

EXPLORING CORRECTIONAL

SUPERVISION

*EXPLORING CORRECTIONAL
SUPERVISION*

BY

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STELLENBOSCH

DECLARATION

I, the undersigned, hereby declare that the work contained in this thesis is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

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ABSTRACT

Crime in South Africa is a common occurrence and crimes committed by young people are rapidly becoming a serious problem. During the 19th and 20th centuries, young offenders were institutionalised in reform schools for example. However, social workers and probation officers realized that the confinement in these schools caused frustration amongst the young offenders and also encouraged further deviant behaviour.

In South Africa, the Department of Correctional Services implemented community corrections, on 1 June 1993, as an alternative sentence option to imprisonment. Community corrections have two distinctive forms, namely correctional supervision and parole supervision. Correctional supervision is a community-based sentence, which is prescribed by the courts and is served within the community under strict supervision and control of correctional officials and probation officers. The Department of Correctional Services mainly implemented correctional supervision in order to divert young offenders away from being exposed to the harsh and severe life of incarceration.

The goal of the study was to explore correctional supervision as an alternative sentence option and present a description of this sentence for the juvenile delinquents. The objectives were to explore the juvenile offender's perception of correctional supervision, the impact of this sentence on the offender's family members and the availability and the role that the probation officers play during the juvenile's sentence to correctional supervision.

The contents of the report focused on describing the phenomenon of juvenile delinquency and other related topics, such as theories and contributing factors, and correctional supervision as an alternative sentence option.

Exploratory-descriptive research was done and questionnaires were utilized as instruments for data collection from the juvenile offenders, their family members and the probation officers. The juvenile offenders were part of the Department of Correctional Services' (Worcester) justice system and the probation officers are employed at the Department.

Conclusions and recommendations are made regarding the respondents' perceptions, opinions and experiences of the sentence of correctional supervision. The proposed recommendations should be a guide for the Department of Correctional Services in order to change certain factors that contribute to the poor co-operation of juvenile offenders sentenced to correctional supervision.

OPSOMMING

Misdaad in Suid-Afrika is 'n bekende verskynsel en misdaad gepleeg deur jong mense is vinnig besig om 'n ernstige probleem te word. Gedurende die neëntiende en twintigste eeu, is jeugoortreders na inrigtings, soos byvoorbeeld verbeteringskole, gestuur. Maatskaplike werkers en proefbeamptes het egter besef dat die afsondering in hierdie skole, frustrasies veroorsaak en self verdere afwykende gedrag aanmoedig.

In Suid-Afrika, het die Departement van Korrektiewe Dienste Gemeenskapskorreksies op 1 Junie 1993, as 'n alternatiewe vonnisopsie tot gevangenisstraf, geïmplementeer. Gemeenskapskorreksies het twee onderskeidende vorme, naamlik korrektiewe toesig en parooltoesig. Korrektiewe toesig is 'n gemeenskapsgebaseerde vonnis, voorgeskryf deur die hof, en word uitgedien in die gemeenskap onder streng supervisie en beheer deur korrektiewe amptenare en proefbeamptes. Die Departement van Korrektiewe Dienste het korrektiewe toesig hoofsaaklik geïmplementeer om jong mense weg te wys van die onaangename blootstelling aan die gevangenislewe.

Die doel van die studie was om korrektiewe toesig, as 'n alternatiewe vonnisopsie te verken en 'n beskrywing van hierdie vonnisopsie vir die jeugoortreder te gee. Die doelwitte was om die jeugoortreder se persepsie van korrektiewe toesig, die impak van dié vonnis op die oortreder se gesinslede en die beskikbaarheid en rol van die proefbeampte tydens 'n jeugdige se straf tot korrektiewe toesig, te verken.

Die inhoud van die verslag fokus op die beskrywing van die verskynsel van jeugdelikwensie asook verbandhoudende onderwerpe, soos teorieë en bydraende faktore, en korrektiewe toesig as 'n alternatiewe vonnisopsie.

'n Verkennende-beskrywende studie is gedoen met behulp van vraelyste, as 'n instrument van data insameling by die jeugoortreders, hul gesinslede en die proefbeamptes. Die jeugoortreders was deel van die Departement van Korrektiewe Dienste (Worcester) se regstelsel en die proefbeamptes is werksaam by die Departement.

Gevolgtrekkings en aanbevelings is gemaak rakende die respondente se persepsies, opinies en ondervindinge van die vonnis van korrektiewe toesig. Die voorgestelde aanbevelings kan dien as riglyn vir die Departement van Korrektiewe Dienste ten einde sekere faktore wat bydra tot die swak samewerking wat korrektiewe toesiggevalle gee, te verander.

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1. INTRODUCTION

1.1 BACKGROUND

Crime is becoming a major social problem within the South African society (Glanz 1994). The number of crimes committed by young people is rapidly increasing and provision should be made to lower this occurrence of juvenile criminal activities.

According to the most current statistics, with regard to juvenile offences, as stated in the South African Police Department of Western Cape's crime report of March 1998, during 1997, 13985 juveniles were arrested for committing crime. This statistic constitutes an 11.6% increase compared to the previous year. Most of the crimes were committed by persons between the ages of fourteen and seventeen years (85.3%) and the group aged between seven and thirteen years had committed 14.7% of the crimes. Sixty-one percent of young people were arrested for dishonesty with housebreaking ranking the highest (20.3%), followed by theft (12.9%). A further 21% of the crimes were violence-related with robbery ranking the highest (6%). This was followed by assault with the intent to cause grievous bodily harm (4.2%). In comparison with the previous year (1996), the arrests for drug- or alcohol-related offences increased by 49.5%. The main reasons for these arrests were possession of dagga and drunkenness. As a result of the above-mentioned statistics, the number of imprisonments for 1997, increased by 41.2% as opposed to the previous year.

It is clear, from the above information, that young people engage in criminal activities and when they are convicted, the young people need to be punished. Incarceration of young people was the proposed sentence for the juvenile offenders, but since 1993 the Department of Correctional Services has implemented an alternative sentence option to imprisonment and this alternative is correctional supervision (Department of Correctional Services Manual, 2000).

A short discussion on the concept of rehabilitation in juvenile justice will be outlined, in order to understand the origin of a sentence, such as correctional

supervision, which is not as harsh as imprisonment. After a study conducted on the negative influential circumstances juvenile offenders are exposed to when they are awaiting trial in prisons, De Ridder (1996:313) commented: "A prison is everything one could imagine it to be – cold in winter, sweltering in summer, cramped cells and poor food. There is little stimulation and the crushing boredom is relieved primarily by violence between prisoners and the endless jockeying for position between prison gangs. Apart from the fact of confinement, the most significant factor that affected the lives of these children was the culture of gangsterism in prison."

The above-mentioned information is just a small portion of the harsh reality that a young offender must submit to, when he/she is convicted of an offence. It is therefore important that the young offenders, and especially the first time offenders, are not exposed to the severe and inhumane circumstances of incarceration, because imprisonment could have a negative influence on future criminal behaviour (Rossouw, 1999).

The concept of rehabilitation in juvenile justice was based on the belief that childhood and adolescence are periods of growth and development. Due to the fact that proper behaviour evolves from nurturing, the goal of benign intervention was to serve the best interest of the child (Empey, 1982). During the 19th and 20th centuries, youths under the age of 18 were sent to institutions, such as reform schools or training schools, for offences such as stubbornness, thievery, truancy, assault and lewdness. The purpose of institutionalisation was to provide a strict and isolated environment far from the urban corruption where youths could be imbued with the proper work habits and moral fortitude (Macallair, 1993: 105).

It became evident, however, by professionals such as social workers, that involuntary confinement in these institutions bred the worst aspects of human behaviour. The result being that the staff of the institutions became more obsessed with maintaining order and security. Consequently, the youth became more contradictive with respect to the staff, because of the growth in restrictive and oppressive living circumstances (Macallair, 1993). The

institutional environment then ended up being the antithesis of humane individualized care.

The efficacy of correctional institutions was increasingly being questioned, during the 1960's, and in response reformers designed two new strategies to reduce the number of institutionalised youths (Lerman, 1975). The two new proposed strategies were diversion and de-institutionalisation.

Diversion was designed to encourage prosecutors and probation officers to refer youths to community programmes as an alternative to arrest and formal judicial processing. In South Africa, the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) provides these diversion programmes to young offenders and Rossouw (1999:89) says that diversion options endeavour to reduce the number of youth offenders, being the purpose that diversion was intended for. The diversion programmes are mainly youth-centred and concentrate on the first time offender and acquiring social and/or vocational skills.

De-institutionalisation was intended to divert youths from correctional institutions after they were formally processed and committed. The Department of Correctional Services (DCS) implemented the sentence of community corrections, with correctional supervision and parole as distinctive sections of this sentence option, in order to divert juvenile offenders from the harsh reality of imprisonment (Department of Correctional Services' Manual 2000). Correctional supervision is a community-based sentence that is submitted by the courts and this sentence implies that the juvenile offender serves his/her sentence within the community and not within the prison setting.

The alternatives, diversion and community corrections, that were implemented by the Department of Correctional Services, was to divert young offenders from the exposure of the life in prison, which is severe and will influence these young people's development of further criminal behaviour.

The first section of this chapter focuses on the historical background of the rehabilitation of the juvenile offender. The remaining sections of the chapter will focus on the researcher's motivation for this study, the goal and objectives

of the proposed study and a description of terminology that will be utilised through the course of the research. The last section of the chapter will outline the research methodology: nature of the study, sample selection, data collection and data analysis.

1.2 MOTIVATION FOR THE STUDY

The researcher examined previous research in the field of correctional supervision and found that no specific research has been done where the juvenile offender, his/her family and the probation officers were involved. Previous studies with regard to correctional supervision were done by Lennox (1999), focusing on the role of the probation officer in sentencing the juvenile offender; Rossouw (1999) who investigated on social work family intervention for juvenile reoffenders and Van Staden (1998) who studied social work functioning and successful serving of correctional supervision. The researcher therefore decided to conduct the study to explore correctional supervision as an alternative sentence by focusing on the juvenile offender, his/her family and the probation officers. This study can lay the basis for further studies that need to be conducted in the field of correctional supervision.

During December 2001, the researcher was involved with voluntary work at the Department of Correctional Services in Worcester. The researcher was appointed to work at the Community Corrections Office, a subdivision of the department, with the juvenile offenders who have been sentenced to correctional supervision. The young offenders were between the ages of 16 and 21 years and life skills programmes were presented to them. These life skills included entrepreneurship, anger management and self-esteem enhancement (DCS' Manual 2000).

When an offender is sentenced to correctional supervision, each of them is appointed a probation officer who supervises the young offenders for the full duration of their sentence. It came to the researcher's attention that these young offenders, mainly boys, are not actively in contact with their probation officers and this lead to the probationers violating the conditions they were subject to. Upon investigation, the probationers' reply on this issue was that

the probation officers are sometimes unavailable to the juvenile offenders. Therefore, the researcher identified the unavailability of probation officers to the juvenile offender as a problem that needs to be researched.

When crime is committed and the juvenile offender is sentenced to correctional supervision, the family life is interrupted. This may be due to the fact that when the juvenile offender is sentenced to correctional supervision, monitoring is inevitable (DCS' Manual 2000). The probation officer may visit the probationer's home during any hour of the day or night, expected or unexpected. The family members may experience the unexpected visits as an invasion of their privacy. Adaptation, of the juvenile offender's family, to these changes, can also create problems in the household. These problems may include blaming the juvenile offender for his/her inconsideration of the criminal behaviour and causing tension between family members (Rossouw 1999). The impact of the juvenile offender, sentenced to correctional supervision, on the family life is another research problem that needs to be investigated.

To summarize, the researcher's main need for conducting this study is to gather information, of an in-depth nature, of correctional supervision by exploring how correctional supervision is experienced by the juvenile offender, his/her family and the probation officers. The areas of investigation will include the juveniles' general perceptions of correctional supervision; the effect of this sentence on the family members of the young offender and the role of the probation officer with regard to correctional supervision.

1.3 THE GOAL AND OBJECTIVES OF THE STUDY

The research goal is to explore correctional supervision as an alternative sentence option and present a description of this sentence option for the juvenile delinquents.

In order to reach this goal, the following objectives were formulated:

- **in terms of the offenders:**
 - to determine their overall perception of correctional supervision,

- to determine factors that contribute to them violating the conditions they are subject to, and
- to explore the availability or unavailability of the probation officer appointed to them.
- **in terms of the family:**
 - to explore the influence of the household circumstances, such as economical factors and familial relationships, on the juvenile offender's behaviour, and
 - to explore the impact of the young offender's sentence to correctional supervision on the family members.
- **in terms of the probation officers:**
 - to determine the role of the probation officer during a juvenile offender's sentence to correctional supervision, and
 - to determine reasons for his/her availability or unavailability to the probationers.

1.4 RESEARCH METHODOLOGY

1.4.1 Nature of the study

The proposed study aims to explore and obtain information of correctional supervision as an alternative sentence option to incarceration. Qualitative and quantitative methods will be utilized during this study. Quantitative methods are designed to study variables that can be measured in numbers – variables such as income, age and education level (Popenoe, 1995:37). Qualitative methods are used in order to describe reality in accurate verbal terms, not in numbers and measurements (Denzin, 1978). Researchers using the qualitative approach typically try to understand the social world from the perspective of the people they are studying, rather than from the perspective of an outside observer (Popenoe, 1995: 37).

The research respondents included juvenile offenders sentenced to correctional supervision, his/her family members and the probation officers. Therefore, research was conducted in the form of a survey. The researcher aims, by conducting this study, to provide the Department of Correctional Services with verifiable information of the effect of correctional supervision on the juvenile offender, the family members involved and the probation officers, in order to guide the Department to make changes where it is needed.

1.4.2 Sample selection

A sample can be defined as **"a small portion of the total set of objects, events, or persons which together comprise the subjects of the study"** [Grinnell, 1985: 133]. Purposive sampling was utilized during this study, meaning that the respondents were selected for the purpose of the study: the offenders had to be between the ages of 16 and 21 years and included males and females, sentenced to correctional supervision and the probation officers had to be staff members of the Department of Correctional Services. Babbie (1998: 369) suggests that respondents selected in this way (purposive sampling) are perceived as suitable for contributing to a better understanding of the population.

The unit of analysis was five juvenile offenders, both males and females, between the ages of 16 and 20 years, the offenders' family members and three probation officers. The researcher decided to focus on the juvenile offenders who had recently been sentenced to correctional supervision. The reason was that these offenders would be more willing to participate in the study and the particular participants will give efficient co-operation. The social worker at the Community Corrections Office indicated that the numbers of recent cases of probationers, during April and May 2002, were 40 and the participants that were chosen were seen as the most appropriate for the study. The social worker at the Community Corrections Office in Worcester provided the researcher with the names of selected juvenile respondents and the probation officers were chosen due to their availability to participate in the study.

1.4.3 Data collection

As mentioned, the proposed research is qualitative and quantitative in nature. Creswell (1994: 12) defines qualitative study as an inquiry process of understanding a social or human problem, based on building a complex, holistic picture, formed with words, reporting detailed views of respondents and conducted in a natural setting. Qualitative research is used for exploratory, explanatory, descriptive and predictive studies (Marshall & Rosman, 1989) and the study that will be conducted by the researcher is an explorative of nature. Quantitative research methods focus on studying variables, such as age and income, which can be measured in numbers (Popenoe, 1995: 124). The data will be gathered in the form of questionnaires – obtaining both qualitative and quantitative information - that will be filled out by respondents, which will be delivered to them by hand. A different questionnaire will be designed for each group of respondents, the groups being the juvenile offenders, the family members and the probation officers. The questionnaires will consist of open and closed questions and will not be prejudice in order not to influence the respondents' answers.

1.4.4 Data analysis

The collected data was analysed manually by the researcher, due to the fact that the selected sample for the study was small. Questionnaires were evaluated individually. Chapter four presents a detailed description of the analysis process and the research results.

1.5 DESCRIPTION OF TERMINOLOGY

1.5.1 Correctional supervision

Correctional supervision is a community-based sentence, which is prescribed by the courts and is served within the community under strict supervision and control of correctional officials and probation officers (Department of Correctional Services' Manual 2000).

1.5.2 Probationer

A probationer is described in the Correctional Services and Supervision Act 1991, Act 122 of 1991, as a person who is subject to correctional supervision (Clarke-McLeod, 2002: 120).

1.5.3 Probation officer

A probation officer is a professional person, appointed by the Minister, which dispose over statutory competencies in order to deliver probation services (Social Work Dictionary, 1995: 47). According to the Act of Probation Services, no.166 of 1991, the person appointed as a probation officer has to be a registered social worker.

1.6 PRESENTATION OF THE CONTENTS

This report contains five chapters. Chapter 1 outlines an introduction of the methodology that will be used during the study. This introduction includes a literature review on crime and correctional supervision, the goal and objectives of the study, a description of certain terminology that will be used in the report and the proposed research methodology. Chapter 2 presents an overview of the phenomenon of juvenile delinquency. The nature of juvenile delinquency, theories related to the phenomenon of juvenile delinquency, factors that contribute to delinquent behaviour and consequences of delinquent behaviour will be discussed in this chapter. In chapter 3 correctional supervision as an alternative sentence option will be discussed. The role of the Department of Correctional Services in preventing crime, laws applying to correctional supervision, a description of the sentence of correctional supervision, the role of the probation officers as well the requirements for these probation officers will be presented. The last section of this chapter will focus on the treatment programmes presented to the juvenile offenders sentenced to correctional supervision. Chapter 4 will outlined the results obtained during the study. It will include discussion on the findings as well as graphical presentations of the results. The report will conclude with chapter 5, which presents conclusions and recommendations made on the basis of the findings of the study.

2. AN OVERVIEW OF JUVENILE DELINQUENCY

2.1 INTRODUCTION

Crime in South Africa is a serious problem and therefore it creates difficulty for the country to sustain harmonious development and social and economical stability (White Paper for Social Welfare, 1997: 64). Child and youth crime are increasing every year as shown by the following statistics, and this occurrence contributes to the put strain on the country's development. The Department of Correctional Services have reported (31 January 1995) that a total of 675 sentenced children under the age of 18, and 8619 sentenced youth between the ages of 18 and 21 years committed offences (Government Gazette, 1997: 112). Aside from these figures, there still remain a number of unsentenced offenders in custody that were released and placed in alternative accommodation. The above-mentioned statistics are rapidly increasing and it creates problems, such as financial difficulties and overcrowding in prisons for the government and the Department of Correctional Services of South Africa.

The researcher will focus on juvenile delinquency because the study is based on correctional supervision, specifically with regard to juveniles. It is therefore important for the reader to know who the juvenile delinquent is: theories that explain the phenomenon of juvenile delinquency; the factors that contribute to this behaviour; the functions of the family of the juveniles as well as the consequences of delinquent behaviour.

In this chapter, different aspects regarding juvenile delinquency, such as theories explaining delinquent behaviour, as well as causal factors and consequences of deviant behaviour will be discussed. Firstly, social theories such as differential association, differential opportunity and labelling theories on delinquency will be outlined. Secondly, contributing factors that promote delinquent behaviour of young people will be discussed. This discussion will include how family life is experienced by the young person and other family members as well as how the family influences the young person, what the nature of peer pressure and what the socio-economic status of juveniles entail. Following on the description of family life, the functions of the family in the

development of the child will be discussed. Accordingly, some consequences that derive from the delinquent behaviour will be outlined in the conclusion of this chapter.

2.2 NATURE OF JUVENILE DELINQUENCY

In order to explain the nature of juvenile delinquency, a description of juvenile delinquency and a definition of the juvenile delinquent will be offered.

Reviewing literature, for example Glanz, 1994 and Cronje et al, 1987, it is found that different authors defined juvenile delinquency or any other related aspects such as criminal behaviour. For the purpose of this discussion, the following definition of a *juvenile delinquent* will be used: A **juvenile delinquent** is defined as "**a person who breaks the law habitually and persistently**" (Hoghughi, 1983: 15). Another definition is presented by the Criminology Dictionary, which defines juvenile delinquency as "**the antisocial behaviour of juveniles, which does not fall under the normal penal provisions of the law**" (Sonnekus, 1992: 58 in Bezuidenhout, 1998). In analysing the definition, which is presented by Hoghughi, it is clear that the juvenile has to commit crime in order to violate the law. Kaplan (1984: 13) defines *juvenile delinquency* as any of a number of behaviours performed by young people that are violations of laws and are applicable to young people's behaviour. It is obvious; from both Kaplan (1984) and Hoghughi's (1983) definitions that juvenile delinquency occurs whenever young people have violated the law. These deviant behaviours are influenced and motivated by different factors such as peers, economical circumstances and their family life. The theories that explain the phenomenon of juvenile delinquency will be discussed in the following section.

2.3 THEORIES REGARDING THE PHENOMENON OF JUVENILE DELINQUENCY

To summarize, juvenile delinquency can be described as being a violation of the law, committed by young people and that this delinquent behaviour is influenced by certain factors, for example peer pressure. In order to understand the phenomenon of juvenile delinquency, there are certain

theories, such as the differential association; differential opportunity and labelling theories that explain this occurrence and thus promoting understanding of the phenomenon.

Reviewed literature (Glanz, 1994; Elliot et al, 1985; Kaplan, 1984) regarding the phenomenon of juvenile delinquency differs from author to author, and three theories are discussed, which can be used to explain delinquent behaviour. These theories are the differential association theory of Edwin Sutherland (1978), Cloward and Ohlin's (1978) theory on the differential opportunity and the labelling theory of Lemert (1987). These three theories will be discussed, because they relate to the South African youth society. For example, stigmatisation and limited opportunities for development, which play a vital role in the life-phase of the youth. Accordingly, these three theories will be discussed.

2.3.1 Differential Association Theory

According to differential association theory, a person becomes delinquent if he/she is encouraged by situations that are favourable to violation of law (meaning that violating the law is seen as being normal) over situations that are unfavourable to violation of the law (Sutherland and Cressey, 1978: 81). This means that when delinquent behaviour is being condoned and rationalized as being "*normal*", people tend to act on the acceptance of the delinquent behaviour. Therefore, the more young people associate with other people who accept delinquent ideas and motives delinquent behaviour as "*normal*", the more it is likely that they would engage in delinquent behaviour. Young people make choices whether or not to associate with delinquent people, and committing criminal activities may result from this learned behaviour when they are in interaction with deviant people. Sutherland and Cressey (1987: 82) explained that when people are in the process of "learning" criminal behaviour, the following happens:

- they learn methods of committing crime;
- they acquire motivation, drives, justifications and opinions that will encourage them to engage in deviant behaviour. (Rossouw 1999: 49)

Therefore, what people hear and see, might rationalize their actions and behaviour. People are influenced either by law-abiding people (for example, people who do not commit crime) or by people who encourage criminal behaviour. Depending on the degree of exposure to either one of these behaviours, it is possible that people might adapt to that specific behaviour. According to Sutherland's theory, the same components involved in learning non-delinquent behaviour, such as reward, punitive measure, copying, coercion or a need for acceptance are also involved in learning delinquent behaviour (Rossouw 1999).

According to the differential association theory, there is a general perception that most delinquents are peer-orientated and socialization is important during the life phase of adolescence (Lotz & Lee, 1999: 199). The influence of friends' behaviour on the socialization process of the young person will be discussed later on in the chapter. Being part of a group is crucial for young people in order to find themselves, to find out where they do or do not belong. Some theories of socialization tend to portray the peer group as a source of developmental change – for example they develop more freely - that is independent of the family (Fogel & Melson, 1988: 515). It is thought by psychologists that it is in the peer group where the child learns autonomy from the family and brought about by the increased conformity of the adolescent with the norms of the peer group. The young person's peer groups put pressure on individuals to either conform or not to group activities, whether it is right or wrong. The result of behaviour depends on the young person's choice to interact with positive or negative influential peers. It should be made clear, however, that peers are not the only people from whom behaviour can be observed and learned from- the family and society also contribute to juvenile delinquent behaviour (Glanz, 1994). Chubb & Fortman (1992: 38) says that a child's first important relationship is formed within the family, because they are the first people he or she interacts with and they provide the need for survival. The family prepares the young child by guiding him/her with the necessary skills to go into the world beyond the family. Chubb et al (1992) also points out that if a child feels secure in the family-child relationship, he or

she will be confident in exploring the outside world. In contrast, if insecurity is created, the child will be afraid and anxious to go out in the real world.

The control theory (1980) states that the strength of social controls serves to regulate a person's behaviour and therefore restrain impulses to delinquency. These controls include rewards and punishments that are expected to be a result of one's behaviour- be it personal (within the person) or social (the outside world) - that is invoked either by themselves or other people (Elliot et al, 1985: 15).

Elliot et al (1985) also mention that the focus of the control theorists has been on the socialization process. They explain that claim is put on the degree to which conventional norms have been internalised by other people whom the person associates with. The main argument is therefore not to look at the person's motivation for delinquent behaviour, but rather to focus on the strengths of the internal controls of the person. Inadequate socialization and even social disorganisation results in weak controlling behaviour, but cannot be seen as a direct/ positive motivation for delinquent behaviour (Reiss 1951 in Elliot et al 1985).

To summarize, according to the differential association theory, delinquent behaviour is learned during a person's interaction with other people who engage in similar behaviours. A person has the choice to decide whether or not he/she wants to participate in committing criminal activities and if he/she has an inner sense of controlling his/her behaviour, as suggested above, by the control theory (1980). The excess of exposure to people who tend to speak of criminal activities in positive terms, will lead the young person to believe these norms and attitudes as being normal and they may subsequently act in accord with these norms and attitudes by committing offences.

2.3.2 Differential Opportunity Theory

As stated by the differential opportunity theory, delinquency is explained in terms of the working class, claiming that there is greater pressure on them to deviate because they have less opportunity to succeed by legitimate means (Braithwaite, 1989: 395). The argument is that when in a lower class, there

are constraints such as lack of knowledge and proper education, holding young people back from achieving certain goals, such as having a successful career. Therefore, those people who are in a less fortunate position will attain their goals by illegitimate means seeing that it "cannot" be done otherwise. Factors that contribute to constraints are *insufficient housing, poor school resources* and *inadequate preparation* for the outside world, resulting into limited access to resources and education. This limitation of resources and limited access to resources can lead to straining of the opportunity to get decent jobs and therefore an insufficient income to satisfy their basic human needs such as food and shelter. Young people in such a situation may turn to provide for their needs through extreme measures, for example by stealing.

Cloward and Ohlin (1978) say that young people feel the pressure to engage in deviant behaviour when they experience a difficulty between their aspirations and the opportunities available in order to achieve these aspirations (Elliot et al, 1985: 14). This can also be compared to Merton's argument that this discrepancy ("strain") is experienced mainly by the lower-class youth who have included the conventional success goals such as having a decent job and having status, invoked by society, but cannot achieve these goals because of their limited access to the necessary resources, such as money and education, due to their socio-economic class (Elliot et al 1985). The motivation for delinquency will thus depend on the person's need to succeed in achieving the aspirational life goals as well as the availability of resources and opportunities to achieve them. This drift is created by society's traditional shared opinion of what is expected of citizens or people irrespective of social class. Therefore, society's goals provide a certain frame of inspirational reference, for example material success, which includes a good education, successful career, investments and so forth. Pressure derives when the person struggles to get these means when legitimate options are unavailable or limited (Braithwaite, 1989: 32). These inaccessible options result in, as mentioned, the person resorting to illegitimate ways of achieving his/her goals.

As Merton's strain theory suggests, delinquency is the result of frustrated needs or wants (Elliot et al, 1985: 13). The frustration derives from a break down between the relationships of socially induced aspirations and socially accepted and approved ways of achieving these aspirations. Delinquent behaviour is thus a reaction to the failure of achieving goals, which are set aside by society. These goals or needs include status, wealth, power and social acceptance.

Cohen (1980) also pointed out that delinquent behaviour is a sub cultural solution to the lower class young person's problem of achieving the status within a middle-class reference group (Farrell & Swigert, 1982: 144). Thus, the socio-economic status of a young person plays a role as well as the young person's need to be accepted into the middle-class society. Cohen (1980) also suggests that the delinquent subculture breaks away from the traditional, larger social system and this social system will form its own norms and behavioural expectations, independent of the larger society, in order to exist separately. The outcomes are that these individuals share the same problems and difficulties to overcome their obstacles and adjust to them.

Braithwaite (1989:35) says that the problem of status achievements is central to subcultures: in order to achieve a certain status and therefore also the respect of others will depend on how they (young people) are evaluated by the group (middle class). Consequently, the lower class young people experience feelings of shame and discomfort to the dominant values of the middle class. Cohen (1980) is also of the opinion that the lower-class young people will experience the need to adapt when:

- higher status groups give meaningful reference to them;
- their "evaluators" are important to them;
- previous socialization has been to middle class norms, and
- dominant standards are used by the lower class young people to evaluate themselves (Farrell, 1982: 147).

Therefore, it is clear that being evaluated by other people plays an important role in how people tend to perceive themselves and it also has an impact on the way a person would behave in certain social situations.

In conclusion, people's socio-economic status plays an important role in their deviant behaviour. Certain goals are set-aside for people in a society to which they are proposed to conform. If they do not achieve these goals due to limited access to opportunities because they are part of a lower class system, these lower class people tend to engage in illegitimate activities in order to fulfil these expectations. Therefore, competing norms and values lead to the breakdown of traditional norms and values, which will then result in social disorganisation. In this context, crime is evident to occur and thus the person's environment contributes to the range of crime.

2.3.3 Labelling Theory

The third theory in explaining delinquent behaviour is the labelling theory. Edwin Lemert (1987) proposed that when one person gives another person a negative description of his/her character, this negativity somehow affects his/her present situation and future behaviour. A person's behaviour is encouraged, usually when other people react towards the negativity of the person's character as being correct. The continuity of labelling a person as being delinquent, for example, will cause that person to behave in the exact same way, as other people perceive him. Bezuidenhout (1998) refers to Shoemaker (1990:105), who states, in this regard, **"labelling a person may eventually alter his/her self-image to the point where he/she starts to identify him/herself as being delinquent"**.

According to the labelling theory, delinquency is not the behaviour of the deviant person, but delinquency is caused by other people's reaction towards deviant behaviour. Labelling theorists do not focus on the causes of delinquency but rather on the impact of social reactions to deviance. Downes & Rock, (1995: 163) refers to Young (1992) who argues that the media particularly contribute to portraying negative images of deviancy, which contrasts the picture of how deviant behaviour is actually seen. This means

that a deviant person can be labelled as poor or from the lower class system and this reaction can put the young disadvantaged person at an even bigger risk of becoming deviant, seeing that he/she is already classified as being delinquent.

According to this theory, social definitions – the situations in which people perceive themselves in terms of how they are evaluated by other people - are strong and powerful sources when an individual forms his/her behaviour, especially because of the way it influences a person's developing of the self (Farrell & Swigert, 1982: 94). Young people usually develop a sense of the self in terms of how they are seen or evaluated by others.

In short, people occupy a certain number of statuses such as being rich and successful and certain roles are associated with these statuses. People, who occupy these statuses, then tend to form a perception of the lower class people who do not occupy these statuses. The person in the lower class forms his/her identity on the basis of how he/she is perceived, as a human being without a status, and therefore behaves according to the roles allocated to the lower class individual. So, if a person is labelled as being delinquent, it is evident that he/she will engage in activities associated with that kind of deviant behaviour.

The differential association, differential opportunity and labelling theories were discussed in order to describe the phenomenon of juvenile delinquency. It is important to know that there are certain factors that also contribute to juvenile delinquent behaviour. These factors will be discussed in the following section.

2.4 FACTORS CONTRIBUTING TO DELINQUENT BEHAVIOUR

This section will focus on causal factors that can explain the reasons for a person behaving in a delinquent manner, as was explained in the three theories.

Farrington (1989) in Muncie (1999: 25) said that researchers have found the following variables to be predictors of future criminal behaviour:

- Socio-economic deprivation (this includes low family income, poor housing),
- Poor parenting and family conflict;
- Criminal and anti-social families;
- Low intelligence and school-failure;
- Hyperactivity or impulsivity or attention defiance; and
- Anti-social behaviour (e.g. heavy drinking, drug-taking, promiscuous sex).

These variables suggest that criminal behaviour might be justifiable in cases where anti-social families and families with a criminal background may encourage criminal behaviour. In other cases criminal behaviour can be a result of limited opportunities to achieve certain goals legitimately due to the socio-economic status of the young person.

In the following section, the role of the family, peer groups and the community as predictors that may contribute to delinquent behaviour amongst young people will be focused on.

2.4.1 The family

As already mentioned in the previous section, when explaining the differential association theory, Chubb et al (1992) state that a child's first and important relationship is formed within the family environment, because this is the first institution or people the child interacts with. The family also provides the survival needs such as food, clothing and shelter, and it serves as a "leader" in guiding the child to cope in the real world beyond the family.

Young people also experience the "need to belong" as one of their basic human needs (Glasser, 1994). When this need is not met, they tend to move away from people such as their family that do not satisfy this need. Young people will define their sense of belonging in terms of equality with other members of the family that is if they are treated in the same way as the other

siblings with regard to respect, attention and so on. Delinquent behaviour has been found to be related to adolescents' perceptions (Anolik, 1983; Duncan, 1978) and feelings of belonging (Chubb et al. 1992: 388). If the family provides the delinquent young person with comfort and closeness that creates a sense of belonging, he or she will feel secure and would not need to break away and look elsewhere for love and comfort. A person, especially a young person usually feels a stronger sense of belonging with people he/ she is comfortable with and will tend to spend more time with them. When there such a strong relationship exists between parent and child, the degree by which these people, the family for example, may influence the young girl or boy's behaviour will be greater.

The family environment, in which a young person develops, should therefore be stable and supportive, because a disorganised environment may delay the social developmental process of the young person. In cases where the ties that bind the family members as a unit are weak and maladaptive, family disorganisation occurs (Bezuidenhout, 1998: 10). This means that interaction between the family members is rare or does not even take place anymore and the family can be described as malfunctioning. This malfunctioning of the family may be a result of inadequate relationships between spouses; children and spouses and siblings, and communication and emotional support can be limited or even absent. This then leads to individuals functioning on their own and the family, as a unit, is unable to satisfy each other's needs. These inabilities to fulfil one's role as a family member will cause a certain strain and tension within the family. These inabilities may also cause other problems such as discipline problems or the child might run away from home.

Divorce of parents can also be seen as delaying the full development or growing up of a young person (Golden burg, 2002; Gibson-Cline, 2000). When parents are divorced, the child is forced to grow up with only one parent, which can be a cause for reorientation and adjustment from both the parent and the child (Bezuidenhout, 1998). The situation of the family, who is going through permanent separation, changes. This is because the young person may be used to a father-dominated family and now the mother is head of the

household. The change in family composition may probably implicate that the degree of discipline and control will be less harsh. It is important that both parents are around during socialization and development of the young person – the absence of one parent leaves the child feeling insecure and not wanted. Attention deficiencies often occur amongst these young people (Bornstein & Lamb, 1999:287) and they might turn to their peers for comfort because of the need to belong and this could influence them in a negative manner. These peers will provide them with security, closeness and diminish their feeling of not belonging somewhere. As Glanz (1994: 35) points out: "**Young people's behaviour is formed within the family context and the ability of it to function effectively is a crucial determinant in the prevention of delinquent behaviour**". One consequence of how young people may adapt to a disorganised family situation can be that they tend to exhibit different types of deviant acts, such as truancy, crime and prostitution. Emotional problems associated with this situation, are fear and anxiety because there is no secure and stable home environment and the frightened child may run away from home (Bezuidenhout, 1998: 9). This then means that the child needs to engage in certain activities (as mentioned above) to get food and shelter.

The relationship between young people and their parents are reciprocal, because they influence one another in the sense that they both give and receive love, for example. If the parents provide the adolescent (young person) with a safe, supportive and secure environment, it may result into positive outcomes, for example no deviant behaviour (McCurdy & Jones, 2000). The above information emphasized the importance of the family in the life of a child. The following section will outline the specific functions that the family has to apply in order to enhance the child's personal, social or economical development.

2.4.1.1 The functions of the family

The family is still seen as the main socialization agent of children in South Africa (Burman & Reynolds 1990: 1, Benda & Whiteside 1995: 24). It is therefore important to explore the family's ability to fulfil all the important

functions, as well as to understand the impact, which these functions have on the young person's life. Providing economic stability and protection for children, for example, are some of the vital aspects that the family has to focus on. Accordingly, the different functions that the family should perform, in order for the social and economical development of children, will be discussed.

A family consists of individuals who either by contract or agreement chooses to live together intimately and function as a unit in a social and economic system [White Paper for Social Welfare, 1997:158]. Traditionally, the family is seen as a unit of people who are related to each other, live together and functions as a whole. The family is the primary social unit that ideally provides care, nurturing and socialization for its members (SACSW, 1997: 120). The family seeks to provide the members with physical, economic, cultural and spiritual security. This section will focus on discussing the six different functions that need to be achieved by the family. These functions play a critical role in the social and personal development of its members, especially the development of children. The role, which the family plays in the lives of a child's development, is vital, especially on the delinquent young person. An unstable living environment, such as abusive parents and neglect of children may contribute indirectly to the development of delinquent behaviour of a young person.

i) General interaction

Social and emotional needs of family members are fulfilled through the interaction which family members have with one another [Haveman, 1995]. Close relationships between family members influence the emotional development of young children because they shape many of the conditions which young children experience, understand and interpret in the context of their everyday social interaction. The parent-child-relationship colours the emotional development through children's expectations of support and sensitivity or lack thereof. This is formed by the adult's attributinal style as well as the emotional demands of these relationships on the developing person (Bornstein and Lamb, 1999: 393).

When there is no proper interaction within the family, its members might seek communication and closeness outside the family, for example from friends, which may lead to the disintegration of the family (Chubb et al, 1992). Friends tend to play an important role in a young person's life and if these friends are behaving deviant and are encouraging deviant behaviour, the young person may see this deviant behaviour as normal and also engage in the deviant behaviour. The result being that the young people will engage in acting out criminal activities, such as stealing from a store and vandalizing other people's property.

ii) *Economic function*

The members of the modern family work for institutions outside the family and are remunerated. Women are increasingly entering into the labour market, meaning that they are also seen as breadwinners in the household. It is the responsibility of the parents to see that the family has the necessary means to support the family adequately (Rossouw, 1999:61). Financial stability assures that a sufficient income is sustained, which will ensure that the basic needs such as food, shelter and clothes, are satisfied. If the parents or any other family members cannot support the family system financially, this will usually mean that the family living standard will drop. This is usually accompanied by a possible shortage of food, housing, medical care and greater dependence on others, such as extended family members or friends (SACSW, 1997: 136). The humanist psychologist, Abraham Maslow (1908-1970), proposed the theory of self, which stresses each person's innate need for self-actualisation – the full development of potentialities (Craig, 1996:62). According to Maslow (1908-1970), self-actualisation needs can be expressed or satisfied only after the “lower” needs such as safety, love; food and shelter have been met. For example, a hungry child will not attend to reading or drawing in school if he/she is not properly fed.

iii) *Socialization function*

Socialization refers to the transmission of values, attitudes and behaviour from one individual to another (Fogel and Melson, 1988: 307). It is a common

occurrence that parents seek to pass their ways of thinking and acting on to their young children. Children are socialised within the family in order to assume certain roles in the family and in society. Forming an identity is also an important facet of socialization. The socialization process also enables the child to take on the identity of a particular group as a well-adapted person and thus fulfils his/her social roles properly (SACSW, 1997). The family can therefore be seen as the place where the child forms a sound foundation for a mature personality. If the child is not equipped with solid moral values, he/she may perceive deviant behaviour, such as vandalising other people's property, as being normal and therefore act in that way.

iv) Development of the mature personality

The family should also allow its members to form associations and friendships outside the family context so that they can act independently. It is vital that an individual "finds" him or her self. The physical recognition and self-definition provide the basis for perceiving similarities and differences between oneself and other people. (Bornstein and Lamb, 1999: 395).

Apart from the adolescent's relationship, for instance, with his/her brothers and sisters, he/ she should also be part of a peer group. A peer group is where the adolescent learns to be independent from the family brought by the people of the same age group he/she associates with. Peers tend to share intimate feelings that usually could not be shared between children and their parents. Children who are accepted by their peers and who have good social skills, tend to do better in school and therefore result in more positive forms of academic achievement. In contrast, socially rejected and highly aggressive children are at risk for numerous negative motivationally relevant outcomes (Hinshaw, 1990). The juvenile offender may have a history of being rejected by friends and family and can act deviant, by committing crime, in order to get other people's attention. This criminal behaviour may be a response of feeling lonely and neglected.

v) *Social control*

The family exercises control over its members by holding up specific values to them. These values include morality; values about sexuality and values, which are related to specific religions and beliefs (SACSW, 1997). Control is defined as consistent enforcement of rules accompanied by an ability to make age-appropriate demands on the child (Bierman & Smoot, 1991). Although the family system has an influence on the behaviour of its members, the community and friends also have a decisive influence on the behaviour of their members. For example, Figuera- McDonough (1991) mentions that a lack of social control, by for example police and a lack of recreational facilities, can cause disorganisation of a community and this disorganisation often predicts deviant behaviour. Poverty is seen as a contributing factor to social disorganisation, so the economical and social circumstances of a juvenile offender may influence his/her delinquent behaviour (Gibson-Cline, 2000:221).

vi) *Security and protective function*

The main responsibility of the family is to give the child security and protection in order for the child to feel safe and to satisfy the need of belonging. It is important that parents provide their children with warmth and emotional stability from an early age (Rossouw, 1999). This will not make them feel neglected and they would have no need to turn to others for emotional support.

Parental warmth refers to the amount of affection and approval the parents display (Craig, 1996: 314). Warm, nurturing parents smile frequently and give praise and encouragement to their children. They also try to restrict their criticism, punishment and signs of disapproval. In contrast, hostile parents criticize, punish and ignore their children and rarely express affection and approval. Parental control and warmth affect children's aggression and pro-social behaviour, their self-concepts, their internalisation of moral values and their development of social competence (Maccooby, 1984).

If a child does not feel secure and safe in his/her family environment, he/she might turn to other people, such as friends, in order to satisfy this need of

security and protection. This is done by making them feel special by including the young person in group activities, such as playing sports together or going to the movies as a group. Their friends may, for example be acting deviant and committing crimes such as stealing and beating up other children. The child that ran away from home may engage in the same deviant behaviour, because it is expected of him/her to behave in that manner.

From the above, it is seen that the family plays an important role in the social and personal development of a child. This role ranges from nurturer and provider to being an emotional support system of the young child. A mature, independent and responsible person will be the result of emotional stability and he/she can thus enter the world outside the family with confidence. The juvenile offender's social, environmental, economical and personal circumstances influence his/her delinquent behaviour, without the offender even realising this fact.

The family is the institution that prepares the young child for interaction with other institutions, such as friends and school. The next section will focus on the role that a peer group plays in the delinquent behaviour of a young person.

2.4.2 The peer group

The overall perception of the differential association theory as described earlier in this chapter is that most delinquents are peer-orientated and sociability is very important to them (Lotz & Lee, 1999: 199). Reed and Rose (1998) are of the opinion that when a person's friends' behaviour is negative or deviant, the person feels pressured to go along with them and imitate their behaviour. This group pressure is experienced usually because he/she does not want to be singled out as being a "wimp" or risk losing friends' acceptance as a group member. Adolescents enjoy spending time with their friends, because it is somehow rewarding, seeing that it means gaining social approval, acceptance of and popularity with peers and fitting in with them (Ianni, 1989). The favourable rewards gained through interacting with friends, will make the young persons vulnerable to be influenced by peers and these young people may engage in deviant activities if and when required from them.

The conformity with a group, in which behaviour is observed and learned, can be called a subculture. A subculture is formed during the socialization process that is a vital part of adolescents' development. A group attachment is an integral part of adolescence, which serves a variety of the following purposes (Rossouw 1999: 58):

- For adolescents it is important to find themselves in a development phase where they experience a need to be independent, but also have a need for a measure of dependency of family.
- For adolescents being part of a group also provides scope for adventure and excitement that would be unattainable in isolation.
- For adolescents the group involvement also provides a channel (medium) to joint accomplishment of an experience.
- For the adolescents who are introverts, the group provides an opportunity to get in touch with members of the opposite sex. This then gives the young person a certain amount of protection from being without friends.

Therefore the conforming to a group brings forth a certain unity and a sense of belonging and young people in the same age group work together to resolve collectively experienced problems.

Young people often break away from families in order to have independence and to develop freely as adults (Chubb et al, 1992). Conflicts often occur in a relationship between the adolescent and his/her parents, as well as between the peers. The young people value their relationship with their peers, but also seek to maintain the feeling of love and support from their parents [Bezuidenhout, 1998]. So, in fact the peers do not necessarily replace the role of the family, but it is only set aside. This happens because the young people feel more comfortable to connect with peers, due to their shared experience of the same problems and therefore making it easier to cope with.

The commitment to a peer group is often determined by the parents' reaction towards the adolescent's involvement with the peer group activities (Benda & Whiteside, 1995: 19). If the parents disapprove of the involvement, it is likely that this disapproval will encourage the adolescent's deviant behaviour. This behaviour derives from the fact that he/she feels the parents do not support them and he/she feels rejected and insecure (even unsure) of their parents' love and concern for them.

In conclusion, the impact of peers on young people's deviant behaviour will depend on the strength of the young person's commitment to the peer group and the quality of the parent-adolescent relationship. Parents will have more influence on a young person's behaviour than the peers when there's a supportive, positive and cooperative relationship between the parent and the adolescent (Rossouw, 1999:62). This, however, means that the parent should not try to control the young person, but rather give them proper parental supervision.

As mentioned earlier, the community also contributes to the delinquent behaviour of a young person and the following section will focus on how the community influences juvenile delinquency.

2.4.3 The community

Figuera-McDonough (1991: 71) explains delinquent behaviour, not official delinquency, as a function of the presence or absence of controls. A lack of social controls may result in a disorganisation of society, which often predicts deviant behaviour. One of the contributing factors of social disorganisation is poverty, which is also seen as a powerful predictor of delinquency. According to the strain theory, lower class young people often become delinquent because they cannot measure up to middle-class standards. This means that for the lower class person to behave as the middle class person, he/she will do what is expected even if that means behaving in a deviant manner. Schuerman and Kobrin (1984) also found that socio-economic deterioration precedes crime, because society creates a living standard, which all members of a society should attain to. The lower-class people are unable to conform to

societal standards, because of their economic situation and cannot attain to these standards in a legitimate manner. The "only" way of fulfilling this may be through illegitimate ways, for example stealing, to get approval from the community.

A society, in which class-specific cultures exist, provides powerful motivation for a person's behaviour (Farrell & Swigert, 1982: 199). Society labels people according to their economical and social status and thus dividing its members into lower, middle and upper classes. As the labelling theory (Lemert, 1987) pointed out (see 2.3.3), people tend to behave in the way they are perceived and evaluated by other people. Therefore, when the traditional views are in conflict with that of the larger society, behaviour is seen as deviant or criminal.

Another way in which the community may contribute to delinquent behaviour is by labelling the lower-class young people. The lower-class young people are often seen as portraying "**troubleness**"; "**toughness**"; "**excitement**" and "**autonomy**" (Braithewaite, 1989: 32-35). The lower-class youth are purely judged as being *troublesome* because of where they come from (social background) and the fact that they are poor. *Toughness* derives from the view that most delinquents are male and they are expected to behave as a strong independent person – if they do not behave as expected, they are labelled as not being "man enough". The lower-class young people are seen as *smart*, not because of their level of intelligence, but merely because they can "con" and outsmart others when engaging in delinquent behaviour. People seem to think that being deviant is somehow thrilling or exciting for these young people. Lastly, young people tend to behave deviant in order to gain the status of being in control, which gives them a sense of autonomy.

It is obvious from the above requirements for high rates of criminal occurrences that delinquent behaviour will mainly occur if the need of belonging is not satisfied by the parents, the peers, as well as the community in which young people live. If instability and insecurity is experienced, young people will tend to move away from normality and engage in the type of behaviour that avoids or attacks the traditional standards (as a response of

their anger). This behaviour may be delinquent in order to gain the wanted attention.

The community also plays a crucial role in the social development of young people because Glanz (1994: 43) explains that in the community there should be:

- sufficient school systems in order to influence young people educationally;
- sufficient resources for facilities that these young people can utilize, such as recreation, youth organisations, churches, sport and so on.
- sufficient employment opportunities available to young people, and
- equality for all the members of the community, including young people.

In studies on crime that were conducted, the results generally showed that the disorganised community, in which these above-mentioned circumstances are not experienced, would be expected to have high rates of delinquency (Figuera-McDonough, 1992: 80).

Juvenile delinquency is influenced by certain factors, such as the family, peer groups and the community and the person's deviant behaviour may result in negative consequences for the juvenile offender, his/her family and within the community the young person lives. Accordingly, the consequences of juvenile delinquency will be discussed.

2.6 CONSEQUENCES OF DELINQUENT BEHAVIOUR

The consequences of delinquent behaviour are numerous and it influences the offender, family and community life. In this section consequences regarding the delinquent behaviour's impact on the above-mentioned people's lives will be discussed.

2.6.1 The offender

In reference in the first section of this chapter, society tends to label delinquent young people. If they return to their communities after imprisonment, negative attitudes could be shown towards them. Their imprisonment could also lead to limited personal freedom, because they are sometimes placed under supervision by the courts (Bezuidenhout, 1998: 10). By committing crime and serving their sentence, the juvenile offenders jeopardise their opportunities to further their education, resulting in getting no decent job and having a low socio-economic status (McGarrell 1988). This means that the juvenile offenders might then again engage in criminal behaviour. The offender is bound to also lose his/her self-respect and self-confidence and furthermore, the person's relationships with close family and friends may be disturbed.

2.6.2 The family

The young offender is part of a family unit and if he/she behaves delinquent by committing crime, the delinquent behaviour has an effect on the family. Due to delinquent behaviour of a child, parents as well as other family members often experience stress. The parents have constant fears about where the young one is and even about his/her life being in danger when exposing a delinquent behaviour (Bezuidenhout, 1998: 12). The conflict between the parents and the delinquent member will have implications for how the other non-deviant children and their parents may experience marital problems caused by stress and anxiety related to coping with the deviance. Rejection from the community, friends and even family, is often inevitable, seeing that the delinquent behaviour brings forth humiliation to them as a family unit. The most obvious and important issue that will be experienced by the family is the issue of *trust* (McGarrell 1988). They often ask themselves whether or not he/she will ever commit crime again and gaining these young people's trust, puts strain on the parent-child-relationship. This strain between family members then produces even more problems to cope with than before.

2.6.3 The community

The family forms a part of the larger community and when delinquent behaviour occurs within the family, it will subsequently have a direct or indirect impact on the community. If the level of crime is very high in a community, the following implications come to the fore:

- The community members may experience feelings of uncertainty, fear and insecurity.
- People in the neighbourhood tend to stay indoors due to fear of being on the streets and lock themselves in.
- Trust of foreign investors and certain government departments to invest financially in the community and community projects diminishes, whilst the need, in the lower-class communities, for these projects increases (SACSW, 1997:257).

In communities that are "ruled" by gangs, there occurs constant violence of killing innocent people for example. The people live in fear and instability and the community's response may be to take law into their own hands, because they feel that the police are not doing their job of protecting the innocent properly. In South Africa, PAGAD is one of these kinds of "community response", but this organisation does not make the problem lighter, it only encourages deviant behaviour further (Glanz 1994).

2.7 CONCLUSION

When a young person displays antisocial behaviour, for example committing crime, and deviates from the norms and values, of society it is known as juvenile delinquency. Juvenile delinquency is a real existing problem in South Africa and has different influences on the individuals, their families and the community, as outlined in this chapter. However, there are some theories – differential association, differential opportunity and labelling theory – that explain this phenomenon in order for professionals to understand juvenile delinquency and try to prevent delinquent behaviour.

There are certain factors that contribute to their delinquent behaviour. These factors may be, for example, disintegration within the family; rejection or non-acceptance from their peers, stigmatisation or even the lack of social control. The family is regarded as the institution that has to provide for the emotional and financial stability in the development of the child. If the opposite occurs, meaning emotional and financial instability, it could be a potential indicator that he/she might participate in deviant behaviour in a later stage of his/her life. As mentioned, certain consequences are accompanied by delinquent behaviour. The offender may be sentenced to imprisonment or placed under supervision by the courts; family life is disrupted and community violence can also be seen as a result of delinquent behaviour.

The next chapter will present an overall description of correctional supervision as an alternative sentence option. The role of the probation officer during the sentence of correctional supervision as well as programmes presented to the probationers will be discussed.

3. CORRECTIONAL SUPERVISION AS AN ALTERNATIVE SENTENCE OPTION

3.1 INTRODUCTION

In the previous chapter the phenomenon of juvenile delinquency was discussed and it became clear that juveniles, who violate the law, have to be punished for their actions in one way or the other.

In the absence of alternative sentences to imprisonment, the government has relied upon prison sentences alone to serve the penal functions of deterrence, retribution, protection of the community and rehabilitation. It became evident to the South African government and the Department of Correctional Services that imprisonment per se is no longer the only effective solution to the problem. Imprisonment has a negative effect on the developmental process, especially that of young people, because incarceration exposes young people to harsh physical, emotional and sexual abuse in prisons (DCS Manual, 2000: 12).

In order to reduce offences in South Africa, the social and economic circumstances of young people should be improved. Therefore, the Department of Welfare in collaboration with the Departments of Justice and Safety have developed a national plan of action (1997). The guidelines, on which this national plan was based on, will be discussed later in this chapter.

Correctional supervision was the end result of years of research in the field of sentencing, because of a vicious cycle of the more prisoners and inadequate facilities. The greater the storage of skilled personnel as well as the influence of the prison subculture, the less the chance of rehabilitation and the greater the chance of institutionalisation and recidivism (Newsletter 1999: Department of Correctional Services). The result of this is then more prisoners, meaning that this cycle needs to be broken.

This chapter will focus on giving an overall description on correctional supervision. This will include what this sentence option entails, service delivery by the Department of Correctional Services, and the role of probation

officers and the advantages of correctional supervision as a sentence for juvenile delinquents. The chapter will end with a discussion on the programmes to which probationers, in cases of correctional supervision of juveniles, are assigned and the importance of family support during the sentencing phase of juveniles placed under correctional supervision.

3.2 THE ROLE OF THE DEPARTMENT OF CORRECTIONAL SERVICES (DCS) IN PREVENTING CRIME

The Department of Correctional Services (DCS) is responsible for implementing the law in terms of the justice system in South Africa. The reason for discussing the role of the Department of Correctional Services is because Community Corrections is a sub-division of the Department of Correctional Services that works with the sentences of correctional supervision.

3.2.1 Vision and mission of the Department of Correctional Services

Accordingly, the vision and objectives of the DCS will be outlined. In their medium term expenditure framework strategic plan (April 2001 – March 2005), DCS pronounced the following as being their vision: To be one of the best in the world in delivering correctional services with integrity and commitment to excellence. To deliver correctional services, in partnership with stakeholders, the Department of Correctional Services would have to provide:

- Incarceration of prisoners under conditions with human dignity;
- Rehabilitation and reintegration programmes;
- Proper supervision of persons under community corrections; and
- Procurement and acquisition of adequate resources, which will enable response to challenges (faced by the DCS).

Therefore, provision of the above-mentioned services by the DCS will and should ensure that correctional supervision, as a sentence option, is in the best interest of the offenders.

One of the Department of Correctional Services' primary objectives is that of prisoner and probationer rehabilitation. Tshiwula (2001: 136) refers to Glick (1995: 463) who defines rehabilitation as: the provision of psychological or educational assistance or job training to offenders to make them less likely to engage in future criminality. This definition corresponds with what the DCS aims to achieve with the second mentioned objective. The rehabilitation involves education, re-skilling, learning a trade, moral and spiritual enlightenment, personal development as well as preparing the prisoners for release (DCS Strategic plan 2002:58). Rehabilitation is not only the responsibility of the custodial staff, but also that of the rehabilitative offender or in this case, the prisoner. In order to intensify rehabilitation and to ensure accountability, the Department of Correctional Services' focus will then be on strategies that address remedial and preventative measures. It also assists the prisoner and probationer to return home to their families and be law-abiding and productive citizens within the community.

3.2.2 Guidelines for services

As mentioned, in the previous section, the Department of Welfare has implemented a national plan (1997) to improve young people's social and economical circumstances in order to reduce the juvenile crime rate. The proposed guidelines, outlined in the White Paper for Social Welfare (1997: 66), will be explained because these guidelines were proposed in terms of services provided to offenders, victims and their families. According to the above-mentioned guidelines, as set out in the White Paper for Social Welfare, the following are important:

- Families of sentenced prisoners will be assisted by professionals such as social workers to preserve family life. This means that contact between prisoners and their families will be facilitated. After release, staff of the Department of Correctional Services, such as probation officers and social workers, will help prisoners to reintegrate within their communities. Community-based organisations, such as NICRO,

should also be involved in order to provide social and recreational services to families.

- All services, social or developmental, must aim at restorative justice, by taking into account the victim's perspectives on the provided services and by involving the community in the justice processes, thus promoting reintegration and social cohesion.
- Alleged offenders awaiting trial should be provided with available services (for them and their families) and community-based alternatives, such as correctional supervision and parole, for detained prisoners awaiting trial will also be established.
- Employment programmes, skills training and reintegrating opportunities for ex-offenders will be developed by the Departments of Correctional Services and Social Welfare, as well as halfway houses and community-based temporary shelter arrangements.
- Institutionalisation will be a last resort. Only those offenders who pose a serious threat to society should be imprisoned; and community sentences should be developed and maintained at a level that command credibility with the courts as an alternative to imprisonment. Alternative sentencing should thus be well planned and monitored.

From the above guidelines, it seems that the Department of Welfare mainly focuses on integrating the offender into his/her community after sentencing. Therefore, the younger offender will not need to be exposed to the negativity of imprisonment, but can simultaneously compensate the community for the criminal behaviour that was committed.

To summarize, the Department of Correctional Services is responsible, in conjunction with other government departments such as the Department of Justice and Safety, to decrease crime rates and overcrowding of prisons by implementing alternatives to incarceration and in South Africa, community corrections was implemented as one of those alternatives. The purpose being

to exercise supervision and control over offenders who are under correctional supervision and on parole.

3.3 LEGISLATION

As in any other country, South Africa also has certain acts that make provision for justice in society. The South African Act for Correctional Services and Supervision (1991) therefore make provision for correctional supervision and this Act is discussed below.

The Amendment Act on Affairs regarding Correctional Services and Supervision (Act 122 of 1991), modified the Criminal Procedure Act (1977) as well as the Act on Correctional Services (Act 8 of 1959). The Correctional Services Act (Act 111 of 1998) – which will be referred to as "The Act"-, was assented to on 19 November 1998 by the President, rendering the transformation of the Department of Correctional Services, as complete (Government Justice Yearbook, 2000:36). All previous discriminatory clauses have been removed, and the Act is on par with international standards and trends [White Paper for Social Welfare, 1997]. The Act provides a proper legal basis for a modern correctional system operating within the framework of the Constitution of the Republic of South Africa (1996). The Correctional Services Act (1998) focuses mainly on the rights and duties of sentenced and unsentenced prisoners and people serving sentences in community corrections, which are correctional supervision and parole. The Department of Correctional Services plays an important role in providing justice to the South African society with regard to the criminal activities and also ensures that convicted criminals are treated with human dignity. The DCS has implemented community corrections as an alternative sentence to incarceration. Correctional supervision is one form of community corrections and in the following section correctional supervision will be discussed.

3.4 CORRECTIONAL SUPERVISION

One of the objectives, as part of the proposed vision of the Department of Correctional Services, is providing proper supervision of persons under

community corrections. Correctional supervision is one form of community corrections and accordingly correctional supervision will be discussed in detail. Reviewing literature (Department of Correctional Services 1996: 7; Gabel & Johnston 1995: 84), it seems that correctional supervision became a realization as a result of two reasons, which will be shortly discussed below, (Van Staden, 1998:201):

With correctional supervision, some offenders are restrained from imprisonment and thus reducing the prisoner population. Over the past years, the crime rate in South Africa has increased so severely that prisons became more overcrowded (South African Police Department Crime Report, 1998).

With correctional supervision, the Department of Correctional Services saves money and can put this money to other use. Another reason for implementing correctional supervision as an alternative sentence is that it is cost-effective. Imprisonment of an offender created financial implications for the Department of Correctional Services. It costs the Department of Correctional Services R80.82 per prisoner per day, whereas R12.62 is spent per probationer per day (DCS Manual 2000).

The Department of Correctional Services had conducted a pilot project in order to find valid explanations to sufficiently implement an alternative sentence option, such as correctional supervision. On August 15, 1991, some of the provisions of the Amendment Act were put in motion as a pilot project in the magisterial districts of Pretoria and Wonder boom (Pretoria-North). During this project, individual and group communication has been utilized countrywide by professionals such as social workers, on the basis to explain, to the Department of Correctional Services, this facet of activities.

The target groups were the judiciary such as judges, state advocates, prosecutors, members of the Law society and the Bar as well as academics, students, businessmen and –women and so on. Various newspaper and magazine articles on correctional supervision were published and it has been the subject on even radio stations (Department of Correctional Services' Annual Report, 1993).

The result of the pilot project indicated that correctional supervision is a useful, significant and successful sentence option. The national implementation plan in respect of correctional supervision - as a sentence option – was finalized on 1 June 1993, after being implemented in all South African magisterial districts.

The next section will cover the nature of correctional supervision; the categories and conditions, for example house arrest and community service, that probationers are subject to when sentenced. The violation of the mentioned conditions will also be discussed. Correctional supervision has its advantages and a section will be presented on these advantages, as well as the completion of this sentence.

3.4.1 The nature of correctional supervision

This section will focus on the nature of correctional supervision, the categories and conditions that are subject to offenders, breaching of conditions and advantages of this sentence. A short section that focuses on the completion of the sentence of correctional supervision will also be presented.

Firstly, a definition of correctional supervision will be offered in order for the reader to be clear of what this sentence entails. Correctional Supervision is defined in the Annual Report of the Department of Correctional Services (1993) as: "A sentence in its own right, which is served within the community and not in prison". A person serving this sentence is known as a probationer. The aim of correctional supervision is to control, to keep in check or monitor, and to rehabilitate those persons, who according to a court of law should rather serve their sentences within the community.

In terms of the Criminal Procedure Act, Section 32, 1977 (Act 51 of 1977) offenders may be sentenced to correctional supervision in the following cases:

- As an alternative to imprisonment;
- As a condition for a remanded or deferred sentence;
- As a condition for the suspension of a sentence; or

- As a result of failure to pay a fine, instead of imprisonment (DCS Annual Report, 1993).

The court should therefore consider every case carefully, before the offender is sentenced to correctional supervision.

There are also some requirements that offenders have to comply with in order to be considered by the court, for a sentence of correctional supervision. These requirements are that he/she poses as low threat/ risk to the community; has a fixed, verified address, and has means of support or is financially independent (Criminal Procedure Act, 1997, Section 32).

Information that verifies the above-mentioned requirements is collected through the court, by requesting a report from a probation officer or correctional official of the Department of Correctional Services. If the court requests these pre-sentence reports from a probation officer, it is appropriate that the officer consults with a correctional official beforehand because they should decide or ascertain whether or not the offender could be imposed to the sentence of correctional supervision (Criminal Procedure Act, 1997, Section 32).

As a part of the sentence of correctional supervision, an offender is categorized in terms of the degree of his/her offence and probationers are subject to certain conditions. The different categories and the conditions, to which the probationers are subject to with regard to correctional supervision, will be discussed in the following section.

3.4.2 Categories and conditions subject to probationers

There are different categories of correctional supervision and when a probationer is sentenced, various conditions are prescribed for them to which they have to oblige. These two aspects will be discussed accordingly.

Probationers are subjected to one of three different categories of supervision, namely maximum, medium and minimum supervision. These categories determine the degree of strictness of the conditions to which the probationers

are subjected (DCS Manual, 2000: 163). Monitoring officials exercise control over them by means of, inter alia, telephonic contacts or personal visits to the workplace, home and place at which community service are rendered.

On the initial reporting in the system of community corrections upon recommendation of the Supervision Committee the Head of Community Corrections may subject a probationer to the following conditions (DCS Manual 2000: 165):

- The first condition is house arrest. It implies that a portion of the day / night when the probationer does not work and are compelled to be at home. The probationers are not allowed to leave their homes and should be there at certain hours of the day.
- The second condition is restriction to magisterial district(s). Probationers are not allowed to leave town, unless they provide verifiable reasons and the court and probation officer agree to it.
- Compulsory visits to the Community Corrections Office are the third condition. The probationer and probation officer schedule meetings beforehand. This can vary from once or twice a week to everyday of the week, depending on the probationer's behaviour.
- The fourth condition is obtaining or keeping of employment. As mentioned above, probationers are given certain hours of the day "free" that should be utilized in finding a job or going to their current jobs.
- Payment of victim compensation (if the court so orders) is the fifth condition. When the court orders a person, sentenced to correctional supervision to pay a certain amount to the victim as compensation, it is set as a condition of correctional supervision. If the payment cannot be done directly at court, an agreement must be reached with the probationer either to pay the amount once or instalments. When this agreement is reached on payment on instalments, it should be decided on the amount to be paid and the period of that payment. However, this

period should not exceed three years or, as far as possible, the period of correctional supervision to which the probationer has been subjected.

- The sixth condition is community service, which has to be rendered free of charge. A probationer is obliged for a fixed number of hours of community service. It has the following advantages:
 - Community services ensure that the probationers and the community benefits from it perform essential tasks, such as cleaning streets and working in gardens, freely.
 - Community services enable the probationer to "compensate" for the damages he or she has caused.
 - Community services have the effect that the community is appeased because the element of punishment/ retribution is brought home to the probationer.
 - Community services may have a therapeutic advantage for the probationer, if he/she is placed at the correct facility of work, and
 - Community services will help the community become involved in the correctional administration of justice.
- The seventh condition is participation in treatment programmes, if applicable. The Head of Community Corrections must ensure the establishment of correctional programmes and lectures for probationers. These programmes are directly focused on the typical problem area/ behaviour of the probationer and are aimed at:
 - preventing further crime perpetration;
 - acquiring or improving a (general) sense of responsibility;
 - preventing alcohol and drug abuse;
 - inculcating or improving family responsibility;
 - improving family relations; and

- acquiring social skills.
- Compulsory attendance of educational lectures and talks is the last condition of correctional supervision. If the social worker or any other professional presents lectures or talks that apply in assisting in the rehabilitation of probationers, they are required to attend these sessions.

All these above conditions apply to all the probationers, irrespective of how light or severe their sentence of correctional supervision. Sometimes probationers violate these conditions and therefore the next section will be based on the violation of conditions.

3.4.3 Violation of conditions

As mentioned, this section will focus on the violation of the conditions to which probationers are subjected. A discussion on the implications of such violation will also be offered.

The essence of the success of correctional supervision is based on exercising strict control over probationers and the effective management of the system (Annual Report of the Department of Correctional Services, 1993). If probationers should violate conditions, correctional supervision is not immediately revoked. Probationers are given the opportunity to explain their reasons to the probation officer to whom he/she is responsible.

According to the Department of Correctional Services Manual (2000: 169), if the violation is minor, for which the probationer could give acceptable and verifiable reasons, he or she may only be warned against repetition of such a violation. In the case where violations are of more serious nature, more stringent measures will be taken, for example the degree of supervision can be adjusted from medium to maximum supervision.

When evidence clearly shows that a probationer has violated his/her conditions of correctional supervision, one or more of the following available options can be exercised by the probation officer (DCS Manual 2000):

- The issuing of a warning (written or verbal).
- Adjustment of the conditions of correctional supervision within the limits as specified by the court.
- More stringent monitoring from the probation officer to the probationer.
- Reinstatement of house arrest if initially ordered by the court.
- Additional community service (also within the framework of the conditions set by the court).
- Arrest and admission to a prison for a period not exceeding 72 hours, in order to reflect upon the possibility of the probationer continuing the sentence.
- Bringing the case before the court within the period of 72 hours to cancel the order of correctional and to impose another appropriate sentence (DCS Annual Report, 1993: 13).

These alternative measures are not always used, but when the probationer does not show his/her cooperation, the probation officers and the court have no other choice but to take action. This is done in order to teach the probationers a sense of responsibility for their actions.

3.4.4 Advantages of correctional supervision

The sentence of correctional supervision does not only have a negative side to it, but it also has its advantages. Accordingly, these advantages will be discussed.

The fact that correctional supervision is a community-based sentence ensures that is beneficial for the probationer and his/her family. Correctional supervision offers a viable solution to the problems of overcrowding as well as financial constraint. It is a cheaper sentence option and results in more space being available in prisons for the hardened criminals that are posing a threat to the community.

According to Van Staden (1998: 273) various authors (Glick 1995: 511; Gabel & Johnston 1995: 84; Suppes & Wells 1991: 273) have outlined the following as being advantages of correctional supervision:

- The normalizing influences of the community will maximize, because the offender will not be exposed to the negative elements of the prison setting. If the offender is in the community, he/she can come to terms with what has been done and offenders are given the opportunity to better their quality of life within the community, because in the prison he might learn new ways of "surviving" which can have negative implications on his/her life.
- Physical and psychological degrading such as assaults or inhumane treatment, are illuminated because the offender isn't incarcerated and thus not exposed to the hardened criminals. It is a known fact that sodomizing young offenders in prisons are sometimes inevitable, so thus serving a sentence outside this prison is a way of protecting these young offenders.
- The probationer can continue his/her employment and still support him/herself financially. Obligations towards others such as his/her family and friends can be done and victims can even be compensated for suffering due to the offence committed against them.
- The probationer is not exposed to exacerbated experiences and also not labelled as a prisoner. Should a person be labelled as a criminal, it will result in negative implications of that person's behaviour, so when placed back in the community the people will not even know that the young boy or girl has committed a crime.
- Problems experienced by probationers are dealt with within the social context in which they are manifested. This then ensures better interaction between the probationer and the community. Rendering of services within the community will make the probationer aware of how

his/her offence had an influence on the community and he/she can help in correcting the mistakes.

- The family of the probationer is not exposed to the trauma of imprisonment, ensuring that family bonds are maintained. The offender is also given the opportunity to build and reinforce these relationships.

Imprisonment can have negative effects on a person's life and that of his/her family and therefore it is better for the offender, who poses no/ low threat to the community, to serve his/her sentence within the community.

3.4.5 Completion of the sentence

According to the Act of Correctional Services (Act 111 of 1998), when a probationer has met all the conditions to complete the duration of his/her sentence of correctional supervision, the sentence as per court order is served.

The responsible probation officer must inform the probationer timeously to report at the Community Corrections Office in order to finalize the administration with regard to the exemption from his/her correctional supervision (DCS Manual 2000: 211). Should the exemption date fall on a Sunday or public holiday; these formalities should be finalized on the working day preceding the Sunday or public holiday.

With regard to the regulations of the Department of Correctional Services (Manual 2000: 213) the probationer's identification card (G447A) must be handed in at the Community Corrections Office and be filed in his/her file. A set of thumbprints must be affixed on the warrant/ order and be compared to the existing ones to ensure positive identification. Furthermore, the probation officer must update all the records of the probationer.

As already mentioned, each offender who is sentenced to correctional supervision is appointed a probation officer to whom he/she is responsible. This next section will focus on stipulating a short description of requirements

of being a probation officer as well as the different roles they fulfil with regard to correctional supervision.

3.5 REQUIREMENTS FOR PROBATION OFFICERS

Personnel who are utilized for correctional supervision are mainly permanent members and officials of the Department of Correctional Services. The Department also make use of volunteers; people within the community as well as temporary correctional officials of the Department of Correctional Services. The personnel whom are acting as probation officers and that are rendering the services should have qualification in behavioural sciences, such as Criminology, Psychology, Social Work and Penology. The Department designs special training courses for both the members of the DCS, as well as the volunteers in order to equip them with the appropriate skills (DCS Manual 2000).

3.6 THE ROLE OF THE PROBATION OFFICERS

Each probationer is appointed a probation officer for the duration of his/her sentence of correctional supervision. The probation officer has the following roles to perform: monitoring of probationers, writing of pre-sentence reports, assignment to programmes and acting as a witness in court.

3.6.1 Monitoring of probationers

According to the Correctional Supervision Act (1991), the probation officer is firstly responsible for monitoring the probationer; this is only in the case where an offender is sentenced to correctional supervision. Correctional officials (probation officers) must supervise all persons subject to community corrections, which can either be correctional supervision or parole. The supervision should not invade the privacy of the probationer, concerned, more than is necessary. This monitoring is done to ensure compliance with the conditions of the correctional supervision imposed. Monitoring is often dangerous for the probation officers and it is reasonably important that they

ensure their own safety. If the probation officer chooses, he/she may search a person subject to correctional supervision and confiscate any weapon found (Correctional Services Act, 1998: 52). Monitoring done by the probation officer should take the following manner (DCS Manual 2000: 18):

- Telephonic or physical control at work and home must take place discerningly and, as far as possible, not cause any embarrassment to the probationer and his/her family. Visits at the workplace should be discreet, because it can maybe lead to the probationer losing his/her job. Telephonic contact should be followed up with a physical visit to ensure that the probationer does not undermine the correctional system.
- Physical visits at home during the week or weekends or public holidays. This includes after hours. As mentioned, the probationer has to be at home during certain hours of the day (see 3.5.2). If probationers are not at home while probation officers are monitoring, it means that the probationers have violated one of their conditions. The probation officer is entitled to give them a warning or arrest them; depending on the amount of times conditions have been breached.

It is a necessity that the probation officer monitors the probationer in order to follow his/her progress and to see whether or not the offender is obeying the conditions he/she is subject to.

3.6.2 Writing of pre-sentence reports

The second role of the probation officer is that he/she is responsible for writing pre-sentence reports (Correctional Supervision Act, 1991). When an offender is considered for the sentence of correctional supervision, the court requests that the probation officer should hand in a pre-sentence report. The report is completed in order to establish whether or not correctional supervision is an appropriate sentence and whether the offender complies with the requirements to qualify for correctional supervision. The probation officer is responsible for writing this pre-sentence report.

Prinsloo (1991:104) describes a pre-sentence report, as the document in which the probation officer's findings of his/her investigation, together with his/her expert opinion and recommendations, give logical consequent information that is available to the court. This report reflects the expertise of the specific probation officer in terms of knowledge, integrity and objectivity, which are seen as important aspects of such an officer. The pre-sentence report is a valid legal document and can be seen as the most prominent resources that the courts use in allocating penalty to an offender (Krugel, 1989; Lennox, 1998: 30). The probation officer presents the report to the court, consisting of the personal and social information about the offender, but it does not necessarily mean that the court should accept his/her recommendations in sentencing an offender to correctional supervision.

3.6.3 Assignment to programmes

Thirdly, the probation officer is also in charge of ascribing the probationers to certain programmes in which they need to participate. These programmes will be discussed later in this chapter. The type of programme to which the offender will have to comply to, will depend on his/her defence as well as the probation officer's judgement of the needs of the probationer. The probation officer should then make arrangements with the social worker in order to include the probationers in the session conducted by him/her.

3.6.4 Witness in court

Fourthly, the probation officer sometimes plays the role of an expert witness in criminal courts. The court could require his/her opinion or judgement for various reasons in order to give his/her evaluative or professional meaning about the character of the probationer (Lennox, 1998: 110). As mentioned, the probation officer could be asked to write a pre-sentence report, where aspects of the profile and functioning of both the complainants and the incriminated, should be made clear by the probation officer in court. However, probation officers are predominantly used in the sentencing phase to enlighten the perpetrator's profile and provide an appropriate recommendation for imposing

a sentence. The competencies of probation officers are sometimes questioned, but nevertheless, they are required to give an expert opinion when needed (Community Corrections order 6, 2001).

In terms of correctional supervision it is clear that the most important responsibility of the probation officer is to monitor the probationer to see if he/she complies with the conditions, as set by the DCS. The probation officer is also an important determinant, in courts, of what type of sentence should be allocated to any offender.

3.7 PROGRAMMES PRESENTED TO PROBATIONERS

When the probationer is sentenced he/she is required by the conditions of correctional supervision to participate in certain programmes, such as life skills, usually presented by a social worker. These programmes can cover the following areas: life skills, aggression, and drug and alcohol abuse. These programmes will be discussed accordingly.

3.7.1 Life skills programme

The above-mentioned programme is utilized in order to promote better life skills amongst the juvenile offenders.

Life skills is defined as "sequences of choices that people make in specific areas necessary for effective living, for instance the various mind and communication skills required for relating well to others" (Nelson-Jones, 2000: 327). Enhancing people with these types of skills will ensure a better-prepared life experience when in interaction with others.

The goal of this programme is to encourage the young offender to behave within acceptable societal norms, whereby awareness is created about the seriousness of the crime; its consequences; the importance of self-concept, assertive behaviour and responsible decision-making (Government Gazette, 1998: 11). During these sessions the young offenders and their parents are involved, depending on the topic of discussion.

During the crime awareness session, both the parents and offenders should be present. This is usually an informative session to make both parties aware of the nature and causes of crime. The social worker also focuses on the effects of crime on the offender, the family, the community and the victim. By doing this, the offender is given a clear explanation of how his/her crime has influenced other people's lives. This session is appropriate for the criminal and family to ventilate about the experience of the offence and their involvement in the criminal justice system.

The session discussing the self-concept of an individual, only involves the offender. Nelson-Jones (2000: 31) defines the self-concept as "the picture a person has of him/herself and people also perceive themselves in different ways". Offenders are then given the opportunity to broaden their knowledge as well as creating awareness of the factors that influence the way in which they perceive themselves. Ellis (1995) explains that there are several areas of a person's self-concept that he/she should be concerned with: family, relationships, social class, one's own image and so forth. This session will help the young offenders to promote and motivate themselves in order to accept themselves and creating positive attitudes towards themselves and others.

Another topic of discussion is that of assertive behaviour. Being assertive and acting in that way, means that the person has the ability to communicate, if necessary backed up by actions, either positive or oppositional thoughts and feelings in appropriate ways that are neither aggressive nor non-assertive and submissive (Nelson-Jones, 2000: 323). This session is used to differentiate between aggressive, passive and assertive behaviour. It focuses on coping with aggressive behaviour, advantages of assertive behaviour and teaching probationers constructive ways of dealing with anger.

In order to help a person make the right choices in life, he/she needs to be equipped with enough problem-solving skills. Nelson-Jones (2000) suggests that the experienced counsellor should combine active listening skills with probes designed to clarify goals, explore options for attaining these goals and develop plans to implement a chosen option.

Young people often experience the problem of when and how to make the right decisions and therefore a session is also set aside to focus on the decision-making process. A clear-cut differentiation is made between decision-making and criminal involvement, making them aware that one cannot solve your problems by committing crime. The social worker also highlights that being constructive in making decisions can prevent a person from making costly mistakes, for example ending up in prison.

If everybody involved, social workers and the probationers, has co-operated this life skills programme will result in giving information and equipping young offenders with the proper life skills that is crucial in the rehabilitation of the young offender.

3.7.2 Aggression programme

Training or helping a person to be non-aggressive can be important for both the parents and the young offender, since interacting with others can be a source of stress in a person's life (Feit, 1995: 181). Wodarski (1993) also mentioned that training a person to be assertive (non-aggressive) may reduce stress experienced by teaching one to stand up for him/her legitimate rights without bullying others or letting them bully him/her.

The aggression programme aims to develop the necessary skills and knowledge to handle aggression more effectively through group intervention. The following objectives are formulated in order to achieve the above goal (DCS Manual 2000:201):

- To orientate and motivate participation from the group members.
- To help participants develop insight in the characteristics of the aggressive person by extending their knowledge of the term aggression.
- To develop insight in the various contributory factors that lead to the aggressive behaviour

- To reconnect the participants with their past lives as it is/was and how it could be if they are willing to make a positive mind shift.
- To enhance the members' knowledge with reference to self-assertion, communication skills and self-image. This objective will help them to learn the necessary skills, which will enable them to modify their behaviour. If they learn to be assertive instead of aggressive, by equipping them with the appropriate skills, a change in behaviour will be the result.

These objectives are divided into sessions, during which each objective is discussed separately. After the completion of the last session the group members are given the opportunity to evaluate all the sessions.

3.7.3 Alcohol programme

Young people have the ability to make decisions about the role alcohol and drugs will play in their lives. It is important that the young people are enforced with the correct information of aspects regarding alcohol and drug use. As Ellickson and Bell (1990) point out: 'Effective comprehensive methods of teaching youth about psychoactive substances are imperative if they are to make well-informed decisions about its use (Wodarski & Feit, 1995: 31).

This programme is only presented to those probationers who are using alcohol and/or abusing it. It aims to develop insight in the harmful effects of alcohol abuse and to create a responsibility towards the use of alcohol (DCS Manual 2000:202)s.

The members are firstly given the explanation of the purpose of their participation and are given the opportunity to determine their individual goals and expectations. Explaining the composition of alcohol, by defining alcohol and giving examples are also discussed. Focus is put on the influences of alcohol on their relationships with others and how their lives have changed because of the usage of alcohol.

It is important that the members' inner motivation towards a sober life style is evaluated. This can be done by defining the term motivation and giving them a few defence mechanisms (Maxson et al 1997). The social worker discusses some coping mechanisms in people strive to a sober life style and focus should be put on how to overcome social pressures that may cause them to use alcohol. The relapse process has to be discussed and the importance of support groups should be stressed. With all this information, the social worker should guide them by referring them to the appropriate and available resources such as support groups.

3.7.4 Drug programme

It is crucial that in learning about drugs, participants become informed of the multiple factors that have been shown to contribute to irresponsible use of drugs and to dependence (Wodarski, 1995: 35). Kaplan and Robbins (1984) have found that adolescents show a great deal of lack of knowledge concerning the issue of drug abuse.

The drug programme aims to develop insight in the harmful effects of drug use and to create a responsibility towards a drug-free lifestyle. The following topics are outlined in the DCS Manual (2000):

- Classification of drugs by explaining the difference between depressants, anti-depressants and hallucinogens.
- The harmful effects on the individual; his/her body; the person's self-image; behaviour and judgement as well as the correlation between drug abuse and crime are discussed.
- In discussing their own experiences, members explore the reasons for drug abuse and its significance on their lives. The members should therefore evaluate their inner self and try to find motivation to lead a sober lifestyle.
- It is important that focus is put on preventing relapse. The social worker discusses in detail what is meant by relapse and what its causes are so

that they know exactly how to deal with this problem. Members should also be encouraged to join support groups in order to help them rehabilitate.

If awareness is created, it can assist in these young offenders making realistic judgements about their own present or possible future drug use. This can also serve to inform them of the progression of drug use from responsible, to problem usage to dependence (Wodarski, 1995: 24).

All these four programmes described are helpful and have value to those who participate in them, because it is often problems experienced by the young offenders. The life skills programme is the programme that is mainly utilized by juvenile offenders sentenced to correctional supervision.

3.8 SUMMARY

Correctional supervision is an alternative sentence that is served within the community, only by the offender who is not seen as a threat to the community. The South African government realized that alternative sentence options needed to be implemented in order to try and alleviate the problem of overcrowding of prisons.

As discussed in this chapter, the Department of Correctional Services played the central role in implementing an alternative option – correctional supervision –, which was one of the primary objectives of the Department of Correctional Services. Probationers (persons under correctional supervision) are subject to certain conditions, such as house arrest, and should conditions be violated, the Department made provision for punishment – issuing warnings for example.

Seeing that correctional supervision is served within the community, the young offender is advantaged by not being exposed to the negative and exploitative environment of the prison life. Other advantage was, for example, not exposing the family of the juvenile offender to the trauma of experiencing the juvenile's imprisonment, and was also discussed in this chapter. The

probationer is appointed to a probation officer, who is responsible for monitoring, writing reports, assigning offenders to the appropriate programmes and even to appear in court as witnesses. The programmes that offenders need to participate in, such as life skills, aggression management, and drug and alcohol abuse were also discussed in this chapter.

If correctional supervision is implemented in the proper way, intended by the Department of Correctional Services, the outcomes can be successful and the effectiveness of this sentence option can be evaluated.

4. THE IMPLEMENTATION OF CORRECTIONAL SUPERVISION

4.1 INTRODUCTION

The Department of Correctional Services implemented correctional supervision in June 1993, which serves the purpose of an alternative sentence option to incarceration- with the main focus on juvenile offenders (DCS Manual 2000). The sentence of correctional supervision is a community-based sentence, meaning that the young offender serves his/her sentence within the community and is therefore not exposed to the severe inhumane circumstances of imprisonment. These circumstances include prison gang violence, sodomizing of young boys, cramped cells and poor food.

When a juvenile offender is sentenced to correctional supervision by the courts, he/she is appointed a probation officer. The probation officer is responsible for monitoring the probationer throughout the course of his/her sentence to correctional supervision. It is also the duty of the probation officer to check if the probationers comply with the conditions, for example community service and house arrest, they are subject to when sentenced [DCS Manual 2000]. If the probationer violates his/her conditions, the probation officer is entitled to issue a written or verbal warning to the probationer or can even arrest him/her. A young offender's sentence to correctional supervision also causes implications for his/her family members. The family life is interrupted and problems such as strain and tension between siblings and invasion on the privacy of family members due to monitoring of the probationer can occur.

The objectives of this study were to explore the juvenile offenders' perceptions of correctional supervision, the impact of the sentence on the juvenile offenders families and the availability of and the role of the probation officers during a juvenile's sentence to correctional supervision. These objectives were formulated in order to achieve the goal of the study, which was to explore correctional supervision as an alternative sentence option and present a description of this sentence option for the juvenile offender (Van Staden, 1998; Lennox, 1999).

This chapter entails the results of the study undertaken with the juvenile offenders, their family members and the probation officers, and will now be discussed.

4.2 EMPIRICAL STUDY

In this section the methodology of the conducted study will be outlined. Focus is put on the research method, sampling of the respondents and the data collected during the study.

4.2.1 Research method

This study was conducted in the Worcester area, in the Boland, and the juvenile offenders were part of the justice system of Community Corrections, a subdivision of the Department of Correctional Services. The probation officers are also part of the personnel of this Department. Both qualitative and quantitative research methods were utilized, because the study was explorative in nature and the social world of the participants were also investigated.

4.2.2 Sampling and data gathering

The research sample as well as the methods used to collect the specific information regarding correctional supervision will now be presented.

i) *The juvenile offenders*

The sample for this study was drawn from the list of 40 juveniles who were between the ages of 16 and 20 years and sentenced to correctional supervision at the Community Corrections Office in Worcester. Purposive sampling (Babbie, 1998) was utilized, as chosen respondents represented each age group between 16 and 20 years. The sample of juvenile offenders consisted of five probationers and respondents were respectively 16, 17, 18, 19 and 20 years old. These five respondents were chosen by the social worker at the Community Corrections Office, because these five probationers were willing to participate in the study. A survey

was done and information gathered through completion of self-administered questionnaires for the juvenile offenders (**Annexure 1**).

i) ***The family members***

In order to gain information on family dynamics and their social circumstances, the mother of each juvenile respondent was chosen to complete the self-administered questionnaires for the family members of the juvenile offender (**Annexure 2**). The researcher was of the opinion that the mother would be more informed and aware of the circumstances and relationship of the household. Therefore it can also be inferred that purposive sampling was applied, because respondents were chosen due to certain characteristics and their willingness to participate [Babbie 1998:369].

ii) ***The probation officers***

Three probation officers were selected from the number of six probation officers. These probation officers are all staff members of the Department of Correctional Services in Worcester. All six probation officers were invited to become involved in the study, but only three were willing to participate. In order to obtain insight into the role of and the experiences of the probation officers exercising correctional supervision, they were requested to complete a self-administered questionnaire (**Annexure 3**).

The empirical study was based on the research goal and objectives as described in chapter 1, as well as on the contents of the literature review as presented in chapter 2 and 3 of this report. To ensure confidentiality and anonymity, all respondents' consent to participate in the study, were obtained verbally.

Quantitative data will be presented in the forms of tables. Responses to open-ended questions were analyzed and used to elaborate on the collected information. Qualitative data will be presented in the form of quotations of the respondents' verbatim responses in order to discuss the identified research variables.

4.2.3 Demographics of the juvenile offenders

In this section the identifying particulars, living circumstances, and familial relationships, history of criminal behaviour as well as the offenders' experiences of their sentence to correctional supervision will be discussed.

- **Gender of probationers**

The distribution of the gender of the five probationers, involved in this study, is reflected below:

Table 4.1 Gender of the probationer

Gender	f	%
Male	4	80
Female	1	20
Total	5	100

N= 5

Table 4.1 shows that four (80%) of the five respondents were males and the other respondent was a female. This number can be an indication that males commit lesser-reported criminal activities than females. This statement is supported by the fact that the Department of Correctional Services has reported that fewer young females are involved in criminal activities as opposed to young males (DCS Manual 2000). Therefore the number of juvenile female offenders, sentenced to correctional supervision, are evidently lower than their male counterparts. However, it should be taken to account that both females and males commit criminal activities.

- **Age of probationers**

The respondents' ages ranged from 16 to 20 years. The female probationer is 16 years, one male was 17 years, one male is 18 years, one male was 19 years and the remaining one male probationer, is 20 years old. The South African Police Department reported that most of the crimes are committed by young people between the ages of 14 and 17 years (SAPD Crime report, 1998). However, due to the small sample, the fact that four of the respondents

are older than 17 years is not an indication that lesser or more crimes are committed by young people between the ages of 18 and 21 years. The researcher only highlighted an observation that was noticed.

- ***Education level of probationers***

One (20%) of the respondents finished school and matriculated in 2001. The other four respondents did not finish school and they indicated the following as being the reasons for not completing school:

- Suspension from school due to poor class and school attendance.
- Suspension from school because of smoking and drinking habits on school grounds.
- Absconding from school because there was no interest in continuity of education.
- Leaving school to work.

The above-mentioned findings correspond with Lotz and Lee (1999: 199) who reported that juvenile delinquents tend to have a poor and decreased interest in schoolwork and it mainly results in absconding from school.

- ***History of criminal behaviour***

Three (60%) of the respondents were first-time offenders and their ages ranged from 18 to 20 years. Crimes committed by them, included robbery, theft and murder. One (20%) respondent has committed crimes four time and all her offences were theft-related. The other respondent has been convicted seven times and his offences included theft, armed robbery and robbery. Robbery and theft seems to be an occurring trend and statistics have also shown that theft and robbery crimes, committed by young people, are high (SAPD Crime Report, 1998).

- ***Housing***

The table below shows the nature of the probationers' homes:

Table 4.2 Housing

Type of home	f	%
House	4	80
Flat	0	0
Squatter house	0	0
Other	1	20
Total	5	100

N= 5

Table 4.2 indicates that four (80%) of the respondents live in houses and one (20%) respondent lives in other form of housing, which is a Wendy-house in his grandmother's backyard. All the respondents live with their parents.

- **Household**

Three of the probationers' parents are married and the other two respondents' parents only live together. The findings correspond with the fact that when both parents are living with the children, a stabile family environment is created. If the family environment is stable and supportive, this will encourage the social development of a young person (Bezuidenhout, 1998: 10).

- **Environment**

A community, in which young people live, may influence their behaviour indirectly and this influence contributes to the young people's delinquent behaviour (Braithwaite, 1989). Three of the areas in Worcester, Esselenpark, Roodewal and Riverview, in which the probationers live, are commonly known for criminal activities, such as gangsterism and illegal selling of drugs and alcohol to young people. The study findings also indicate that the other two respondents live in lesser crime-infested areas, therefore it can be inferred that not only a socially disorganised community will produce criminal behaviour. Glanz (1994) mentions that the community plays a vital role in young people's social development and a socially disorganised community will contribute to their delinquency, for example they would commit crimes. Other factors, such as insufficient recreation facilities, may be a defect within the community.

- ***Social relationships***

All of the five respondents indicated that they are part of a circle of friends. The ages of their friends differed for each respondent – some of their friends are younger or older than they are and some of their friends are the same age as they are. All the respondents also reported that it feels good being part of a peer group and they enjoy spending time with their friends and thus gain social acceptance and approval from this interaction as is indicated by Ianni (1989). Four of the respondents indicated that they would not engage in group activities against their will. One of the respondents, however, indicated that he was unsure about the fact that he would conform to group activities against his will. This finding correlates with Reed and Rose (1998) who are of the opinion that a young person will conform to deviant group activities if he/she feels pressured by their friends to do so. It was reported by the respondents that no specific group activities were participated in. On response to the question of the most popular activities they do participate in, the respondents answered that they usually played sports, such as rugby and cricket. Even though, the respondents enjoy spending time with their friends, they also mentioned that spending time with family members are equally important to them. This result is an indication that the young people feel comfortable and secure in both their relationships with friends and family.

- ***Duration of the sentence of correctional supervision***

The respondents' duration of their sentence to correctional supervision range from 9 months to 3 years, depending on the degree of their offence.

- ***Conditions of probationers***

The following table reflects the different conditions the probationers are subject to:

Table 4.3 Conditions of the probationers

Conditions	f	%
House arrest	5	100
Limitation to magisterial district	1	20
Obtaining work	1	20
Compulsory visits to Comcor office	5	100
Payment of victim compensation	0	0
Community service	5	100
Participation in treatment programmes	5	100

N= 5

Table 4.3 shows that all of the respondents are subject to the conditions of house arrest, compulsory visits to the Comcor office, community service and participation in treatment programmes. Two of the respondents are subject to an additional condition each, which is limitation to the magisterial district and obtaining of employment. The reason why these two respondents were added these conditions, is because of the degree of their offence, in this case being murder, and also because one of them were employed at the time of his arrest. These conditions correspond with those stipulated in the DCS Manual (2000: 163 -170).

- ***Violation of conditions***

All the respondents indicated that they have violated one or more of their conditions of correctional supervision. The conditions mostly violated by the probationers were house arrest and community service. According to the Department of Correctional Services Annual Report (1993), it is not uncommon for probationers to violate the condition of house arrest, because the confinement and boredom frustrate them. In their violation of these conditions, four of the five respondents were issued warnings – either written or verbally – and the other respondent was sent to prison for 72 hours. These alternative actions towards probationers, who have violated their conditions, are stipulated in the Correctional Supervision Act (1991).

- **Perception of sentence**

The probationers' overall perception of their sentence to correctional supervision was that they feel frustrated and bored because they are expected to be home for most of the day and night. They responded in comments such as "*dit maak my tienerlewe aaklig*" (*it makes my teenage life horrible*) and "*dit behels die beperking van my vryheid*" (*it entails a limitation on my freedom*). Some of them also mentioned that the available time they have, gave them the opportunity to reflect on their deviant behaviour and one respondent stated that "*ek het geleer uit my foute*" (*I learned from my mistakes*) and that they had the chance to spend more quality time with their family, which enhanced the familial bond. The fact that the familial bond was strengthened through the juvenile offenders' sentence to correctional supervision could mean that the juvenile may not engage in future criminal behaviour (Rossouw, 1999).

- **Experience of correctional supervision**

Their experience of correctional supervision does not only have its advantages, but one respondent reported that he was treated badly after violating one of his conditions. He said that "*hulle het my soos 'n hond behandel en my selfbeeld afgekraak*" (*they treated me like a dog and my self-image was bruised*) was his response. The fundamental purpose of correctional supervision is to prevent young offenders from being treated inhumane (Van Staden 1998) and one of the juvenile offenders was treated exactly that way. The Department of Correctional Services implemented the sentence of correctional supervision because incarcerating young people would have severe negative influence on that young person's development (DCS Manual, 2000: 12). From the findings, it is clear that some of these respondents were in fact treated as the hardened criminals in prison. Another respondent mentioned that she has learnt "*nothing*" from her sentence to correctional supervision and her mother also agreed and supported this statement by saying there was no improvement or change in her daughter's behaviour. This result can reflect that there are certain obstacles that need to

be investigated and changed in order to ensure meaningful rehabilitation of the juvenile offender.

- **The role of the probation officer**

All of the respondents indicated that a probation officer supervises them. Three of them reported that their probation officers are always available to them. No problems were experienced with the specific probation officer and monitoring, by them, were done on a weekly or monthly basis. The remaining two respondents indicated that their probation officers do not monitor them regularly and when they need to make contact, telephonically or by means of physical visits, the probation officer is always unavailable. One respondent's words were: *"as ek bel, sê hy net ek kom môre, dan kom hy nie"* (if I phone, than he'll always say he'll come the next day, but never come). When asked what they thought the reasons were for the probation officer's unavailability, the probationer indicated that they do not want to waste their time on criminals. These findings do not correspond with the Correctional Services Act (1998) that states that irrespective of a young offender's criminal status, the probation officer is responsible to monitor them on a regular basis in order to ensure that the probationers comply with the conditions subject to them.

4.2.4 Family dynamics

In each of the five households of the respondents, the mother was involved in the study because the researcher was of the opinion that she would be the most informed and well equipped to answer the questions of the family dynamics. The following section will outline the information obtained from the questionnaires.

- **Head of the household**

Table 4.4 Head of household

Title	f	%
Mother	2	40
Father	3	60
Total	5	100

N= 5

Traditionally, the father is seen as the head of the household (Goldenburg, 2002), but from the above table it can be seen that mothers can also be the head of households. In the two of the five families, the mothers are seen as the head of the households because they are the breadwinners within the specific households. It is a new, but not uncommon trend that women are increasingly entering into the labour market in order to provide their families with financial stability (Rossouw, 1999:61).

- ***Relationships***

Generally, the relationships between family members are described as being "*normal*" and feelings are openly shared amongst each other. Three (60%) of the five of the familial relationships were described, by respondents, as having "*strong and caring bonds with each other*" and that they are "*close-knit families*". It is important that family members provide each other with warmth and emotional stability. Young children would then not have the need to turn to other people, such as friends for love and affection (Bezuidenhout, 1998: 15). Chubb et al (1992) says that a child needs to feel safe and secure within the family in order to develop, as a responsible person and having strong and close familial relationships will encourage safety and security.

- ***Employment/ income***

In all five of the households, there is a member that is employed. In one household (20%) both parents are employed and earn sufficient salaries. In another two (40%) of the households only the fathers are employed and one of these households receives an additional income in the form of disability maintenance. In the other two (40%) households, only the mothers are employed and earn wages, which are used to cover the basic necessities – food and electricity – of the family. These findings relate to one of the important functions of a family is to provide economical stability for its members (SACSW 1997) and the above-mentioned information indicates that the families' incomes are not sustainable. In some of the households, the basic necessities, such as food, clothing, electricity and rent are barely covered by these incomes. The fact that in two of the households the mothers are breadwinners is not uncommon, because Craig (1996: 64) says that

women are increasingly entering into the labour market and are thus seen as the breadwinners of those specific families.

- ***Factors contributing to the juvenile's criminal behaviour***

The researcher wanted to know what the contributing factors to the juveniles' criminal behaviour because it is suggested by different authors, such as Muncie (1999); Bezuidenhout (1998) and Glanz (1994) that certain factors play a role in the criminal behaviour of young people.

Table 4.4 Contributing factors

Factors	f	%
Influence of friends	2	40
Living circumstances	0	0
Community in they live	0	0
No specific reason	3	60

N= 5

Although the general perception is that young people are mostly influenced by their friends when engaging in delinquent behaviour (Lotz & Lee 1999), only two (40%) of the respondents indicated that they feel their children's friends influenced the offenders' criminal behaviours. The remaining three (60%) respondents indicated that they think there was no specific reason that encouraged the criminal behaviour of the young offenders. The mothers mentioned that these particular young offenders are responsible for their own behaviour.

- ***The impact of correctional supervision on the family life***

In enquiring about the impact of correctional supervision of the juvenile offender on the family life, the general response of the mothers was that the young offender's sentence to correctional supervision had an impact with regard to the invasion of their privacy. Privacy of other family members are invaded because of the monitoring of the probationer, which can take place any time of the night or day (Lennox 1999). As stipulated in the DCS Manual (2000:18), the probation officer is allowed to visit the households of the

probationers unannounced because the probationers are subject to the condition of *house arrest* and they need to be monitored by their probation officers.

- ***Family relationships***

On the question whether or not the feelings and relationships towards the juvenile offender in the family have changed, it became evident that there was no specific change in the relationships between family members. One respondent, in this regard, indicated that: "*Ons behandel hom dieselfde as voorheen*" (*we treat him the same as before*) and another one said "*nog steeds dieselfde*" (*still the same*).

These findings correspond with the opinion of Craig (1996) that states that it is important that the families do not reject the young offenders because this rejection may encourage further criminal behaviour from the juvenile. The young offender may feel labelled as a criminal and therefore feel unwanted and not loved and delinquent behaviour will be encouraged further. One can also add the opinion of Maccoby (1984) who reported that parental control and warmth affect children's aggression and pro-social behaviour, so if the young person feels rejected, he/she will engage in improper behaviour, for example committing criminal acts.

- ***Accessibility of probation officers***

Four (80%) of the respondents indicated that the probation officers are available as one stated: "*ten alle tye*" (*at all times*) and that they have not experienced problems with the probation officers. According to the respondents, the probation officers usually monitor the probationers on a weekly or monthly basis as required from them (DCS Manual 2000). The other (20%) respondent replied that the specific probation officer does not monitor on a regular basis and he is seldom in contact with the probationer. This respondent also indicated that the probation officer's unavailability to the probationer is the reason why the probationer violates her condition of house arrest and she said: "*sy is nooit meer by die huis*" (*she is never at home anymore*).

- ***Perception of sentence***

In enquiring on the respondents' perception of the sentence of correctional supervision, all (100%) of the respondents indicated that correctional supervision is a "good" sentence, because the probationers learned from their mistakes and the mothers are relieved that their children were not sent to prison. One of the advantages of correctional supervision is that the juvenile offender serves his/her sentence within the community and is therefore not exposed to prison life (Van Staden, 1998). The fact that the mothers were relieved that the juveniles were not incarcerated means that the family is then not exposed to the trauma of imprisonment as was found by Van Staden (1998) and the family bond is maintained.

- ***Advantages of correctional supervision***

In response to the question about the influence of the sentence of correctional supervision on the juvenile offenders' lives, the respondents indicated that there were a few advantages brought forth from the juvenile offenders' sentence to correctional supervision. These advantages included that the offenders were more at home than before and that the juveniles were not spending that much time with friends who influence them. The disadvantage of this sentence is that the limitation of the young offenders' freedom made them frustrated and caused tension between the mother and the probationer. The purpose of correctional supervision is to divert the young offender away from criminal behaviour and enhance him/her with the proper skills, such as life skills, in order to increase a better quality of life (DCS Annual Report, 1993).

4.2.5 The probation officers' roles and experiences of correctional supervision

The probation officers were also involved in this study, because they are responsible for supervising the young offenders sentenced to correctional supervision. This section of the chapter will outline the analysis of the data, obtained through self-administered questionnaires (Annexure 3) completed on

the role and experience of the probation officers as well as their perceptions of correctional supervision. All three respondents were males.

- ***Probation officers' working load***

According to the respondents their correctional supervision cases, range from thirty to sixty a month. The respondents indicated that their accessibility to probationers are not influenced by their working load, because they are assisted by the assistant probation officers who help them fulfil some of the duties. The assistant probation officers are responsible for monitoring probationers, when the probation officer is unavailable due to other commitments (Correctional Services Act 1991). This then means that the assistant probation officers can monitor the probationers, alternatively.

- ***Relationship between probationer and probation officer***

All three respondents reported that they have good relationships with their specific probationers; however some of the probationers are in need of discipline and leadership to guide them in their development. Probation officers mentioned that the most common problems, of the probationers, are violation of certain conditions, hindering of monitoring some of the probationers because the probationers live on farms, juvenile offenders do not attend the treatment programmes. Probationers also reported violation of conditions, such as house arrest and poor attendance of programmes. The condition of house arrest is indicated (DCS' Annual Report 1993) as the condition commonly violated by probationers.

The probation officers reported that a probationer when a probationer violates his/her conditions, the probation officers contacts another correctional official, list the condition that have been violated and then consults with the probationer. The probation officer is also allowed to refer the specific case to the criminal court again. The probation officers are entitled to issue written or verbal warnings (DCS Manual 2000) and the respondents indicated that more than 2 warnings are issued to the probationers before the referral to the court. In cases where the probationers disobey the warnings, the following alternatives are implemented, as reported by the respondents:

- In some cases the court makes more stringent recommendations; for example more hours are added to the probationers community service duties.
- Some cases are assigned to the criminal court and alternative community programmes are developed; and
- Family group conferences are presented in order to ascertain future action for rehabilitation.

The purpose of family group conferences is to give an opportunity for the victims to express their feelings with regard to crime committed against the. Discussions may lead to the youths taking responsibility for their actions and making amends to the victims (Rossouw 1999: 81).

- ***The duties of the probation officers***

The probation officers perform certain duties as stipulated in the Department of Correctional Services Manual and these duties will be discussed in this section. Table 4.6 indicates the specific duties that the probation officers reported to perform:

Table 4.6 Duties of probation officers

Duties	f	%
Monitoring juveniles	3	100
Writing pre-sentence reports	3	100
Assigning juveniles to programmes	3	100
Witness in court	3	100

N= 3

The probation officers gave a description of their duties. The respondents described monitoring of probationers as supervising the juveniles' behaviour; their school attendance; participation in treatment programmes and determining if the probationers comply with their conditions. These findings corresponds with DCS Manual (2000:18), which states that a probation officer is responsible for monitoring all persons sentenced to community corrections,

who can either be parolees or probationers. The probation officers reported that monitoring occurs on no specific basis, due to the fact that most of the probationers live on farms.

Another role performed by probation officers, is that they are required to write pre-sentence reports, requested by the court, in consideration of the sentencing of a juvenile offender to correctional supervision (Krugel, 1989). The respondents described the purpose of the pre-sentence reports as a document that reflects the socio-economical circumstances that had an impact on the juvenile offenders' delinquent behaviour. This document is used to lead the court in making a decision for the appropriate sentence for the young offender. The pre-sentence report is an important document, which is a necessity for the court, as outlined in the Correctional Services Act (1991). One probation officer's opinion of the necessity or importance of the pre-sentence reports was: "*Dit bied die geleentheid om die individu korrek te beoordeel*" (*it gives the opportunity to judge the individual properly*), another said: "*dit bied aan die hof 'n breër beeld van die kliënt en sy /haar omstandighede*" (*it gives the court a broader perspective of the client and his/her circumstances*). Lennox (1998: 30) explains that the probation officer can present the report to the courts, but it does not necessarily mean that the court will accept the recommendations in sentencing the juvenile offender.

All three respondents have acted as a witness in court, which is also another role performed by the probation officer (DCS Manual 2000). The respondents see their role of witness in court, as providing the court with an expert opinion of the social circumstances of the client. The probation officers submit reports written by him/her to the court and they are responsible for reading this report within the court. The explanation of the respondents role as a witness in court, corresponds with the statement of Lennox (1998) who states that the court could require a probation officer's judgement or opinion in order to give him/her evaluative or professional meaning about the probationer's character.

The respondents also indicated that they have to assign the young offenders to the appropriate treatment programmes in which the offenders have to partake, as one of the conditions of their sentence to correctional supervision.

The probation officers reported that the programmes the juvenile offenders need to participate in are life skills, alcohol and drug abuse and aggression programmes. These programmes correspond with those outlined in the DCS Manual (2000: 201 – 203).

In conclusion, it is obvious that the probation officers are capable of performing their specific duties, as stipulated in the Department of Correctional Services Manual (2000). However, certain problems occur, such as violation of conditions by probationers and distances to farms that hinder them to perform individual monitoring. It is therefore, the responsibility of the probation officers to report these obstacles to the Department of Correctional Services in order for the Department to implement alternatives to solve the experienced problems.

4.3 SUMMARY

The research findings contained in this chapter reflected the feelings and opinions of the juvenile offenders and their family members with regard to correctional supervision. Information of the probation officers' experiences of and contribution towards the sentence of correctional supervision was also presented.

The findings clarified the specific duties performed by probation officers when juveniles are sentenced to correctional supervision. Some of the problems of probationers, faced by probation officers, were highlighted and suggestions to solve problems were mentioned by both probationers and probation officers. The probationers' mothers revealed their perceptions of the probation officers and correctional supervision and findings also indicated the juveniles' perceptions of their sentence.

The data obtained from the findings will be able to give the probation officers an informed understanding of the needs and feelings of the probationer with regard to correctional supervision. This information should also provide more insight, for the Department of Correctional Services, into developing more flexible but strict programmes, in which juveniles will participate without hesitation. It should also be considered that family members, especially the

parents, should be actively involved in the sentence of correctional supervision. The parents' inclusion in certain programmes will enhance the rehabilitation of the young offenders.

5. RECOMMENDATIONS AND CONCLUSIONS

5.1 INTRODUCTION

The number of crimes committed by young people in South Africa is rapidly increasing. In the 1998 police crime report, statistics have shown an increase of 11.6%, compared to 1996, in crimes committed by young people. The phenomenon of juvenile delinquency is a common problem worldwide and there are certain theories, such as differential association and labelling theories, which explain this phenomenon.

Certain factors, for example an unstable family environment, can also contribute to the delinquent behaviour of young people as were discussed in chapter 2. Correctional supervision was implemented in 1993 by the government as an alternative sentence option to incarceration. Chapter 3 presented a description of correctional supervision as a sentence option, the role of the probation officers during a juvenile offender's sentence of correctional supervision as well as the treatment programmes presented to the probationers.

In order to reach the objectives of the study, there were certain research objectives. One of the objectives of the study was to explore the juveniles' perceptions of correctional supervision and obtain information, gathered through questionnaires, of their socio-economic circumstances and access to their probation officers. Another objective was to explore the impact of the juvenile offender's sentence to correctional supervision on his/her family members as well as the role of the probation officers. Data was obtained from the mothers of the probationers who completed questionnaires. The last research objective was based on the probation officers and completing questionnaires also collected data. The purpose of the probation officers' questionnaires were to gather information on their working load, their accessibility to probationers as well as problems experienced, from the probationers. The results of the areas of investigation were presented in detail in chapter 4. These findings will now be evaluated in the following sections of this chapter.

5.2 CONCLUSIONS

The conclusions will be divided into two sections, which are conclusions based on the results of the demographics of the juvenile offenders and their families, and conclusions based on the role and experiences of the probation officers regarding correctional supervision.

5.2.1 Demographics of the juvenile offenders and their families

This is the first section and several conclusions will be drawn and discussed below.

- **Age and gender of the probationer**

The offenders' ages range from 16 to 20 years and four of the respondents were male and only one female. Statistics have shown that the age group between 14 and 17 years commit most crimes and it is mainly young males who commit these crimes. It can be concluded that gender, and to some extent age, play a role in the criminal behaviour of young people.

- **Education level of the probationer**

The findings have shown that one of the five respondents completed his high school career and had matriculated. The other four were either suspended and absconded from school or left school to go work. Previous research has indicated that a delinquent young person seldom has an interest in school and this low interest usually results in absconding from school. Young people may engage in criminal activities out of boredom or feelings of worthlessness that may derive from the way they are treated or perceived by others. It can therefore be concluded that if a young person does not have the drive and support to be successful in school, he/she can be susceptible in engaging in criminal activities in order to overcome insecurities and feelings of disappointment.

- **Criminal activities of the probationers**

The nature of crimes committed by probationers should be seen as an indication of the common types of offences committed by young people, between 16 and 21 years. According to the findings of the South African Police Department (1998), crimes generally committed by young people were theft and robbery, with murder being an exception. These crimes were also reported by the SAPD crime reports (1998) as being common offences committed by young people. Three of the probationers in this study were first-time offenders and according to their mothers, criminal behaviour was never expected from them. Therefore, influential factors may have contributed to the criminal behaviour of young people. In conclusion, it can be assumed that a young person does not necessarily need to

- **Living circumstances**

All of the probationers live with their families and both parents are present within these households. Findings of this study indicated that familial relationships were good and members were close and strong family bonds existed. The probationers live in fairly stable home environments because both parents, either married or living together, are present. A safe and secure living environment can contribute in encouraging less criminal behaviour, because if a young person feels loved and wanted he/she would not, necessarily, engage in criminal acts in order to gain attention and approval from family members. Findings indicated that all of the households receive incomes, either in the form of salaries, wages or maintenance. Some of the households' income does not cover all the necessary expenses such as rent, food and clothing. Even though, financial instability is an obstacle in some the households, the family members are still supportive of one another and the stability of the home environment is maintained. In conclusion, it is important to realise that the family environment of a young person plays a vital role in his/her criminal behaviour.

- **Peer groups**

The influence of friends in the criminal behaviour of young people can also be seen as a contributing factor to delinquent behaviour. According to the findings, all the probationers are part of a group and feel satisfied within these relationships. Findings also indicated that some of the probationers are not forced by friends to engage in criminal activities against their will. It can therefore be concluded that a young person's own judgement and the degree of his/her friends influence on the young person's actions, may encourage criminal behaviour.

- **Treatment during sentence**

The manner, in which probation officers treat probationers, can be a reflection of probationers' behaviours and co-operation towards the probation officers. Even though findings indicated that the relationship between probationers and their probation officers are good, ill treatment by probation officers were also reported. This ill treatment included that probationer's self-esteem was bruised, because the probationer was always reminded of being a criminal. The overall perception of correctional supervision, from both mothers and probationers, was that the limitation of the probationers' freedom frustrated them and this frustration caused tension between mother and child. It can be concluded that confinement and ill treatment from probation officers may cause domestic problems and can influence future criminal behaviour from the juvenile offenders.

- **Probationers experience of correctional supervision**

Certain factors contribute to probationers' experience of correctional supervision. These factors include the support of family members, treatment from probation officers and the degree of their friends' influence on shaping their behaviour. The following section outlines conclusions about the role and experiences of the probation officers. It can therefore be concluded that depending on the above-mentioned factors, young offenders sentenced to correctional supervision will have different experiences of this sentence.

5.2.2 The role and experiences of the probation officers

From the findings it was established that probation officers are responsible for assigning probationers to treatment programmes and to monitor them. Probation officers also play a role in referring probationers to court and acting as a witness on the probationer's behalf whenever he/she have disregarded conditions. Therefore, the probation officer plays a central role in a juvenile's sentence to correctional supervision.

- **Working load of the probation officer**

The number of probationers per probationer ranges from 30 to 60 a month and findings indicated that they are assisted by assistant probation officers when they are not available. The only obstacle experienced by probation officers is that of monitoring probationers who live on farms outside the town (Worcester). It can be concluded, from the findings, that the probation officers' working load does not influence their duties of monitoring probationers.

- **Co-operation between probationer and probation officer**

The findings from probation officers indicated that the relationship between probation officers and probationers were good. However, some of the probationers reported that probation officers treated them unfairly and their commitment to monitoring probationers was poor. This difference in opinion can cause conflict between these two parties and impede on probationers' co-operation in participating in treatment programmes and violating their conditions. It can thus be concluded that if the link and interaction between probationer and probation officer are strong, the co-operation between them will enhance a successful completion of probationer's sentence to correctional supervision.

- **Expert opinion in court**

When a probationer has violated his/her conditions and disobeyed warnings issued by probation officers, it is the duty of the probation officer to report the violations to the court. The findings indicated that certain actions are taken to ascertain other alternatives for this continuous violation of conditions. The probation officer is required to give an expert opinion of the probationer in order to verify his/her character to the court, which will help the court in giving an appropriate alternative sentence to the probationer. Therefore, it can be concluded that the probation officer's opinion of the probationer can either be discarded or taken into consideration by the court whenever a probationer has continuously violated hi/her conditions.

- **Responsibilities of the probation officer**

It was established by the findings that the probation officers are responsible for monitoring and assigning juveniles to programmes, writing pre-sentence reports if the court requires and acts as an expert witness in court. Common problems experienced by probation officers were that probationers poorly attended the treatment programmes and often violated the condition of house arrest. Therefore, it is clear that the violation of specific conditions have an important impact on the probationer officer's fulfilment his/her responsibilities.

The conclusions from the above-mentioned were made from the findings of the case studies conducted of the probation officers who play a central role in juvenile offenders' sentence to correctional supervision.

5.3 RECOMMENDATIONS

The following section presents recommendations based on the findings and conclusions made in the research.

- **Recreational facilities to young people**

It is recommended that the Department of Correctional Services should establish certain recreational facilities, such as sport clubs and action groups, for the probationers. Participating in these groups during juveniles' sentence to correctional supervision will alleviate the feeling of boredom and confinement. These facilities should also serve the purpose of diverting the young offenders away from criminal activities and create a stronger sense of discipline and responsibility within these young offenders. The probation officers indicated that the young offenders are in need of discipline and responsibility in order to guide them to a successful future.

- **Inclusion of family members**

It is recommended that social workers should actively involve family members, especially the parents, when a family member, the juvenile, is sentenced to correctional supervision. It is recommended that certain programmes that focus on family interaction and dealing with the criminal behaviour of the juvenile should be implemented by social workers. These programmes will help the families and the juvenile offender to accept and understand the criminal behaviour and resolve the feelings accompanied by this behaviour.

- **Alternatives to monitoring "farm probationers"**

It is recommended that the Department of Correctional Services should consider changing their monitoring system regarding probationers who live on farms. Alternatives, such as monitoring certain farms on a weekly basis, should be considered. If probation officers are given shared responsibilities to monitor specific farms, it may be possible that monitoring probationers on farms can be done successfully.

- **Treatment programmes towards probationers**

It is recommended that the current treatment by probation officers towards probationers should be adapted and changed. The reason for poor attendance of treatment programmes by juvenile offenders may be that the probationers feel programmes do not apply to them. Treatment programmes should involve the probationers more actively and the Department of Correctional Services should consider assessing with the probationers before presenting the programmes. This inclusion of probationers in their own rehabilitation may encourage greater co-operation from the probationers.

5.3.1 Further research

It is recommended that further research be conducted on the following topics:

- a) Problems and obstacles experienced by the probationer after completion of his/her sentence to correctional supervision.
- b) The role of the social worker in the reintegration of the family members and the probationer after the juvenile offender's conviction.
- c) Aftercare provided to the juvenile offender when he/she has completed the sentence of correctional supervision.

5.4 SUMMARY

Several conclusions and recommendations based on the findings of the study were made. The contents of this chapter indicated that the research goal, which was to present a description of correctional supervision focusing on the juvenile offender, his/her family and the probation officers, was obtained. The goal was achieved by the objectives of exploring the juvenile offenders' perceptions of correctional supervision, the impact of the sentence on the family members and the availability and role that the

probation officers plays during a juvenile offender's sentence to correctional supervision.

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Annexure 1

University of Stellenbosch

Department of Sociology & Social Work

2002

Title: **EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY MEMBERS AND THE PROBATION OFFICERS.**

QUESTIONNAIRE

This questionnaire is compiled in order to explore the socio-economic circumstances of the juvenile offenders as well as their experience of correctional supervision to which they are sentenced.

INSTRUCTIONS

The questionnaire consists of a number of questions. Indicate your response next to the appropriate answer with an "X". Please give your opinion if necessary.

1. IDENTIFYING PARTICULARS

1.1 Gender

Male	
Female	

1.2 Age

16 – 17	
18 – 19	
20 - 21	

1.3 Where do you live?

Roodewal	
----------	--

Riverview	
Johsonpark	
Avianpark	
Victoriapark	
Hexpark	

1.4 If you are still in school, what grade are you in?

1.5 If not, what is the reason?

2. CRIME COMMITTED

2.1 Is this your first offence?

Yes	
No	

2.2 If no, this is your..... offence.

2.3 What is the nature of your offence?

Theft	
Armed robbery	
Murder	
Other	

3. LIVING CIRCUMSTANCES

3.1 What is the nature of your home?

House	
Flat	
Squatter house	
Other	

3.2 With whom do you live?

Parents	
Grandparents	
Aunt	
Uncle	
Other	

3.3 If you live with your parents, are they...

Married	
Living together	
Divorced	

3.4 Who is the breadwinner(s) in the household?

Father	
Mother	
Both parents	
Other	

3.5 How many people live within the household?

2	
4	
6	
More than 6	

4. FAMILY LIFE

4.1 How would you describe the relationship between family members?

4.2 With whom do you have open and close relationships?

4.3 With who do you not get along?

4.4 What is your role within the household?

5. FRIENDS

5.1 Do you belong to a circle of friends?

Yes	
No	

5.2 Are they?

Older than you	
Younger than you	
Same age as you	

5.3 How does it feel being part of the group?

Good	
Sometimes good	
Bad	
Sometimes bad	
Uncertain	

5.4 What do you do together?

Play	
Sports	
Schoolwork	
Nothing specific	
Other	

5.5 With whom do you prefer to spend you free time with?

Family	
Friends	
Both	
Other	

5.6 Motivate your answer.

5.7 Would you conform to the group's activities if it were against your will?

Yes	
No	
Unsure	

5.8 Reason for the above answer.

6. SERVING THE SENTENCE

6.1 For what period are you sentenced to correctional supervision?

6.2 What does this sentence entail?

7. CONDITIONS OF SENTENCE

7.1 To which of the following conditions do you have to comply?

House arrest	
Limitation to magisterial district	
Compulsory visits to Comcor	
Obtaining/maintain employment	
Payment of victim compensation	
Community service	
Participation in treatment programmes	

7.2 Have you violated any of these conditions?

Yes	
No	
Unsure	

7.3 If yes, which conditions were violated?

7.4 What was the consequence of violating the conditions?

8. ROLE OF PROBATION OFFICER

8.1 Do you have a probation officer?

Yes	
No	

8.2 What role does the probation officer play during your sentence?

8.3 How often – expected or unexpected – do you receive visits from your probation officer?

Daily	
Weekly	
Monthly	
None specific	

8.4 How available is the probation officer whenever you need him/her?

8.5 What do you think is the reason for the above answer?

9. ADVANTAGES AND DISADVANTAGES OF CORRECTIONAL SUPERVISION

9.1 What are the advantages of correctional supervision, for you?

9.2 What are the disadvantages of correctional supervision for you?

9.3 What kind of impact did correctional supervision have on your life?

9.4 With regard to the above answer, what does your future plans entail?

THANK YOU FOR YOUR CO-OPERATION

ANNEXURE 2

University of Stellenbosch

Department of Sociology & Social Work

2002

Title: **EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY AND PROBATION OFFICERS**

QUESTIONNAIRE

This questionnaire focuses on the family of the juvenile offender and how his or her sentence to correctional supervision had an impact on the family life.

INSTRUCTIONS

The questionnaire consists of a number of questions. Indicate your response with an X next to the appropriate answer. Please give your opinion if necessary.

1. IDENTIFYING PARTICULARS

1.1 Who is head of the household?

Father	
Mother	
Grandmother	
Grandfather	
Other	

1.2 How many people live in the household?

2	
4	
6	
More than 6	

2. FINANCES

2.1 Who is the breadwinner(s) in the household?

Father	
Mother	
Grandparents	
Other	
No one	

2.1 If any, what forms of income is received?

Pension	
Maintenance	
Wage	
Salary	
Other	
None	

2.2 How are the expenses of the household covered by the income?

3. FAMILIAL RELATIONSHIPS

3.1 How would you describe the relationships between family members?

3.2 How was the relationship between family members and probationer before the conviction?

3.3 How is the relationship between family members and probationer after the conviction?

3.4 What impact did the juvenile offender's sentence to correctional supervision have on the family life?

4. REASONS FOR COMMITTING CRIME

4.1 Which of the following do you consider reasons for the juvenile offender's criminal behaviour?

Influence of friends	
Household circumstances	
Community in which he/she lives	
No specific reason	

4.2 Which of the above-mentioned is the most important reason?

5. AVAILABILITY OF PROBATION OFFICERS

5.1 How available is the probation officer that was appointed to the probationer?

5.2 What kind of problems have you experienced with the specific probation officer?

5.3 What did you regarding this problem?

6. CORRECTIONAL SUPERVISION

6.1 What is your opinion of correctional supervision?

6.2 What kind of advantages did correctional supervision have for the probationer?

6.3 What kind of disadvantages did correctional supervision have for the probationer?

6.4 What do you think the probationer has learnt from his/her sentence to correctional supervision?

THANK YOU FOR YOUR CO-OPERATION

ANNEXURE 3

University of Stellenbosch

Department of Sociology and Social Work

2002

Title: **EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY AND PROBATION OFFICERS**

QUESTIONNAIRE

This questionnaire focuses on the role and behaviour of the probation officer as well as problems experienced from the probation officers during a juvenile offender's sentence to correctional supervision.

INSTRUCTIONS

The questionnaire consists of a number of questions. Indicate your response with an X next to the appropriate answer. Please give your opinion if necessary.

1. IDENTIFYING PARTICULARS

1.1 Gender

Male	
Female	

2. WORKLOAD

2.1 What is your current workload, in other words how many probationers do you supervise?

2.2 How does your workload influence your accessibility to probationers?

2.3 What are typical problems experienced by probationers?

2.4 Generally, how would you describe your relationship with probationers?

2.5 Which of the following is part of your duties as a probation officer?

Monitoring probationers	
Writing pre-sentence reports	
Assigning probationers to programmes	
Acting as a witness in court	

3. MONITORING

3.1 What does monitoring of probationers entail?

3.2 Monitoring occurs on a basis.

Daily	
Weekly	
Monthly	
Non-specific	

3.3 Have you ever felt in danger when monitoring probationers? Motivate.

4. PRE-SENTENCE REPORTS

4.1 What is the purpose of re-sentence reports?

4.2 What is your opinion regarding the necessity of pre-sentence reports when sentencing a juvenile offender?

5. WITNESS IN COURT

5.1 Have you ever acted as a witness in court?

Yes	
No	

5.2 What does this role of witness entail?

6. CONDITIONS SUBJECT TO PROBATIONERS

6.1 What role do you play when a probationer has violated his/her conditions?

6.2 How many times are warnings issued to probationers?

Once	
Twice	
More than 2 times	

6.3 If the probationers disobey the warnings, what are you suppose to do?

THANK YOU FOR YOUR CO-OPERATION

ANNEXURE 4

Universiteit van Stellenbosch

Departement Sosiologie & Maatskaplike Werk

2002

Titel: EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY AND PROBATION OFFICERS

VRAELYS

Hierdie vraelys is saamgestel ten einde die jeugdige(s) se omstandighede te ondersoek asook hulle ervaring van die vonnis tot korrektiewe toesig waartoe hulle gevonniss is.

INSTRUKSIES

Die vraelys bestaan uit 'n aantal vrae. Merk telkens met 'n X teenoor die gepaste antwoord vir u respons. Gee asseblief u mening waar dit gevra **word**.

1. IDENTIFISERENDE BESONDERHEDE

1.1 Geslag

Manlik	<input type="checkbox"/>
Vroulik	<input type="checkbox"/>

1.2 Ouderdom

16 – 17	<input type="checkbox"/>
18 –19	<input type="checkbox"/>
20 -21	<input type="checkbox"/>

1.3 Waar woon u?

Roodewal	<input type="checkbox"/>
Riverview	<input type="checkbox"/>
Johsonpark	<input type="checkbox"/>

Avianpark	
Victoriapark	
Hexpark	

1.4 Indien u nog skool gaan, in watter graad is u?

1.5 Indien nie, wat is die rede daarvoor?

2. OORTREDING

2.1 Is dit u eerste oortreding?

Ja	
Nee	

2.2 Indien nee, die hoeveelste oortreding is dit?

2.3 Wat is die aard van die oortreding?

Diefstal	
Gewapende roof	
Moord	
Ander	

3. LEWENSOMSTANDIGHEDE

3.1 Wat is die aard van u woning?

Huis	
Woonstel	
Plakkershuis	
Ander	

3.2 By wie woon u?

Ouers	
Grootouers	
Tannie	
Oom	
Ander	

3.3 Indien u by u ouers bly, is hulle...

Getroud	
Geskei	
Bly saam	

3.4 Wie is die broodwinner(s) in die huis?

Pa	
Ma	
Albei ouers	
Ander	
Geeneen	

3.5 Hoeveel persone woon saam met u?

2	
4	
6	
Meer as 6	

4. GESINSLEWE

4.1 Hoe sal u die verhouding tussen huislede beskryf?

4.2 Mie wie het u oop en gehegte verhoudings?

4.3 Met wie kom u nie oor die weg nie?

4.4 Wat is u rol in die huishouding?

5. VRIENDE

5.1 Behoort u aan 'n vriendekring?

Ja	
Nee	

5.2 Is hulle...

ouer as u	
dieselfde ouderdom as u	
jonger as u	

5.3 Hoe voel dit om deel van die groep te wees?

Goed	
Soms goed	
Sleg	
Soms sleg	
Onseker	

5.4 Wat doen u-hulle saam?

Speel	
Sport	
Skoolwerk	

Niks spesifiek	
Ander	

5.5 Met wie verkies u om u tyd te spandeer?

Familie	
Vriende	
Albei	
Ander	

5.6 Motiveer u antwoord.

5.7 As die groep van u verwag om dinge te doen wat u nie wil doen nie, sal u...

Dit doen.	
Dit nie doen nie.	
Onseker	

5.8 Wat is die rede vir die bogenoemde antwoord?

6. UITDIENING VAN VONNIS

6.1 Vir hoe lank is u tot korrektiewe toesig gevonniss?

6.2 Wat behels hierdie vonnis?

7. VOORWAARDES VAN VONNIS

7.1 Onder watter voorwaardes is u geplaas?

Huisarres	
Beperking tot landdrosdistrik	
Verpligte besoeke aan Gemkor	
Werk soek/ behoud daarvan	
Betaling van slagoffervergoeding	
Gemeenskapsdiens	
Deelname aan behandelingsprogramme	

7.2 Het u al enige voorwaardes verbreek?

Ja	
Nee	
Onseker	

7.3 Indien ja, watter voorwaardes was verbreek?

7.4 Wat was die gevolge van die verbreking van voorwaardes?

8. ROL VAN PROEFBEAMPTTE

8.1 Het u 'n proefbeampte?

Ja	
Nee	

8.2 Watter rol speel hierdie proefbeampte tydens u vonnis?

8.3 Hoe gereeld – verwags en onverwags – verkry u besoeke van die proefbeampte?

Daaglik	
Weeklik	
Maandelik	
Nie spesifiek	

8.4 Hoe beskikbaar is die proefbeampte se hulp wanneer u dit nodig?

8.5 Wat dink u is die rede vir bogenoemde antwoord?

9. VOOR- EN NADELE VAN KORREKTIEWE TOESIG

9.1 Watter voordele het korrektiewe toesig vir u ingehou?

9.2 Watter nadele het korrektiewe toesig vir u ingehou?

9.3 Watter impak het die vonnis tot korrektiewe toesig op u lewe gemaak (positief en negatief)?

9.4 Na aanleiding van die bogenoemde antwoord, watter toekomsplanne het u vir uself uiteengesit?

DANKIE VIR U SAMEWERKING.

ANNEXURE 5

Universiteit van Stellenbosch

Departement Sosiologie & Maatskaplike Werk

2002

Titel: EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY AND PROBATION OFFICERS.

VRAELYS

Die vraelys handel oor die familie van die jeugoortreder en hoe hierdie oortreding en vonnis tot korrektiewe toesig 'n invloed op die gesinslewe gehad het.

INSTRUKSIES

Hierdie vraelys bestaan uit 'n aantal vrae, wat spesifiek betrekking het op die huisgesin van die oortreder. Merk telkens met 'n X teenoor die gepaste antwoord. Gee asseblief u mening waar dit gevra word.

1. IDENTIFISERENDE BESONDERHEDE

1.1 Wie is die hoof in die huisgesin?

Pa	
Ma	
Ouma	
Oupa	
Ander	

1.2 Hoeveel persone woon in die huishouding?

2	
4	
6	
Meer as 6	

2. FINANSIES

2.1 Wie is die broodwinner(s)?

Pa	
Ma	
Grootouers	
Geeneen	
Ander	

2.2 Watter vorme, indien wel, van inkomste is daar?

Pensioen	
Onderhoud	
Loon	
Salaris	
Ander	
Geen	

2.3 Hoe word die uitgawes van die huishouding gedek met hierdie inkomste?

3. GESINSVERHOUDINGE

3.1 Hoe sal u die verhouding tussen huislede beskryf?

3.2 Hoe was die gesinslede se verhouding met die oortreder voor misdaadpleging?

3.3 Hoe is die gesinslede se verhouding met die oortreder na die misdaadpleging?

3.4 Watter impak het die oortreder se vonnis tot korrektiewe toesig op die gesinslewe gemaak?

4. REDES VIR OORTREDING

4.1 Watter van die volgende beskou u as redes vir die misdadige gedrag van die jeugoortreder in die gesin?

Invloed van vriende	
Huislike omstandighede	
Gemeenskap waarin hy/sy woon	
Nie spesifieke rede	

4.2 Watter een van die bogenoemde is die belangrikste rede?

5. BESKIKBAARHEID VAN PROEFBEAMPTE

5.1 Hoe beskikbaar is die proefbeampte, wat aan die oortreder toegewys is, vir die jeugoortreder?

5.2 Watter probleme het u al ervaar of ondervind met betrekking tot die spesifieke proefbeampte?

5.3 Wat het u daaromtrent gedoen?

6. KORREKTIEWE TOESIG

6.1 Wat is u opinie oor korrektiewe toesig?

6.2 Watter voordele het korrektiewe toesig as vonnis vir die jeugoortreder ingehou?

6.3 Watter nadele het korrektiewe toesig as vonnis vir die jeugoortreder ingehou?

6.4 Wat, dink u, het die oortreder uit sy/haar vonnis tot korrektiewe toesig geleer?

DANKIE VIR U SAMEWERKING.

ANNEXURE 6

Universiteit van Stellenbosch

Departement Sosiologie & Maatskaplike Werk

2002

Titel: EXPLORING CORRECTIONAL SUPERVISION FOCUSING ON THE JUVENILE OFFENDER, HIS/HER FAMILY AND THE PROBATION OFFICERS

VRAELYS

Hierdie vraelys handel oor die rol en optrede van die proefbeampte asook probleme, deur korrektiewe toesiggevalle, wat ervaar word deur proefbeampte tydens die vonnis van 'n jeugdige tot korrektiewe toesig.

INSTRUKSIES

Die vraelys bestaan uit 'n aantal vrae wat spesifiek gerig is op u rol en optrede as proefbeampte. Merk telkens met 'n X teenoor die spesifieke antwoord vir u respons. Gee asseblief u mening waar gevra word.

1. IDENTIFISERENDE BESONDERHEDE

1.1 Geslag

Manlik	
Vroulik	

2. WERKSLADING

2.1 Wat is u huidige werkslading, m.a.w hoeveel korrektiewe toesiggevalle hanteer u?

2.2 Hoe beïnvloed u werkslading u toeganklikheid vir die korrektiewe toesiggevalle?

2.3 Watter tipiese probleme word ervaar deur korrektiewe toesiggevalle?

2.4 Hoe sou u u verhoudinge, oor die algemeen, met korrektiewe toesiggevalle beskryf?

2.5 Watter van die volgende is deel van u verpligtinge as proefbeampte?

Monitering van jeugdige	
Skryf van voorvonnisverslae	
Verwysings van jeugdige na programme	
Tree op as getuie in die hof	

3. MONITERING

3.1 Wat behels die monitering van korrektiewe toesiggevalle?

3.2 Hoe gereeld geskied monitering van korrektiewe toesiggevalle

Daagliks	
Weekliks	
Maandeliks	
Nie spesifiek	

3.3 Het u al ooit gevoel dat u lewe in gevaar is tydens monitering?
Motiveer.

4. VOORVONNISVERSLAE

4.1 Wat is die doel van voorvonnissverslae?

4.2 Wat is u mening oor die noodsaalikeid van voorvonnissverslae in die vonnis van jeugdige?

5. GETUIE IN DIE HOF

5.1 Het u al as getuie in die hof opgetree?

Ja	
Nee	

5.2 Wat behels hierdie optrede as getuie?

6. VOORWAARDES VIR KORREKTIEWE TOESIGGEVALLE

6.1 Wat is die rol van 'n proefbeampte indien 'n korrektiewe toesiggeval sy/haar voorwaardes verbreek het?

6.2 Hoeveel keer word waarskuwings aan jeugdiges gegee?

Een keer	
Twee keer	
Meer as 2 keer	

6.3 Indien jeugdiges die waarskuwings nie gehoorsaam nie, wat staan u te doen?

DANKIE VIR U SAMEWERKINGS