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Recidivism amongst children in conflict with the law who have undergone anger management diversion programme: The case of NICRO in Limpopo Province

Mogano TI¹, Rapholo SF¹ and Ramphabana LB¹

¹Department of Social Work, University of Limpopo, Private BagX1106, Sovenga,0727, ²Department of Social Work, University of KwaZulu Natal, Private BagX54001, Durban, 4000

Frank.Rapholo@ul.ac.za

Abstract. Studies show that there is a high rate of recidivism amongst children in conflict with the law who have attended anger management programme. Anger management is now a major issue affecting children and youth across societies including South Africa. Poor management of anger often leads children and youth into committing criminal offences. There are not enough studies which rigorously explored possible reasons for children's reoffending behaviours after attending anger management programme. This qualitative study sought to describe factors which lead children to reoffend after attending anger management diversion programme at NICRO (National Institute of Crime and Re-Integration of Offenders) in Limpopo Province. To pursue the aim of this study, behaviour modification approach was followed. A descriptive multiple case-study design was used to purposefully and conveniently select three social workers who facilitated the programme and ten youths who attended the programme while they were still under the age of 18 years. Semi-structured interviews were used to collect data which was analysed thematically with the assistance of the Nvivo software. Findings revealed lack of family support, peer influence and substance use, poor educational competencies and lack of understanding of the programme as factors leading to recidivism amongst children in conflict with the law. It is therefore recommended that the re-integration process of children who completed the programme incorporate serious follow up sessions.

Keywords. Anger management diversion programme, Child in Conflict with the Law, NICRO, Recidivism

Introduction and background information

South Africa is challenged with the assignment of dealing with a rapid increase in the crime rate. In most instances, most criminals started engaging themselves in criminal activities when they were still young. The pervasiveness of anger and aggression amongst children does not only affect South Africa but it is also a worldwide challenge. Masango (2004) supports the assertion that there is no doubt that anger and aggression have become an international phenomenon leading to more anti-social behaviours within communities. To mitigate this problem of children in conflict with the law, government and non-government organisations jointly developed intervention strategies and programmes, amongst others is anger management

programme, however, children are still reported to reoffend upon their re-integration in the communities (Gitao, 2017; Ngetich, Murenga & Kisaka, 2019). There is a number of diversion programmes amongst the alternative intervention strategies which were introduced in South Africa to rehabilitate children and young offenders from anti-social practices (Masango, 2004; Nkosi, 2012). For the purpose of this paper, the focus is on anger management programme. Section 51 (a) and (b) of the Child Justice Act no. 75 of 2008 (SA, 2008) highlights that the intentions to implement diversion programmes are: to engage with children separately from the formal criminal justice system in appropriate cases; to hold the children to account for the harm they caused; to obtain specific needs of the individual child; and to promote the reintegration of children into their families and communities. The researchers are of the view that this piece of legislation is very organised and supportive to administer and facilitate anger management diversion programme, however, children still reoffend. Conversely, one study which was conducted by Sullivan and Tiff (2008) argues that diversion programmes in South Africa are not effective, the increase in the reoffending rates committed by children and youth in South Africa. This calls for intensive studies to assess factors leading to children's reoffending behaviours upon their reintegration into the communities and families.

Anger is a complex emotional reaction ranging from mild to violent reaction and can be continuous, severe, and destructive (Bilge & Keskin, 2012). It is imperative to note that when people, including children, cannot manage their anger, they are most likely to engage in anti-social behaviours and later commit a crime. Although anger has not been the only cause of serious crimes, studies suggest that it has a predictive value for reoffending (Ayebami & Janet, 2017; Hazarika & Bourah, 2020). However, anger management programmes for child offenders aim to decrease anger and to prevent recidivism (Timothy, Shevlin, Egan, O'Hare, Rogers & Hannigan, 2015). Even though such a programme for children in conflict with the law is at play, when these children become youth, they reoffend. In addition, the researchers have noted that anger management programmes help children to avoid engaging in negative behaviours and provide them with corrective learning opportunities such as support groups and individual counselling. Despite this intervention, a high rate of recidivism is observed amongst children and youth who have undergone this programme. It is from this background that the researchers developed an interest to describe factors leading children who attended anger management programme to reoffend upon their reintegration into the communities and families.

Research problem

Recidivism amongst children in conflict with the law is a global challenge, and South Africa is of no exception. The discourse of recidivism takes place despite children in conflict with the law's completion of diversion programmes (anger management programme in the context of this paper) after they are reintegrated into their communities and families. Alvernaz (2020) outlined that it has been noted that the much research has focused on the concept and behavioural expression of aggression, anger management diversion programme appears to have been historically understudied in the literature. In corroboration the conclusion drawn is that not enough has been done to evaluate diversion programme (Motshedi, 2020). As such, there are not enough studies which were conducted in the Limpopo province of South Africa which rigorously investigated causes of reoffending behaviours amongst children in conflict with the law after being reintegrated to their communities and families. Therefore this study sought to describe factors leading children to reoffend after attending anger management diversion programme and being reintegrated into their communities and families.

Theoretical framework

This study was guided by behaviour modification approach, which was found by B.F Skinner in the 20th century. Behaviour Modification approach argues that behaviour can be observed and changed through positive and negative reinforcement of adaptive behaviour and/or the reduction of behaviour through its extinction, punishment (Kondaikar, 2007; Scott & Cogburn, 2017). This approach was useful in this study to understand the factors that subject children and youth to display reoffending behaviour after attending anger management diversion programme. In the context of this study, children and youth in Mankweng area reoffend because of different factors that influence their behaviour. Behaviour modification was chosen in this study because it offers a lens through which a delinquent behaviour can be observed and analyzed, and techniques to change the undesired behaviour (Bandura, 2007). In the case of this study undesired behaviour refers to the delinquent and reoffending behaviour.

Aim of the study

The aim of this study was to describe factors leading children to reoffend after attending anger management diversion programmes.

Methodology

The qualitative approach was selected as the study sought to gain the understanding, knowledge and insight of youth who went through anger management programme and social workers who facilitated the programme regarding factors that perpetuate the display of reoffending behaviours amongst children upon their reintegration into the communities and families. Maree (2007) argues that the qualitative approach helps to collect rich descriptive data of the subject under investigation with the aim of developing a clear understanding of the phenomenon. This approach has helped in obtaining experience directly from the social workers and youth participants. A descriptive multiple case-design was used to achieve the aim of this study. Purposive and convenient sampling techniques were used to assist in selecting three social workers who rendered anger management program and ten youth participants who attended the anger management diversion programme while they were still children. This study used semi-structured interviews to collect data that were analysed thematically through the assistance of the Nvivo Software. To assure the quality of the findings, credibility, conformability, transferability, and dependability were followed. Credibility was ensured through prolonged engagement; member checking and peer examination and field notes were written in each interview to endure the conformability. To ensure transferability a small sample of youth (n=10) and social workers (N=3) in Mankweng was used until data was saturated. Data were coded correctly for dependability purposes.

Ethical consideration

Ethical clearance was obtained from the Turfloop Research Ethics Committee (TREC) of the University of Limpopo project number **TREC/141/2020: PG.** and the permission to conduct the study was granted by the National Institute for Crime Prevention and Re-integration of Offenders (NICRO). The aim of the study and the fact that participation was voluntary were explained well to the participants beforehand; after they agreed to participate verbally, the participants signed a consent form as well. For the purpose of confidentiality, the names and identities of the participants were not disclosed in this article.

Discussion of the findings

A previous study by Gammage (2020) posit that some children and youth tend to reoffend even after completing diversion programmes. The followonh themes emerged as factors contributing to children and youth' reoffending behaviours upon their reintegration into the communities and families:

Theme 1: Family Support

Both social workers and youth who participated in anger management programme stated that upon reintegration into the communities and families, children in conflict with the law re-offend because of lack of support they receive within their families. Tayebi, Kashani and Zaskar (2017) argue that disturbed childhood, disputed families and ruined personal relationships play an important role in children and youth's involvement in criminal behaviours even after they were assisted through diversion programmes. This was corroborated by the other social worker who stated that the lack of family support has a major impact on recidivism amongst children and youth in conflict with the law after their integration into the communities. One social worker made an assertion that children and youth, because of their of unfavourable immediate environment, are likely to reoffend beacuse they continue to display delinquent behaviour. One youth participant outlined that youths who attended anger management programme while they were still children continue to display their reoffending behaviours upon their reintegration into the communities and families because they lack support from their families. Most of these children and youth were to be coming from disputed and broken family structures which fuels display of negative behaviours that leads to reoffending. One youth particiant stated that:

"The possible reason youth reoffend could be that they do not receive enough support from their families, they do not get enough courage to live positively."

On the same wavelength, social worker participant echoed that:

"Children and youth who attended anger management diversion programme continue to present reoffending behaviour because of their immediate environment which is their families."

From the above findings it can be seen that family plays a huge role on the reintegration of the children and youth who went through anger management programme. In support, Nijohf, DeKemp, and Engels (2009) outline that family is seen as a place where love, rapport and support can be attained. The researchers are of the view that lack of family support can hamper successful reintegration of children who attended anger management programme. A Family is where love and support are keen and it is constantly seen as protective of different aspects of individual life (Tayebi et al., 2017). It is thus imperative to note that if children who violated the law could receive support and be accepted by they families upon re-intergration, the rate of recidivism can be minimal.

Theme 2: Peer influence and substance use

Youths and social workers who participated in this study have indicated that some children upon their reintegration into the communities, they make wrong friends who introduce them into anti-social behaviours such as substance use and later re-offend due to such influencial factors. These findings are not different from what Clarke (2017) established in that

peers influence plays a significant role in the reoffending behaviour, and this is common amongst children and youth who went through anger management programme. The use of substance is connected to reoffending behaviours displayed by children and youth (Chassin, 2008). This is supported by another previous study where it was established that individuals who use substances are likely to have a high recidivism rate as compared to individuals with no history of substance use (Stahler et al., 2013). One youth echoed that:

“Youth who still reoffend even after attending this programme is basically coming from negative influence they receive from their friends and associated. Youth commit crime because they want to impress friends and get look good to them.”

In corroboration the social worker participant stated that:

“Substance abuse remains a challenge in our communities which affect them when they go back after attending this programme.”

From the above findings, it can be noted that the influence from peers and substance use are one of the factors that cause children and youth to continue displaying reoffending behaviour. Zarshenas et al. (2015) confirm that peers become increasingly a strong influence on individual behaviour during adolescence and that affiliating with delinquent peers can lead to a greater level of delinquent behaviour. In addition, Kirk and Sampson (2013) found that deviant peers can influence children in conflict with the law to reoffend. This means the association of children and youth who went through anger management with deviant peers in their reintegrated communities have a predicative factor in reoffending behaviour. Exposure to alcohol abuse can result in the destruction of social skills, and increase delinquency and risk behaviour (Berg, 2011).

Theme 3: Poor literacy skills and misunderstanding of the programme

Clarke (2017) alludes that poor education is associated with risk factors with the likelihood of negative behaviour. Notably, poor education has a significant impact on the recidivism amongst the children and youth in conflict with the law. One social worker stated that there are children who still reoffend due to their literacy skills which makes it difficult for them to learn and understand the objectives of the programme. Another social worker denoted that the attention span of some of the children is very limited which affects their participation and learning during the anger management programme sessions. The other social worker echoed that:

“Some children attend the programme with learning challenges, and they do not really understand the content of the programme. Attending the programme with low level of education can impact on youth reoffending.”

In conjunction, the other social worker said that:

“They do not have longer attention span and cannot concentrate for the periods of the session. This has an impact on their learning in the programme. The low level of education affects attention span of youth participants during sessions of the programme, which may lead to youth reoffending.”

The findings reveal poor literacy skills as factors that increases children's likelihood to reoffend because that ultimately make them not understand the objectives of the programme. It has been found in a study conducted by Clarke (2017) that some children in conflict with the law often come from inadequate school systems and show overall poor academic performance which poses a risk for reoffending upon their intergration in the communities and families.

Conclusion and recommendations

It can be concluded in this study that families and communities play a huge role in the high rate of recidivism upon children in conflict with the law's intergration into the communities upon the completion of diversion programmes. The researchers strongly recommends that within the diversion programmes, there should be sessions on family conferencing and community engagement for reintegration purposes. If children do not get support from families and communities, it has been proven by several studies that they are likely to associate with friends who will commit with them offending behaviours again. Communities regardless of whether families have children who are in conflict with the law should be conscientised about diversion programmes and their intended goals. The government of South Africa must also extend support and work together with the organisations and other stakeholders rendering anger management diversion programmes in order to mitigate factors contributing towards reoffending behaviours amongst children and youth. Lastly, more research in other provinces in South Africa should be conducted to obtain more data in relation to anger management diversion programme to reduce the rate of recidivism.

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