

**A THERAPEUTIC PROGRAMME FOR THE REHABILITATION  
OF YOUTH OFFENDERS**

by

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submitted in accordance with the requirements  
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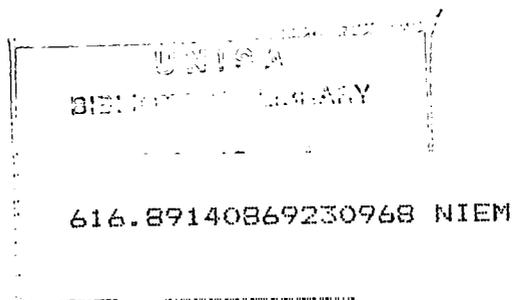
I declare that **A THERAPEUTIC PROGRAMME FOR THE REHABILITATION OF YOUTH OFFENDERS** is my own work and that all the sources that I used or quoted have been indicated and acknowledged by means of complete references.

Nieman

ANNELIEN NIEMAN

2002/06/12

DATE



0001807614

Dedicated to:

my parents, who made me who I am,

my brothers, and

my family and friends,

for their love and support throughout my studies.

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## FACTORS OF LIFE

If you promise

Fulfil

If you take .

Put it back

If you hurt

Apologize

If you break

Repair

If you have problems

Ask for help

If you borrow

Return

If you get hurt

Don't retaliate.

Wish your enemies a long and happy life

And make sure they can also see the success in your life.

By Frank (a prisoner at Emthonjeni youth facility, Baviaanspoort)

# **A THERAPEUTIC PROGRAMME FOR THE REHABILITATION OF YOUTH OFFENDERS**

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## **SUMMARY**

The judicial system is moving away from a retributive justice system to a more rehabilitative, restorative justice system. Diverting youth offenders from the justice system by alternative sentencing options such as diversion programmes is one way of doing this. It was found that a need exists for the development of a therapeutic programme for the rehabilitation of youth offenders in South Africa. The purpose of the study was to determine the content of therapeutic rehabilitation programme and subsequently to develop a provisional therapeutic programme for youth offenders.

The first part of the literature study summarized a number of theories used to explain the incidence of youth offence. The second part of the literature study discussed various risk factors that could lead to youth offence. Thirdly, the juvenile justice system in South Africa was discussed. Finally, the characteristics of effective rehabilitation programmes were discussed and a number of international and South African rehabilitation programmes were evaluated in terms of these characteristics. In the literature study certain aspects for inclusion in a rehabilitation programme were identified. A list of topics that should be addressed by a rehabilitation programme was drawn up.

A provisional therapeutic programme was compiled using the information gained from the literature study and the needs for a programme as identified by staff members at the facility where the programme was to be conducted. The programme was based on experiential

learning. It included a number of activities that addressed the topics identified by the literature study. The provisional programme was evaluated in terms of its short-term effectiveness and adjustments to the programme were made.

The adjusted programme was conducted at two other facilities and evaluated in terms of its short-term effectiveness by the researcher, the staff at these facilities and the youth who took part in the programme. Staff at the two facilities where the empirical study took place were asked to complete questionnaires to identify their needs with regards to a rehabilitation programme as well as background questionnaires on the youth who were taking part in the programme. Recommendations for further improvements of the programme were made.

## **KEY TERMS**

- Therapeutic programme
- Rehabilitation
- Youth
- Youth offender
- Restorative justice
- Diversion
- Experiential learning
- Risk factors
- Juvenile Justice system

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

<b>CRC</b>	Convention on the Rights of the Child
<b>CSC</b>	Cognitive Self-Change Programme
<b>CST</b>	Classic Strain Theory
<b>DSM-IV</b>	Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition
<b>DYS</b>	Division of Youth Services
<b>GIRT</b>	Group-Integrated Reality Therapy
<b>GST</b>	General Strain Theory
<b>HCWC</b>	Hope Centre Wilderness Camp
<b>LCP</b>	Lifestyle Change Programme
<b>MMPI</b>	Minnesota Multiphasic Personality Inventory
<b>NICRO</b>	National Institute for Crime Prevention and the Rehabilitation of Offenders
<b>PCYC</b>	Paint Creek Youth Centre
<b>PORS</b>	Problem Orientated Record System
<b>RBT</b>	Rational Behavior Therapy
<b>SST</b>	Social Skills Training
<b>STP</b>	Strategies for Thinking Productively
<b>VOM</b>	Victim-Offender Mediation
<b>YES</b>	Youth Empowerment Scheme
<b>YWCA</b>	Young Woman's Christian Association

# CHAPTER 1

## ORIENTATION AND BACKGROUND

### 1.1 INTRODUCTION

The judicial system is moving away from a retributive, criminal justice system where the offender is seen as a person who violated the laws of the country. In the traditional retributive system the state is seen as the victim and the offender's debt is paid by taking punishment from the state. In this process the conflictual nature of the crime is ignored. The rights of the victim are not seen as important and the offender has no obligation towards the victim (Muntingh 1993:8; Zehr 1990:211).

The judicial system is shifting its emphasis to a more restorative, rehabilitative process. A restorative approach emphasizes the needs of the victim. The crime is defined as harm to people and relationships rather than the violation of rules. Both the victim and offender are given a role in the solution of the problem. The wounds of every person involved in the crime, including the victim and the offender, are also seen as important. The restorative approach is used particularly in dealing with youth offenders.

Diversion is one way of dealing with offenders in a more restorative way. Diversion does not make offenders less accountable for their actions, but provides them with the opportunity to re-think their choices. The diversion process takes the offender out of the judicial system when prosecution is not in the best interests of any of the parties involved. Muntingh and Shapiro (1993:7) describe diversion as the '... channeling of *prima facie* cases from the formal criminal justice system on certain conditions to extra-judicial programmes, at the discretion of the prosecution'. This means that alternative sentencing options, such as diversion programmes or community service, are used and that the person will not get a criminal record (Restorative Justice 1995:6; Zehr 1990:197).

Muntingh and Shapiro (1993:8) list the following as aims of diversion:

- to make offenders responsible and accountable for their actions;
- to provide an opportunity for reparation;
- to identify underlying problems motivating offending behaviour;
- to prevent most first time or petty offenders from receiving a criminal record and being labeled as criminals, as this may become a self-fulfilling prophecy;
- to provide educational and rehabilitative programmes to the benefit of all parties concerned;
- to lessen the caseload of the formal justice system.

## **1.2 ANALYSIS OF THE PROBLEM**

This section will deal with becoming aware of the problem and giving a provisional statement of the problem. Interviews with staff at various institutions for youth offenders will be conducted to explore the problem and finally a problem statement will be formulated.

### **1.2.1 Awareness of the problem**

Youth offence is a topic that is widely discussed in South Africa today. The overloading of the judicial system, the dilemma of dealing with children in the judicial system, and children in jail, are very real problems. It appears that there are very few programmes available for the rehabilitation of offenders in institutions that deal with diverted youth and awaiting trial prisoners as well as imprisoned youth.

### **1.2.2 Investigation of the problem**

During interviews with staff from different institutions that deal with youth offenders regarding the programmes offered at those institutions, the following problems were indicated:

- According to the staff at Norman House, a place of safety that houses awaiting trial prisoners, they have various life-skills programmes for the youth that live there, but none of these programmes are specifically designed for awaiting trial youth offenders. They feel that the programmes they have, have very little positive effect on the offenders.
- According to Peter Sadie (Head: Dyambu Youth Centre 2001:Personal Interview), the staff at the centre is continually looking for ways to improve the programmes and services offered to the youth. He says that there is a great need for research in the field of youth offence and rehabilitation. The centre caters for awaiting trial offenders.
- The head of Emthonjeni youth prison at Baviaanspoort, indicates that there is a lack of rehabilitative programmes for offenders in the prison (Masokameng 2001:Personal Interview).
- The programme offered for youth offenders at Leeuwkop prison was designed for corporate use and is therefore not tailored specifically for use with youth offenders (Van der Ryst 1999:Personal Interview).
- Mpuang (1999:Personal Interview) says that the diversion programmes used by NICRO (National Institute for Crime Prevention and the Rehabilitation of Offenders) are based on the experiences from other countries and that little research has been done in the South African context. During the course of 2001 extensive research in the field of diversion was undertaken and the programmes used by NICRO were revised.

It therefore appears that there is a lack of effective programmes and sufficient research in terms of rehabilitation programmes for sentenced youth offenders, and those awaiting trial, in South Africa.

The development of a comprehensive programme for youth offenders, which is based on the restorative justice perspective, could provide an alternative and possibly a solution to problems such as the overloading of the judicial system and children in the judicial system.

Youth who have already been sentenced could gain from a well-researched rehabilitation programme. They would be given an opportunity to gain insight into their actions, and they could benefit from the programme by gaining skills that they can use after their release. This could result in lower recidivism rates and therefore relieving the load on the justice system. Programmes could be used with awaiting-trial prisoners as a rehabilitative measure, ensuring that youth are taught the skills they require even if their cases are dropped or converted to children's court cases.

The load on the judicial system could be relieved to a certain extent if more diversion programmes existed and if more youth offenders are diverted to alternative programmes. Diversion could teach youth to take responsibility for their actions and to learn from their mistakes without the result of a criminal record. The use of diversion programmes would also mean that fewer youths have to spend time in prison.

Various programmes are currently in use with youth offenders in Gauteng. These programmes will be discussed and evaluated under the headings of the institutions that offer these programmes.

#### ***1.2.2.1 Department of Welfare***

Taft (1999:Personal Interview) indicated that the Department of Welfare is currently working on a programme for youth offenders that will be run at places of safety. This is intended to be a yearlong programme and will serve as a sentencing option as opposed to detainment of youths in prison. This means that youths will not be diverted, but that they will be sentenced and programme attendance will form part of their sentence. The department plans to pilot the programme in the course of 2000.

Norman House, a place of safety, frequently has to house awaiting-trial prisoners (see 1.6.6). These youth are then kept at Norman House until their trial dates. Instead of being released to live with their parents, they are mostly sent to Norman House, or to a youth

centre for awaiting trial prisoners because of problems surrounding their family and social circumstances. They are treated as prisoners in the sense that they are not allowed out of the facility to visit their families over weekends or holidays. By the end of 2001 the above mentioned programme had not been piloted at Norman House.

### ***1.2.2.2 Boys' Towns***

Boys' Towns are a series of children's homes that provide a care programme for boys between the ages of six and sixteen. They have facilities in Gauteng, Durban, Natal North Coast and Cape Town. Their residential programmes offer care and treatment for a wide array of boys. The boys who are accommodated at Boys' Towns are referred by the Children's Court (see 1.6.8) and not the Juvenile Court and are therefore not sentenced offenders or diverted offenders, even though they may have been involved in criminal activities. An extensive life-skills programme is offered and the boys are continually evaluated on their application of skills acquired. The boys also have the opportunity to be involved in the making and enforcement of rules (Boys' Towns Brochure 1998; de Bruyn 1999:Personal Interview see 3.5.1).

### ***1.2.2.3 Leeukop youth prison***

Van der Ryst (1999:Personal Interview) said that the prison currently offers programmes on drugs and AIDS, but that these programmes are mainly informative. They also offer a life skills programme which is run over eight days, five hours a day. This programme was developed for use in a corporate environment, and is not tailored for the specific needs of youth offenders. The time that the programme takes to complete is also a problem, as it means the youths are taken out of school for the duration of the programme. She feels that the current programmes are limited and that a programme that would cater for the unique needs of youth offenders would be welcome (see 3.5.2).

Mrs Mhlongo (1999:Personal Interview), the director of Social Work at the Head Office of Correctional Services, indicated that currently there is no programme available for the youths in prison and that a programme for youth offenders would be welcome.

#### *1.2.2.4 Baviaanspoort – Emthonjeni*

Baviaanspoort prison's youth facility, Emthonjeni, also offers various educational programmes for youth such as trade courses, senior certificate examination (Grade 12), ABET courses and cultural and sporting events. Courses on HIV/AIDS and drugs are offered, but are mainly informative. The resident psychologist does group work with some of the youths that are identified as having serious problems, but not all youths are involved in the groups. Groups appear to be mostly therapeutic (client-centred) and do not include rehabilitative components such as teaching of social skills and decision-making. According to staff and youths these sessions with the psychologist do not happen on a regular basis and therefore no continuity can be established and this can influence progress.

#### *1.2.2.5 Dyambu Youth Centre*

Dyambu Youth Centre is a centre for awaiting trial male offenders near Krugersdorp. They offer various courses for the youths including academic education through computer-based instruction, technical trade courses like welding and carpentry as well as a variety of sport and cultural activities. All youths who are sent to Dyambu from court, are expected to take part in a two-week life skills programme before they can join one of the other educational groups (Dyambu Brochure 2001).

The life-skills programme offered includes the following components (Dyambu: Course outline 2001):

- Creating a community: getting to know each other, establishing boundaries for the group
- Identifying and managing feelings

- Communication
- Taking responsibility
- Vicious Cycles
- Dealing with conflict
- Why we do what we do: looking at reasons for the offence
- Sexuality and HIV/AIDS
- Setting goals

#### ***1.2.2.6 National Institute for Crime Prevention and the Rehabilitation of Offenders (NICRO):***

NICRO offers the following diversion options:

- Pre-Trial Community Service
- Victim-Offender Mediation
- Family Group Conferences
- Youth Empowerment Scheme (YES)

*Pre-trial community service:* This diversion option allows the offender to serve a certain number of hours at a non-profit organization in his or her free time without payment. Organizations where offenders can be placed include hospitals for physically or mentally handicapped people, hospitals, libraries, municipalities, children's and old age homes, and police stations. The offender is required to serve a certain number of hours per month within a given time period in order for charges to be dropped. This option is used for minor offences, where it is generally not in the best interests of the various parties involved that the offender is convicted. This option could also be used for more serious offences such as serious fraud when special circumstances surround the case of the offender. An average of 40-60 hours service per month for less serious crimes and up to 120 hours for more serious crimes should be performed. The offender also needs to accept his guilt and needs to show remorse and responsibility. It is also important that the

offender has a relatively stable lifestyle, for example a permanent contact address that will make control and follow-up easy (Muntingh & Shapiro 1993:34-39).

It was found that about 95% of offenders comply with their contract. This success rate is contributed to the personalized attention each individual is given as well as the fact that offenders are accommodated regarding their skills and preferences as far as possible. Pre-trial community service can also be combined with one of the other diversion options if necessary. Youth conducting community service should not be used as free labour to replace potentially paid jobs and should not be used to serve individual needs (Muntingh & Shapiro 1993:34-39).

Another diversion option used by NICRO is *Victim-Offender Mediation (VOM)*; see 1.6.17). VOM is based in a restorative justice perspective (Muntingh 1993:1). VOM is a process in which the victim and the offender are brought together by a trained mediator to discuss what has happened in a criminal offence and to explore options for resolving the issues surrounding the offence. The primary goal is reconciliation (VORP Volunteer Handbook 1990:4,7). A programme that makes use of Victim-Offender Mediation (VOM) involves direct or indirect communication between victims and offenders. VOM has the aim of facilitating communication between victims and offenders. An opportunity is provided for both parties to express their thoughts and feelings about the crime. An opportunity is also given to settle the conflict in a way that will be acceptable to both parties. VOM is an empowering process aimed at giving those involved the opportunity to settle their own conflicts instead of being the subjects of decisions imposed upon them by justice officials (VORP Volunteer Handbook 1990:4-7).

*Family Group Conferences* (see 1.6.18) is another diversion option and is also based on a restorative justice perspective and also has victims and offenders as central role players. Family Group Conferences is based on the notion that families and communities have traditionally dealt with offending and that they are the people who know best how to deal with this behaviour. It also involves hearing both the victim and offender's story as well as finding a solution that is acceptable to all parties involved. Participants involved in

Family Group Conferences include the victim, the family and other support persons of the victim, the offender, family or other support persons of the offender. Other concerned parties such as the police, social workers or affected members of the community and a facilitator also attend these sessions (Branken 1997:6-7).

The *Youth Empowerment Scheme (YES)* is a diversion option offered by NICRO (see 3.5.3). The programme is based on experiential learning (see 1.6.19) and therefore requires the youths to learn from their own experience through their involvement in different activities. The YES programme is offered over a 6-week period and deals with topics such as trust, communication and problem solving. Once the YES programme is completed the case against the youth is dropped. According to facilitators on the course there are some youths who require more intensive intervention. Staff members then make a recommendation to the court that these youths attend the Journey programme (see 1.2.2.7; 3.5.4). For these youths the YES programme serves as preparation for the Journey programme.

Kahnje Mpuang (Personal Interview 1999), the national coordinator of the YES programme for NICRO, says that these programmes are based on the experiences from other countries, particularly the Netherlands. She says that little research on diversion and youth offence has been done in South Africa. She feels that it is important to consider longer-term issues in the programme such as possible job placement and training, particularly for youths who have left school. She mentions as an example the case of four youths who, with the help of NICRO, successfully completed a chef's course and who are currently employed.

Mpuang (1999) says that magistrates and public prosecutors are aware of the programmes offered by NICRO, but she feels that more networking and the provision of information is still required. According to her a substantial number of youths are still not diverted to youth programmes. She also feels that some racial differences exist between the number of white and black youths that are sent on diversion programmes. She feels that more

white than black and coloured youths are given the opportunity to take part in diversion options.

#### ***1.2.2.7 Challenge to Change: Rubicon Network***

The Journey (see 3.5.4) takes place at one of the venues used by this company and is run by a company called Challenge to Change: Rubicon Network (Bruwer 2001:Personal Interview). Although the programme is run for youths referred by NICRO, the company does the programme design itself. The Journey serves as an extension of the YES programme offered by NICRO. Information regarding the youths are provided by the NICRO offices and NICRO workers accompany the youths on the course.

The Journey is an outdoor adventure programme that deals with issues like trust, self-empowerment, decision-making, goal setting, and socializing. The course takes the youth out of their comfort zone, and gives them the opportunity to prove themselves in activities that are not familiar to them. Skills acquired are then related to and made applicable in everyday living (Bruwer 2001:Personal Interview).

#### **1.2.3 Problem Statement**

Various programmes for youth offenders exist in South Africa. These programmes are based on programmes that are being run overseas, but little research has been done in this area in South Africa. A need appears to exist for the development of a comprehensive therapeutic programme for youth offenders and youth at risk, with particular relevance to youth offence in South Africa. Therefore the research question underlying this study is: **what should the content of a therapeutic programme for rehabilitation of youth offenders in South Africa be?**

### **1.3 AIMS OF THE STUDY**

This section concerning the aims of the study will deal with general as well as specific aims for the research undertaken.

#### **1.3.1 General Aims**

The general aim of the research is to determine the nature of an effective therapeutic programme for the rehabilitation youth offenders according to the literature. To research the general aim a number of questions are set to direct the research.

1. Are programmes available for the rehabilitation of youth offenders in South Africa?  
(see 1.2.2, 3.5)  
What are the strong and weak points of these programmes? (see 3.5)
2. What are characteristics of effective rehabilitation programmes for youth offenders according to the literature? (see 3.2)
3. Which theoretical frameworks describe the incidence of youth offence? (see 2.2)
4. Which risk factors have been identified by research that could possibly lead to youth offence? (see 2.3)
5. What are the needs of various youth facilities in terms of rehabilitation programmes for youth offenders? (see 4.2.5; 6.2)
6. What are the aspects that need to be addressed by a rehabilitation programme? (see 4.2)
7. Which topics should be included in a rehabilitation programme? (see 4.3)
8. What are the needs of offenders that should to be addressed in a rehabilitation programme? (see 4.2.4)

#### **1.3.2 Specific Aims**

The specific aim of the study is the development of a provisional therapeutic programme for the rehabilitation of youth offenders. This programme will be applied and then

evaluated in terms of its short-term effectiveness and adjusted accordingly. The provisional programme will be adjusted and applied at two other institutions and again evaluated in terms of its short-term effectiveness. Suggestions for the future use of the programme will then be made. This programme is aimed at providing youth with the necessary skills to improve interpersonal relationships, including family and peer relationships, decision-making skills, and the improvement of self-esteem in order to improve personal functioning. This could in turn reduce youths' involvement in criminal activities.

## **1.4 RESEARCH METHOD**

The study will comprise two methods namely a literature study and an empirical investigation.

### **1.4.1 Literature Study**

A literature study will be conducted, making use of relevant and recent books and journal articles, to gain sufficient background knowledge before conducting the empirical research.

The literature study will focus on the theories used to describe the occurrence of youth offence, risk factors that could lead to youth offence, therapeutic approaches used to deal with youth offenders, the juvenile justice system in South Africa, and programmes for youth offenders used in other countries as well as in South Africa. These programmes will be evaluated with regards to their effectiveness in the rehabilitation of youth offenders. Recurring aspects identified in the theories and in the discussion of risk factors as well as needs addressed in the programmes will be used as basis for the development of a therapeutic rehabilitation programme for youth offenders.

## **1.4.2 Empirical study**

This is a qualitative study in which the research will focus on two groups of youth: youth who are awaiting trial and youth who are currently imprisoned. Research with awaiting-trial youth will be conducted at Norman House, a Place of Safety and Dyambu Youth Center. Research with convicted youth will be conducted at Baviaanspoort Prison, Emthonjeni Youth Facility.

The empirical investigation will determine the needs of various parties involved in the judicial process with regards to the rehabilitation programme. These parties could include the youths, the staff at each institution and staff at government departments. This will be done by means of focus groups and/or questionnaires to all relevant parties. A provisional programme will be designed, applied and evaluated in terms of short-term effectiveness. Changes will be made and a final programme will be designed. The adjusted programme will be applied in an empirical investigation. Feedback on the short-term effectiveness of the programme will be obtained by means of questionnaires completed by staff at the three institutions two weeks after completion of the programme. Follow-up sessions in the form of focus groups will be done with the youths at each of the three facilities six weeks after completion of the programme. An evaluation on the long-term benefits and shortcomings of the programme will be done by means of a follow-up article.

## **1.5 DEMARCATION OF THE STUDY**

In order to limit the scope of the study, the areas in which the empirical research will be done regarding youth offence and available programmes for youth offenders in South Africa will be limited to the Gauteng region. The study will be conducted at facilities for awaiting trial and sentenced youth. Youth eligible for diversion will not be included in the programme as NICRO is conducting extensive research in that field.

## **1.6 DEFINITION OF CONCEPTS**

In this section a number of concepts relevant to the research will be defined.

### **1.6.1 Youth**

The Concise Oxford Dictionary (1990:1423) describes youth as the period between childhood and adulthood. For the purpose of this thesis youth will be defined as children of the age of criminal capacity. In current South African law, the minimum age of criminal capacity is governed by the *doli capax/doli incapax* rule (see 2.6.2). This means that a child of seven or older can be arrested and convicted at a trial, provided that, for children between ages seven and fourteen, the state can prove that the child can tell the difference between right and wrong. There is a possibility that the minimum age limit of criminal capacity could be raised to ten years. The upper age limit for defining 'youth' will be eighteen years. Both international and national law recognizes this age as the age when young people should be separated from the adult criminal justice system (SA Law Commission 1997:4). The word 'juvenile' was previously used, but is seen to have negative connotations and is no longer accepted internationally. The terms 'youth' or 'young person' replaces it (SA Law Commission 1997:4; see 2.6.2).

### **1.6.2 Youth offender (young offender)**

This will include all youths between the ages of seven and eighteen that have been arrested for a crime (see 1.6.1). For the purpose of this study the term youth offender will be used.

### **1.6.3 Youth at risk**

This phrase will be used in place of what used to be termed 'juvenile delinquency' before. This links with the new use of the word 'youth' in the justice system. According to Kronick (1999:136) 'at risk' has a number of different meanings, but generally refers

to 'those (youths) that are not likely to graduate from high school and have a high probability of being incarcerated in jails, prisons, or psychiatric hospitals'. McWhirter McWhirter, McWhirter and McWhirter (1995:567) define 'at risk' as 'a set of presumed cause-effect dynamics that place the individual child or adolescent in danger of negative future events' such as criminal behaviour.

#### **1.6.4 Recidivism**

The Concise Oxford Dictionary describes a recidivist as a person who relapses into crime (1990:1001). Recidivism is a relapse into crime after sentencing or rehabilitation.

#### **1.6.5 Sentencing option**

A sentencing option is one of a number of different sentences that can be used in the punishment of a crime. Instead of sentencing an offender to prison other sentencing options such as fining, community service or a diversion programme can be used (SA Law Commission: Report on Juvenile Justice 2000:283-284; see 2.6.10).

#### **1.6.6 Awaiting-trial prisoners**

Awaiting-trial prisoners are prisoners who have not yet been sentenced. They have been to court but their cases have been postponed. The remand dates given are often months away and they are then housed at facilities such as Dyambu Youth Center or in some cases places of safety. Detention of these offenders are discussed in Chapter 2 (see 2.6.8). These youths are treated as prisoners in the sense that they are not allowed to leave the facility they are placed in and will be charged if they try to escape.

### **1.6.7 Criminal procedure**

Criminal procedure is the procedure that takes place when a crime has been committed. The offender is charged, appears in court and will be sentenced if found *guilty*. The case made against the offender is a criminal case and will be heard in criminal court.

### **1.6.8 Children's court**

In some criminal cases against children the court identifies social or family problems. These criminal cases are then converted to Children's Court cases where the social problems are addressed (SA Law Commission: Report on Juvenile Justice 2000:272). In situations like this youths are placed in places of safety and alternative placement such as industrial schools are considered. The criminal case against the youth is dropped (Potgieter 2002:Personal Interview; see 2.6.4).

### **1.6.9 Diversion**

Diversion (see 2.6.9) is the referral of cases of children alleged to have committed offences away from formal court procedures with or without conditions stipulated by the court (SA Law Commission: Report on juvenile Justice 2000:219). A diversion option is therefore a plan, programme or prescribed order with a specified content and of specified duration and includes an option that has been approved by the Office for Child Justice.

Diversion means diverting a person, in this case the youth, from the criminal justice system by finding other ways of dealing with and rehabilitating those in trouble with the law. Diversion means that the person does not get a criminal record and is not stigmatized by contact with the criminal system (SA Law Commission 1997:7). Muntingh and Shapiro (1993:7) describe diversion as '... the channeling of *prima facie* cases from the formal criminal justice system on certain conditions to extra-judicial programmes, at the discretion of the prosecution'. According to them diversionary options do not intend to make offenders less accountable or responsible for their actions but rather provide them

with the opportunity to re-think their lives without getting a criminal record. In principle a case is eligible for diversion when prosecution is not in the best interest of the offender, the victim, the criminal justice system or the community (Muntingh & Shapiro 1993:7).

#### **1.6.10 Place of Safety**

A place of safety is a secure care facility (such as Norman House) that houses children with family and socio-economic problems as well as youth offenders who are awaiting trial, and whose cases have been converted to Children's Court cases (see 2.6.4).

#### **1.6.11 Preliminary Inquiry**

The compulsory procedure that takes place before plea and trial in a court is called a preliminary inquiry (see 2.6.8.3). The procedure is presided over by a magistrate. The preliminary inquiry does not take place in court and must happen within 48 hours of an arrest. The objectives of a preliminary inquiry are to:

- ascertain whether an assessment of the child has been done by a probation officer, and if not, reasons for dispensing with such an assessment should be provided;
- establish if a child can be diverted, and which diversion option should be used;
- provide the prosecutor with an opportunity to assess whether there is sufficient ground for the case to proceed to trial;
- determine the release or placement of a child (SA Law Commission: Report on Juvenile Justice 2002:xix, 219).

#### **1.6.12 Probation Officer**

A probation officer is a person appointed under the Probation Services act 1991 (Act No. 116 of 1991). This person can be a social worker or a suitably qualified person (SA Law Commission: Report on Juvenile Justice 2002:219).

### **1.6.13 Restorative Justice**

Zehr (1990:211) describes restorative justice as follows: ‘Crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender and the community in a search for solutions that promise to repair, reconcile and reassure’. Marshall (Restorative Justice 1995:6), describes restorative justice as ‘... a way of dealing with victims and offenders by focusing on the settlement of conflicts arising from crime and resolving the underlying problems which cause it. ... Central to restorative justice is recognition of the community, rather than criminal justice agencies, as the prime site of crime control’. Restorative justice is based on reparation, in other words, an attempt to repair the damage caused by the crime, either materially or symbolically (Restorative Justice 1995:6). Zehr (1990:197) argues that ‘... violations create obligations’ and that ‘... when someone wrongs another, he has an obligation to make things right’. Therefore, the goal of restorative justice is to heal the wounds of every person affected by the crime, including the victim and the offender. Restorative justice seeks to redefine crime as an injury or wrong done to another person instead of a crime against the state. It encourages direct involvement of victim and the offender in resolving any conflict through dialogue and negotiation (Restorative Justice 1995:6).

Restorative justice aims at the promotion of reconciliation, restitution and responsibility through the involvement of a child, the child’s parent(s), family members, victims and communities (SA Law Commission: Report on Juvenile Justice 2002:219; see 2.6.10.7).

### **1.6.14 Criminogenic Needs**

Criminogenic is that which causes delinquency or criminal activity. Criminogenic needs are offenders’ needs that lead them to commit crimes. Criminogenic thinking therefore is thinking processes that lead to crime such as cognitive distortions (Gendreau 1996:147; see 3.2).

### **1.6.15 Therapeutic**

Therapeutic is intervention that contributes to the cure of a disease, or general or mental well-being. Therapy is the treatment of physical or mental disorders other than by surgery (Concise Oxford Dictionary 1990:1266). The word therapeutic refers to the curative results of treatment and characterizes any effective healing agent or procedure (Reber 1985:769).

### **1.6.16 Rehabilitation**

To rehabilitate is to restore to effectiveness or normal life by training. Rehabilitation can occur especially after imprisonment or illness, and is the restoration to former privileges or reputation or a proper condition (Concise Oxford Dictionary 1990:1012).

### **1.6.17 Victim-Offender Mediation (or Reconciliation)**

A programme that makes use of Victim-Offender Mediation (VOM) involves direct or indirect communication between victims and offenders. VOM has the aim of facilitating communication between victims and offenders with the help of a mediator. An opportunity is provided for both parties to express their thoughts and feelings about the crime. An opportunity is also given to settle the conflict in a way that will be acceptable to both parties. VOM is an empowering process aimed to give those involved the opportunity to settle their own conflicts instead of being the subjects of decisions imposed upon them by justice officials. VOM is based on a restorative justice perspective (Muntingh 1993:1). VOM is a process in which the victim and the offender are brought together by a trained mediator to discuss what has happened in a criminal offence and to explore options for resolving the issues surrounding the offence. The primary goal is reconciliation (VORP Volunteer Handbook 1990:4,7; see 1.2.2.6).

### **1.6.18 Family Group Conferences**

Family group conferences are also based on restorative justice and also have victims and offenders as central role players. Family Group Conferences are based on the notion that families and communities have traditionally dealt with offending and that they are the people who know best how to deal with this behaviour. It also involves hearing both the victim and offender's story as well as finding a solution that is acceptable to all parties involved. Participants involved in family group conferences include the victim, the family and other support persons of the victim, the offender, family or other support persons of the offender. Other concerned parties such as the police, social workers or affected members of the community and a facilitator also attend these sessions (Branken 1997:6-7; see 1.2.2.6).

### **1.6.19 Experiential Learning**

Experiential learning is learning that takes place as a person becomes aware of the learning that is implicit in all life experiences. The learning process is unique for every individual and the individual determines the learning that takes place. Groupwork aids the experiential learning process. Experiential learning has been used with great success with youth offenders, particularly in adventure-based programmes (Handbook for the Assessment of Experiential Learning 1987:7; Moote & Wodarski 1997:149-151; see 2.4.3).

## **1.7 RESEARCH PROGRAMME**

The research comprises seven chapters that can be divided as follows:

In Chapter 1 background information regarding the restorative justice perspective is provided. Programmes offered for youth offenders by various institutions in South Africa were discussed in brief, in order to determine the relevance and nature of these

programmes. This chapter includes the analysis of the problem, the problem statement, methods of study, demarcation of the study and definition of concepts.

Chapter 2 will focus on the theories that describe and explain youth offence and risk factors that may lead to youth offence. Some therapeutic approaches in dealing with offenders will also be discussed. The juvenile justice system in South Africa and its relevance to the development of a rehabilitation programme will be outlined.

Chapter 3 will review and evaluate various programmes used in the rehabilitation of youth offenders. The programmes will be evaluated in terms of their effectiveness in rehabilitation of youth offenders. Positive and negative aspects of these programmes will be summarized.

In Chapter 4 the aspects that need to be included in a rehabilitation programme will be summarized. Using this information, a provisional programme will be compiled. The programme will be evaluated in terms of positive and negative points. Changes to the programme will be made.

Chapter 5 will outline the research design used for the development of a therapeutic rehabilitation programme. The research tools used in the investigation, as well as the selection of the sample will be discussed.

Chapter 6 will present the results of the investigation as well as the programme presented at Dyambu and Baviaanspoort. The results of the evaluation of the short-term effectiveness of the programme and the follow-up with youths will also be provided.

Chapter 7 will consist of a discussion of the results, conclusions and recommendations for improvement of the programme. The chapter will point out the contributions of the study to the field of educational psychology. The limitations of the study found during the course of the research will be discussed. Suggestions for further research will be given.

## **1.8 CONCLUSION**

In this chapter attention was given to the awareness and analysis of the problem. Aims for research were set and the research method was outlined. Various concepts were defined and the planned programme of research stated.

In Chapter 2 aspects that need to be taken into account in the compilation of a therapeutic programme for the rehabilitation of youth offenders will be discussed. These aspects include theories on youth offence, risk factors that may lead to youth offence and therapeutic approaches in dealing with offenders. The juvenile justice system in South Africa will also be reviewed and its relevance in the planning of a rehabilitation programme will be discussed.

## **CHAPTER 2**

# **THEORETICAL AND JUDICIAL ASPECTS TO BE TAKEN INTO ACCOUNT IN THE COMPILATION OF A THERAPEUTIC PROGRAMME**

### **2.1 INTRODUCTION**

In the first part of this chapter various theories used in the field of youth offence are discussed. Risk factors that could lead to offence are also reviewed. Theories on youth offence and risk factors related to deviant behaviour are important in terms of intervention and programme development because they could determine the focus point of the programme as well as leading to a better understanding of the incidence of delinquency and deviant behaviour.

In the second part of the chapter the juvenile justice system in South Africa is outlined. An understanding of the justice system is important in terms of planning the practical aspects of the programme, such as whether the programme will be conducted in prison or at a secure care facility. Whether the youth is still awaiting trial or has been sentenced could also indicate the possibility of that particular youth completing the programme. Knowledge of the justice system and procedures could help the facilitator understand possible emotional reactions such as feelings of worthlessness or being labeled, a youth might have after contact with the justice system. Knowledge of the justice system will also be beneficial when youths have questions or queries about the legal system and procedures followed.

### **2.2 THEORIES ON YOUTH OFFENCE**

The following section gives an overview of the most common theories used in the field of offender and delinquency research.

### 2.2.1 Control theory (Hirschi 1969)

Numerous references in delinquency and offender research are made to Hirschi's control theory as stated in his book 'Causes of Delinquency' (1969). Classic control theory indicates that two elements of social bonding, attachment and involvement, are related to deviant behaviour. According to this theory people with strong bonds to society are less likely to deviate from conventional behaviour. Hirschi (1969) indicates that delinquency is likely to be the result of weak attachment to significant adults such as parents and teachers, poor commitment to conventional goals and activities such as school as well as low involvement in these activities. He also found that delinquent youths often do not have strong beliefs in societal norms. When these aspects of attachment and involvement are not present, a weak 'bond' is said to exist with family and society and the youth is therefore free to engage in delinquent behaviour (Anderson, Holmes & Ostresh 1999:435, 437; Bernburg & Thorlindsson 1999:447-448; Broidy 1995:542; Gottfredson, Gottfredson & Skroban 1998:318; Lerman 1994:5).

According to Hirschi (1969) family attachments teach children sensitivity to parental wishes and expectations. Beliefs, commitment, attachment and involvement are the four social bonds that play an important part in an adolescent conforming to societal norms. Initial bonding takes place within the family and bonding later takes place in the school environment and in peer groups (Arthur 1996:25, 29; Lerman 1994:4; Roundtree, Grenier & Hoffman 1993:115). Involvement refers to the degree to which an individual engages in conventional activities. The greater the involvement in conventional activities, the less time an individual can devote to delinquent behaviours (Hawdon 1999:395-396). Attachment refers to the affections and emotions towards significant others (family, peers and school) and social institutions, whereas commitment is the rational investment in conventional goals (Anderson *et al.* 1999:436). Attachment and involvement with parents and society therefore serves to indirectly control youths' behaviour.

A distinction between direct and indirect control was subsequently made. **Indirect** control is the result when an individual has internalized the societal norms and values that govern

interaction, whereas **direct** control is when a child's behaviour is monitored by significant others (Broidy 1995:542).

According to Conger (1980) it follows from this that children in disorganized societies in which social controls are lax have more opportunities to be exposed to delinquent behaviour. Children in these societies are also more likely to have delinquent peers and commit delinquent acts (Roundtree *et al.* 1993:115).

Empirical evidence has been generally supportive of Social Control Theory with positive associations between involvement, attachment, belief and commitment to societal bonds with delinquency (Junger & Tremblay 1999:487). Bernburg and Thorlindsson (1999:447-448) quote a number of studies that indicate that delinquents are more likely than non-delinquents to have weak ties to conventional institutions.

### **2.2.2 Self-control Theory (also referred to as general theory)**

In later years Hirschi adapted his original control theory. According to the Self-control theory of Gottfredson and Hirschi (1990), both situational factors and the level of self-control of individuals are predictors of participation in crime. Situational prevention and avoidance is therefore one way in which criminal behaviour can be decreased. The second part of the theory argues that certain individuals are more likely to succumb to crime and that this propensity to crime is related by low self-control. Gottfredson and Hirschi (1990:177) defined low self-control as '... the tendency of people to pursue short-term interests without considering the long-term consequences of their acts'. According to the definition individuals with low self-control are likely to display a broad range of socially unacceptable behaviours such as smoking and drinking as well as experiencing a number of other problems such as divorce, employment instability and accidents. This general tendency towards deviant behaviour was termed 'generality of deviance'. Self-control was identified as a trait and low self-control included elements such as impulsivity, self-centredness, inability to persevere and an inclination to participate in risky or thrill-seeking activities. There is also a tendency for these youths to pursue immediate gratification of needs. One of the needs identified is the need for excitement or getting a 'buzz'. It has been found that for many youths the most

important motive for committing a crime was the desire for pleasure (Lotz & Lee 1999:203, 215).

According to Gottfredson and Hirschi (1990:89-92) variation in self-control can be attributed to weak parenting practices such as lax supervision, inconsistent discipline and varying affectional ties. One of the predictions of this theory is that low self-control may result in participation in crime. It is also predicted that individuals with low self-control will start offending earlier in life, that they will offend more frequently and that they will desist later in life than those with high levels of self-control (Gibbs, Giever & Martin 1998:41-42; see 2.3.7).

### **2.2.3 Labeling theory**

Evans, Levy, Sullenberger and Vyas (1991:60) describe deviance in terms of the labeling theory as '... a status negotiated between an individual and society through various processes'. A person's behaviour can cause that person to be labeled by society, for example as an offender or as delinquent. The person may then accept and internalize the label and may in future act in accordance to that label. According to the labeling theory the societal reaction to juvenile offence can be important in maintaining the pattern of offence. Labeling theory suggests that whatever caused the initial deviant behaviour is of less significance in perpetuating such behaviour than the reaction from society to the behaviour and the cycle of responses and processes that follows. Descriptive characteristics and perceptions of juveniles who committed a crime can contribute to the formation and reinforcement of labels.

This theory advocates that juveniles may internalize labels given to them by the legal process and as a result become more committed to deviance. It could therefore result in an offender becoming more deviant or committing more serious crimes as a result of being labeled as delinquent and then acting in accordance with the label. Each criminal act increases the chances of a new arrest and further actions and labels. This could even lead to the development of a delinquent 'career'. In this way the offender retreats further from society and their actions then become a self-fulfilling prophecy. Recent developments point out the importance of stigma imposed by informal social control agents such as teachers and parents.

It is suggested that the stigma attributed by these agents may play a stronger role in generating illegal behaviour than the stigma from formal, legal labels. The occurrence of system intervention may be a catalyst for informal stigmatization (Evans *et al.* 1991:60; Kammer, Minor & Wells 1997:51, 55; Klein 1986:48-49; Rose 1997:154; Severy & Whitaker 1984:271).

The labeling theory also proposed that officially labeling juveniles in the juvenile justice system, results in diminished self-concepts (Evans *et al.* 1991:61). The study conducted by Evans *et al.* (1991:71) indicates abnormally low scores on self-concept scales. These results depict youths who regard themselves as worthless in virtually every respect and inadequate in the eyes of others. It was also found that these youths experience high levels of anxiety and depression and that they have little or no self-confidence.

According to Klein (1986:48) **most** youths commit acts defined under state and local statutes as delinquent or criminal. Most of these acts go unnoticed by officials and institutions and are sometimes reacted to as normal and not requiring any sanctions. In the labeling theory perspective it is the societal reaction to the small percentage of acts that are detected and sanctioned that is of concern. Klein (1986:51) feels that this reaction defines both the nature and extent of delinquency and that this reaction sets off a chain of events and actions that lead to further actions that reinforce the delinquent label. It is therefore presumed that insertion further into the justice system leads to the reinforcement of delinquency because of court appearances, pre-court investigations and detention. The labeling perspective thus advocated diversion from the justice system (Klein 1986:50-51). The study by Klein (1986:76-77) indicated that diversion is less harmful than prosecution, but more harmful than release in terms of labeling the delinquent. He also found that exposure to the justice system negatively affected youths' self-concept.

#### **2.2.4 Strain Theory**

Classic Strain Theory (CST) contends that delinquency is more likely when individuals are unable to achieve their goals. According to strain theory delinquency is an alternative method for achieving valued goals such as material goods and status. CST points out that in the

United States of America the dominant goal is to achieve monetary success or middle class living, but a large part of the population does not achieve this goal through legitimate channels. The theory states that some individuals then turn to crime to achieve this goal e.g. by stealing. These individuals may also strike out at others in their anger for not achieving their goal, or they may retreat into drug use (Agnew & Brezina 1997:84-85; Junger & Tremblay 1999:487). The theory emphasizes delinquency as normal behaviour in abnormal circumstances (Junger & Tremblay 1999:487). General Strain Theory (GST) developed by Agnew (1992: 50), argues that delinquency is the ‘... means by which youths attempt to cope with various sources of environmental adversity (strain)’. The assumption of GST is that social relations tend to pressure youths into delinquent actions, because of the adaptive and problem-solving functions that such behaviour provides. In other words, delinquent behaviour may serve as a method for relieving the strain from problematic relationships (Brezina 1999:419-420).

‘Strain’ was later specified to be either economical or interpersonal. It was felt that female delinquency was a result of interpersonal strain, whereas male delinquency was attributed to economic strain. It is argued that females are more concerned with the quality of their interpersonal relations. It is argued that females attribute more importance to their relationships, and have a higher level of intimacy in their relationships than males. Some theorists indicate that females are particularly concerned with their relations with the opposite sex (Cernkovich & Giordano 1997:146; Leonard 1982:133), whereas other theorists feel that it applies to all relationships and the quality of these relationships in general (R. Morris 1964:83; A. Morris 1987:59-62). As a result, it is possible that females will experience greater distress when interpersonal difficulties arise, thereby leading to deviant behaviour such as truancy, aggressive behaviour, property offences such as theft or drug use in order to cope with the emotional difficulties generated by relational problems (Agnew 1992:60; Chesney-Lind & Sheldon 1992:43; Morris 1987:59-62).

The study by Agnew and Brezina (1997:100-101) did not provide support for the argument that problems with peer relations will have a greater negative affect on females than on males. On the contrary, the study found that females who have good relations are more rather than less delinquent, as popular females tend to spend a lot of time with boys and are more

exposed to the higher deviance of boys and therefore have more opportunities to engage in delinquent behaviour. It was found that the *absence* of close ties to peers is not a significant source of delinquency in males or females. The *quality* of relationships with peers was indicated as a significant source of delinquency in males (and to a lesser extent for females), with poor quality relationships associated with higher levels of delinquency (Agnew & Brezina 1997:102).

Other data suggests that peer relations are of significant importance during adolescence and that peer problems may constitute a dominant source of strain for adolescents during this time, regardless of their sex (Agnew & Brezina 1997:106; Warr 1993:253; also see 2.3.2).

### 2.2.5 Cognitive theories

The movement towards cognitive intervention and restructuring began in Canada in the 1980's. Similar treatment programmes could be found in Oregon, California, Georgia, Vermont and Michigan by 1995. The common assumptions of these programmes are that cognitive deficits (e.g. limited abstract reasoning) and/or cognitive distortions (e.g. denials of responsibility) are criminogenic (see 1.6.14). As early as 1915, Healy identified that 'bad habits of the mind' rather than social circumstances lead to criminal behaviour (Baro 1999:466). Yochelson and Samenow (1976, 1977) identified 'thinking errors' or cognitive distortions that support criminal behaviour (Baro 1999:467). Criminogenic thinking (see 1.6.14) is described as the result of delays or interruptions in the development of the individual and social competencies. **Cognitive distortions** can include minimizing the offence ('it isn't so bad'), taking the role of the victim, denying that the behaviour caused harm, denying responsibility for the crime by insisting that there was no real victim, but only someone that 'asked for it', (Baro 1999:466-467; Henning & Frueh 1996:525; Hollin 1990:10-14; Tate, Repucci & Mulvey 1995:778; Ward 2000:491). Cognitive impulsivity, concrete reasoning, a lack of social perspective and poor interpersonal problem-solving were identified as **cognitive deficits** (Wright, Buzzel, Wright & Gay 1994:206). Cognitive interventions with offenders are based on the assumption that individuals can change their behaviour once they change their thinking.

Barriga, Landau, Stinson, Liao and Gibbs. (2000:37-38) distinguish between externalizing and internalizing cognitive distortions. Externalizing individuals tend to use cognitive distortions in order to protect the self from blame or a negative self-concept. Delinquent behaviour and aggression have been linked to externalizing individuals. The cognitive distortions of internalizing individuals inaccurately debase the self in direct or indirect ways and may contribute to self-harm. Self-debasing cognitive distortions can take the form of irrational beliefs, negative and depressive thoughts, anxiety, or the tendency to attribute negative events to internal and stable causes.

The treatment goal of cognitive intervention is therefore to restructure the offender's thinking patterns or to facilitate pro-social thinking. It is argued that the most successful treatment programmes will include cognitive interventions (Baro 1999:467; Gendreau 1996:147; Henning & Frueh 1996:526; see 3.2). Two types of cognitive treatment programmes can be distinguished:

- Cognitive development programmes which address deficits in areas such as problem-solving, moral reasoning and social skills.
- Cognitive restructuring programmes which focus on thinking distortions, and changing the attitudes, beliefs and habits of thinking that lead to criminal behaviour (Baro 1999:467; Tate *et al.* 1995:779).

The following cognitive failures or distortions were found among offender populations and show significant correlations with anti-social behaviour (Wright *et al.* 1994:205):

- self-control and impulse control;
- cognitive styles that foster empowerment;
- abstract thinking for understanding rules and law;
- conceptual flexibility;
- problem-solving (developing alternatives, reviewing consequences of actions, understanding of cause and effect);
- consideration for the feelings of others;
- a sense of right and wrong for the collective good; and
- critical reasoning skills.

Support for this theory exists in the study done by Henning and Frueh (1996:536). Gendreau and Ross (1987:357) reported that the cognitive approach to offending consistently yields great success. Ross, Fabiano and Ross (1988:46) found that a cognitive component is a common feature of successful rehabilitation programmes (Wright *et al.* 1994:205-206).

## **2.2.6 Learning theories**

The two most widely quoted learning theories, Social Learning theory and Differential Association theory, is discussed in this section.

### **2.2.6.1 Social Learning theory**

This theory is generally associated with Albert Bandura (1977). According to Bandura (Brandt & Zlotnick 1988:97-98), social learning theory is an extension of operant principles while at the same time being concerned with the role of cognition. Operant principles were formulated by Skinner (1938, 1953) and are based on the belief that an individual's behaviour is related to the environmental consequences it produces. Behaviour that is followed by desirable consequences is reinforced and may increase in frequency. Behaviour that produces negative consequences such as punishment may decrease in frequency because the individual will attempt to avoid aversive consequences. It can subsequently be argued that each individual's history of criminal behaviour must be considered in its own right, as some individuals would have been rewarded by and for criminal acts, while others will have been punished or suffered negative consequences for their acts (Brandt & Zlotnick 1988:97-98; Hollin 1990:7-9; Severy & Whitaker 1984:271).

The difference between operant principles and social learning theory is that operant theory maintains that behaviour is acquired through direct experience and consequences, whereas social learning theory states that behaviour can also be learned through observing the behaviour of others. The stages of learning as described by Bandura (1977) are *attention* to the model's behaviour, *retention* of the information at a cognitive level and *reproduction* of the observed behaviour. Once the behaviour is carried out it can be reinforced or punished by its consequences. Bandura (1977) also point out that there are three aspects of motivation:

- external reinforcement (as in operant theory);
- vicarious reinforcement: the observation of other people's behaviour being rewarded or punished;
- self-reinforcement: a sense of pride, achievement at meeting one's standards that motivates the individual to repeat the behaviour (Hollin 1990:9).

The social learning approach to offending suggests that observational learning takes place in three contexts that form part of the environment:

- the family;
- the prevalent subculture;
- through cultural symbols (television, books) (Hollin 1990:10).

Explanations for offending can therefore be found in behaviour modeled by the family, the peer group, on television, in books and films. The reinforcement for criminal behaviour can be from internal as well as external sources such as tangible rewards, social recognition and approval, and increased self-esteem (Hollin 1990:10).

Social Skills Training (SST) is based on the Social Learning theory. Individuals may learn ineffective social skills through association with family or peers and these inadequate skills may lead to problematic behaviour. It is proposed that some forms of delinquent behaviour may be the result of a breakdown of social skills. Individuals are said to engage in antisocial behaviour because they lack the skills necessary for pro-social behaviour (Leiber & Mawhorr 1995:128). Delinquents may therefore lack the ability to convey information to other people about their needs and intentions, and they may also not be able to understand messages sent by other people. Considerable support exists for the view that delinquents are socially unskilled and that the teaching of social skills is an effective method for reducing problem behaviour (Glueck & Glueck 1950; Leiber & Mawhorr 1995:128-129; McGuire & Priestly 1985; Zaragoza, Vaughn & McIntosh 1991:265).

### 2.2.6.2 *Differential Association Theory (Sociological Theory)*

Differential Association theory is concerned with the social conditions associated with crime while at the same time offering an explanation to the process by which the individual became criminal. The theory describes delinquency as something that is learned from people one associates with, or from exposure to those who speak of delinquency in positive terms. A person incorporates these norms into their belief system and subsequently acts in accordance with these beliefs by committing an offence. Differential association theory explains offending in terms of social learning. The theory does not propose that favourable definitions towards crime will develop through association with criminals only (as in Social Learning theory). This learning can also take place by association with people who have favourable definitions of crime (Lotz & Lee 1999:200-215).

According to this theory crime is politically defined within a society by those who hold power over legislation. The people who act outside of these definitions are viewed as criminal because their behaviour is seen as deviant by the lawmakers (Lotz & Lee 1999:200; Hollin 1990:4).

Nine postulates account for the process by which a person becomes criminal:

- Criminal behaviour is learned.
- Learning occurs through association with other people.
- The main part of learning takes place within close personal groups.
- Learning includes techniques for the execution of particular crimes and also specific attitudes, drives and motives conducive toward committing crimes.
- The direction of the drives and motives is learned from a perception of whether the law is favourable or unfavourable.
- People become criminals when their definitions favourable to breaking the law outweigh their definitions favourable to complying with the law.
- The learning experience varies in frequency, intensity and importance for each individual.
- The process of learning criminal behaviour is no different from learning any other behaviour.

- Although criminal behaviour is an expression of needs and values, crime cannot be explained in terms of the needs and values. It is not the need that causes a person to become criminal, it is the means by which these needs are satisfied that are learned and are criminal (Hollin 1990:5-6).

### 2.2.7 Reality Theory

Reality theory is based on Glasser's theory of 'identity' society (1975). According to Glasser more individuals are searching for roles which affirm their social identity and self-identity. Glasser called this 'independent role identity'. Glasser (1975:2) argued that the achievement of self-identity has become very important for younger people and that they tend to strive for goals that support their self-identity. Goals that do not reinforce self-identity are therefore rejected (Glasser 1975:13). In terms of this he formulated the *pleasure-pain* principle. He theorizes that people with successful identities behave in ways to reduce the 'pain' that stressful situations create in a way that will ultimately enable them to experience 'pleasure'. He states: '... when attacked (verbally) or rejected, they (people with successful identities) usually respond with consideration, thus blunting the attack and making themselves harder to reject' (1975:29). On the other hand individuals with 'identity failure' (poor identity formation) react impulsively to anger and as a result decrease their security and positive involvement with others. As a consequence they are likely to experience continual 'pain'.

Clagett (1992:6-9) summarizes the seven principles of reality therapy.

- **Involvement:** one of the principles of reality therapy is to help clients with 'identity failure' to become more positively involved with others (similar to Social Control theory, see 2.2.2).
- **Acquiring awareness of current behaviour:** the client should be encouraged to become consciously aware of his/her current misbehaviour.
- **Evaluation of behaviour:** as the client becomes consciously aware of the problem behaviour, critical evaluation of this behaviour is done by judging whether the behaviour was in the best interest of the person himself, whether the behaviour was good for the people close to him and whether the behaviour was in the best interest of the community. The ability to make reasonable value judgments is enhanced during this phase.

- **Planning responsible behaviour:** clients are helped to plan their lives more successfully by considering various available options, making decisions based on these options and acting on these decisions. The plan should be realistic enough to provide the person with a feeling of success.
- **Commitment:** the client is required to make a commitment that the plan drawn up will be carried out. A commitment to the plan for changing one's life may enhance the motivation of the client to put the plan into action. An important function of reality therapy is to help people learn the importance and value of keeping a commitment.
- **No excuses are accepted:** no excuses for failure to keep to the commitment made are accepted as an excuse is seen as an easy way out. Glasser (1975:97) points out that '... an excuse reduces the pain of failure, but (it) does not lead to success.... Instead a new plan must be made'. The original plan must be reviewed and if it is still valid the commitment to the plan must be renewed. In a case where the original plan has become invalid a new plan should be made.
- **Punishment** is not used as it erodes positive involvement. Consequences to irresponsible behaviour can be discussed and are not seen as a form of punishment.

Juvenile delinquents appear to have poor identity formation and as a result may react inappropriately and impulsively to 'pain'. They also seem to have poor involvement with others and may not be aware that their behaviour is not acceptable. They may also lack the ability to evaluate their own behaviour and to change undesirable behaviour to more positive behaviour that could lead to experiencing 'pleasure'. Group-Integrated Reality Therapy (GIRT) has been used successfully with juvenile delinquents (Clagett 1992:15-16; see 3.4.4).

### **2.2.8 Developmental Adaptation theory**

Developmental Adaptation theory distinguishes five stages of development where each involves actual and perceived opportunities, expectations, activities, challenges and themes. The stages are infancy, early childhood, later childhood, adolescence and early adulthood (Palmer 1991:60).

Adolescence is divided into two stages. Stage A is reorientation and assimilation of social values. Stage B is self-responsibility and personalization of attitudes and values. Stage A includes the acquiring of values, and seeking of new people to identify with as well as new activities to master. The purpose of this stage is mainly to gain a sense of personal status, esteem or acceptability and the redefinition of self. This stage typically involves five main phases:

- Confusion, Anxiety
- Withdrawal, Retrogression
- Restitution of esteem or status
- Location of standards and directions
- Testing and working through of new standards

Emotional ups and downs, behaviour shifts, inconsistencies, experimentation and temporary regressions can be observed in adolescents at this time. During these phases personal compensations and social adjustment occur, and structures and response patterns are developed in order to deal with new situations and the new self. Some of the structures and patterns developed such as 'passive conformist', 'power oriented' and 'conflicted' are frequently seen among delinquents (Palmer 1991:60-61).

Stage B is characterized by three main phases:

- Emergence/delineation of desired self and a sense of actual self
- Differentiations within the new self
- Merging/distributing of the self into new roles or commitments

During this phase adolescents feel they have identified the major social and personal choices that they are going to make in the near future, as well as the personal implication of the choices in question (Palmer 1991:60-61). Developmental Adaptation theory describes steps in the establishment of links between the person and society and postulates forces that promote those links. In an adolescent's striving to change the links with society from that of a child, to that of an adult, the stages above can influence the effectiveness with which this change occurs. In the process the ineffective structures and patterns mentioned earlier can develop, with the result that poor links are formed, and this can lead to delinquency.

### 2.2.9 Biological theories

Different biological conditions and neurological processes are linked to violent and deviant behaviour. Some studies have linked chemical and hormonal imbalance in the central nervous system to antisocial behaviour. It is hypothesized that violent behaviour may be in some instances reduced by altering relevant neurological states or conditions by means of pharmacological interventions. It has also been found that EEG abnormalities are associated with people who are at risk for antisocial and aggressive behaviour. Research on these types of interventions are limited (Bartollas 1985:129; Siegel & Senna 1991:92-94; Tate *et al.* 1995:778).

### 2.2.10 Psychobiological Theory

This theory suggested by Cloninger and Cloninger (1987) discusses the interrelation of biologically determined temperament and character traits which are formed during the process of socialization (Ruchkin, Eiseman & Hägglöf 1999:705-706). According to this theory temperament is functionally organized in the brain as independent systems for the activation, maintenance and inhibition of behaviour in response to specific stimuli. Temperaments are heritable and include:

- **Novelty Seeking**, which is a bias in the activation of behaviour and could be frequent exploratory activity, impulsive decision-making, extravagance in approach to cues of reward, quick loss of temper and active avoidance of frustration.
- **Harm Avoidance**, which is a bias for the inhibition of behaviours such as pessimistic worry in anticipation of future problems, passive avoidant behaviours and rapid fatigability.
- **Reward Dependence**, which is a bias for the maintenance of ongoing behaviours and is manifest in sentimentality, social attachment and dependence on approval of others.
- **Persistence**, which is the ability to persevere despite fatigue and frustration (Ruchkin *et al.* 1999:706).

Character on the other hand has three dimensions that influence personal and social effectiveness. These are:

- **Self-Directedness**, which is based on the concept of the self as an autonomous individual and includes feelings of personal integrity, honour, self-esteem, effectiveness, leadership and hope.
- **Cooperativeness** is the concept of the self as integral part of humanity or society and from this, feelings of community, compassion, conscience and charity are derived.
- **Self-Transcendence** is the concept of self as an integral part of the universe leading to feelings of mystical participation, religious faith and patience (Ruchkin *et al.* 1999:706).

These three dimensions influence personal and social effectiveness as the person gains insight into himself and his behaviour and forms a self-concept.

According to Cloninger, character is influenced by socio-cultural learning throughout life and environmental factors such as parental rearing, leads to the transformation of temperament into character traits (Ruchkin *et al.* 1999:706).

The results of the study by Ruchkin *et al.* (1999:710-715) indicate that avoidant coping styles are prevalent in delinquents. In the study mentioned above delinquents also had high scores on Novelty Seeking and Harm Avoidance and lower scores on Self-Directedness and Cooperativeness. They also scored higher on most negative aspects of parental rearing. Ruchkin *et al.* (1999:710-715) argue that individuals who are more fearful, tense, insecure and inhibited in social situations (as reflected by high harm avoidance) were more prone to avoidant behaviour and less inclined to problem-solving. These youths also do not tend to ask for assistance to solve their problems. The negative correlation found between avoidant coping styles and Self-Directed behaviour indicates that subjects with low Self-Directedness lack internal organization and this renders them unable to define, set and pursue meaningful goals and thus makes them more prone to avoidant behaviour.

### 2.2.11 Summary of theories

In the following table a description of youth offenders or delinquency is given according to each of the above theories. Problematic issues that need to be addressed in a therapeutic programme for the rehabilitation of offenders are indicated for each theory.

**TABLE 2.1 SUMMARY OF THEORIES**

<b>THEORY</b>	<b>DESCRIPTION OF DELINQUENCY</b>	<b>ISSUES TO BE ADDRESSED IN PROGRAMME</b>
<b>Control theory</b>	<ul style="list-style-type: none"> <li>• Weak bonds to family, peers and society</li> <li>• Poor commitment to social values</li> <li>• Low involvement in society, school</li> <li>• Lax social/parental control</li> </ul>	<ul style="list-style-type: none"> <li>• Interpersonal relationships</li> <li>• Sense of belonging</li> <li>• Family bonds and functioning</li> </ul>
<b>Self-control theory</b>	<ul style="list-style-type: none"> <li>• Low self-control leads to delinquency</li> <li>• Behaviour directed at short-term interests, with little consideration for long-term consequences</li> <li>• Low self-control can indicate earlier start to offence, that can continue later in life</li> <li>• Other characteristics include impulsivity, inability to persevere, self-centredness, immediate needs gratification</li> </ul>	<ul style="list-style-type: none"> <li>• Decision-making skills including considering different options, listing outcomes/consequences of decisions</li> <li>• Emphasis on accountability for actions</li> <li>• Goal setting and overcoming obstacles (to help improve perseverance)</li> </ul>
<b>Labeling theory</b>	<ul style="list-style-type: none"> <li>• Deviance is increased by labeling the person as an offender</li> <li>• Delinquent labels are internalized and youths act accordingly</li> <li>• Each criminal act increases the chances of further labels and further deviant actions</li> <li>• Labeling leads to low self-concepts, high levels of anxiety and depression, and low levels of self-confidence</li> <li>• This theory advocates diversion</li> </ul>	<ul style="list-style-type: none"> <li>• Self-esteem</li> <li>• Empowerment</li> <li>• Dealing with negative feelings regarding self</li> <li>• Accepting responsibility for the behaviour that lead to the label being given</li> <li>• Planning for the future/decision-making: how to get rid of the label, how to choose behaviour that will not result in re-offence</li> </ul>

<b>Strain theory</b>	<ul style="list-style-type: none"> <li>• Delinquency is the result when a youth is not able to achieve economic or interpersonal goals</li> <li>• Delinquency is the reaction to economical and interpersonal ‘strain’</li> <li>• Poor quality of relationship with peers</li> </ul>	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Empowerment</li> <li>• Problem-solving</li> <li>• Dealing with problems in interpersonal relationships, improving these relationships</li> </ul>
<b>Cognitive theories</b>	<ul style="list-style-type: none"> <li>• Delinquents have cognitive deficits such as impulsivity, concrete thought patterns, lack of social perception, poor interpersonal problem-solving skills; and</li> <li>• Cognitive distortions like minimizing the offence, taking the role of the victim, denying the harm caused, denying responsibility and justifying the crime.</li> <li>• Delinquents tend to externalize their actions to protect themselves from self-harm, self-blame or negative self-concepts</li> </ul>	<ul style="list-style-type: none"> <li>• Accountability/responsibility for actions</li> <li>• Thinking skills</li> <li>• Empowerment</li> <li>• Self-esteem</li> <li>• Goal setting and planning relapse prevention</li> <li>• Decision-making skills to prevent future offence</li> </ul>
<b>Learning theories</b>	<ul style="list-style-type: none"> <li>• Delinquent behaviour is reinforced or punished by peers/society/parents</li> <li>• Behaviour/ social skills acquired through social learning</li> <li>• Delinquent behaviour is modeled on behaviour observed in society</li> <li>• Delinquent behaviour can be reinforced by association with those involved in crime or those with favourable opinions of crime</li> </ul>	<ul style="list-style-type: none"> <li>• Developing positive peer and interpersonal relationships</li> <li>• Acquiring appropriate social skills</li> <li>• Decision-making (to remove oneself from negative influences, not to act in deviant ways observed in society)</li> </ul>

<b>Reality theory</b>	<ul style="list-style-type: none"> <li>• Poor identity formation</li> <li>• Poor involvement with others</li> <li>• Inability to identify and evaluate behaviour that leads to 'pain'</li> <li>• Inability to plan alternative behaviour that will lead to 'pleasure'</li> </ul>	<ul style="list-style-type: none"> <li>• Interpersonal relationships</li> <li>• Empowerment</li> <li>• Accountability/responsibility for behaviour</li> <li>• Goal setting: plan new behaviour, commitment to goal</li> </ul>
<b>Developmental adaptation theory</b>	<ul style="list-style-type: none"> <li>• Adolescence is a stage of development in which structures and patterns develop to make the transition to adulthood</li> <li>• Delinquency is the result when ineffective transition is made, ineffective links between the youth and society are made</li> <li>• Characteristics found include passive conformist, power oriented, conflicted</li> </ul>	<ul style="list-style-type: none"> <li>• Improve interpersonal relationships/Re-establish bonds with society</li> <li>• Social skills such as conflict resolution, communication</li> <li>• Self-esteem, value as member of society</li> </ul>
<b>Biological theory</b>	<ul style="list-style-type: none"> <li>• Delinquency is the result of neurological/hormonal imbalances</li> <li>• EEG abnormalities have been found</li> </ul>	<ul style="list-style-type: none"> <li>• Pharmaceutical/medical intervention</li> </ul>
<b>Psychobiological theory</b>	<ul style="list-style-type: none"> <li>• There is a relationship between biologically determined temperament and socially formed character traits</li> <li>• Characteristics of delinquents include: avoidant coping styles, impulsive decision-making, extravagance, short-tempered, pessimistic worry, self-centredness, low cooperation, poor self-esteem, low levels of integrity and honor, poor problem-solving, inability to set and pursue meaningful goals.</li> </ul>	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Self-esteem</li> <li>• Dealing with feelings such as anger/anxiety</li> <li>• Problem-solving</li> <li>• Goal setting</li> </ul>

## **2.3 RISK FACTORS LEADING TO DELINQUENT BEHAVIOUR**

Sankey and Huon (1999:104-106) found that there are multiple pathways that could lead to youth offence. These pathways included environmental as well as person-centred factors. They found numerous factors to be associated with delinquent behaviour. These factors will be discussed below.

### **2.3.1 The family**

It has been shown that the home environment is a significant factor contributing to juvenile offence. According to Hirschi's control theory (see 2.2.1) poor attachment between parent and child could result in the child not internalizing the norms and values of society. Weak bonds to parents and subsequently society could result in delinquent behaviour (Sokol-Katz, Dunham & Zimmerman. 1997:210; Gottfredson *et al.* 1998:318).

Patterson and his colleagues (Dishion, Patterson & Kavanagh 1992; Patterson & Bank 1989; Patterson, Reid & Dishion 1992) attribute antisocial behaviour in adolescence to poor parental monitoring, and harsh and inconsistent discipline (Ary, Duncan, Duncan & Hops 1999:220-224). They suggest that these parental practices can place the child at high risk for a series of 'negative outcomes' because they cause the child to be aggressive and oppositional. A pattern of aggressive behaviour is shaped as the parents become more inconsistent in disciplining the child as a way to avoid the child's coercive behaviour. The aggressive behaviour is extended to the school environment and the peer group. The adolescent establishes a peer group of similarly rejected and aggressive friends and is then at a high risk to develop patterns of delinquent and antisocial behaviours (Ary *et al.* 1999:218). The results of the study by Ary *et al.* (1999:226) confirm this theory. They also found that despite increasing peer influence among adolescents, parental influence could continue to be a moderating force. This suggests that interventions designed to influence family constructs can be successful even when implemented during adolescence.

Children from single parent families are more likely to commit further crimes than those from two parent families (Rose 1997:155). This can be explained by the fact that there is less parental monitoring and control (see 2.2.2).

### **2.3.2 Peer group**

According to Hirschi's Control theory (see 2.2.1) the stronger the bonds are to the peer group, the less likely is the youth to engage in delinquent behaviour. Supporting this theory, evidence indicates that members of delinquent gangs have weak attachments to each other. It was found that the exchanges in delinquent peer groups are characterized by loneliness and estrangement as they are not willing to listen to each others' problems (Anderson *et al.* 1999:438-439).

According to the Differential Association theory (see 2.2.6.2) association with delinquent peers and others with positive views of offending could lead to the person internalizing those beliefs, and as a result become involved in delinquent behaviour.

A different approach to this is the belief that it is not the association with deviant peers that results in delinquency, but the pressure that youths feel to belong to the group, that leads to delinquency. They go along with delinquent behaviour because they do not want to risk losing the acceptance of the group. This has been described as group pressure or group influence (Lotz & Lee 1999:200).

Another perspective is one that argues that youths become deviant early in life as a result of personal characteristics or family factors (see 2.3.1), and that they later drift towards peers who have similar personalities, interests and behaviour. Delinquent youths are therefore attracted to other youths who are involved in deviant behaviour (Lotz & Lee 1999:200).

A fairly new viewpoint in delinquency research argues that the distinction between delinquent and non-delinquent friends is not necessary. This approach maintains that unstructured socializing with adolescent peers in general is conducive to delinquency because the absence of adult supervision provides more opportunity for adolescents to engage in deviant acts (Lotz & Lee 1999:218). The study by Lotz and Lee (1999:219) found that merely being sociable is

conducive to delinquency. However, they, also found that some concepts from the social learning theory such as positive and negative reinforcement, can still be used to explain the behaviour of delinquent youths (see 2.2.6.1).

### **2.3.3 Learning Disabilities**

According to Winters (1997:451) crime statistics consistently indicate that poor academic achievement is a major factor in crime and delinquency. It was found that typical inmates tend to be school dropouts, have passive learning styles and that they tend not to see the control of their lives in the hands of others. Bell (1990) found that as much as 50% of youths in the justice system in Illinois had learning disabilities (Winters 1997:459). A positive school experience is important to the emotional development and self-esteem of children and as a result failure in school may lead to a negative self-esteem and low levels of self-confidence. Studies found that children with learning disabilities and cognitive delays are at an increased risk of delinquent behaviour. The learning disabled often experience failure in school, and are often harassed and stigmatized by others. They may feel discouraged, frustrated and may experience school as negative, and this may lead to poor school attendance. Learning disabled youths may also lack acceptance by academically successful youths and may as a result join street gangs in order to feel accepted (Fergusson & Horwood 1995:183-184; Winters 1997:459).

Ysseldyke (1992) identified various characteristics common in learning disabled and correctional students. These were: an average IQ, below average mathematics skills, reading problems, hyperactivity, short attention span, interpersonal problems, poor social skills and insecurity in social settings (Winters 1997:458). The same results were found by Fergusson and Horwood (1995:196). In his study Winters (1997:460) came to the conclusion that learning disabled students are at risk for criminal behaviour and incarceration if their learning disability is not remediated or lessened in severity to the point where they can feel more confident about themselves.

### 2.3.4 Psychiatric disorders

Early behavioural problems such as aggression, hyperactivity and inattention have been linked to later conduct disorder and delinquency (Vermeiren, De Clippele & Deboutte 2000:277).

Doreleijers, Moser, Thijs, van Engeland and Beyaert (2000:272) found that psychopathological disorders were six to seven times more common among delinquents who were brought before the court than among other young people of the same age group. These disorders included attention deficit disorder/ hyperactivity, conduct disorders, affective disorders, imminent personality disorders, and drug abuse. Disorders such as psychosis, anxiety disorders and developmental disorders were not found to be related to delinquency. Psychopathological disorders and violence within the family were also related with delinquency. Vermeiren *et al.* (2000:278) similarly found that conduct disorder, Attention Deficit Disorder and Hyperactivity, personality disorders, depression and drug abuse were related to adolescent delinquency. They did however find that almost half the subjects in their study did not meet the requirements for Conduct Disorder. This implies that there are many adolescents who come into contact with the court who do not show consistent patterns of problem behaviour.

The study by Kurtz, Thornes and Bailey (1998:550) found that the mental health needs of highly disturbed youths are not well recognized, poorly understood and inadequately met. Vermeiren *et al.* (2000:284) suggest that there is a need for the psychiatric assessment of delinquent adolescents. Doreleijers *et al.* (2000:273) also recommend that a diagnostic examination must be ordered specifically for youth offenders who commit violent crimes, those who commit offences on their own, those who use drugs in quantities that affect their functioning, and those from families characterized by violence or with histories of offence and/or psychiatric problems. They argue that more effective screening of youth offenders for psychiatric disorders will lead to more constructive imprisonment and suspension policies.

It can be deduced from the above that it is necessary to thoroughly assess youth offenders to determine the presence of psychiatric disorders. Delinquent youth with Attention Deficit Disorder and Hyperactivity (see 2.3.3) may require additional scholastic and educational intervention. A distinction also needs to be made between youth with psychiatric problems such as conduct disorder and imminent personality disorder and youth without these disorders as their presence could indicate poor prognosis in a therapeutic rehabilitation programme. Intervention could be tailored to meet the needs of those with psychiatric problems and would consequently be more effective.

### **2.3.5 Gender**

A number of studies report that males are significantly more involved in delinquency than females. It was also found that females are arrested for minor crimes, status offences and non-criminal acts such as running away from home, truancy and uncontrollability (Chesney-Lind 1989:25; Naffine 1989:3-4, 16). In the study by Rhodes and Fisher (1993:887) this was confirmed as it was found that boys are more likely to be referred for violent violation of the law, whereas girls were more likely to be referred for truancy, running away from home and social or personal problems. Strong correlations between sexual abuse and serious delinquent behaviour were found for females and not for males (Rhodes & Fisher 1993:887). The study by Siegel, Wang, Carlson, Falck, Rahman and Fine (1999:42) indicates that men are more likely to be charged with drug offences.

Girls are also perceived to be more difficult to work with than boys. One explanation for this could be that ‘... girls are discouraged from expressing anger’ (Lees 1993:227). As a result they may be reluctant to take part in discussions and they may not feel free to express their feelings and needs. Another explanation may be that the girls who are survivors of physical and sexual abuse may mistrust adults, and they may be closed to adults in an attempt to protect themselves (Baines & Alder 1996:468-473). It is therefore very important that staff who work with youth must be adequately trained in order to identify the possibility of abuse, as well as having the skills to deal with related emotional problems and needs.

Some researchers believe that delinquency studies must take into account gender differences and that gender-specific theories on offending and delinquency should be developed as males and females have different reactions to predisposing factors. Other researchers argue that gender-specific theories will hinder the advancement of deviance theory. Contrary to gender-specific theorists they do not believe that the deviant behaviour of males and females reflect of different processes and motivation. It is believed that theories that encompass gender and general influences will be able to explain the complexity of adolescent delinquent behaviour more accurately (Rhodes & Fisher 1993:879-880).

### **2.3.6 Cultural Factors**

According to control theory (see 2.2.1) youth who have strong bonds to their parents, and who are closely monitored by their parents are less likely to be involved in delinquency. A number of studies have looked at the relationship between ethnicity, family problems and delinquency. It has been found that African American families have a higher occurrence of single-parents families than white families and as a result there is less parental monitoring, greater family disorganization and as a result more behavioural problems. Parent efficacy was also reduced by parents who work long hours far away from their homes (Smith & Krohn 1995:72-73). This can be related to a South African context where a lot of black parents work far away from home, many staying at their workplace during the week and returning home over weekends. Children of these parents are often looked after by older siblings, grandparents or extended families. This results in poor family relationships, poor parental monitoring and could therefore result in higher levels of delinquency in this culture.

Delinquency has also been explained in terms of acculturation. Acculturation is an adaptation strategy or part of an adjustment process for individuals or the group as a whole to settle in to a new social environment. It includes language, customs, habits and lifestyle, values as well as family and peer relations. It was found that adherence to one's ethnic culture reduces delinquency. Those who are committed to traditional family values and have strong ethnic ties are shielded from deviant influences. Those who deny their culture and detach themselves from their cultural communities are said to be more susceptible to deviant influences. It was found that children might choose to respond to culture conflict, identity crisis and

intergeneration conflict as a result of acculturation by means of delinquency (Wong 1997:115-119). Acculturation may be prevalent in the black culture as they make a transition into a more western culture. Children speak mainly English in school and schools are not traditional and do not have a specific cultural approach. As a result traditional habits and customs may be lost. There may also be conflict between parents who remain traditional and children who become more westernized.

In the study by Smith and Krohn (1995:84-85) it was found that family socialization has a relatively weak impact on the behaviour of youth from African American and white families, and a more pervasive effect on adolescents from Hispanic families. Parental control and attachment on the other hand do not exert a significant impact on Hispanic youths while these factors are strongly related to delinquency in African American and white youths. These findings suggest that ethnicity and race should be taken into account in delinquency research, particularly with regards to the influence of the family on delinquent behaviour.

### **2.3.7 Age of Onset**

A number of studies have established that individuals who commence offending early in their lives are at greater risk of serious, long-term and frequent offending. Some studies indicate that early onset results in a greater versatility and diversification of crimes. Contradictory to this it was found that in some cases specialization of offending occurs while in other cases diversification of offence occurs. Age of onset has been linked to large number of offences over long periods of time and at high rates, leading researchers to use age of onset as a predictor for criminal careers (Piquero, Paternoster, Mazerolle, Brame & Dean 1999:275-277).

According to Gottfredson and Hirschi (1990:91) low self-control will manifest in diverse crimes as the crime tends to vary from situation to situation and these offenders will act impulsively to situations. Offenders that started offending early in life will be those with lower levels of self-control, according to Hirschi and Gottfredson (1993:48-54; see 2.2.2).

Some studies found no correlation between age of onset and crime preference, whereas others found that specialization may emerge over time as a result of successful and unsuccessful past experiences (Piquero *et al.* 1999:276, 295).

### **2.3.8 Drug use**

The connection between drug use and crime has been emphasized by many authors. Numerous studies have documented that a large number of crimes are committed by offenders who use drugs. One of the consistent findings documented in literature is that criminal activity increased with the increase in drug use. It has also been found that rehabilitation is negatively affected by the use of drugs as drug use influences employment, family functioning and social and personal problems. The recidivism rate for offenders who are drug dependent is subsequently also higher than the rate for those who do not use drugs (Anglin, Lonshore & Turner 1999:168; Jenson & Howard 1999:358; Siegal *et al.* 1999:34-35). In a summary of studies about drug use Jenson and Howard (1999:358) found that adjudicated delinquents use alcohol and drugs more frequently than youths do in the general population. Baron (1999:3) found that homeless youths are particularly at risk for drug use (see 2.3.9).

In their study Jenson and Howard (1999) confirmed these results. They found that drug users were significantly more likely than non-users to be members of gangs and that they have been in trouble with the police because of drug use more often. They were more likely to sell drugs and to be involved in crimes under the influence of drugs. The study also indicated that drug users had lower levels of parental involvement and support (see 2.3.1), they also had significantly more siblings and peers that used drugs, and they tended to be less involved in school activities (Jenson & Howard 1999:364-367, 369-370).

It can therefore be deduced that rehabilitation programmes should include a drug intervention programme for those offenders who are using drugs in order to facilitate higher levels of success.

### 2.3.9 Street Children

Street children are a significant problem in South Africa and the link between living on the street and criminal behaviour has been extensively researched.

Definitions of street children usually have three elements:

- these children live or spend a significant amount of time on the street;
- the street is these childrens' source of livelihood;
- these children are inadequately cared for, protected or supervised by adults (Baron & Hartnagel 1998:166; le Roux & Smith 1998a:916).

Family factors such as poor bonds with parents are sometimes seen as the main reason for children leaving their homes for the street (le Roux & Smith 1998c:906). Baron (1999:3) found that street youths come from families characterized by conflict, sexual and physical abuse and parental drug and/or alcohol problems.

Three groups of street children can be identified:

- those with continuous family contact who work on the street, usually go to school and go home at the end of the day;
- children with occasional family contacts, who work on the street, do not go to school and seldom go home to their families;
- those children without family contact, who consider the street as their home and who seek shelter, food and a sense of belonging on the street with their peers (le Roux & Smith 1998a:916).

A fourth group was identified by Lusk (1992): those children that live on the street with their families as a result of poverty. It can therefore be seen that the term 'street children' embrace a diverse group of children at different stages of the process of dislodging attachments to family, school and the community. Criminal activity also then occurs at different levels of frequency among different groups (le Roux & Smith 1998a:917).

Some researchers found that children who have spent longer on the street are more likely to engage in criminal activities and that they do so mainly to ensure their own survival. Others state that street children become involved with criminal activities as a way to deal with the adjustment to a hostile environment, while others believe that street children engage in criminal activities because they have no incentive to conform to societal norms (le Roux & Smith 1998a:920). Some studies have found that the labeling of street children as deviant, isolates them further from society and as a result pushes them more deeply into deviant behaviour (le Roux & Smith 1998a:920-921; le Roux & Smith 1998c:904; see 3.1.3).

Studies summarized by le Roux and Smith (1998b:891-897) showed contradictory results. Some studies showed that street youths show successful coping strategies such as resilience, and that they exhibit a lack of psychopathology. Other studies found that those youths with a strong internal locus of control showed less signs of pathology, while those with an external locus of control had more signs of psychopathology and had usually been on the street longer. They also had less positive relationships with peers. Many researchers view first offenders as healthy or normal when reacting to specific problematic environmental problems, while repeat offenders appear to have more serious emotional and behavioural problems. Street youths often run away from home repeatedly and this is a DSM-IV diagnostic criterion for conduct disorders in children and adolescents (DSM-IV: Desk Reference 1994:66-67; le Roux & Smith 1998b:891-897).

Negative characteristics of street children identified in literature included low self-esteem, apathy, fatalism, drug use (see 2.3.8), impulsivity, distrust and manipulation of adults, poor problem solving and external locus of control (see 2.3.11). It was found that a small but significant proportion of street children has severe emotional and behavioural problems (le Roux & Smith 1998b:891-897). According to Baron (1999:4) street youths' participation in deviant activities is more likely the result of the homeless experience itself, rather than personal characteristics. Drug use is a response to an existence in the dangerous and dysfunctional life on the street. The street environment also provides easy access to drugs, as well as association with drug-using peers that could increase the involvement in a criminal drug-related lifestyle (Baron 1999:4, 19; see 2.3.8). Violent and criminal behaviour also tends to be modeled by the peer group, leading to criminal behaviour (see 2.3.2). Literature has

pointed to a number of characteristics of street youth such as poverty, unemployment, substance abuse and victimization that can be conducive to crime (Baron & Hartnagel 1998:167-169).

### 2.3.10 Self-concept

Research on the relationship between self-concept and delinquency has indicated that delinquency may be the result of negative self-concept. Persons with a negative self-concept usually do not view themselves as worthwhile, contributing members of society. They may also lack the ability to form and maintain intimate relationships because they may feel that they need to feel positive about themselves to enjoy positive relationships with others. It has also indicated that self-esteem may in turn be enhanced by delinquent behaviour (Minor & Elrod 1994:492; Rose, Glaser & Roth 1998:108). The relationship between self-concept and delinquency is therefore interdependent.

### 2.3.11 Locus of control

Research has demonstrated an association between delinquency and locus of control. It was found that youth offenders do not think that they can effectively control their environments. They tend to believe that the course of life is determined by external forces beyond their control (Minor & Elrod 1994:492).

**TABLE 2.2 SUMMARY OF RISK FACTORS**

Risk factor	Aspects associated with factor	Issues to be addressed in programme
<b>Family</b>	<ul style="list-style-type: none"> <li>• Poor attachment to parents</li> <li>• Weak bonds with parents and society</li> <li>• Poor parental monitoring</li> <li>• Harsh/inconsistent discipline</li> <li>• Aggression due to harsh/inconsistent discipline</li> </ul>	<ul style="list-style-type: none"> <li>• Family relationships</li> <li>• Parenting practices such as disciplining</li> <li>• Interpersonal relationships</li> <li>• Dealing with feelings</li> </ul>

<b>Peer group</b>	<ul style="list-style-type: none"> <li>• Weak attachment to peer group</li> <li>• Association with delinquent peers</li> <li>• Pressure to belong to the peer group</li> <li>• Lack of adult supervision</li> <li>• Loneliness</li> </ul>	<ul style="list-style-type: none"> <li>• Self-esteem</li> <li>• Interpersonal relationships</li> <li>• Dealing with feelings</li> <li>• Parenting practices</li> </ul>
<b>Learning disabilities</b>	<ul style="list-style-type: none"> <li>• Often school drop-outs</li> <li>• Passive learning styles</li> <li>• Feeling of being powerless in own life</li> <li>• Negative self-esteem and low self-confidence because of school failure</li> <li>• Scholastic problems</li> <li>• Social insecurity/ problematic interpersonal relationships/poor social skills</li> </ul>	<ul style="list-style-type: none"> <li>• Educational/remedial programmes</li> <li>• Empowerment</li> <li>• Self-esteem</li> <li>• Dealing with feelings</li> <li>• Interpersonal relationships/ social skills</li> </ul>
<b>Psychiatric disorders</b>	<ul style="list-style-type: none"> <li>• Conduct Disorder</li> <li>• Personality Disorder</li> <li>• Attention Deficit Disorder and hyperactivity - AD(H)D</li> <li>• Drug abuse</li> <li>• Family history of psychiatric problems</li> <li>• Family violence</li> <li>• Aggression</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of disorders in order to provide effective treatment</li> <li>• Drug rehabilitation</li> <li>• Educational and scholastic intervention for those with AD(H)D</li> <li>• Family therapy, intervention</li> <li>• Anger management</li> </ul>

<b>Gender</b>	<ul style="list-style-type: none"> <li>• Boys: more serious, violent crimes</li> <li>• Girls: less serious offences, truancy</li> <li>• Sexual abuse mainly linked to offending behaviour in girls</li> <li>• Girls can be more difficult to work with</li> </ul>	<ul style="list-style-type: none"> <li>• Dealing with feelings related to sexual abuse</li> </ul>
<b>Cultural factors</b>	<ul style="list-style-type: none"> <li>• Poor family attachment and bonding</li> <li>• Inefficient parental practices</li> <li>• Acculturation</li> <li>• Differences between family influence on delinquency in different cultures</li> </ul>	<ul style="list-style-type: none"> <li>• Family relationships</li> <li>• Parenting practices</li> <li>• Cultural awareness and pride</li> </ul>
<b>Age of onset</b>	<ul style="list-style-type: none"> <li>• Low self-control/impulsivity is related to early onset</li> </ul> <p>Early onset may lead to:</p> <ul style="list-style-type: none"> <li>• More serious offence</li> <li>• Long-term offending pattern</li> <li>• higher frequency of offence</li> </ul>	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Accountability/responsibility</li> <li>• Parenting practices/monitoring</li> <li>• Empowerment</li> </ul>
<b>Drug use</b>	<ul style="list-style-type: none"> <li>• Increase in drug use is related to increase in crime</li> </ul>	<ul style="list-style-type: none"> <li>• Drug rehabilitation</li> <li>• Decision-making</li> <li>• Problem-solving</li> <li>• Dealing with feelings</li> </ul>

<b>Street children</b>	<ul style="list-style-type: none"> <li>• Poor bonds to parents</li> <li>• Family conflict/drug and alcohol abuse in family</li> <li>• Physical/sexual abuse</li> <li>• Poverty</li> <li>• Delinquent peer group</li> <li>• Low self-esteem</li> <li>• Drug/alcohol abuse</li> <li>• Impulsivity</li> <li>• Poor problem-solving ability</li> <li>• external locus of control</li> </ul>	<ul style="list-style-type: none"> <li>• Interpersonal relationships</li> <li>• Drug/alcohol rehabilitation</li> <li>• Dealing with feelings</li> <li>• Dealing with abuse</li> <li>• Decision-making</li> <li>• Problem-solving</li> <li>• Empowerment</li> </ul>
<b>Self-concept</b>	<ul style="list-style-type: none"> <li>• Negative self-concept linked with delinquency</li> </ul>	<ul style="list-style-type: none"> <li>• Self-concept/self-esteem</li> <li>• Empowerment</li> <li>• Decision-making skills</li> <li>• Problem-solving</li> </ul>
<b>Locus of control</b>	<ul style="list-style-type: none"> <li>• External locus of control linked to delinquency</li> </ul>	<ul style="list-style-type: none"> <li>• Empowerment</li> <li>• Thinking skills</li> <li>• Decision-making skills</li> <li>• Problem-solving</li> <li>• Accountability</li> </ul>

It can be argued that the more of these risk factors the child is exposed to, the higher the risk that the child is likely to become involved in crime. A rehabilitation programme therefore needs to address as many of these issues as possible in order to reduce the risk of recidivism.

## 2.4 TREATMENT APPROACHES

The following treatment approaches have been used with delinquents and offenders with varied levels of success.

### **2.4.1 Group Therapy**

Group therapy is often used because it is cheaper and makes more efficient use of staff time. Group therapy with youth offenders is also used because adolescents are influenced by their peers and in a group environment peer-learning is easy to achieve (Brandt & Zlotnick 1988:149; Tate *et al.* 1995:778). Results of studies have indicated that group therapy and peer-group interventions have not yielded consistent results. This is possibly the case because programmes may have not been implemented properly and because attention was not paid to specific treatment modalities (Tate *et al.* 1995:778).

Three group therapy techniques were summarized by Brandt and Zlotnick (1988:149-150). The first of these is *analytic group therapy* where the focus is on the dynamics of the individual within the group. According to this approach individual members express an underlying developmental problem through delinquent and acting-out behaviour. Group therapy aims to break down the defenses of the individual before attempting to change their behaviour. The second group therapy approach is *interactive group therapy* that aims to increase insight, altruism, interpersonal learning, social skills and taking responsibility for one's actions. It also included corrective family experiences. *Guided group interaction* is based on the belief that the cause of delinquency lies in the youth's social environment. The focus of the group is to help the adolescent and the group as a whole internalize socialized values and associations. It relies on peer-learning as it believes that more socialized individuals will positively influence less socialized individuals.

### **2.4.2 Multisystemic Therapy**

Borduin, Cone, Mann and Henggeler (1995:569-570) point out that there exists overwhelming evidence supporting a social-ecological view of antisocial behaviour in which anti-social behaviour is believed to be determined by several factors. In their summary of various studies of causal modeling studies it was found that delinquency is linked directly and indirectly to characteristics of the youth and the family, peer groups, school and neighbourhood systems. The Multisystemic Therapy (MST) approach is directed at solving multiple problems associated with delinquency. This approach has shown short- and long-term efficacy with chronic, serious and violent juvenile offenders. Services are provided in home and community

settings to enhance cooperation between parties and interventions are tailored to the specific needs of the offender, the family and the surrounding systems. This approach to delinquency has proved to enhance family cohesion and reduce peer aggression (Tate *et al.* 1995:779).

Tate *et al.* (1995:780) also suggest that intervention be continued once the offender has been released into the community. They encourage social-cognitive programmes that emphasize interventions in multiple spheres in the offender's life.

### **2.4.3 Experiential Learning**

Kolb's model of experiential learning is a cyclical process that divides the learning process into concrete experience, reflective observation and active experimentation. Experiential education makes use of structured, cooperative group activities. The goals of experiential education are the improvement of interpersonal skills, the capacity to trust and self-esteem. Adventure-based programmes frequently make use of experiential learning and have been used successfully with court referred and adjudicated youth as well as adults (Moote & Wodarski 1997:149-151).

Learning is an ongoing process and takes place in throughout a person's life and in all situations. Experiential learning is the ability to identify and become aware of learning experiences from life experiences. These experiences should be explored in order to become aware of the competencies already possessed. A distinctive characteristic of the experiential approach to learning is that the individual alone will determine which experiences will be used as evidence of learning, and what will be learnt from them. Groupwork aids this process and group cohesion may improve as a result (Handbook for the Assessment of Experiential Learning 1987:7; see 1.6.19).

## **2.5 REVISION OF JUVENILE JUSTICE IN SOUTH AFRICA**

South Africa ratified the United Nations Convention on the Rights of the Child (CRC) – 1989, on 16 June 1995. This Convention deals with a broad range of children's rights and provides a comprehensive framework within which the issue of child justice should be understood. By

ratifying the Convention, South Africa is now obliged to establish laws, procedures, authorities and institutions specifically applicable to children in conflict with the law (SA Law Commission: Discussion Paper 79 1999:1; SA Law Commission: Report on Juvenile Justice 2000:1-3).

A committee was established to develop a National Plan of Action and the drafting of composite child justice legislation was identified as a priority. The Minister of Justice recommended that the South African Law Commission develops a juvenile justice system to give effect to the Convention and that an investigation into juvenile justice be included in the reform programme. The Law Commission established a project committee for the investigation. Appointments to this committee were made by the Minister in December 1996 (SA Law Commission: Discussion Paper 79 1999:1; SA Law Commission: Report on Juvenile Justice 2000:1-3).

Issue Paper 9 was published for comment in May 1997 and distributed to a broad spectrum of interested persons, organizations and institutions, both governmental and non-governmental. In November 1997 the Commission hosted an international drafting conference to which ten international experts as well as South African role-players were invited. In December 1998 the Commission published a lengthy Discussion Paper 79 which included a proposed draft Bill. The second consultation phase then commenced. A total of twelve workshops were held with the following groups: the Department of Correctional Services, the Department of Education, the Department of Safety and Security, the Department of Justice, the Department of Welfare and Population Development, a variety of non-governmental organizations and representatives from statutory commissions, inter-sectoral organizations, and NICRO. The project committee also undertook a series of workshops with a broad range of children to obtain their views regarding the proposed child justice system. These children ranged from those who had had no contact with the formal criminal justice system to those who had been sentenced and/or were serving residential sentences (SA Law Commission: Discussion Paper 79 1999:1; SA Law Commission: Report on Juvenile Justice 2000:1-3).

In July 2000 the Report on Juvenile Justice was presented to the Minister of Justice and Constitutional Development for consideration. This report included a refined draft Bill on

Child Justice in South Africa. The draft Bill is currently being reviewed by the State Law Advisors where it will be certified. It will then be passed to the portfolio committee of the Department of Justice where it will be debated by parliament in terms of the legal design. Here changes and alterations can be made to the draft Bill. The Bill might be passed as the new law on child justice during the course of 2002 (Potgieter 2002:Personal Interview).

The objectives of the Bill, set out in clause 4 thereof, are as follows (SA Law Commission: Report on Juvenile Justice 2000:222):

- (a) to protect the rights of a child who has allegedly committed an offence and who was under the age of 18 years at the time of the offence
- (b) to promote *ubuntu* in the child justice system through:
  - fostering children's sense of dignity and worth;
  - reinforcing children's respect for human rights and the fundamental freedoms of others by holding children accountable for their actions and safe-guarding the interests of victims and the community;
  - supporting reconciliation by means of a restorative justice response; and
  - involving parents, families, victims and communities in child justice processes in order to encourage the reintegration of children who is alleged to have committed an offence;
- (c) to promote co-operation between all government departments, other organizations and agencies involved in implementing an effective child justice system.

The rest of the chapter will set out the child justice system in terms of the proposed draft Bill.

## **2.6 THE JUVENILE JUSTICE SYSTEM IN SOUTH AFRICA**

In the discussion of the draft Bill attention will be given to different issues discussed in the Bill.

### **2.6.1 Terminology**

The legal terminology used in this section is defined below.

### ***2.6.1.1 Common Law***

The South African legal system is mainly based on Roman and Roman Dutch law, with some influence from English law. This is generally referred to as the common law and provides one of the sources of the South African legal system. Common law is distinct from statutory law, the latter referring to law as found in legislation. Certain crimes such as murder and rape are defined by the common law and cannot be found in legislation (Potgieter 2002:Personal Interview).

### ***2.6.1.2 Statute***

A statute is a written law passed by a legislative body such as the parliament of a country (Concise Oxford Dictionary 1990:1192).

### ***2.6.1.3 Statutory Offence***

A statutory offence is an offence that is defined as such in a statute (legislation) (Potgieter 2002:Personal Interview).

### ***2.6.1.4 Statutory Provision***

A statutory provision is any single stipulation or body of stipulations found in a statute (Potgieter 2002:Personal Interview).

### ***2.6.1.5 District Court***

The District Court, also known as a Magistrates Court, is a lower court with a limited jurisdiction in terms of the type of crimes it can hear and the punishment it can give (Potgieter 2002:Personal Interview).

### ***2.6.1.6 Regional Court***

The Regional Court, also a lower court, is normally housed at magistrates offices but has a higher jurisdiction than the District Court. It can hear more serious crimes and can give higher sentences (Potgieter 2002:Personal Interview).

### ***2.6.1.7 High Court***

The High Court, formerly known as the Supreme Court, is a higher court, can hear any case and does not have restrictions in terms of sentences, unless sentences are limited in terms of statutory provisions (Potgieter 2002:Personal Interview).

### ***2.6.1.8 Supreme Court of Appeal***

The Supreme Court of Appeal is the highest court of appeal. It only hears appeals from cases tried in the High Court (Potgieter 2002:Personal Interview).

### ***2.6.1.9 Constitutional Court***

The Constitutional Court, considered to be on par with the Supreme Court of Appeal in statutes, only hears cases where the constitutionality of laws is being challenged. It is the only court that can declare laws to be invalid on the grounds of conflict with the Constitution (Potgieter 2002:Personal Interview).

## **2.6.2 Age and criminal responsibility**

According to The Constitution of South Africa (Section 28), a child is defined as a person below the age of eighteen. The former Correctional Services Act 8 of 1959, however, defines a juvenile as a person under the age of 21. The Child Care Act 75 of 1983 also defines 'Child' as a person under the age of eighteen. In practice therefore the category 'child' has been recognized as distinct from 'juvenile' and children are those under the age of eighteen. In the new Correctional Services Act III of 1998 a definition of 'child' has been incorporated and the age limit of eighteen is used.

Many children in South Africa do not know their exact ages. Where a child's age is in dispute the draft Bill proposes that (SA Law Commission: Report on Juvenile Justice 2000:xi-xii, 223-228):

- A probation officer should gather and record available information and make an estimation of age. Information gathered may include previous determination of age by a magistrate or Children’s Court Commissioner, statements from parents, legal guardians, or persons who have a direct knowledge of the child, baptismal certificates, school registration forms, school reports or other relevant documents.
- The child may be taken to a medical practitioner for estimation of age by a police official, or upon a request from a probation officer or magistrate.
- The magistrate presiding at the preliminary inquiry should make an estimation of age based on available evidence. The age so determined should be considered to be the child’s age until contrary evidence is placed before the court.

Criminal responsibility is determined by assessing whether the accused’s mental faculties were, at the time of the alleged offence, sufficiently developed or unimpaired to render him/her capable of (SA Law Commission: Discussion Paper 79 1999:94; SA Law Commission: Report on Juvenile Justice 2000:223-224):

- appreciating the nature and quality of his/her conduct;
- appreciating the wrongfulness of his/her conduct;
- acting in accordance with an appreciation of the nature and quality or the wrongfulness of his/her conduct.

In the case of children, criminal responsibility is currently governed by common law presumptions (see 2.6.1.1) that are based, partially or fully, on physical age limits. A child under the age of seven (a child who has not reached his seventh birthday) is irrebuttably presumed to be *doli incapax*, irrespective of the child’s mental capacity to appreciate the nature, quality or wrongfulness of the act. The second presumption rules that a child between the age of seven and fourteen years (a child who has not reached his fourteenth birthday) is rebuttably presumed to be *doli incapax*. The burden of rebutting the presumption by establishing such a child’s criminal responsibility, rests on the prosecution (SA Law Commission: Discussion Paper 79 1999:94-95; SA Law Commission: Report on Juvenile Justice 2000:223-224).

In the draft Bill it is proposed that the minimum age of criminal capacity is raised from seven to ten years. The Bill further provides that (SA Law Commission: Report on Juvenile Justice 2000:223-225):

- Children below the age of ten years cannot be prosecuted.
- Children who, at the time of the alleged offence were at least ten years but not yet fourteen years of age, is presumed to not have had the capacity to appreciate the difference between right and wrong and act accordingly. This presumption may be rebutted if it is proved beyond a reasonable doubt that he/she did have the capacity at that time.
- A child who is ten but not yet fourteen may not be prosecuted unless the Director of Public Prosecutions issues a certificate confirming an intention to proceed with the prosecution of such a child. This provision aims to encourage the diversion of children in this age group in the majority of cases.

It can be seen from the above policies regarding age determination, that none of these methods are fool proof. Even after the above information is evaluated, and/ or the child's age was estimated by a medical practitioner, the child's exact age may still not be known. In the case where a youth lies about his/her name, or says that they live on the street, there is no way to trace parents, people who know the child, or any written documents on that child. The result is that youths older than eighteen could still stay in the juvenile justice system. Likewise youths younger than eighteen may be treated as adults.

The determination of a child's age can play a significant part in the sentencing and detainment of that child. If an incorrect age is given by the youth, the result can be that youths who are older than eighteen, are sentenced and kept in youth facilities with children who are younger than eighteen. This can result in unnecessary violence and intimidation by older youths. Subsequently, youth facilities may be occupied by youths who are older than eighteen. This could result in the overcrowding of these facilities, one of the problems policy makers are trying to solve by reverting back to diversion and other restorative justice options.

When compiling rehabilitation programmes for use in prisons or secure care facilities, it should be taken into account that youths may be older than eighteen, and therefore could become bored with the programmes or unwilling to take part in games and activities.

### **2.6.3 Assessment of offenders**

According to the draft Bill assessment of arrested children must take place as soon as possible after the arrest, and before the proposed preliminary inquiry. This means that assessment must take place within 48 hours of the arrest, or if the 48 hours expire over a weekend, the child must be assessed on the first working day thereafter. The probation officer must make every effort to locate the parents or an appropriate adult for the purposes of the assessment. If the parents or an appropriate adult cannot be contacted, the assessment can be concluded in the absence of that person or persons (SA Law Commission: Report on Juvenile Justice 2000:xvi, 247-248).

The purposes of the assessment are to (SA Law Commission: Report on Juvenile Justice 2000:xvi, 246-247):

- estimate the age of the child if uncertain (see 2.6.2);
- establish the prospects for diversion (see 2.6.9);
- determine whether the child is in need of care;
- formulate recommendations regarding the release of the child, or suitable placement (see 2.6.8).

In the case of children under the age of ten, assessment is still done even though these children lack criminal capacity according to the draft Bill (see 2.6.2). The probation officer may then make recommendations regarding the child that could include the following (SA Law Commission: Report on Juvenile Justice 2000:xvii, 251-252):

- referral of the matter to the children's court (see 2.6.4);
- referral of the child and/or the family for counseling or therapy;
- arranging for the provision of support services to the child and/or the family;
- arranging a family group conference where the aim will be to come up with a plan to assist the child and to prevent him/her from getting into trouble again;
- that no action is taken.

#### **2.6.4 Conversion of a criminal case to a Children's Court inquiry**

Referral to a children's court can be made by the probation officer when making a recommendation of sentencing of the child, by the inquiry magistrate or by the court itself. These referrals can be made when it becomes evident that the child (SA Law Commission: Report on Juvenile Justice 2000:272):

- (i) has previously been assessed on more than one occasion in regard to minor offences committed to meet the child's basic needs for food and warmth and is on this occasion again alleged or proved to have committed such an offence;
- (ii) is the subject of a current order of the children's court;
- (iii) is abusing dependence-producing substances;
- (iv) does not live at home or in appropriate substitute care and is alleged to have committed a minor offence for the purpose of meeting the child's basic needs for food and warmth.

When a referral to the children's court has been considered and it was found that such an order is not in the best interest of the child, or does not serve the interests of justice, other means in terms of the draft Bill must be considered (SA Law Commission: Report on Juvenile Justice 2000:272).

#### **2.6.5 Child Justice Court**

A distinction should be made between a Children's Court, which is established in terms of the Child Care Act, 1983, and the Law Commission's Child Justice Court, which will hear criminal matters.

The proposed Child Justice Court is a court at district level (see 2.6.1.5), which must adjudicate on all referred cases in terms of the provisions of the Bill. In deciding whether a case should be heard in a Child Justice Court, a Regional Court (see 2.6.1.6) or a High Court (see 2.6.1.7), preference must be given to the Child Justice Court, subject to certain provisions. The Child Justice Court will have jurisdiction to adjudicate in respect of all offences except treason, murder and rape in accordance with the provisions of section 89 of the Magistrates Court Act, 1944. The Child Justice Court and presiding officer at such a court

must be designated by the Chief Magistrate of each magisterial district and such a court must, as far as possible, be staffed by specially trained and selected personnel. The Child Justice Court will have the same sentencing jurisdiction as a district court. (SA Law Commission: Report on Juvenile Justice 2000:xxii, 273-274).

### **2.6.6 One-Stop Child Justice Centres**

The draft Bill proposes the development of centres where all aspects of youth justice can be based. These centers are referred to as One-Stop Child Justice Centers. The proposed development of these centres is discussed below.

The Minister for Justice and Constitutional Development, in consultation with the Ministers of Safety and Security, Welfare and Population Development and Correctional Services have been empowered by the draft Bill to establish centralized services for child justice to be known as One-Stop Child Justice Services, which may be situated at a place other than the local magistrate's court or police station (SA Law Commission: Report on Juvenile Justice 2000:xxii).

These centres must provide offices to be utilized by police and probation officers, facilities to accommodate children temporarily pending the finalization of the preliminary inquiry and it must have a Child Justice Court. The centre may also include a children's court (see 2.6.4) and a Regional Court (see 2.6.1.6), legal representation for children, diversion and prevention services, and people authorized to trace families of children. Each government department is responsible for the resources and services to be provided by that department to enable the functioning of the centre (SA Law Commission: Report on Juvenile Justice 2000:xxii).

The Minister for Justice and Constitutional Development is given the power to determine the boundaries of magistrates' courts in relation to One-Stop Child Justice centres in order to enable the centres to operate across the boundaries of existing magisterial districts (SA Law Commission: Report on Juvenile Justice 2000:xxii, 274-275).

## **2.6.7 Classification of Criminal Offences**

In the proposed draft Bill, criminal offences are classified according to three schedules, and the child is diverted or sentenced accordingly. Classification of offences also plays an important part in determining whether a child can be released into the custody of parents or an appropriate adult, or detained at a place of safety, secure care facility or prison (see 2.6.8).

The draft Bill contains the following three Schedules with Schedule 1 referring to less serious offences and Schedule 3 the most serious offences.

### ***2.6.7.1 Offences classified as Schedule 1 offences are (SA Law Commission: Report on Juvenile Justice 2000:311):***

1. Assault where grievous bodily harm has not been inflicted.
2. Malicious injury to property where damage does not exceed R500.
3. Trespassing.
4. Offences under any law relating to the illicit possession of dependence producing drugs where the quantity involved does not exceed R500.
5. Statutory offences (see 2.6.1.3), where the maximum penalty determined by the state is a fine of less than R1500 or three months imprisonment.
6. Conspiracy, incitement or attempt to commit any offence referred to in this schedule.

### ***2.6.7.2 Offences classified as Schedule 2 offences are (SA Law Commission: Report on Juvenile Justice 2000:311):***

1. Public violence.
2. Culpable homicide.
3. Assault, including assault involving the infliction of grievous bodily harm.
4. Arson.
5. Any offence referred to in Section 1 of 1A of the intimidation act, 1982.
6. Housebreaking, whether under common law (see 2.6.1.1) or a statutory provision (2.6.1.4), with intent to commit an offence, if the amount involved in the offence does not exceed R20 000.

7. Robbery other than robbery with aggravating circumstances, if the amount involved does not exceed R 20 000.
8. Theft, where the amount does not exceed R 20 000.
9. Any offences under any law relating to the illicit possession of dependency producing drugs.
10. Forgery, uttering or fraud, where the amount does not exceed R 20 000.
11. Any conspiracy, incitement or attempt to commit any offence referred to in this Schedule.
12. Any statutory offence where the penalty concerned does not exceed R 20 000.

***2.6.7.3 Offences classified as Schedule 3 offences are (SA Law Commission: Report on Juvenile Justice 2000:311):***

1. Murder
2. Rape
3. Robbery –
  - (a) where there are aggravating circumstances; or
  - (b) involving the taking of a motor-vehicle
4. Indecent assault on a child under the age of 16 years.
5. Indecent assault involving the infliction of grievous bodily harm.
6. Any offence referred to in section 13(f) of the Drugs and Drugs Trafficking Act, 1992 if it is alleged that-
  - (a) the value of the dependence producing substance in question is more than R 50 000; or
  - (b) the value of the dependence producing substance in question is more than R 10 000 and that the offence was committed by a person, group of persons, syndicate or any other enterprise acting in the execution or furtherance of a common purpose or conspiracy.
7. Any offence relating to -
  - (a) the dealing or smuggling of ammunition, firearms, explosives or armament; or
  - (b) the possession of an automatic or semi-automatic firearm, explosives or armament.
8. Any offence relating to exchange control, corruption, extortion, fraud, forgery, uttering or theft –

- (a) involving an amount of more than R 50 000; or
  - (b) involving an amount of more than R 10 000, if it is alleged that the offence was committed by a person, group of persons, syndicate or any other enterprise acting in the execution or furtherance of a common purpose or conspiracy.
9. Any conspiracy or incitement to commit any offence referred to in this Schedule or an attempt to commit any of the offences referred to in Items 1, 2, or 3 of this Schedule.

### **2.6.8 Detention of youth offenders**

The detention of youth offenders in police cells or in prison is a controversial issue, which is frequently discussed by role-players involved with youth justice. It is one of the topics that was reviewed extensively by the Discussion Paper 79 (SA Law Commission 1999) and Report on Juvenile Justice (SA Law Commission 2000). Principles for the detention or release of offenders at various stages in the legal process are discussed below.

#### ***2.6.8.1 Principles for the detention of youth offenders***

The draft Bill states that whenever a decision regarding the release of a detained child is to be made by a police official, the Director of Public Prosecutions, an inquiry magistrate or officer presiding at the court, the following principles should be considered (SA Law Commission: Report on Juvenile Justice 2000:234-235):

- preference must be given to the release of a child into the care of parents or an appropriate adult;
- if the release as stated above is not feasible then release on bail must be considered;
- as a measure of last resort, the child can be detained in the least restrictive form appropriate to the child and the offence.

The Bill also states that no child may be detained in police custody for longer than 48 hours prior to appearing before an inquiry magistrate (SA Law Commission: Report on Juvenile Justice 2000:235). If the 48 hours expire outside the court hours or on a day which is not a court day, the child may not be detained longer than the end of the first court day after the expiry of the 48 hours. Whilst in detention in police custody a child must be detained separate

from adults, and boys must be held separate from girls. The child has a right to adequate food and water, medical attention, adequate reading material, adequate exercise, adequate clothing, sufficient blankets and reasonable visits by parents, guardians, legal representatives, social workers, and religious counsellors (SA Law Commission: Report on Juvenile Justice 2000:234-235).

#### ***2.6.8.2 Releasing children prior to the preliminary inquiry***

Police officials must release a child into the custody of parents or an appropriate adult if the child is charged with a minor offence listed in Schedule 1. Police officials, may in consultation with the prosecutor, release a child who is charged with a Schedule 2 offence, to his/her parents or an appropriate adult under the following conditions (SA Law Commission: Report on Juvenile Justice 2000:xiv-xv, 236):

- the child must appear at a preliminary inquiry at a given date and time;
- the child must not interfere with witnesses, tamper with evidence;
- the child must not associate with a certain person or people;
- the child must reside at a particular address.

The public prosecutor has the power to release children in either of the above circumstances, even if the police official declined the release of the child. In all of the above cases the child and the adult into whose care the child is released must be notified in writing to appear at a preliminary inquiry at a specified date and time (SA Law Commission: Report on Juvenile Justice 2000:xiv, 237).

In cases where a child is entitled to be released, but cannot be released into the care of a parent or appropriate adult, the child must be held in a place of safety a reasonable distance from the venue of the preliminary inquiry (SA Law Commission: Report on Juvenile Justice 2000:xiv, 236).

Children charged with Schedule 3 offences may not be released by police officials. The child must be detained in a place of safety or secure care facility if there is a vacancy at such a

place, in preference to a police cell (SA Law Commission: Report on Juvenile Justice 2000:xiv-xv).

### ***2.6.8.3 Release at the preliminary inquiry***

The main purpose of the proposed preliminary inquiry is to determine if the child is eligible for diversion. At the first appearance at the preliminary inquiry, the case may be disposed of, or the child must be released from custody if it is in the interest of justice to do so. If diversion is considered to be not suitable, the child and his/her parents or appropriate adult to whom the child is released must be informed that the child must appear in court at a specified date and time (SA Law Commission: Report on Juvenile Justice 2000:xv, 239-240).

In considering whether it is in the interest of justice to release a child, the inquiry magistrate or court must consider whether release would be in the best interest of the child. Factors for consideration include the length of time the child has already been in detention since the arrest or preliminary inquiry, the state of the child's health and whether the child is between ten and fourteen years old and therefore presumably lacks criminal capacity (see 2.6.2). Other factors that need to be taken into consideration are whether or not the child has previously been convicted of any offence, the likelihood of the child returning to the court for further appearance, the risk that the child may be a danger to himself or other people and the fact that a substantial sentence will be imposed in the case of conviction. The court also needs to take into account whether or not a written confirmation was received from the Director of Public Prosecution indicating that the child is to be charged with a Schedule 3 offence (SA Law Commission: Report on Juvenile Justice 2000:xv, 240-241; see 2.6.7.3).

### ***2.6.8.4 Detention of the child after the preliminary inquiry***

In the case where it was decided at the preliminary inquiry not to release the child, the child may be remanded to a place of safety or secure care facility if there is such a place a reasonable distance away from the court and there is a vacancy at such a facility. Alternatively the child can be detained in a police cell pending the conclusion of the preliminary inquiry. A child may not be detained in a police cell for longer than 96 hours (two

periods of 48 hours each) pending the finalization of the preliminary inquiry (SA Law Commission: Report on Juvenile Justice 2000:xv, 243-244).

A child can be remanded to prison to await trial if the child is fourteen years or older, the child is charged with a Schedule 3 offence and referral to a place of safety or a secure care facility is not possible (SA Law Commission: Report on Juvenile Justice 2000:xvi, 245).

In the development of a rehabilitation programme for youth offenders, care should be taken to determine whether or not offenders are being detained and if so, where they are being detained. In the case where the programme is used while offenders are still awaiting trial, practical arrangements and activities chosen for the programme could be influenced, for example, offenders may need to appear in court and as a result may not attend the programme on that day. It is also possible that they may be released and will not complete the programme as a result.

Offenders who were released after arrest or at the preliminary inquiry may have transport problems in getting to the venue where the programme is presented. Where youths are detained in a place of safety, secure care facility or prison, the routine and other activities offered by that facility need to be taken into account. In the case of a prison it should for example be noted that prisoners are usually locked away in the afternoon, and therefore programmes need to be conducted in the morning.

The nature of the offence could determine whether or not a child is released, and in the case of detainment, where the child will be detained (see 2.6.8). Children arrested for minor offences such as Schedule 1 offences will be released. Some children arrested for Schedule 2 offences should be released while others are detained in a place of safety or secure care facility. Children arrested for Schedule 3 offences will be detained in secure care facilities or prison. It is therefore important to note that programmes conducted outside of these facilities at offices of, for example, the Department of Justice (such as NICRO offices) need to cater for youth who committed minor and less serious or aggressive crimes. Programmes conducted in places of safety must cater for youths who were arrested for Schedule 1 and/or 2 offences, as well as youth who should have been released, but because of family or severe personal problems was

placed in a place of safety. Programmes conducted in secure care facilities or prisons need to cater for youths who have been convicted before and have been arrested for more serious and violent crimes.

### **2.6.9 Diversion**

Diversion (see 1.6.9) is an important method in dealing with youth offenders. It is based on the restorative justice perspective (see 1.6.13) and can be used to move youths away from the criminal justice system. Diversion can take place before the preliminary inquiry when the child is diverted by the probation officer. The child may also be diverted by the court at the preliminary inquiry or the subsequent appearance in which case the diversion option serves as a sentencing option. Once the diversion programme is completed the child's case will be closed. The aim of diversion and the relevance to this study is discussed below.

A child who is suspected of committing a crime, in a case where there is sufficient evidence to prosecute the child, may be considered for diversion if he/she voluntarily acknowledges responsibility for the alleged offence and if the child's parent or an appropriate adult consent to the diversion option. The child also needs to understand that his/her rights to remain silent have not been influenced in acknowledging responsibility for the offence (SA Law Commission: Report on Juvenile Justice 2000:255).

The draft Bill outlines the following purposes of diversion:

- to encourage the child to be accountable for the harm caused;
- to meet the needs of the individual child;
- to promote the integration of the child into the family and the community;
- to provide an opportunity for the victims to express their views and the impact of the offence on them;
- to encourage the rendering of some symbolic benefit or object as compensation to the victim;
- to promote reconciliation between the child and the person(s) or community affected by the harm caused;

- to prevent stigmatizing the child and to prevent adverse consequences flowing from being subject to the criminal justice system;
- to prevent the child from having a criminal record (SA Law Commission: Report on Juvenile Justice 2000:253).

The draft Bill stipulates that no child may be excluded from a diversion option due to an inability to pay the fees required. Diversion options should be presented at a location that is reasonably accessible to children, and as far as possible, transport should be provided for those who cannot afford transport to attend the selected diversion option. Diversion may not interfere with a child's schooling (SA Law Commission: Report on Juvenile Justice 2000:253-255).

The Bill also requires that diversion options promote the dignity and well-being of the child and it must aim to improve a child's sense of self-worth and his/her ability to contribute to society. Diversion options should aim to provide useful skills where possible and they should contain an element of restorative justice, which aims to heal the relationships harmed by the offence. Elements that seek to promote empathy and understanding of the impact of his/her behaviour on others, should be included in the programme (SA Law Commission: Report on Juvenile Justice 2000:253-254).

Children of ten years and older may be required to do community service as a part of a diversion option, with due consideration of the child's age and development (SA Law Commission: Report on Juvenile Justice 2000:253-254).

The requirements for diversion programmes serve as guidelines when compiling a therapeutic rehabilitation programme, whether the programme is used for diversion purposes or in a residential facility such as a prison or other secure care facility. The location of the youths will determine which aspect will receive attention: for example, symbolic compensation to the victim will not be possible in a prison facility, whereas preventing a child from having a criminal record is not relevant in the case of prisoners.

One of the requirements for a child to be considered for a diversion option is the voluntary acknowledgement of responsibility (see 2.6.9). According to the cognitive approach to offending and delinquent behaviour, denying responsibility for the crime is one of the cognitive distortions often identified with offenders (see 2.2.5). This implies that a large number of youths may not accept responsibility for their crimes, and as a result may not be eligible for diversion. It is important that staff members who work with youth offenders are aware of the fact that youth may deny responsibility for their crimes. Staff members should also be trained to recognize and deal with these cognitive distortions. Youth must be made aware of the legal implications when they do not accept responsibility for their crimes.

### **2.6.10 Sentencing of youth offenders**

According to the draft Bill pre-sentence reports compiled by a probation officer are required in all cases and no sentence with a residential requirement can be imposed unless this report has been placed before the court. This is also applicable in cases where the residential placement is suspended. A proviso is stipulated that the report may be dispensed with in relation to less serious offences (Schedule 1 offences; see 2.6.7.1) or where the requirement of such a report would cause undue delay which would be prejudicial to the best interest of the child (SA Law Commission: Report on Juvenile Justice 2000:xxv, 283-284).

The purposes of sentencing as set out by the draft Bill are as follows (SA Law Commission: Report on Juvenile Justice 2000:xxv, 284-285):

- to encourage the child to be accountable for the harm caused by him/her;
- to promote an individualized response which is appropriate to the child's circumstances and proportionate to the circumstances surrounding the harm caused;
- to promote the reintegration of the child into the family and community;
- to ensure that any supervision, guidance, treatment or services that form part of the sentence can assist the child in the process of integration.

The following sentencing options are recommended by the draft Bill:

### ***2.6.10.1 Postponement or suspension of sentences***

The passing of sentences may be postponed with or without conditions for a period of between three months and three years. The whole or part of a sentence may be suspended with or without conditions for a period not exceeding five years. Where the court has postponed the passing of a sentence, and is satisfied after expiry of the period that conditions have been complied with, the conviction is rescinded and must be expunged from the record (SA Law Commission: Report on Juvenile Justice 2000:xxvii, 289-290).

### ***2.6.10.2 Community-based sentences***

This range of sentencing options does not involve a residential placement and therefore allows the child to remain in his/her community. Some forms of community-based options include placement under supervision and guidance, specialized intervention such as counselling and therapy, attendance at a centre for a vocational or educational purpose and community service. Some of these sentences can be used as diversion orders. These sentences are linked to maximum time periods, except in the case of specialized intervention in which case the court may set such a time period as it sees fit (SA Law Commission: Report on Juvenile Justice 2000:xxvi, 285-286).

### ***2.6.10.3 Prison***

Imprisonment may be used as a sentencing option in situations where:

- The child is fourteen years or older at the time of the offence;
- Substantial and compelling reasons exist. These reasons may include the seriousness or violent nature of the offence, or the fact that a child has previously failed to respond to alternative sentencing options (SA Law Commission: Report on Juvenile Justice 2000:xxvii, 288-289).

No sentence of imprisonment may be imposed on any child in respect of offences committed as listed in Schedule 1 (SA Law Commission: Report on Juvenile Justice 2000:289; see 2.6.7.1).

#### ***2.6.10.4 Correctional supervision***

A sentence of correctional supervision may be imposed for a maximum period of three years on any child who is fourteen years and older. The whole or any part of the sentence may be postponed or suspended on condition that the child is placed under the supervision of the probation or correctional officer and that the child performs a service for the benefit of the community (SA Law Commission: Report on Juvenile Justice 2000:xxvi-xxvii, 287).

#### ***2.6.10.5 Referral to a residential facility***

A residential facility refers to facilities established by the Minister of Education or the Minister of Welfare and Population Development, which is designated to receive sentenced children. It is stipulated that for children older than fourteen years, a sentence to a residential facility may be imposed for a period of not less than six months and not exceeding two years. For children younger than fourteen years a longer sentence may be imposed in cases where the child would have been sentenced to imprisonment due to the seriousness of the offence, but such a sentence is prohibited by clause 92 (1)(a) of the draft Bill (SA Law Commission: Report on Juvenile Justice 2000:288). Such a child may not be required to reside in a residential facility beyond the age of eighteen years.

A sentencing involving a residential requirement may not be imposed unless the presiding officer is satisfied that the sentence is justified by the seriousness of the offence, the need for protecting the community and in cases where the child has failed to respond to previous non-residential alternatives (SA Law Commission: Report on Juvenile Justice 2000:xxvii, 288).

#### ***2.6.10.6 Fines***

The child may be required to make a symbolic restitution or to make a payment of compensation to the victim. In cases where there is no identifiable victim, the child may be required to provide a service to a community organization, charity or welfare organization identified by the child or the court. No fine payable to the state is imposed as a sentence and

the child may not be required to serve imprisonment as an alternative (SA Law Commission: Report on Juvenile Justice 2000:xxvii, 291).

#### ***2.6.10.7 Restorative justice sentences***

The court may refer a case to restorative justice options such as family group conferences (see 1.6.18), victim-offender mediation (see 1.6.17) or other restorative processes. Recommendations and decisions made by these processes are presented to the court, which may then confirm these recommendations and make them an order of the court. The court can also make substitutions or amendments to the decisions taken and an appropriate order will then be issued (SA Law Commission: Report on Juvenile Justice 2000:xxvi, 286; see 1.6.13).

#### ***2.6.10.8 Prohibition on certain forms of punishment***

Life imprisonment of children, who were under the age of eighteen years at the time of the offence, is prohibited. It is also provided that a child who is being sentenced to a residential facility may not be detained in a prison or police cell whilst awaiting designation of the place where the sentence will be served (SA Law Commission: Report on Juvenile Justice 2000:xxviii, 291).

#### **2.6.11 Summary of the juvenile justice system**

It can be seen from the recommendations of the draft Bill that the emphasis is on restricting or minimizing youths' contact with the justice system. Where possible, diversion is recommended, and concerning the detention of offenders, the least restrictive environment for detention should be used as far as possible. It is also clear that the child's family and social circumstances are taken into account, and that efforts will be made to remedy problems as far as possible.

In the recommendations made by the draft Bill, care is taken to improve the judicial process by emphasizing cooperation between various government departments and by the implementation of One-Stop Child Justice Centres and Child Justice Courts. However, implementation of these recommendations may take some time, as the Bill has not yet been

passed as legislation. The Bill is expected to be passed during the second half of 2002. Financial constraints, problems with a shortage of well-trained staff and a lack of manpower may also hinder the process.

## **2.7 CONCLUSION**

In this chapter various theories prevalent in the field of youth offence and delinquency were outlined. Risk factors that could possibly lead to deviant behaviour were also summarized. All of the theories and risk factors mentioned are well supported by research. As a result one cannot single out one theory above the others that better explains juvenile offence or deviant behaviour. Each of the theories mentioned approaches the problem from a different point of view, and therefore there is merit in all the theories.

The following risk factors for youth offence were identified:

- The family
- Peer group
- Learning disabilities
- Psychiatric disorders
- Gender
- Cultural factors
- Age of onset
- Drug use
- Street children
- Self-concept
- Locus of control

Youth come from various backgrounds and may be exposed to a number of risk factors. It can therefore be deduced that there is not one risk factor that contributes to causing delinquency more often than others. It can however be argued that the more risk factors a youth is exposed to the higher the likelihood that delinquent behaviour will develop. Youths who are exposed to a number of risk factors are at high-risk for delinquency. An assessment of risk factors is

therefore important in the development of a rehabilitation programme, as high-risk youth are more likely to benefit from intensive programmes (Gendreau 1996:149, see 3.2).

The multisystemic approach as discussed in 2.4.2, is therefore seen as the best way to approach the problem of youth offence as it addresses the issue from different perspectives and takes into account multiple causes that could lead to offending.

It is recommended that each youth's case should be viewed on an individual basis and that the youth's circumstances be taken into account when intervention takes place. This links with Gendreau's recommendation (see 3.2) that intervention programmes should be tailored to the individual's needs. As a result, careful and comprehensive assessment of youths and their backgrounds is essential for programme success. The development of such an assessment tool is a topic for further research, and will not be dealt with in this study.

However, certain general characteristics of offenders and delinquent youth can be identified from the above chapter. These characteristics can serve as a general guideline for the development of rehabilitation programme. Characteristics identified through the literature review included the following:

- Impulsivity
- External locus of control
- Negative self-concept
- Poor quality of interpersonal relationships
- Poor family attachment
- Ineffective social skills
- Poor problem-solving skills
- Avoidant behaviour
- Cognitive distortions and cognitive deficiencies
- The possibility of learning disabilities
- The possibility of substance abuse.

In Chapter 3 the characteristics of an effective rehabilitation programme will be determined. A number of rehabilitation programmes for offenders will be discussed and evaluated according to these characteristics.

In Chapter 4 a provisional rehabilitation programme will be compiled using the information gained from the literature regarding aspects to be addressed in a rehabilitation programme and the needs of the staff at Norman House.

## **CHAPTER 3**

### **REHABILITATION PROGRAMMES FOR OFFENDERS**

#### **3.1 INTRODUCTION**

In this chapter various rehabilitation programmes (international and local) are discussed. These programmes may be diversion programmes, programmes offered in the community or programmes run in residential settings such as prisons. Diversion programmes are used in order to remove the offender from the justice system (see 1.1 & 1.6.9). The programmes discussed in this chapter will be evaluated using the characteristics of effective rehabilitation programmes as indicated by the literature.

#### **3.2 CHARACTERISTICS OF EFFECTIVE REHABILITATION PROGRAMMES**

The risk/need/responsivity theory developed by Andrews and his colleagues (Andrews & Bonta 1994; Andrews, Bonta & Hoge 1990) makes an important link between assessment, effective treatment, and ultimately the reduction of recidivism of offenders. According to the risk principle, individuals who are defined as higher risk will benefit most from intensive treatment (1.6.3). It is therefore important that offenders are assessed thoroughly on various factors that could predict recidivism. Gendreau's research of 1996 stresses the necessity of effective assessment strategies for offenders. His research also outlines characteristics of offender programmes that could effectively reduce recidivism and those that did not contribute to the reduction of recidivism and is cited widely by researchers in this field (Gendreau 1996:147-150).

Gendreau (1996) points out that treatment must target a specific set of risks, defined as criminogenic needs (needs related to criminal behaviour, or that predict recidivism) such

as poor self-control, interpersonal relationships, peers, and substance abuse (see 1.6.14). Gendreau (1996:147) indicates the following as predictors of recidivism:

- Criminal history
- Family factors
- Criminogenic needs
- Educational and employment achievement
- Social class, intellectual functioning and personal distress (anxiety and low self-esteem) were weak predictors of recidivism

Gendreau (1996:149) lists some characteristics associated with programmes that reduced recidivism and those that did not.

According to Gendreau the following are characteristics of programmes that reduced recidivism (1996:149):

- The programmes were intensive, and usually of a few months' duration. Intensity was measured by the absorption of the offenders' daily schedule by the programme as well as the duration of the programme. According to the research appropriate services will occupy 40-70% of an offender's time and should last an average of six months.
- Programmes were based on differential association and social learning conceptualizations of criminal behaviour. Differential Association theory is an explanation of offending in terms of social learning and association with people who have favourable opinions of crime (Hollin 1990:6).
- Programmes address cognitive aspects.
- Programmes were behavioural and made use of modeling and positive reinforcement for pro-social behaviour.
- Positive reinforcement was used more often than punishment by a ratio of about 4:1. Programme contingencies were enforced in a firm, fair manner.
- Programmes facilitated the learning of new prosocial skills by offenders.
- The criminogenic needs of offenders were targeted. The effect was strengthened when individual needs known to predict recidivism were targeted.

- Therapists were appropriately trained and supervised and related to offenders in interpersonally sensitive and constructive ways.
- Programme structure and activities reached out to offenders' real-world social network and disrupted their delinquency network by placing them in situations where prosocial activities dominated.
- The programme style must be matched to the learning style and personality of the offender.
- Programmes targeted high-risk offenders.

Gendreau (1996:148) points out that programmes that fail to reduce recidivism are often those programmes that treat low-risk offenders or programmes that treat non-criminogenic needs such as personal distress. It is also mentioned that there is a remarkable correspondence between the predictors of adult and youth criminal behaviour.

The following are characteristics of programmes that did not reduce recidivism (Gendreau 1996:149-150):

- Traditional psychodynamic and non-directive or client-centered therapies.
- Sociological strategies based on subcultural and labeling perspectives on crime.
- Programmes that concentrated on punishment such as boot camps, drug testing, electronic monitoring, restitution and shock incarceration.
- Programmes that targeted low-risk offenders.
- Programmes that targeted non-criminogenic needs (needs not related to criminal behaviour) such as self-esteem.
- Programmes that did not focus on multiple causes of offending.

Lipsey (1992:125-126) undertook a mega-analysis of 443 programmes and reached similar findings as those reached by Gendreau and Andrews. His study was restricted to juvenile programmes and in addition found that skill-building programmes and those programmes that were closely monitored for programme implementation and integrity, were more successful than those that were not.

These findings are contradictory to the 'nothing works' attitude of some theorists who claim that interventions with offenders are ineffective. Several reviews of treatment literature on this view became available during the 1970's (Borduin *et al.* 1995:569).

The effective characteristics of rehabilitation programmes indicated by Gendreau could be helpful when evaluating programmes and also when compiling a therapeutic programme for youth offenders in South Africa. In the following section programmes will be evaluated in terms of the characteristics of effective programmes as found in the literature (see 3.2). Other positive or innovative characteristics of the programmes will also be pointed out.

In the review of programmes for offenders in the following sections, programmes that have been proved to be unsuccessful such as boot camps, or programmes that are based on the psycho-analytic approach, client-centred approach, and subcultural or labeling perspectives will not be discussed.

### **3.3 INTERNATIONAL DIVERSION PROGRAMMES**

In the following section international diversion programmes are discussed and evaluated.

#### **3.3.1 A Diversion Programme for First-Time Shoplifters**

Empirical evidence found that depression and anxiety are indicated on the Minnesota Multiphasic Personality Inventory (MMPI) as significant scales related to shoplifting. It is believed that social stresses and emotional problems are sources of unconscious motivators for shoplifting. Evidence also supported the hypothesis that shoplifting relates to an impulse dyscontrol. As a result of this and the vast number of court cases regarding shoplifting, a diversion programme for first time shoplifters was launched in Lexington, Kentucky (Royse & Buck 1991:147-149).

The programme required the following from participants:

- attendance of a psycho-educational group;
- 60 hours community service;
- weekly contact with the County Attorney's office (Royse & Buck 1991:150).

The psycho-educational groups consisted of four two-hour sessions. Participants were introduced to the principles of Rational Behavior Therapy (RBT) and were subsequently asked to apply these principles to their current life situations. According to the principles of RBT, emotions are made up of a person's perceptions, thoughts and beliefs about a particular situation. People then act according to the feelings that they experience regarding that situation. Participants in the programme were taught that rational thoughts are based on objective reality and that they help one to avoid negative feelings, and that they help with the achievement of goals. RBT principles were used to assist participants to analyze their own thoughts, particularly their irrational thoughts around the shoplifting experience. Participants were also asked to share their arrests with others, first in small groups, and then later in the entire group using the principles of RBT. The final group session was devoted to stress management. Participants were taught to identify life stresses and helped to develop alternative responses to future stressful situations in their lives (Royse & Buck 1991:150).

The community service component involved such activities as general cleaning and painting for public agencies, lifeguarding in community pools, providing clerical services and volunteering in hospitals and nursing homes (Royse & Buck 1991:150).

The results of the evaluation showed that the diversion programme was successful in reducing the subsequent arrest rates for shoplifting. The comparison group had significantly higher re-arrest rates. The re-arrest rates were as follows (Royse & Buck 1991:154):

**TABLE 3.1 RE-ARREST RATES: SHOPLIFTERS**

Completed the diversion programme (N= 99)	Re-arrested 4%
Dropped out of the diversion programme (N = 42)	Re-arrested 26%
Not admitted to the diversion programme (N = 87)	Re-arrested 25%
Arrested prior to initiation of the diversion programme (N = 87)	Re-arrested 25%

It is suggested that the recidivism rates among shoplifters who did not receive intervention are not greater than about 25%. A possible explanation provided for the success rate of the diversion programme was that persons judged to be “poor risks” were not admitted to the programme. People who were not willing to participate in the programme either did not express interest in joining the programme or dropped out of the programme (Royse & Buck 1991:153-155).

It was found by means of anonymous questionnaires that participants in the programme experienced the programme as personally beneficial. People indicated that they came to an understanding of the embarrassing event in their lives. They also seemed to learn valuable cognitive skills for future decision-making. This finding could also have contributed to the success of the programme. The writers also attribute the success of the programme to the provision of a non-threatening environment in which participants could get in touch with their emotions and recognize irrational ideas (Royse & Buck 1991:156-157).

**TABLE 3.2 EVALUATION: DIVERSION PROGRAMME FOR SHOPLIFTERS**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Cognitive aspects included</li> <li>• Behavioural aspects included</li> <li>• Real world link</li> </ul>	<ul style="list-style-type: none"> <li>• Sharing of emotions</li> <li>• Non-threatening environment</li> <li>• Group sessions</li> <li>• Community service component</li> </ul>	<ul style="list-style-type: none"> <li>• Non-criminogenic need addressed: emotions</li> </ul>

### 3.3.2 Nokomis Challenge Programme

The Michigan Department of Social Services (DSS) implemented the Nokomis Challenge in 1989 as an alternative placement for medium- and low-risk youth who would otherwise serve an average 15-16 months in regular training schools. It is an intensive programme combining a three-month residential and a nine-month community-based component. In order to be considered for the programme youths have to be fourteen years of age and older. They must have a conviction of a serious, class 1 offence such as assault with the intent to murder, armed robbery, criminal sexual conduct, or the manufacture or possession of 650g or more of a schedule 1 or 2 controlled substance. The youth must be 'emotionally stable' (no further description given in literature), must not have suicidal tendencies and must not have a medical condition that would limit participation in outdoor challenge activities. Youths were assigned to the programme by Michigan juvenile courts (Deschenes & Greenwood 1998:267-271).

The needs of the client population were identified as (Deschenes & Greenwood 1998:272):

- Low self-esteem
- Underdeveloped socialization skills
- Dysfunctional thought processes
- Dysfunctional family systems
- Lacking a positive life direction
- Substance abuse
- Underdeveloped empathy skills
- Underdeveloped sense of community
- A history of abuse and neglect

The Nokomis program includes aspects such as relapse prevention and the development of cognitive, behavioural and social skills. It combines a three-month residential

placement in a wilderness setting with nine months of intensive community-based surveillance and treatment services (Deschenes & Greenwood 1998:272).

The programme was designed to meet the following three goals:

- increasing the youth's participation in school and employment and improving the functioning of their families;
- suppressing and detecting criminal activities and drug use while the youths are in the community under intensive supervision;
- reducing the youths' level of criminal activity and drug use after completion of the programme (Deschenes & Greenwood 1998:272).

One of the major objectives of the programme was to give youths the opportunity to change their attitudes, values and behaviours through active learning.

Results indicated that about 40% of youths successfully completed the Nokomis programmes, compared to an 84% completion rate for youths assigned to state training schools or private facilities. A substantial number of youths were transferred to residential placements or other custodial placements. Several transfers took place during the community placements indicating that the aftercare programme was identifying and removing youths who needed additional time in placement (Deschenes & Greenwood 1998:276-277).

It was also found that youths who attended the Nokomis programmes had a higher recidivism rate than youths in the comparison group, despite the fact that they were placed in an intensive aftercare programme following their release. Nokomis youths were also less likely to attend school following their release to the community. Youths who are released back into the same environment face the same difficulties when readjusting to the community. The experimental group as well as the comparison group had relapsed into criminal and substance-use behaviour 24 months after completion of their programmes. Most positive changes made during the intervention had disappeared by this time. The authors therefore feel that supervision alone is therefore not sufficient to

prevent recidivism and relapse. It is suggested that the relapse prevention programme used by the Nokomis Challenge setting was on target, but that it was not implemented effectively. It is suggested that identifying the appropriate target population for the Nokomis programme could increase the success rate of the programme (Deschenes & Greenwood 1998:286-287). Deschenes and Greenwood (1998:288) also feel that youths are more likely to succeed if they have a supportive family with whom they can communicate and who can help them work through some of their problems.

The results of the evaluation of the programme indicate that the experimental and comparison groups were equally effective in providing cognitive and behavioural skills. Youths in both groups also showed improvements in increased goals, self-esteem and coping-skills, while in the programmes. These effects did, however, disappear by the end of the follow-up period. The study does present evidence that short-term residential placements with aftercare like the Nokomis programme, may be more cost effective than long-term residential stays for low- and medium-risk youth (Deschenes & Greenwood 1998:287-288).

**TABLE 3.3 EVALUATION: NOKOMIS CHALLENGE PROGRAMME**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Intensity and duration</li> <li>• Cognitive aspects included</li> <li>• Behavioural aspects included</li> <li>• Social skills</li> <li>• Needs assessment</li> <li>• Criminogenic needs addressed: interpersonal relationships, substance abuse</li> </ul>	<ul style="list-style-type: none"> <li>• 3 months wilderness and 9 month community service combination can be useful as it is cost effective</li> <li>• Aftercare and supervision ensures a longer term effectiveness</li> </ul>	<ul style="list-style-type: none"> <li>• Targets moderate to low risk offenders</li> <li>• Not enough family involvement</li> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

### **3.3.3 The Diversion Plus Programme**

This diversion programme is used as an alternative to court processing for status and less serious juvenile offenders in Lexington, Kentucky. The goal of the programme was to promote conformity to the law without inducing stigmatization. The programme was a joint effort of the Young Woman's Christian Association (YWCA) and the Division of Youth Services (DYS) of the Lexington-Fayette Urban County Government (Kammer, Minor & Wells 1997:52).

To be eligible for the programme juveniles had to be between the ages of eleven and eighteen, they had to be charged with a status or less serious delinquent offence and they should not have a prior legal record. Social workers or court intake officers, with the approval of the prosecuting attorney, referred juveniles to the programme. Each programme had a duration of two months and was limited to twelve participants. Group meetings were held daily from Monday through Friday from 6 p.m. to 9 p.m. (Kammer *et al.* 1997:52).

The first days of the programme were devoted to orientation and teaching the participants to work as a group. The latter part of the programme took part at outdoor adventure centres, where participants completed a variety of exercises designed to promote interpersonal trust and cooperation (Kammer *et al.* 1997:52).

The Diversion Plus Programme staff first assessed the needs of the participants and then structured the programme components accordingly. The programme was a combination of one-to-one counselling and small group interaction. The programme emphasized active learning through hands-on activities. Each session dealt with a core curriculum that was tailored to address the needs of the participants. After learning about a particular topic, participants were required to use the knowledge acquired to complete particular tasks related to their daily living circumstances. Issues addressed in the curriculum were:

- Building self-esteem
- Developing self-control
- Improvement of decision-making processes
- Independent living skills
- Career exploration
- Substance abuse prevention
- Recreation
- Team challenges

A point system was used to encourage compliance with the programme requirements. Points could be earned for participation in activities and completing programme requirements. Points were lost for noncompliance. Bonus points could be earned for regular school attendance with no unexcused absences. Total points earned over the two months could be used on the final night of the course to purchase items on auction. The individual who acquired the most points during that time received a \$100 gift certificate (Kammer *et al.* 1997:52).

More severe violations of programme rules such as verbal abuse of staff or other participants resulted in a participant earning a “strike”. The accumulation of five strikes resulted in termination from the programme followed by formal court proceedings. It was found that terminations were usually due to behaviours that disrupted other participants (Kammer *et al.* 1997:52).

Of the 94 juveniles who entered the programme 81 graduated (completed the programme). The remaining thirteen were terminated from the programme by earning five strikes for disruptive behaviour. Results indicate that about two-thirds of the juveniles were re-arrested during the follow-up period of one year. Graduates who were initially referred to the programme for status offences tended to escalate to minor delinquency when re-offending. Those who were originally referred for misdemeanors did not escalate to felony offences. These results are congruent to the results of other studies that show that status offenders do not restrict their illegal activities to status

offences across their deviant careers. These juveniles tend to commit both status as well as less serious offences but seldom escalate to serious delinquency. Although the programme is not associated with low recidivism, it can be said that the programme possibly prevented many juveniles from penetrating the formal justice system for less serious offences. Recent research indicated that intensive correctional services should be reserved for high-risk cases. The writers indicate that it is just as important to determine who needs intervention as it is to consider what intervention is needed (Kammer *et al.* 1997:53-55).

**TABLE 3.4 EVALUATION: DIVERSION PLUS PROGRAMME**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Needs assessment</li> <li>• Behavioural component with emphasis on positive reinforcement</li> <li>• Criminogenic needs targeted: self-control, substance abuse, interpersonal relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Active/experiential learning</li> <li>• Adventure component</li> <li>• One to one and group counseling sessions</li> <li>• The programme is run after hours which is practical</li> <li>• The programme makes use of group interaction</li> </ul>	<ul style="list-style-type: none"> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

### **3.4 INTERNATIONAL REHABILITATION PROGRAMMES**

In the following section rehabilitation programmes for offenders will be discussed and evaluated.

#### **3.4.1 Paint Creek Youth Center Residential Programme**

The Paint Creek Youth Center (PCYC) is located in southern Ohio and was developed by the New Life Youth Services Incorporated as an experimental programme in 1984. The

goal of the programme was to ‘... provide a comprehensive array of high-quality programming tailored to the individual requirements of youths convicted for serious felonies’ (Greenwood & Turner 1993:264-265). The programme combined treatment philosophies such as positive peer culture, reality therapy and criminal thinking errors.

The programme is divided into various phases. The programme commences with a three-day orientation period. Successive phases are characterized by the increase of privileges and responsibilities. Well-defined behavioural goals must be met throughout each phase. The last phase of the programme youths can work part-time in a variety of on-site projects such as farming, woodworking and motor repair. In order to be eligible for the programme youths had to be male, older than 15 years of age, and committed to the Ohio Department of Youth Services (DYS) for a class one or two felony. Background information on the youths was obtained from personal interviews with the youths about six months after their placement. Youths were asked to recall their involvement in a range of 29 behaviours, ranging from status offence to attacking persons. Information from DYS files was also used. Follow-up information was obtained by interviewing the youth one year after he was released from the programme as well as by reviewing juvenile and adult court records (Greenwood & Turner: 1993:264-265).

Some aspects that distinguish the PCYC from other training schools are:

- Small size (30-35 youths are accommodated at a time).
- The absence of locked doors, fences and other methods of restraining youths. Close staff supervision and the positive peer culture provide security.
- Problem Orientated Record System (PORS) which is a formalized system for assessing and tracking of behavioural deficits (such as problems with controlling anger, laziness and drug problems) and assets (such as popularity with peers and being a good athlete). This system provides an ongoing mechanism for case management and individualizes treatment of youths.
- Clear incentives are specified for positive behaviour (extra privileges) and appropriate punishments for negative behaviour (like time-out, restrictions on participation and demotion).

- The use of cognitive and behavioural training methods. These methods are used several times a week to deal with issues such as anger management, life skills, substance abuse and victim awareness.
- Daily group sessions which can involve instruction, role-playing or discussion of a particular problem.
- Criminal thinking errors places an emphasis on personal responsibility throughout the programme. Youth are encouraged to be responsible for their own behaviours rather than blaming others. A list of criminal thinking errors provides a basis for daily scoring of youths' behaviour.
- Family group therapy is encouraged. Families can join the youths in group therapy sessions twice monthly.
- Intensive community integration and aftercare form an important part of the programme. Community workers visit the youth and family during the residential phase and have frequent contact following the youth's release (Greenwood & Turner: 1993:265-266).

Compared to control group youths in two other institutions, PCYC youths were more likely to have jobs while in custody. They also had family therapy as well as counselling for drug and alcohol abuse. These youths were also more likely to view their programme in a positive light. PCYC staff were also happy in their jobs and viewed the programme in a favourable light. The PCYC staff also felt closer to the youths and thought that the causes of delinquency were less likely to be external (Greenwood & Turner: 1993:275).

The results indicated that there were no significant differences in the outcomes regarding recidivism between the PCYC and other programmes. One explanation offered is that most of the youths were black males who did not have strong father figures in their lives. The majority of staff members were white females and it is felt that the lack of role models the youths could identify with detracted from the effectiveness of the programme. It is also argued that as it was an experimental programme, procedures were still being developed and staffing arrangements worked out (Greenwood & Turner: 1993:277).

Indicators of appropriate interventions for reduced recidivism can be identified as:

- Focussing interventions on high-risk groups.
- Targeting dynamic risk factors directly related to criminal behaviour.
- Using cognitive/behavioural and social learning methods (such as modeling and role-play) (Greenwood & Turner: 1993:277).

It was also found that behavioural, skill-oriented and multi-modal methods were most successful, particularly when these methods were used in community rather than residential settings. Programmes should also be comprehensive and should be tailored to suit each youth's capabilities as well as dealing with the multifaceted needs of individuals (Greenwood and Turner: 1993:275-276).

**TABLE 3.5 EVALUATION: PAINT CREEK YOUTH CENTER**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Cognitive component included</li> <li>• Targets criminal thinking</li> <li>• Behavioural component included</li> <li>• Social skills</li> <li>• Real-world link</li> <li>• Targets high-risk youth</li> <li>• Youth are placed in a positive pro-social situation</li> <li>• Assessment</li> <li>• Criminogenic needs targeted: substance abuse</li> <li>• Multi-modal</li> </ul>	<ul style="list-style-type: none"> <li>• Practical skills such as woodwork are taught</li> <li>• Positive peer culture is used</li> <li>• Family therapy is included</li> <li>• Community integration and aftercare</li> </ul>	<ul style="list-style-type: none"> <li>• There appears to be a mismatch in terms of facilitators and youth</li> <li>• Non-criminogenic needs targeted: emotions</li> </ul>

### 3.4.2 A Wilderness Programme in Western Australia

Research by Locke and Latham (1990) indicate that challenging and specific goals can improve the performance of individuals in various situations (Houghton, Carroll & Shier 1996:184). It was found that the goals young offenders find important are related to physical activities, freedom, power and image. Behaviourally disordered adolescents also often find it difficult to adapt their social interactions to the social conduct acceptable in their communities. Wilderness programmes are being explored as alternatives to facilitate the development of appropriate social and adaptive behaviours, particularly with behaviourally disturbed youths (Houghton *et al.* 1996:184).

Wilderness programmes vary in length, but the common theme is to provide physically and psychologically challenging outdoor activities within the framework of safety and skills development. The programmes aim to provide increased satisfaction through the achievement of meaningful challenges. It also provides opportunities for increased personal, emotional and environmental awareness (Houghton *et al.* 1996:184).

It has been suggested that Wilderness experiences could reduce the incidence of 'at risk' behaviours and improve levels of self-esteem in young people. This type of programme has also been effective in reducing helplessness and increasing coping, reducing rates of drug taking and re-offending, as well as developing effective and functioning groups which is desirable among youth offenders (Houghton *et al.* 1996:185). Studies indicate that youths who attended Outward Bound courses became cohesive groups, with high levels of interdependence and problem-solving ability (Houghton *et al.* 1996:186).

The Wilderness programme for Australian youth was undertaken over one weekend. Activities such as formal lectures as preparation for activities, day and nighttime bush navigation, survival training and informal discussions around a campfire were included. Daytime navigation required participants to complete a set course under the supervision of a police cadet. Specific survival techniques such as staying in one line, not breaking

away from the line and not digressing from the route had to be adhered to. At points during the exercise, participants were taught how to identify plants that could be eaten in an emergency situation. Following this exercise participants were taught how to build a shelter which they then had to do as a group exercise. The nighttime navigation required participants to complete the same route as undertaken during the day. The exercise was preceded with a lecture enforcing the rules of survival. A police cadet guided the youths and torches were provided. The final exercise required participants to function as a group in order to cross a deep creek. The youths were given instructions on constructing a rope crossing. Participants then combined to pull each other across (Houghton 1996:191-192).

It was found that youths did not strictly adhere to safety instructions during the first daytime navigation exercise. It was noted that as the exercise progressed they realized that safety and survival were important. They began to pay more attention to the police cadet leading the group and their attending behaviour increased significantly (Houghton *et al.* 1996:196).

The research indicated that responses from youth indicate that their goals are related to freedom, rehabilitation, power and physical goals. These goals are congruent to the aims of the Wilderness programmes and are therefore attainable through these programmes. It was also found that as the weekend progressed and activities became more challenging the levels of attending increased. This could be because more challenging goals lead to greater performance because individuals are motivated to try harder. Increased group cohesion was evident during the nighttime navigation and the crossing of the creek (Houghton *et al.* 1996:199).

The use of police cadets was beneficial from two sides. Police cadets could improve their relationship with young people. Police officers saw the camps as a vehicle for social skills and interpersonal skills training. The youths felt that the programme provided officers to see them as normal people and that this could improve relationships between them (Houghton *et al.* 1996:199).

**TABLE 3.6 EVALUATION: WILDERNESS PROGRAMME AUSTRALIA**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects according to Gendreau
<ul style="list-style-type: none"> <li>• Intensity</li> <li>• Youth are placed in a positive, pro-social situation</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor, adventure programme</li> <li>• Use of the police cadet can give youth a positive opinion of the police and the law</li> </ul>	<ul style="list-style-type: none"> <li>• There is not a clear link to reality and practical situations</li> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

### 3.4.3 Spectrum Wilderness Programme

The Spectrum Wilderness programme in southern Illinois, is based on the humanistic, existential philosophy exhibited by Outward Bound programmes. It is suggested that successfully meeting stressful physical and emotional challenges presented by outdoor activities in natural settings can result in enhanced levels of self-awareness and an increased sense of self-competence. Team leaders provide guidance while still being nurturing and peers are encouraged to be supportive. Youths are in an environment that is free from usual social sources of alienation, fatalism and negative identities. Responsible and competent behaviour in response to physical challenges will be translated into positive attitudinal and behavioural changes which is said to persist beyond the wilderness setting. The following outcomes are usually achieved through wilderness programmes: elevation of self-esteem, reduction in social alienation, increased problem-solving abilities and an enhanced sense of personal control over one's own behaviour and destiny. Spectrum bases its programme on the belief that the direct road to maturity and a positive sense of self involves meeting challenging situations that demand close teamwork and supportive guidance. Youth are taught appropriate ways to respond to nature and their peers through a group problem solving process (Castellano & Soderstrom 1992:23-25).

Spectrum targets 'at-risk' youth who display a need for improved self-concept and behaviour. It serves youths who have problems at school, home, the community or other placements, and it gives priority to youths who have shown delinquent behaviour and are at risk of restrictive institutional placement. On average 130 youths complete the programme per year. Ten courses are offered per year, each course accepting up to 33 participants. Courses are divided into smaller groups of eight to eleven children who are supervised by three full-time instructors (Castellano & Soderstrom 1992:23-25).

The Spectrum programme is a 30 day course which included one day orientation, an eight to eleven day period at the Touch of Nature Environmental Centre where participants learn basic wilderness survival and group living skills, followed by a two-week expedition to a wilderness site where the skills are put to practice. Toward the end of the wilderness expedition the participants engage in an intense three day 'solo' experience, which allows the youth to contemplate the successes, failures and social interaction skills encountered in the past 30 days on his own (Castellano & Soderstrom 1992:23-25).

One of the techniques used to develop sensitivity and personal responsibility is the 'circle' technique that encourages open discussions of personal problems, resolutions to problems result from peer discussions and confrontations. Each participant in the group is directly accountable to the group for his/ her behaviour. Another technique employed is that the responsibility for decision-making lies with programme participants. Staff offers guidance and support, but the ultimate decisions involving course adjustment, establishing camps and assigning chores and duties lie with participants (Castellano & Soderstrom 1992:23-25).

The study included a sample size of 30 subjects. These subjects were referred by a probation department in northern Illinois. Informal criteria for referring clients included low self-esteem, activity in a delinquent peer group, a sequence of increasingly frequent or escalating negative behaviours, non responsible behaviour to other interventions and a perceived dislike for the wilderness, with the Spectrum placement serving as a negative consequence for past negative behaviour. The Spectrum programme was used for youths

on probation or court supervision and was therefore not a diversion programme (Castellano & Soderstrom 1992:26-28).

The results indicate that the Spectrum programme has measurable and positive effects on the recidivism and system penetration of delinquent youth. Overall findings suggest that although subjects in this study represented some of the most seriously delinquent children serviced by the programme, successful completion of the programme resulted in arrest reductions which began immediately and lasted for about one year. At a two-year follow up positive programme impacts were no longer apparent. As a result of this finding researchers questioned what the effects of the programme would be if the intervention was lengthened, or if systematic follow-up services were provided to programme participants once they return to the community (Castellano & Soderstrom 1992:40-43).

**TABLE 3.7 EVALUATION: SPECTRUM WILDERNESS PROGRAMME**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Intensity</li> <li>• Youth are placed in a positive, pro-social situation</li> <li>• Social skills</li> <li>• Criminogenic needs targeted: peer relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor, adventure programme</li> <li>• Solo experience</li> <li>• It fosters feelings of competence</li> </ul>	<ul style="list-style-type: none"> <li>• There is not a clear link to reality and practical situations</li> <li>• There is no follow-up</li> <li>• There is limited family involvement</li> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

#### **3.4.4 The Hope Centre Wilderness Camp (HCWC)**

This is a wilderness programme for delinquent and emotionally disturbed boys in Texas. The programme is formulated and standardized in terms of Group-Integrated Reality Therapy principles (GIRT; Clagett 1992:11; see 2.2.7). Boys attending the camp are divided into four groups. The following activities are included in the camp schedule (Clagett 1992:12-15):

- **Plan of service:** each camper is required to commit to and accomplish certain individualized goals in working with other people with whom the camper will have frequent contact.
- **Plan of service review:** the plan of service is reviewed every 90 days in order to make appropriate adjustments. The camper and his family are involved in this revision.
- **Planning:** camp and group activities as well as other occasions (open house, birthday parties) are planned by campers with the guidance of counsellors. Accomplishment of these plans result in feelings of achievement, personal adequacy and self-confidence. Planning and the decision-making processes take place through discussions guided by counselors and final decisions are made by means of a democratic vote.
- **Weekend Cookouts:** on Fridays and Saturdays of the first three weekends of the month, campers of each group plan and request their food for each meal, which they also cook and serve at their separate campsites.
- **Huddle-up:** this is a group discussion technique that requires campers to form a circle in order to discuss and analyze a problem and to consider alternatives until a solution is found. Any member of the group who becomes dissatisfied with his own efforts, the behaviour of another group member, or the way the group is progressing toward a goal can call a huddle-up. Huddle-ups can last from a few minutes to a number of hours. The huddle-up can only be dismissed until unanimous consensus is achieved.
- **Pow Wow:** this is an informal gathering around the campfire every night and is held separately by the counselor and the members of each group. The group's activities and progress for the day are assessed and suggestions are made for the following day's activities. Campers are encouraged to concentrate on success and to discuss failure in terms of how it can be rectified by stronger group commitment and better planning by the group.
- **Aftertalk:** aftertalk is approached as a shared camp-community activity. It is an informal discussion session where campers are given the opportunity to share their thoughts and feelings, thereby enabling them to organize their thoughts and communicate more meaningfully with others.

- **Terminal Service Review Process:** a camper may call a huddle-up when he believes that he has resolved his personal problems. The camper then offers support for his claim and in return counselors and other campers can agree or refute this claim. When they disagree with the camper's opinion on successful resolution of his problems, and his readiness to return to the community, they must offer examples of behaviour to illustrate their point. Counselors or other campers are required to explain explicitly what problem has not been handled successfully, and they need to relate clearly what still needs to be done to resolve the unsolved problem. When unanimous positive support is received in terms of the campers' successful resolution of problems the camper gets the chance to engage in a conference with the Camp Director who will review the case stated. The Camp Director will also review reports on previous conduct and the camper's achievement of goals stated plan of service reviews. A final decision is taken in consultation with all camp staff involved with the boy.
- **Aftercare:** an aftercare worker is assigned for six months to a year to each camper who leaves the camp. The aftercare worker is there to assist the family with the period of transition back into the community, including problems with interpersonal relationships. They help ex-campers to devise plans based on Reality Principles and to work through post-release problems to successful solutions.

Schooling is provided year round for campers. Campers also plan and conduct religious services on Sundays. Corporal punishment is not used in the camp. Campers visit their homes for four days from the last Friday of every month. These visits provide campers with the opportunity to apply newly acquired social and interpersonal skills and to observe the reaction of family members and friends to new behaviour. During these four days group counselors and other staff members meet to discuss operational problems that may arise. They also discuss problematic campers and a plan of action and alternatives for solving the camper's problems. A meeting with parents is held every Thursday after the home visits in order to keep parents up to date with the progress, goal and plans of their children. It was found that campers' progress was directly related to family involvement (Clagett 1992:12-15).

Two follow-up studies found that 85% of ex-campers who ‘graduated’ from the HCWC did not recidivate during the initial six month period following their release (Clagett 1992:16).

**TABLE 3.8 EVALUATION: HOPE CENTRE WILDERNESS CAMP**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Intensity and duration</li> <li>• Real world link</li> <li>• Cognitive aspects included</li> <li>• Social skills</li> <li>• Youth are placed in a positive pro-social situation</li> <li>• Criminogenic needs targeted: interpersonal relationships, problem-solving</li> </ul>	<ul style="list-style-type: none"> <li>• Outdoor, adventure programme</li> <li>• Emphasis on goal-setting through plan of service</li> <li>• Planning of meals, activities</li> <li>• Group commitment</li> <li>• Aftercare</li> </ul>	<ul style="list-style-type: none"> <li>• There is no social skills training as such</li> <li>• The programme may provide a ‘false reality’ as youths do not have sufficient opportunity to apply their skills</li> <li>• Due to the duration of the programme, this type of programme may not be viable in South Africa as it is expensive and there are not sufficient facilities</li> </ul>

### **3.4.5 Worth the Risk! – Creative Groupwork with Adolescent offenders**

Worth the Risk! is a programme run for youth offenders in Halifax in England. The authors of Worth the Risk! believe that real learning happens ‘when people feel enough sense of worth to want to grow’ (Taylor & Holt 1987:5). They feel that young people should be encouraged to explore their natural creative capabilities, including the abilities to think, and make choices. Young people should also be encouraged to take on the burden and power of personal responsibility. They feel that their approach complements a number of approaches to crime, but in particular the developmental approach (Taylor & Holt 1987:57).

The authors point out that the programme is not geared towards stopping criminal behaviour and offending, but towards enabling young offenders to exercise more power over their own lives. Through the programme they try and work in a way that reflects the typical concerns and problems of the world that all young people live in. Offending is discussed within the context of the general adolescent's experience. Through discussion and the groupwork techniques young people's perception of problematic situations are widened and as a result of this process reduction in offending behaviour may occur (Taylor & Holt 1987:13). Their aim is to assist young people through the maturation process and to help them to make sense of their world by helping them to break problems up into manageable proportions, to make informed and educated choices and to be aware of the consequences of these choices (Taylor & Holt 1987:54). They also focus on empowering young people in their own lives and in society, and to providing them with skills such as assertiveness that can aid them in this process.

The rationale of the authors' approach to offending is that offending is not in itself abnormal, '... it is a fairly common activity of adolescents and the majority of adolescents cease offending as they mature and make the transition into adulthood'. They believe that diversion from the criminal justice system makes more sense than placing youth in custody that may confirm their criminal behaviour (Taylor & Holt 1987:54). The authors state that following the approach that offenders made 'irrational' decisions and that they need to be presented with the 'rational' view of offending behaviour, thereby indicating that their behaviour was 'wrong', is likely to be ineffective. They suggest that previous decisions that led to offending were uninformed, and that uninformed decisions are not necessarily irrational. These decisions may have been 'rational' for the offender at the time. These decisions are discussed within a relevant cultural context, while staff and other group members contribute extra information and offer other viewpoints in order to extend the perceptions regarding past and future behaviour (Taylor & Holt 1987:14).

It is a groupwork programme, as the authors believe that group games are powerful tools for creating interaction in group sessions. The groups consisted of between six and twelve

young people with three staff members per group. It is felt that any more than twelve members reduce group intimacy as well as the amount of time for members to contribute. Shy members may then also feel inhibited and reluctant to participate. It is essential for staff to be trained well and new staff members are usually part of an experienced team that they can learn from (Taylor & Holt 1987:14).

The Groupwork programme is divided into 22 sessions that consist of the following (Taylor & Holt 1987):

- **Introduction** sessions are scheduled at five sessions throughout the course. These sessions aim to establish verbal and physical communication between group members within a relaxed and safe environment. Later sessions also include the integration of new group members if appropriate.
- Two **activity sessions** are scheduled throughout the course. These sessions provide members the opportunity to practice the skills they acquired during the group sessions. These sessions also aim to establish group cohesion.
- **Friends:** this session focuses attention on the importance and the influence of friends, quantifying the characteristics of a good friend and the application of this in daily life.
- **Jobs:** this session gives youth the opportunity to familiarize themselves with the process of applying for different jobs.
- **Offending:** during this session the ‘street style’ glorification of offences committed by group members is discussed. Particular circumstances of influences at the time of the offence are discussed. The session also aims to dispel the myth of ‘getting away with it’ as well as identifying the points at which members could have avoided offending.
- **Law and courts:** this session helps the young person to better understand what happened to him at court, the purpose of the course and the consequences of further offending.
- **Custody:** this session looks at the short-term advantages and the long-term disadvantages of offending. Realistic discussion regarding the futility of offending and life in custody is encouraged.

- **Self** (two sessions): this session views to assist members with any problems and to discuss challenging views.
- **Perceptions**: group members are encouraged to give and receive positive and negative feedback. The purpose of the session is to enable each individual to gain a clearer picture of how others perceive him and why this is the case.
- **Video use**: video taping is used to highlight and increase an awareness of an individual's behaviour within the group. Care is taken to familiarize the group with the equipment and also to help them overcome embarrassment and to relax.
- **Family**: different family environments are explored. Areas of difficulty and possible ways of handling them are discussed.
- **Sex and sex roles** (two sessions): facts regarding sex are explained. Myths and opinions are discussed. Members are encouraged to discuss the relationship between men and women at home and work.
- **Authority**: this session highlights the role each individual has in influencing the outcome of various situations, particularly when dealing with people in positions of authority.
- **Police speaker**: this session facilitates an informal situation in which the group and an authority figure can discuss and share opinions in order to dispel common myths.
- **Ending**: the opportunity is provided for group members to review their progress, identify future goals and exit from the group in a comfortable manner.

**TABLE 3.9 EVALUATION: WORTH THE RISK!**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects according to Gendreau
<ul style="list-style-type: none"> <li>• Real world link</li> <li>• Emphasis on staff training</li> <li>• Criminogenic needs targeted: peer relations, interpersonal relationships</li> </ul>	<ul style="list-style-type: none"> <li>• The programme is very flexible</li> </ul>	<ul style="list-style-type: none"> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

### **3.4.6 Cognitive Self-Change Programme**

The Cognitive Self-Change Programme (CSC) at the Vermont Department of Corrections prison facility and was designed for incarcerated male offenders with a history of aggressive behaviour. The programme later also included offenders serving time for non-violent offences. It is a group programme and is aimed at helping offenders recognize and understand their own cognitive distortions, particularly with reference to prior criminal behaviour. The programme is based on the Cognitive Distortion approach to offender behaviour that attributes criminal behaviour to cognitive distortions such as minimizing the offence, taking the role of the victim and denial of responsibility (see 2.2.5). According to this approach, successful rehabilitation would require that offenders are able to recognize and change their criminogenic thought patterns (Henning & Frueh 1996:525-527).

The general philosophy of the programme is that denial of responsibility for the offence or minimizing of the offence will represent cognitive distortions, and therefore offenders who fall in this category will be the target group for treatment. Offenders who participated in the programme were moved to a separate unit within the larger prison, while still sharing other occupational, educational and recreational facilities with the general population (Henning & Frueh 1996:527).

About 25 offenders were admitted to the programme. The programme is run in two phases. Offenders underwent an eight-week orientation phase in which they learnt the theory behind the programme, and were taught to recognize the most common cognitive distortions associated with criminal behavior. They also acquired techniques for cognitive-behavioral self-monitoring. After the initial phase offenders were divided into treatment groups of five to ten people that met about five times per week. During the treatment phase each offender was required to present a 'thinking report' to the group which documents prior incidents of aggressive or unacceptable behaviour. Feeling and thoughts that occurred before, during, and after the incident must be listed. The group then works with the offender to identify cognitive distortions that lead to the criminal or

aggressive response to the situation. Once offenders show insight into their own thought patterns, they are helped to develop interventions that will modify or counteract these criminogenic thought patterns. Cognitive strategies used in future might include challenging one's cognitions or cognitive redirection. Behavioural interventions might be the avoidance of high-risk situations (situations that are likely to lead to aggressive or criminal behaviour), discussing thoughts and feelings with a therapist, friend or partner. A comprehensive relapse prevention programme is also developed to help them when they are released into the community. This teaches offenders to identify high-risk situations that should be avoided and developing specific strategies to deal with these situations when they occur (Henning & Frueh 1996:529-530).

Treatment time depended largely on an offender's time remaining in an offender's sentence or transfer to a minimum-security prison. Treatment length averaged 9.8 months and ranged from one to 32 months. Participants spent an average of 62% of their incarceration time at the institution in the CSC programme (Henning & Frueh 1996:532).

Staff involved in the programme consisted of correctional officers, caseworkers and occasionally health counsellors and clinical psychology graduates. Staff participated in a weeklong training seminar. Additional workshops were offered in later years (Henning & Frueh 1996:537).

Recidivism has been widely used to measure the effectiveness of treatment programmes in correctional research. This usually indicates the number of offenders who return to crime following the release from prison or completion of a programme (see 1.6.4). This study also used survival analysis as a statistical procedure in determining effectiveness. Survival analysis is the amount of times offenders have been at risk to commit a crime in the community and whether or not they have committed new crimes by the end of the data collection period. Survival analysis is also useful for providing descriptive information on when recidivating events occur. Multiple predictors of crime can then be analysed simultaneously (Henning & Frueh 1996:536-538).

Preliminary results indicated that 50% of offenders from the programme recidivated within two years, whereas 70% of offenders who were not part of the programme recidivated after release.

**TABLE 3.10 SURVIVAL ANALYSIS STATISTICS**

Time period	Chance of completing time in community without a new charge	
	CSC Participants	Other offenders
1 year	75%	54%
2 years	62%	33%
3 years	54%	25%

The results therefore are positive and support the use of a cognitive distortion programme for incarcerated offenders (Henning & Frueh 1996:537-538).

**TABLE 3.11 EVALUATION: COGNITIVE SELF-CHANGE PROGRAMME**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Intensity</li> <li>• Cognitive component included</li> <li>• Behavioural component included</li> <li>• Staff training</li> <li>• Real world link</li> <li>• Criminogenic needs targeted: self-control</li> </ul>	<ul style="list-style-type: none"> <li>• The first theoretical component of the programme provides a basis for practical application</li> <li>• Monitoring of own behaviour makes offenders aware of their behaviour and more accountable</li> </ul>	<ul style="list-style-type: none"> <li>• No specific outcomes were defined for phase 2, which could be the reason why some offenders took very long to complete it</li> <li>• Social skills training could be beneficial to deal with problematic social situations</li> <li>• Non-criminogenic needs targeted: emotions (according to Gendreau)</li> </ul>

### **3.4.7 Strategies for Thinking Productively (STP)**

The Strategies for Thinking Productively (STP) programme is a cognitive restructuring programme located at the Michigan Reformatory in Ionia, Michigan. It is an adaptation of the programme in Vermont and has been in operation since 1993. The programme is focussed on decreasing disciplinary infractions in the institution. 123 inmates were involved in the study and more than half of them were under the age of 25 (percentage not specified). Subjects had been classified as high assault risks (Baro 1999:470-471).

The application of the programme is similar to the process followed in the Cognitive Self-Change programme used in Vermont (see 3.4.6). Successful completion of phase two required that inmates should be able to demonstrate competence in four cognitive self-change steps. These are: the ability to observe thoughts and feelings, recognizing the criminal risks of thoughts and feelings, using new thinking patterns to reduce this risk and being able to apply the first three steps in practice (Baro 1999:470).

One of the practical arrangements made were that once an inmate decided to enroll in phase two of the programme, they could not be transferred to another prison until the program had been completed. This phase of the programme takes between six and twenty four months to complete, and as a result inmates who had the opportunity to transfer to lower security prisons or prisons closer to their homes were reluctant to commit to this phase of the programme (Baro 1999:470).

Staff who had significant contact with inmates had to complete the STP orientation training. Staff who volunteered to become facilitators received more training. Facilitators had to continue to perform duties as correctional officers, caseworkers or unit managers, and in addition ran the STP programmes. No special unit exists with staff assigned to the programmes on a full time basis. One of the goals of the programme is, through the necessary training, to change staff attitudes and behaviour to increase inmate cooperation. This aspect, however was not addressed in this study (Baro 1999:471).

The follow-up period for participants in the programme was one year. The most important finding is that participants in the STP programme appear to be more likely to obey direct orders than inmates not on the programme. They were also less likely to engage in assault of other prisoners or staff. Even for participants who only completed phase one of the programme a difference was seen in obeying orders. Inmates who completed Phase two, however, committed 35 offences where orders were disobeyed (compared to only 30 such offences by those who completed phase one) indicating that the most significant effects occur during Phase one. It is possible that the change in staff's attitudes and behaviour such as depersonalizing conflict by not using authority to judge or dominate, could have an even bigger effect on inmates' willingness to obey direct orders and settle matters peacefully (Baro 1999:477-481).

**TABLE 3.12 EVALUATION: STRATEGIES FOR THINKING PRODUCTIVELY**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Duration</li> <li>• Cognitive component included</li> <li>• Social learning through modeling</li> <li>• Staff training</li> <li>• Real world link</li> <li>• Criminogenic needs targeted: self-control</li> </ul>	<ul style="list-style-type: none"> <li>• Phase 2 of the programme had specific outcomes (compare CSC)</li> <li>• Inmates could not be moved or transferred once they were committed for the programme, this ensure higher levels of programme completion</li> </ul>	<ul style="list-style-type: none"> <li>• Staff were not allocated to the programme full-time, which could lead to staff not being fully committed to the programme because of other duties</li> <li>• Non-criminogenic needs targeted: emotions (according to Gendreau)</li> </ul>

### 3.4.8 The Lifestyle Change Programme (LCP)

The Lifestyle Change programme is offered at the Federal Correctional Institution in Schuylkill, Pennsylvania. The approach this programme is based on views crime as a lifestyle. The aim of the programme is to promote positive prison and community adjustment in criminal offenders. The programme has three primary objectives:

- to empower clients;

- to instruct clients in basic skills; and
- to encourage re-socialization (Walters 1999:323).

According to Gendreau and Ross (1987) there is growing evidence that psychological intervention with criminal and delinquent offenders is effective and that positive outcomes can be achieved (Walters 1999:323). In the face of this the LCP views the client-therapist relationship as an important source of empowerment. Self-labeling, as a criminal or addict, is discouraged. The assumption of responsibility, creation of hope and the development of self-efficacy are encouraged throughout the programme. The acquiring of skills is one way in which to improve self-efficacy. The programme places a lot of emphasis on cognitive skills training, as this has been proved to result in effective interventions for adult as well as juvenile offenders. The third goal of re-socialization is very important as skills learnt can only be turned into a new lifestyle by continually being part of activities and engaging in behaviour that are incompatible with a criminal or drug lifestyle. The programme emphasis is on cognitive-behavioural skill building although a multifaceted approach (therapeutic intervention, social learning theory) is used (Walters 1999:323-324).

The LCP programme consisted of three phases. The first phase is a 10-week class in lifestyle issues such as the importance of choice in a person's life, debilitating effects of self-labeling, the role of fear in creating a lifestyle, and the cognitive distortions and thinking styles that maintain a lifestyle. Regular attendance and a passing grade on a 25-question multiple-choice examination are requirements for completion of this phase. The second phase, referred to as advanced groups, that separately addresses three lifestyle issues (crime, drugs, gambling) in three 20-week interventions. These three negative lifestyle patterns are commonly observed in offender populations. The goal of the advanced groups is to help participants apply lifestyle issues learnt in the first phase to themselves and understand the effects of these on their lives. Participants can complete one or more of the advanced groups, after which they move to the third phase of the programme. The third phase is a 40-week group in relapse prevention. This phase emphasizes skill development in conditions, choice and cognition. Condition-based skills

are skills such as stress management, access (to high-risk situations) reduction, interpersonal resistance (pressure from peers to partake in criminal, drug, and gambling activities), and fear management. Choice-based skills include increasing creativity, communication, problem solving, goal setting and values clarification. Cognition-based skills include self-motoring of constructional errors, cognitive restructuring of lifestyle thinking and cognitive reframing. Techniques used during the course of the programme are discussions, role-plays and homework assignments (Walters 1999:325-326).

The study evaluated the short-term (6-61 months) institutional and community adjustment of inmates who completed one or more phases of the programme. It also tested the assumption that participants would experience better outcomes the more phases of the programme they completed. Subjects released at least three months prior to the end of the follow-up period were monitored for poor outcomes that were defined by halfway house failure, parole/supervision violation and/or new arrest (Walters 1999:325-326).

The results indicate that participants in the LCP programme accumulated significantly fewer disciplinary reports than a group of individuals who did not take part in the programme. The implication of a reduction in disciplinary misconduct in a correctional facility can have far-reaching implications. Improving the orderly running of the facility could reduce costs by minimizing property damage, staff stress and inmate law suits. A well-run institution also provided a safe and humane environment for prisoners. Lastly institutional adjustment modestly predicts future recidivism (Walters 1999:331).

It was also determined that high-risk individuals benefited more from the programme than low-risk individuals. Risk was defined as one or more prior disciplinary reports, and three or more prior arrests (Walters 1999:331).

The results for community adjustment were less positive. The first reason given for this is that the programme might have lacked the intensity to effect positive changes. The second reason is that the majority of subjects in the study were still confined (in a ratio of 2:1 in favour of confinement to release) at the time of statistical interpretation and

therefore could not be included in the results. Thirdly, initial gains were not reinforced on release from custody and there was a lack of effective community follow-up. Community follow-up is essential for maintaining the progress achieved through institutionally based programmes. It is however indicated that a relationship exists between programme participation, positive disciplinary outcome and better outcomes in the community for participants who were at higher risk for future disciplinary problems and recidivism (Walters 1999:331-335)

**TABLE 3.13 EVALUATION: LIFESTYLE CHANGE PROGRAMME**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Duration</li> <li>• Cognitive component included</li> <li>• Behavioural component included</li> <li>• Social skills</li> <li>• Real world link</li> <li>• Targets high-risk offenders</li> <li>• Discourages labeling</li> <li>• Multifaceted</li> <li>• Criminogenic needs targeted: peer relations, interpersonal relations, self-control, substance abuse</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• No follow-up or reinforcement after release</li> </ul>

### 3.4.9 Group Home Treatment Programmes

Group homes have been recognized for providing a family-type atmosphere where similar warmth and intense personal ties are established as could be found in healthy families. It has been found that this type of atmosphere has a significant impact on the reduction of recidivism rates of juvenile offenders. Group homes are an effective method for disrupting a youth's delinquent behaviour by altering the environment and providing a

meaningful family-type setting. The treatment programme rests on providing a therapeutic community, elevating children's self-esteem, building a positive mind and respect for others. A therapeutic community is a social and cultural setting in which person in need of therapy live. The term is used when the whole social milieu is established and controlled with the aim to have a beneficial impact on those who reside there (Reber 1985:769). The programme offers community service projects, assists the youth in obtaining employment, organizes athletics activities and helps residents with educational and vocational programmes (Haghighi & Lopez 1993:53).

The referrals included 410 juveniles referred over a period of two years. The intake reflected 304 referrals made by the juvenile court, the remainder of referrals was made by other sources such as school officials or parents. This study included 152 randomly selected residents from the 304 referral by the court. The average stay was five weeks, ranging from one week to twelve months. The centre can accommodate 52 youths at a time. This particular programme accepted all court referral regardless of their delinquent activity, prior incarceration or the type of offence committed (Haghighi & Lopez 1993:53).

The goal of the programme is to reform delinquent juveniles and to deter their involvement in future delinquency. The success or failure of the programme was evaluated by two measures. The first was routine evaluations by programme staff on performance on the programme. Juveniles were categorized as 'improved' indication increased continuance in the programme and a readiness to be referred back to their families, or as 'failed/no change' reflecting the ineffectiveness of the programme to change delinquent behaviour. This last category included behaviour such as attempting to escape, fighting with other children, and disobeying house rules or other delinquent acts. The second indicator used to assess programme effectiveness was reappearance in the justice system after release from the group home (Haghighi & Lopez 1993:54).

The results indicate that the group home was effective in interrupting delinquent behavior for four out of five cases in cases where the child was referred after a first, second or

third offence. The programme was increasingly less effective for children referred for four, five or six offences. The study also found that a proportionally higher success rate was achieved for offenders placed on probation prior to the referral compared to those who were incarcerated in detention facilities prior to referral. This result confirms previous findings in which detention facilities tend to shape delinquent personality rather than decrease delinquent behaviour (Haghighi & Lopez 1993:54-55).

It is concluded that group homes are effective measures for interrupting delinquent activity when referral is made in early stages of delinquent behaviour, particularly after first or second offences. The programmes are also more effective if youths did not serve time in detention facilities. The researchers believe that confining juveniles to detention facilities may result in higher rates of recidivism and ultimately the rate of offence committed by juveniles (Haghighi & Lopez 1993:55-56).

**TABLE 3.14 EVALUATION: GROUP HOME TREATMENT PROGRAMMES**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Social skills</li> <li>• Youth are placed in a positive, pro-social situation</li> <li>• Criminogenic needs targeted: peer relations, interpersonal relations</li> </ul>	<ul style="list-style-type: none"> <li>• Community service component</li> </ul>	<ul style="list-style-type: none"> <li>• No social or other skills training</li> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

**3.4.10 Youth Enhancement Services**

The Youth Enhancement Services is a coalition of community based delinquency prevention programmes in Harrisburg, Pennsylvania. The programmes included in the coalition shared facilities such as a computer lab, gymnasiums and a swimming pool as well as delivery of standardized programmes on antiviolenence training, drug and alcohol prevention, sexuality and pregnancy prevention (Welsh, Jenkins & Harris 1999:89).

The major objective of the programmes was to reduce arrest and re-arrest rates for minority youths. Intervention strategies employed were based on emerging recommendations that prevention programmes should address critical risk factors at the individual, group, family, school and community level. The Youth Enhancement Scheme focussed on reducing these risk factors using the social development strategy. According to this strategy, protective factors such as healthy beliefs and clear standards for behaviour in the family, school and community promote healthy behaviour in children. According to this model healthy beliefs and clear standards are also promoted by encouraging bonding with people and institutions such as the family, peer group, school and the community. It is also mentioned that individual characteristics such as intelligence, prosocial orientation, and resilience, affects a child's ability to perceive opportunities, develop skills and obtain recognition. The Youth Enhancement Scheme coalition shared a common emphasis on promoting bonding to prosocial institutions by providing opportunities, skills and recognition. Programmes included life-skills training which included teaching of problem-solving skills, conflict resolution and cultural diversity. Programmes also provided homework or tutoring assistance, field trips. Three of the five programmes stressed career development or vocational training and one included a community service component. Special events such as guest speakers, cultural and sporting events, conferences and workshops were also provided (Welsh *et al.* 1999:89-91).

The programmes were run five days a week for two hours per day, after school hours. Client attendance was voluntary and standardized attendance records indicating the amount of time each youth attended different activities each week were provided. The total number of hours each youth spent at the programmes was then calculated. Local justice agencies provided records of arrests, charges and dispositions for before and after entering the Youth Enhancement Scheme programmes. A quasi-experimental design was used and three groups were compared. The first group was made up of 83 clients who never participated in any programme. The second comparison group was made up of 46 clients who participated in programmes occasionally, but accumulated less than 30 total

programme hours over the course of a year. The third group was made up of 62 clients who accumulated more than 30 programme hours during the course of the year. The groups did not differ significantly in terms of prior arrests, gender, family structure parental employment, previous truancy or prior suspensions (Welsh *et al.* 1999:91-93). Groups differed in terms of:

- age (high attenders were slightly younger);
- referral source (probation referrals had poorer attendance than self or family referrals);
- ethnicity (75% of the total sample were African American, but Latino children were slightly over represented in low and high attendance groups);
- and academic performance the previous school year (high attenders had slightly higher grades and were more likely to be have been promoted) (Welsh *et al.* 1999:92).

The results indicate a total recidivism rate of 40.3% for all three groups. Previous arrest records and recidivism rates were examined for each of the three groups and a strong correlation was found between the degree of programme exposure and recidivism over a three-year follow-up period.

**TABLE 3.15 YOUTH ENHANCEMENT SERVICES: RECIDIVISM**

	<b>Recidivism Rate</b>
<b>Group</b>	
Never participated in any programme	50.6%
Occasional attendance (less than 30 hours)	41.3%
High attendance record ( more than 30 hours)	25.8%

According to the results obtained these community-based programmes favourable recidivism rates were achieved for the group with a high attendance record. The researchers felt that programmes should make a greater effort to encourage and reward regular attendance, which in turn would lead to lower recidivism rates (Welsh *et al.* 1999:93; 105-107).

**TABLE 3.16 EVALUATION: YOUTH ENHANCEMENT SERVICES**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Social skills</li> <li>• Youth are placed in a positive, pro-social environment</li> </ul>	<ul style="list-style-type: none"> <li>• Assistance with homework and scholastic problems. This can be very beneficial in South Africa where many parents work long hours and far from home</li> <li>• Sharing of facilities in South Africa (at schools, universities, libraries) could make services more available to a number of youths,</li> </ul>	<ul style="list-style-type: none"> <li>• Attendance is not compulsory, encouraging youth to attend more regularly could lead to more successful intervention</li> </ul>

**3.4.11 The Second Chance Programme**

The Second Chance programme is a rehabilitative strategy that used social skills training, re-employment training and job placement opportunities to reduce recidivism. The programme was based in Iowa. The programme aims to re-establish a positive relationship between the delinquent youth and society. The two main goals are to help youth become more proficient in social skills and secondly to expose youth to legitimate employment opportunities that would otherwise have been unavailable to them (Leiber & Mawhorr 1995:127).

The youths identified for the study were identified as more troubled than youth on probation as some of them were one step away from state training school or waiver to adult court (Leiber & Mawhorr 1995:127).

The Second Chance programme combines the competency based programme offered by the First Judicial District Court Services (JCS) with a regional job training programme called Area VII Job Training (JPTA; Leiber & Mawhorr 1995:127).

The skills development component is a sixteen-week group programme. The programme is designed to improve self-esteem and develop social skills such as values clarification, communication skills, overcoming conflict and improving relationships. Each participant is given a workbook that covers sixteen sessions. The workbook contains questions of each topic and the topics are discussed at weekly group meetings. Homework assignments also accompany each lesson. The topics included are the following:

- Acceptance of self and others
- Alcohol and drugs
- Manners and appearance
- Career possibilities
- Budgeting and income
- Identification of good and bad relationships
- Intimacy
- Identification of wants vs. needs
- Identification of privileges vs. rights
- Budgeting time
- Overcoming conflict (Leiber & Mawhorrr 1995:128, 130)

The programme facilitator monitors each juvenile's case by maintaining contact with parents and other agencies involved with the youth such as the school or counselling agencies. Parents are required to monitor and verify completion of weekly assignments and goals set by youths (Leiber & Mawhorrr 1995:128).

Pre-employment training teaches youths the necessary skills to obtain and maintain employment. Skills include conducting an independent job search, applying for a job, interview techniques and good work habits. Information on community resources and subsidized employment is also provided. The JTPA assists youths to find jobs. Special care is taken to match youths' interests with employment opportunities in order for youths to have positive work experiences that lead to continued employment and a greater sense of accomplishment and higher levels of self-esteem. They also provide the costs for training and wages for the first 130 hours of employment. The agency that

provided the job is then expected to retain the youth after 130 hours if the youth performed his job satisfactorily (Leiber & Mawhorr 1995:128-129).

The sample consisted of a total of 57 youths who completed the programme in five groups over the course of about two years (completion group). Not all of the youths referred to the programme completed the sixteen-week course and are referred to as the non-completion group. Two other comparison groups were used in the study – a matched sample of youths who received traditional juvenile court services such as probation and diversion, and a matched data set collection from a previous study examining juvenile decision making in the same county from 1980-1991. For the purposes of the study recidivism was defined as an official referral to juvenile or adult court once the youth was dismissed from court services (Leiber & Mawhorr 1995:130).

The results indicated that youths who completed the Second Chance programme were not less likely to become involved in official court action than comparison groups. It was, however, found that they were more likely to be charged with less serious offences than youths from other groups. Further encouragement for the potential of the programme comes from the youths themselves. Youths felt that the programme was beneficial because it helped them with their problems and it helped them to deal with issues such as peer pressure and finding a job (Leiber & Mawhorr 1995:135).

The researchers point out that the Second Chance programme has the following characteristics in common with other successful programmes: targeting of medium to high risk offenders, a multimodal, structured and focussed treatment approach, a cognitive component which focuses on attitudes, values and beliefs that support antisocial behaviour, and community-based intervention (Leiber & Mawhorr 1995:138-139).

They also indicated characteristics from successful programmes that are absent from the Second Chance programme. These included family involvement in the programme, treatment integrity, cultural sensitivity, follow-up care and monitoring of changes. These are discussed below (Leiber & Mawhorr 1995:139).

- Although parents are required to attend an orientation session and to verify homework assignments, they are not involved in the programme and not targeted by the intervention. Researchers feel that more family involvement may be warranted.
- Treatment integrity refers to the use of trained staff who is involved in all the operational phases of the treatment. The facilitators involved in the Second Chance programme are probation officers with limited training.
- There is also a lack of cultural diversity among treatment staff and as a result the programme may show a sense of cultural insensitivity.
- Follow-up care is needed to reinforce and encourage the utilization of newly acquired skills in social interaction.
- There are indications by means of feedback from parents and school officials that the programme altered the attitudes of some youths. The researcher however points out the Second Chance programme did not systematically examine behavioural and cognitive measures to determine the effects of the programme on attitudinal and general social performance of the youths (Leiber & Mawhorr 1995:138-139).

**TABLE 3.17 EVALUATION: SECOND CHANCE PROGRAMME**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects</b>
<ul style="list-style-type: none"> <li>• Duration</li> <li>• Social learning</li> <li>• Cognitive aspects included</li> <li>• Social skills</li> <li>• Real world link</li> <li>• Targets high-risk offenders</li> <li>• Staff-training</li> <li>• Criminogenic needs targeted: interpersonal relationships, substance abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Job training and other life skills training such as finding a job can be very beneficial as many youth in South Africa lack the skills to write a CV or apply for jobs</li> <li>• The programme is very practical and provides skills youth need daily</li> <li>• Homework assignments give youths the chance to think and apply further the skills acquired in the programme</li> <li>• Programme staff have contact with various significant people in the youths life</li> </ul>	<ul style="list-style-type: none"> <li>• Staff were not well trained</li> <li>• There was a lack of cultural diversity of staff. This is also important in a South African context because of the cultural diversity.</li> <li>• There was no follow-up</li> <li>• Non-criminogenic needs targeted: self-esteem (according to Gendreau)</li> </ul>

## **3.5 SOUTH AFRICAN PROGRAMMES**

In the following section rehabilitation programmes currently used in South Africa will be reviewed.

### **3.5.1 Boys' Town, Magaliesburg**

Although not a diversion or sentencing option, the Boys' Towns programme is considered as a valuable programme because it offers an extensive life-skills programme as well as a self-government system with which they have had a great deal of success (see 1.2.2.2).

Boys' Towns are a series of children's homes that provide a care programme for boys between the ages of six and sixteen. These residential programmes offer care and treatment for boys who range from the underprivileged and neglected, to boys with behaviour problems such as truancy, association with the wrong friends or emotional problems. These boys are referred by the Children's Court, and not the Juvenile Court, and are therefore not youth offenders. Some of the boys may, however, have been involved in criminal activities, and the circumstances leading to such an offence need to be considered (Boys' Towns Brochure 1998). Information regarding the programme offered and other aspects discussed below was obtained through an interview with the vice-principal at the time, Frieda de Bruyn (1999) and the Boys' Towns Brochure (1998).

The life-skills programme aims to teach the boys the following social skills:

- Following instructions
- Accepting NO for an answer
- Accepting criticism
- Showing respect
- Showing sensitivity
- Greeting skills
- Disagreeing appropriately

- Engaging in communication

The boys are continually evaluated on their ability to use these skills, and failure to effectively use a particular skill is addressed immediately. The boys practise these skills on a daily basis. Reinforcement and immediate feedback on the progress is essential.

Boys' Town Magaliesburg use a self-government system where the boys are involved in the decision-making in the school. This means the boys govern themselves under the guidance of adults. Adults do not apply the discipline. The boys decide on their own rules and see that they are kept. A card system is used to award points for skills well practiced and deducts points for rules broken. A boy can move to a position of power by earning more points (de Bruyn 1999:Personal Interview).

An important feature of the programme is that it emphasizes that the boys are responsible for their actions. The programme is firmly based on a behaviouristic model and the social learning theory. For example, when a boy is involved with drugs, he is placed on the drug programme. To complete the programme a certain number of points should be obtained. These points could for example be given for attendance at the sessions, being on time, honesty and admitting that drugs were used. The programme is not scheduled for a particular number of sessions, but carry on until the points needed have been accumulated. Points are deducted for bad behaviour or noncompliance with the rules of the programme. The duration of the programme therefore depends on the child's commitment. He is responsible for his behaviour and progress on the programme (Boys' Towns Brochure 1998; de Bruyn 1999: Personal Interview).

**TABLE 3.18 EVALUATION: BOYS' TOWN MAGALIESBURG**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Intensity and duration</li> <li>• Social learning</li> <li>• Behavioural aspects including a token system is used</li> <li>• Social skills</li> <li>• Staff training</li> <li>• Real world link</li> <li>• Youth are placed in a positive, pro-social situation</li> <li>• Criminogenic needs targeted: peer relations, self-control, substance abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Self-government system places the responsibility for decision making with the youths</li> <li>• There is an emphasis on accountability for actions</li> <li>• Continuous and immediate reinforcement is highly beneficial for behaviour change</li> </ul>	<ul style="list-style-type: none"> <li>• If the system had to be implemented in other facilities such as secure care facilities or prisons, a drastic change needs to be made. This will require extensive staff training, and will be very expensive. This might not be practical or viable in South Africa at this time.</li> </ul>

### 3.5.2 Leeuwkop Youth Prison

Van der Ryst (1999: Personal Interview) said that the prison currently offers programmes on drugs and AIDS, but that these programmes are mainly informative. They also offer a life skills programme which is run over eight days, five hours a day. This programme was developed for use in a corporate environment, and is not tailored for the specific needs of youth offenders. The time that the programme takes to complete is also a problem, as it means the youths are taken out of school for the duration of the programme. She feels that the current programmes are limited and that a programme that would cater for the unique needs of youth offenders would be welcome (see 1.2.2.3).

Mrs. Mhlongo (1999: Personal Interview), the director of Social Work at the Head Office of Correctional Services, indicated that currently there is no programme available for the youths in prison and that a programme for youth offenders would be welcome.

**TABLE 3.19 EVALUATION: LEEUWKOP YOUTH PRISON**

Effective aspects according to Gendreau	Other positive or innovative aspects	Negative aspects
<ul style="list-style-type: none"> <li>• Criminogenic needs targeted: substance abuse</li> </ul>		<ul style="list-style-type: none"> <li>• The programme is not tailored to the needs of youth offenders</li> <li>• Youth are taken out of school to attend the programme</li> </ul>

### **3.5.3 National Institute for Crime Prevention and the Rehabilitation of Offenders (NICRO) – The YES programme**

NICRO offices throughout South Africa offer the same services to clients, with minor differences in practical details and implementation. The *Youth Empowerment Scheme (YES)* is the diversion programme offered by NICRO. Other diversion and restorative justice options that can be combined with the YES programme are Pre-Trial Community Service, Victim-Offender Mediation and Family Group Conferences (see 1.2.2.6).

The YES programme as presented at the Pretoria branch of NICRO is discussed below and may differ slightly from YES programmes offered by other branches.

The *Youth Empowerment Scheme (YES)* is a diversion option offered by NICRO. It is a life-skills programme based on experiential learning (see 1.6.19) and therefore requires the youths to learn from their own experience through their involvement in different activities. Information on the programme and revision of the programme was gained through various interviews with D. Nation from 1999-2002. In a follow-up study in 1998, the YES programme has been proved to be successful. It was found that only 6,5 % of youth who have participated in the programme re-offended in the first twelve months after participating in the programme (Muntingh 1998:37).

The YES programme was revised during the course of 2001. The new programme manual is named 'Mapping the Future'. The programme consists of eight sessions that cover the following topics:

- an introductory session to the programme
- self-concept
- assertiveness
- decision-making
- children's rights
- laws and norms
- gender, stereotyping and socialization
- commitment (Mapping the Future 2001).

The programme emphasizes taking responsibility for one's actions and correcting the wrong that was committed. The authors of the manual state that many children grow up without the necessary guidance and therefore lack the life-skills to make the correct decisions or comprehend the consequences of their actions. The YES programme aims to provide youth with the necessary skills to help them make the correct choices and to be assertive about these choices. The programme is 'interactive and participatory' as it is a process in which all participants are actively involved and are given the opportunity to express their views and thoughts. Another important feature of the programme is that it is based on the reality of the participants in the programme. Examples used are age-appropriate, and relevant to the socio-economic and cultural situations of the participants. The programme is structured in a way that the detail content remains flexible and based on the needs of the group (Mapping the Future 2001:7-8).

The referral procedure for the YES programme is as follows: After the youth has been arrested for the crime and taken to the police station, a court hearing is scheduled in the following 24 hours. During this time some youths are released into the custody of their parents or a guardian, while others remain in overnight cells at the police station, or are placed in places of safety (Nation 1999 – 2001:Personal Interviews).

At the court hearing the prosecutor will make a decision of whether or not this youth is eligible for diversion – in this case the YES programme. The case is then remanded for a certain time, pending on the youth's successful completion of the diversion programme. The Department of Justice, in consultation with the probation officer and the court, make referrals of offenders to the diversion programmes. The prosecutor then refers the case to the probation officer who will do an assessment to determine whether the youth complies with the requirements for the YES programme. The probation officer sends a fax or letter to the NICRO offices for that particular region. The parents and the youth are informed that the youth will be included in the YES programme and are then required to make an appointment to meet with the relevant people involved with the programme (Nation 1999 – 2001:Personal Interviews).

The YES programme consists of eight sessions held twice weekly over four weeks. The course deals with issues such as responsibility, self-empowerment, self-expression, dealing with emotions such as anger, goal setting, trust and communication. In Gauteng the facilitators for YES programmes in five regions (Pretoria, Johannesburg, East Rand, the Vaal and Soweto) decide whether there are youths attending the programme who require further intervention. These youths are then included in the Journey programme (see 3.5.4). In other areas of the country like the Western Cape selection for the Journey is made earlier and youths are sent on either the YES programme or the Journey. Selection varies in different areas of the country according to the needs and resources of that region (Nation 1999 – 2001:Personal Interviews).

The programme ends with a celebration, which the group organizes themselves. Parents, friends or other significant people are invited to the celebration, which serves to commend the youths on successfully completing the programme. Each youth is given a letter that wishes them luck for the future as well as a certificate stating that the course was successfully completed (Malherbe 1998:Personal interview, Nation 2002:Personal Interview).

After the youth has completed the diversion programme (the YES and/or the Journey), he will go back to court and the case will be withdrawn.

Sometimes, as a result of circumstances (administrative difficulties, time delay in court date) the youth gets sentenced for the crime. The probation officer will then recommend a diversion option such as the YES programme as part of the youth's sentence (Nation 1998 & 1999:Personal interview).

In summary, the issues addressed throughout the YES programme and the Journey (see 3.5.4) include:

- Accepting responsibility for one's actions
- Dealing with anger in positive ways
- Developing a sense and love of community
- Socialization and gender issues
- Laws, norms and children's rights
- Learning about the dangers of peer pressure and how to deal with it
- Making plans to prevent re-offending
- Developing more effective communication skills
- Assertiveness
- Identifying and using one's strengths
- Developing the ability to trust themselves and others – also to be trustworthy
- Goal setting, decision-making
- Developing a positive sense of self and growing towards a positive self-concept (Journey manual 2001; Malherbe 1998:Personal interview; Mapping the Future 2001)

**TABLE 3.20 EVALUATION: YES PROGRAMME**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Cognitive aspects included</li> <li>• Social skills</li> <li>• Real world link</li> <li>• Criminogenic needs targeted: peer relations, interpersonal relations</li> </ul>	<ul style="list-style-type: none"> <li>• The programme is based on experiential learning and is therefore an individual growth experience for each child</li> <li>• Emphasis is placed on trust as the building block for relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Non-criminogenic needs targeted: self-esteem, emotions</li> </ul>

### 3.5.4 The Journey

The Journey is an outdoor wilderness programme, which deals with the above issues and others more intensively (see 1.2.2.7). The programme is designed and run by a company called Challenge to Change: Rubicon Network. Rubicon Network and NICRO work closely together, and the Journey is offered as an extension of the YES programme offered by NICRO (see 3.5.3). The wilderness part of the course takes the youths out of their comfort zones and places them in unknown situations in which they must perform certain tasks and solve problems. They are required to take part in strenuous physical activities such as walking across a narrow log bridge fifteen metres in the air. The youths are involved in ensuring the safety of other group members by assisting the facilitators with belaying and checking of the safety harnesses. Activities that involve trust in other members of the group, as well as group problem solving are also included (Bruwer 2001:Personal Interview).

The Journey was revised during 2001, and now comprises three programmes namely the *EduVenture Journey*, the *Higher Ground Journey* and the *Quest 4 Success*. These

projects target different groups and differ slightly in nature. Each programme is discussed separately below.

The vision of the Journey project as a whole is to provide young people, in particular youth offenders, with an opportunity to ‘... develop into constructive members of their surrounding environment and positive contributors to their society’ (Journey manual 2001:1). This will be achieved by skills training, character development and experiential learning activities that pose a multi-level challenge to participants. A multi-level challenge is defined by the manual as ‘... challenges ... on different levels, e.g. perception of self, perception of family, perception of one’s role in the community, and perception of education in relation to the self’ (Journey manual 2001:1). The Journey is a diversion programme (see 1.6.9) based in the restorative justice perspective (see 1.6.13), and therefore aims to empower youths to take responsibility for their actions by attendance of the programme. As a result they are given a ‘second chance’ rather than being stuck with a criminal record. The Journey also aims to address problems such as the consequences and effects of crime, alcohol and drug abuse, gangsterism, family dynamics and low self-esteem (Journey manual 2001:1-3).

All three Journey projects are outdoor adventure programmes based on experiential learning (see 1.6.19) and make use of group activities, obstacle courses, team-building exercises, role-plays as well as individual counselling sessions.

Attendance of a YES programme offered by NICRO is highly recommended before participants go on the *EduVenture Journey* or *Higher Ground Journey* as the YES programme serves as an introduction to life skills covered on these two programmes. For these two programmes it is also recommended that youth who are addicted to drugs or alcohol first attend a rehabilitation programme.

The *EduVenture Journey* and *Higher Ground Journey* have the following components:

- A Life Programme, which is a basic life-skills programme of six to ten sessions that serves as a foundation of the outdoor programme.

- An Outdoor Adventure programme, which is the wilderness component of the programmes.
- Community service, which youth can do either as individuals between the Life Programme or as a group after the Wilderness programme.
- Follow-up after three months to assess the youth's continuous development.

The *EduVenture Journey* is aimed at preventing crime from occurring or re-occurring. It targets a high-risk population (youth who are particularly vulnerable to commit continuous offences) between the ages of fourteen and eighteen. The programme takes 20-30 youths at a time and takes place over a period of three days. Participants can be referred from court, as well as schools and their families. The programme focuses on creating an awareness of the consequences and effects of crime. It has a strong life-skills component that addresses issues such as self-esteem, trust and goal setting. A service component is crucial to this programme (Journey manual 2001:5-7).

The *Higher Ground Journey* is aimed at early intervention. The programme targets youths between the ages of fourteen and eighteen, who can be referred by court or other sources such as schools or families. Groups will consist of between 18 and 25 participants. The duration of the programme is five days. The content of this programme is more intensive than that of the *EduVenture Journey*. Community service is also a crucial part of this programme (Journey manual 2001:8-11).

The *Quest 4 Success Journey* is aimed at intensive intervention and support over a period of twelve months. It aims at developing the skills of the target population at two levels: social skills development through life-skills components and practical skills development through various initiatives such as exposure to career expo's, computer skills, sewing, cooking, boiler making, welding and trades. This holistic approach aims at growth in the individual's character as well as his career and skills levels. The programme also addresses issues such as despondency, drug and alcohol abuse, negative community influences and gangsterism (Journey manual 2001:12-13).

The target group for this programme is high-risk youth between the ages of 13 and 20 years who are not in school (drop-outs), and who have been identified by their communities to be involved in criminal activities. The group consists of 20 participants who will undergo an intensive 12-month programme. One of the selection criteria is that youth should show a genuine desire to change from destructive to constructive members of society. Youth who are addicted to drugs or alcohol can undergo a rehabilitation programme concurrently (Journey manual 2001:13-14).

**TABLE 3.21 EVALUATION: THE JOURNEY**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects according to Gendreau</b>
<ul style="list-style-type: none"> <li>• Intensity</li> <li>• Duration (the <i>Quest 4 Success</i>)</li> <li>• Social learning</li> <li>• Cognitive aspects included</li> <li>• Social skills</li> <li>• Real world link</li> <li>• Staff training</li> <li>• Youth are placed in a positive, pro-social environment</li> <li>• Criminogenic needs targeted: peer relations, substance abuse, interpersonal relations</li> </ul>	<ul style="list-style-type: none"> <li>• Based on experiential learning which makes it an unique learning experience for each youth</li> <li>• <i>EduVenture</i> and <i>Higher Ground</i> has community service components</li> <li>• <i>Quest 4 Success</i> teaches practical skills</li> </ul>	<ul style="list-style-type: none"> <li>• Non-criminogenic needs targeted: self-esteem</li> </ul>

### 3.5.5 Criminon

Criminon has various offices throughout South Africa. The programme discussed below is run at the Magistrates Court in Pretoria. The programme offered at the Pretoria offices include the following aspects:

- The Way to Happiness course
- Learning improvement course
- Communication course
- Overcoming the effects of drugs

- Other personal growth courses

Criminon (it means 'no crime') is an international non-profit organization that was established in New Zealand in 1972 by Ron Hubbard. The Criminon group is dedicated to '... criminal rehabilitation and the prevention of criminality by educating individuals and helping them to restore their self-respect so that they can become ethical and productive members of society' (Criminon 1999:Title Page). Criminon is a branch of Narconon, a drug rehabilitation programme established in Arizona state prison in 1966 (Criminon 1999: Title page).

Criminon's mission statement is:

- To eliminate those factors that produce and precipitate criminal behaviour.
- To restore common-sense moral values.
- To provide educational tools and life skills to those in need so that they may rejoin society as responsible and contributing members.
- To assist the criminal justice system to bring about reforms that will help accomplish these aims (Criminon 1999:1).

Hubbard discovered that criminal careers began with the loss of self-respect. He believes that there is a reason for people to go 'off-track' and engage in criminal activity. Criminon addresses this reason head-on. One of the fundamentals of the programme is that the application of principles learned is extremely important. All courses offered contain practical drills and exercises (Criminon 1999:2-3).

The Criminon programme consists of six parts. These are:

- 'The Way to Happiness' course  
This course is the basis of the Criminon programme. It is a non-religious, common-sense moral code consisting of 21 principles. The programme explains why each of the principles are necessary and why following this code of conduct will lead to a better life. It is the understanding of why these principles are important that help

people realize why leading an ethical life leads to being happier and more productive. With this understanding, people 'change their behaviour themselves' (Criminon 1999:4). The 21 principles of the course are the following:

1. Take care of yourself
2. Be temperate
3. Don't be promiscuous
4. Love and help children
5. Honour and help your parents
6. Set a good example
7. Seek to live with the truth
8. Do not murder
9. Don't do anything illegal
10. Support a government designed and run for all the people
11. Do not harm a person of good will
12. Safeguard and improve your environment
13. Do not steal
14. Be worthy of trust
15. Fulfil your obligations
16. Be industrious
17. Be competent
18. Respect the religious beliefs of other
19. Try not to do things to others that you would not like them to do to you
20. Try to treat other as you would want them to treat you
21. Flourish and prosper

- Learning improvement courses

It is stated that there is a correlation between criminal behaviour and illiteracy, and that failures in school and education can be directly translated into crime and violence on the street. The Criminon programme deals with this deficiency by providing courses that teach the student how to study, how to retain knowledge and

how to overcome the barriers of comprehension (Criminon 1999:6). The communication course offered by Criminon Pretoria included: phonic and literacy course, the learning how to learn course, how to use a dictionary course, and the grammar and communication course (Criminon 2001:2-3).

- Communication Course

The Criminon group believes that communication failure often is the cause of violence and therefore offers a course that will give people the necessary communication skills. The student is taught to recognize where communication has broken down in the past and why, so that it can be corrected. Students are also taught to remain calm and to maintain self-control in the face of hostility or adversity (Criminon 1999:7). The course offered in Pretoria includes the following aspects: confronting and resolving problems through communication, as well as an advanced communication course that helps develop self-control, extroversion and the ability to maintain control of one's environment (Criminon 2001:2-3).

- Overcoming the effects of drugs

It is stated in the manual that well over half the crimes in the United States are caused while the person was on drugs. The handling of drug addiction, and education about drugs is believed to go a long way in handling the problem of crime. The course teaches the student 'exactly what drugs are and the effects they have on the body and mind' (Criminon, 1999:8).

The Pretoria Branch offers the following courses/programmes for drug users (Criminon 2001:2-3):

1. The drug-free withdrawal. This programme helps the user to cease current drug use rapidly and with minimum discomfort through proper nutrition, vitamin and mineral supplements along with 'special techniques to ease the mental and physical symptoms'.

2. New Life Detoxification Procedure. This step in the programme removes drug residues and other toxic substances from the body. According to the enrolment information brochure residues remain locked in fatty tissue of the body and can be released into the blood stream and can cause cravings for drugs years after the person has stopped taking drugs. These residuals are removed through an exact regimen of exercise, sauna and nutritional supplements.
3. How to feel better after getting off Drugs. This course provided information on what drugs are and how they can ruin people's lives. It also informs students on how to help other that are getting off drugs.

- Other Personal growth courses (Criminon 2001:3)

There are two courses available on personal growth at the Pretoria branch.

1. Ups and Downs in Life Course. This course teaches the person how to handle suppression in order to make the person less susceptible to those who influence him/her to revert to drugs or crime. It teaches people the difference between anti-social and social personalities in order for them to choose better friends.
2. Making your life easier. This course teaches ethics and honesty and how one can correct past harmful actions.

The information brochure for the Pretoria branch states explicitly that students are to comply with all the rules of probation and all the rules of the 'New Life Programme'. It states that a non-compliance report will be sent to the probation officer, magistrate or official that ordered attendance to the programme '... if a student does not comply with the rules and does not make expected progress through the Detoxification and Coursework' (Criminon, 2001:4).

**TABLE 3.22 EVALUATION: CRIMINON**

<b>Effective aspects according to Gendreau</b>	<b>Other positive or innovative aspects</b>	<b>Negative aspects</b>
<ul style="list-style-type: none"> <li>• Cognitive aspects included</li> <li>• Social skills</li> <li>• Criminogenic needs targeted: peers relations, substance abuse</li> </ul>	<ul style="list-style-type: none"> <li>• The educational component is very beneficial to improve offenders' reading and writing skills</li> <li>• The drug rehabilitation that forms a part of the programme and is on the same premises is practical</li> </ul>	<ul style="list-style-type: none"> <li>• The communication component of the programme is very simplistic and gives offenders limited skills</li> <li>• The strong emphasis on rules may result in some youths feeling rebellious, and not cooperating fully during the programme.</li> </ul>

### 3.6 CONCLUSION

In this chapter various programmes and approaches to youth offence were discussed and evaluated according to the effective aspects of rehabilitation programmes as found by Gendreau (see 3.2). It was found that there are overlapping ideas in some of the programmes. Some programmes also suggested novel ways of dealing with problematic issues.

The evaluation of the programmes also indicates that the diversion of offenders and educative solutions are effective ways of dealing with youth offence. A combination of a residential and community programmes can be used as it teaches the youth the necessary skills as well as making him accountable for his actions. It is also a cost effective way to deal with youth offenders. Community programmes for youth offenders also place the responsibility of dealing with the problem of youth offence at the door of the society in which the youth lives.

The Wilderness component as part of a rehabilitation programme can be a useful part of a rehabilitation programmes. It makes use of experiential learning as well as group interaction which could both increase the effectiveness of a rehabilitation programme.

In Chapter 4 the information gained from the summary of the theories that describe youth offence and the risk factors that may cause delinquency, and the evaluation of rehabilitation programmes will be used in the compilation of a provisional therapeutic programme for the rehabilitation of youth offenders in South Africa.

## **CHAPTER 4**

### **COMPILATION OF THE PROVISIONAL REHABILITATION PROGRAMME**

#### **4.1 INTRODUCTION**

In this chapter the compilation of a provisional therapeutic programme for the rehabilitation of youth offenders will be discussed. The evaluation and revision of the provisional programme conducted at Norman House will also be discussed in this chapter for continuity, although it forms part of the empirical study. The research method will be discussed in detail in Chapter 5.

#### **4.2 ASPECTS TO BE INCLUDED IN THE PROGRAMME**

In this section a summary of the various aspects to be included in a therapeutic programme as found in the literature study will be set out.

##### **4.2.1 Theories on youth offence**

The Table 4.1 summarizes the various theories on youth offence and indicates the aspects to be addressed from the point of view of each theory.

The following interventions are indicated with the most frequency:

- Interpersonal relationships
- Decision-making
- Goal-setting
- Accountability
- Empowerment
- Social skills

**TABLE 4.1 ASPECTS TO BE ADDRESSED ACCORDING TO THEORIES**

Theories/ Aspects to be addressed	Control theory	Self-control theory	Labeling theory	Strain theory	Cognitive theories	Learning theories	Reality theory	Developmental adaptation theory	Psycho biological theory	Total
Interpersonal Relationships	✓			✓		✓	✓	✓		5
Peer relationships						✓				1
Family bonds	✓							✓		2
Decision-making		✓		✓	✓	✓	✓		✓	6
Goal setting		✓			✓		✓		✓	4
Problem-solving				✓					✓	2
Thinking skills					✓					1
Accountability		✓	✓		✓		✓			4
Self-esteem			✓		✓				✓	3
Empowerment			✓	✓	✓		✓			4
Social skills, including conflict resolution and communication	✓			✓		✓	✓	✓		5
Relapse prevention			✓		✓	✓				3
Planning for the future			✓				✓			2
Dealing with feelings			✓						✓	2
Sense of belonging	✓							✓		2

The biological theory requires medical intervention and is not relevant to the development of the current programme.

**TABLE 4.2 ASPECTS TO BE ADDRESSED ACCORDING TO RISK FACTORS**

Risk factors/ Aspects to be addressed	Family	Peer group	Learning disabilities	Psychiatric disorders	Gender	Culture	Age of onset	Drug use	Street children	Self- concept	Locus of control	Total
Interpersonal Relationships	✓	✓	✓						✓			4
Peer relationships		✓										1
Family relationships	✓			✓		✓						3
Parenting practices	✓	✓				✓	✓					4
Decision-making							✓	✓	✓	✓	✓	5
Goal setting												0
Problem-solving								✓	✓	✓	✓	4
Thinking skills											✓	1
Accountability							✓				✓	2
Self-esteem		✓	✓							✓		3
Empowerment			✓				✓		✓	✓	✓	5
Social skills, including conflict resolution and communication			✓									1
Educational assistance			✓	✓								2
Dealing with feelings	✓	✓	✓	✓	✓			✓	✓			7
Sense of belonging						✓						1
Drug rehabilitation				✓				✓	✓			3

## **4.2.2 Risk factors that could lead to youth offence**

Table 4.2 summarizes the risk factors that could lead to youth offence and aspects that need to be addressed in a rehabilitation programme according to each factor.

According to the summary in Table 4.2 the following aspects need to be addressed:

- Interpersonal relationships
- Parenting practices
- Decision-making
- Problem-solving
- Empowerment
- Dealing with feelings

## **4.2.3 The Judicial process**

Knowledge of the judicial process for youth offenders is necessary to plan the practical aspects of a rehabilitation programme. Practical arrangements will differ for each facility at which the programme will be run, but the following should be taken into account when planning the programme:

- The age of the youths who will be participating in the programme. Some of the participants may be older than eighteen, although they are dealt with as juveniles (see 6.4.2).
- Whether the child's case has been converted to a children's court case which implies that the child has family or social problems and may be in need of care (see 2.6.4).
- Whether or not the youth is being detained and where the youth is being detained (see 2.6.8).
- Whether or not the youth is eligible for diversion, in which case the programme should be recognized as a diversion option (see 2.6.9).
- Whether or not the youth has been sentenced. This is important because in the case of youth who are still awaiting trial or a remand date, it needs to be taken into account that the youth may not complete the programme (see 2.6.10).

**TABLE 4.3 NEEDS TARGETED BY INTERNATIONAL PROGRAMMES (see 3.3-3.4)**

Needs targeted	Shop-lifting	Nokomis	Diversi on plus	Paint creek	Wilderness Australia	Spectrum	Hope	Worth the risk	CSC	STP	LCP	Group homes	Youth enhancement	2 <sup>nd</sup> chance	Total
Social skills – general		✓												✓	2
Communication							✓	✓			✓			✓	4
Conflict resolution							✓						✓	✓	3
Assertiveness															0
Interpersonal relationships – general											✓	✓		✓	3
Trust			✓												1
Respect												✓			1
Empathy				✓											1
Family relationships		✓		✓				✓							3
Peer relationships								✓			✓	✓			3
Group cooperation			✓		✓	✓	✓								4
Sense of community															0
Cross cultural awareness													✓		1
Self-control			✓						✓	✓	✓				4
Self-esteem		✓	✓		✓	✓		✓				✓		✓	7
Values		✓									✓			✓	3
Attitude		✓												✓	2
Goal setting							✓				✓				2
Decision-making	✓		✓			✓	✓	✓	✓	✓	✓				8
Problem-solving					✓	✓	✓				✓		✓		5
Cognitive deficiencies/ thinking skills	✓	✓		✓				✓	✓	✓	✓				7
Emotions	✓			✓					✓	✓					4
Accountability/ responsibility						✓	✓	✓			✓				4
Relapse prevention									✓	✓	✓				3
Substance abuse		✓	✓	✓							✓			✓	5
Life-skills general				✓								✓	✓	✓	4
Life direction/ planning		✓	✓					✓						✓	4
Education/scholastic		✓					✓						✓		3
Practical skills/trade				✓							✓		✓	✓	4

**TABLE 4.4 NEEDS TARGETED BY SOUTH AFRICAN PROGRAMMES (see 3.5)**

Needs targeted	Boys town	Leeuwkop	YES, NICRO	Journey	Criminon	Total
Social skills – general	✓	✓				2
Communication	✓		✓		✓	3
Conflict resolution						0
Assertiveness			✓			1
Interpersonal relationships – general						0
Trust			✓	✓	✓	3
Respect	✓				✓	2
Empathy	✓					1
Family relationships				✓		1
Peer relationships	✓		✓	✓	✓	4
Group cooperation	✓			✓		2
Sense of community			✓	✓		2
Cross cultural awareness						0
Self-control	✓					1
Self-esteem			✓	✓		2
Values					✓	1
Attitude						0
Goal setting	✓		✓	✓		3
Decision-making	✓		✓			2
Problem-solving				✓		1
Cognitive deficiencies/ thinking skills						0
Emotions			✓			1
Accountability/ responsibility	✓		✓	✓		3
Relapse prevention			✓			1
Substance abuse	✓	✓		✓	✓	4
Life-skills general		✓	✓	✓	✓	4
Life direction/planning					✓	1
Education/scholastic					✓	1
Practical skills/trade				✓		1

**TABLE 4.5 SUMMARY OF FREQUENCY OF NEEDS TARGETED**

	<b>Needs targeted</b>	<b>Total International programmes</b>	<b>Total South African Programmes</b>	<b>Total</b>
<b>SOCIAL SKILLS</b>	Social skills – general	2	2	4
	Communication	4	3	7
	Conflict resolution	3	0	3
	Assertiveness	0	1	1
<b>INTERPERSONAL RELATIONSHIPS</b>	Interpersonal relationships – general	3	0	3
	Trust	1	3	4
	Respect	1	2	3
	Empathy	1	1	2
	Family relationships	3	1	4
	Peer relationships	3	4	7
	Group cooperation	4	2	6
	Sense of community	0	2	2
<b>PERSONAL ATTRIBUTES</b>	Cross cultural awareness	1	0	1
	Self-control	4	1	5
	Self-esteem	7	2	9
	Values	3	1	4
	Attitude	2	0	2
	Goal setting	2	3	5
	Decision-making	8	2	10
	Problem-solving	5	1	6
	Cognitive deficiencies/thinking skills	7	0	7
	Emotions	4	1	5
<b>LIFE SKILLS AND OTHER ISSUES</b>	Accountability/responsibility	4	3	7
	Relapse prevention	3	1	4
	Substance abuse	5	4	9
	Life-skills - general	4	4	8
	Life direction/planning	4	1	5
	Education/scholastic	3	1	4
	Practical skills/trade	4	1	5

#### **4.2.4 Existing programmes for offenders**

Tables 4.3 to 4.5 provide a summary of the needs targeted by the programmes evaluated in Chapter 3.

The following needs were targeted with the most frequency (scores of six and higher were used):

- Communication
- Peer relationships
- Group cooperation
- Self-esteem
- Decision-making
- Problem-solving
- Cognitive deficiency/thinking skills
- Accountability/responsibility
- Substance abuse
- Life-skills – general

The following needs were targeted with the least frequency (scores of three and less were used):

- Conflict resolution
- Assertiveness
- Interpersonal relationships – general
- Respect
- Empathy
- Sense of community
- Cross-cultural awareness
- Attitude

#### **4.2.5 Results from focus group – Norman House**

A focus group was held with the staff from Norman House to determine their needs with regard to a rehabilitation programme for youth offenders (see 5.6.1). The following topics were indicated for inclusion in a programme:

- Building self-esteem
- Empowerment
- Dealing with feelings, particularly anger
- Accountability
- Relationships (dealing with rejection, peer relationships and pressure)

#### 4.3 SUMMARY OF TOPICS TO BE INCLUDED IN A REHABILITATION PROGRAMME

The following table summarizes the aspects that were identified as important by means of a literature study and the needs indicated by the staff from Norman House. It can be seen from the table below that some aspects recur while others are only mentioned by one source.

**TABLE 4.6 TOPICS TO BE INCLUDED IN A REHABILITATION PROGRAMME**

<b>Theories on youth offence (see 4.2.1)</b>	<b>Risk factors (see 4.2.2)</b>	<b>Existing programmes (see 4.2.4)</b>	<b>Norman House staff (see 4.2.5)</b>
<ul style="list-style-type: none"> <li>• Interpersonal relationships</li> <li>• Decision-making</li> <li>• Goal-setting</li> <li>• Accountability/responsibility</li> <li>• Empowerment</li> <li>• Social skills</li> </ul>	<ul style="list-style-type: none"> <li>• Interpersonal relationships</li> <li>• Parenting practices</li> <li>• Decision-making</li> <li>• Problem-solving</li> <li>• Empowerment</li> <li>• Dealing with feelings</li> </ul>	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Peer relationships</li> <li>• Group cooperation</li> <li>• Self-esteem</li> <li>• Decision-making</li> <li>• Problem-solving</li> <li>• Cognitive deficiencies/and thinking skills</li> <li>• Accountability/responsibility</li> <li>• Substance abuse</li> <li>• Life-skills</li> </ul>	<ul style="list-style-type: none"> <li>• Building self-esteem</li> <li>• Empowerment</li> <li>• Dealing with feelings</li> <li>• Accountability</li> <li>• Relationships</li> </ul>

The following aspects should therefore be included in a rehabilitation programme for youth offenders:

- Interpersonal relationships
- Decision-making
- Goal-setting
- Accountability/responsibility
- Empowerment
- Social skills

- Problem-solving
- Dealing with feelings
- Parenting practices
- Communication
- Peer relationships
- Group cooperation
- Self-esteem
- Cognitive deficiencies and thinking skills
- Substance abuse
- Life-skills

A number of the aspects mentioned above are crucial for intervention with youth offenders, but were not included in the programme as each of these aspects is a significant problem in its own right and therefore needs to be dealt with on its own. These aspects include:

- Parental practices – a programme was compiled by Nieman (1998), specifically for use with the parents of youth offenders
- Substance abuse
- Life-skills such as finding a job, writing a curriculum vitae
- Practical training or training for a trade such as woodwork, carpentry

A sound interpersonal relationship also requires trust, respect, effective communication skills and the ability to solve conflict in a constructive way. It was therefore decided to include trust and conflict resolution in the therapeutic programme although these were not identified by literature as issues to be addressed.

The above aspects can be grouped together into eight topics as follows:

1. Interpersonal relationships (including peer relationships)

Important aspects to be included when discussing the improvement of interpersonal relationships will include:

- Social skills such as communication skills and conflict resolution
- Trust Group cooperation
- Peer relationships: choosing the right friends, group cooperation, peer pressure

2. Decision-making and problem-solving

3. Goal-setting

4. Accountability and responsibility for one's actions
5. Dealing with feelings
6. Self-esteem
7. Empowerment
8. Cognitive deficiencies and thinking skills

#### **4.4 COMPILATION OF A PROVISIONAL PROGRAMME**

A provisional programme was compiled using the information gained from the literature study and the needs identified by the staff at Norman House (see 4.2). Activities were chosen to address each of the issues as identified in the literature study and the focus group (see 4.3). It was initially planned that a topic will be dealt with per session, but as activities were chosen and it became clear that each activity could address various issues. It was therefore decided to split topics up to cover a number of different topics per session.

A number of different activities were selected to address the topics as mentioned above. The researcher is of the opinion that the best activities to include in a programme of an experiential nature are those that address more than one issue at a time. It is also good to have a wide array of topics to choose from as this makes the programme flexible and allows the facilitator to choose the activities that will be the most effective at a certain time. The activities can then be chosen to best suit the needs of the particular group. Having a wide array of topics to choose from also means that the facilitator can select activities on a day to day basis, in a way that addresses issues as they arise in the group. This again, ensures that the programme addresses the needs of the group and the individuals in that group.

An experiential learning approach was followed (see 1.6.19, 2.4.3). This means that activities were used to address a certain issue or illustrate a point and that the youths learn from their own experience. A discussion followed each activity to make the experience relevant to the youth's life. It is important to note that the role of the facilitator is to lead and direct the discussion through questions, but that the learning and application come from the youths. The facilitator may guide the discussion to address the risk factors that were identified by the information questionnaires (see 6.3.3) or crime in general. The facilitator must be open to suggestions from the youth and willing to discuss issues they feel are relevant at the time. It is important that the learning that takes place through the activity is related to the youths' lives in order to make it meaningful.

The activities for the first session were selected to:

- Establish order (rules formation)
- Determine youths' perceptions and expectations regarding the programme (expectations)
- A non-threatening, fun activity that will at the same time provide the facilitator with some information about the youths (information musical chairs)

Note that each of the above activities also address other issues such as communication, respect or dealing with feelings (see Table 4.7).

During the first session it was found that the youths have reservations about sharing their experiences with the facilitator. They also did not seem to be convinced that discussing their problems would help them change their lives, or that the problems they are experiencing have an influence on their behaviour. To deal with these issues, the thorn story (see Appendix 4) was told impromptu and a discussion followed.

Activities such as 'Simon Says', or the group yell or any fun game can be used as an icebreaker at the beginning of a session (see Appendix 4). It can also be used at any time during a session between activities that might involve serious discussion or to re-focus the group's attention.

As flexibility is one of the main features of the programme, the programme is planned day by day. The following table lists the activities done at Norman House (for a description of the activities see Appendix 4). The rationale for choosing each activity, and the issues addressed by each activity is outlined in table below.

**TABLE 4.7 RATIONALE FOR INCLUSION OF ACTIVITIES**

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
1	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Respect</li> <li>• Trust</li> </ul>	Information musical chairs (‘The big wind blows...’)	<ul style="list-style-type: none"> <li>• Enhances listening skills</li> <li>• Teaches youth to show respect for others’ suggestions/replies</li> <li>• Shows trust in the group for sharing information with them</li> </ul>
	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Empowerment</li> <li>• Accountability/ responsibility</li> </ul>	Rules formation	<ul style="list-style-type: none"> <li>• They have to decide on the rules that will provide order</li> <li>• They choose and decide on their own rules</li> <li>• To accept accountability/ responsibility when the rules are broken</li> </ul>
	<ul style="list-style-type: none"> <li>• Feelings</li> <li>• Goal-setting</li> <li>• Communication</li> <li>• Respect</li> </ul>	Expectations	<ul style="list-style-type: none"> <li>• Identifying fears/feelings re the course</li> <li>• They have to indicate what they want to achieve on the course</li> <li>• Express their expectations about the course</li> <li>• Listen when others share their fears/feelings/expectations</li> <li>• Respect others’ opinions and feelings</li> </ul>
	<ul style="list-style-type: none"> <li>• Feelings</li> <li>• Trust</li> <li>• Commitment</li> </ul>	Thorn story	<ul style="list-style-type: none"> <li>• Identifying the hurts and disappointments in their lives, and how their lives were affected by them</li> <li>• Trusting the facilitator to provide guidance, give help, point out negative behaviour</li> <li>• Showing commitment to the course, and to change even when difficult issues are being dealt with</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
2	<ul style="list-style-type: none"> <li>• Communication</li> </ul>	Communication: Introduction and pictures	<ul style="list-style-type: none"> <li>• To provide information on different ways to communicate, verbal and non-verbal communication</li> <li>• Identification of different meanings of body and hand gestures</li> <li>• To become aware and identify how misunderstandings can occur</li> <li>• To apply the knowledge to their own lives</li> </ul>
	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Cooperation</li> <li>• Planning/problem-solving</li> </ul>	Human spider web	<ul style="list-style-type: none"> <li>• The use of communication in solving problems</li> <li>• Listening skills</li> <li>• The importance of cooperation in the solution of a mutual problem</li> <li>• Identifying and applying the various aspects needed to solve a problem</li> </ul>
	<ul style="list-style-type: none"> <li>• Feelings</li> <li>• Communication</li> </ul>	Feelings	<ul style="list-style-type: none"> <li>• Naming and identifying feelings</li> <li>• Discussing how these feelings influence their lives and actions</li> <li>• Communication of feelings using different words and I-statements</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
3	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Trust</li> <li>• Decision-making</li> </ul>	Yes/No game	<ul style="list-style-type: none"> <li>• Showing respect for others' opinions/circumstances</li> <li>• Trust others not to comment on one's answers, or to judge them</li> <li>• To realize how thoughts and opinions influence the decisions they make</li> </ul>
	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Empowerment (choices)</li> <li>• Boundaries</li> <li>• Respect</li> </ul>	One-man instruction	<ul style="list-style-type: none"> <li>• Deciding to do or not do what they are expected or instructed to do</li> <li>• To realize that they have a choice in their behaviour</li> <li>• To define their own boundaries, identify other people's boundaries</li> <li>• To respect other people's boundaries</li> </ul>
	<ul style="list-style-type: none"> <li>• Feelings</li> <li>• Empowerment</li> <li>• Accountability</li> <li>• Decision-making</li> <li>• Commitment</li> </ul>	Three future options	<ul style="list-style-type: none"> <li>• Identify and express their feelings about being labeled, whether the label is correct or incorrect</li> <li>• Realize that other people don't decide for them about their future, they have to decide what their future will be like</li> <li>• What is the current label? Be accountable for the fact that the current is true.</li> <li>• Make a decision to change, act on that decision</li> <li>• Be committed to the decision. What if you are faced with choices to do crime again?</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
4	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Relationships</li> </ul>	Instructions (this activity was added impromptu, as youth did not follow instructions for activities, and did not want to cooperate)	<ul style="list-style-type: none"> <li>• Listening skills</li> <li>• Discuss the necessity of listening to instructions</li> <li>• How can not listening to instructions influence relationships, e.g. not listening when they are asked to do something by their parents</li> </ul>
	<ul style="list-style-type: none"> <li>• Peer relationships</li> <li>• Decision-making</li> </ul>	Friendship	<ul style="list-style-type: none"> <li>• Good vs. bad friends, current friends?</li> <li>• Are they good or bad friends</li> <li>• How to decide on good friends</li> <li>• How to distance themselves from bad friends</li> </ul>
5	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Feelings</li> <li>• Relationships</li> </ul>	Simultaneous conversations	<ul style="list-style-type: none"> <li>• Listening skills</li> <li>• What is necessary for effective communication</li> <li>• Feelings when others don't listen to them</li> <li>• How relationships are affected when people don't listen to each other</li> </ul>
	<ul style="list-style-type: none"> <li>• Communication</li> <li>• Feelings</li> <li>• Relationships</li> </ul>	Sabotage	<ul style="list-style-type: none"> <li>• Listening skills</li> <li>• Discussing the feelings of the three role-players (listener, talker, sabotage)</li> <li>• Discuss where else in their lives sabotaging can occur</li> <li>• How does it affect relationships</li> </ul>
	<ul style="list-style-type: none"> <li>• Relationships</li> <li>• Decision-making</li> </ul>	Mirror	<ul style="list-style-type: none"> <li>• Discuss how we mirror what others do, whether good or bad, and how they do things (modeling)</li> <li>• How to change when they have 'mirrored' the wrong things, behaviour</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
6	<ul style="list-style-type: none"> <li>• Conflict resolution</li> <li>• Relationships</li> </ul>	Conflict management	<ul style="list-style-type: none"> <li>• Define conflict</li> <li>• To better understand conflict and the purpose of conflict</li> <li>• To identify good and bad ways to deal with conflict</li> <li>• How does dealing with conflict (in a good or bad way) influence relationships</li> </ul>
	<ul style="list-style-type: none"> <li>• Accountability/responsibility</li> <li>• Problem-solving</li> <li>• Decision-making</li> </ul>	Crime Stop	<ul style="list-style-type: none"> <li>• What caused them to do crime, accepting responsibility for that crime</li> <li>• Providing possible solutions to the problem of crime in South Africa</li> <li>• How to decide on alternatives to crime.</li> </ul>
	<ul style="list-style-type: none"> <li>• Trust</li> <li>• Relationships</li> <li>• Integrity</li> <li>• Accountability</li> <li>• Commitment</li> </ul>	Trust step	<ul style="list-style-type: none"> <li>• What is trust, how to build trust</li> <li>• What is the role of trust in relationships? The effects on relationships if trust is broken</li> <li>• To give others reason to trust them</li> <li>• To slowly start trusting other people again</li> <li>• Being accountable for the fact that their actions broke the trust and that they are responsible for repairing it</li> <li>• Ways in which to build trust</li> <li>• To be committed to the change, and to be trustworthy ALL the time</li> </ul>

<b>Session</b>	<b>Topic addressed</b>	<b>Activity (see Appendix 4)</b>	<b>How skills enhanced by activity</b>
7	<ul style="list-style-type: none"> <li>• Relationships</li> <li>• Communication</li> <li>• Problem-solving</li> </ul>	Structure building	<ul style="list-style-type: none"> <li>• The role of cooperation and involvement in relationships</li> <li>• The importance of communication in solving a problem</li> <li>• Listening to other suggestions</li> <li>• The importance of sometimes relying on others in order for things to work</li> </ul>
	<ul style="list-style-type: none"> <li>• Problem-solving</li> <li>• Relationships</li> <li>• Trust</li> </ul>	2-2 lean	<ul style="list-style-type: none"> <li>• Thinking of novel ways to solve a problem</li> <li>• The importance of support in one's life</li> <li>• The best solution can sometimes only be achieved with the help of others</li> </ul>
	<ul style="list-style-type: none"> <li>• Self-esteem</li> <li>• Relationships</li> </ul>	Gifts	<ul style="list-style-type: none"> <li>• Increase of self-image when they get three compliments</li> <li>• Giving positive feedback to others</li> <li>• The influence of giving positive feedback and compliments in relationships</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
8	<ul style="list-style-type: none"> <li>• Relationships</li> <li>• Trust</li> <li>• Respect</li> </ul>	Best/worst thing	<ul style="list-style-type: none"> <li>• The importance of sharing with others the good and the bad</li> <li>• To trust the group with information</li> <li>• To show respect for others experiences, not to make negative comments</li> </ul>
	<ul style="list-style-type: none"> <li>• Trust</li> <li>• Relationships</li> <li>• Integrity</li> <li>• Accountability</li> <li>• Commitment</li> </ul>	Trust step Trust Walk Trust lift	<ul style="list-style-type: none"> <li>• What is trust, how to build trust</li> <li>• What is the role of trust in relationships? The effects on relationships if trust broken</li> <li>• To give others reason to trust them</li> <li>• To slowly start trusting other people again</li> <li>• Being accountable for the fact that their actions broke the trust and that they are responsible for repairing it</li> <li>• Ways in which to build trust</li> <li>• To be committed to the change, and to be trustworthy ALL the time</li> </ul>
	<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Respect</li> <li>• Trust</li> <li>• Relationships</li> <li>• Feelings</li> </ul>	Support web	<ul style="list-style-type: none"> <li>• Choose when and what to answer (boundaries)</li> <li>• Respect others' decisions not to answer</li> <li>• Not to laugh, comment, judge their answers</li> <li>• Trust the group to tell the truth, or to respect the decision not to answer</li> <li>• The importance of a support structure, who is in their support structures, how to build up a support structure</li> <li>• Their feelings when their support structure fails, when the people they rely on are not there to support them.</li> </ul>

Session	Topic addressed	Activity (see Appendix 4)	How skills enhanced by activity
9	<ul style="list-style-type: none"> <li>• Goal-setting</li> </ul>	Goal-setting	<ul style="list-style-type: none"> <li>• Information on what a goal is, how to set a goal, the steps to follow to achieve the goal</li> <li>• Obstacles that come in the way of achieving the goal, dealing with obstacles</li> <li>• To set their own goals</li> </ul>
	<ul style="list-style-type: none"> <li>• Decision-making</li> </ul>	Decision-making: story	<ul style="list-style-type: none"> <li>• Story: identify points where decisions can be made, suggest alternatives, consider consequences for each decision</li> <li>• Apply to their decision to commit current crime, what were alternatives, consequences</li> <li>• Discuss what their decisions are at the moment, and the consequences of these</li> </ul>

#### 4.5 EVALUATION AND REVISION OF THE PROVISIONAL PROGRAMME

In this section the difficulties that were experienced during the provisional programme and positive aspects of the programme are discussed. Some general comments regarding the facilitators' observations are also added.

Although the evaluation and revision of the provisional programme is part of the empirical study, it is discussed here for continuity.

**TABLE 4.8 EVALUATION OF ACTIVITIES BY THE RESEARCHER**

<b>Session</b>	<b>Activity</b>	<b>Comments</b>	<b>Improvements</b>
1	• Information musical chairs	More space needed/little enthusiasm from group	Physical game before such as touches
	• Rule formation	Went well, change in behaviour could be seen	
	• Expectations	Good, written sheet works well	Discuss answers in the group, ask questions & discuss
	• Thorn story	They related well to it, frequently referred to it later on	
	• General	All participants seem to be positive overall	Add breaks, more physical activities, change location
2	• Communication intro	Good, they enjoyed it, took part enthusiastically	Get more examples from them
	• Human spider web	Reluctant at first, enjoyed it eventually, had to probe for ideas during debriefing, they struggle to apply the ideas to their own lives	Discuss beforehand what is needed to complete a task
	• Feelings	Took a while to explain what meant by feelings and emotions, after that ok, distinction between physical and emotional difficult	
	• General	Very little trust exists in the group, they will not share personal things in the group for fear of being ridiculed later, this influences the types of activities that can be done at this stage	
3	• Yes/No	Worked well, a lot of information gained, can test their thoughts, beliefs, opinions	Have worked out structured questions ready
	• One- man instruction	Worked well, absurd instruction worked well discussion good	
	• 3 future options	Good reaction, upset by their lives being chosen for them, they want to choose, some reluctant to hand back paper, reluctant to give up old ways? Good future also discussed, their choice and effort	

Session	Activity	Comments	Improvements
4	• Instructions	Good, got the required discussion, discuss members that don't take part	Must structure more, have more activities, importance of sequencing must be illustrated
	• Friendship	Good qualities given, first gave what they don't want friends to be, instead of what a good friend is, comment on previous disappointments. Groupwork not successful, some did not take part, some worked on their own, not enough time	More time, make activity more creative, was too watered down, boring, maybe act out good/bad friends
	• General	Starting to use knowledge and mention previous discussions, starting to trust me, each other	Must work towards awareness of problems, they must identify their needs first, then start to give them skills, otherwise they are not open to them
5	Simultaneous conversation	Good, worked really well	Make topics more personal, not as general
	Sabotage	Good exercise, they really got the point, used it often later on during the course	
	Mirror 2-2	Good, enjoyed it, they did not understand that it must not be a delayed mirror image, but an immediate one as far as possible, made a good connection between activity and how behaviour can be mirrored, also about needing to observe others closely for accurate communication	Be more specific about how accurate mirror must be, must include all facial features, movements, they must try and follow as closely as possible
6	Conflict management	They understood the concept and used it later on, activity too passive, too many options, a lot of people not interested	Make the activity more active, maybe use actions to describe each solution, reduce and group the number of solutions
	Crime stop	Not very successful, external locus, they struggled to find solutions and got stuck in giving only problems, distorted thinking in terms of taking from others what you don't have, what you want	Be more specific in terms of their contribution to reducing crime, discuss causes of crime first, refer back to rules and the reason for them, needed more time. First need to look at accountability and responsibility. Do later in the course.
	Trust step	Good activity, they got really involved, enjoyed it	

<b>Session</b>	<b>Activity</b>	<b>Comments</b>	<b>Improvements</b>
7	Structure building	Good activity for group participation, good for decision making, can see clearly who leaders are, communication, achievement	Use earlier in course, helps to form group cohesiveness
	2-2 lean	Good, they could really apply this	
	Gifts	Good activity in the end, they found it difficult to understand the concept, some did not and gave concrete things like breakfast, some gifts were good, but they needed a lot of guidance	Activity too abstract, another activity for building self-esteem needed, maybe writing positive aspects of character
8	Best/worst thing	Good, they could share with each other, no comments from others, respect shown	
	Support web	They did not have realistic solutions for when existing support structure fails	Deal with feelings when structure fails
	Trust walk	Some members broke the trust between partners, when discussed they mentioned peer pressure and interference from others in their lives	Discuss requirements for trust first
	Trust lift	Very good, this was a turning point for many, had an incident where trust was broken, the culprit apologized to group and they accepted him back, the incident was not mentioned again, a lot of growth, conflict solutions used	Incidents, ask their ideas on how to handle the situation – TRUST in them
9	Goal setting	OK they struggled, too abstract, they have nothing to work for, goals often unrealistic	Do earlier in programme
	Decision making	Very effective, they had good solutions, a lot of growth, they could disagree without becoming violent, accountability still a bit shaky, immediate consequences as opposed to future consequences still prominent, immediate needs gratification, alternative actions to solve problems needed	Work needed on problem solving, taking responsibility, immediate consequences
	Certificates	They were really impressed, could see pride, also when discussing with social workers what they learnt, they were sincere	

#### **4.5.1 Difficulties experienced during the course of the programme**

- The youths often did not arrive on time. It took a long time for them to arrive after they were called. Even when they were called early they did not arrive on time. The sessions therefore usually ran late.
- Some of the youths had to appear in court and as a result missed out on that day's session.
- One of the youths did not return to Norman House after her court appearance (the reason was not provided) and therefore did not complete the programme.
- A number of the youths (about half) were selected to attend the Rand Easter Show and the social workers with whom arrangements were made for the programme were not informed. The youths arrived for the session but had to leave after an hour and the session was ended.

#### **4.5.2 Positive points of the programme**

- It was found that youths retained the knowledge and that in subsequent sessions they started using insight gained in previous sessions.
- Youth enjoyed the activities and their practical nature. They took part in activities and were enthusiastic about the programme.
- Youth took part in the discussions after the activities without reservation and gave their opinions and spoke about their thoughts and feelings freely. The success of the programme lies in the youth feeling comfortable enough to discuss issues that trouble them and to resolve these issues.
- At the end of the programme the superintendent of Norman House and the social workers attended the certificate ceremony and asked each youth to talk about what they had learnt on the programme and how the programme had influenced their lives. All the youths felt that the programme had taught them certain skills and although learning was different for each individual, they all felt that the programme had changed them and their lives.

#### **4.5.3 General Comments on Programme:**

- All of the problems experienced during the programme were of a practical nature. These problems are unique to the application of the programme at Norman House and could not

be planned for. However, these problems did not affect the actual running of the programme, or according to the researcher, its effectiveness.

- The youths who were selected for the programme at Norman House were all awaiting trial prisoners (see 1.6.6). A number of these youths' cases were converted from Criminal Court cases to Children's Court cases (see 1.6.8, 2.6.4). This conversion is done when the court identifies social and family problems surrounding the youth's case. This is a rehabilitative measure and the aim is to try and reconstruct the youth's family where possible. It is also sometimes used when the youth is a street child and in need of care. Alternative placement is then found as soon as the criminal case is completed. The youths reside in Norman House because of unstable family circumstances, or the absence of parents or guardians in the case of street children, until their cases are finalized. Information on which cases were conversions is not available at this time.
- The following topics needed more attention: goal setting, dealing with feelings, accountability, decision-making.
- The programme was originally planned to deal with a topic per session. During the course of the programme it was decided against this, as topics are interrelated. Some topics like trust also need a build-up that cannot be established in one session. Each session therefore covered a variety of topics.
- It was found that the first half of the programme (about four sessions) was spent on awareness. Youths had to be made aware of their shortcomings, and had to express a need for skills and guidance before they were willing to apply any of the skills taught to them.
- It was found that some activities are not effective for this group. It is felt that it would be more beneficial not to structure the programme rigidly in terms of which activities must be done in which session, but rather to plan the programme day by day. The facilitator can then decide which activities to use, and when to use them in order to make the programme as effective as possible for that particular group.
- A change in attitude was observed in 9 of the 10 youths who completed the programme. The remaining youth still resorted to aggression to solve problems and had little insight in situations. His English is very poor and this could have affected his learning.

#### **4.5.4 Changes made to the provisional programme**

- It was decided after the programme to change the order of the activities to include more trust activities and activities that build group cohesion earlier in the programme.

- Extra activities were added to address goal-setting, dealing with feelings, accountability and decision-making.
- The first half of the programme should focus on awareness of problems with the latter half of the programme focussing on providing youth with skills and dealing with the problems identified during the first half of the programme.
- Topics will be divided up so that more than one topic is addressed per session. Future sessions will build on information acquired and application of skills.

The following table provides activities that can be added to the provisional programme to address certain issues as indicated.

**TABLE 4.9 ACTIVITIES TO BE ADDED**

<b>Topic addressed</b>	<b>Activity (see Appendix 4)</b>	<b>How skills can be enhanced</b>
<ul style="list-style-type: none"> <li>• Goal-setting</li> <li>• Feelings</li> </ul>	Move to a point	<ul style="list-style-type: none"> <li>• Plan where they are going</li> <li>• Their feelings when they fail to attain their goal</li> <li>• Obstacles in getting to the goal</li> <li>• Redefining the goal, or planning to overcome obstacles</li> <li>• Apply to their lives</li> </ul>
<ul style="list-style-type: none"> <li>• Decision-making</li> </ul>	Decision-making: theory	<ul style="list-style-type: none"> <li>• Information on how to make a decision, looking for alternatives, considering consequences</li> </ul>
<ul style="list-style-type: none"> <li>• Decision-making</li> <li>• Accountability</li> <li>• Communication</li> <li>• Conflict resolution</li> <li>• Respect</li> </ul>	Territories	<ul style="list-style-type: none"> <li>• Deciding on the name etc for a country (as a group)</li> <li>• Listen to others' suggestions</li> <li>• Solving conflict regarding boundaries and borders for the countries</li> <li>• Rules for each country, why are they necessary</li> <li>• being accountable for breaking rules (by doing crime), the responsibility to keep rules</li> <li>• respect for other peoples cultures, boundaries (particularly in South Africa)</li> </ul>

## **4.6 CONCLUSION**

Chapter 4 summarized the aspects that were found through the literature study to be important for inclusion in a therapeutic programme for the rehabilitation of youth offenders. Using this information and the needs identified by the staff at Norman House, the topics for the content of the programme were identified and a provisional programme was compiled. This programme was conducted at Norman House. The provisional programme was evaluated in terms of positive and negative points and the changes to the programme were suggested.

Chapter 5 will outline the research method. The methods used to conduct the empirical investigation will also be discussed.

## **CHAPTER 5**

### **RESEARCH DESIGN**

#### **5.1 INTRODUCTION**

In this chapter the research design used in this study will be described. The chapter starts off by outlining the research problem and the aim of the research. The research question and possible outcomes will be discussed. The chapter will describe the method used in conducting the investigation, including the selection of the sample, instruments used, interpretation of results and compilation of a rehabilitation programme.

Various theories are used to describe and explain the occurrence of youth offence (see 2.2). There are also a number of risk factors that may lead to youth becoming involved in crime (see 2.3). It is proposed that youth offenders may lack effective interpersonal and social skills such as communication and conflict resolution and as a result may experience alienation from their families and society. Offenders may also lack the ability to make positive decisions or solve the problems that they encounter in their life worlds. The result may be that they resort to crime to solve their problems. It is also suggested that they do not consider the consequences of their actions or plan for the future. It is further proposed that youth offenders will have unresolved feelings with regard to their offence and that they will have negative images of themselves as a result.

It is suggested that the therapeutic rehabilitation programme will provide the youth with the necessary skills to make better decisions in order to avoid criminal behaviour, improve their lives and have better relationships.

This research design is based in action research and will be done according to an emerging design. This implies that the research question is evaluated and tested against the information gathered. Adjustments can then be made to the expectations if necessary. This also implies that the design of the study could be changed as more information is acquired (Poggenpoel 1998:343).

The uniqueness of the study is evident in that the rehabilitation programme compiled will be run at three different institutions each with their own routines. As a result the programme's time and duration needs to be adjusted to fit in with the programmes of each facility. The study also depends on a certain amount of cooperation from staff members at these institutions in terms of the completion of needs assessment questionnaires and background information on the youth who participate in the study.

## **5.2 RESEARCH PROBLEM**

*Conclusion*

A number of programmes exist for youth offenders in South Africa (see 1.2.2; 3.5). According to staff at the facilities that run these programmes these programmes are not effective in the rehabilitation of youth offenders. Reasons offered are that some programmes do not focus on rehabilitation but on providing information, others are not designed specifically for youth offenders, and others are based on overseas models that do not address uniquely South African problems (see 1.2.2). It appears that there exists a need for research into rehabilitation for youth offenders, determining the aspects to be included in a rehabilitation programme and subsequently the development of a therapeutic rehabilitation programme for youth offenders (see 1.2.3).

## **5.3 AIM OF THE RESEARCH**

The aim of the study is to determine the needs of youths and staff at three facilities in terms of a rehabilitation programme for youth offenders. The literature study aimed at determining which theories describe youth offence, which risk factors may lead to offence and which topics should be included in a programme (see 2.2-2.4). The literature study also evaluated programmes and approaches to youth offence used throughout the world (see 3.3-3.5).

The specific aim of the investigation is to develop and test a provisional rehabilitation programme for youth offenders in South Africa. This programme was compiled using the information gained from the literature study and the focus group with Norman House staff (see 4.3-4.5). The provisional programme was evaluated in terms of its short-term

effectiveness and adjustments were made (see 4.5). The adjusted programme will be presented at Dyambu and Bavianspoort. The provisional programme as well as the adjusted programme aim to reduce recidivism and therefore the number of youths that are involved in crime.

#### 5.4 SELECTION OF SAMPLE

Sentenced offenders as well as youth who are still awaiting trial (see 1.6.6) will be used for the study. This will ensure that the rehabilitation programme can be used as a sentencing option (see 1.6.5) or as a rehabilitative measure in a prison facility. The diversity of the sample will enable facilitators to use the programme in various settings and with different populations.

The practical aspect of the study will be done at two facilities. They are:

- Dyambu Youth Centre – facility for housing awaiting-trial offenders
- Bavianspoort Prison – Emthonjeni Youth Prison

A convenient method will be used for the selection of the sample for the application of the programmes at Dyambu and Bavianspoort. The same method was used for selecting the sample for the provisional programme at Norman House. This means that any subjects are selected in a manner that is convenient (Neuman 2000:196). In this study the selection of the sample will be done by the authorities at each facility. The subjects at each facility will therefore be selected differently.

Guidelines for the selection of subjects are:

- youths must be between the ages of 12-18 years;
- groups of between 15 and 20;
- the ability to understand and speak English;
- subjects must be available for the *full course* of the programme.

The selection of youths took place as follows:

#### **5.4.1 Norman House**

Norman House, as a place of safety (see 1.6.10), houses various youth who have family problems, or whose parents are incapable of looking after them. Youth who are awaiting trial and cannot be placed in a care facility for offenders because of welfare reasons are placed in a place of safety such as Norman House. At any given time there are not many offenders residing at a place of safety. The sample therefore included all awaiting-trial offenders residing at Norman House at the time of the study. A total of eleven youths were included in the study.

#### **5.4.2 Dyambu Youth Center**

All new arrivals at the Dyambu center are required to attend a two-week life-skills programme before they join other workshops. At the time of the study approximately sixty new arrivals joined the centre. Nineteen youths were selected by Dyambu management to join the research programme. Youths were asked whether they could speak English and all the youth selected said that they could. It was later found that some of the youths could not speak English. All youths in the facility are awaiting trial, and most new youths had remand dates (the next date that they must appear in court again after the case was postponed) in the two weeks following their arrival at Dyambu. It could therefore not be ensured that youths would be able to attend the whole programme.

#### **5.4.3 Baviaanspoort Prison – Emthonjeni Youth Facility**

At the time of the study (2001) approximately 500 youths were accommodated in the prison. According to prison authorities youths under the age of fourteen are not sentenced to prison and therefore the youngest youth that could be included in the sample would be fourteen years old.

The acting head of the school facility at the prison selected 40 youths between the ages of fourteen and eighteen. Of the 40 selected subjects eight youths did not arrive on the first day of the programme. The remaining 32 subjects were divided into two equal groups by the researcher.

## 5.5 RESEARCH METHOD

The information gained from the literature study was used to determine the contents of a successful therapeutic programme for the rehabilitation of youth offenders (see 4.3). This information was used to compile a provisional programme (see 4.4). A focus group was held with the staff of Norman House to determine their needs for a rehabilitation programme (see 4.2.5). These results were also used in the compilation of the provisional programme (see 4.4).

The provisional rehabilitation programme was applied at Norman House and evaluated in terms of its short-term effectiveness. The evaluation of the provisional programme is presented in Chapter 4 for continuity (see 4.5). Adjustments to this programme were made (see 4.5.4) and the altered programme will be applied at Dyambu and Baviaanspoort. The programmes run at these facilities will also be evaluated in terms of short-term effectiveness and suggestions for further improvements to the programme will be made.

The empirical investigation will determine the needs of staff members at Dyambu and Baviaanspoort with respect to the therapeutic rehabilitation programme. This will be done by means of questionnaires. This information will be used to make further suggestions for adjustment of the programme.

Qualitative research usually describes and analyzes people's individual and social actions, beliefs, thoughts, and perceptions. Qualitative research is therefore concerned with understanding a certain phenomenon according to the participant's perspective. Qualitative research generally investigates small, distinct groups in depth and it makes context-bound generalizations. Data for qualitative research is collected through interaction with the selected persons, interviewing, focus groups and by obtaining any relevant documents (Schumacher & McMillan 1993:15, 372-376; Huysamen 1994:165).

This is a qualitative study that aims to describe and understand the situations, life-world and feelings of youth offenders in three settings. This study will make use of a combination of

methods. The study is a case study in the sense that it studies one phenomenon namely the rehabilitation of youth offenders and the availability of rehabilitation programmes for youth offenders. This represents a small, distinct group.

Action research is performed with the aim of finding a solution for a particular practical problem situation in a specific, applied setting. This is similar to case studies in the sense that the case in question refers to a particular problem situation. Unlike the typical case study action research not only describes the case involved but also searches for a solution for the situation. Action research does not aim at the testing or development of a theory, but at the solution of a problem. There is no theory from which one or more hypotheses could be inferred and which need to be subjected to empirical research and testing. The design used in action research may continually be changed and adapted in reaction to information gained and results obtained in the course of the study. The design is continually subjected to testing and the progress made is evaluated so that further changes to the course of action can be made if necessary. Another important feature of action research is that it places significant importance on the involvement of participants in each of the above phases. Action research in its purest form is undertaken from within an organization. External validity does not enjoy a high priority in action research, as the situation for which the programme of action is developed is specific and will not necessarily be applicable in another similar situation (Huysamen 1994:176-177).

The study represents action research because it aims to find a solution to the problem of insufficient rehabilitation programmes for youth offenders. Action research in this case will describe the situation of the youths included in the programme. It will then aim to provide an effective therapeutic rehabilitation programme for the offenders. The staff at each facility will be involved in the development of the programme in so far they must provide information regarding their needs and expectations of a rehabilitation programme. The programme will be flexible and may change depending on the needs of the youth in that particular group and as new information is acquired. The design of the study may also change depending on the results obtained throughout the study.

## **5.6 RESEARCH INSTRUMENTS**

This study made use of focus groups, interviews and questionnaires to gather data. These research instruments will be reviewed in the following section.

### **5.6.1 Focus groups**

Focus groups are generally used to determine the opinions of small groups of people with regards to a particular problem, experience, or service. These groups serve to provide a better understanding of a problem, product or programme. A purposefully sampled group of people is interviewed rather than each person individually. An environment is created in which people are stimulated by the perceptions and ideas of others in the group. This is done in order to increase the quality and richness of the data obtained. Focus groups also tend to generate large numbers of solutions to given problems. The group is asked a series of progressively harder open-ended questions and these can be discussed in the group (Houghton *et al.* 1996:188; Schumacher & McMillan 1993:432).

This study made use of a focus group to determine Norman House's staff's opinions regarding topics to be included in a rehabilitation programme for youth offenders. The other two facilities' staff will complete questionnaires to determine their needs regarding topics for a rehabilitation programme (see 5.6.3).

Focus groups will be used to do the follow-up sessions with offenders from the three facilities that take part in the research. The aim of these focus groups is to determine the usefulness of the programme according to a self-report by the youth offenders. Focus groups will be used as a qualitative method of obtaining data about the feelings and opinions of the youths involved in the study after completion of the programme.

#### **5.6.1.1 *Compilation of Focus Groups***

1. Staff needs – Norman House: this focus group consisted of the superintendent, social workers and youth workers at Norman House. The superintendent informed staff who

work with the awaiting trial prisoners of the focus group and those staff members that were not on duty at the time attended the group.

2. Follow-up sessions with youth: these focus groups will consist of the youths who attend the programmes at the three institutions. Follow-up sessions with youth will be scheduled six weeks after the completion of the programme.

#### **5.6.1.2 Application of Focus Groups**

1. Staff needs – Norman House: this focus group was conducted before the start of the programme. Information from this group was included in the compilation of the provisional rehabilitation programme for offenders (see 4.2.5).
2. Follow-up: These focus groups will be conducted with youths six weeks after completion of each programme. Youths will be asked what they can recall from the programme, how they have applied skills acquired during the programme and whether or not they are experiencing any problems. The groups will also encourage discussion about youths' feelings and opinions about the programme.

#### **5.6.2 Interviews**

There are different types of interviews and the purpose of the interview will determine which interview procedure to use. Interviews are done by method of open or closed ended questions and answers. The answers obtained from respondents will be the data that need to be analyzed. (Fowler & Mangione 1990:12, 19, 80; Schumacher & McMillan 1993:42; Huysamen 1994:144).

Interviews can be structured in which case the interviewer asks questions from a previously constructed set of questions. The interviewer is restricted to the questions, their wording and their order. Interviews may be semi-structured to allow for unique response from the respondent. A list of topics and related aspects are provided. The interviewer asks each respondent the same questions, but adapts the questions and terminology to fit the background and educational level of respondents. Interviews can also be unstructured in which case the interviewer suggests a theme of discussion and poses further questions as these apply to the development of the interview. This type of interview is often used in therapeutic settings.

Recording of the results can be done by means of tape-recording or written notes. The best way to take notes is to write down abbreviated notes that can be expanded after the interview (Schumacher & McMillan 1993:252-254; Huysamen 1994:174).

Open-ended questions rather than questions with closed or fixed answers can be used in order to get the most information from the respondent. One drawback of open-ended questions is that there is a greater potential for error because of the possible ambiguity of what kind of answer will suffice. The recording of open-ended answers is also more difficult than the recording of fixed answers (Fowler & Mangione 1990:12, 19, 80; Schumacher & McMillan 1993:42; Huysamen 1994:144-145). A combination of open-ended and closed-ended questions can be asked depending on the objective of the question. Open-ended questions are better when respondents are required to describe subjective feelings or opinions. Questions with closed responses are better when trying to obtain demographic information (Schumacher & McMillan 1993:244).

Less standardized interviewing techniques are required when a certain set of individuals need to be described as thoroughly as possible. One approach is to explain to respondents what is required and then asking them to provide the necessary information. Specific areas to be covered are specified, but follow-up questions can be used to obtain further explanations or clarifications of the respondent's answers. The interview is not seen as measurement but rather as a way to gather information (Fowler & Mangione 1990:12, 19, 80).

In this study the purpose of interviews were to gain information on the availability and effectiveness of programmes for youth offenders at various institutions. All interviews were conducted before the start of the programmes. This study used a semi-structured interviewing technique because the objective of the interview was to obtain information regarding available programmes for youth offenders at different facilities. For the same reason, open-ended questions rather than questions with closed responses, were used. A list of topics will be provided, but the interviewer is not restricted to specific questions.

### **5.6.2.1 *Compilation of Interviews***

For the initial investigation of the research question interviews were conducted with the following parties (see 1.1.2):

- Peter Sadie, the head of Dyambu youth centre;
- Mr. Masokameng, the head of Emthonjeni youth facility, Baviaanspoort;
- Me. Van der Ryst, head social worker at Leeuwkop youth prison;
- Me. Mpuang, national coordinator for diversion programmes offered by NICRO;
- Me. Taft, coordinator of the pilot programme for the Department of Welfare;
- Me. De Bruyn, head of Boys' Town, Gauteng.

### **5.6.2.2 *Application of Interviews***

Semi-structured interviews and open-ended questions were used in order to gain as much information as possible.

The interviews with the people mentioned above covered the following areas:

- whether or not a programme for youth offenders is used in that facility;
- if a programme is used, what are the aspects/topics covered;
- the effectiveness of the programme according to the person interviewed;
- problems with the programme, or application of the programme (see 1.2.2).

### **5.6.3 Questionnaires**

Questionnaires are a common technique for gathering data where the subject responds to written questions to obtain reactions, beliefs and attitudes about a certain topic. The researcher constructs a set of appropriate questions and asks the subject to complete the questionnaire. Questionnaires are relatively economical, they have standardized questions, can ensure anonymity and questions can be written for specific purposes. The objectives of the questionnaire will be based on the research problems and it must be indicated how the responses from each item will meet the objective (Schumacher & McMillan 1993:238-240).

Items included in a questionnaire can either be in closed form, where the subject chooses between predetermined responses, or in open form, in which subjects write any response they want. The type of question to use depends on the objective of the question. Closed-form items are structured and are best for obtaining information and data that can be categorized easily such as demographic information. One disadvantage of using structured items is that the researcher can lose accuracy and variability because of the spread of responses. One type of closed-ended question makes use of scaled items. A scale is a series of levels or values that describes various degrees of something. Scales are often used in questionnaires, as they are fairly accurate assessments of beliefs and opinions. The Likert-scale is a frequently used scale in which the respondent is required to choose between different value options regarding a particular statement. Likert-type scales are flexible as the descriptors on the scale can vary with the nature of the question or statement. The Likert-scale can include three to seven categories. When five or seven options are given, a middle or neutral category is included. The neutral category is included to make sure that the respondent is not forced into an incorrect response. If a neutral response is not included it is also possible that the respondent will not answer the question at all. Not including the neutral option also has merit as it often happens that respondents have a tendency to cluster their answers in the middle category (Schumacher & McMillan 1993:244-246). Open-ended items can be used if the purpose is to generate specific, idiosyncratic differences. The use of open-ended questions in a questionnaire is similar to their use in interviews (see 5.7.2).

A needs assessment questionnaire will be used to determine staff members' needs regarding a therapeutic rehabilitation programme. Staff at Dyambu and Baviaanspoort will be asked to indicate their needs by means of evaluation topics according to a Likert-scale (see Appendix 1).

This study makes use of closed-ended questions to obtaining information regarding demographic details. Staff members will be provided with a number of options to choose from in response to questions asked (see Appendix 2).

Three questionnaires will be used in the study. The purpose of these questionnaires is to:

1. determine the needs of staff at the two facilities used in the study in terms of a programme for youth offenders (see Appendix 1);

- gather background information on the youths in the programme from staff (see Appendix 2);
- evaluate the short-term effectiveness of the programme and make further suggestions (see Appendix 3).

#### ***5.6.3.1 Compilation of Questionnaires***

The needs assessment questionnaires will be compiled as follows:

Using the results obtained from the literature study in terms of successful programmes and topics repeated in programmes (see 3.2, 4.3), as well as needs indicated by staff members at the interviews (see 1.2.2), certain topics will be included in the needs questionnaire.

The questionnaire will make use of questions with a closed response and will be presented in the form of a four-point Likert-type scale. The following topics will be included for rating in the questionnaire (see Appendix 1):

- Conflict resolution
- Decision-making
- Identifying feelings
- Dealing with feelings
- Anger management
- Thinking skills
- Goal setting
- Planning for the future
- Time management
- Building self-esteem
- Assertiveness training
- Forming meaningful relationships
- Communication

The questionnaire for the gathering of background information will be based on various risk factors that could lead to offending behaviour as discussed in Chapter 2 (see 2.3) and other

aspects that could be related to youth offence (see 4.3). Questions to determine the following information will be included (see Appendix 2):

- Age: Questions 1.1-1.3 (see 2.6.2)
- Sex: Question 1.4 (see 2.3.5)
- Language/culture: Question 1.5 (see 2.3.6)
- Family structure: Questions 1.6-1.10, 1.16 (see 2.2.1, 2.3.1)
- History of abuse: Question 1.11 (see 2.3.5, 2.3.9)
- Residence: Questions 1.8-1.10 (see 2.3.9)
- Prior and current convictions: Questions 1.12 & 1.13 (see 2.2.3)
- Involvement in other programmes/sentencing options: Question 1.14 (see 2.2.3)
- Education: Questions 1.15 & 1.16 (see 2.2.3)
- Drug/alcohol addiction: Question 1.17 (see 2.3.8)
- Sentencing information: Question 1.18 (see 4.2.3)

The questionnaire for the evaluation of the short-term effectiveness of the therapeutic rehabilitation programme will be compiled by using the different topics included in the compiled therapeutic programme. Staff members will be asked to rate the child's behaviour on each of the topics according to a five point Likert-scale (see Appendix 3). Space will be provided for suggestions.

### ***5.6.3.2 Application of Questionnaires***

The questionnaires will be applied as follows:

1. The needs assessment questionnaires will be given to staff members before the onset of the programmes in order to gain their input and use this when compiling the programmes. The information obtained from these questionnaires will be used when revising the provisional programme.
2. The background questionnaires will be given to staff to complete before the start of each programme.
3. The questionnaire for short-term evaluation of the therapeutic rehabilitation programme will be given to staff members on the last day of the programme. Staff members will be asked to observe youth who took part in the programme for two weeks and to comment on

possible behaviour and attitude changes by means of a five-point Likert scale. Each topic covered during the programme will be indicated on the questionnaire. A questionnaire will be provided for each youth who took part in the programme. Each questionnaire will have to be completed by a number of staff members who work with a particular youth.

## **5.7 PROCEDURE**

This section describes the research procedure. The research comprised the following phases:

### **5.7.1 Compilation of the provisional programme**

The provisional programme was compiled using information gained from the literature study and focus groups with staff at Norman House regarding their needs for a rehabilitation programme (see 4.3).

### **5.7.2 Application and evaluation of the provisional programme**

The provisional therapeutic programme was conducted at Norman House, as this was the facility scheduled for the application of the provisional programme.

The researcher made notes during the course of the programme to indicate successful and less successful aspects of the programme. The evaluation of the programme (see 4.5) was used to adjust the programme before application at the two remaining Dyambu and Baviaanspoort.

### **5.7.3 Needs assessment**

The suggestions of staff members with regard to topics to be included in a programme are vital, as they work with youth on a daily basis and know best what the shortcomings and problems of the youth are.

Staff at Dyambu and Baviaanspoort will be given questionnaires (see 5.6.3) to indicate their needs and suggestions of topics to be included in the programme (see Appendix 1). The information will be included when the provisional programme is revised.

#### **5.7.4 Information regarding subjects**

In order to determine the profile of offenders who will take part in the programme and possible causes of offence, information such as age, crimes committed (current crime and previous crimes), family structure, culture and previous record of arrests are required. Information will also be used to determine the risk factors that need to be addressed. Staff members at each facility will be asked to complete questionnaires providing the necessary background information (see 5.6.3).

During the course of the study it became known that youths often provide false information to officials at their arrest. It was then decided to present youth with the same background questionnaires in order to determine the accuracy of information gained from the staff. Background questionnaires will be given to youth at the end of the programme, as it is felt by that time a relationship of trust would have been established, and more accurate information will be provided.

#### **5.7.5 Compilation and application of final programme**

The final programme will be compiled by making changes to the provisional programme taking into account the evaluation of the programme by the researcher and the notes made by the researcher. Information gained from the needs assessment will also be included in the revised programme. The final programme will be done at Dyambu Youth Center (one group) and at Baviaanspoort Youth Facility (two groups).

#### **5.7.6 Evaluation of programme by staff**

Staff will be given questionnaires to evaluate the programme's short-term effectiveness in terms of the changes observed for each youth who attended the programme (see 5.6.3; Appendix 3).

### **5.7.7 Follow-up**

Follow-up sessions by means of focus groups will be done with youths who attended the programme six weeks after completion of each programme (see 5.6.1). The follow-up sessions will focus on the youths' application of skills learnt during the programme and any problems that they might be experiencing.

### **5.7.8 Suggestions for further programmes**

Further suggestions for changes to the programme will be made using evaluation questionnaires completed by staff members (see 5.6.3; 5.7.6.), results from the follow-up sessions with youth (see 5.7.7) and the researcher's notes.

## **5.8 PROCESSING OF DATA**

In this section the processing of data obtained from focus groups, interviews and questionnaires will be discussed.

### **5.8.1 Focus Groups**

1. Staff – Norman House: notes were made during the discussion with staff members. Information gained from the focus group was used in the compilation of the provisional programme (see 4.2.5).
2. Youth – follow-up: notes of the discussion regarding topics remembered from the programme will be made on a presentation board. Youth will be asked to identify problems they are experiencing and reference will be made to the aspects noted on the board in order for them to come up with their own solutions to these problems. Information gained from these focus groups will be added as suggestions to alteration of the programme for future use.

### **5.8.2 Interviews**

Results from interviews were recorded by writing down notes as the interviews progressed. Information gained from the interviews were used to determine the availability of rehabilitation programmes for youth offenders and the need for the development of a therapeutic rehabilitation programme for youth offenders in South Africa (see 1.2.2).

### **5.8.3 Questionnaires**

1. Needs assessment: information obtained from needs assessment questionnaires will be summarized and the topics indicated to be the most crucial for inclusion will be included in the programmes.
2. Background: background information obtained from staff and youths will be compared to determine whether or not a discrepancy exists between official information. In other words, it would be possible to determine whether information provided by youths at the time of their arrest was accurate or not. Questionnaires completed by staff will also be used to determine the risk factors that need to be addressed in the programme.
3. Short-term evaluation: the results from this questionnaire will be summarized and less effective or more effective aspects of the programmes will be identified. Recommendations regarding future programmes will then be made.

## **5.9 ETHICAL ISSUES**

Researchers need to be aware of the differences between different cultural groups, particularly in South Africa where there is such a wide array of different cultures. Researchers should refrain from making value judgements and should not impress their own personal values on their subjects. The cultural customs of communities should be respected (Strydom 1998:30). These aspects are particularly important in a study of this nature where the researcher works with a group of youths and comes into contact with various cultural and religious beliefs at the same time.

Another aspect that needs to be considered in social research is that of informed consent. Subjects must take part in the study voluntarily and they also need to know what they are being asked to participate in so that they can decide whether or not they want to be part of the study (Neuman 2000:96-97). At the beginning of each programme the participants were informed about what the purpose of the programme is and how long the programme would last. Their anonymity and confidentiality was guaranteed regarding all information provided and issues discussed during the course of the programme.

## **5.10 CONCLUSION**

This chapter discussed the research design for this study. The research problem, aim of the investigation, research postulate and selection of the sample were discussed. The instruments used in the research and the procedure followed were outlined.

Chapter 6 contains a detailed analysis of the results of the investigation.

## **CHAPTER 6**

### **RESULTS OF THE INVESTIGATION**

#### **6.1 INTRODUCTION**

This chapter will present and discuss the results obtained from the needs assessment and evaluation questionnaires and focus groups with youth after completion of the programme. Based on the results from the focus groups with youth and the evaluation questionnaires completed by staff, further suggestions for the improvement of the final programme will be made.

The compilation of the provisional programme, the rationale for the inclusion of the activities and how these activities address the topics of the programme were discussed in Chapter 4 (see 4.4-4.5). Adjustments to the provisional programme as presented at Norman House were made and the adjusted programme was presented at Dyambu and Baviaanspoort.

#### **6.2 RESULTS – STAFF NEEDS ASSESSMENT**

This section will present the results obtained from staff from the Dyambu and Baviaanspoort regarding their needs for topics to be included in the rehabilitation programme. The needs of the staff at Dyambu and Baviaanspoort were determined by means of questionnaires (see 5.6.3, Appendix 1).

The needs of the staff at Norman House were determined by means of a focus group (see 5.6.1). These results were used in the compilation of the provisional programme and are therefore discussed in Chapter 4 (see 4.2.5; 4.3)

##### **6.2.1 Dyambu and Baviaanspoort**

Needs assessment questionnaires (see 5.6.3, Appendix 1) indicating recommendations for topics to be included in the rehabilitation programmes were completed by staff members from Baviaanspoort and Dyambu Youth Centre.

Staff rated certain possible topics for inclusion in a youth programme according to the following scale:

**1 – not necessary at all**

**2 – can be beneficial**

**3 – important**

**4 – crucial/ extremely important**

**TABLE 6.1 NEEDS ASSESSMENT: DYAMBU AND BAVIAANSPOORT**

Rating	1 – not necessary			2 – can be beneficial			3 - important			4 - crucial		
	Dyambu	Baviaans poort	Total	Dyambu	Baviaans poort	Total	Dyambu	Baviaans poort	Total	Dyambu	Baviaans poort	Total
Conflict resolution	0	0	<b>0</b>	0	1	<b>1</b>	3	4	<b>7</b>	4	9	<b>13</b>
Decision-making	0	0	<b>0</b>	1	2	<b>3</b>	4	6	<b>10</b>	2	6	<b>8</b>
Identifying feelings	0	1	<b>1</b>	1	1	<b>2</b>	4	8	<b>12</b>	2	4	<b>6</b>
Dealing with feelings	0	0	<b>0</b>	0	0	<b>0</b>	4	6	<b>10</b>	3	8	<b>11</b>
Anger management	0	0	<b>0</b>	1	2	<b>3</b>	3	2	<b>5</b>	3	10	<b>13</b>
Thinking skills	0	0	<b>0</b>	1	2	<b>3</b>	4	5	<b>9</b>	2	7	<b>9</b>
Goal setting	0	0	<b>0</b>	3	0	<b>3</b>	1	5	<b>6</b>	3	9	<b>12</b>
Planning for the future	0	0	<b>0</b>	0	0	<b>0</b>	3	4	<b>7</b>	4	10	<b>14</b>
Time management	0	0	<b>0</b>	1	3	<b>4</b>	4	5	<b>9</b>	2	6	<b>8</b>
Building self-esteem	0	0	<b>0</b>	4	1	<b>5</b>	3	5	<b>8</b>	0	8	<b>8</b>
Assertiveness training	0	1	<b>1</b>	2	1	<b>3</b>	3	4	<b>7</b>	2	8	<b>10</b>
Forming meaningful relationships	0	0	<b>0</b>	2	0	<b>2</b>	2	6	<b>8</b>	3	8	<b>11</b>
Communication	0	0	<b>0</b>	3	0	<b>3</b>	0	5	<b>5</b>	4	9	<b>13</b>

Number of questionnaires completed by staff:

- Dyambu: 7
- Baviaanspoort: 14

**TABLE 6.2 SUMMARY OF NEEDS ASSESSMENT IN TERMS OF IMPORTANT AND CRUCIAL ASPECTS**

<b>Rating</b>	<b>3 – important</b> (highest 4 ratings)	<b>4 – crucial</b> (highest 4 ratings)
<b>Topics</b>	<ul style="list-style-type: none"> <li>• Identifying feelings</li> <li>• Decision-making</li> <li>• Dealing with feelings</li> <li>• Thinking skills</li> <li>• Time management</li> <li>• Self-esteem</li> <li>• Forming meaningful relationships</li> </ul>	<ul style="list-style-type: none"> <li>• Anger management</li> <li>• Planning for the future</li> <li>• Conflict resolution</li> <li>• Communication</li> <li>• Goal setting</li> <li>• Dealing with feelings</li> <li>• Forming meaningful relationships</li> </ul>

Topics are listed in order of highest to lowest total.

Taking into account those topics indicated as important and crucial to be included in a rehabilitation programme, the following should therefore be included:

- Anger management
- Planning for the future
- Conflict resolution
- Communication
- Goal setting
- Dealing with feelings
- Forming meaningful relationships
- Identifying feelings
- Decision-making
- Thinking skills
- Time management
- Self-esteem

### **6.3 PARTICIPANT INFORMATION – OFFICIAL**

This section will present the results of the background questionnaires completed by staff at the various facilities. The information gained was used to determine risk factors that should be targeted during the programme.

### 6.3.1 Results

The information below was provided by the staff members at the three institutions as it appears on the youths' files. As indicated below certain information was not accessible or not available on the file. In the case of Bavianspoort, information was only provided for 30 of the 32 youths who started the programme. Information was received for a total of 60 youths.

**TABLE 6.3 NUMBER OF YOUTHS INVOLVED IN RESEARCH**

	Norman House		Bavianspoort		Dyambu		Total	
	n	%	n	%	n	%	n	%
No. youths who started the programme	11	100	32	100	19	100	62	100
No. youths who completed only 1-6 sessions	1	9	9	28.1	9	47.4	19	30.6
No. youths who completed the programme (7-8 sessions)	10	91	23	71.9	10	52.6	43	69.4

**TABLE 6.4 SEX**

Sex	Norman House		Bavianspoort		Dyambu		Total	
	n	%	n	%	n	%	n	%
Male	8	72.7	32	100	19	100	59	95.1
Female	3	27.3	0	0	0	0	3	4.9
Total	11	100	32	100	19	100	62	100

- Dyambu and Bavianspoort are both all-boys facilities.
- The youths from Norman House who took part in the study were both boys and girls. Three of the eleven participants were girls.

**TABLE 6.5 CRIME CURRENTLY ACCUSED OF/SENTENCED FOR**

Crimes are grouped according to Schedules 1-3 provided by the Report on Juvenile Justice (2000: 311; see 2.7).

	Norman House		Baviaanspoort		Dyambu		Total	
	n	%	n	%	n	%	n	%
<b>Very serious crime (Schedule 3)</b>	2	17	9	27	0	0	11	17
<b>Serious Crime (Schedule 2)</b>	7	58	22	67	15	79	44	69
<b>Minor Crime (Schedule 1)</b>	3	25	1	3	2	10.5	6	9
<b>Crimes not Specified</b>	0	0	1	3	2	10.5	3	5
<b>Total</b>	12	100	33	100	19	100	64	100

**Note:** some youths are accused/sentenced for more than one crime, therefore a total of 64

(for detailed results see Appendix 5, Table 1)

Crimes committed can be divided as follows:

- Very serious crime (Schedule 3) – 17% of crimes committed
- Serious crime (Schedule 2) – 69% of crimes committed
- Minor crimes (Schedule 1) – 9% of crimes committed
- Crimes not specified – 5% of crimes committed

The crimes youth are currently accused of or sentenced for are therefore mostly of a serious and very serious nature.

**TABLE 6.6 SENTENCING INFORMATION**

	Norman House		Baviaanspoort		Dyambu		Total	
	n	%	n	%	n	%	n	%
<b>Sentenced: Fine</b>	2	18	2	0	0	0	2	3
<b>1 year</b>	0	0	2	6	0	0	2	3
<b>1 ½ years</b>	0	0	1	3	0	0	1	2
<b>2 years</b>	0	0	7	22	0	0	7	11
<b>2 ½ years</b>	0	0	1	3	0	0	1	2
<b>3 years</b>	0	0	7	22	0	0	7	11
<b>4 years</b>	0	0	1	3	0	0	1	2
<b>5 years</b>	0	0	5	16	0	0	5	8
<b>6 years</b>	0	0	1	3	0	0	1	2
<b>7 years</b>	0	0	4	13	0	0	4	6
<b>10 years+</b>	0	0	1	3	0	0	1	2

<b>Awaiting trial</b>	3	27	0	0	19	100	22	35
<b>Converted to children's court</b>	6	55	0	0	0	0	6	10
<b>Information not provided</b>	0	0	2	6	0	0	2	3
<b>Total</b>	<b>11</b>	<b>100</b>	<b>32</b>	<b>100</b>	<b>19</b>	<b>100</b>	<b>62</b>	<b>100</b>

Sentences can be divided as follows:

- Fines: 3%
- Prison: Short sentences (1-2 years) – 16% of sentences
- Prison: Medium term sentences (2 ½ - 5 years) – 23% of sentences
- Prison: Long sentences (longer than 5 years) – 10% of sentences
- Awaiting trial – 35% of population
- Converted to children's court – 10% of population

**TABLE 6.7 CURRENT CHRONOLOGICAL AGE**

<b>AGE</b>	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>% of total</b>
<b>13</b>	2	0	0	2	<b>3</b>
<b>14</b>	1	2	1	4	<b>7</b>
<b>15</b>	2	0	2	4	<b>7</b>
<b>16</b>	5	3	9	17	<b>28</b>
<b>17</b>	1	13	7	21	<b>35</b>
<b>18</b>	0	9	0	9	<b>15</b>
<b>19</b>	0	3	0	3	<b>5</b>
<b>20+</b>	0	0	0	0	<b>0</b>
<b>Total</b>	<b>11</b>	<b>30</b>	<b>19</b>	<b>60</b>	<b>100</b>

**Note:** information was only provided for 30 of the 32 youths from Baviaanspoort

- 28% of participants were 16 years old at the time of the programme
- 35% of participants were 17 years old at the time of the programme.

**TABLE 6.8 AGE AT THE TIME OF ARREST (AS ON FILE)**

AGE	Norman House	Dyambu	Total	% of total
12	1	0	1	3
13	2	1	3	10
14	1	3	4	13
15	5	8	13	43
16	2	7	9	30
17	0	0	0	0
18	0	0	0	0
19	0	0	0	0
20+	0	0	0	0
<b>Total</b>	11	19	30	100

**Note:** this information was not available for youths at Baviaanspoort

According to information for Norman House and Dyambu 43% of participants were 15 years old and 30% of participants were 16 years old at the time of arrest.

According to the official information all youths were well under 18 years of age (the legal age limit to be classified as a child, see 2.6.2) at the time of their arrest. This is a contradiction to the information provided by the youths themselves (see 6.4.2, Appendix 5: Table 4).

**TABLE 6.9 HOME LANGUAGE**

	Norman House	Dyambu	Total	% of total
<b>Xhosa</b>	0	0	0	0
<b>Zulu</b>	2	8	10	33
<b>Swazi</b>	1	0	1	3
<b>Tswana</b>	0	5	5	17
<b>Tsonga</b>	0	0	0	0
<b>N-Sotho</b>	2	0	2	7
<b>Venda</b>	0	1	1	3
<b>S-Sotho</b>	2	1	3	10
<b>Ndebele</b>	0	1	1	3
<b>English</b>	4	0	4	13
<b>Afrikaans</b>	0	2	2	7
<b>Unknown</b>	0	1	1	3
<b>Total</b>	11	19	30	100

**Note:** this information was not available for youths at Baviaanspoort

**Note:** For one of the youths a home language was not given.

- 33% of participants speak Zulu at home
- 17% speak Tswana at home
- 13% of youths speak English at home
- 10% speak Southern-Sotho
- 7% speak Northern-Sotho
- 7% speak Afrikaans
- Swazi, Venda and Ndebele are each spoken by 3% of youths

**TABLE 6.10 FAMILY STRUCTURE/MARITAL STATUS**  
(some youths indicated more than one aspect)

	<b>Norman House</b>	<b>Total</b>	<b>% of total</b>
<b>Parents married to each other</b>	1	1	7
<b>Divorced</b>	4	4	29
<b>Father remarried</b>	1	1	7
<b>Mother remarried</b>	4	4	29
<b>Foster parents</b>	0	0	0
<b>Mother deceased</b>	0	0	0
<b>Father deceased</b>	0	0	0
<b>Single parent/ unmarried</b>	2	2	14
<b>Both parents deceased</b>	1	1	7
<b>Unknown</b>	1	1	7
<b>Total</b>	14	14	100

**Note:** this information was not available for youths at Baviaanspoort or Dyambu

- 29% of youths are from divorced families. Of these, all the mothers were remarried.
- 14% of youths are from single parent families

**TABLE 6.11 NUMBER OF CHILDREN IN THE FAMILY**

Number of Children	Norman House	Total	% of total
1	0	0	0
2	2	2	18.2
3	1	1	9
4	3	3	27.3
5	3	3	27.3
More than 5	0	0	0
Information not provided	2	2	18.2
<b>Total</b>	<b>11</b>	<b>11</b>	<b>100</b>

Note: this information was not available for youths at Baviaanspoort or Dyambu

- Most youths are from families with four (27.3%) or five (27.3%) children respectively.

**TABLE 6.12 POSITION IN THE FAMILY**

Position in family	Norman House	Total	% of total
1(eldest)	3	3	27.3
2	3	3	27.3
middle	2	2	18.2
youngest	1	1	9
Information not provided	2	2	18.2
<b>Total</b>	<b>11</b>	<b>11</b>	<b>100</b>

Note: this information was not available for youths at Baviaanspoort or Dyambu

- 27.3% of participants are the eldest and 27.3% are second children.
- Only one child was the youngest.
- Two were middle children.

**TABLE 6.13 RESIDENCE IN THE PREVIOUS THREE YEARS**

	Norman House	Total	%
On the street	0	0	0
In a foster home	0	0	0
Place of safety	2	2	18
With his/her parents	0	0	0
With his/her mother	3	3	27.3
With his/her father	2	2	18

<b>With his/her grandparents</b>	3	3	<b>27.3</b>
<b>Shelter for street children</b>	1	1	<b>9</b>
<b>Total</b>	11	11	<b>100</b>

Note: information was only provided for Norman House.

- 27.3 % of youths stayed with their mothers
- 27.3% of youths stayed with their grandparents
- 18% of youths stayed with their fathers
- 18% stayed in a place of safety in the past three years

**TABLE 6.14 RESIDENCE AT THE TIME OF ARREST**

	<b>Norman House</b>	<b>Dyambu</b>	<b>Total</b>	<b>% of total</b>
<b>On the street</b>	3	0	3	<b>10</b>
<b>In a foster home</b>	0	0	0	<b>0</b>
<b>Place of safety</b>	1	0	1	<b>3</b>
<b>With his/her parents</b>	1	0	1	<b>3</b>
<b>With his/her mother</b>	2	15	17	<b>57</b>
<b>With his/her father</b>	0	4	4	<b>13</b>
<b>With his/her grandparents</b>	2	0	2	<b>7</b>
<b>Friends</b>	1	0	1	<b>3</b>
<b>Unknown</b>	1	0	1	<b>3</b>
<b>Total</b>	11	19	30	<b>100</b>

Note: this information was not available for youths at Baviaanspoort

- 57% of youths resided with their mothers at the time of their arrest.

**TABLE 6.15 PHYSICAL ABUSE, SEXUAL ABUSE OR NEGLECT**

	<b>Norman House</b>	<b>Total</b>	<b>%</b>
<b>Sexually</b>	0	0	<b>0</b>
<b>Physically (2 beaten, 1 attempted drowning)</b>	3	3	<b>27.3</b>
<b>Neglected</b>	1	1	<b>9</b>
<b>No abuse reported</b>	7	7	<b>63.7</b>
<b>Total</b>	11	11	<b>100</b>

Note: this information was not available for youths at Baviaanspoort or Dyambu

- Three children (27.3%) were physically abused by family members and one was neglected.

**TABLE 6.16 CRIMES COMMITTED PRIOR TO CURRENT OFFENCE**

	Norman House	Dyambu	Total	%
<i>Very serious crime, (Schedule 3)</i>	0	1	1	14.3
<i>Serious Crime (Schedule 2)</i>	2	4	6	85.7
<b>Total</b>	2	5	7	100

**Note:** this information was not available for youths at Baviaanspoort

(for detailed results see Appendix 5: Table 2)

- Six of the seven crimes reported (85.7%) were of a very serious nature

**TABLE 6.17 PREVIOUS PROGRAMME ATTENDED (NOT INCLUDING THIS ONE)**

Norman House
‘What if?’ programme, includes communication and development of empathy

**Note:** this information was not available for youths at Baviaanspoort or Dyambu

- Only one youth had attended another rehabilitation programme before.

**TABLE 6.18 ALTERNATIVE SENTENCING OPTIONS (NOT INCLUDING CURRENT SENTENCE)**

	Norman House	Total
Suspended sentence: 1 year	1	1
Fine	1	1

**Note:** this information was not available for youths at Baviaanspoort or Dyambu

Of the two crimes committed by youths from Norman House (see Table 6.16), one was fined and one received a one year suspended sentence. Inadequate information was available to make an accurate comment, but it appears that sentences were very lenient in comparison with the seriousness of the crimes committed.

**TABLE 6.19 EDUCATIONAL INVOLVEMENT AT THE TIME OF ARREST**

	Norman House	Dyambu	Total	% of total
<b>In school</b>	4	16	20	67
<b>At home</b>	1	0	1	3
<b>Unknown</b>	6	3	9	30
	11	19	30	100

**Note:** this information was not available for youths at Baviaanspoort

- 67% of youths were attending school at the time of the arrest.
- For 30% of youths this information was not available.

**TABLE 6.20 CURRENT EDUCATIONAL INVOLVEMENT**

	<b>Norman House</b>	<b>Total</b>
<b>In school</b>	11	11

**Note:** this information was not available for youths at Baviaanspoort or Dyambu

- All youths in Norman House are currently in school at Norman House.

**TABLE 6.21 CURRENT EDUCATIONAL LEVEL**

	<b>Norman House</b>	<b>Dyambu</b>	<b>Total</b>	<b>% of total</b>
<b>Grade 5</b>	0	2	2	<b>10</b>
<b>Grade 6</b>	2	1	3	<b>15</b>
<b>Grade 7</b>	0	1	1	<b>5</b>
<b>Grade 8</b>	3	7	10	<b>50</b>
<b>Grade 9</b>	2	3	5	<b>25</b>
<b>Grade 10</b>	1	3	4	<b>20</b>
<b>Grade 11</b>	1	1	1	<b>5</b>
<b>Grade 12</b>	0	0	0	<b>0</b>
<b>Special education</b>	1	0	1	<b>5</b>
<b>Unknown</b>	1	0	1	<b>5</b>
<b>Total</b>	11	19	20	<b>100</b>

**Note:** this information was not available for youths at Baviaanspoort

- 50 % of participants are in Grade 8
- 25 % of participants are in Grade 9
- 20 % of participants are in Grade 10
- one of the participants is in Special Education
- none of the participants were on an educational level below Grade 5

**TABLE 6.22 FAMILY MEMBERS CONVICTED OF A CRIME**

	<b>Norman House</b>	<b>Total</b>
<b>Mother</b>	0	0
<b>Father</b>	0	0
<b>Brother</b>	1	1
<b>Sister</b>	1	1
<b>Uncle</b>	1	1
<b>Aunt</b>	0	0
<b>Cousin</b>	0	0
<b>Total</b>	3	3

Note: this information was not available for youths at Baviaanspoort or Dyambu

- Three youths had siblings who had been convicted for crimes.
- None of the participants had parents who had been convicted for crime.

**TABLE 6.23 ALCOHOL AND DRUG USE**

	<b>Norman House</b>	<b>Total</b>	<b>% of total</b>
<b>Alcohol</b>	3	3	<b>27.3</b>
<b>Dagga</b>	3	3	<b>27.3</b>
<b>Street drugs (glue, thinners)</b>	1	1	<b>9</b>
<b>Hard Drugs (LSD, ecstasy, heroine, cocaine)</b>	0	0	<b>0</b>
<b>No drug use reported</b>	4	4	<b>36.4</b>
<b>Total</b>	11	11	<b>100</b>

Note: this information was not available for youths at Baviaanspoort or Dyambu

Information was only provided for Norman House.

- Alcohol use – 27.3% of youths
- Dagga use – 27.3% of youths
- Street drugs (glue, thinners) – 1 youth (9%)
- No drug use was reported for 36.4% of youths

**TABLE 6.24 GANG MEMBERSHIP AND SYNDICATE INVOLVEMENT**

	<b>Norman House</b>	<b>Total</b>	<b>% of total</b>
Gang activity	2	2	<b>18</b>
Crime syndicate/organized crime	0	0	<b>0</b>
No gang/syndicate involvement	9	9	<b>82</b>
<b>Total</b>	<b>11</b>	<b>11</b>	<b>100</b>

**Note:** this information was not available for youths at Bavianspoort or Dyambu

- Gang activity – 18% of youths
- None of the youths were involved with syndicated or organized crime.

### **6.3.2 Summary of results provided by staff**

The following emerged from the results obtained from the questionnaires completed by staff:

- The participants were mostly boys (see Table 6.4).
- Current crimes committed were of a serious (Schedule 2) and very serious (Schedule 3) nature (see Table 6.5).
- Previous crimes committed were also mostly of a serious nature (Schedule 2) (see Table 6.10).
- Sentences for previous crimes were lenient, compared to the severity of the crimes (see Table 6.18).
- A large number of the participants were still awaiting trial (see Table 6.6).
- Current sentences were medium or short-term sentences (see Table 6.7).
- Participants were all well under the age of eighteen at the time of the arrest (see Table 6.8).
- Most of the participants are from black cultures. Most were Zulu speaking. Quite a number were English speaking (see Table 6.9).
- From the information obtained from Norman House, most youths were from divorced parents (Table 6.10).
- Participants came mostly from families with four or five children in the family. Participants were usually the eldest or second eldest in their families (see Table 6.11).
- For Norman House, participants stayed mostly with family or in a place of safety in the three years before their arrest (see Table 6.13). At the time of the arrest, 57% of youth were staying with their mothers. 27.3% of the participants from Norman House were staying on the street (see Table 6.14). This implies that there was less supervision and control by adults (see 2.2.2, 2.3.9).

- Some of the participants from Norman House had been physically abused. No sexual abuse was indicated (see Table 6.15).
- Only one youth had attended another intervention programme (see Table 6.17).
- At the time of the arrest, most participants were in school. For a large number (30%) this information is not provided. The participants at Norman House are all currently in school at Norman House (see Table 6.20). The participants at Dyambu had just arrived there at the time of the study and were still in the orientation phase. As a result had not slotted in with any of the training programmes (see Table 6.19).
- None of the participants are on an educational level of below Grade 5. The majority is on Grade 8 to Grade 10 levels. One of the youths is in Special Education. Therefore no severe educational problems appear to exist (see Table 6.21).
- Two participants from Norman House have siblings who have been convicted of crime. one youth's uncle have been convicted of a crime. None of them had parents that had been convicted of crime (see Table 6.23).
- A number of youths had been using alcohol (27.3%) and dagga (27.3%). No use of hard drugs such as cocaine or heroine is indicated (see Table 6.24).
- Only two youths had been involved in gang activity. No involvement with crime syndicates are reported (see Table 6.22).

### **6.3.3 Discussion of results provided by staff**

It is clear that the information on youth offenders in terms of family circumstances, previous arrest and socio-economic situations is incomplete. This information is important in compiling a rehabilitation programme as the risk factors most prevalent can then be identified and the programme can then be tailored to the needs of the group.

From the above information the following risk factors can be identified:

- Culture (see 2.3.6): most participants are black, and Zulu speaking.
- Family factors (2.3.1): most participants are from divorced families. A number of participants also stayed on the street at some point, and this implies less adult supervision (see 2.2.2, 2.3.9).
- Drug and alcohol use (see 2.3.8).

These risk factors were taken into account during the presentation of the programme (see 6.5). During the discussions that take place after each activity of the programme, the facilitator can discuss the above risk factors when applicable.

## 6.4 RESULTS – INFORMATION: SELF REPORT

Staff members at all three facilities indicated that youths sometimes provide incorrect information when they are arrested. They often give the incorrect age in order to be tried as a youth and not an adult, or to be pardoned by the court. They also frequently give incorrect names so that previous crimes and/or convictions cannot be traced. As a result the information on file is often incorrect.

It was also found that questionnaires completed by staff did not provide all the information required (see 6.3.2.2). It can be concluded that information available on the files are not comprehensive.

It was therefore decided to obtain the same information from youth by means of a self-report questionnaire. This would enable the researcher to compare the accuracy of information given to authorities. The researcher felt that is important to determine the extent to which the information differs, as it would provide a more accurate profile of the target group for future programmes. It can for example be seen that a large number of the youths (42%) who participated in the programme were older than eighteen (see Appendix 5: Table 3).

It was decided to only ask the youths to provide information towards the end of the programme, as a relationship of trust would have been established by then and they would be more likely to provide accurate information. It is still possible however, that the information provided by the youths could be incorrect, possibly as they feel they need to protect themselves.

It was found that for Baviaanspoort and Dyambu there is a notable difference between information as provided by the staff from the youths' files and information provided by the youths themselves.

There are a number of possible explanations for this:

- incorrect information is given by youths at the time of arrest;
- information given by staff members included information for all youths that started the programme, whereas some youth had already dropped out of the programme by the time the self-report was done;
- information on the files are not complete and very little background on youths are placed on file. This implies inadequate assessment of the youths at the time of their arrest.

The information provided by Norman House was the same as provided by youths, indicating a more thorough assessment when youths arrive at the centre.

**TABLE 6.25 NUMBER OF YOUTHS WHO PROVIDED INFORMATION**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>
<b>No.</b>	11	24	10	45

#### **6.4.1 Results**

This section will present a summary of the results of the information gained from self-report questionnaires completed by youth offenders (for detailed results see Appendix 5).

The information regarding the sex of offenders was accurately provided by staff and is therefore not included again (see Table 6.4).

#### **6.4.2 Summary of results provided by participants**

The information provided by participants can be summarized as follows:

- A large number of youths are currently older than 18 (42%). All of these youths are housed at Baviaanspoort. This can be explained because youths are housed in the juvenile section of the prison until they turn 21 (see Appendix 5, Table 3).
- 9% of youths are older than 21. These 'youths' are treated as such, but may be hostile because they are older and may not want to adhere to the rules of the facility such as smoking rules (see Appendix 5, Table 3).
- At the time of arrest 24% of participants were older than 18, the legal definition of a child (see 2.6.2). They were therefore treated as juveniles and sentenced as juveniles (see Appendix 5, Table 4).
- The rest of the youths were mostly between the ages of 15 and 18 (see Appendix 5, Table 4).
- The majority of participants are black and from African cultures. 30% are Zulu speaking, 20% speak South Sotho, 13% speak North Sotho and 11% speak Afrikaans (see Appendix 5, Table 5).
- 21% of participants are from divorced families (see Appendix 5, Table 6).
- 17% of participants' fathers are deceased, 9% of their mother are deceased, and 8% of participants' parents are both deceased (see Appendix 5, Table 6).
- 17% of participants are from single parent families (see Appendix 5, Table 6).
- Most participants are from large families. Most are from families with four or five children (both 24,4%), and a number are from families with more than five children (13%) (see Appendix 5, Table 7).
- 20% of youths reported that they are the eldest, 24% are second children, 14% are middle children and 22% are the youngest in their families (see Appendix 5, Table 8).

- At the time of arrest 38% of participants were staying with their mothers. 18% of participants were staying by themselves (but not on the street) and 7% were staying in the street (see Appendix 5, Table 10).
- 9% of youths had been sexually abused, 13% had been physically abused, and 4% neglected (see Appendix 5, Table 11).
- A large numbers of crimes had been committed before the current arrest, most of them serious (67%) or very serious (17%). It is possible that participants had not been arrested for some of these crimes. It is also possible that they had been arrested for them, but that because they may have lied about their names, these crimes were not linked to them (see Appendix 5, Table 12).
- The crimes that participants are currently awaiting trial for, or are sentenced for are not the same as the information provided by the staff. It appears that youth are not sure what they were arrested or sentenced for (see Appendix 5, Table 1 & Table 13).
- Only two participants had attended previous intervention programmes (see Appendix 5, Table 14).
- Previous sentences were mostly suspended (see Appendix 5, Table 15).
- At the time of the arrest 39% were in school, 11% were working and 11% were not involved in any educational activities (see Appendix 5, Table 16).
- 67% of participants are currently in school and 12% are busy with an apprenticeship. 16% of youths are not involved in anything (see Appendix 5, Table 17).
- None of the participants are on an educational level of below Grade 6. One of the youths is in Special Education. From this it can be deduced that no serious educational or scholastic problems exist (see Appendix 5, Table 18).
- Other family members convicted for crime include parents (mothers – 3%, fathers – 10%), siblings (sisters – 13%, brothers – 33%) and uncles (30%) (see Appendix 5, Table 19).
- Substance use is evident and included alcohol use (30%), dagga (34%), street drugs (8%), hard drugs (28%) (see Appendix 5, Table 20).
- 58% of participants indicate that they were not gang members or involved in syndicates or organized crime. 24% were gang members and 18% were involved with syndicates and organized crime (see Appendix 5, Table 21).

### **6.4.3 Discussion of results provided by participants**

The following risk factors can be identified from this information:

- Culture (see 2.3.6)
- Family (see 2.3.1) – divorced parents, single parent families and the death of a parent all imply lesser degrees of adult supervision and control. This is related to an increase in delinquency according to the Control theory (see 2.2.1). Youth living by themselves or on the street also indicate that they do not have adult supervision (see 2.3.9).
- Drug and alcohol abuse (see 2.3.8).
- Peer group (see 2.3.2) – involvement with a delinquent peer group such as a gang or crime syndicate may lead to an increase in delinquency.

Comparing these risk factors with the ones found from the staff questionnaires it can be seen that the peer group is the only risk factor that was not identified through the information gained from staff (see 6.3.3).

Another important issue identified through the information obtained from youth is that a number of youths may be traumatized or may be experiencing severe emotional problems as a result of sexual and physical abuse, death of parents or divorce. Trauma or emotional problems could result in the youth being defensive or withdrawn and therefore not benefiting from the programme as much as they would have otherwise. This information could be helpful to the facilitator of a rehabilitation programme as it could aid the facilitator to guide discussions to address similar issues, or to deal with these youths individually if necessary. If these youth are identified by staff at the various facilities they could also be assisted in dealing with their problems by the social worker or psychologist at that facility.

## **6.5 PROGRAMME OUTLINE AND STRUCTURE**

The general layout of the programme and the rationale for the inclusion of activities is discussed in chapter 4 (see 4.4 and Table 4.7). The programmes used at Dyambu and Baviaanspoort will be outlined below.

One of the main features of the programme is its flexibility. The activities for session one were decided on before the start of the programmes at Dyambu and Baviaanspoort. From there the

programme activities were chosen on a day to day basis in order to suit the needs of the group and address problems and issues that were raised in discussions.

Changes to the provisional programme presented at Norman House were made by either moving an activity to earlier or later in the programme, or by adding or leaving out certain activities.

The risk factors (see 2.3) that were identified through the background questionnaires completed by staff members were (see 6.3.3):

- Culture
- Family
- Drug and alcohol use

The facilitator kept these risk factors in mind during the course of the programme and during the discussions that followed activities. Discussions about issues relating to the risk factors were encouraged.

### **6.5.1 Dyambu**

Number of youths who attended the course: 19 (all boys)

Number of youths who completed the course: 10

The following activities were added to the programme at Dyambu (rationale for inclusion: see 4.5.4):

- Territories
- Decision-making: theory

Activities left out were:

- Instructions (not required for this group)
- Crime stop (not effective with Norman House group)
- Gifts (not effective with Norman House group)

Table 6.24 indicates the activities done at Dyambu and the changes in the programme (whether the activity was moved to earlier or later in the programme or added) compared to the programme conducted at Norman House.

**TABLE 6.26 ACTIVITIES: DYAMBU**

Session	Programme contents	Changes made with respect to provisional programme
1	<ul style="list-style-type: none"> <li>• Introduction: Rules formation:</li> <li>• Expectations</li> <li>• Information musical chairs (the big wind blows)</li> <li>• Structure building</li> <li>• Thorn Story</li> </ul>	Earlier
2	<ul style="list-style-type: none"> <li>• Discuss the previous session</li> <li>• Communication intro</li> <li>• Human spider web</li> <li>• Yes/no game</li> <li>• Territories</li> <li>• Move to point</li> </ul>	Earlier Added
3	<ul style="list-style-type: none"> <li>• Discuss the previous session</li> <li>• Friendship</li> <li>• Simultaneous conversation</li> <li>• Sabotage</li> <li>• Mirror</li> <li>• 1 man instruction</li> <li>• Trust step</li> </ul>	Earlier Earlier Earlier Earlier Earlier
4	<ul style="list-style-type: none"> <li>• Discuss the previous session</li> <li>• 2-2 lean</li> <li>• Support web</li> <li>• Trust walk</li> <li>• Feelings</li> </ul>	Earlier Earlier Earlier Later
5	<ul style="list-style-type: none"> <li>• Discuss the previous session</li> <li>• Play the game 'Simon says'</li> <li>• 3 future options</li> <li>• Conflict management</li> <li>• Goal setting</li> <li>• Group yell</li> </ul>	Later Earlier Earlier

6	<ul style="list-style-type: none"> <li>• Discuss previous session</li> <li>• Best/worst thing that happened to me last week</li> <li>• Trust lift</li> <li>• Decision making: theory</li> <li>• Group yell</li> </ul>	Added
7	<ul style="list-style-type: none"> <li>• Discuss previous session</li> <li>• Decision making story</li> <li>• Group yell</li> <li>• Certificates/Quote</li> </ul>	

### ***6.5.1.1 Difficulties experienced during the course of the programme***

1. All the youths who attended the programme were new in the facility and were therefore not involved in any school or workshop activities. They had to be kept busy for the duration of the school day, which resulted in each day having two 1½-hour sessions. This made sessions longer than planned. As a result too many activities were done on one day and the youths became tired. The programme was completed in seven days instead of nine. In the opinion of the researcher at least one more day would be necessary for youth to really come to terms with topics dealt with in the programme.
2. All youths in this facility were awaiting trial. Many of them missed sessions because they had to go to court, and a number of them did not return from court as they were either sentenced or released. As a result only ten of nineteen youths completed the course.
3. Planning of programme activities was made difficult as some activities require a large group (human spider web, territories) and because there was no way of knowing how many youths would be attending the programme on a particular day as some youths would be at court. The result was that the activity was not as effective as it could have been.
4. A number of the youths did not understand English and therefore did not take part in all the discussions, even though other members translated for them.

### ***6.5.1.2 Positive points of the programme***

- Participants responded well to being empowered and defining their own rules. As no rules were set at the beginning, things tended to get out of control, there was little cooperation and people talked at the same time. The participants became unhappy with this and asked the facilitator to

be more strict, at which point it was suggested that they formulate their own rules. This worked very well and they continually referred back to the rules themselves to ensure order.

- Participants enjoyed the fact that activities were of a practical nature and took part eagerly. They also made good contributions during the discussions and felt at ease with talking about their own circumstances.
- Participants could make the link between the activity and their lives easily, and could discuss how they would practically apply what they had learnt.
- The practical approach of the programme lends itself to participants being creative and innovative, and they came up with amazing solutions to problems. Their interpretation of activities was also very entertaining at times.
- Participants started using the skills that they acquired as the programme progressed. They started using their new skills to solve problems and to deal with problematic situations.
- At the end of the programme it was clear to the facilitator that participants had made tremendous progress and that they had found the programme useful.
- Participants tried their best to assist those who struggled to understand and speak English, without being judgmental or becoming impatient.

### **6.5.2 Baviaanspoort**

Number of youths who attended the course: 32 (all boys)

Number of youths who completed the course: 23

The following activities were added to the programme (rationale for inclusion: see 4.5.4)

- Decision-making: theory
- Move to a point

Activities that were left out were:

- Instructions (not relevant to this group)
- Crime stop (not effective with Norman House group)
- Gifts (not effective with Norman House group)
- Trust walk (lack of space, not allowed to leave designated area)
- Territories (lack of space)

Table 6.25 indicates the activities done at Dyambu and the changes in the programme (whether the activity was moved to earlier or later in the programme or added) compared to the programme conducted at Norman House.

**TABLE 6.27 ACTIVITIES: BAVIAANSPOORT**

Session	Programme Content	Changes made with respect to provisional programme
1	<ul style="list-style-type: none"> <li>• Introduction</li> <li>• Organization: two groups were formed and times for sessions discussed. Two groups of equal size were formed.</li> </ul>	
2	<ul style="list-style-type: none"> <li>• Each group decided on a name for their group.</li> <li>• Rules formation</li> <li>• Expectations</li> <li>• Thorn Story</li> </ul>	
3	<ul style="list-style-type: none"> <li>• Discuss previous session</li> <li>• Communication intro</li> <li>• Feelings</li> <li>• Information musical chairs (the big wind blows)</li> <li>• Structure building</li> <li>• Group Yell</li> </ul>	<p>Earlier</p> <p>Earlier</p>
4	<p>Only 6 youths arrived as a sports day was scheduled.</p> <ul style="list-style-type: none"> <li>• Move to a point</li> <li>• Trust step</li> </ul>	<p>Added</p> <p>Earlier</p>
5	<ul style="list-style-type: none"> <li>• Move to a point (repeat)</li> <li>• Trust step (repeat)</li> <li>• Human spider web</li> <li>• Yes/no game</li> <li>• 1 man instruction</li> <li>• Support web</li> </ul>	<p>Later</p> <p>Later</p> <p>Earlier</p>

6	<ul style="list-style-type: none"> <li>• Play the game 'Simon says'</li> <li>• Conflict management</li> <li>• 3 future options</li> <li>• Decision-making theory</li> </ul>	<p>Later Added</p>
7	<ul style="list-style-type: none"> <li>• Discuss the previous session</li> <li>• Friendship</li> <li>• Trust lift</li> </ul>	<p>Later</p>
8	<ul style="list-style-type: none"> <li>• Discuss previous session</li> <li>• Simultaneous conversation</li> <li>• Sabotage</li> <li>• Mirror</li> <li>• 2-2 lean</li> <li>• Group yell</li> <li>• Best/worst thing that happened to me last week</li> </ul>	<p>Later Later Later Later</p>
9	<ul style="list-style-type: none"> <li>• Discuss previous session</li> <li>• Goal setting</li> <li>• Decision making story</li> <li>• Group yell</li> <li>• Certificates/ quote</li> </ul>	<p>Later</p>

### *6.5.2.1 Difficulties experienced through the course of the programme*

1. It took a long time for youth to arrive (sometimes even an hour), particularly for the second session.
2. Youths are housed in different sections within the prison. As the programme was run in the school section, youths who usually attend school are in the school area and on time for the start of the programme. Youths who do not usually attend school had to be fetched from the section they stay in. This took a long time and staff members would sometimes not let the youths out of their sections to come to the school because staff claimed they were not informed about the programme.
3. On day four of the programme a sport day was scheduled. Advance notice of the event was not given and as a result there was confusion as to whether the rehabilitation programme continued or not. Six youths arrived for the programme, but the activities had to be repeated the next day.

4. As the prison is a secure facility, walking around is not possible and an activity like the trust walk could not be done. Other outdoor activities such as touches also had to be left out because of a lack of space.
5. A lack of chairs made some activities like 'the big wind blows' difficult as well as adding to general discomfort.

#### **6.5.2.2 *Positive points of the programme***

1. Participants were very eager to join the programme as they felt that they needed guidance to improve their lives.
2. Similar to Dyambu the participants enjoyed the practical nature of the programme, and were also very creative in their approach to the activities.
3. Participants also started using their knowledge during the course of the programme to solve problems and deal with situations.
4. One of the things that stood out at Baviaanspoort was that youth spent a lot more time on the application of skills, and the solution of real-life problems. They also wanted to know how they could transfer their knowledge to others.
5. A definite change of attitude and general approach to things could be seen in most of the youths.
6. A number of youths who at the beginning of the course insisted that they are imprisoned wrongly as they had been 'framed', accepted responsibility for their crimes by the end of the course.

#### **6.5.3 *General notes on problems experienced with youth offenders***

1. It was found in discussion with the staff of various facilities for youth offenders, Norman House, Baviaanspoort Prison and Dyambu Care Centre, that youths lie about things such as their names, their ages, their families and their addresses. This makes the information on the youth's file inaccurate and incomplete.
2. Information obtained also influences the future of these youths. An offender that for example lies about his age will be tried as a youth when he is in fact older than 18 years of age. This results in young people older than 18 years (even up to 25 years old) occupying youth facilities. According to staff at these facilities it is very difficult to change the legal process or the sentence once it has become known that a person is older than 18 and they then stay in the system as a youth.
3. The people who lied about their ages and are older than 18 cause a number of discipline problems because they refuse to go to school, and they also do not want to adhere to certain

- rules e.g. smoking rules. They also do not listen to staff members, because they feel that they do not want to be treated as children. Some of these youths are even older than the staff members.
4. Youths also lie about their names. They can as a result not be traced, and often get tried and sentenced for a first offence when they have in fact committed more crimes. They might then be housed in Norman House or Dyambu, instead of with their parents.
  5. Some youths are housed at a secure care facility or place of safety because their parents cannot be found.
  6. Youths can also not be released if they are not released into the care of a responsible adult.

## **6.6 RESULTS FROM THE FOLLOW-UP SESSIONS WITH YOUTH**

This section provides the results for the follow-up session with youths who attended the rehabilitation programmes. The follow-up was done about six weeks after completion of each programme. Follow-up sessions were done in the form of focus groups (see 5.7.1).

### **6.6.1 Norman House**

Youths recalled most of the topics done during the programme. They indicated that they were more positive about changing their lives than before the rehabilitation programme. They appear to have the ability to solve problems and seem empowered. They had a more positive outlook of life.

They indicated that they were having problems choosing good friends. Although they could recognize that their friends are bad, they find it difficult not to associate with them. They feel scared that they are going to be alone and that they would not have any friends at all. They indicated that they find it difficult to resist peer pressure, but that they can recognize when they are being pressured.

### **6.6.2 Baviaanspoort**

Youth could also recall all the topics that were discussed during the programme. They also appeared more positive regarding their futures than at the start of the programme.

They had a similar problem to youth at Norman House in the sense that they found it difficult to distance themselves from friends that are a bad influence. They however, wanted to know what they could do to help their friends become better people. They wanted to know how they can teach

others what they learnt on the programme. The solution they came up with was to be a good example at all times, to listen to others, to understand others and to respect others. This way others will approach them for help.

### **6.6.3 Dyambu**

The youths at Dyambu felt the biggest problem they had was that they are enthusiastic about the future and that they want to start their new lives without crime and they want to start attending school again, but that they could not do that as they were still in the youth center. They discussed the problem and decided to 'use their time'. This solution implied that they should learn as much as they can at Dyambu, even if they think that they are not going to use it. The other problem they identified was that they do not have enough encouragement and support as they have very little contact with their families.

### **6.6.4 Suggestions for future programmes from results of follow-up sessions**

The focus groups provided the facilitator with valuable information about positive aspects of the programme as well as issues that require more attention in future programmes.

Suggestions for future programmes are:

- More emphasis on friendship and the peer group, including dealing with peer pressure, the decision of whether or not to change friends when you are involved with bad friends, dealing with this change or assisting your friends to change their behaviour.
- Spending more time on the application of programme knowledge to general, real-life situations.
- Providing youths with guidelines of how to assist others to change and to share their knowledge with others.
- Dealing with feelings of loneliness and separation from friends and family while youths are in secure care facilities or prison.
- Handling the frustration of the reality of being in a secure care facility or prison, and not being able to apply the skills learnt on the programme in their lives outside these facilities. Discussing how these skills can already be applied and used in these facilities.

## 6.7 RESULTS FROM THE EVALUATION QUESTIONNAIRES

This section provides the results obtained from the evaluation questionnaires (see Appendix 3) completed by staff at the various facilities.

### 6.7.1 Results

The programme was aimed at changing certain behaviour and thinking patterns of offenders by means of a therapeutic rehabilitation programme. Staff members were asked to indicate whether they perceived any change in the youth's behaviour or attitude in the two weeks following the programme. An evaluation form was completed for each youth by at least one staff member.

Change were indicated by using the following rating scale:

- |                          |                                   |                                      |
|--------------------------|-----------------------------------|--------------------------------------|
| 1 – no change            | 2 – slight change                 | 3 – trying but not always successful |
| 4 – indifferent/not sure | 5 – a definite change can be seen |                                      |

The tables below show the combined ratings (1-5) of the changes in behaviour and attitude of all youths with respect to the topics covered by the programme, as provided by staff members at the three facilities.

The following topics were included on the questionnaire (see Appendix 3):

- Interpersonal relationships: developing a support system, respect, trust (see Table 6.26)
- Communication: listening skills, politeness, being assertive rather than aggressive (see Table 6.27)
- Conflict: dealing with conflict in an acceptable manner (see Table 6.28)
- Decision-making: considering consequences of decisions, being accountable for the decisions made (see Table 6.29)
- Goal-setting: Planning for the future, planning to change bad behaviour (see Table 6.30)
- Feelings: identifying feelings, communication of these feelings and dealing with feelings (see Table 6.31)
- Self-esteem: identifying own strengths and weaknesses, being positive about themselves (see Table 6.32)
- General improvement: behaviour, attitude and cooperation (see Table 6.33)

**TABLE 6.28 EVALUATION OF CHANGE: INTERPERSONAL RELATIONSHIPS**

Interpersonal relationships										
	Developing support systems, good friends			Showing respect			Trusting and being trustworthy			
Rating	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Total
1	7	4	0	9	1	0	6	1	0	28
2	28	1	0	18	1	0	18	0	0	66
3	27	6	1	18	3	0	35	8	0	108
4	12	5	0	11	3	0	13	3	1	48
5	20	8	3	38	16	4	23	13	3	128

A mediocre as well as definite change was reported (Ratings: 3 & 5).

**TABLE 6.29 EVALUATION OF CHANGE: COMMUNICATION**

Communication										
	Listening/following instructions			Assertive, not aggressive			Politeness			
Rating	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Total
1	12	0	0	20	1	0	9	0	0	42
2	22	2	0	18	1	0	25	2	0	70
3	27	0	0	28	2	1	23	1	0	82
4	12	0	2	12	2	3	15	1	2	49
5	25	19	2	14	16	0	24	17	2	119

A definite improvement is reported (Rating: 5).

**TABLE 6.30 EVALUATION OF CHANGE: CONFLICT**

<b>Conflict</b>				
<b>Dealing with conflict in an acceptable way</b>				
<b>Rating</b>	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>
1	22	3	1	26
2	20	0	0	20
3	32	6	3	41
4	11	6	0	17
5	9	9	0	18

Mediocre change is reported (Rating: 3).

**TABLE 6.31 EVALUATION OF CHANGE: DECISION-MAKING**

<b>Topic</b>	<b>Decision-making</b>						
<b>Rating</b>	<b>Being accountable for actions and decisions</b>			<b>Considering consequences</b>			
	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>
1	14	5	0	14	2	0	35
2	31	0	0	29	4	0	64
3	27	3	0	27	5	0	62
4	8	9	1	16	5	1	39
5	12	6	3	11	8	3	43

A slight to mediocre change is reported (Ratings: 2 & 3).

**TABLE 6.32 EVALUATION OF CHANGE: GOAL-SETTING**

Topic	Goal-setting						
Rating	Planning for the future, setting a goal			Plans to change bad behaviour			
	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Total
1	17	3	0	14	2	0	36
2	27	0	0	32	1	0	60
3	24	1	0	21	2	0	48
4	23	5	2	6	1	2	39
5	9	12	2	21	15	2	61

Slight and definite change was reported (Ratings: 2 & 5).

**TABLE 6.33 EVALUATION OF CHANGE: FEELINGS**

Topic	Feelings						
Rating	Identifying & communicating feelings			Dealing with feelings appropriately			
	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Total
1	9	3	0	12	4	0	28
2	40	2	1	41	3	0	87
3	30	6	1	20	6	2	65
4	6	3	1	10	3	1	24
5	10	10	1	12	8	1	42

A slight to mediocre change is reported (Ratings: 2 & 3).

	Self-esteem						
Rating	Ability to identify own strengths			Positive attitude to self			
	Norman House	Baviaanspoort	Dyambu	Norman House	Baviaanspoort	Dyambu	Total
1	7	1	0	5	0	0	13
2	34	0	0	37	1	0	71
3	33	1	1	59	1	0	95
4	12	3	2	15	2	2	36
5	7	17	1	6	16	2	45

A slight to mediocre change was reported (Ratings: 2 & 3).

**TABLE 6.35 EVALUATION OF CHANGE: GENERAL**

	General improvement			
	Behaviour/attitude/cooperation			
Rating	Norman House	Baviaanspoort	Dyambu	Total
1	11	1	0	12
2	23	0	0	23
3	25	4	0	29
4	13	1	2	16
5	20	15	2	37

A definite overall improvement is reported (Rating: 5).

### 6.7.2 Summary of reported change

**TABLE 6.36 SUMMARY OF CHANGE REPORTED BY STAFF**

<b>Topic</b>	<b>Change Reported</b>	<b>Highest Rating(s)</b>
<b>Interpersonal Relationships</b>	Mediocre and definite change was reported.	3 & 5
<b>Communication</b>	A definite improvement is reported.	5
<b>Conflict</b>	Mediocre change is reported.	3
<b>Decision-making</b>	A slight to mediocre change is reported.	2 & 3
<b>Goal-setting</b>	Slight and definite change was reported.	2 & 5
<b>Feelings</b>	A slight to mediocre change is reported.	2 & 3
<b>Self-esteem</b>	A slight to mediocre change was reported.	2 & 3
<b>General improvement</b>	A definite overall improvement is reported.	5

### 6.7.3 Discussion

Although a significant change was reported by the youth and observed by the researcher, staff mostly noted only mediocre change in the behaviour and attitude of participants.

- Definite change in behaviour was indicated for interpersonal relationships, communication skills and goal-setting.
- Poor change was indicated for decision-making, goal-setting, dealing with feelings, self-esteem.
- Goal-setting had scattered ratings.
- A definite overall change was reported.

It is possible that staff may have a negative attitude towards the youth and are therefore not open to a positive change in attitude and behaviour. Another explanation may be that the staff lack the skills to be able to identify changes, particularly subtle changes that may occur in attitude.

**TABLE 6.37 OTHER SUGGESTIONS FOR INCLUSION IN PROGRAMME**

<b>Dyambu</b>	<b>Baviaanspoort</b>
<ul style="list-style-type: none"> <li>• Cultural identity</li> <li>• Community Values</li> <li>• Africanism</li> <li>• Aids Awareness</li> <li>• Drug Awareness</li> <li>• Ownership of the facility</li> </ul>	<ul style="list-style-type: none"> <li>• Study Methods</li> <li>• Career Guidance</li> <li>• Sex Education</li> <li>• Motivation</li> <li>• Leadership</li> <li>• Drug and alcohol abuse</li> <li>• Dealing with sex offenders</li> <li>• Self development and life-skills</li> </ul>

Staff at Baviaanspoort also indicated that training and selection of staff that work with the youth offenders is essential.

## 6.8 CONCLUSION

This chapter analyzed the results of the empirical investigation. It presented the needs of the staff with regard to a rehabilitation programme. The needs of the staff at Norman House was determined by means of a focus group (see 5.6.1) and included in the compilation of the provisional programme (see 4.4). The needs of the staff at Dyambu and Baviaanspoort were determined by means of questionnaires (see 5.6.3; Appendix 1).

Questionnaires on background information (see 5.6.3; Appendix 2) of the participants in the programmes were given to staff, and later to the participants as well. It was found that there are notable differences between the information provided by the staff and the information provided by the participants. This could indicate that youth give incorrect information when they are arrested, or that the assessment of youth at their arrest is inadequate. There appears to be a need for the development of a reliable, comprehensive assessment tool to be used when youth are arrested (see 2.6.3).

The adjusted therapeutic programmes as used at Dyambu and Baviaanspoort were provided and the positive and negative points of each programme were discussed.

The staff evaluated the change in behaviour and attitude of the youth on the programme by means of questionnaires (see 5.6.3; Appendix 3). Staff reported a definite overall change in the behaviour and attitude of participants.

Chapter 7 will summarize the research, indicate the contributions of the study and recommendations will be made regarding changes to be made to the rehabilitation programme for future use. Areas for further study will be discussed.

## **CHAPTER 7**

### **IMPLICATIONS OF THE RESEARCH AND SUGGESTIONS FOR FURTHER RESEARCH**

#### **7.1 INTRODUCTION**

In Chapter 1 it was stated that the aim of this research was to develop a provisional therapeutic programme for the rehabilitation of youth offenders. The research consisted of two elements, namely a literature study and an empirical component. The first part of the literature study focussed on theories that describe and explain the occurrence of youth offence. The second part discussed risk factors that could lead to youth offence. In the next part of the literature study the juvenile justice system in South Africa was discussed with reference to its relevance to the planning of a rehabilitation programme. The final part of the literature study discussed and evaluated existing international rehabilitation programmes for offenders. The results obtained from the literature study were used to compile a provisional therapeutic rehabilitation programme that was applied at Norman House. Needs as indicated by the staff at Norman House were also used in the compilation of the provisional programme. In the empirical study the provisional programme and revised programme were applied and changes were made.

The results of the literature study and the empirical component are summarized below. Recommendations for further improvement of the rehabilitation programme are given. The limitations of the study are stated and suggestions for further research are made.

#### **7.2 SUMMARY OF RESULTS**

This section summarizes the results from the literature study and the empirical investigation.

##### **7.2.1 Summary of results from the literature study**

A number of theories that explain youth offence were discussed (see 2.2). Although it can be seen that no single theory explains all the aspects of youth offence, ample evidence exists to

prove the pertinence of each theory. It can therefore be argued that an eclectic approach in dealing with youth offenders should be followed which incorporates aspects from various theories. When a multisystemic approach that includes the important points of each theory is followed, the following aspects emerge as important aspects to be addressed in a rehabilitation programme (see 4.2.1):

- Interpersonal relationships
- Decision-making
- Goal-setting
- Accountability
- Empowerment
- Social skills

Various risk factors that could lead to youth offence were discussed (see 2.3). Again it can be seen that one factor is not more prominent in causing youth offence than another. It is rather exposure to a number of these factors that place youth at a higher risk of becoming involved in delinquency and criminal behaviour.

A number of risk factors were discussed but of these the role of culture and acculturation and street children are of particular relevance to South Africa. It is argued that adherence to ones' ethnic culture reduces delinquency as youths are more shielded from delinquency (see 2.3.6). As there is such a wide array of cultures in South Africa, cultural awareness and respect for others' cultures are important. Street children can be seen throughout South Africa and this occurrence is a significant problem from economic as well as criminological and psychological points of view. Criminal activities may characterize the lives of many of these children for various reasons including peer pressure and the need for food, clothes or money. Substance abuse is also prevalent among these youths (see 2.3.9).

Certain aspects re-occur in all of the risk factors discussed, and the researcher felt that a rehabilitation programme should address these aspects (see 4.2.2). They were:

- Interpersonal relationships
- Parenting practices
- Decision-making skills

- Problem-solving skills
- Empowerment
- Dealing with feelings

Certain characteristics for effective rehabilitation programmes for offenders have been identified by a number of studies. These included the intensity and duration of the programme, the programme should be behavioural and should include cognitive components. Effective programmes should target criminogenic needs and should have a real-world link. The programmes will also be more effective when they match the learning styles of the offenders and if they target high-risk offenders (see 3.2).

A number of programmes were evaluated with these characteristics in mind. As these programmes all included different characteristics of effective programmes and all showed some measure of success, it is not possible to say which of the characteristics were responsible for the success of the programmes. The needs targeted by each programme were summarized and the needs addressed with the most frequency were identified (see 4.2.4).

These were:

- Communication
- Peer relationships
- Group cooperation
- Self-esteem
- Decision-making
- Problem-solving
- Cognitive deficiency/thinking skills
- Accountability/responsibility

The juvenile justice system in South Africa was discussed. It can be seen that the juvenile justice system aims to divert youth from the justice system as far as possible and that it aims to solve the problems that lead to the youth being involved in crime. Knowledge of the justice system is important for the practical arrangements of a rehabilitation programme. The facilitator might also be asked questions about the judicial process by the youths, as they might be unsure of what to expect (see 4.2.3).

Using the above information gained from the literature and the needs identified by the staff at Norman House (see 4.2.5) a provisional therapeutic rehabilitation programme was compiled. The topics that were included in the programme were (see 4.3):

- Interpersonal relationships, including social skills such as communication and conflict resolution, as well as other aspects necessary for personal relationships such as trust and respect.
- Decision-making and problem-solving
- Goal-setting
- Accountability and responsibility
- Dealing with feelings
- Self-esteem
- Empowerment
- Cognitive deficiencies and thinking skills

The programme is based on experiential learning (see 2.4.3; 4.4). Activities were chosen to address each of the issues outlined above (see Table 4.7). According to experiential learning, participants in the programme are responsible for their own learning. The programme facilitator guides the discussion that follows each activity, but the youths themselves apply the learning to their own lives. The provisional rehabilitation programme was applied at Norman House, evaluated by the researcher in terms of its short-term effectiveness and revised (see 4.5).

### **7.2.2 Summary of the results from the empirical study**

After completion of the programme at Norman House suggestions for changes to the programme were made (see 4.5.4). These changes were taken into account with the planning of the programmes for Dyambu and Baviaanspoort. These changes included focusing on awareness of problems during the first half of the programme, and dealing with these problems during the second half of the programme. Extra activities were added to address goal-setting, dealing with feelings, accountability and goal-setting. Staff at Dyambu and Baviaanspoort completed needs assessment questionnaires and their suggestions were added

to the changes made to the provisional programme. According to questionnaires completed by staff their for a programme are (see 6.2.1):

- Anger management
- Planning for the future
- Conflict resolution
- Communication
- Goal setting
- Identifying and dealing with feelings
- Forming meaningful relationships
- Decision-making
- Thinking skills
- Time management
- Self-esteem

The adjusted programme was presented at Dyambu and Baviaanspoort. After completion of these programmes, they were evaluated in term of their short-term effectiveness by means of staff evaluation questionnaires two weeks after completion of the programme (see 6.7), and follow-up sessions with participants six weeks after completion of the programme (see 6.6). From these evaluations further suggestions for the improvement of the programme emerged.

Staff members at the three institutions were asked to evaluate the therapeutic programme by observing youths' behaviour and attitude over a period of two weeks following the completion of the programme (see 6.7). Staff were asked to rate the improvement on a scale of 1-5, but also to provide comments on the progress and change of the participants. Staff indicated definite improvements in communication and relationships in general. They indicated slight to mediocre changes for the rest of the topics. Staff indicated a definite overall improvement. The staff's evaluation is not as optimistic as that of the researcher and the youth themselves. Staff suggested additional topics to be included in future programmes. These were (see 6.7):

- Cultural diversity/Africanism
- Community values
- Ownership of the facility

- Study methods/career guidance
- Sex education/AIDS awareness
- Drug awareness
- Motivation
- Leadership
- Dealing with sex offenders
- Self-development and life-skills

Follow-up sessions in the form of focus groups were conducted with youth six weeks after completion of the programme. Youth felt that they benefited from the programme. They were enthusiastic about their futures and could remember what they had learnt on the programme. The following suggestions are made based on the follow-up with participants six weeks after completion of the programme (see 6.4):

- greater emphasis on friendship and dealing with peer pressure;
- spending more time on application of skills to real-life situations, including the application of skills in prison or the secure care facility;
- dealing with the feelings of loneliness the youths face as a result of being separated from family and friends;
- providing youths with guidelines on how to assist others and to share the knowledge they gained on the programme.

### **7.3 CONTRIBUTIONS OF THE STUDY**

The study makes the following contributions to the field of educational psychology and the study of youth offenders:

- it summarizes a number of theories on youth offence and identifies aspects from these theories that should be addressed in a therapeutic rehabilitation programme;
- risk factors that could lead to youth offence are discussed and the aspects according to these factors that need to be addressed in a therapeutic programme are identified;

- a number of international and South African rehabilitation programmes for offenders are evaluated and the needs that should to be addressed by therapeutic programmes are identified;
- the above information as well as the needs of the facility where the programme was applied were used to compile a provisional therapeutic rehabilitation programme which was then applied and evaluated;
- a revised programme was applied at two more facilities and suggestions for future changes were made;
- the short-term effectiveness of the compiled programme was determined.

The researcher feels that the short-term effectiveness of the therapeutic programme is an indication that the programme can be effective in the long-run, provided that regular follow-ups take place.

#### **7.4 RECOMMENDATIONS FOR FURTHER IMPROVEMENT OF THE REHABILITATION PROGRAMME**

Regular follow-up sessions should be done with youth in order to ensure long-term effectiveness of the programme. Youth should receive reinforcement of what they learnt on the programme on a continuous basis e.g. by staff members at the various institutions. Future research should focus on determining the effectiveness of the programme over a longer time period.

It is recommended that staff at the facilities be thoroughly trained in terms of the risk factors and possible causes of offence, as well as the characteristics of these youths. Staff training could include the following:

- background on the possible causes of youth offence;
- explanation of the rationale of the rehabilitation programme;
- guidelines to reinforce what youths learnt in the programme in order to make the programme even more successful, as reinforcement of skills will take place on an ongoing basis;

- training to identify and deal with problems such as aggression, emotional distress and peer pressure.

## **7.5 LIMITATIONS OF THE STUDY AND SUGGESTIONS FOR FURTHER RESEARCH**

The fact that the effectiveness of the programme was only tested over the short-term is one of the limitations of the study. Another limitation of the study is that the research was conducted only in the Gauteng region, which is limited in terms of the scope of the study. The study also involved a limited sample of youths in only three facilities. In order to determine the true effectiveness of the programme, the programme should be run at as many facilities for youth offenders as possible, and should include a large percentage of the youth housed at that facility. To determine the effectiveness of any programme in reducing the rate of recidivism in South Africa, all youths offenders should be involved in rehabilitation programmes, regardless of whether they are being diverted or sentenced.

Another limitation of the study and therefore a possible topic for further research is the lack of a reliable and comprehensive tool for the assessment of youth offenders in terms of exposure to risk factors and emotional and psychiatric problems. Thorough assessment of offenders will ensure that their needs for intervention are met and that offenders are placed in programmes from which they will optimally benefit.

## **7.6 CONCLUSION**

The research question underpinning the study was to develop a therapeutic programme for the rehabilitation of youth offenders. It was determined that a need exists for the development of a therapeutic programme for youth offenders in South Africa. Through the literature study aspects were identified that should be included in a rehabilitation programme. The needs of staff at the institutions where the programme was applied were also taken into account in the compilation of the programme. A provisional therapeutic rehabilitation programme was compiled and tested, and alterations made. The revised programme was applied in two other settings and further suggestions for the improvement of the programme were made.

The therapeutic rehabilitation programme was successful over the short-term in that it provided youth with skills they need in order not to commit further offences. A change of attitude was observed in the youth and they were positive about their futures and wanted to keep up the changes that had occurred. Marked improvement in problem-solving skills, conflict resolution, communication, decision-making and accountability for actions could be seen. Youth also learnt the importance of trust and respect in interpersonal relationships. The application of these skills in real-life situations will result in a lower recidivism rate, resulting in fewer young people in the juvenile justice system. Reducing the load on the justice system is one of the most important spin-offs that the application of the programme can have.

This study provided the field of educational psychology with valuable research in the field of youth offence. A therapeutic rehabilitation programme was compiled that can serve as a basis for the development of extensive and long-term therapeutic intervention in the field of youth offence in South Africa. It also highlighted many problems in this field and indicated a number of topics for further study.

The researcher found that youths at all three facilities were excited about the programme. They were anxious to acquire skills that would help them not to commit crime again and took part in activities with enthusiasm. The enthusiasm and excitement of the youths and the substantial changes in youths' attitude and behaviour left the researcher with the feeling that the programme had a significant effect on the lives of those youths. The researcher is confident that a programme such as this one could be used with great success in South Africa, as youths are receptive to intervention.

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## APPENDIX 1

### Recommendations for programme: Staff Questionnaire

Name (staff member): \_\_\_\_\_

Please complete the following questionnaire as thoroughly as possible. The aim of the questionnaire is to determine what the needs of offenders in this facility might be, according to staff members who work with these offenders on a regular basis. Please feel free to add suggestions/ comments where you feel the need. Please write your name on the questionnaire, it will make it easier for me to follow up when I need more detail or clarification. Information acquired is published in a general document and will not reflect suggestions made by individuals. The identity of individuals will be protected.

**Please indicate how necessary it is to include the following skills in a programme for the offenders in this facility:**

**1 – not necessary at all**

**2 – can be beneficial**

**3 – important**

**4 – crucial/ extremely important**

	Rating	1	2	3	4
Conflict resolution					
Decision-making					
Identifying feelings					
Dealing with feelings					
Anger management					
Thinking skills					
Goal setting					
Planning for the future					
Time management					
Building self esteem					
Assertiveness training					
Forming meaningful relationships					
Communication					

## APPENDIX 2

### (A) INFORMATION ON SUBJECTS: COMPLETED BY STAFF

Name: \_\_\_\_\_

1.1 Date of Birth: \_\_\_\_\_

1.2 Current chronological age: \_\_\_\_\_ years \_\_\_\_\_ months

1.3 Age at the time of arrest: \_\_\_\_\_ years \_\_\_\_\_ months

1.4 Sex: Male  Female

1.5 Home language: Xhoza  N-Sotho  Venda  S-Sotho

English  Afrikaans  Swazi  Zulu

Other  Specify: \_\_\_\_\_

1.6 Family structure/ Marital status of parents:

Parents married to each other	<input type="checkbox"/>
Divorced	<input type="checkbox"/>
Father remarried	<input type="checkbox"/>
Mother remarried	<input type="checkbox"/>
Foster parents	<input type="checkbox"/>
Widow/ widower	<input type="checkbox"/>
Street child	<input type="checkbox"/>
Single parent/ unmarried	<input type="checkbox"/>

**1.7 Number of children in the family:**

1	
2	
3	
4	
5	
More than 5 Specify no.	

Youth's position in the family: (first child, middle, youngest, etc.) \_\_\_\_\_ of \_\_\_\_\_ children

**1.8 Where (with whom) did the youth stay at the time of the arrest?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Other (Specify)	

**1.9 Where (with whom) else did the youth stay in the previous three years?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Other (Specify)	

**1.10 Where is the youth currently staying?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Prison	
Other (Specify)	

**1.11 Was the child at any stage physically, sexually or otherwise abused or neglected?**

Yes  Specify \_\_\_\_\_

**1.12 Prior convictions:**

How many prior convictions does the youth have, (not including the current conviction)? \_\_\_\_\_

Crime convicted for:

	homicide
	rape
	robbery
	assault
	burglary
	theft
	possession of weapon
	possession of drugs
	dealing with drugs
	parole violation
	trespassing
	arson
	other

**1.13 Current conviction:**

homicide
rape
robbery
assault
burglary
theft
possession of weapon
possession of drugs
dealing with drugs
parole violation
trespassing
arson
other

**1.14 (a) Previous programmes attended (not including this one)?** Yes  No

Specify \_\_\_\_\_

**(b) Other sentencing options (not including this one)?**

Specify (eg community service) \_\_\_\_\_

**1.15 Educational involvement:**

	<b>At time of the arrest</b>	<b>Currently</b>
In school		
Attending School in prison		
Studying through correspondence		
At technical college		
Working		
Apprenticeship		
Other (Specify)		

**Youth's current educational level**

Grade 7	
Grade 9	
Grade 10	
Grade 12	
Other (specify)	

**1.16 Have any of the youth's family members been convicted for a crime?** Yes  No

- Yes 
 Mother   
 Father   
 Brother/s   
 Sister/s   
 Other  Specify \_\_\_\_\_

**1.17 At the time of arrest was the youth using any of the following?**

Alcohol	
Drugs (specify)	

**1.18 At the time of arrest was the youth involved with/ any of the following?**

Gang activity	
Crime syndicate/ organized crime	

**1.19 Sentencing information**

Has the youth been sentenced? \_\_\_\_\_

Date of sentence: \_\_\_\_\_

- Nature of sentence: Community service  Remand date: \_\_\_\_\_  
 Diversion programme  Remand date: \_\_\_\_\_  
 Prison  Length of the sentence? \_\_\_\_\_ Years \_\_\_\_\_ months  
 Other  Specify \_\_\_\_\_

Is the youth awaiting trial? \_\_\_\_\_ Trail date: \_\_\_\_\_

If the child is currently in prison, how long has he/she been there? \_\_\_\_\_ years \_\_\_\_\_ months

**(B) INFORMATION ON SUBJECTS: SELF-REPORT COMPLETED BY YOUTH**

Name: \_\_\_\_\_

1.1 Date of Birth: \_\_\_\_\_

1.2 Current chronological age: \_\_\_\_\_ years \_\_\_\_\_ months

1.3 Age at the time of arrest: \_\_\_\_\_ years \_\_\_\_\_ months

1.4 Sex: Male  Female

1.5 Home language: Xhoza  N-Sotho  Venda  S-Sotho

English  Afrikaans  Swazi  Zulu

Other  Specify: \_\_\_\_\_

1.7 Family structure/ Marital status of parents:

Parents married to each other	
Divorced	
Father remarried	
Mother remarried	
Foster parents	
Widow/ widower	
Street child	
Single parent/ unmarried	

**1.7 Number of children in the family:**

1	
2	
3	
4	
5	
More than 5 Specify no.	

Your position in the family: (first child, middle, youngest, etc.) \_\_\_\_\_ of \_\_\_\_\_ children

**1.8 Where (with whom) did you stay at the time of the arrest?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Other (Specify)	

**1.9 Where (with whom) else did you stay in the previous three years?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Other (Specify)	

**1.10 Where are you currently staying?**

On the street	
In a foster home	
Place of safety	
With parents	
With mother	
With father	
With grandparents	
Prison	
Other (Specify)	

**1.11 Were you at any stage physically, sexually or otherwise abused or neglected?** No

Yes  Specify \_\_\_\_\_

**1.12 Prior convictions:**

How many prior convictions do you have, (not including the current conviction)? \_\_\_\_\_

Crime convicted for:

homicide
rape
robbery
assault
burglary
theft
possession of weapon
possession of drugs
dealing with drugs
parole violation
trespassing
arson
other

**1.13 Current conviction:**

homicide
rape
robbery
assault
burglary
theft
possession of weapon
possession of drugs
dealing with drugs
parole violation
trespassing
arson
other

**1.14 (a) Previous programmes attended (not including this one)?** Yes  No   
Specify \_\_\_\_\_

**(c) Other sentencing options (not including this one)?**  
Specify (eg community service) \_\_\_\_\_

**1.15 Educational involvement:**

	<b>At time of the arrest</b>	<b>Currently</b>
In school		
Attending School in prison		
Studying through correspondence		
At technical college		
Working		
Apprenticeship		
Other (Specify)		

Your current educational level

Grade 7	
Grade 9	
Grade 10	
Grade 12	
Other (specify)	

**1.16 Have any of your family members been convicted for a crime?** No

Yes

Mother

Father

Brother/s

Sister/s

Other  Specify \_\_\_\_\_

**1.17 At the time of arrest were you using any of the following?**

Alcohol	
Drugs (specify)	

**1.18 At the time of arrest were you involved with/any of the following?**

Gang activity	
Crime syndicate/ organized crime	

**1.19 Sentencing information**

Have you been sentenced? \_\_\_\_\_

Date of sentence: \_\_\_\_\_

Nature of sentence: Community service  Remand date: \_\_\_\_\_

Diversion programme  Remand date: \_\_\_\_\_

Prison  Length of the sentence? \_\_\_\_\_ Years \_\_\_\_\_ months

Other  Specify \_\_\_\_\_

Are you awaiting trial? \_\_\_\_\_ Trail date: \_\_\_\_\_

If you are currently in prison, how long have you been here? \_\_\_\_\_ years \_\_\_\_\_ months





## **APPENDIX 4**

The activities used in the programmes are described below.

### **1. Introduction to the programme:**

The programme and its purpose are discussed. All members introduce themselves.

### **2. Information musical chairs (the big wind blows):**

*Aim: Icebreaker, getting to know each other, listening skills, trust*

Chairs are placed in a circle with one chair short. Each person is seated on a chair except the facilitator who introduces and starts the game. The facilitator starts the game by saying 'The big wind blows for all the people with.....' Characteristics such as brown eyes are named, and all the people with brown eyes then have to change chairs. As there is one chair short one person will remain standing and the process is repeated. The person in the middle must use a characteristic or behaviour that is applicable to himself. The facilitator can lead the characteristics to become more personal and to include behaviour, such as people who have committed a crime.

### **3. Rules formation:**

*Aim: order, empowerment, responsibility*

Discuss the use and necessity of rules in general, and specify that rules also needed in this group. The facilitator asks the group to list rules. If necessary rules are grouped together to avoid too many rules. These rules are put up in the venue.

### **4. Expectations:**

*Aim: to define expectation regarding the course, to identify fears and feelings, goal setting.*

Each participant is given a sheet (see below) with questions regarding expectations to fill in by himself. Depending on the size of the group they can discuss the questions in smaller groups, or a general discussion can be held.

Name: \_\_\_\_\_

In this group:

I hope \_\_\_\_\_

I am scared that \_\_\_\_\_

I think the following is going to happen: \_\_\_\_\_

The following will change: \_\_\_\_\_

I feel \_\_\_\_\_

I think \_\_\_\_\_

I don't want to \_\_\_\_\_

I want to \_\_\_\_\_

## 5. Thorn Story:

*Aim: Identify feelings and past hurt, trust, commitment to the programme*

The following story is told:

There was a boy who lived with his parents in the country. He enjoyed living in the country and passed the time walking around in the field. One day, as he was walking around he passed under a big thorn tree. He was deep in thought and did not look where he was going. He stepped into a long spike-thorn. The thorn stuck deep into his foot and he could not get it out, no matter what he tried. He felt ashamed for being so careless and did not tell his parents about his misfortune. The thorn stayed stuck in his foot and eventually became infected. It was now so sore to try and get it out, so the boy decided that he would live with the pain. He lived in pain and limped around for many months. One day a doctor passes by their house and asked what the matter with the boy was. He offered to take a look at the boy's foot. He explained to the boy that he could take the thorn out, but that it would hurt a lot because he had no anaesthetic or painkillers with him. He said that the boy will probably scream and swear at him, and may want to decide to stop the process halfway through because of the hurt. The doctor said that he would understand and that he will carry on, because in the long run the boy will be relieved if the thorn is removed. The doctor proceeded to remove the thorn despite the boy's painful protests, and the boy's foot healed quickly afterwards and he could walk normally again.

Discuss the following in relation to the story:

- Being hurt in life, often unexpectedly
- Feeling shame at things that happen to us eg sexual abuse, parents' divorce
- Avoiding emotional pain
- The effects of emotional pain in our lives and how it hampers us
- Not asking for help when we are hurting/ refusing help
- Difficulty in dealing with emotions
- During the course youths might want to avoid facing difficult issues/ destructive behaviour patterns by becoming aggressive or not attending sessions
- Possible growth when past hurts are dealt with

## **6. Communication intro:**

*Aim: to make participants aware of different ways to communicate, to be aware of the different meanings one gesture can have and to identify when a message can be misunderstood.*

Different ways of communicating is explained and demonstrated (body, voice, face, words)

**pictures:** present the group with various pictures of hand gestures and body positions and ask them to interpret these. Discuss the interpretations and the fact that there can be more than one meaning to certain postures. Discuss how mixed messages can be given e.g. by a facial expression that does not support the words spoken.

## **7. Human spider web:**

*Aim: communication, cooperation, and problem solving*

Participants are asked to form a circle standing shoulder to shoulder, they must stretch their hands out in front of them and take the hands of two other people, the group must then untangle themselves into a circle where everybody is facing the inside of the circle.

## **8. Feelings:**

*Aim: naming feelings, discussing how feelings can influence one's life*

The group must brainstorm and name as many feelings as they can. The importance of being able to identify feelings, sharing feelings, the influence of unresolved feelings on our lives and behaviour, relationships and interpretation of events is discussed.

## **9. Yes/no game:**

*Aim: socialiser, gaining information, test opinions, acceptance*

Participants sit in a circle. The facilitator mentions characteristics e.g. people whose parents are divorced. Those can answer yes to the question must stand, those for who the answer is no must sit. As the game progresses statements such as 'drugs are good' can be made to test opinions and ideas in a non-threatening way. Discuss making decisions re opinions in a short time, also that all the participants are not sitting/ standing at the same time and that we all have different opinions.

## 10. One man instruction:

*Aim: Decision-making, boundaries, choices*

The group gives instructions to a volunteer eg stand on your head etc, facilitator gives an outrageous instruction. Discuss volunteer's feelings, decisions to follow instructions or not, discuss the meaning of boundaries etc, choices in behaviour.

## 11. Three future options:

*Aim: Decision-making, empowerment, feelings*

Participants are each given a piece of paper from numbered envelopes that indicate what the rest of their lives are going to be like. They will either be an offender, a troublemaker, or successful businessman. Discuss the fact that others cannot decide for you, you can decide to change your life, you can choose actions etc, also discuss feelings. The following three options are handed out to participants:

### **You are an offender.**

For the rest of your life you will commit crimes. When you are angry, you will attack someone, steal something, kill someone or do drugs. You will often be caught, and you will spend most of your time in prison. When you come out of prison, you won't have any food, or a car, or a place to stay, so you will steal. You will then be caught again and you will go back to prison.

### **You are a troublemaker.**

Wherever you go you will get in trouble. At school you will bully others, cut class, run away and you will often be punished. You will be expelled from school and will never get matric. When you start a job you often stay away for no reason, you don't do what your boss tells you to do, when you make a mistake you will say it was someone else. You will get fired and start a new job, and get fired again. You will always be poor because you cannot keep a job and in the end you will live on the street with no money, no food and no clothes.

### **You are a successful businessman.**

You always try your best. When things go wrong in your life you try and find a solution. When you make mistakes you say: I made a mistake, how can I change, how can I improve myself? You try and learn as much as you can, sometimes you work during the day and study at night. You listen to others to learn from them, and learn from their mistakes. You have a goal, you believe in yourself, you respect yourself, and you respect others. One day you will be rich, you will have a nice house, a nice car and a happy family.

## **12. Instructions:**

*Aim: icebreaker, importance of following instructions, listening skills*

Participants are given an exercise in which they have to follow seemingly pointless instructions, the instructions should have a sequence, discuss the importance of following instructions, sometimes in a particular order.

## **13. Friendship:**

*Aim: importance of friends, influence of friend on behaviour*

Brainstorm the qualities a good friend should have, or not have.

Participants are divided into groups and asked to write an advertisement for a good friend using the qualities identified during the brainstorming session. They can use clippings from magazines to add to their advertisement.

## **14. Simultaneous conversation:**

*Aim: communication, listening skills, feelings*

The group is divided into pairs, each person has to decide on a story he wants to tell of an experience he had. In their pairs they start to tell their stories to each other at the same time. Discuss listening skills, feelings when you are talking and not listened to.

## **15. Sabotage:**

*Aim: communication, cooperation, feelings*

The group is divided into groups of 3. One person is the listener, one person tries to talk to the listener about a topic of his choice, and the 3<sup>rd</sup> person tries to sabotage the conversation. Discuss each role, feelings of each participant, ways that can be used to sabotage a conversation. Discuss where else in life we can sabotage things and how.

## **16. Mirror:**

*Aim: self-awareness, concentration, observation, fun*

Each member chooses a partner. They stand facing each other, each person gets a chance to make certain gestures and the other person must mirror him. It is emphasized that the action must be mirrored immediately and as accurately as possible including, facial expressions and sounds made. Each group member gets a chance to make gestures in front of the rest of the group, and the group has to mirror him as accurately as possible.

## 17. Conflict management:

*Aim: conflict resolution*

Discuss: What is conflict? Is it good or bad? What is the purpose of conflict?

Cards with different ways to solve conflict are discussed and group members have to decide whether each method is good or bad. To make the activity more interesting the possible solutions can be acted out. The following possible solutions are given to participants, each on a separate card:

Accuse	Use humor
Judge	Be assertive/ confident
Avoid	Negotiate/ bargain
Blame	Compromise/ settle
Be stubborn	Be creative
Keep quiet	Take action
Overpower	Listen
Want to always be right	Understand
Hide feelings	Swear
Hitting	Threaten
Defend	Talk
Want to win at all costs	Get an outside person
Make excuses	Walk away/leave
Try to keep the peace	Ignore
Conform/ agree	Call names
Withdraw Confront	

## 18. Crime stop:

*Aim: awareness, problem-solving, decision-making*

The group discusses the possible causes of crime and potential solutions to stop crime.

## 19. Trust step:

*Aim: Introduce trust, building of trust for future activities*

Participants pair off, they are shown how to fall backwards keeping their bodies straight, and how to catch each other. The nature of trust and how trust is built is discussed.

## **20. Structure building:**

*Aim: cooperation, communication, involvement, problem solving*

The group has to build a structure e.g. airplane, car, bridge using their bodies, they all have to be part of the structure.

## **21. Gifts:**

*Aim: positive affirmation, self-esteem*

Each participant is given 3 pieces of paper to write his name on. The papers are then redistributed so that each person has 3 different people's papers. They can have one of their own. They are asked to write down a gift that they would like the other person to have, it must not be an object but a skill or an idea such as kindness, love, patience, happiness.

## **22. 2-2 lean:**

*Aim: Support system, cooperation*

Group members are asked to see how far they can lean forward without holding on to anything. They are then asked to pair up and see if they can lean forward further with the help of others.

## **23. Group yell:**

*Aim: group cohesion, motivation*

The group stands in a circle holding on to each other's shoulders. The whole group goes down onto their knees. The group then starts a soft yell, they come up slowly, increasing the volume until they end with a loud **YES!**

## **24. Best/worst thing that happened to me last week:**

*Aim: sharing, trust*

Each group member is asked to share the best and worst things that happened to him/her last week.

### **25. Support web:**

*Aim: acceptance of differences between people, support structure, problem solving, integrity (telling the truth)*

A ball of string is used. The person holding the string can ask any question of any other member, that member can choose to answer the question or not. If the person decides to answer the question it must be answered truthfully. Discuss acceptance of others views, trust, respect. The web formed by the string is used as an illustration of a support structure and how that can help us when things go wrong and if we make mistakes. Certain people are asked to drop the string they are holding, the web becomes weaker, an illustration of the fact that our support structures are sometimes not effective. Feelings such as rejection and disappointed is discussed. The group discusses alternatives for when our support structure fails.

### **26. Trust walk:**

*Aim: trust, integrity (keeping eye closed), participation*

Each member chooses a partner, 1 person closes his eyes and is led around. The roles are then reversed. Integrity, trust, participation is discussed

### **27. Trust lift:**

*Aim: Trust, cooperation, commitment to the task*

The group makes a circle and 1 person is put in the middle. The person in the middle stands with his feet together, closes his eyes and is passed around in the circle, pivoting on his heels and toes, from person to person, and then picked up as high into the air as possible, turned around and slowly rocked to the ground. The group members who form the circle must be quiet, to make the experience as pleasant as possible for the person in the middle.

### **28. Goal setting:**

*Aim: to be able to set realistic goals*

Discuss what a goal is, the obstacles that can come in the ways of reaching our goal, steps to setting a goal; be specific in the setting of a goal, how long will it take to reach the goal, what will I need, what steps do I have to take, what can go wrong etc. Each participant is then asked to set his own goals.

### **29. Decision making: theory**

*Aim: to become familiar with the process of making decisions*

Discuss what is needed to make a decision, considering different options and consequences.

### **30. Decision making story:**

*Aim: decision making, looking for alternatives, choices and consequences, empowerment, apply the theory to real-life situations*

Discuss the following simple story in which certain decisions are made. Afterwards the youth discuss each decision, the outcomes and possible alternatives.

Story:

This is the story of two good friends John and Pete (youth can give their own names to the characters). John is seventeen years old and Pete is twenty years old. John's mother is killed in a hijacking. Pete says that he will stand by John and support him through this difficult time. John is very sad and also very angry with the hijackers. He feels that he cannot cope with these feelings and he starts to do drugs. Pete says that he understands that John is upset and that he will support him. John becomes more dependent on drugs. He owes the dealer money and he needs more money for drugs. He starts to steal and sell things to buy drugs and pay the dealer. He finds however, that he needs more money. Pete decides to rob a store to help his friend and he asks John to assist him. John feels that it is wrong to rob a store because people can get hurt. Pete robs the store anyway, but something goes wrong and he kills someone in the process. He is caught and is sentenced to go to life imprisonment. John is very sad that he has lost his friend. He starts using more drugs and becomes a dealer to be able to afford the drugs he needs. He has no friends as all his old friends are scared of him. He dies of an overdose when he is twenty. Pete is released from prison for good behaviour when he is 55 years old.

### **31. Move to a spot:**

*Aim: planning, dealing with obstacles*

Youths must stand in a small, allocated space. They must find a spot on the ground and then close their eyes. They are then instructed to move to the spot that they chose. They then open their eyes to determine whether or not they arrived where they anticipated. The exercise is

repeated with eyes open, as well as with youths walking in circles to get to the pre-determined point.

### **32. Territories**

*Aim: decision-making, planning, responsibility, communication, and conflict resolution*

The group is divided into 3 small groups. Each group must 'find' a new country. They must decide on a name for the country, describe it in terms of religion and culture, and make the laws that will govern it. They are also given string to mark of the borders of this country. Information regarding each country is shared among the bigger group and laws and the necessity thereof is discussed.

### **33. Certificates**

Each group member is given a certificate and is asked to talk about what he learnt in the group.

With the certificates the following quote is handed out to each participant and the relevance for each person's life is discussed in terms of what he/she learnt on the programme.

Your most dangerous, scary, frightening experiences have happened to you for one simple reason: to help you discover how powerful you really are so you can go into the future with courage and confidence.

**Celebrate your greatness.**

Adapted from Still mind, Strong hart: Bernard Levinson & Mike Lipkin

## APPENDIX 5

### (A) INFORMATION PROVIDED BY STAFF

**TABLE 1 CRIME CURRENTLY ACCUSED OF/SENTENCED FOR - OFFICIAL**  
Crimes are grouped according to Schedules 1-3 provided by the Report on Juvenile Justice (2000: 311; see 2.7).

	Norman House	Baviaanspoort	Dyambu	Total	%
<b>Very serious crime (Schedule 3)</b>	<b>2</b>	<b>9</b>	<b>0</b>	<b>11</b>	<b>17</b>
Murder	0	0	0	0	
Rape	0	3	0	3	
Dealing with drugs	0	0	0	0	
Attempted rape	0	2	0	2	
Car theft	2	0	0	2	
Robbery with aggravating circumstances	0	4	0	4	
<b>Serious Crime (Schedule 2)</b>	<b>7</b>	<b>22</b>	<b>15</b>	<b>44</b>	<b>69</b>
Assault	0	0	0	0	
Fraud	0	1	1	2	
Culpable homicide	0	1	0	1	
Robbery	0	4	4	8	
Possession of illegal firearm	1	4	1	6	
Possession of drugs	0	0	0	0	
Housebreaking	1	0	4	5	
Theft (Value less than R20 000)	5	4	3	12	
House breaking and theft	0	8	2	10	
<b>Minor Crime (Schedule 1)</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>9</b>
Trespassing	1	0	0	1	
Shoplifting	1	0	0	1	
Damage to property	1	0	1	2	
Theft from a car	0	1	0	1	
<b>Crimes not Specified</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>5</b>
Parole violation	0	0	0	0	
Burglary	0	0	0	0	
Possession of suspected stolen property	0	0	1	1	
Assistance with attempt to escape	0	1	0	1	
<b>Total</b>	<b>12</b>	<b>33</b>	<b>17</b>	<b>62</b>	

**Note:** some youths are accused/sentenced for more than 1 crime, 62 crimes in total

**Note:** information was only provided on 17 of the 19 youths from Dyambu

**TABLE 2 CRIMES COMMITTED PRIOR TO CURRENT OFFENCE**

	Norman House	Dyambu	Total	%
<i>Very serious crime, crime against people (Schedule 3)</i>	0	1	1	14.3
Rape	0	1	1	
<i>Serious Crime (Schedule 2)</i>	2	4	6	85.7
House breaking	0	2	2	
House breaking and theft	0	2	2	
Robbery	1	0	1	
Burglary	1	0	1	
<b>Total</b>	2	5	7	<b>100</b>

Note: this information was not available for youths at Baviaanspoort, 7 crimes in total

**(B) INFORMATION PROVIDED BY YOUTH**

**TABLE 3 CURRENT CHRONOLOGICAL AGE**

AGE	Norman House	Baviaanspoort	Dyambu	Total	%
13	2	0	0	2	4.4
14	1	0	1	2	4.4
15	2	0	2	4	9
16	5	0	1	6	13.3
17	1	1	3	4	11
18	0	6	1	7	16
19	0	6	0	6	13.3
20	0	7	2	9	20
21	0	1	0	1	2.2
22	0	1	0	1	2.2
23	0	0	0	0	0
24	0	1	0	1	2.2
25+	0	1	0	1	2.2
<b>Total</b>	11	24	10	45	<b>100</b>

- 42% of participants are currently older than 18, the legal limit for defining a child.
- 8.8% of participants, all from Baviaanspoort, are older 21. It should be noted that youth are accommodated in the youth facility until they are 21 years old, at which time they are then transferred to the adult section of the prison.

**TABLE 4 AGE AT THE TIME OF ARREST**

AGE	Norman House	Baviaanspoort	Dyambu	Total	%
12	1	0	0	1	2
13	2	0	0	2	4.4
14	1	0	3	4	9
15	5	1	0	6	13.3
16	2	5	1	8	18
17	0	3	3	6	13.3
18	0	6	1	7	16
19	0	4	0	4	9
20	0	3	2	5	11
21	0	0	0	0	0
22	0	1	0	1	2
23	0	0	0	0	0
24	0	0	0	0	0
25+	0	1	0	1	2
<b>Total</b>	11	24	10	45	100

- 24% of participants indicated that they were older than 18 at the time of their arrest. This is a contradiction to the information provided by staff that stated that **ALL** participants were under 18 at the time of their arrest (see Table 6.9).
- 60.6% of participants were between the ages of 15 and 18 at the time of their arrest.

**TABLE 5 HOME LANGUAGE AND/OR CULTURE**

	Norman House	Baviaanspoort	Dyambu	Total	%
Xhoza	0	1	0	1	2
Zulu	3	6	5	14	30
Swazi	1	1	0	2	4
Tswana	0	2	1	3	7
Tsonga	0	1	1	2	4
N-Sotho	2	3	1	6	13
Venda	0	1	0	1	2
S-Sotho	2	7	0	9	20
English	2	1	0	3	7
Afrikaans	2	1	2	5	11
	12*	24	10	46	100

\*(one of the youths from Norman House speak both Zulu and Afrikaans at home)

- 30 % of participants were Zulu speaking.
- 20% South Sotho, 13% North Sotho and 11% Afrikaans speaking.
- The majority were therefore black and from African cultures.

**TABLE 6 FAMILY STRUCTURE/MARITAL STATUS OF PARENTS**

	<b>Norman House</b>	<b>Baviaans poort</b>	<b>Dyambu</b>	<b>Total</b>	<b>% of youths</b>
<b>Parents married to each other</b>	1	3	0	4	5
<b>Divorced</b>	4	7	5	16	21
<b>Father remarried</b>	1	5	2	8	11
<b>Mother remarried</b>	4	1	0	5	7
<b>Foster parents</b>	0	1	1	2	3
<b>Mother deceased</b>	0	2	5	7	9
<b>Father deceased</b>	0	10	3	13	17
<b>Both parents deceased</b>	2	1	3	6	8
<b>Single parent/unmarried</b>	1	10	2	13	17
<b>Unknown</b>	1	0	0	1	1
<b>Total responses</b>	14	40	21	75	100%

**Note:** some youths indicated more than one aspect. A total of 45 youths answered the question.

- 21% of participants are from divorced parents
- 9% of participants' mothers are deceased, 17% of participants' fathers are deceased, and 8% of participants' parents are both deceased.
- 17% of participants are from single parent families.

**TABLE 7 NUMBER OF CHILDREN IN THE FAMILY**

Number of children	Norman House	Baviaanspoort	Dyambu	Total	%
1	1	2	0	3	6.7
2	2	5	1	8	17.7
3	2	2	1	5	11
4	3	4	4	11	24.4
5	3	6	2	11	24.4
Twins	0	1	0	1	2
More than 5 Specify no.	0	6 children – 2 8 children – 1 14 children – 1	6 children – 1 7 children – 1	6	13
<b>Total</b>	11	14	10	45	<b>100</b>

- most youths come from families with four or five children (both 24.4%)
- 17.7% of youths come from families with two children
- 13% of youths come from families with more than five children

**TABLE 8 POSITION IN THE FAMILY**

Position in family	Norman House	Baviaanspoort	Dyambu	Total	%
1 (eldest)	4	3	2	9	20
2	3	5	3	11	24
middle	2	2	2	6	14
youngest	1	8	1	10	22
Other position	1	6	2	9	20
	11	24	10	45	100%

- 20% of youths are the eldest in their families
- 24% of youths are second children
- 14% are middle children
- 22% are the youngest in their families

**TABLE 9 RESIDENCE IN THE PREVIOUS THREE YEARS**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>On the street</b>	0	0	1	1	<b>2</b>
<b>In a foster home</b>	0	0	1	1	<b>2</b>
<b>Place of safety</b>	2	1	1	4	<b>9</b>
<b>With his/her parents</b>	0	0	0	0	<b>0</b>
<b>With his/her mother</b>	3	0	0	3	<b>7</b>
<b>With his/her father</b>	2	0	0	2	<b>4</b>
<b>With his/her grandparents</b>	3	1	0	4	<b>9</b>
<b>Shelter for street children</b>	1	0	0	1	<b>2</b>
<b>By himself</b>	0	1	0	1	<b>2</b>
<b>With other family</b>	0	4	0	4	<b>9</b>
<b>Not indicated</b>	1	17	7	25	<b>54</b>
<b>Total responses</b>	12	24	10	46	<b>100</b>

**Note:** some of the participants resided at more than one place during the three years

- 9% of youths stayed with their grandparents and 9% stayed with other family
- 9% of youths stayed in a place of safety
- 7% of youths stayed with their mothers and 4% stayed with their fathers
- 54% of participants did not indicate where they stayed during the three years prior to their arrest.

**TABLE 10 RESIDENCE AT THE TIME OF ARREST**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>On the street</b>	3	0	0	3	<b>7</b>
<b>In a foster home</b>	0	1	1	2	<b>4</b>
<b>Place of safety</b>	1	0	0	1	<b>2</b>
<b>With his/her parents</b>	1	4	0	5	<b>11</b>
<b>With his/her mother</b>	2	11	4	17	<b>38</b>
<b>With his/her father</b>	0	2	1	3	<b>7</b>
<b>With his/her grandparents</b>	2	1	0	3	<b>7</b>
<b>By himself</b>	0	4	4	8	<b>18</b>
<b>With friends</b>	1	0	0	1	<b>2</b>
<b>With other family</b>	0	1	0	1	<b>2</b>
<b>Unknown</b>	1	0	0	1	<b>2</b>
<b>Total</b>	11	24	10	45	<b>100%</b>

- 38% of participants had been staying with their mothers at the time of the arrest.
- 11% of participants had been staying with their parents.
- 7% had been staying with their fathers, and 7% had been staying with grandparents.
- 18% of participants had been staying by themselves (but not on the street).
- 7% of participants had been staying on the street.

**TABLE 11 PHYSICAL ABUSE, SEXUAL ABUSE OR NEGLECT**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>Sexually</b>	0	3	1	4	<b>9</b>
<b>Physically (severely beaten, burnt, cut)</b>	3	7	4	14	<b>31</b>
<b>Neglected ( e.g. left without food)</b>	1	1	0	2	<b>4</b>
<b>No abuse indicated</b>	7	13	5	24	<b>53</b>
<b>Total</b>	11	24	10	45	<b>100%</b>

- 9% of youths had been sexually abused
- 31% of youths had been physically abused
- 4% had been neglected
- 53% indicated no history of abuse

**TABLE 12 CRIMES COMMITTED PRIOR TO CURRENT OFFENCE**

(some youths committed more than one crime, 101 crimes in total)

	<b>Norman House</b>	<b>Baviaans poort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<i>Very serious crimes (Schedule 3)</i>	<b>0</b>	<b>10</b>	<b>7</b>	<b>17</b>	<b>17</b>
Attempted murder	0	1	0	1	
Dealing with drugs	0	3	1	4	
Rape	0	3	2	5	
Car theft	0	3	1	4	
Robbery with aggravating circumstances (armed robbery)	0	0	3	3	
<i>Serious Crimes (Schedule 2)</i>	<b>2</b>	<b>41</b>	<b>25</b>	<b>68</b>	<b>67</b>
Assault	0	5	3	8	
Robbery	1	5	3	9	
Culpable homicide	0	1	1	2	
Burglary and theft	1	7	0	8	
Theft	0	8	4	12	
Possession of illegal firearm	0	4	3	7	
Possession of drugs	0	7	3	10	
Arson	0	2	0	2	
Housebreaking	0	2	4	6	
Fraud (value greater than R500)	0	0	1	1	
Theft from a car	0	0	0	0	
Car breaking	0	0	3	3	
House breaking and theft	0	0	0	0	
<i>Minor Crime (Schedule 1)</i>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>3</b>
Trespassing	0	0	1	1	
Shoplifting	0	0	1	1	
Damage to property	0	0	1	1	
<i>Crimes not specified</i>	<b>0</b>	<b>9</b>	<b>4</b>	<b>13</b>	<b>13</b>
Parole violation	0	0	1	1	
Kidnapping	0	2	1	3	
Hijacking and kidnapping	0	2	0	2	
Hijacking	0	5	2	7	
<b>Total</b>	<b>2</b>	<b>60</b>	<b>39</b>	<b>101</b>	<b>100</b>

- the majority of previous crimes committed (67%) were of a serious nature (Schedule 2 crimes)
- 17% of crimes were of a very serious nature (Schedule 3 crimes)
- 13% were crimes that are not specified in the schedules
- 3% were minor crimes (Schedule 1 crimes)

**TABLE 13 CURRENT CRIME ACCUSED OF/SENTENCES FOR**  
(some youths committed/were sentenced for more than one crime)

	<b>Norman House</b>	<b>Baviaans poort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b><i>Very serious crimes (Schedule 3)</i></b>	<b>2</b>	<b>8</b>	<b>1</b>	<b>11</b>	<b>20</b>
Attempted murder	0	0	0	0	
Dealing with drugs	0	0	0	0	
Rape	0	3	1	4	
Attempted Rape	0	1	0	1	
Car theft	2	0	0	2	
Robbery with aggravating circumstances	0	4	0	4	
<b><i>Serious Crimes (Schedule 2)</i></b>	<b>7</b>	<b>24</b>	<b>7</b>	<b>38</b>	<b>69</b>
Assault	0	0	0	0	
Robbery	0	4	1	5	
Culpable homicide	0	1	0	1	
Burglary and theft	0	0	0	0	
Theft	5	4	2	11	
Possession of illegal firearm	1	4	0	5	
Possession of drugs	0	0	0	0	
Arson	0	0	0	0	
Housebreaking	1	1	2	4	
Fraud (value greater than R500)	0	1	1	2	
Theft from a car	0	1	0	1	
Car breaking	0	0	1	1	
House breaking and theft	0	8	0	8	
<b><i>Minor Crime (Schedule 1)</i></b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>5</b>
Trespassing	1	0	0	1	
Shoplifting	1	0	0	1	
Damage to property	1	0	0	1	
<b><i>Crimes not specified</i></b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>5</b>
Parole violation	0	0	0	0	
Kidnapping	0	0	1	1	
Hijacking	0	0	0	0	

Assistance with attempt to escape	0	1	0	1	
Unknown	0	0	1	1	
	12	33	10	55	

- 69% of current crimes are of a serious nature (Schedule 2)
- 20% are of a very serious nature (Schedule 3)
- 5% are minor crimes (Schedule 1) and 5% are crimes not specified in the schedules.

**TABLE 14 PREVIOUS PROGRAMMES ATTENDED (NOT INCLUDING THIS ONE)**

Norman House	Baviaanspoort	Dyambu	Total
'What if?' programme (communication & developing empathy)	'Yes' programme offered by NICRO	none	2

- Only two youths had attended intervention programmes before.

**TABLE 15 OTHER SENTENCING OPTIONS (NOT INCLUDING THIS ONE)**

	Norman House	Baviaanspoort	Dyambu	Total
<b>Suspended sentence: 1 year</b>	1	1	0	2
<b>Suspended sentence: 2 years</b>	0	0	0	0
<b>Suspended sentence: 3 years</b>	0	2	1	3
<b>Suspended sentence: 4 years</b>	0	1	0	1
<b>Suspended sentence: 5 years</b>	0	2	4	6
<b>Community service</b>	0	1	0	1
<b>Fine</b>	1	1	0	2
<b>Total</b>	2	8	5	15

- Even through crimes reported very serious or very serious, the sentences are fairly lenient.

**TABLE 16 EDUCATIONAL INVOLVEMENT AT THE TIME OF ARREST**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>In school</b>	4	14	6	24	<b>39</b>
<b>Studying through correspondence</b>	0	0	0	0	<b>0</b>
<b>At technical college</b>	0	0	0	0	<b>0</b>
<b>Working</b>	0	4	3	7	<b>11</b>
<b>Apprenticeship</b>	0	0	1	1	<b>2</b>
<b>Nothing</b>	1	4	2	7	<b>11</b>
<b>Computer course</b>	0	3	0	3	<b>5</b>
<b>Not Indicated</b>	6	7	7	20	<b>32</b>
<b>Total</b>	11	32	19	62	<b>100</b>

**Note:** some participants were involved in more than one activity at the time of arrest, e.g. some were working as well as attending school or a course.

- 39% of participants were in school at the time of their arrest
- 11% were working
- 11% were not involved in any educational activity
- 5% were doing computer courses
- 2% were doing an apprenticeship

**TABLE 17 CURRENT EDUCATIONAL INVOLVEMENT**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Total</b>	<b>%</b>
<b>In school</b>	11	18	29	<b>67</b>
<b>Studying through correspondence</b>	0	0	0	<b>0</b>
<b>At technical college</b>	0	0	0	<b>0</b>
<b>Working</b>	0	0	0	<b>0</b>
<b>Apprenticeship</b>	0	5	5	<b>12</b>
<b>Nothing</b>	0	7	7	<b>16</b>
<b>Computer course</b>	0	2	2	<b>7</b>
<b>Total</b>	11	32	43	

Dyambu youth were all new to the centre and had therefore not joined the school/training course of their choice.

- 67% of participants are currently attending school
- 16% of participants are not involved in any educational activities
- 12% of participants are doing an apprenticeship
- 7% of participants are doing a computer course

**TABLE 18 CURRENT EDUCATIONAL LEVEL**

	<b>Norman House</b>	<b>Baviaans poort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>Grade 5</b>	0	0	0	0	<b>0</b>
<b>Grade 6</b>	2	0	0	2	<b>4</b>
<b>Grade 7</b>	0	2	4	6	<b>13</b>
<b>Grade 8</b>	2	0	1	3	<b>7</b>
<b>Grade 9</b>	1	8	1	10	<b>22</b>
<b>Grade 10</b>	1	7	3	11	<b>24</b>
<b>Grade 11</b>	1	2	0	3	<b>7</b>
<b>Grade 12</b>	0	1	1	2	<b>4</b>
<b>Special education</b>	1	0	0	1	<b>2</b>
<b>Not indicated</b>	3	4	0	7	<b>16</b>
<b>Total</b>	11	24	10	45	

- none of the participants are on an educational level of below Grade 6
- 4% of participants are currently in Grade 12
- one of the participants is in Special Education

**TABLE 19 FAMILY MEMBERS CONVICTED OF A CRIME**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>Mother</b>	0	0	1	1	<b>3</b>
<b>Father</b>	0	2	1	3	<b>10</b>
<b>Brother</b>	1	7	2	10	<b>33</b>
<b>Sister</b>	1	2	1	4	<b>13</b>
<b>Uncle</b>	1	5	3	9	<b>30</b>
<b>Aunt</b>	0	0	1	1	<b>3</b>
<b>Cousin</b>	0	1	1	2	<b>7</b>
<b>Total</b>	3	17	10	30	

- 33% of participants' brothers and 13% of their sisters had been committed for a crime.
- 10% of participants' fathers and 3% of their mothers had been committed for a crime.
- 30% of participants' uncles had been committed for a crime

**TABLE 20 ALCOHOL AND DRUG USE**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>Alcohol</b>	3	10	6	19	<b>30</b>
<b>Dagga</b>	3	14	5	22	<b>34</b>
<b>Street drugs (glue, thinners)</b>	1	0	4	5	<b>8</b>
<b>Hard Drugs (LSD, ecstasy, heroine, cocaine)</b>	0	14	4	18	<b>28</b>
<b>Total responses</b>	7	38	19	64	<b>100</b>

Some youths indicated involvement with more than one type of substance, while other indicated no involvement

- 30% of substance use was alcohol related
- 34% of substance use was dagga related
- 8% used street drugs such as glue or thinners
- 28% had used hard drugs such as heroine, cocaine, ecstasy, LSD

**TABLE 21 GANG ACTIVITY AND CRIME SYNDICATE INVOLVEMENT**

	<b>Norman House</b>	<b>Baviaanspoort</b>	<b>Dyambu</b>	<b>Total</b>	<b>%</b>
<b>Gang activity</b>	2	5	4	11	<b>24</b>
<b>Crime syndicate/organized crime</b>	0	8	0	8	<b>18</b>
<b>No involvement</b>	9	11	6	26	<b>58</b>
<b>Total</b>	11	24	10	45	

- 58% of participants indicated that they were not involved in a gang or in a syndicate
- 24% indicated gang involvement
- 18% indicated that they were part of a crime syndicate