteers and resources, and the type of community where it is being presented. The volunteers and diversion workers involved face numerous challenges in making implementation successful, but they have been able to ensure that YES programmes are offered in various communities. Implementation of the Child Justice Bill (Bill 49 of 2002) will mean increased pressure and demand on current services. It is doubtful whether the current state of delivery of diversion programmes, specifically the YES programme, will be able to cope with this increased demand. Not only will it face the increase in numbers, but it will also have to comply with minimum standards. There is still a long way to go before there is readiness to cope with increased demand and compliance with minimum standards.

REFERENCES

- Austin, J. and Krisberg, B 2002 "Wider, stronger and different nets: The dialectics of criminal justice reform" in *Youth Justice: Critical readings* by Muncie, J; Hughes, G; McLaughlin, E (eds) Sage publications, London in association with Open University, Britain
- Babbie, E. 2001 *The practice of social research* , 9th edition, Belmont, Wadsworth
- Republic of South Africa **Child Justice Bill 49 of 2002**, Government Gazette, Government Printers, Pretoria
- Cupido, M., Kritzinger, A., Van Aswegen, F. 2005 "The Implementation of a diversion programme for juvenile offenders: Problem areas and 'pitfalls'" in *Social Work/ Maatskaplike Werk* 41(3):251-264
- De Vos, A.S., 2002 "Qualitative data analysis and interpretation" in *Research at grass roots for the Social Sciences and Human Service Professions* (2nd edition) by De Vos, A.S. (Ed), Strydom, H., Fouché, C.B., Delpont, C.S.L., Van Schaik Publishers, Pretoria
- Everitt, A., Hardiker, P., Littlewood, J., Mollender, A. 1992 **Applied research for better practice** in Probation and Correctional Practice Honours Research Course handout, 2000, Department of Social Development, University of Cape Town.
- Gallinetti, J 2004 "Diversion" in *Child Justice in Africa: A Guide to good practice* by Sloth-Nielsen, J. and Gallinetti, J. Community Law Centre, University of the Western Cape
- Gallinetti, J., Muntingh, L., Skelton, A. 2004 "Child justice concepts" in *Child Justice in Africa: A guide to good practice* by J. Sloth-Nielsen and J. Gallinetti, Community Law Centre, University of the Western Cape
- Haines, K., Drakeford, M. 1998 *Young people and youth justice* MacMillan Press, United Kingdom

Muncie, J 1999 ***Youth and Crime*** First edition, Sage Publications: London, Britain

Muncie, J., Hughes, G., McLaughlin, E. 2002 "Part IV: Justice, diversion and rights"

 In ***Youth Justice: Critical Readings*** by Muncie, J., Hughes, G., McLaughlin, E. (eds) Sage publications, London in association with Open University, Britain


Muntingh, L.M. 1997 "The Development of diversion options for young offenders" in ***Policing the transformation: Further Issues In South Africa's crime debate***, by M. Shaw (ed) ISS Monograph No.12, Pretoria, Institute for Security Studies

Muntingh, L.M. 1997 "Introduction" in Muntingh, L.M. & Shapiro, R.J. ***Diversions: An Introduction to diversion from the Criminal Justice System*** National Institute for Crime Prevention and Reintegration of Offenders, Cape Town

Muntingh, L.M. 1998 ***The effectiveness of diversion programmes – A longitudinal evaluation of cases*** National Institute of Crime Prevention and Reintegration of Offenders, Cape Town

Muntingh, L.M. 2001 ***The effectiveness of diversion programmes – A longitudinal evaluation of cases*** National Institute of Crime Prevention and Reintegration of Offenders, Cape Town

Muntingh, L.M. 2004 "Reintegration" in ***Child justice in Africa: A guide to good practice*** by Sloth-Nielsen, J. and Gallinetti, J. Community Law Centre, University of the Western Cape

 NEXUS Database System [Online] 2007 Youth in conflict with the law: Current and Completed Research Projects:

<http://stardata.nrf.ac.za/starweb/CCRPD/servlet.starweb> [obtained February 2007]

NICRO Undated - ***Youth at risk: Diversion for children in trouble with the law*** Leaflet

NICRO 2000 ***Mapping the Future: Empowering the Youth*** National Institute for Crime Prevention and Reintegration of Offenders, Juba, Cape Town

NICRO 2003-2004 Annual report, National Institute of Crime Prevention and Reintegration of Offenders, Cape Town

NICRO 2004-2005 Annual report, National Institute of Crime Prevention and Reintegration of Offenders, Cape Town

Organisation for African Unity (OAU) 1990 ***African Charter on the Rights and Welfare of the Child***

Pratt, J. 2002 "Corporatism: The third model of Juvenile Justice" in ***Youth Justice: Critical Readings*** by Muncie, J., Hughes, G. and McLaughlin, E. (Eds), Sage Publications in association with the Open University: London, Britain

Republic of South Africa ***Probation Services Amendment Act (No. 35 of 2002)***, Pretoria: Government Gazette, Government Gazette

South African Law Commission (SALC) 1997 **Juvenile Justice** Issue Paper 9, Project 106, SALC: Pretoria

Schurink, W.J., Schurink, E.M., Poggenpoel, M. 1998 **Focus group interviewing and audio-visual methodology in qualitative research** in Probation and Correctional Practice Honours Research Course handout, 2000, Department of Social Development, University of Cape Town

Schutt, R.K. 2004 **Investigating the Social World: The process and practice of research** 4th edition Pine Forge Press, Thousand Oaks, USA

Shearar, A. & Graser, R. 2005 "A critical view of diversion programmes in context of restorative justice" in ***Social Work/Maatskaplike Werk***, 41(2):155-162

Skelton, A. 2001 "Setting standards for diversion" in ***Article 40*** Vol 3(1):8-9

 Skelton, A. 2002 "Restorative justice as a framework for juvenile justice reform: A South African perspective" in ***British Journal of Criminology*** Vol 42:496-513

Sloth-Nielsen, J. 1999 "The Juvenile Justice law reform process in South Africa: Can a children's rights approach carry the day" in *Quarterly Law Review* (18) 469, Law Review Association of the Quinipiac College School of Law

Sloth-Nielsen, J. 2000 "Child justice and law reform" in *Introduction to Child law in South Africa* by C.J. Davel (ed), Juta, Cape Town

Sloth-Nielsen, J 2004 "Policy development: change and reform within existing justice systems" in *Child Justice in Africa: A guide to good practice* by J. Sloth-Nielsen and J. Gallinetti, Community Law Centre, University of the Western Cape

Smith, David 2006 "Youth crime and justice: Research, evaluation and "evidence" in *Youth Crime and Justice* Barry Goldson and John Muncie (eds), Sage Publications, London

Steyn, F. 2005 *Review of South African Innovations In diversion and reintegration of youth at risk* Open Society Foundation for South Africa, Cape Town

Steyn, F. & Foster, H. 2001 "Impediments in the management of young offenders in the Free State" in *Article 40* 3(1):10-11

Strydom, H. 2002 "Ethical aspects of research in the Social Sciences and Human Service Professions" in *Research at grass roots for the Social Sciences and Human Service professions* (2nd edition) by De Vos, A.S. (Ed), Strydom, H., Fouché, C.B., Delpont, C.S.L., Van Schaik Pulishers, Pretoria

Strydom, H., Delpont, C.S.L. 2002 "Sampling and pilot study in qualitative research" in *Research at grass roots for the Social Sciences and Human Service professions* (2nd edition) by De Vos, A.S. (Ed), Strydom, H., Fouché, C.B., Delpont, C.S.L., Van Schaik Pulishers, Pretoria

Umsobomvu Youth Fund(UYF) 2006 "*Youth in conflict with the law: Assessment of context and interventions*" *Research Report*, UYF, Midrand

United Nations 1985 **Standard Minimum Rules for the Administration of Juvenile Justice**

United Nations 1989 Convention on the Rights and Welfare of the Child

United Nations 1990 Rules for the Protection of Juveniles Deprived of their Liberty

Wood, C. 2003 *Diversion in South Africa: A review of policy and practice, 1990-2003*; Occasional Paper 79, Institute for Security Studies, Pretoria obtained from NICRO National Diversion Training data CD.

Van der Sandt, T & Wessels, N. 1997 "Youth Empowerment Scheme" in *Diversions: An introduction to diversion from the criminal justice system* National Institute for Crime Prevention and Reintegration of Offenders, Cape Town

APPENDIX A: INTERVIEW SCHEDULE FOR VOLUNTEER INTERVIEWS

Interview schedule for individual interviews with YES volunteers

- Introduce self and thank interviewee for coming to the interview.
- Explain the purpose of the research and what role interviewee is playing.
- Discuss issues of confidentiality and anonymity.
- Let respondent sign consent form.

Name of interviewee _____
(Person can suggest a fictitious name)

Age: 18 – 21 22 – 25 26 – 30
31 – 35 36 – 40 41 – 45
45 +

Gender: Female Male

Town/s being served? _____

Duration of service as a YES volunteer? _____
Hoe lank al 'n YES vrywilliger?

Approximately how many YES programmes have you facilitated thus far? _____
Omtrent hoeveel YES programme het u al sover fasiliteer?

1. Considering that the YES programme consists of eight weekly sessions of two hours each, that parents and the co-ordinator attend the first and last sessions, that the sessions are facilitated by volunteers, that the content of each session is set and that there seems to be a variety of children attending the programme in terms of age group, educational levels and language, amongst other things, describe your experience of facilitating YES programmes.

As ons in ag neem dat die YES program uit agt weeklikse sessies van twee ure elk bestaan, dat ouers en die ko-ordineerder die eerste en laaste sessies bywoon, dat die sessies deur vrywilligers aangebied word, dat die inhoud van elke sessie bepaald en onveranderd is en dat 'n verskeidenheid van kinders die programme bywoon in ag genome verskillende ouderdomsgroepe, opvoedingsvlakke en taal, beskryf u ervaring ten opsigte van die fasilitering van die YES program.

2. Did you receive any training in preparation for your work as a facilitator?
Het u enige opleiding ondergaan ter voorbereiding vir u werk as fasiliteerder?

Yes \ No

3. If your answer to question 2 is “yes”, please tell me about your training.
Indien u antwoord op vraag 2 “ja” is, vertel my asseblief van u opleiding.

4. Is there anything else, other than your training as a facilitator for YES programmes, that helped you prepare for this role?
Is daar enigiets anders, behalwe u opleiding as fasiliteerder van YES programme, wat u gehelp het ter voorbereiding vir hierdie rol?

5. What, if any, have been major challenges you have had to face as facilitator of the YES programme?
Watter uitdagings, indien enige, moes u al as fasiliteerder van die YES program hanteer?

6. How did you cope with these challenges?
Hoe het u hierdie uitdagings hanteer?

7. What, if any, would you consider as your worst experiences as facilitator of the YES programme? (What made these experiences the worst?)
Watter ervarings, indien enige, sou u as u mees negatiefste ondervinding as fasiliteerder vandie YES program beskou? (Wat het hierdie ervarings negatief gemaak?)

8. What, if any, have been your best experiences as facilitator of the YES programme? (What made these experiences the best?)
Watter ervarings, indien enige, was u mees positiefste as fasiliteerder van die YES program? (Wat het hulle positief gemaak?)

or most memorable experience? /of mees denkwaardige ervaring?)

9. Considering your training, do you think that it prepared you sufficiently for your work as facilitator?
As u terugdink aan die opleiding wat u ontvang het, het dit voldoen ter voorbereiding vir u werk as fasiliteerder?
10. What more can be done to make your job as facilitator "easier"?
Wat kan gedoen word om u werk as fasiliteerder te vergemaklik?
11. If you were given the choice of continuing or ending your role as facilitator, what would your choice be?
As u die keuse gegee word om voort te gaan of om u rol as fasiliteerder te beëindig, wat sou u keuse wees?
12. If you were given the choice of continuing the YES programme or ending it altogether, what would your choice be?
As u die keuse gegee word om voort te gaan met die YES program of om dit te beëindig, wat sou u keuse wees?
13. If you were given the opportunity to make changes to the YES programme in terms of its structure, contents and process, what would these changes be?
As u die geleentheid gegee word om veranderinge aan die YES program aan te bring ten opsigte van die struktuur, die inhoud en die proses, wat sou hierdie veranderinge wees?
14. What future do you see for the YES programme as a diversion option?
Hoe sien u die toekoms van die YES program as 'n afwentelingsopsie?
15. Any other comments, additions, etc. to any of the previous questions? (Review questions.)
Enige ander kommentaar of toevoegings wat u wil byvoeg by u vorige antwoorde? (Gaan weer deur die vrae.)
16. Is there anything else you would like to say about the YES programme and your experience of it?
Is daar enigiets anders wat u nog wil sê oor die YES program en u ervaring daarvan?

APPENDIX B: FOCUS GROUP SESSION QUESTIONS

Focus group interview: NICRO Diversion workers

Outline of process and list of questions

1. Facilitator introduces herself and welcomes the participants. She then explains the reason for the group interview and the purpose of the research.
2. Each participant is then given a chance to introduce themselves.
3. The facilitator then discusses the issues of confidentiality, anonymity and the use of the audio recorder. Permission will be sought from participants to use the audio recorder.
4. Each person is then requested to give a brief opening statement. This will be in reply to the request to briefly describe what their experience has been in implementing the YES programme in their respective areas. Opportunity will be given, if necessary, for participants to make notes before giving their opening statements.

Further discussion questions:

- What have been the major challenges you have experienced in implementing the YES programme?
- What challenges do you still face?
- What has worked/been successful in the implementation of the programme?
- What will help you facilitate implementation of the YES programme?
- What has motivated you to continue with the implementation of the YES programme?
- What future do you see for the YES programme as a diversion option?

In closing, each participant will be given an opportunity to make final comments. Participants will be reassured that the content will be treated confidentially and their identities protected as far as possible.

APPENDIX C: VOLUNTEER CONSENT FORM

CONSENT FORM

Dear Researcher

I, _____, hereby voluntarily consent to participating in the research study dealing with the implementation of the NICRO “Youth Empowerment Scheme” programme in the Western Cape and the experience of the volunteers as facilitators of this programme.

Signature of participant

Date

Signature of researcher

Date

APPENDIX D: TOESTEMMINGSVORM VAN VRYWILLIGER

TOESTEMMINGSVORM

Geagte Navorser

Hiermee gee ek, _____, vrywilliglik my toestemming dat ek sal deelneem aan die navorsingstudie wat handel oor die implementering van die NICRO “Youth Empowerment Scheme” program in die Wes-Kaap en die ervaring van vrywilligers as fasiliteerders van hierdie program.

Handtekening van deelnemer

Datum

Handtekening van navorser

Datum

APPENDIX E: INVITATION LETTER TO DIVERSION WORKERS

c/o Department of Social Development
University of Cape Town
Rondebosch
Tel: (021) 572 7655/572 9401
Cell: 083 508 1647

3 March 2005

Dear

As you already know, I am busy with my Master's degree at the University of Cape Town. I am currently doing research into the implementation of diversion programmes in the Western Cape, specifically the YES programme. I am keen to hear about your experiences as diversion co-ordinator for your service point/area with regards to the implementation of the YES programme.

You are therefore invited to be a participant in a once-off focus group discussion that has been arranged for provincial week. The discussion is planned for Thursday afternoon. Please note that you are free to refuse to partake in the focus group discussion. The choice is yours. It is hoped though that you will respond favourably to this invitation and share your experiences with me. Your input will help to inform others about the realities of implementing diversion programmes in the Western Cape.

If all participants agree, I will be using an audio recorder to capture the discussions that will take place. The recordings will be kept in confidence. Transcripts will be made, but these will only be used to determine the research results. Personal identities and details will not be used in the research document.

I will be in contact with you in due course to confirm your participation. Please feel free to contact me if further information is needed.

Thank you in anticipation

Nikki Arendse

APPENDIX F: UITNODIGINGSBRIEF AAN AFWENTELINGSWERKERS

c/o Departement van Maatskaplike Ontwikkeling
Universiteit van Kaapstad
Rondebosch
Tel: (021) 572 7655/572 9401
Sel: 083 508 1647

3 Maart 2005

Liewe

Soos jy seker alreeds weet, is ek huidiglik besig met my Meestersgraad by die Universiteit van Kaapstad. Vir graad doeleindes, is ek besig met 'n studie oor die implementering van afwentelingsprogramme, spesifiek die YES program in die Wes Kaap. Ek wil graag jou ervaring as koördineerder van afwenteling vir jou dienspunt hoor in hierdie verband.

Jy word dus uitgenooi om deel te neem aan 'n fokusgroepbespreking beplan vir provinsial week. Dit word vir Donderdagmiddag beplan. Neem asseblief kennis dat jy nie verplig is om aan die groepbespreking deel te neem nie. Dit is jou keuse. Nogtans hoop ek dat jy kans sal sien om deel te neem en die uitnodiging sal aanvaar. Jou insette sal waardevol en van groot hulp wees om kennis van die realiteit van die implementering van afwentelingsprogramme te verryk.

Met al die deelnemers se toestemming, beoog ek om 'n bandopname van die groepsbespreking te maak. Die opname sal vertroulik hanteer word. Afskrifte van die bandopname gaan gemaak word. Hierdie afskrifte gaan gebruik word om die uitkoms van die besprekings saam te stel. Die studiedokument sal nie persoonlike identifiserende besonderhede van deelnemers bevat nie.

Ek sal op 'n latere stadium in kontak wees om jou deelname te bevestig. Jy is welkom om my te kontak as daar enige vrae is.

Baie dankie

Nikki Arendse

APPENDIX G: INVITATION LETTER TO VOLUNTEERS

c/o Department of Social Development
University of Cape Town
Rondebosch
Tel: (021) 572 7655/572 9401
Cell: 083 508 1647

17 March 2005

Dear

My name is Nikki Arendse. I am a Master's student at the University of Cape Town. I am currently conducting research into the implementation of diversion programmes in the Western Cape. I am specifically focusing on the implementation of the YES programme. I am also currently employed at NICRO working for the Diversion project.

You have been identified as an ideal candidate for this research due to your work as a volunteer facilitating the YES programme. Your knowledge and insight of the YES programme gained from your experiences as a facilitator is considered a valuable resource for this study.

You are thus hereby invited to be a participant in my research study. Please note that you are totally free to refuse to participate in the study. The choice is yours. It is hoped, though, that you will respond favourably to the invitation and share your experiences with me. It will definitely go a long way in informing us and help to improve the delivery of diversion programmes in the Western Cape.

If you agree, I will be using an audio recorder to capture the discussions that will take place. The recordings will be kept in confidence. Transcripts will be made, but I will only use these to determine the research results. Personal identities will not be used in the research document.

You will be contacted for confirmation of your participation and with the details of the interview, if you choose to participate.

Please feel free to contact me at the above address and contact numbers if further information is needed.

Thank you in anticipation

(Ms) Nikki Arendse

APPENDIX H: UITNODIGINGSBRIEF AAN VRYWILLIGERS

c/o Departement van Maatskaplike Ontwikkeling
Universiteit van Kaapstad
Rondebosch
Tel: (021) 572 7655/572 9401
Sel: 083 508 1647

17 Maart 2005

Liewe

My naam is Nikki Arendse. Ek is huidiglik besig met my Meestersgraad by die Universiteit van Kaapstad. Vir graad doeleindes, is ek besig met 'n studie oor die implementering van afwentelingsprogramme, spesifiek die YES program in die Wes Kaap.

U is geïdentifiseer as 'n ideale kandidaat om aan die studie deel te neem as gevolg van u werk as 'n fasiliteerder van die YES program. U kennis en insigte wat u opgedoen het deur u ervaring as fasiliteerder word as 'n waardevolle bron vir die studie beskou.

U word dus hartlik uitgenooi om deel te neem aan die studie in die vorm van 'n onderhoud wat met u gevoer sal word. Neem asseblief kennis dat u nie verplig is om deel te neem nie. Dit is u keuse. Nogtans hoop ek dat u kans sal sien om deel te neem en die uitnodiging sal aanvaar. U insette sal waardevol en van groot hulp wees om kennis omtrent die realiteit van implementering van afwentelingsprogramme te verryk.

Met u toestemming, beoog ek om 'n bandopname van die onderhoud te maak. Die opname sal vertroulik hanteer word. Afskrifte van die bandopname gaan gemaak word. Hierdie afskrifte gaan gebruik word om die uitkoms van die besprekings saam te stel. Die studiedokument sal nie persoonlike identifiseerende besonderhede van deelnemers bevat nie.

Ek sal op 'n latere stadium in kontak wees om reëlings te tref vir die onderhoud, indien u sou kies om deel te neem. U is baie welkom om my te kontak as daar enige vrae is.

Baie dankie

Nikki Arendse