

**THE IMPACT OF DIVERSION PROGRAMMES ON BEHAVIOUR
MODIFICATION TO DIVERTEES IN UMHLATHUZE - RICHARDS BAY**

BY

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**SUBMITTED IN PARTIAL FULFILMENT OF THE EQUIREMENTS FOR
THE DEGREE OF MASTERS IN SOCIAL WORK UNIVERSITY OF
ZULULAND.**

SUPERVISOR: PROF. N.H. NTOMBELA

DATE: 2012

DECLARATION

I **Sithuthukile Sibusisiwe Nkosi** declare that the work “the impact of diversion programmes on behaviour modification to divertees in uMhlatuze - RichardsBay” is my own work and that all sources quoted have been acknowledged by complete reference.

Signature.....

DEDICATION

The study is dedicated to my husband Lungani for his patience, support and understanding of the importance of pursuing academic excellence. My daughter Sisana.

My parents Lennox and Doris for their ongoing and never ending support, for their continuous influence and encouragement of late nights and early mornings in order to complete my study. I appreciate their understanding of academic achievement. My twin sister Nokuthuthuka with whom I have shared this journey with.

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ABSTRACT

The introduction of diversion programmes in South Africa to assist with the tension of a strenuous criminal justice system has assisted beneficiaries of the programme in finding rehabilitation. Although the beliefs of communities and individuals differ as to the intent of the programme, while, others still feel the need for retribution. The impact of diversion programmes thus, cannot be ignored as only 25 per cent of youth having completed the programme will re-offend.

There are currently no systems in place in South Africa that could assist in the identification of repeated offenders (needing to be formally classified as recidivists). The degree of repetition in delivering services to the same individuals can, therefore, not be established, thus, leaving a gap in the effectiveness of crime prevention and management strategies.

The aim of this study was to establish the impact (effectiveness) of diversion programmes on behaviour modification to divertees, with the purpose of formulating the perceptions of juvenile youth (young offenders) about diversion programmes.

The literature explored by the researcher reflects the creation of the Child Justice Court and its mandate, arguments arising from the creation and implementation of juvenile rehabilitation, the purposes of the implementation of diversion, behaviour modification of young offenders in the diversion programme, changes attributing to offender rehabilitation, support for juvenile rehabilitation and recidivism as a hindrance to behaviour change.

The findings of the study revealed that from the youth who were referred for diversion, at the end of the programme they had been instilled some aspect of change in their live, attitudes and behaviour. The programme has made them

active members in decision-taking roles in their lives and no longer relinquish such powers to their peers, leaving them vulnerable to peer pressure, therefore, making the cycle of offending never ending.

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CHAPTER 1

1. ORIENTATION TO THE STUDY

1.1 Introduction

Worldwide views on the phenomenon of at risk youth and young offenders dates back to over many decades and centuries. "The National School Board Association found that of 720 school districts surveyed in 1993, 82% reported an increase in school violence in the past five years" McWhirter, McWhirter, McWhirter and McWhirter (1998:6). The problem of young offenders is characterised by many factors that share similar global perspectives.

Decker (1984:145) asserts that over the past two decades there have been increasing calls for limiting the use of the juvenile justice system to control troublesome youth. These suggestions were based on concerns about the effects of juvenile court processing. Specifically, it was argued that the juvenile court was ineffective in resolving the problem of the youth, unfair and unjust in the treatment of the youth, and led to increased criminality among the youth through the processes of labelling and systematisation. The author identified that certain aspects not dealt with had resulted in gaps and loopholes throughout the justice system leading to unjust treatment of youth and young offenders.

A solution to these problems in the justice system was identified as diversion. By diverting the young offender from formal court process, the labelling and stigmatisation of the youth would be avoided and the abuse of the rights of young people refined.

The author further asserted that formal diversion programmes appeared to resolve the dilemma by allowing officials to divert youth from the courts by diverting them to the needed services. Thus, formal diversion programmes for young offenders proliferated throughout the decade of the 1970's (Decker

1984:145 - 146). The Diversion Programme is one that has received a lot of review from various individuals, societies and organisations in the view of its functioning and objectives. As it is implemented to assist youth who find themselves in conflict with the law or accused of criminal offences; the programme enables these young offenders to not go through the formal criminal justice system but be diverted from it and placed in rehabilitative programmes - Diversion.

1.2 Statement of the problem

Many youth who have been in conflict with the law and have been diverted from the formal court processing and placed in formal diversion programmes have successfully completed the requirements of the programme. Many have thus had their charges dropped and returned to the lives they once lived, but what still remains unknown is the extent of the impact the diversion had on their lives. From the introduction of the formal diversion programmes for young offenders, it was necessary to evaluate the impact the programme had on their lives. A tool needs to be developed and used to monitor and evaluate diversion programmes; to check the necessity of evaluating these diversion programmes and to assert whether they met accountability and assessment of appropriateness of the problem to the diversion programme.

1.3 Motivation of the study

According Bery & Scherf (2004); Dixon & Van der Spuy (2004), cited in Mdakane (2008:6) researchers on crime issues in South Africa state that crime has become common among the youth. The extent and seriousness of the youth offending are issues that generated considerable debates in South Africa. However, the task of identifying how many youth actually commit these offences was difficult.

The study was motivated by the researcher's exposure to diversion and diversion programmes during practical placement as a requirement in

fulfilment of the researcher's undergraduate degree in social work. The block placement was at NICRO and Khulisa Crime Prevention Initiative during 2008 and 2009 respectively. The study explored the impact of diversion programmes on behaviour modification to youth in Richards Bay.

The researcher being employed by the Department of Social Development as a social worker at Richards Bay Service Office was interested in investigating the impact of diversion programmes on behaviour modification to divertees in Richards Bay area. The researcher as having previously worked with divertees had developed an interest in establishing the extent of the impact of the diversion programmes on their behaviour.

Many organisations have been identified to rendering formal diversion programmes to juvenile youth, but whether or not these organisations monitor the progress of these youth after completion of the programme was the question at hand. The findings of this study have determined the extent that diversion programmes has on behaviour modification to offending youth placed in formal diversion programmes. These findings will be a major contributor to the Department of Social Development, employees of the justice system and relevant stakeholders and service providers involved in the implementation and evaluation of diversion programmes.

1.4 Objectives of the study

The study aims:

- (i) to establish the impact of diversion programmes on behaviour modification to youth who have been in the diversion programmes;
- (ii) to establish the impact of diversion programmes on recidivism;
- (iii) to formulate the perceptions of juvenile youth (young offenders) about diversion programmes and

(iv) to be able to make recommendations for the betterment of the programme.

1.5 Hypothesis

The researcher assumed that the implementation of programmes for the betterment of livelihood of offending youth was on the rise; but the need to re-evaluate the impact of the programmes on the target population was imperative.

Neuman (2006:58) delineates a hypothesis as a tentative statement about a relationship; that is, researchers are uncertain as to its truthfulness, or whether it actually operates in the empirical world.

Causal hypothesis reflected on elements that caused the programme to have an impact on behaviour modification of youth placed on diversion programmes. Diversion programmes have an impact on behaviour modification to divertees. The test of behaviour displayed by divertees after having participated the programme, therefore reflected an impact of diversion programmes in terms of behaviour change and recidivism (what percentage of this youth re-offended after having participated in the diversion programme).

1.6 Theoretical Framework

The cycle of suggestions formulated by the use of theory in social work practice assisted in building a sequence of aspects that brought a sense of reality to the service profession. Theoretical approaches provide with models and principles of reality and help in the understanding of what is possible to attain and what is not. According to Payne (1997:43) a theory may also offer justification for particular explanations of activities. Payne (1997:43) further asserted that the incorporation of theoretical perspectives to service delivery in social work established a framework for describing acceptable practice

sufficiently, to enable social work activities to be checked to see that they are appropriate.

With the ongoing implementation of formal diversion programmes, theories assisted in supporting the practitioner in anticipating the set objectives of the programmes and outcomes of the situation of the participants, therefore, theories assisted the researcher in recognising, understanding and explaining the circumstances of the divertees after completion of the formal diversion programmes. The theories that the researcher used in the study are the systems theory and behaviour modification theory. This was for the purpose of monitoring the interactions of the individual (for behavioural change monitoring) and his immediate environment.

1.6.1 Systems Theory

“The systems theory is a set of elements that are orderly and interrelated to make a functional whole. It is said that the systems theory is a biological theory which proposes that all organisms are systems, composed of sub systems, and are in turn part of super systems. The systems theory is applied to social systems, such as groups, families and societies, as well as biological systems” Payne (1997:137).

The Systems theory provided practitioners with a conceptual perspective that emphasised interactions among various systems. It stressed the relationships among individuals, groups, organisation or communities; and focused on interrelationships of elements in nature that played a role in the formulation of attraction of persons in the environment, encompassing the relationships of the physio and bio functioning of individuals groups and communities in contrast with their social relations.

This relationship of systems was evident in the characteristic of the relationships of individuals within associated groups and communities, as the

development and functioning of the individuals was viewed in relation to their transactions between basic potential and their environment.

1.6.2 Behaviour Modification Theory

“The main aims of behavioural social work are increasing desired behaviours and reducing undesired behaviours, so that people respond to social events appropriately. This increases their capacity for leading a full and happy life” Payne (1997:120). Outlining the different theories of learning in service intervention assisted the practitioner applying the techniques in understand the reasons for what he or she is doing and that proper assessment of the client’s problem are made.

The theory focuses on behavioural assessment and the identification of the target behaviour that is to be modified, also paying cognisance to the environmental events which precede the problematic behaviour. A key principle of behaviour modification is that behaviourists expect change to occur through the rewarding contingencies they produce.

The researcher used these two theories in gaining an understanding of the problematic behaviours displayed by the youth and resulting in the committing of offences, placement in diversion programmes and their attitude once having completed the programme; and always maintaining an understanding that individuals are shaped by un similar events perpetuated by dissimilar circumstances.

1.7 Research methodology

Research methodology is a detailed design of the manner in which the research was conducted; research methodology explored the way in which the data was collected for the research project and this method incorporated various aspects. It involved a description of the research design, explanatory

design, sampling method, data collection method, ethical consideration and issues of validity and reliability.

1.7.1 Research design

The research design addressed the fundamentals of planning this research inquiry by designing a strategy for investigation of the statement problem. Sridhar (2008) suggested that research design involved the creation of a conceptual structure and blue print for collection, measurement and analysis of data. A research design is a plan according to which participants were obtained and information was collected from them. In this study the researcher used evaluative research design and qualitative research methods to investigate the said phenomenon. The use of the qualitative research design was for the researcher to look at the participant's behaviour, attitude and or perceptions about the implication of being in the programme.

1.7.2 Evaluative Research design

Neuman (2006:26) delineated evaluation research as applied research in which one tried to determine how well a programme or policy was working or reaching its goals and objectives. The purpose of conducting this study was for the researcher to evaluate or measure for effectiveness of the diversion in behaviour modification as an intended outcome of the programme. By using a type of evaluation research design; summative evaluation, this method enabled the researcher "to look at the final programme outcomes" Neuman (2006:27). The evaluation of the effectiveness of the diversion programme enabled the researcher to establish the impact of diversion programmes on recidivism, to formulate the perceptions of juvenile youth about diversion programmes and to be able to make recommendations for the betterment of the programme.

1.8 Population

According to Neuman (2006:224) “a population is a large group of many respondents from which a researcher draws a sample and to which results from a sample are generalized.” The population for the purpose of this study was drawn from a list of cases the probation officer from Department of Social Development, Richards Bay Service Office has obtained for record purposes from the Magistrates court in Richards Bay.

1.9 Sample

A sample refers to “a smaller set of cases or respondents a researcher selects from a large pool and generalizes to the population” Neuman (2006:219). The researcher selected the sample through the process of using purposive or judgemental sampling method, “the researcher used a wide range of methods to locate all possible cases of a highly specific and difficult – to reach population” Neuman (2006:222).

1.10 Method of sampling

The method of sampling the researcher used was depicted from the non-probability sampling method; which for qualitative researchers is the relevance to the topic rather than their representativeness, which determines the way in which the people studied were selected, Neuman (2006:220). The researcher used subject information in locating the respondents for the study by gaining permission from the respective organizations in contacting the respondents.

1.11 Research instrument

Data collection techniques are the tools or instruments that are used to gather and collect data for a research from respondents or other sources. In situations where translation was necessary it was used, but no information was altered as to reflect the true meaning of the questions or responses obtained.

The researcher made use of primary data sources – the researcher collected new data through interviews and observations, as well as making use of secondary data sources – the researcher made use of already existing data such as documents, text books. The main type of data sources that were used was both numeric and textual data as this study was based on statistical data, conversations, text books, documents. Although numeric data and textual data are different, they provided the researcher with different kinds of information that assisted in deducing the findings.

1.12 Data collection methods

Data analysis is the process of bringing order, structure and meaning to the mass of collected data. This is a process of reducing volume of raw information, sifting significance from details, identifying significant patterns and constructing a frame work for communicating the essence of what data reveals.

For the purposes of this study the researcher used questionnaires and as well as interviews to collect needed information from respondents. The questionnaire was divided into sections where one section had open ended questions “a type of survey research question in which respondents are free to offer any answer they wish to the question” Neuman (2006:286) and the other section had closed ended questions “a type of survey research question in which respondents must choose from a fixed set of answers” Neuman (2006:287).

1.13 Data analysis and interpretation

The analysis and interpretation of data will assist the researcher in evaluating the tendencies and implications of the data in relation to the objections of the study; if the data collected reflects the impact of diversion programmes on behaviour modification.

1.14 Definition of terms

1. Behaviour modification: is the use of empirically demonstrated behaviour change techniques to improve behaviour, such as altering an individual's behaviour and reaction to stimuli through positive and negative reinforcement of adaptive behavior and or the reduction of maladaptive behaviour through its punishment and or therapy, Sdorow and Rickabaugh (2002).
2. Diversion: is a strategy to divert those offenders who qualify away from prison and jail and toward community - based and intermediate sanctions, Gaines and Miller (2006:43).
3. Reintegration: is a goal of corrections that focuses on preparing the offender for a return to the community unmarred by further criminal behaviour, Gaines and Miller (2006:43).
4. Rehabilitation: is a process whereby a person with some history of offending behaviour which has now ceased, Robinson and Crow (2009:2).
5. Restorative Justice: is a process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implications for the future, Anderson (2004:7-8).
6. Ubuntu: Shutte (2001:12) defines Ubuntu as a basic respect and compassion for others.
7. Recidivism: Zastrow (2000) defines recidivism as re - arrest and conviction of a person previously convicted of a crime.

8. Evaluative Research Design: Anderson (2004:7-8) restorative justice is a process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implications for the future.
9. 'At Risk': A set of presumed cause and effect dynamics that places the child or adolescent in danger of negative future events, Bezuidenhout and Joubert (2003:52).
10. RAR Centre: Reception, Assessment and referral Centres for children in conflict with the law.
11. NICRO: National Institute for Crime Prevention and Rehabilitation of Offenders.
12. Criminogenic risk factors: Are aspects in a young person's behaviour that are associated with anti-social behaviour more often than not resulting in criminal activity, The Family Preservation Pilot Project (1998:53).

1.15 Dissemination of the research results

This study was aimed at investigating the impact of diversion programmes on behaviour modification to youth. The significance of this study was to survey as to the degree of effectiveness of diversion programmes to the modification of behaviour of divertees. This would assist organisations rendering this programme to know the sternness of the impact of the programme on the target population. The target audience and beneficiaries of this research study was stakeholders directly and indirectly in use of these programmes, these stakeholders include: officials from the justice system, individuals or organisations in service delivery on the principle of diversion, recipients of the programmes as well as analysts and evaluators of programmes.

1.16 Ethical considerations

According to Webster's New World Dictionary cited in Rubin & Babbie (2008:69) ethics is defined as "conforming to the standards of conduct of a given profession or group." While De Voss *et al* (2002) cited in Mdakane (2008:27) defines ethics as a "set of moral principles that the group or individuals agree upon and subsequently widely accepted, and which offers rules and behavioural expectation about the most correct conduct towards experimental subjects and respondents, employees, sponsors, other researchers, assistants and students."

It was important for the researcher to explain in detail the issue of ethical dilemma in researcher so that the respondents knew where they stood and what their rights were. The researcher explained issues of voluntary participation and informed consent, as well as confidentiality to the participants. The degree of anonymity of participants was treated with the highest regard and not broken by the researcher without the consent of the participant. The researcher maintained a non - judgmental, non - discriminatory as well as respect to each and every respondent.

1.17 Organisation of the study

This study was organised in the following way best in displaying the dissertation of information used and that gathered by the researcher; as well as for the interpretation of data.

Chapter 1 - Orientation of the Study

Chapter 2 - Literature review

Chapter 3 - Research Methodology

Chapter 4 - Data Presentation, analysis and interpretation

Chapter 5 - Summary of findings, conclusions and recommendations

CHAPTER 2

2. LITERATURE REVIEW

2.1 INTRODUCTION

The aim of compiling the literature review was because the researcher was seeking to clarify the implications of literature on the present study, therefore there was need to highlight the practical significance of literature review on the present study. In so doing, the main focus of the study would always be maintained, thus the researcher considered what others had written about the implications of diversion programmes to behaviour modification.

Neuman (2006:110) asserts that literature review is based on the assumption that knowledge accumulates and that people learn from and build on what others have done. Scientific research is a collective effort of many researchers who share their results with one another as a community. The researcher will review the literature for finding out about the similarities and differences between the present study and studies conducted by other researchers. In so doing, De Vos *et al* (2002:127) cited in Mdakane (2008:27) indicates that the review of literature is aimed at contributing towards a clear understanding of the nature and meaning of the problem that had been identified.

A number of authors have looked into the circumstances regarding diversion programmes and behaviour modification. Diversion is one of the facets that seek to make the criminal justice system more humane and effective.

For the fulfilment of this study, the researcher, therefore, intended to specifically focus the research on young offenders between the ages of 12 and 17; this being youth group who have been found in conflict with the law and given an opportunity to participate in a diversion programme.

2.2 CHILD JUSTICE ACT

The Child Justice Act is legislation created and adopted in South Africa which represents a rights-based approach to children in conflict with the law. The Act creates a new judicial system with a procedural framework and guidelines for dealing with children who are accused of committing an offence. With the aim of steering young offenders away from the criminal justice system, the Child Justice Act was the only viable way to go for government as an attempt to re instill hope and give young offenders a second chance in life.

The Department of Social Development has developed the Service Delivery Model that focuses on turning the tide and ensuring the enhancement of closer working relationships between all those striving for social justice and working together to achieve the common goal of "a better life for all". The researcher saw a need to read up on the Service Delivery Model in conjunction with the Child Justice Act as both these pieces of literature play a significant role in outlining the importance of different systems in communities and their impact on the developmental growth of the youth. The researcher is of the opinion that by strengthening the implementation of the Model, it would enable the target groups to deal effectively with all social issues, such as psychological stress, chronic poverty, food insecurity, crime prevention and other adverse social conditions. In order for the Model and the diversion programmes to be effective and produce visible results, a developmental approach to service delivery is needed, that will focus on the strengths of an individual, group or community, and that recognises their capacity for growth and development.

2.3 CREATION OF CHILD JUSTICE COURT AND ITS MANDATE

Nineteenth - century changes in cultural formations of children and in strategies of social control led to the creation of the child justice court. The child justice court movement attempted to remove children from the adult justice and corrections systems and to provide them with individualised treatment. Internationally, researchers and activists on human rights have spent considerable time focusing on young offenders and the implementation of the child justice court, and have envisioned child justice court professionals using approximate procedures and substituting a scientific and preventative approach for the criminal laws' punitive policies. This meant that the child justice court would be user friendly to young offenders and less intimidating than the procedures of the criminal justice system.

Liese (2002:4) asserts that the Child Justice Bill that was introduced to Parliament on 8 August 2002 proposes that; children accused of crimes be diverted from the criminal justice system to community - based, non-custodial programmes as much as possible, as the criminal justice system tends to be intimidating, frightening and is said to be infringing on the rights of the young offenders. Mdakane (2008:10) states that this statement reaffirms the concept that children need not to be punished but rather be protected and (re) educated. By removing the young offenders from the punitive policies of the adult criminal justice system, by educating and treating instead of punishing them, this would enhance the dignity and worth of the young offender.

According to Midge (2000:9) cited in Raymond (2004), the deprivation of liberty, with regard to arrest and detention, it was very clear that the holding of children in police cells, particularly when they are not separated from adults, placed them in physical danger and deprives them of their basic rights as outlined in the Constitution. The Constitution of South Africa states that

“every child has the right not to be detained except as a measure of last resort, in which case, in addition to the right a child enjoys under section 12 and 35, the child may be detained only for the shortest appropriate period of time, and has a right to be treated in a manner, and kept in conditions that take account of the child’s age” (South African Constitution, Section 28) cited in Raymond (2004).

The Child Justice Bill originated to establish a criminal justice process for children accused of committing offences that would protect their rights in accordance with the Constitution and international instruments (Beijing rules). These proceedings would then be deliberated in the child justice court, previously referred to as the juvenile court.

In recent years, the sustained criticism levelled at young offender’s rehabilitation and raised the question whether the public continues to endorse the correctional policy of saving youthful offenders or allow them to be tried and treated in the similar manner to adult offenders. However, in a state-wide survey of Tennessee residents in the United States, the respondents indicated that the rehabilitation should be an integral goal of the youth correctional system. They also endorsed a range of community - based treatment interventions and favoured early intervention programmes over imprisonment as a response to crime. Taken together, these findings revealed that the public’s belief in child saving remains firm and that citizens do not support an exclusively punitive response to juvenile offenders (Platt 1969). One of the aspects the researcher aims to establish in this study is the degree of the impact of offending and being taken into custody on the life of the young offender and his role and the way the community views him upon release and or completion of the diversion programme. Whether communities feel a need for the young offender to go through the criminal justice system or if communities still believe that a rehabilitative avenue should and can be explored for the young offender. The researcher then took into contrast the

views of the Tennessee residents who endorsed a range of community based intervention treatments with the responses provided by the offending youth in South Africa and the manner in which communities viewed them after having completed the programme.

By separating children from adults and providing a rehabilitative alternative to punishment, child justice courts rejected both the criminal laws' jurisprudence and its procedural defences, those of juries and lawyers. Under the pretext of *parens patriae* – “a doctrine that grants the inherent power and authority of the state to protect persons who are legally unable to act on their own behalf”

<http://legal-dictionary.thefreedictionary.com/parens-patriae>, the child justice court emphasized treatment, supervision and control rather than punishment. According to Liese (2002:4) the Child Justice Bill is aimed to foster children's sense of dignity and worth; reinforcing children's respect for human rights by holding them accountable for their actions and safeguarding the interest of victims and the community; and by supporting reconciliation by means of a restorative justice response. This response, therefore, is facilitated for the developmental stability and understanding of those affected by the actions of the offending youth. The actions enacted by the offending youth are therefore referred to as *risk factor behaviour*. The risk factor behaviour incorporates characteristics of the individual or circumstances that are associated with a harmful or otherwise negative outcome Andrews, Bonta and Hoge (1990:49). This study does not focus on the characteristics of a young offender but rather attempts to provide a holistic view of a young offender who is a member of society and having his or her vulnerability exposed due to pressures of adolescence and lack of decision making abilities reflecting on ones self esteem issues and the incapacity to deal with such stimulus therefore having a negative impact on the child and resulting in criminal activities.

The Family Preservation Pilot Project (1998:53) further adds that, risk factors can, therefore, be regarded as those conditions that increase the likelihood that a child or young person will develop one or more behaviour problems in adolescence. These problems in adolescence can thus lead to criminogenic need/risk factors. These are factors associated with anti-social behaviour, these factors or conditions are subject to change either reducing or continuing the youth to engage in antisocial behaviour with criminal activities.

2.3.1 Child Justice Court

The Child Justice Bill provides for specialised child justice courts and one-stop child justice centres, for all cases involving children. The aim of such courts is to ensure an appropriate environment for child/young offenders and to facilitate the child justice provisions of the Bill. This does not require the building of new courts. Instead, a specific court in every magisterial district would be designated a child justice court.

“The Bill provides that the location and design of the courtroom of a child justice court as well as the proceedings must be conducive to the dignity and well-being of children: proceedings will be conducted in a language that the child understands; questions and responses would be framed in a way appropriate to the child’s developmental level; and the proceedings would be informal to encourage the maximum participation of the child. No leg irons would be permitted, and handcuffs allowed only in exceptional circumstances. It represents a rights-based approach to children accused of committing crimes.

However, the processes of the child justice court also seeks to ensure children’s accountability and respect for the basic freedoms of others, and through the use of diversion, alternative sentencing and restorative justice to prevent crime and promote public safety”

www.childjustice.org.za/publications/childjusticeAct.pdf.

2.3.2 Attacking offender justice

The child justice court was based on the novel idea that a separate system of justice should be established for offending youth. The Progressives argued that the punishment of offending youth in the adult criminal justice system was damaging and inappropriate. Compared with adult criminals, wayward youngsters were believed to be less responsible for their actions, less likely to benefit from punishment, and more amenable to change. This being the fact that the offence committed by the youth is their first criminal act and have not been exposed enough to criminal activity for them to be regarded as having criminal capacity to be dangers to society, (this depending on the nature of the crime committed by the youth

Beginning in the 1960s, however, faith in the progressive system of juvenile justice began to erode, and the system, along with the rehabilitative idea began to be attacked on numerous grounds. The promise of rehabilitation had gone largely unrealised. Among liberals, the juvenile justice system was looked on as a coercive instrument of social control and was attacked on the basis that the rehabilitative ideal, with its emphasis on individualised treatment, had resulted in the abuse of discretion and in the arbitrary, differential treatment of the offending youth.

Moreover, Rothman (1980) adjoins; the progressives maintained that because the offending youth were vulnerable, the state, acting as a kindly parent, should give wide discretion to ensure the best interests of the youths under their supervision. A system was proposed that would accomplish the dual goals of protecting the child and the community. The foundation of this system of justice was an overriding belief that the offending youth could be saved, that is, it was thought that the youthful offenders could be rehabilitated and brought back into the fold of society.

According to Cullen, Golden and Cullen (1983), child saving, was argued, to have led to the lenient treatment of dangerous youths and to the victimisation of the public. In the 100 - year anniversary of the juvenile court, serious concerns remain about the viability of this system. Under scrutiny from a diverse group of critics, the juvenile justice system has undergone several significant changes in the past thirty years. For instance, in Illinois, (the home of the first juvenile court) the juvenile system has been altered to reflect a balanced and restorative model of justice. This model purports to give equal attention to the rights and needs of the offending youth, to the rights and needs of the victim, and to the protection of the community Bazemore and Day (1996).

Dighton (1999) consistent with this shift in philosophy, Illinois has enacted legislation that increases the length of time that the offending youth may be held in custody and detention, has provided for more extensive fingerprinting of youth, has increased a state-wide database to track young offenders, has placed limits on the number of station adjustments allowed for the offending youth who are not officially cited by the police, and has removed special protective language from the juvenile court process (e.g. an adjudicatory which is now known as a trial.)

2.4 DIVERSION

According to Coffey (1975:106) each year millions of offenders or suspected offenders come in contact with the criminal justice system. Each year, the criminal justice system, weakened by fragmentation and hampered by internal shortcomings and inefficiencies, finds it extremely difficult to cope effectively with the growing number of cases. An immediate approach has been sought to relieve some of the pressures that impede the functioning of the justice system; finding alternative ways of dealing with some offenders - to divert away from the system those for whom the application of the full criminal process may be impossible or inappropriate.

The focus of diversion is on the offender or the potential offender, where the individual is steered away from the criminal justice system into alternative forms of supervision or treatment Coffey (1975:106). It can be affirmed that diversion deals specifically with the individual; in exploring each offender or potential offender who comes into contact with the justice system is judged suitable or unsuitable for diversion.

Diversion involves the referral of cases away from the formal criminal court procedures where there exists a suitable amount of evidence to prosecute. According to Raymond (2004), in terms of the Child Justice Act diversion is achieved in three ways. Firstly, by way of prosecutorial diversion for minor offences committed. Secondly, at the preliminary inquiry, through an order of the inquiry magistrate. Thirdly, during the trial in the child justice court, through an order of the court. The Act now provides a regulatory framework to ensure consistency of practice and legal certainty with regard to diversion. This would ensure that the young offender is treated in a dignified matter, enabling him/her to accept accountability for his or her actions.

2.4.1 Purposes of diversion

According to Gallinetti (2009) it is important to note that this is the first time diversion has been regulated in the criminal justice system. Therefore, the Child Justice Act seeks to make the purposes of diversion very clear for all role-players.

2.4.2 Diversion objectives

Hence, section 51 states that the objectives of diversion are to:

- Deal with a child outside the criminal justice system in appropriate cases;
- Encourage the child to be accountable for the harm caused by him or her;
- Meet the particular needs of the individual child;

- Promote the reintegration of the child into his or her family and community;
- Provide an opportunity to those affected by the harm to express their views on its impact on them;
- Encourage the rendering to the victim of some symbolic benefit as compensation;
- Promote reconciliation between the child and the person or the community harmed;
- Prevent stigmatising the child and the adverse consequences flowing from being subject to the criminal justice system;
- Reduce the potential for re-offending;
- Prevent the child from having a criminal record; and
- Promote the dignity and well-being of the child, and the development of his or her sense of self-worth and ability to contribute to society. (South Africa 1983, Section 48).

2.4.3 Diversion at the Child Justice Court

The way in which crime is managed could have a profound effect on whether an offender will again commit crime. This strongly applies to children who engage in minor offending, as the absence of appropriate responses could propel them toward further and more serious criminal behaviour. South Africa's Child Justice Act (CJA) (Act 75 of 2008) took effect on 1 April 2010. The Child Justice Act is the country's first comprehensive legal framework for the administration of child justice. A central aim of the CJA is to, in appropriate cases; deal with child offenders outside formal criminal procedures. This strategy, known as diversion, entails channelling child offenders away from the justice system into non-custodial developmental programmes, although there is sufficient evidence to prosecute them (Davis & Busby 2006: 102; Muncie 2004: 307; Wood 2003: 1).

The Act provides that a matter can be diverted at any time before the conclusion of a case. When a diversion order is made at the child justice court, the proceedings are postponed pending the child's compliance with the diversion order.

Miller and Jeff (1998) assert that juvenile diversion programmes have been created to divert youth from their early encounters with the juvenile court system. The diversion programme involves a suspension of formal criminal or juvenile justice proceedings against an alleged offender, and the referral of that adolescent is to a treatment or care programme. Diversion programmes usually are intended for first - time offenders. Diversion programmes reduce the stigma associated with a court conviction, thereby reducing the chances for future criminal involvement and allowing youth to actively choose alternatives to criminal activity.

Before the child enrolls or begins with the rehabilitation sessions of diversion, the child needs to be assessed by a probation officer; either before the preliminary inquiry or at the organisations the diversion is to be facilitated. According to the Probation Services Act, Act 116 of 1991, assessment is defined as "a process of development assessment and evaluation of a child or persons, the family circumstances of the child or persons, the nature and circumstances surrounding the alleged commission of an offence, its impact on the victim, the intention of the child or persons to acknowledge responsibility for the offence and any other relevant factors". The assessment process is conducted in respect of the child's age, the child's social circumstances and the motivation for the offence the child has committed.

"The court must warn the child that any failure to comply with the diversion order may result in any acknowledgment of responsibility being recorded as an admission in the event of the trial being proceeded with. After a probation officer has informed the court that a child has successfully complied with the

diversion order and the court is satisfied it has been complied with, then the court must make an order to stop the proceedings”
<http://www.childjustice.org.za>.

2.4.4 Monitoring compliance with a diversion order

Gallinetti (2009) asserts that in terms of section 57 of the Child Justice Act, when making a diversion order, the magistrate (who in chambers makes the diversion an order of the court), inquiry magistrate or child justice court must designate a probation officer or other suitable person to monitor the child’s compliance with the diversion order. If a child fails to comply with the diversion order, the probation officer or other suitable person must notify the magistrate, inquiry magistrate or child justice court in writing of the failure. If the child successfully completes the diversion, the probation officer or other suitable person must submit a report to the prosecutor who deals with the matter. This report would have to comply with certain requirements as stipulated in the regulations to the Act. If the probation officer or other suitable person fails to monitor the diversion then there are specified consequences in terms of section 57(3). These include bringing the matter to the attention of the relevant person in authority or the Director-General of Social Development.

If the child fails to comply with the diversion order, section 58 provides that the magistrate, inquiry magistrate or child justice court can issue a summons or warrant of arrest for the child to bring the child before the court. When the child appears in court the magistrate, inquiry magistrate or child justice court must hold an inquiry into why the child failed to comply with the diversion and determine if it was due to the child’s fault.

If it is found that the failure is not due to the child’s fault, the magistrate, inquiry magistrate or child justice court may:

- continue with the same diversion option with or without altered conditions;

- add or apply any other diversion option; or
- make an appropriate order which would assist the child and his or her family to comply with the diversion option initially applied, with or without altered or additional conditions.

However, if it is found that the failure is due to the child's fault, the Act provides for the following three options.

- Firstly, where the matter was diverted by a prosecutor or at a preliminary inquiry, the prosecutor may decide to proceed with the prosecution against the child.
- Secondly, where the matter was diverted by the child justice court, the presiding officer may record the acknowledgement of responsibility made by the child as an admission referred to in section 220 of the Criminal Procedure Act and proceed with the trial.

The third option is that the prosecutor or child justice court must, where the matter does not go to trial, decide on another diversion option which is more difficult than the diversion option originally decided on.

2.4.5 Rehabilitation and Diversion

Robinson and Crow (2009:3) delineates rehabilitation as the change for the better. The authors further added that rehabilitation was viewed as a symbolic dimension, such that it implies a return to a former status: that of a law abiding citizen who is accepted by and enjoys the same rights as other members of the community. The importance of rehabilitation in diversion programmes is imperative because an offender whose offending has been identified may avoid prosecution or criminal sanctions but nonetheless be referred by a criminal justice agency to rehabilitative help. This is evident when an offender is referred to diversion schemes as a source of assistance or treatment intervention as an alternative to prosecution. This is to enable the

young offender in the future when entering the labour market as the young person will not have a problem with a criminal record hanging over his/her head.

Rehabilitation of the young offender means redoing the wrong or antisocial actions carried out by the offender, this involved the referral of the offenders from the punitive sanctions of the criminal justice system into programmes that would enable the social reintegration of the offender. Offender rehabilitation can imply not just behavioural change, but also a symbolic process whereby an individual is permitted to shed the negative label of 'offender' and be reinstated within the community after a period of exclusion or censure. Mannheim (1939:151) defines the act of rehabilitation in its original context as a 'deletion of all entries regarding the conviction in the records'.

2.4.6 The role of evaluation in rehabilitation

All programmes and institutions within society whether educational, recreational, economical are required to give an account of their effectiveness in order to gain society's ongoing support. The demand for accounting largely depends on the nature of the relationship between the programmes and institutions and the community. The balance between faith and fact will be weighed, reflecting the degree of man's respect for authority and tradition within the particular system versus his scepticism and desire for tangible proofs of works as to the impact and effectiveness of the work done.

Evaluation in the rehabilitation of young offenders sights the emphasis on how programmes operated, reflecting on their viability and reaching the target group of high risk offenders. Robinson and Crow (2009:73) define evaluation as a way of putting theories about the nature of offending to the test, and should therefore be seen as part of a wider process of inquiry.

2.5 BEHAVIOUR MODIFICATION OF YOUNG OFFENDERS IN DIVERSION PROGRAMME

Sdorow and Rickabaugh (2002) define behaviour modification as the use of empirically demonstrated behaviour change techniques to improve behaviour, such as altering an individual's behaviour and reaction to stimuli through positive and negative reinforcement of adaptive behavior and or the reduction of maladaptive behaviour through its punishment and or therapy.

The researcher, therefore, views the process of diverting young offenders from the criminal justice system into diversion programmes as a behaviour change technique; aimed at altering the adolescent's reaction to stimuli (committing crime) and reducing the unacceptable behaviour.

By conducting the study, the researcher aims to further establish whether the involvement of the youth in the diversion programme does in fact instill long term change so to avoid recidivism by the adolescent.

2.5.1 Changes attributing to offender rehabilitation

According to Torbet and Szymanski (1998) the changes initiated in Illinois are not unique or isolated. At the end of 1997, 17 states in America had redefined their juvenile court purpose clause to emphasise public safety, certain sanctions, and/or offender accountability. Furthermore, according to findings by Sickmund, Snyder and Poe-Yamagata (1997) between 1992 and 1995, 40 states modified their traditional juvenile confidentiality provisions to open juvenile court records and to make proceedings more public. Similarly, during this same time period, 40 states and the District of Columbia passed laws making it easier to transfer juveniles to adult court by lowering the minimum age at which a youth may be waived and by expanding the number of offences that qualify for transfer.

2.5.2 Support for offender rehabilitation

Moore (1996) elaborates on public opinion polls that suggest that the public supports getting tough with youthful offenders. A handful of polls and research findings, however, challenge the idea that citizens have relinquished their faith in child saving. Indeed, survey research suggests three conclusions. First, findings reveal that the public continues to believe that rehabilitation is more supportive of treating offending youth than adults. Second, existing research indicates that the public not only embraces the rehabilitation of offending youth, but also that it is more supportive of treating offending youth than adults. Third, young offenders are generally thought to be more amenable to change than are adults; and similarly, the public believes that the rehabilitation of young offenders is effective.

According to Schwartz, Kerbs, Hogston and Guillean (1992) two studies have specifically questioned the public about their views on the main purpose of the child justice court. When respondents in a traditional survey were asked whether the main purpose of the child justice court should be to treat and rehabilitate or punish young offenders, the researchers found that more than three out of four citizens – 78.4 percent – said that the child justice court should treat and rehabilitate young offenders, whereas fewer than 12 percent said punish; 10 percent reported that both goals should be pursued equally.

Gerber and Engelhardt (1996) also conducted a national poll in 1995 were likewise, participants were asked which goals should be the most important in sentencing young offenders. Half the respondents answered rehabilitation, 31 percent selected retribution, 15 percent favoured deterrence, and 4 percent supported incapacitation. Thus, in both the studies conducted, rehabilitation was the preferred goal of the child justice court by a substantial margin. Survey research also indicated that the public is more supportive of treating youthful offenders than they are of treating adults.

A 1994 poll conducted by Makeig (1994) of Texans found, for instance, that although only 39 percent of the respondents endorsed trying to rehabilitate adult offenders, 79 percent favoured rehabilitation of young offenders. Two-thirds of the respondents were willing to pay for restorative programmes to keep children out of trouble, 81 percent strongly agreed that removing children from bad environments and teaching them moral values and skills could help them become law-abiding.

Applegate, Cullen and Fisher (1997) reported their findings of a 1996 survey in Ohio where more than 95 percent of respondents agreed that it is important to try to rehabilitate young offenders who have committed crimes and are now in the correctional system.

Furthermore, Moore (1996) found that 79 percent of San Francisco residents reported that they preferred that a 16 year-old-boy convicted of selling crack cocaine, with a prior record, an abusive mother, and an absentee father, be placed in a residential treatment facility rather than to be detained.

2.6 RESTORATIVE JUSTICE AND DIVERSION

One of the main aims of diversion is for the offender to take responsibility of his or her own wrong doings, such actions inflicted upon on another individual and the community. According to Anderson (2004:7-8) restorative justice is a process whereby parties with a stake in a specific offence resolve collectively how to deal with the aftermath of the offence and its implications for the future. The aim is offender accountability, reparation to the victim and full participation by all those involved. The researcher is of the opinion that Diversion is fully effective once the young offender has reached a state of being 'repaired'- where the young offender has been restored from his criminal actions.

2.6.1 Implications of Restorative Justice in Diversion

Restorative justice is based on the notion within society a certain balance and respect exists, which can be harmed by crime. The purpose of the justice system is then (not punishment, but rather) to restore this balance and to heal relationships (through the direct involvement) of all parties to the crime. The restoration of this balance can be achieved by reaching agreement through active direct and indirect dialogue and negotiation with the aim to reintegrate a community violated by crime. The process of restoration would entail opening up of old wounds with an aim of resolving disputes and moving forward in the restoration process.

Restorative Justice is can be viewed as an approach to justice that intends to bring together the parties to a disagreement and others affected by the harm (victims, offenders, families concerned and community members) in effectively identifying variables such as harms, needs and obligations through accepting responsibilities, making restitution, taking measures to prevent a recurrence of the incident; this may be applied at any appropriate stage after the incident. Restorative justice is neither an alternative nor a replacement to the current justice system; instead it can be viewed as a paradigm shift which sets out to enhance current practices in the criminal justice system to function effectively, thereby enhancing access to justice for all citizens and humane treatment for all age groups.

2.6.2 Co-ordination of Restorative Justice within Governance structures:

-Provincial Restorative Justice Task Teams.

- Held a RJ workshop in partnership with the Foundation for Human Rights during May 2011 to discuss the best Practices in the RJ field.

- Held workshop for Traditional Leaders in partnership with the Foundation for Human Rights in August 2011, to discuss the current RJ Trends in government.
- Held an RJ Indaba in partnership with the National House of Traditional Leaders at Mpumalanga in November 2011, to sensitise Stakeholders on RJ and to further lay a ground to amend the RJ NPF to include the Roles and Responsibilities of Traditional leaders.
- The Process to amend the RJ NPF to include the Roles and Responsibilities on Traditional Leaders has commenced and a working group has been established finalise this Project.
- The Department of Justice is in a process of developing learning material on Restorative Justice.
- Further the Department is in a process of conducting Sensitisation Sessions on Restorative Justice, Department of Justice and Constitutional Development (February 2012).

2.7 “UBUNTU” AND DIVERSION

As the African culture refers to ‘Ubuntu’ – *the Zulu version of as African aphorism* translated by Shutte (2001:12) as “umuntu ngumuntu ngabantu.” The central concept of this word referring to humanity, humanness or even humaneness. The translation of umuntu ngumuntu ngabantu means a basic respect and compassion for others.

2.7.1 The correlation of Ubuntu and Diversion in the African setting.

Louw (1995) intertwines the African concept of Ubuntu and restorative justice by elaborating the involvement of the offender, the victim and the community in the integration phase. Silverman (2002:5) asserts that qualitative approaches to a study take into account the social and cultural construction of

the respondents. Kirk and Miller (1986) argues that attitude for example, does not simply attach to the inside of people's heads but is a result of taught and observes behaviours by individuals.

With this said, it can be deduced that the concept of Ubuntu enables individuals to be exposed to environments within their communities where such attitudes are taught and practiced in order to strengthen societal cohesion, therefore, enabling rehabilitation and reintegration of offenders.

2.8 RECIDIVISM AS A HINDERENCE TO BEHAVIOUR CHANGE

Zastrow (2000) defines recidivism as re - arrest and conviction of a person previously convicted of a crime. This is a tendency of relapse into a previous condition or mode of behaviour into criminal behaviour.

Diversion programmes are aimed at reducing the rate of youth who have previously been convicted from re - offending and further conviction.

The researcher intends to explore the extent and causes as to why youth who have completed the diversion programme tend to re - offend. This will enable the researcher to establish recommendations in addressing the implementation and facilitation gap in the programme causing the youth to re - offend.

2.8.1 Offender rehabilitation and recidivism

Sullivan and Tiff (2008:111) asserts that for offenders who have received treatment, the recidivism rate is 12 percent lower than for offenders who do not receive treatment. This reduction in recidivism may not be dramatic but it is certainly impressive. This statement by the author may be deduced as to having answered on of the objectives of the research study (to establish the

impact of diversion programmes on recidivism). Restorative justice interventions are more effective when applied to low-risk offenders. This is because low-risk offenders are diverted from the possible damage acquired from the traditional criminal justice system and they are easier to reintegrate into communities and society.

For high-risk offenders, restorative justice may be insufficient to decrease recidivism. If restorative justice practitioners continue to deal with high-risk offenders, then careful consideration of delivering appropriate treatment programming to these offenders in conjunction with the restorative process will be required, Sullivan and Tiff (2008:117). This statement by the author is supported by the criteria with which offending youth are diverted into diversion programmes, i.e. all divertees must be first time offenders and must have committed minor offences also referred to as schedule one crimes.

CHAPTER 3

3. COMMUNITY PROFILE

3.1 INTRODUCTION

A community profile is a summary of the history, present conditions, and anticipated future of an area. It provides an overview or series of snapshots of the area and is used as a basis for identifying potential impacts of a proposed transportation action and the profile is used to describe the affected environment

www.ciatrans.net/cia-quick-reference/chapter3.html.

A typical presentation of a community profile would include:

- i. Visual map or maps that depict physical characteristics, such as neighborhood boundaries, land uses, public facilities, and commercial centers.
- ii. Narrative text that describes community characteristics, such as population demographics, economic and social history of the communities, the importance of various facilities, and plans for the future.
- iii. Tables or graphics that summarise important data or conclusions, such as population demographics or employment trends.

The chapter focuses on the community profile of uMhlatuze Municipality as it is the area in which the researcher is undertaking the study. This chapter will look at various trends, statistics, demographics, population educational levels, boundaries, facilities, morbid and mortality rates of the community. This is enabling in gaining an understanding of the area in the researcher has targeted for the study. The objective of this chapter is to give the reader a broad picture of life circumstances of the people living in uMhlatuze Municipality. The information of this chapter can be used in planning and

development, as well as to inform the decision-making processes in the in the municipal area.

The boundaries of a community can often be outlined by physical barriers, land-use patterns, and area of responsibility divisions such as school districts and police boundaries, selected demographic characteristics, and resident perceptions. A good starting place for defining communities is the already-defined neighborhoods which are typically recognised by name and/or tradition. These communities often have trade or popular marks that influence the significance of the name. The format of gathering information from a particular community is dependent on the characteristics of that community. Although some communities might have similar information, patterns and trends, the causal factors and outcomes might be different; as no two communities are similar but might share particular factors.

3.2 DATA INCORPORATED INTO A COMMUNITY PROFILE

3.2.1 Visual maps depicting physical characteristics

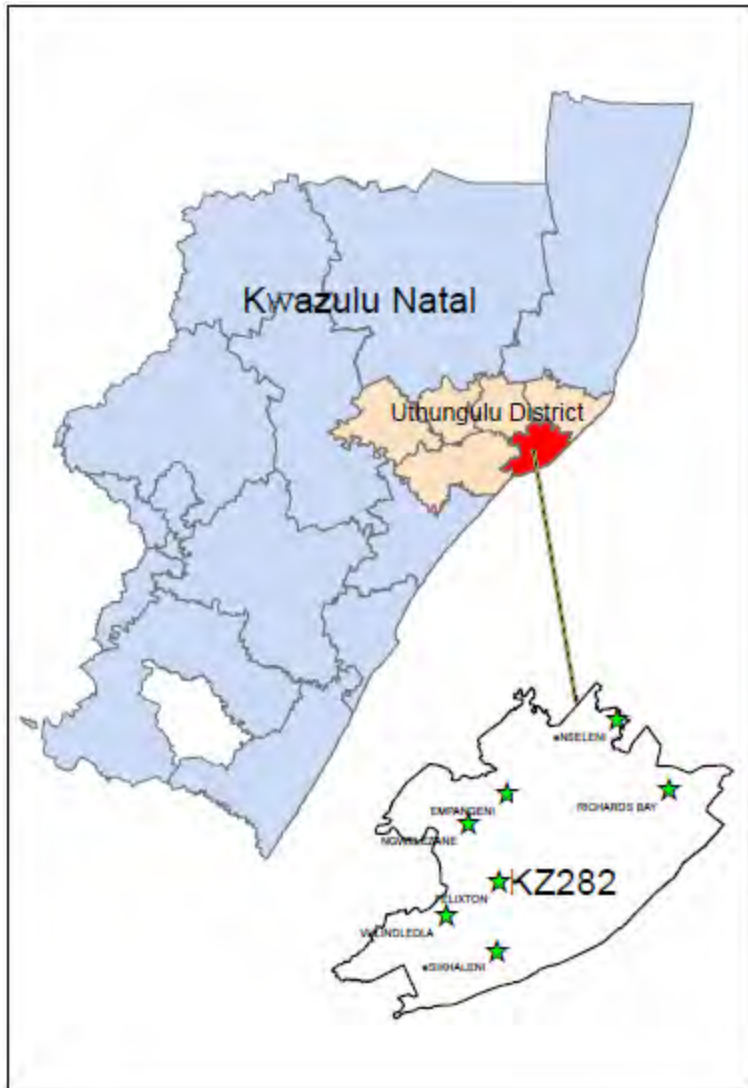
i. uMhlathuze's geographic context

The City of uMhlathuze (KZ 282) is situated on the north-east coast of the province of KwaZulu-Natal, some 180kms north-east of Durban. The city borders a coastline that spans approximately 45 kilometers in length of which nearly 80% of it is in its natural state. The N2 highway passes through uMhlathuze Municipality in a north-east direction towards the Swaziland border and south-west towards Durban. It effectively forms a division between Empangeni and Richards Bay. The R34 Provincial Main Road passes through Empangeni towards Melmoth.

Figure 1: National Context



Figure 2: Provincial Context



The uMhlathuze municipal area is one of six local municipality areas situated within the uThungulu District Council area in KwaZulu-Natal. The area comprises urban settlement, rural settlements, rural areas, farms and nature reserves. The majority of rural settlements are located within Tribal Authority areas. The area has a deep-water port, which is connected by national roads and railway line to the economic heartland of South Africa. Empangeni and Richards Bay are the largest towns forming part of the municipal area and are surrounded by sugar cane fields, timber plantations, wetlands and fresh water lakes. As the last Census was conducted in 2001, users should note that attempts were made to adjust the measurements to a best estimate using

ii. Municipal Land area

Area	Km² %
<i>Richards Bay</i>	289,9966 36,5
<i>Empangeni</i>	28,9386 3,6
<i>eSikhaleni</i>	6,2304 0,8
<i>Ngwelezane</i>	3,7001 0,5
<i>Felixton</i>	2,7835 0,3
<i>eNseleni</i>	1,3325 0,2
<i>Vulindlela</i>	0,8464 0,1
<i>5 Tribal Authority areas, 21 rural settlements and 61 farms</i>	462,1426 58,0
<i>Total municipal land area</i>	795,9707 100,0

3.2.2 Narrative descriptions of community characteristics

i. Population demographics

The uMhlathuze municipal area has an estimated 81 008 households and a total population of about 345776. During the past year 21 127 births were registered in the area, of which 10 242 were males and 10 885 were females. More than 40% of the residents in the municipal area reside in the non - urban (rural and tribal authority) areas outside Empangeni and Richards Bay, and is indicative of a densely populated rural area. More people live in Richards Bay than in Empangeni, although Richards Bay is a younger town, this, therefore, indicates that Richards Bay town grew at a faster rate than Empangeni. The following graphs are taken from the Key statistics and Information on the uMhlathuze Municipal area (2009) compiled by the Department of City Development.

A. Population groups

Racial group	Richards Bay	Empangeni	eSikhaleneni	eNseleneni	Other areas	Total
Black African	20207	13605	72342	14653	178712	299519
Coloured	2084	471	72	29	298	2954
Indian/Asian	10454	1057	120	0	71	11702
White	21808	9642	7	0	144	31601

B. Population by gender and age group

Age	Female	Male	Population (N)	Population (%)
0 - 4 years	18028	18028	36056	10,43%
5 - 14 years	37392	36724	74116	21,43%
15 - 34 years	76192	70167	146359	42,33%
35 - 64 years	40739	39042	79781	23,07%
Over 65 years	6084	3380	9464	2,73%
Total (N)	178435	167341	345776	

C. Population density

Suburb / area	Persons per km²
Felixton, farmland and forestry areas	2 - 525
Empangeni, Richards Bay (excluding Aquadene and Brackenham)	526 - 1192
Vulindlela, Brackenham and Aquadene	1193 - 2084
Ngwelezane	2085 - 3989
eNseleni urban, eNseleni rural and eSikhaleni urban	3899 - 6421
Total average for entire municipal area	372

ii. Educational, economic and social characteristics

a) Level of education

Highest Level of Education attained by over 20 year olds	uMhlathuze (persons)
No Schooling	32921
Some Schooling	34207
Complete primary	9075
Some Secondary	60258
Grade 12 / Standard 10	44238
Higher / Tertiary education	16681
Total	197380

b) Labour Market Status

	Richards Bay	Empangeni	eSikhaleni	Other areas	Total
Economically active					
Employed	21029	10423	12485	31986	75924
Unemployed	4181	1372	7767	38578	51898
Unemployment rate	19%	12%	38%	55%	41%
Total Labour Force	25210	11796	20252	70563	127821
Not economically active*	10890	5168	11671	54360	82089
Total Labour Market	36100	16963	31923	124924	209910

The non economically active persons in the uMhlatuze municipal; area includes students, homemakers, the disabled, those too ill to work and anyone not seeking work. The unemployment levels in the area are high at 36,28% comparison to world standards.

However, the unemployment levels relate to employment in the formal sector and do not reflect the true situation. For instance, economic activity in tribal areas such as production for own use, arts and crafts, and informal sales are generally disregarded and creates the impression that tribal folk are without a source of income and the means to survive from day to day. This is not the case as the quality of life experienced in tribal areas is preferred by many people provided that the amenities associated with urban areas such as water,

electricity, schools and clinics, are available" Key statistics and Information on the uMhlathuze Municipal area (2009:9).

c) Economic performance

According to the Key statistics and Information on the uMhlathuze Municipal area (2009:9), the local economy forms an integral part of the international and national economies. The presence of a number of huge exporting and importing industries, notably Billiton's aluminium smelters, Richards Bay Minerals, Mondi Kraft, Foskor, Bell Equipment, Ticor, Exxaro KZN Sands, Richards Bay Coal Terminal, agricultural activity (sugar cane and timber) and the port of Richards Bay, means that the welfare of the region is influenced by international and national market movements. 95% of economic activity is vested in Richards Bay, Empangeni and Felixton. The area is 3rd most important in the province of KwaZulu Natal in terms of economic production, contributes 7,6% of the total Gross Geographic Product and 5,5 % of total formal employment. Year on year economical activity expanded by 14,09%.

d) Business

The population is served by 5 business districts with 23 shopping centres and a combined total of 265 000m² commercial floor space. There are approximately 5 000 businesses in the municipal area. The area has 8 post offices, 30 bank branches, 35 government organisations and offices, 5 cinemas, 14 hotels and 129 registered bed and breakfast establishments / guesthouses. Industrial floor space totals 558927m².

e) Households

There are a total of 81 008 households within the municipal area. There are 202 impoverished households. 80,9% of the total dwellings are of formal type, with 15,3% being traditional type, and 3,8% informal type. 64% of households own their dwelling, while 17,8% rent. The following is a number of houses per geographic area are:

Area	Number
Richards Bay	12433
Empangeni	6046
eSikhaleni	6363
eNseleni	1439
Ngwelezane	2775
Vulindlela	588

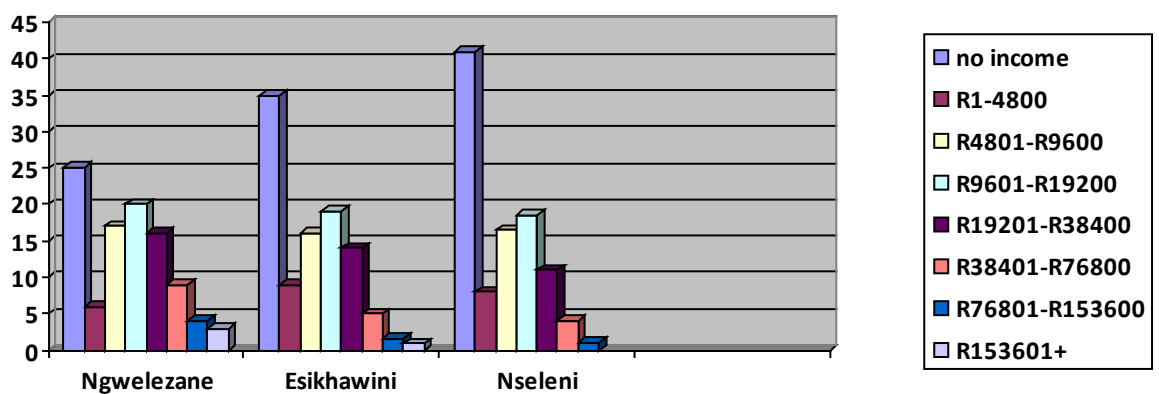
1. Number of persons per household

Suburb / area	Persons / household
Farmland	0,86 - 2,28
Felixton, Empangeni, Meerensee, Birdswood, Veldenvlei, and Vulindlela	2,29 - 3,71
Arboretum, Brackenham, Aquadene, Wildenweide, and Ngwelezane	3,72 - 4,79
Mzingazi Village, Mandlazini, eNseleni urban and eSikhaleni urban	4,80 - 5,98
eNseleni rural, eSikhaleni rural and tribal areas	5,99 - 7,47

f) Household income

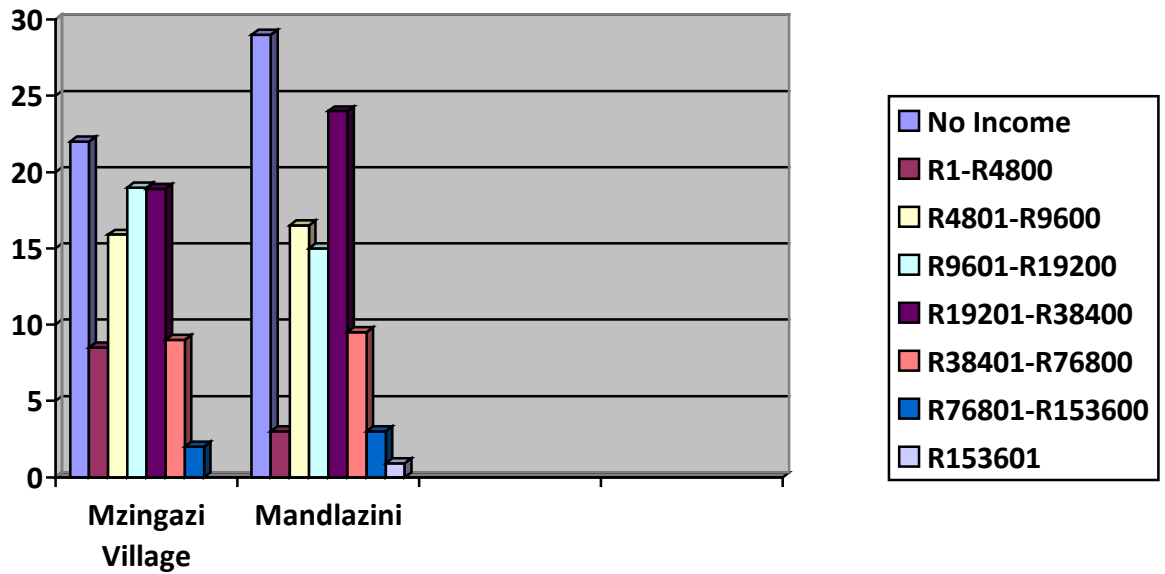
The comparison between annual household incomes is done according to typical rural, peri-urban and urban areas. Analysis of the overall average annual household income will be misleading as it is directly related to the geographical position and developmental level of a particular area.

Annual Household Income in Rural Areas



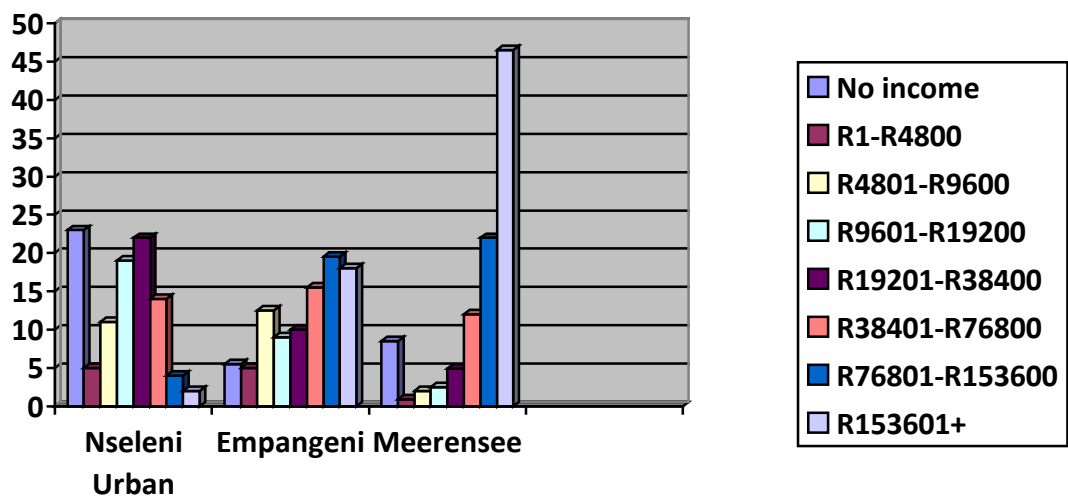
The annual household income in the eNseleni rural area is the lowest as over 40% of all households have no income. Close to 20% of households in the Ngwelezane, eSikhawini and eNseleni rural areas earn between R9601 and R19200 per annum.

Annual Household Income in Peri-urban Areas



27% of households in Mzingazi Village and 29% of those in Mandlazini earn no income. A large portion of the households in these areas earn between R4801 and R38400 per annum. On average, the income distribution between households in Mzingazi Village and Mandlazini is between the R4801 and R76800 income brackets.

Annual Household Income in Urban Areas



The comparison of annual household income between typical urban areas reveals that whereas 47% of households in Meerensee and 23% of households in Empangeni earn more than R153601 per annum, only 2% of households in eNseleni Urban earn this annual income. 23% of households in eNseleni Urban do not earn any income. Overall, annual household income is the highest in Meerensee, although some 8% of households in this area earn no annual income.

g) Water, sanitation and waste removal

92% of households have access to running water; and 68,0% of households has piped water to the dwelling or inside the yard. The length of water pipes in the municipality adds up to 1700km. The reservoir capacities add up to 260 mega-litres. The length of sewer pipes in the municipal area adds up to 623km. 68129 of all households have access to free basic water services. 49.2% of all households have a flush or chemical toilet on the premises. There are 33 945 water meters for households, and 2 070 for businesses. There are 30 517 waste collection points for households and 1000 for businesses. 58% of the population has access to waste removal services; approximately 2 500 tons of waste is collected on a weekly basis. 47,6% of waste collected is domestic waste and 12,3% is garden waste.

h) Telecommunication

42,5% of all households has a normal telephone or cellular telephone in the dwelling. Only 4,4% of all households do not have access to a telephone near the dwelling.

i) Transport

It is estimated that some 250 000 persons commute daily within the municipal area; close to 40 000 of these commuters are from outside the municipal

boundary. The number of minibus taxis is estimated at 3 900 and the number of buses at 130. During 2007, 33582 light passenger vehicles, 2687 motorcycles and 1953 minibuses were registered within the municipal area.

There are 733 bus routes and 142800 bus commuters. On average 400 freight trucks enter and exit the municipal area on a weekly basis. Spoornet provides a freight service of close to 750 trains per week, linking the city to Durban and Gauteng; there are 320 km of railway track. There are 128 km of tarred national roads and 850 km of tarred secondary roads in the municipal area. The municipality maintains 554 km of tarred roads and streets. The Port of Richards Bay consists of 2 157 hectares of land and 1 495 hectares of water area. Distance to closest international ports: Maputo – 465 km and Durban 160 km. The average monthly passenger departure in 2007 was 3694 at the Richards Bay Airport the number of vessels in the harbour averaged 308 during 2007.

j) Community Facilities

Municipal sport recreation facilities include:

· Two athletic fields, 15 basketball courts, one baseball field, five cricket fields (two floodlit) four hockey fields (2floodlit),10 volleyball courts,74 soccer fields (9 floodlit) four rugby fields, four korfbal courts, seven tennis courts, 10 netball courts (8 floodlit), two polo fields, five squash courts,16 jetskei, two golf courses, two bowling greens,15 combi courts, nine swimming pools.

There are 809 sports clubs with specific facilities for inter alia equestrian sport, polocrosse, aerolites, angling, yachting, paddling and radio flyers.

Within the municipal area there are there are four hospitals and 23 health clinics, four cemeteries, seven public libraries, 15 community halls, 102

schools and three tertiary education institutions, including a university. There are 1,7 police officers per 1 000 persons of the population, five police stations and four law courts.

CHAPTER 4

4. RESEARCH METHODOLOGY

4.1 INTRODUCTION

Somekh and Lewin (2006) define methodology as the collection of methods or rules by which a particular piece of research is undertaken. However, it is generally used in a boarder sense to mean the whole system of principles, theories and values that underpin a particular approach to research.

Research methodology is a detailed design of the manner in which the research will be conducted. The design of the study entails the fundamentals of planning this research inquiry. Ade`r and Mellenbergh (1999:13) compare methodology to knowledge representation; that is used to indicate formal ways to lay down knowledge of experts in a specific domain.

The literature review in chapter 2 and the community profile in chapter 3 has shaped the framework of this evaluative study. This chapter embodies the approach, research design, the sample and sampling procedure, methods of data collection, analysis and interpretation, ethical consideration and the value of the study. All these elements will be detailing the manner in which the research study will be conducted.

When a child has been referred to an organisation in order for him or her to participate in a diversion programme, it is expected of that child to adhere to rules and regulations of the organisation and those of the programme in order to effectively and successfully complete the programme. By effectively and successfully completing the programme this will enable the child to be equipped with resources, skills and knowledge instilled unto him or her during participation in the programme.

At the beginning of the programme, expectations of the participants and those of the organisation are shared and discussed in order for all persons involved in this process to be inline with the setup and desired outcomes.

4.2 RESEARCH DESIGN

Hysaman (1993), as cited in De Vos, Strydom, Fouche and Delport (2002) defines a research design as “a blueprint according to which data are collected to investigate the research hypothesis or question in the most economical manner.”

The researcher used both the qualitative and quantitative methods of research design to address these fundamentals. According to Gravetter and Forzano (2009), this research method involves careful observation of participants (often including interaction with participants), usually accompanied by extensive note taking. The observations and notes were summarised in a narrative report that described and interpreted the phenomenon being studied.

4.2.1 Qualitative research design

The motivation of the researcher to use the qualitative research method for this study was due to the following characteristics about qualitative research:

- “The researcher develops explanations or generalisations that are close to concrete data and contexts;
- Explanations tend to be rich in detail, sensitive to context and capable of showing the complex processes or sequences of social life;
- Qualitative data helps to verify a sequence of events or the steps of a process;

- The qualitative research process analyzes data by organising it into categories on the basis of themes, concepts or similar features” Neuman (2006:459,461).

The researcher used the qualitative research method in observing the participant’s behaviour, attitude and or perceptions about the implications of being in the programme. The researcher then used this research design in addressing the objectives of the study through formulated questionnaires and conducted interviews with respondents. Neuman and Wiegand (2000:313) assert that qualitative research methods rely on the informal wisdom that has developed from the experiences of researchers. Qualitative research reports may not discuss method or may have a personal autobiographical account tailored to a particular study but the responses collected from the participants of the study reflected personal manifestations of their accounts of being diverted from the criminal judgement system, therefore enabled for comprehensive comparison among peers.

4.2.2 Quantitative research design

The researcher also made use of the quantitative research method for this study, as this method has the following characteristics:

- Quantitative research method is described as using reconstructed logic, making it easier to define and learn from books;
- Data is in the form of numbers from precise measurement;
- Analysis proceeds by using statistics, tables or charts and discussing how/what they show relates to hypotheses.

The researcher used the quantitative research method with the aim to measure objective facts and to compose statistical analysis. In this study there are different types of variables present and according to Reid and Smith

(1981), as quoted in De Vos et al (2002), statistical methods are used to determine association or differences among variables. The researcher used numerical information to differentiate the number of male young offenders to the being female young offenders, the percentage of variation in age of the young offenders, how many were first time offenders and how many have re offended.

4.3 EVALUATIVE RESEARCH DESIGN

Neuman (2006:26) delineates evaluation research as applied research in which one tries to determine how well a programme or policy is working or reaching its goals and objectives. The purpose of conducting this study is for the researcher to evaluate or measure for effectiveness of the diversion in behaviour modification as an intended outcome of the programme. By using a type of evaluation research design; summative evaluation, this method enables the researcher “to look at the final programme outcomes” Neuman (2006:27). The evaluation of the effectiveness of the diversion programme enabled the researcher in establishing the impact of diversion programmes on recidivism, formulated the perceptions of juvenile youth about diversion programmes and able to make recommendations for the betterment of the programme.

Programme evaluation is the systematic collection of information about the activities, characteristics and outcomes of programmes for use by specific people to reduce uncertainties, improve effectiveness and make decisions with regard to what those programmes are doing and affecting, Patton (1986:14). It can, therefore, be said that evaluation enables for subjective assessment of activities, judging value, merit and worth of a programme in relation to its core objectives. Lincoln and Guba (1986:550) stated that formal evaluation is defined as a form of “disciplined inquiry” that applies scientific

procedure to the collection, structure and outcomes of programmes, projects and planned interventions.

Evaluation is obtainable and disseminated as a form of applied social research, the primary purpose of which is not to discover new knowledge as it is with basic research, but to study the effectiveness with which existing knowledge is used to inform and guide practical action.

It can furthermore be concluded that the purpose of using evaluative methods of inquiry was to improve the programming and policy making. The researcher used the evaluative research design method for the sole purpose of establishing/ investigating the impact of diversion programmes on behaviour modification to young offenders. The researcher used this form of research design to explore inquiry into the impact of diversion programmes on recidivism, to formulate perceptions of young offenders about diversion programmes and to make recommendations for the betterment of the programme. By inquiry of young offenders after having completed the diversion programme, it was important to establish as to the rate of recidivism and, therefore, reflecting on the impact of effectiveness of the diversion programme, also having gathered from the programme participants (young offenders) about their perceptions about the programme and its effectiveness (if any) in the targeting of the desired outcome in changing unwanted (anti social) behaviour.

Furthermore, the researcher used the evaluative research design to make recommendations for the betterment of the programme. These recommendations are found at the end of this study, answering to the problem statement and addressing the causal hypothesis of the study.

4.4 THE SAMPLE AND SAMPLING PROCEDURE

In this section of the research study the researcher elaborates the procedure used to select the sample for the study.

4.4.1 The sample

Mouton (1996:6) refers to sampling as a process to select things or objects when it is impossible to have knowledge of a large collection of these objects, in other words the aim of sampling in social research is to produce a representative selection of the population.

Neuman (2006:219) also refers to a sample as “a smaller set of cases or respondents a researcher selects from a large pool and generalizes to the population”. The researcher will select his sample through the process of using purposive or judgemental sampling method, “the researcher uses a wide range of methods to locate all possible cases of a highly specific and difficult – to reach population” Neuman (2006:222).

Somekh and Lewin (2006) define a sample as the individuals who are included in data collection, who are selected from the whole population.

The main objective of establishing a sample in a research study is to enable the researcher in making reasoning about the larger population from the smaller sample.

4.4.2 The sampling procedure

For the purpose of conducting this study the researcher chose to use the purposive or judgemental sampling method. This sampling method is defined by Neuman (2000:222) as “a non-random sample in which the researcher uses a wide range of methods to locate all possible cases of a

highly specific and difficult – to – reach population”. It selects cases with a specific purpose in mind.

Singleton *et al* (1988:153) cited in De Vos *et al* (2002) further elaborates that purposive sampling is based on the judgement of the researcher, in that a sample is composed of elements that contain the most characteristics, representative or typical attributes of the population.

The sample of this study was young offenders that committed criminal activity and were apprehended by the authorities. These offenders were then either recommended for diversion by the Probation Officer from the RAR Centre in Richards Bay or referred to diversion by the prosecutor from Richards Bay Court.

The researcher then approaches the local service provider for diversion programmes for children referred by the Richards Bay RAR and Court.

4.5 METHODS OF DATA COLLECTION

Data collection occurs when the researcher explores the phenomenon under study. It is when the researcher is gathering information from the sample selected (respondents) by use of different data collection methods; either by the use of questionnaires or interviews.

To collect this data the researcher drew up structured questionnaires that were in line with the behaviour modification theory and systems theory. This is done by the researcher in order to emphasise that different systems influence the deviant behaviour and can intern act as a stimuli to reinforce change into the life of the young offender.

The questionnaires are structured in a way to address the objectives of the study. By concurring in order to establish a resolution to the needs analysed or to dispute the needed findings of the study.

4.6 ANALYSIS AND INTERPRETATION

Data analysis is a search for patterns in data – recurrent behaviours, objects, phases, or ideas. Once a pattern is identified, it is interpreted in term setting in which it occurred. This process allows the researcher to move from the description of an event to a more general interpretation. Data analysis involves examining, sorting, categorising, evaluating, comparing, synthesizing and contemplating the coded data as well as reviewing the raw and recorded data, Neuman (2006:467).

Analysis of data on its own does not provide the answers required to answer the research question, but interpretation of the data should also be done. The interpretation of the data will assist in understanding the data collected and in presenting the findings.

According to Miles and Huberman (1994:56), “codes are tags or labels for assigning units of meaning to the descriptive or inferential information compiled during a study. Codes usually are attached to “chunks” of varying size – words, phases, sentences or whole paragraphs, connected or unconnected to a specific setting.” Neuman (2006:460) further asserts that coding data is the hard work of reducing large amounts of raw data into small, manageable piles. In addition to making the data manageable, coding allows the researcher to quickly retrieve relevant parts of it.

The questionnaires and interviews utilised by the researcher to collect information is pre-coded in accordance to the systems and behaviour influential units that cause the youth to re-offend.

4.7 ETHICAL CONSIDERATIONS

Ethics define what is or is not legitimate to do, or what “moral” research procedure involves. Many ethical issues involve a balance between the pursuit of scientific knowledge and the rights of those being studied or of those in society, Neuman (2006:129).

De Voss *et al* (2002) cited in Mdakane (2008:27) defines ethics as a “set of moral principles that the group or individuals agree upon and subsequently widely accepted, and which offers rules and behavioural expectation about the most correct conduct towards experimental subjects and respondents, employees, sponsors, other researchers, assistants and students.”

The following ethical considerations were taken into account by the researcher while conducting this study:

4.7.1 Informed Consent

Informed consent is a statement, usually written, that explains aspects of the study to participants and asks for their voluntary agreement to participate before the study begins.

The researcher has formulated a consent form for each participant to read and sign before participating in the study.

4.7.2 Privacy, Anonymity and Confidentiality

4.7.2.1 Privacy

It is important that throughout the duration of the study, the researcher maintains and keep the private lives of the respondents private. Consent has to be obtained from the respondents should the researcher wish to investigate and report on their private lives.

4.7.2.2 Anonymity

According to Neuman (2006:139), anonymity refers to the ethical protection that participants remain nameless; their identity protected from disclosure and remains unknown. This assists the participants from members of the public not knowing their identity which is only known by the researcher.

4.7.2.3 Confidentiality

Confidentiality is the ethical protection for those who are studied by holding research data in confidence or keeping them secret from the public. Not revealing information in a way that permits linking specific individuals to specific responses. Researchers do this by presenting data only in an aggregate form; i.e. percentages, means, etc. Neuman (2006:139).

4.7.3 Harm to respondents

For the researcher to get the best possible outcomes for the study, it is essential that the participants not be harmed in any way. Instead, for the researcher to be available in assisting them with information or activities related to the study. This will then in turn yield the best possible results for the study.

4.7.4 Competence of the researcher

In conducting the research study, it is essential for the researcher to have necessary skills and knowledge base for conducting the study. The people that were assisting the researcher in collection of data and also interacting with the participants were explaining the fragile nature of acquiring the most tentative information from the participants.

4.8 VALUE OF THE STUDY

This study will be of profound assistance to service providers of diversion programmes as well as the Department of Social Development who are the funders of the service providers. This study would enable the service

providers in the identification of gaps in terms of service delivery and the identification of the impact of the study to the divertees.

This study is intended to strengthen to core functioning methods of the diversion programme in terms of service delivery to its clients. This study was not intended to change the manner of delivery of skills transfer to the divertees but rather to shed some light to the service providers on the impact the programme has to behaviour modification of the young offenders.

This study was intended to highlight the percentage of young who re-offend after having participated in the diversion programme and making recommendations thereof to the service providers. These recommendations are also intended to assist the South African Police Service in identifying the gap in the detention, identification and release of these “first time offenders” who are recommended for diversion.

This would be achieved by recommending a national database be kept for all youth who have been recommended for diversion and those who complied and completed the programme and those who did not. This would enable all stakeholders involved, in the identification of the young offender should he or she re-offend in another geographical area.

4.9 SUMMARY

The basis of the study is the assumption of the researcher that the implementation of diversion programmes for the betterment of livelihood of offending youth is on the rise, emphasising the need to re-evaluate the impact of the programmes on the target population.

CHAPTER 5

5. DATA ANALYSIS AND INTERPRETATION

5.1 INTRODUCTION

In this chapter the researcher analysed and interpreted the data collected from the youth who completed the diversion programme with the aim of monitoring behaviour change. The analysis and interpretation done by the researcher have assisted in determining the level of success in the modification of unwanted behaviour resulting in criminogenic activities.

According to Bernard (2000:419) data analysis is a search for patterns in data – recurrent behaviours, objects, phases, or ideas. Once a pattern is identified, it is interpreted in term setting in which it occurred.

This process allowed the researcher to move from the description of event to a more general interpretation. Data analysis involves examining, sorting, categorising, evaluating, comparing, synthesising and contemplating the coded data as well as reviewing the raw and recorded data, Neuman (2006:467).

The questionnaire of this research study aims at looking at both qualitative and quantitative analysis methods. The researcher used both these methods as a means to differentiate the research questions from numerical to textual. The questionnaires were structured by the researcher in order for them to answer both qualitative and quantitative aspects of the study.

According to Neuman (2006:343), the analysis of quantitative data should be viewed as statistics; a method of dealing with data. This stresses the notion that statistics is a tool concerned with the collection, organisation and analysis of numerical facts or observations. The analysis of quantitative data will

enable the researcher to present information in a convenient, usable and understandable form.

Neuman (2006:343), further states that the analysis of qualitative data entails the examination of patterns of similarities and differences across cases and tries to come to terms with their diversity.

5.2 ANALYSIS AND PRESENTATION OF DATA

5.2.1 IDENTIFYING PARTICULARS

The background information of respondents' identifying particulars was obtained. Only the aspects of age, gender, race, residential area were covered and regarded to be important factors in influencing the views of the respondents. In this chapter the researcher interviewed 20 divertees from Richards Bay.

5.2 AGE

Table 5.1: Age Distribution

Age	Frequency	Percentage
13 years	2	10
14 years	1	5
15 years	3	15
16 years	7	35
17 years	7	35
Total	20	100

Table 5.1 indicates the number of respondents who were seventeen years old was 7 representing 35 percent of the total sample. Another larger number of sixteen year olds represented 35 percent of the total sample. Three (3) respondents that were fifteen years old represented 15 percent of the sample.

A lower number of 2 respondents that were thirteen year olds represented 10 percent of the total sample while 1 respondent that was fourteen years old represented 5 percent of the total sample.

The youth make up a considerable percentage of various countries' population rate. According to Key statistics and Information on the uMhlathuze Municipal area (2009) compiled by the Department of City Development, in South Africa, the largest population ratio is made up of youth between the ages of 15 to 35 which constitutes 42.33% of the population. A high crime rate may be attributed to the high percentage of crimes committed by young people, as criminal careers of the youth usually start during adolescence and early adulthood and peak during adulthood.

Age on its own cannot be regarded as a criminogenic risk factor. But can be taken into consideration as a stage in which the youth passes that begins to anticipate predictable behaviour patterns of development.

5.3 GENDER

Table 5.2: Gender distribution

Gender	Frequency	Percentage
Male	16	80
Female	4	20
Total	20	100

As reflected in Table 5.2 the number of male divertees was 16 representing 80 percent of the total sample and the number of female divertees was 4 representing 20 percent of the total sample.

The data collected from this sample signifies that there was more than three quarter the number of boys than girls.

Schoeman (2002:43) quotes Newburn (2002:547) who outlines that official arrest statistics, victimisation data and self - reported studies show that adolescent females are involved in less frequent and delinquent acts than adolescent males. Subsequently, Chesney and Lind (1997), as quoted in McCord (2001:57), asserts that the study of delinquency and juvenile crime has historically focused on males despite the fact that girls account for about one-quarter of all juvenile arrests.

5.4 RACE

Table 5.3: Race

Race	Frequency	Percentage
Black	13	65
White	1	5
Indian	3	15
Coloured	3	15
Other	-	-
Total	20	100

Table 5.3 reflected that 13 respondents were Black representing 65 percent of the total sample, 3 respondents were Coloured representing 15 percent of the total sample, 3 respondents were Indian representing 15 percent of the total sample and 1 respondent was White representing 5 percent of the total sample.

Venter (1964) as cited in Moatlhodi (1999:21) states that most of the research and literature on juvenile crime in South Africa is based on studies conducted among Black and Coloured population due to the fact that these population groups have shown the highest incidence of crime as far back as 1945. The data collected from the sample verifies the above findings of the author.

5.5 RESIDENTIAL AREA

Table 5.4: Residential distribution

Residential distribution	Frequency	Percentage
Rural	12	60
Urban	8	40
Total	20	100

Table 5.4 indicated that 12 respondents representing 60 percent of the total sample live in rural areas while 8 respondents representing 40 percent of the total sample live in urban areas.

McCord *et al* (2001:89) avers that growing up in an adverse environment increases the likelihood that a young person will become involved in criminal activity during adolescence and living in a neighbourhood where there are high levels of poverty and crime increases the risk of involvement in crime for all children growing up there.

The data collected from this sample points out that the majority of young offenders in conflict with the law come from rural residential areas. These rural areas are mainly black dominated areas. This is an adverse effect that reflects the socio-economic status of the community.

5.6 OFFENCES COMMITTED

The divertees were asked about the types of offences they had committed resulting to them being referred for diversion.

Table 5.5: Offences committed

Offence committed	Frequency	Percentage
Shoplifting	7	35
Theft	6	30
Assault	5	25
Other	2	10
Total	20	100

From table 5.5 a high percentage of divertees 7 respondents representing 35 percent of the total sample were arrested for shoplifting. While a slightly higher 6 respondents representing 30 of the total sample were arrested for assault. Five (5) respondents representing 25 percent of the total sample were arrested for theft and 2 respondents representing 10 percent of the total sample were arrested for committing other minor offences.

The data above gives an indication that the majority of the youth in conflict with the law were arrested for shoplifting. This data is in line with the characteristics of youth who qualify for diversion as reflected in the literature review.

5.7 PREVIOUS ARREST

The researcher asked the divertees about previous arrests they had.

Table 5.6: Previous arrest

Previous arrest	Frequency	Percentage
Yes	8	40
No	12	60
Total	20	100

In Table 5.6 it is specified by the findings collected that 12 respondents representing 60 percent of the total sample were first time offenders, while 8

respondents representing 40 percent of the total sample have been in conflict with the law before and were arrested.

Zastrow (2000) defines recidivism as rearrest and conviction of a person previously convicted of a crime. This is a tendency of relapse into a previous condition or mode of behaviour into criminal behaviour. The reasons for recidivism vary from each individual. Some of the young offenders may have not been given an opportunity to attend diversion for their previous arrest. Some of the young offenders relocated after completing the diversion for their first arrest and when they became in conflict with the law there is no system or database that traces if the young offender has previously been diverted.

Table 5.7: Collected data on types of offences in previous arrest

Offences in previous arrest	Frequency	Percentage
Shoplifting	3	15
Theft	2	10
Assault	3	15
No offences	12	60
Total	20	100

Table 5.7 shows that the majority of divertees did not have any previous convictions. Three (3) respondents representing 15 percent of the sample total were arrested for Shoplifting; similarly 3 respondents representing 15 percent of the sample were arrested for Assault. While 2 respondents representing 10 percent of the sample were arrested for Theft.

Assault and theft are the two crimes that have been reported to be high from the findings of the study.

5.9 SCHOOLING

The researcher asked the divertees if they were still schooling or not.

Table 5.8: School going divertees

Schooling divertees	Frequency	Percentage
Yes	13	65
No	7	35
Total	20	100

The findings in Table 5.8 collected from this sample points out that 13 respondents representing 65 percent of the divertees are school-going children, while 7 respondents representing 35 percent of the youth were none school goers.

Most of the youth in this sample were attending grade11. Nowadays the average age for a student doing grade 11 is 17, this is the age where the systems of the adolescent are at loggerheads as external influences from the family unit play a role in shaping the character of the child.

5.10 REASONS FOR DROPPING OUT OF SCHOOL

Table 5.9: Reasons for leaving school

Reasons for leaving school	Frequency (n)	Percentage
Found school uninteresting and would rather hang out with friends during the day.	3	15
Preferred to be making money while being at school.	2	10
Forced by friends in order to fit in.	2	10
Did not drop out	13	65
Total	20	100

Table 5.9 indicates that the majority of the divertees did not drop out of school, while 3 respondents representing 15 percent of the total sample found school to be uninteresting and would rather hang out with friends during the day. Two (2) respondents representing 10 percent of the total sample preferred to be making money and another 2 respondents representing another 10 percent of the total sample were forced by peers to drop out of school in order to fit in.

A school drop out as defined by Schoeman (2002:66) cited in McWhirter (2004:97), is a pupil who leaves school before graduation and before his or her program of study is completed.

Schoeman (2002:66) further asserts that in South Africa schooling is compulsory for every child until the age of 15 years. At the age of 15 the child can make a decision to leave school and no parent or school can force a child to continue with his or her studies.

5.11 PEER SYSTEMS

Influence of friends in their lives

Table 5.10 Influence of friends

Influence of friends	Frequency (n)	Percentage
Good Influence	4	20
Bad Influence	16	80
Total	20	100

The data collected from the sample confirms that 16 respondents representing 80 percent of the divertees have friends that are bad influences in their lives while 4 respondents representing 20 percent of the youth who had friends with good influences in their lives.

The findings of the study are supported by Dishion et al (1995) as cited in McWhirter *et al* (2004:69) who defined bad friends as peers who influence each other negatively by coercion and manipulation and friends with good influence as a people who offer support, advice and opportunities to discuss conflicting points of views,

5.12 Why do you continue to be around friends with bad influence?

Table 5.11 Divertees who continue to be around bad friends

Youth who continue to be around bad friends	Frequency	Percentage
Don't want to go to school.	3	15%
Make extra money with bad friends.	5	25%
They are unavoidable - live in the same complex	2	10%
They are only people willing to spend time with the youth.	6	50%
Total	20	100

The findings from table 5.11 denote that 6 respondents representing 50 percent of the total sample continue to be around bad friends as they were the only people willing to spend time with the youth. Five (5) respondents representing 25 percent of the total sample continued to be around bad friends as it was a source of making extra money. Three (3) respondents representing 15 percent of the total sample continued to be around bad friends because they did not want to go to school and 2 respondents representing 10 percent of the total sample continued to be around bad

friends as they were unavoidable because they lived in the same complex of residence.

5.13 PERCEPTIONS OF DIVERTEES ABOUT CRIME

Table 5.12 Perceptions of divertees about crime

Perceptions of divertees about crime	Frequency (n)	Percentage
Crime does not pay	12	60
Crime has perks and rewards	1	5
Stigmatization	4	20
Importance of listening to their parents	3	15
Total	20	100

As reflected in table 5.12 represents 12 respondents comprising 60 percent of the total sample indicated that crime does not pay while 4 respondents representing 20 percent of the total sample indicated that crime comes with stigmatization. Three (3) respondents representing 15 percent of the total sample expressed the importance of listening to parents. On the other hand, 1 respondent representing 5 percent of the total sample further elaborated that crime does have its perks and they indeed reap the rewards of their actions.

5.14 WHAT DO YOU THINK SHOULD HAPPEN TO YOUNG PEOPLE WHO COMMIT CRIME

The researcher asked the divertees about possible future actions to be taken against people who become in conflict with the law.

Table 5.13 Actions to be taken against people who commit crime

Actions to be taken against people who commit crime	Frequency (n)	Percentage
Must be given a second chance.	4	20
Must be punished.	1	5
Must be punished and given a second chance.	15	75
Total	20	100

Table 5.13 reflects that 15 respondents representing 75 percent of the total sample indicated that youth who commit crime should be punished. Four (4) respondents representing 20 percent of the total sample felt that young people who commit crime should be given a second chance in life. While 1 respondent representing 5 percent of the total sample expressed that youth who commit crimes should be given punishment.

5.15 VICTIMS OF CRIME

The researcher asked the divertees of past experiences if they had ever been victims of crime.

Table 5.14 Victims of crime

Victims of crime	Frequency	Percentage
Yes	4	20
No	16	80
Total	20	100

Table 5.14 reflects that 16 respondents representing 80 percent of the total sample indicated that they have never been victims of violence, while 4 respondents representing 20 percent of the total sample indicated to have been victims of crime at some point in their lives.

5.16 NGO'S THAT YOUTH WERE REFERRED TO FOR DIVERSION

Table 5.15 NGOs that youth were referred to for diversion

NGOs youth referred for diversion	Frequency (n)	Percentage
NICRO	8	40
None	12	60
Total	20	100

Table 5.15 reflects that the majority of the divertees which were 12 representing 60 percent of the total sample were first time offenders and had never been referred to a diversion programme, while 8 respondents representing 40 percent of the total sample indicated that they had been to a diversion programme before, they all indicated to have been to NICRO.

5.17 THE UNDERSTANDING OF DIVERSION BY DIVERTEES

The researcher asked the divertees if they had an understanding of what diversion was prior to engaging in the programme.

Table 5.16 Understanding of diversion by divertees

Understanding of diversion	Frequency (n)	Percentage
A place to learn to change unpleasant behaviour	5	25
Is to give youth a second chance to the offender	4	20
Had no understanding of diversion	11	55
Total	20	100

The majority of the respondents 11 representing 55 percent of the total sample had no understanding of diversion. Five (5) respondents representing 25 percent of the total sample understood diversion to be a programme where they are taught ways to change unpleasant and anti social behaviours. Four (4) respondents representing 20 percent of the total sample indicated that diversion was to give a second chance to the offender

Beziudenhout & Joubert (2003) cited in Mdakane (2008) describe diversion as a process of channelling children who have acknowledged their wrong doing, from the formal court system into reintegrative programmes. The Diversion programme, therefore, serves to prevent children or youth from stigmatisation and even brutalising effects of criminal justice system.

According to Wood (2003) in Mdakane (2008:13) diversion is defined as strategies developed in the youth justice system to prevent young people from committing crime and to ensure that they avoid formal court action and custody if they are arrested and prosecuted.

5.18 EXPECTATIONS OF THE PARTICIPANTS

The researcher asked the divertees about their expectations of the diversion programme.

Table 5.17 Expectations of the participants before the diversion programme

Expectations of the participants before the diversion programme	Frequency (n)	Percentage
Uncertainty about going along with the programme	13	65
Had no idea what to expect or what the programme was about	7	35
Total	20	100

Table 5.17 indicates that 13 respondents representing 65 percent of the total sample indicated that they had ambivalent (uncertain) feelings and thoughts but going ahead with it. Seven (7) respondents representing 35 percent of the total sample indicated that they had no idea what to expect as they were quite confused at the beginning of the programme.

5.19 WHAT THE PARTICIPANTS LEARNT IN THE DIVERSION PROGRAMME

Table 5.18 What the participants learned in the diversion programme

What the participants learned in the diversion programme	Frequency (n)	Percentage
To be assertive and steadfast in decision making	8	40
A second chance to make amends	6	30
Gave hope to still learn from their mistakes	2	10
Crime does not pay	4	20
Total	20	100

Table 5.18 points out that those 8 respondents representing 40 percent of the total sample expressed that they had to learn to be assertive and steadfast in their decision making. Six (6) respondents representing 30 percent of the total sample indicated diversion gave them a second to make amends. Four (4) respondents representing 20 percent of the total sample indicated that crime does not pay. Two (2) respondents representing 10 percent of the total sample indicated that the programme gave them hope that they can still learn from their mistakes.

5.20 DIVERTEES WHO'S EXPECTATIONS WERE MET

The researcher asked the divertees about the extent to which their expectations were met after having participated in the diversion programme.

Table 5.19 Divertees whose expectations were met

Divertees who's perceptions were met	Frequency	Percentage
Expectations met	19	95
Expectations not met	1	5
Total	20	100

Figure 5.19 specifies that 19 respondents representing 95 percent of the total sample expressed that their expectation had been met. One (1) respondent representing 5 percent of the total sample indicated that their expectations were not met during the duration of the programme.

5.21 CHANGES IN BEHAVIOUR NOTICEABLE AFTER DIVERSION PROGRAMME

The researcher asked the divertees about any changes in behaviour they noticed after completing the diversion programme.

Table 5.20 Changes in behaviour noticeable after completing diversion programme

Changes in behaviour noticeable	Frequency (n)	Percentage
Taking responsibility for own actions more frequently	8	40
Ability to identify trigger actions and situations and controlling anger.	7	35
No longer taking what does not belong to them.	5	25
Total	20	100

The findings of the study designated in points out that 8 respondents representing 40 percent of the total sample that was arrested had learned to take responsibility for their own actions more frequently. Seven (7) respondents representing 35 percent of the total sample that was arrested had gained the ability to identify trigger actions and situations and controlled their anger. Five (5) respondents representing 25 percent of the total sample that was arrested indicated that they no longer take what does not belong to them.

5.22 RE-OFFENDING YOUTH AFTER PARTICIPATING IN THE PROGRAMME

The researcher asked the divertees who had re-offended after having participated in the diversion programme.

Table 5.21 Re-offending youth after participating in the programme

Re-offending youth after participating in the programme	Frequency (n)	Percentage
Have not re-offended	15	75
Have re-offended	5	25
Total	20	100

Table 5.21 signifies that 15 respondents representing 75 percent of the total sample had not re-offended, whereas a lesser number of 5 respondents representing 25 percent of the total sample had re-offended after completion of the programme.

Youth who had re-offended is not enough to hinder the facilitation helping process of modifying unwanted behaviour patterns of youth.

5.23 OFFENCES COMMITTED AFTER COMPLETION OF THE PROGRAMME

Table 5.22 Offences committed after completion of the programme

Offences committed after completion of the programme	Frequency (n)	Percentage
Did not re-offend	15	75
Shoplifting	3	15
Assault	2	10
Total	20	100

The findings of the study as tabulated in 5.22 reflect that the majority of the divertees which were 15 representing 75 percent of the total sample did not commit offences after completion of the programme. Three (3) respondents representing 15 percent of the total sample that had re-offended had shoplifted. Two (2) respondents representing 10 percent of the total sample that had re-offended had committed assault.

5.24 WHAT THE PARTICIPANTS FEEL NICRO SHOULD HAVE TAUGHT THEM IN DIVERSION

The researcher asked the divertees what they feel NICRO should have taught them during their diversion sessions in addition to what they learned.

Table 5.23 What the participants feel NICRO should have taught them in diversion

Offences committed after completion of the programme	Frequency (n)	Percentage
Facing parents and the consequences of their actions	3	15
Equipping parents with skills to deal with child displaying at risk behaviour	4	20
Reintegration into communities to avoid stigmatization	3	15
Satisfied with what they learned	10	50
Total	20	100

The findings of the study reflected in table 5.23 showed that 10 respondents representing 50 percent of the total sample were satisfied with what the NICRO had taught them. Four (4) respondents representing 20 percent of the total sample felt that their parents have not been given these skills on how to deal with children that have at risk behaviours of committing offences. Three (3) respondents representing 15 percent of the total sample identified the need for reintegration back into the community to do away with stigmatization of youth who offended and are in conflict with the law. Another three (3) respondents representing 15 percent of the total sample also identified that their biggest challenge is going back home to face their parents and the consequences of their actions.

5.25 RECOMMENDATIONS BY PARTICIPANTS TO NGOs TO IMPROVE FUTURE DIVERSION PROGRAMMES

The researcher asked the divertees about recommendations they had for the NGO rendering diversion programme to improve future diversion programmes.

Table 5.24 Recommendations by participants to NGOs to improve future diversion programmes

Recommendations by participants to NGOs to improve future diversion programmes	Frequency (n)	Percentage
Involve parents in rehabilitation process	10	50
Facilitators be understanding and reasonable with time and transport constraints	5	25
Geographical distribution and locality of meeting place	5	25
Total	20	100

Table 5.24 affirms that 10 respondents representing 50 percent of this sample stated that the NGO needs to involve parents more in the rehabilitation process. Five (5) respondents representing 25 percent of the total sample reflected that they came from different areas of residence therefore causing a problem in transport arrangement and coming to the group on time. Another five (5) respondents representing 25 of the total sample expressed that there was a problem when they had to travel from home to town in order to attend

the programme because their parents/guardians did not have the financial strength to send them to the programme.

CHAPTER 6

6. RECOMMENDATIONS, CONCLUSION AND FINDINGS

6.1 INTRODUCTION

The chapter presents a summary of the findings deduced from the sample, formulates conclusions of the findings and makes recommendations to the study.

The aim of the study was to find out the impact of diversion programmes to behaviour modification to young divertees.

6.2 RESTATEMENT OF THE OBJECTIVES

Objectives of the study were as follows:

- (i) Establish the impact of diversion programmes on behaviour modification to youth who have been in the diversion programmes;
- (ii) Establish the impact of diversion programmes on recidivism;
- (iii) Formulate the perceptions of juvenile youth (young offenders) about diversion programmes and
- (iv) Be able to make recommendations for the betterment of the programme.

6.3 FINDINGS OF THE STUDY IN TERMS OF THE OBJECTIVES

6.3.1 Impact of diversion programme on behaviour modification to youth having participated in the programme.

Findings revealed the youth found in conflict with the law given an opportunity to participate in the diversion programme run by NICRO, all 20

indicated that the programme had instilled some aspect of change in their lives, attitudes and behaviour.

These particular youth indicated that the programme had enabled them to be active members in decision taking roles of their lives and no longer relinquish such powers to their peers. According to Dishion *et al* (1995) as cited in McWhirter *et al* (2004:69) bad friends are peers who influence each other negatively by coercion and manipulation. A large number of youth within communities find themselves faced with the challenge of involvement in criminal activities for the purposes of not being labelled and bullied by their peers.

The youth find themselves faced in a dilemma where they come from single parent households and absent parents and having no one to guide and shape this young person and ends up influenced by peers as they are the only form of socialisation they know.

The research also verifies the assumption made by the researcher that the outcomes in behaviour modification would reflect the impact of the elements in the content of the programme, with the youth having taken accountability for their actions. Once these elements having been taught to and learned by the participants, it is reflected in the percentage of youth who have not re-offended and the curbing of future criminal involvement

6.3.2 Impact of diversion programmes on recidivism

The youth who commit criminal offences are not the youth who are uninformed about the consequences of their actions, but know fully well of the repercussions and the extent of damage caused by such actions. There are the youth who were participants in this diversion programme that have previously been to a rehabilitation programme. These youth have since re-offended and attended the diversion programme run by NICRO. After a year

of completion of the programme only 25% of the youth had relapsed and re-offended.

The biggest challenge of the percentage that re-offended was peer influence and societal stigmatisation of constantly being reminded of the wrong they committed.

The National Youth Policy also defines youth at risk as a youth at risk of educational failure or dropping out of school or involvement in delinquent activities. www.ocri.ca/education/sbdp.asp youth at risk is, therefore, referred to as young people who are at high risk of not completing formal educational programmes.

Although the youth have successfully completed the diversion programme, at the end of it all they still return home to same environment that enforced them to commit the offences. The youth may have gained considerably from participating in the programme and developed skills for survival, but such efforts can at times be deemed futile as this youth returns to the home and environment not assisted with coping and change efforts to accommodate and welcome this changed young person.

Of the youth that had re-offended, the major offences the youth had committed were shoplifting and theft. The study indicated that the youth in which they socialise with would call them names for having attended the diversion programme and making themselves out to be “goody-goody”. As a result they ended up re-offending in order to fit again to the very same group that made them commit the offences.

6.3.3 Perceptions of young offenders about diversion programmes

The study revealed that the young offenders had feelings of ambivalence about going along with the programme as they did not know what to expect. The literature collected by the researcher reveals that the aim of diversion was for the child justice court to attempt to remove children from the adult justice and corrections systems and to provide them with individualised treatment. To also strengthen the emphasis of restorative justice in diversion as it rebuilds the relationship and enabling reintegration between the offender, the victim and the community

Not only has the child justice court attempted to be user friendly to young offenders, the study has revealed that the service providers for diversion programmes are utilising approximate procedures and substituting a scientific and preventative approach for the criminal laws' punitive policies. This means that the child justice court is user friendly to young offenders and less intimidating than the procedures of the criminal justice system.

From the youth who had ambivalent feelings about participation into the programme, others had no idea what to expect or what the programme entailed. Liese (2002:4) asserts that the Child Justice Bill that was introduced to Parliament on 8 August 2002 proposes that: children accused of crimes be diverted from the criminal justice system to community - based, non-custodial programmes as much as possible, as the criminal justice system tends to be intimidating, frightening and is said to be infringing on the rights of the young offenders.

Mdakane (2008:10) states that this statement reaffirms the concept that children need not to be punished, but rather be protected and (re) educated. By removing the young offenders from the punitive policies of the adult criminal justice system, by educating and treating instead of punishing them, this would enhance the dignity and worth of the young offender.

6.3.4 Recommendations for betterment of the programme

Gallinetti (2009) asserts that in terms of section 57 of the Child Justice Act, if the child fails to comply with the diversion order, section 58 provides that the magistrate, inquiry magistrate or child justice court can issue a summons or warrant of arrest for the child to bring the child before the court. When the child appears in court the magistrate, inquiry magistrate or child justice court must hold an inquiry into why the child failed to comply with the diversion and determine if it was due to the child's fault.

The study reveals that, the involvement of parents in the rehabilitation process would add substance to the programme as the parents would be equipped with skills and knowledge in handling youth at risk displaying criminal behaviour. This would also enable the parents to be able to cope with the children after they complete their participation in the programme and acknowledgement of their involvement in criminal activities.

According to the findings of the studies, it is indicated by the respondents that facilitators be understanding and reasonable with time and transport constraints as it is a means beyond their control. The study also revealed that geographical distribution and locality of the meeting place is problematic to them as their parents would at times not have enough money for transport to attend the programme sessions. This can prove to be problematic in the attendance of the youth and as a result be deemed to not have complained with the diversion order.

6.4 RECOMMENDATIONS OF THE STUDY

On the basis of the research and results obtained in this study, the following recommendations are suggested:

- A. Introduce a life skills programme to youth at school targeting the youth at risk of committing offences or dropping out.
- B. A database system be kept to monitor youth have previously been referred to diversion, as diversion is a rehabilitation programme aimed at first time offenders.
- C. A comprehensive aftercare programme aimed at monitoring the progress of divertees who have completed the programme in order to avoid recidivism.
- D. A one session discussion with community leaders for the smooth transmission of the divertees into their respective community after completion of the programme.
- E. Equipping the parents and guardians of the divertees with skills on management of living with a child displaying at risk behaviour.
- F. Equipping parents and guardians of divertees on adjustment skills once child has completed the programme.
- G. The service provider of the diversion programme to be mobile in terms of rendering the programme as the divertees come from geographically dispersed areas.

6.5 RECOMMENDATIONS FOR FUTURE RESEARCH

After having completed the study, the researcher suggests that the following be done by future researcher when undertaking a study of a similar nature:

- A. A pre - test be conducted on the targeted sample as to establish the degree of their behaviour problems before participating in the diversion programme.
- B. To re-evaluate the programme content on whether it meets accountability and is appropriate in addressing the intended objective.
- C. To look closely at the elements that impedes the divertee from staying on track and not re-offending.

6.6 CONCLUSION

From the findings of the study, it is evident that the impact of diversion programmes on behaviour modification is large. The programme can be viewed as a tool to conscientise the divertees about the repercussions of their actions and destruction of their future. The programme, therefore, aimed at giving the youth who offend a second chance by being steered away from the formal court proceedings and avoiding conviction therefore strengthening the objective of the Child Justice Court of treatment, supervision and control. The implementation of the programme has aided in viewing these divertees as agents needing change and rehabilitation instead of punishment.

The implementation of diversion programmes has not only been effective in the rehabilitation of young offenders but has decreased the shortcomings and inefficiencies of the criminal justice system. By relieving some of the pressure that impede the functioning of the justice system; finding alternative ways of dealing with some offenders - to divert away from the system, those for whom the application of the full criminal process may be impossible or inappropriate.

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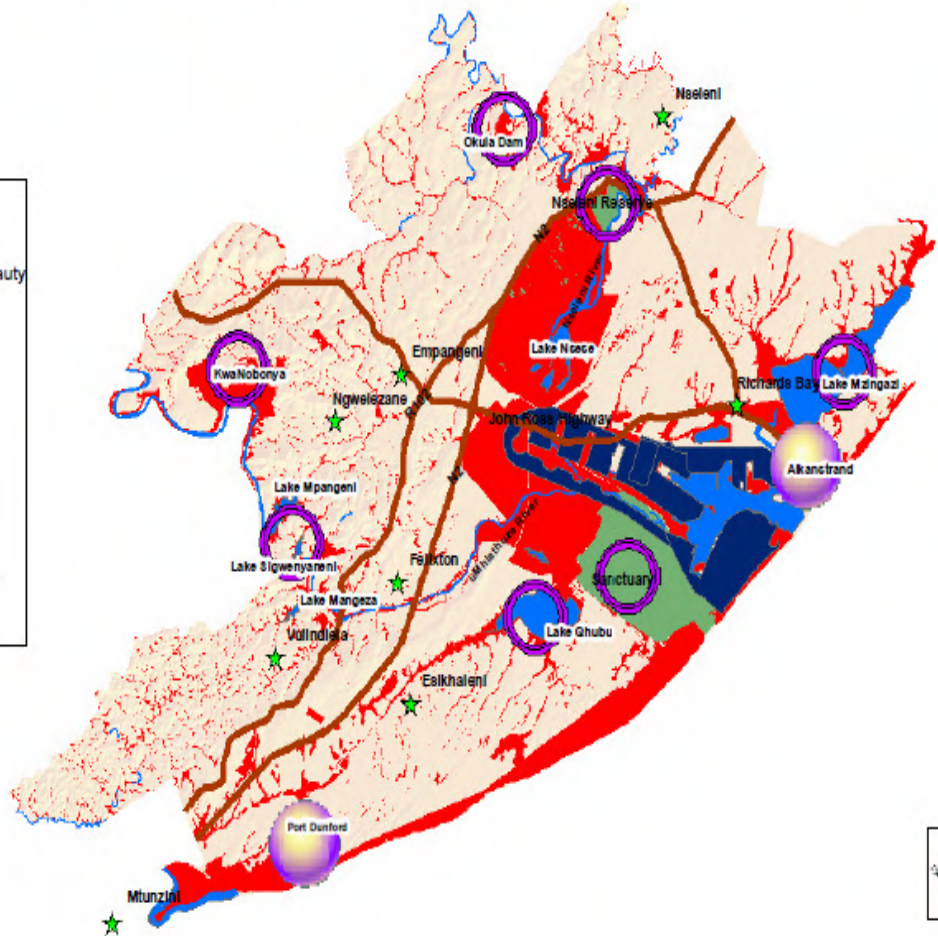
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Areas of Natural Beauty and Tourism Opportunities

Kwambonambi

Legend

-  Areas of Natural Beauty
-  major_towns
-  Roads
-  Nature Reserves
-  Conservation
-  Water bodies
-  Coastal Tourism



QUESTIONNAIRE

SECTION A

A. BIOGRAPHICAL INFORMATION

1. Age _____

2. Gender _____

3. Race

Black	
White	
Indian	
Coloured	
Other	

4. Residential Area

Urban	
Rural	

5. Offence committed

Shoplifting	
Theft	
Assault	
Other	

6. Previous arrest

Yes			No	
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6.1 Type of offence

Shoplifting	
Theft	
Assault	
Other	

SCHOOLING

1. Do you currently go to school?

Yes			No	
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- If yes, what grade are you? _____
- If no, give the reason why you left school _____

PEERS

1. What kind of influence do your friends have in your life?

Good			Bad	
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- If good, state the influence _____

- If bad, state the influence _____

2. If your friends have a bad influence on your life, why do you continue to be around them? _____

SECTION B

1. What do you think about crime? _____

2. What do you think should happen to young people who commit crime? _____

3. Have you ever been a victim of crime?

Yes			No	
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4. Have you ever been to diversion before?

Yes			No	
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- If yes, state name of NGO_____

- If no, what do you understand about diversion?_____

5. What were your expectations before participating in the diversion programme?

6. What did you learn from participating in the diversion programme?_____

7. Where you expectations met?

Yes			No	
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- To what extent?_____

8. What changes in your behaviour have you noticed after having completed the diversion programme?_____

9. After participating in the programme, have you committed any other offence?

Yes			No	
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- If yes, which offence did you commit and why? _____

10. What do you think the NGO should have taught you in the diversion programme but did not? _____

11. What would you recommend the NGO to do to improve its future diversion programme? _____

P.O. Box 1133

Empangeni

3880

21.08.2011

Richards Bay Service Office

Private Bag x1045

Richards Bay

3900

Attention: Ms. T. Anamallay
Service Office Manager

Re: Request to conduct research for fulfilment of Masters Degree.

Topic: The impact of diversion programmes on behaviour modification to divertees.

This letter serves to request the Department of Social Development to grant the researcher Miss S.S. Nkosi, who is an employee of the department (Persal No. 64025349) access to information needed for the fulfilment of Masters Degree in Social Work (M.A SW).

The researcher will require making use of the local RAR Centre in order to access databases of youth who were in conflict with the law in the years 2008 to 2011, who were referred to diversion programmes by the Probation Officer. This will enable the researcher in collecting the sample required for the study. The researcher will adhere to and comply with ethical considerations and principles in conducting a social sciences research study.

I will be grateful should my request be met.

Yours sincerely,

Miss S.S. Nkosi

**CONSENT BY PARTICIPANT TO PARTICIPATE IN THE RESEARCH
STUDY.**

This is to certify that I _____, give my informed consent to participate in this research study. I hereby certify that the researcher has explained to me the ethics and principles for participation and confidentiality to be maintained.

Participant's signature

Date

Researcher's signature

Date