Understanding Child Sexual Offending in Johannesburg: Evidence from Case Files

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Date: 20 January 2021

Declaration

I, Nokhetho Mhlanga, know and accept that plagiarism (i.e., to use another's work and to pretend that it is one's own) is wrong. Consequently, I declare that:

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Acknowledgments

I am eternally grateful to my supervisor, Professor Mzikazi Nduna, for her invaluable guidance and support. Your brilliance and meticulous scrutinising of my work has made this research project a success. Indeed, you have been my inspiration and motivation to see the light at the end of the tunnel.

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Abbreviations

ADHD	Attention Deficit and Hyperactivity Disorder
CBT	Cognitive Behavioural Therapy
CSA	Childhood Sexual Abuse
GBV	Gender Based Violence
GBSV	Gender Based and Sexual Violence
GPDoH	Gauteng Province Department of Health
NDoH	National Department of Health
NGO	Non-Governmental Organisation
NPO	Not for Profit Organisation
SPARC	Support Programme for Abuse Reactive Children
SRHR	Sexual and Reproductive Health and Rights
SOGI(e)	Sexual Orientation Gender Identity and Expression
RSA	The Republic of South Africa
VAW	Violence Against Women

Glossary of terms

Abuse:	Refers to any form of harm or ill-treatment deliberately inflicted on another.
Child:	Any person who is below the age of 18 years.
Child sexual offender:	A person who commits an illegal sexual act at prior to turning 18 years or at the age of 18 years.
Diversion:	The diversion of a matter involving a child outside of the formal court procedure in a criminal matter.
Father absence:	A child who has lived a portion of or their full childhood in a household without their biological father, due to parents' separation or they have never lived together. This does not apply to children whose have lost their fathers to death.
Homosexuality:	The quality of characteristic of being sexually attracted solely to people of one's own sex.
Neglect:	In the context of a child, neglect refers to a failure of the primary caregiver to exercise responsibilities to provide for the child's basic physical, intellectual, emotional or social needs.
Parent:	The biological or adoptive primary caregivers of a child.
Patriarchy:	Societal structural system that ensures and sustains men's domination of women.
Perpetrator:	Any person who has carried out an illegal or harmful act.
Population:	The large pool of cases from which a sample is drawn.
Physical abuse:	Any non-accidental or patterns of injury.
Sexuality:	An individual's sexual orientation or preference.
Sexual act:	Any non-contact acts such as exposure and voyeurism and/or contact act such as digital, vaginal, and penile, and oral penetrative act.
Sexual offence:	Any sexual act perpetrated by one person against another. In relation to child, it means: (1) Sexually molesting or assaulting a child or allowing a child to be sexually molested or assaulted. (2) Encouraging, inducing or forcing a child to be used for the sexual gratification of another person.

(3) Using a child in or deliberately exposing a child to sexual activities or pornography; or
(4) Procuring or allowing a child to be procured for commercial sexual exploitation or in any procuring or allowing a child to be procured for commercial sexual exploitation or in any way participating or assisting in the commercial sexual exploitation of a child.

Survivor: A person who lives through experiencing a traumatic event.

Victim: A person who has suffered the effects of violence.

Research Outputs

The outputs of this research thus far comprise of the following:

1. The researcher was interviewed on SAFM regarding the topic of child sexual offending in South Africa wherein the researcher shared key insights of the study in the bid to educate primary care givers regarding child sexual offending. The link to the recording of the interview is: http://www.safm.co.za/sabc/home/safm/schedule/details?id=45db4724-6913-4c7a-ab17-cfa0adbf804f&title=Weekend%20View
2. The researcher collaborated with Prof Mzikazi Nduna for the International Union for the Scientific Study of Population (IUSSP) 2020 conference (The COVID-19 Pandemic and Sexual & Reproductive Health in Africa). The presentation addressed gender-based violence in South Africa during COVID-19 and the researcher contributed knowledge regarding child sexual offending and how it is prone to becoming exacerbated by the COVID-19 regulations. The link to the conference proceedings and resources is: https://iussp.org/en/iussp-webinar-covid-19-pandemic-and-sexual-reproductive-health-africa

Abstract

Introduction: South Africa is a highly violent country and the violence manifests in different forms including sexual violence. Almost half of the sexual violence cases reported to the police are those of child victims. Whilst there is variability in who commits these sexual crimes; research indicates that approximately 42% of child sexual assaults are perpetrated by children and hence there is a need to understand child sexual offending in order to inform early interventions. Thus, this study focuses on understanding child perpetrators. Children are a difficult population to research due to ethical constraints around research with minors, and yet it is important to generate first-hand information from them in order to inform evidence-based interventions. Research that exists in the field of child sexual offending behaviour mainly focuses on generating typologies of child sex offenders. Thus, there remains a lack of research to facilitate societal knowledge and understanding of this phenomenon beyond incidence, prevalence and typologies.

Study aim and objectives: The aim of this study was to explore and gain an understanding of child sex offending with the view of making recommendations to inform intervention programmes for children in conflict with the law. The objectives of the study were to:

1. Describe the profile of the referred child offenders using demographic information.
2. Describe the circumstances surrounding child sex offending.
3. Describe the societal context of child sex offending.

Methods: A mixed method review approach was used. The study included a desk-top, document review located in an exploratory research design. Data were made available to the researcher from pre-recorded intake and assessment forms from an organisation that receives child sexual offenders for a diversion programme. These data were a mixed quantitative (demographics) and qualitative (descriptions from interviews with the referred child) accounts from the respondents. Thus, a non-probability, purposive sampling method was used based on a predetermined selection criteria. The inclusion criteria were that the case must have been referred from court and the client must be male. The sample consisted of a detailed analysis of twenty case files of child sex offenders who were referred to a diversion programme offered by an organisation in Johannesburg working in the child protection sector. The information gathered from the documents was analysed in two ways:

demographic data was analysed and presented quantitatively, and the qualitative interview data were subjected to thematic analysis. As a desk-top study, the researcher faced limitations, including the inability to control for the incomplete documents and an inability to probe for information from the actual subjects. Ethical clearance to proceed with the study was obtained from the University of the Witwatersrand's Non-medical Ethics Committee.

Research findings: The findings confirm that, apart from male sex, children who had committed a sexual offence were not a homogeneous group. The youngest respondent in the study was 11 years of age, the majority were 14 and 16 years of age, and the oldest 18 years of age. Seventeen of the respondents attended mainstream schooling, with only three reported to attend specialised schooling. The respondents came from a lower socio-economic class. Many of the respondents lived in high population density and high crime areas such as inner-city or township areas. The research demonstrated a strong paternal absence. The findings indicate that the respondents came from a variety of family structures ranging from single-parented, blended family, the traditional nuclear, and the extended family structure. Most of the cases recorded a form of intention in engaging in the sexual act. None of the respondents reported inflicting physical force to obtain compliance from their victims. The nature of the sexual acts committed consisted of behaviours such as touching of genitals to intrusive sexualised behaviour such as attempted rape and rape. The victims were mainly females, mainly younger than the perpetrator and known to the perpetrator.

Discussion: The findings suggest that gender power and control may have bearing in the dynamics of child sexual offending. Media and peers appeared to be the common influence in the child offender's acquiral of information pertaining to sexuality. The link between prior sexual abuse and child offending was not confirmed in this study, as only one child had indicated that they were a victim of sexual abuse. A common circumstantial feature of the sexual acts was familiarity and the presence of trust between the victim and the perpetrator, which was used opportunistically to approach the victim.

Conclusions: There is no single risk factor characterising child sexual offending. Rather there is an interplay of factors and therefore sexual offending behaviour cannot be explained in terms of an overt contributing factor. However, it is also apparent that child sexual offending cannot be divorced from contextual influence. The context provides a space for learning to occur and presents opportunity to enact behaviour.

Recommendations: The study highlighted a paucity of knowledge regarding child sexual offending, from the offender's perspective in the South African urban context. Qualitative research studies are by design contextual; therefore, replication studies are required in different contexts to contribute to the understanding of child sex offenders. It is recommended that replication studies take into consideration the variables outlined in the findings of the current study.

Keywords: Child sexual offender, rape perpetration, social learning, sexual offending behaviour, sexual violence

Chapter 1: Introduction

1. Introduction

The aims of this chapter are to give background and the rationale for the present study. The chapter provides the background of the study, the aims of the study, followed by questions and objectives that the study aimed to fulfil. Lastly, an outline of the research report is given.

1.1. Background

"Sexually offensive behaviour committed by juveniles represents a serious social dysfunction for the offender, a tragedy for the victim, a threat to the community, and an extremely complicated challenge for the juvenile court" (Thomas, 1992, p.4)

The above quotation allows for the realisation of the extensive impact of sexual offending behaviour perpetrated by children. Previously viewed as mere acts of curiosity and normal experimentation with sexual socialisation, sexual offending by children was not taken seriously until the late 1900's (Arnts, 2004; Johnson, 1988). However, the growing body of knowledge within this subject reveals that sexual offences by children are more prevalent and serious than previously believed. This growing awareness has led to increased efforts to identify and intervene with this group of offenders. The prevalence of child sexual perpetration in South Africa is certainly a cause for concern for the organisations working in the child protection sector and the country at large. Existing research indicates that there is an approximate 42% prevalence of child sexual assaults in South Africa that are perpetrated by minors (Rangasami et al., 2013). Amid this prevalence, there remains a lack of insight regarding the dynamics of child sexual offending behaviour.

Sexual crimes committed by children are inclusive of both penetrative and non-penetrative sexual acts. The victim of choice is both known and unknown; including playmates, schoolmates and siblings (Omar, 2010). Given the many different forms, contexts and consequences of child sexual offending, the World Health Organisation (1999) laments that research investigating the extent of this phenomena in South Africa has until now been unsatisfactory, scarce, and where information is available, the numbers vary vastly. In addition, it is argued that the aforementioned survey statistic (42%) does not reflect the accurate extent of the occurrence of child sexual offending, which is owed to the low

reporting of child sexual offences in official police records and in research. Indeed, attaining a multidimensional understanding of this subject is important. It is for this reason that it is not possible to accurately determine the exact prevalence, yet it is still clear that child sexual offences are pervasive and pose a threat to harmonious communal living, health, and human rights protection in the South African society (Thomas, 1992).

In an attempt to navigate the dearth of research in this field, an understanding of the phenomenon and nature of child sexual offending has been influenced by knowledge of the adult sexual offending population (Bentovim, 1998). However, the recognition of the vast occurrence of child perpetrated sexual offences and the lack of information regarding this subject matter has inspired research aimed at understanding this population independently. The available literature makes it apparent that child sexual offending is a highly complex phenomenon that not only affects the children involved but indeed extends to family and community members and has the potential to contaminate society through the damage of familial and communal relations and interactions (Omar, 2010).

Studies attempting to gain insight regarding sexual offending behaviour suggest the presence of an interaction between certain social and psychological variables as core factors in the origins and development of the offending behaviour (Errington, 2009). Literature identifies individual characteristics that are prevalent amongst this group and their environments and uses this information to divide these factors into three domains. Firstly, the individual characteristics which are inclusive of low levels of social skills, previous enactment of nonsexual delinquent behaviour, inadequate school performance, low levels of impulse control, depression, and lack of access to sex education (Naidoo & Sewpaul, 2014). Secondly, the family environment which includes instability, experience of domestic violence, and being a victim of abuse (Naidoo & Sewpaul, 2014). While the abuse may take on any form, it is predominantly the exposure to physical and sexual abuse which characterises child sex offenders (Jespersen et al., 2009; Oates, 2007). Thirdly, the social environment which may include social isolation (Naidoo & Sewpaul, 2014). The presence of individual and social factors in child offending behaviour postulated by literature is also evidenced by findings of a study conducted by Omar (2010). Using a convenient sample of South African youth offenders from Johannesburg Omar (2010) reported that most of the participants were inclined towards being socially withdrawn, came from a lower socio-economic background, and had a strong paternal absence with a strong attachment to their mothers. International research highlights that child sex offenders display difficulties related

to school performance (O'Brien & Bera,1986); however, the nature of this relationship is unknown in South Africa. All of the aforementioned characterisations are exacerbated by the socialisation of boys into hypermasculinities of callous sexual attitudes (Gibbs et al., 2018; Mosher & Tomkins, 1988).

Researchers caution against viewing the child sexual offender population using a homogenous lens because child sex offenders are diverse (Hunter et al., 2003). Variations include the age and sex of the targeted victim, the use of violence during the perpetration of the offence, the presence, or lack thereof, of a history of delinquent behaviour, the socio-ecological environment in which the offending behaviour is enacted, and the perpetrator's psychiatric and developmental characteristics (Hunter et al., 2003; Omar, 2010). Therefore, when attempting to understand the nuances of child offending behaviour such as the causal factors, treatment needs, responses to treatment and the risk of recidivism, there needs to be an exploration and an identification of more heterogeneous characterisation of this population.

The recognition of a need to understand child sexual offenders in a heterogeneous manner is marked by a shift in research to the development of typologies of child sex offenders. A common point of differentiation is the history of sexual, physical, and psychological abuse victimisation (Artz, et al., 2016; Hunter et al., 2003). Other categorisation is in relation to the victim's age, yielding subgroups such as "child offenders" referring to victims who were much younger and "peer offenders" referring to victims of a similar age (Heighes, 2014). This approach resembles that which is preferred in literature about adult sex offenders, dividing them into groups of "paedophile" and "rapist" (Heighes, 2014). Personality styles and recidivism risk also form part of the points of differentiation. It is believed that differing personality types such as low conscientiousness, avoidance, aggression and impulsivity, commonly associated with delinquency in children, play a predictive role in child sex offending (Heighes, 2014).

The presence of heterogeneity suggests that there may be subtypes of child sex offenders with distinct developmental histories and behavioural patterns thus requiring unique intervention methods (Hunter et al., 2003). In order to understand, prevent and treat the child offender, it is important to build on the existing knowledge base regarding the risk factors of child offending in South Africa (Roestenburg & Oliphant, 2008). Thus, the differentiation or unravelling of commonalities is important to aid in the holistic understanding of child sexual

offenders and subsequently inform appropriate ways to respond to this group (Thomas, 1992). Therefore, an investigation of the characteristics of child sexual offenders has the potential to help better understand the motives behind offending and provide potential predictors of future offending. This could also help inform and tailor more appropriate intervention strategies (Marshall et al., 2008). The focus of this study serves to contribute to the understanding of the characteristics of child sexual offending in South African society.

When undertaking a study aimed at understanding the perpetration of sexual violence in South Africa, it is important to be reflective of South African society to a point of recognition that there is indeed something about the country that makes it permissible for high rates of sexual violence to occur. Gqola (2015) argues that sexual violence is a symptom of patriarchal power and cautions against the constructions of sexual violence as a perpetrator-less crime. Gqola (2015) adds that sexual violence ought to be acknowledged as an extreme act of aggression and power that is always gendered and enacted against the feminine body or other bodies that are perceived as weak. These observations and insights cannot be ignored as they link sexual offending to the role played by power dynamics in child sexual offending. An additional South African societal factor is the presence of excessive substance abuse amongst both the young and the old; substance abuse is cited by various authors as a contributor to violent behaviour (Mpani, 2015). Patterns of substance abuse of the parents of the child offender and the offender are reported by Crooks (2005). Research conducted on adult sex offenders reports an association of substance use with sexual crimes, and a history of chronic alcohol use dating from adolescence (Langevin & Lang, 1990). Illustrating the possible role of substance abuse in child sex offending, substances often serve as a catalyst in deviant sexual behaviour, acting both as a tool facilitating the realisation of sexual desires and/or a predatory sexual outlet (Langevin & Lang, 1990). Research reports during the COVID-19 pandemic examined the role of alcohol as a contributor to violence against women and concluded that whilst alcohol plays a crucial role, it is an enabler and that even in its absence violence against women remains (Nduna & Tshona, 2020). This work on the link between alcohol and gender-based sexual violence (GBSV) perpetration has some research gaps that need to be addressed.

1.2. Rationale

Research has made strides in eliciting important insights into the subject of sexual violence but there remains a rudimentary understanding of child sexual offending, in particular, from South Africa. Questions aimed at understanding the profiles and the

pathways of the development of engaging in sexually offensive behaviour by children and the maintenance thereof, have been asked, but remain important because definitive answers have proven difficult to find. Research investigating child sex offenders has focused on the development of rigid typologies of this population, which have been found to be helpful in demarcating subtypes of offenders.

However, it is important to remain cognisant of the way the existing literature on child sexual offending has been generated. Research yielding typologies was conducted using quantitative methods, sampling clinical data, focused on psychological diagnostic disorders, and using cluster analysis. The clusters which emerged include the following types: sexually aggressive, non-symptomatic, highly traumatized, rule breaker, and abuse reactive (Pithers et al., 1998). Many other authors such as Ryan (1997); Pratt and Miller (2010); Hall and Mathews (1997), and Webster and Butcher (2012) contributed to the research of sex offenders in the form of offering models and classification criteria. A common feature is the emphasis on the developmental appropriateness of the behaviour, the presence of certain behaviours as informative of whether the child's sexual behaviour should be classified as abusive, and the extent to which the behaviour is regarded as sexually intrusive. Given the above, previous research has concerned itself with asserting the existence of a universal difference between normal and problematic behaviour.

Although there may be strong evidence for the distinct empirical clusters. The shortcoming of quantitative research is that it relies on the use of variables hypothesized deemed to be important to distinguishing types of children with sexual behaviour problems, using empirical methods to derive an aetiology of the various types of children who engage in sexually deviant behaviour (Pithers et al., 1998). In addition, a common theme in the above criteria is less regard for the societal and familial context in which the child is socialized in as it isolates the act. Furthermore, given the complexity and uniqueness of each child, research pertaining to child sex offenders ought to recognise children's idiosyncratic experiences. This may be inclusive of the individual's mental state, personal needs, and context in which they live. It is important to go beyond identifying characteristics that will yield the classification of the child offender but to consider their context contributing to them as a whole person. The classification of child offenders is reductionist and purposely reduces the complexity of child sexual behaviour to simple notions that are accessible and usable by professionals working in this sector. In summation, this approach to understanding child sex offenders breeds a reliance upon the established categories.

Central to the efforts aimed at establishing an in-depth understanding of child sexual offenders is the need to shed insights on intervention programmes dedicated to serve this population. Generic child sexual offending intervention programmes are typically offered at either an institutional or community-based level, and include a focus on the assessment and treatment of deviant sexual arousal and interests, enhancing social skills and empathy towards the victim, improving impulse control and judgement, and correcting distorted sexual thinking patterns that justify and normalise sexual aggression (Hunter et al., 2003). Generic intervention programmes prevail during emerging cases and recidivism cases indicate that child sex offenders are a diverse population thus rendering the use of one generic intervention insufficient for meeting unique offender requirements.

The literature accessed when conducting this study indicates that a large sum of research pertaining to child sex offenders and child sexual behaviour is conducted in western societies. The dearth of local research on this topic creates a skewed knowledge base. The use of western samples reduces the generalisability and usefulness of the research findings as the African context differs sociologically from the western nations. Thus, great care needs to be taken in the transferring of knowledge and understanding regarding child sexual offending from varied contexts.

The current literature seeks to categorize child sex offenders, mostly for the purposes of aiding decisions regarding suitable interventions. There is a lack of literature which seeks to explore the complex nature of child sex offenders in order to contribute to science. It is important to shift from the conventional profiling of child sex offenders as this has the potential to depersonalise the child by the exclusive focus on their behaviour, yet child sexual behaviour requires consideration of individual and societal contextual focus (Webster & Butcher, 2012). Webster and Butcher (2012) propose that research conducted on this subject matter ought to adopt a developmental psychology approach.

Therefore, in the efforts to contribute to the knowledge gap, the current research argues that child sex offending needs to be understood considering varying factors including age related norms, family and societal context, in particular the South African context. An important function of research conducted in the discipline of psychology is to spearhead exploration into subject matter that require additional understanding and familiarity, which becomes valuable when the research is exploring a subject which is relatively unfamiliar or insufficiently studied. This function is particularly important on the topic of child sexual

offending, where there is sparse local qualitative literature currently available, particularly in formal scholarly discourse. As a result, there is a lack of rigorous knowledge which informs theory or interventions in South Africa. This research project is a response to this paucity of literature, in that it attempts to critically engage this sensitive topic. Without in-depth information to inform the planning and development of interventions, it is impossible for agents of the child protection sector to render well informed services. The study is an important contribution to narrowing the gap between understanding and implementation. An in-depth study of this subject matter will yield valuable contributions to literature, practice, policy development, judiciary affairs, and is valuable for the non-profit and non-governmental organisation sector.

1.3. Aims of the study

The aim of this study was to explore and gain an understanding of child sex offending with the view of making recommendations to inform intervention methods for children in conflict with the law. This aim was achieved through an analysis and integration of the various factors that literature has identified as contributors to the perpetration of sexual offences by male children.

1.4. Research question

This section introduces the three research questions to be answered by the present study:

1. What are the characteristics of children who have perpetrated sexual offences?
2. What societal contexts did the children who have perpetrated a sexual offence grow up in?
3. Is there a presence of exposure to common experiences amongst children who have perpetrated a sexual offence at different socio-ecological levels?

1.5. Objectives of the study

The objectives of the study were to:

1. Describe the profile of the referred child sex offenders using demographic information.
2. Describe the circumstances surrounding sexual offences.
3. Describe the societal context of the child sexual offenders.

1.6. Structure of the Research Report

This research paper is structured into a logical sequence of sections, as presented below:

Chapter 2 provides a background to the theoretical framework and outlines the definitions and legislature relevant to this subject. Chapter 3 reviews existing literature concerning child sexual offending. Chapter 4 describes the research methodology employed when conducting the research. Chapter 5 focuses on the findings of the study. Thereafter, Chapter 6 discusses the key findings of the study. The final chapter, chapter 7, provides the conclusion and the limitations of the study, followed by the recommendations for future research.

Chapter 2: Theoretical Concept and Key Definitions

2.1. Introduction

The objectives of this chapter are threefold: to define the key concepts used in the study, to provide an outline of the theoretical basis of the study and lastly to stipulate the contribution of the study to the discipline of psychology. The definitions used here are particularly with reference to the South African legislative context. In order to facilitate a clear understanding of the subject matter under investigation within the Johannesburg context, it is paramount to adhere to the way concepts are defined in South Africa. The South African justice system is also discussed in this chapter as a backdrop to better understand the context of the study, the research question, the data collected, and the analysis thereof.

2.2. Definitions and key legislation

A Child

In terms of the South African Constitution, the Children's Act 38 of 2005 as amended, the Child Justice Act 75 of 2008, and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 (ss 1-2), a child is a person who is below the age of 18 years (Children's Act 38, 2005; Child Justice Act 75, 2008; Constitution of the Republic of South Africa, 1996; Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 ,2007). The latter Act further stipulates that under certain circumstance, a person who is 18 years or older but below 21 years of age whose matter is dealt with reference to section 4 of the Child Justice Act 75 of 2008 is also referred to as a child. Essentially, a child is considered a minor.

In terms of criminality, the Department of Social Development and the Department of Justice clarify that a person below 10 years of age does not possess criminal capacity and therefore cannot be prosecuted for a criminal offence and must rather be dealt with in reference to section 9 of the Child Justice Act 75 of 2008. Furthermore, individuals between the ages of 11 and 14 years ought to not stand trial in a court unless it can be proven by the state, beyond reasonable doubt, that they have the developmental and moral capacity to differentiate between right and wrong. With regards to the above, within this study 'a child' will refer to a person who is 18 years of age or younger. This study will particularly focus on children between the ages of 11 – 18 years. It is noteworthy that the shortcoming of conducting research on a sample of children below the age of 14 is that the South African

legislation regards those that are below that age as lacking criminal capacity due to their lack of a full awareness of the magnitude of an offence. Therefore, in this regard care should be taken when considering the extent of intent in perpetration.

Child Sex Offender

A child sexual offender is a person who is under the age of 18 years who perpetrates one or more legally prohibited sexual acts. A sexual act may include (as outlined in the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007) non-contact or non-penetrative acts such as exposure and voyeurism, and contact or penetrative acts such as rape and sodomy (Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007). The child sex offender has also been defined as a person who is below the legal age who commits a sexual act with a person of any age without consent, or in a threatening, aggressive or exploitive manner (Ryan et al., 1987). This suggests that the victim of the child sexual offender may be an adult over the age of 18.

For the purposes of the current study, the term child sexual offender refers to a person who perpetrates a legally prohibited sexual act at the age of 18 years or younger (Rangasami et al., 2013). Additionally, within this paper the terms "child sex offender", and "juvenile sex offender" are used interchangeably. Juvenile refers to a child who has not reached the age of 18 years and who is not legally answerable for their criminal activities. Juvenile is a term often used in reference to young criminal offenders (Beger, 2004).

Sexual Act

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007, chapter 1, subsection 1-2, stipulates that a sexual act refers to an act of sexual penetration or an act of sexual violation. Sexual penetration refers to the penetration of the genitalia or beyond the genitalia, anus or mouth of another person, to any extent whatsoever. The definition does not make reference to a particular object, meaning that any object or body part inserted into or beyond the genitalia or anus of another person is also equivalent to sexual penetration. The term 'object' is stipulated with no elaboration or examples, which allows for the penetration of any object to be considered when considering a sexual penetration act. However, dissimilar to penetration by a genital organ, the insertion of an object into the mouth of another person does not equate sexual penetration (Omar, 2010).

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 further gives a detailed definition of a sexual violation as including any act which

results in direct or indirect contact between (1) the genitalia or anus of a person or the breasts of a female, and any body part of another person or object; (2) the mouth of one person and the genitalia or anus of another person or the breasts of a female and the mouth of another person; (3) causing sexual arousal or be sexually aroused by any object; and lastly (4) the masturbation of one person by another person .The current research adheres to this definition of a sexual act.

Sexual offence

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 offers a detailed definition of what legally constitutes a sexual offfence. For the purposes of this study, only those offences applicable to people 18 years and below, as per chapter 3 (ss 15-22) are relevant. The definition of a sexual offence encompases any illegal sexual act perpetrated by one person against another. The Act distinguishes between penetrative and non-penetrative sexual offences**.** A penetrative or contact offence refers to vaginal or penile penetration, digital penetration (fingers or foreign objects entered into the genital), and oral sex. A non-penetrative or non-contact offence refers to exhibitionism and exposure of children to pornography or their involvement in its production, flashing and voyeurism (Artz, et al., 2016; National Department of Health Policy Framework for Child Abuse, 2003; Omar, 2010).

Similar to the above definition of sexual offence, the World Health Organisation (WHO) includes an element of power dynamics which differentiates its definition. According to the WHO (1999) consultation on Child Abuse Preventions (62), child sexual abuse is defined as the involvement of a child in a sexual act that is not understood by them or for which the child is not at a developmental stage where they can give consent. Child sexual abuse therefore refers to the occurance of this activity between a child and an adult or a child and another child, who by virtue of age or development is in a relationship of power, trust and responsibility where the act is intended to fulfill the sexual desires of the perpetrator. The sexual act may take the form of (1) the coercion of a child to engage in a sexual act, (2) the use of a child in prostitution or other unlawful sexual endeavour, and (3) the use of a child in pornographic activity and content creation.

The signficance of consent and power dynamics during a sexual act is amplified by a definition given by Shaw and collegues (2000) stating that a sexual offence is a sexual act committed on another without informed consent, as a result of coercion or without equality.

Informed consent refers to the full understanding of the proposed act, the awareness of the possible consequences and knowledge of societal norms surrounding what is being proposed. Coercion refers to the exploitation of authority, the use of bribes and threats of force or intimidation in order to attain compliance. Lastly, equality refers to the shared level of power in a relationship, with no presence of control or coercion of one by the other (Shaw et al., 2000).

In this study a sexual offence refers to any instance of sexual coercion or sexual behaviour perpetrated by a child, which is deemed inappropriate by the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. More specifically, a sexual offence is any sexual act between a child and another individual, wherein a sexual act is perpetuated by and for the gratification of the perpetrator wherein the perpetrator is dominant in terms of age, emotion, physicality and/or mental capacity (Omar, 2010). This definition is inclusive of both penetrative and non-penetrative sexual acts which could, or do, cause sexual arousal or stimulation, in which a penetrative sexual offence refers to digital penetration, genital organ penetration, and oral sex. Non-penetrative sexual offence refers to a sexual act that does not involve physical contact, such as exposure of the child to pornography, their involvement in its production, flashing and voyeurism (Artz, et al., 2016; National Department of Health Policy Framework for Child Abuse, 2003; Omar, 2010).

Children's Act No. 38 of 2005

When embarking on research that pertains to children in South Africa, it is imperative to remain mindful of the rights of children pertaining to the protection of their well-being. This involves having a succinct understanding and acknowledgement of the Children's Act No. 38 of 2005. Established on the premise that children are a vulnerable population, the main role of the Act is to respect, protect and uphold the rights of children outlined in the Constitution and to ensure that the best interests of children are upheld in every matter concerning them. Furthermore, children ought to be treated with dignity, fairness and without any form of discrimination (Children's Act 38, 2005).

The Children's Act (No.38 of 2005) outlines numerous objectives which it has been established to fulfil. The objectives identified as fundamentally relating to the various aspects of this research are as follows: (1) to make provision of structures, services and resources for the promotion and monitoring of the physical, intellectual, psychological and social development of children, (2) to develop and strengthen community structures that can help in

providing protection and care for children, and (3) to guard against the discrimination, exploitation, physical and emotional harm of children.

The Children's Act (No.38 of 2005) plays a fundamental role in matters concerning child sexual offenders, particularly when considering the best interests principle. This principle acknowledges that children are in an ongoing developmental process and capable of change. Fundamentally in need of adequate nurturing and guidance to facilitate full personal and moral development (Criminal Law (Sexual Offences and Related Matters) Amendment Act: Constitutional Court judgements, 2014). This speaks to both the contextualisation, as well as to the reformability of the child offender. Therefore, throughout this research, the researcher was mindful of the aforementioned objectives.

When taking into consideration children, there are specific systems and institutions tasked with the safety and well-being of children. Such systems are put in place to protect the rights of children; however, they may inadvertently perpetuate conditions which make it possible for child sex offences. Thus, upon offending, the child is subjected to the course of action described below.

2.3. The South African Justice system

Child Justice in South Africa

In the efforts to adequately treat and combat child sexual offending behaviour, the South African national legislation and policy have made strides in the effort to put in place the appropriate modes of interventions for child sexual offenders. The newly established policy and legislation places emphasis on assessment and intervention that takes into consideration the rights of children in conflict with the law including victims and the need for the diversion of children away from the criminal procedures (Omar, 2010). It is for these reasons that interventions for child perpetrators are an important and specialised field grounded on the principle of the Children's Act No.38 of 2005, particularly the obligation to uphold the best interests of the child. This field is inclusive of preventative, early intervention and rehabilitative modes of intervention. Another principle guiding interventions for child sexual offenders is restorative justice (Mbambo, 2005).

The Judicial procedure of dealing with children who are in conflict with the law involves various phases, of which will be partially discussed below with special attention to the phases pertaining to diversion as this is relevant for this study.

The arrest

The process of arresting of children who are in conflict with the law is stipulated in section 20 of the Child Justice Act (No. 75 of 2008). The section outlines that in a situation of arrest, the child ought to be adequately informed of the allegations against them and of their rights. This needs to be followed by informing the parent or legal guardian of the child about the arrest. If the primary caregiver of the child cannot be reached, the presiding officer in the inquiry needs to be informed accordingly. Upon the arrest, the officer is required to inform the probation officer regarding the arrest procedurally. Proceeding from this stage is that of screening and assessment (Diamond, 2016).

Screening and assessment

The process of screening and assessment adheres to a systematic approach which involves the process of collecting key information pertaining to the circumstances of the accused which include: the child, the family, circumstances of the offence, the impact of the offence on the victim, and the attitude of the accused child to the offence. The process of assessing in this nature is also to assist the probation officer to decipher whether the child needs care and protection, as per outline of the Children's Act. In addition, the probation officer utilises this process to gauge the relevant procedure to be followed in regard to the age of the child and the child's criminal capacity (the parameters of criminal capacity have been previously discussed within this paper). The assessment process serves to ensure that the courts make an informed decision (Diamond, 2016).

The assessment process extends to post-referral for intervention, where assessments are conducted in routine intervals such as during every contact with the child. These assessments are intended to provide the probation officer with a longitudinal overview of the offender's adjustment, compliance, and progress in order to provide comprehensive feedback. Attaining this information has direct implications on case management.

Restorative Justice

Restorative justice is the preferred method of approach when dealing with children who have committed an illegal act. The application of restorative justice is on the premise that it has the ability to bring about restoration within societies and to protect the child from the harsh environment of criminal proceedings and correctional facilities ensuring that the best interests of the child are considered (Diamond, 2016). Restorative justice seeks to rehabilitate offenders and grant them another chance in life. It involves the offender taking

responsibility for the offence committed and the offender then being reintegrated back into society safely, this process often involves the victim and their family. The principles that govern restorative justice are as follows: (a) offender taking responsibility; (b) community reintegration and protection; (c) preventions of recidivism; (d) reduce justice systems heavy caseload; and lastly (e) to provide for the needs of the victim that have been identified (Mbambo, 2005). Restorative justice is executed primarily using diversion, family group conferencing and victim offender mediation. A brief description of the types of restorative justice is discussed below, with emphasis placed on diversion as it is the most relevant to the current research.

Diversion programme

Diversion programmes rose to prominence as a result of advocacy for the rights of children in the South African Constitution, Children's Act No. 38 of 2005, and Child Justice Act No. 75 of 2008. All of these legislative frameworks echo that any decision made in relation to a child should protect the child and ensure that the best interest of the child is upheld. As defined by the Child Justice Act 75 of 2008, diversion is constituted by the diverting of matters involving children who have perpetrated an illegal act away from the formal criminal justice system. This features as a central aim of the Child Justice Act 75 of 2008. Diversion is concerned with dealing with a child offender outside of the formal criminal proceedings and prevent the child from attaining a criminal record. Diversion programmes form an integral part of the promotion of more humanitarian and less stigmatising responses to address child offence in South Africa, as expressed in the Child Justice Bill 49 of 2002.

Since establishment, diversion programmes have grown to employ diverse strategies that encourage positive social thinking and behaviour, encourage accountability and responsibility in the child, with the intent to foster the child to be accountable for the consequences of his or her offence, and to attend to the individual needs of the child. Diversion programmes attempt to create a platform for all those affected by the offence, including the family and community to express their views of the impact of the offence on them. In addition, to guard against the stigmatisation of the child and the negative consequences that flow from being subject to the criminal justice system, and ultimately to promote the reintegration of the child into his or her family and community. The Child Justice Act proposes three levels of diversion options, the two relevant to this study are outlined below.

Level one diversion is inclusive of a short-term intervention, with referral to be made for schedule 1 crimes. For example, the provision of some service or benefit by the child to a specified victim.

Level two diversion involves a more intense programme, with referral to be made for schedule 2 and 3 crimes. These run for a longer period and are facilitated by specialists. For example, compulsory attendance at a specified centre or place for a specified vocational, educational or therapeutic purpose, which may include a period or periods of temporary residence.

Diversion programmes also aim to reduce the potential for recidivism and to promote the dignity and well-being of the child offender, as mandated by the Child Justice Act 75 of 2008. According to differentiations provided in Rangasami and colleaagues (2013), the different models employed by diversion programmes include:

1. Developmental life skills and life centre models which are inclusive of programmes that include extensive life skills education that focus on topics such as crime awareness, gender and sexuality, conflict resolution, leadership skills, communication skills and personal awareness and growth.
2. Peer and youth mentorship models which intervene through the utilisation of peer and adult mentors from the community. Upon selection from the community, the mentor is paired with a child offender.
3. Adventure therapy model, which are programmes that offer therapeutic, educational and leadership support using outdoor experiential learning.
4. Vocational skills training model, which are programmes that offer vocational and entrepreneurial training and often target school leavers.
5. Restorative justice models, which are programmes that involve victim-offender mediation activities and family group conferencing.
6. Counselling and therapeutic models, which are programmes that are inclusive of extensive counselling aimed at changing apathetic social beliefs and behaviours.
7. Family-based model, which are programmes that intervene at the family level and offer the whole family intensive support, guidance, and treatment.

8. Creative models, which is inclusive of programmes that use the creative arts (painting, dance, and drama, music) to teach positive skills to modify behaviour.

9. Combination model, which is inclusive of programmes that combine varied modes of intervention such as family support, life skills training and vocational skills training.

The Child Justice Act further outlines the conditions for a child to be considered and recommended for diversion. The following criteria ought to be met: the child accepts responsibility for the offence, the child has not been influenced to accept responsibility, the child or the child's parent or legal guardian consent to the diversion, and the prosecutor recommends diversion. The precise steps taken to refer a child in conflict with the law to a diversion programme are discussed below.

Referral for diversion

The magnitude of crimes committed are classified into three schedules. A schedule one offence is considered as a less serious crime and includes petty theft, malicious damage to property and common assault. Schedule two offences include public violence, culpable homicide and housebreakings. With crimes considered as most serious categorised within schedule three, these crimes are inclusive of rape, possession of firearms, and murder (Diamond, 2016). According to chapter 8 of the Child Justice Act (75 of 2008) diversion ought to be considered for a child who has been accused of a schedule one offence. Although all children may be considered for diversion instead of being tried at court, provided that the child acknowledges culpability for the crime (Mbambo, 2005; Omar, 2010). However at Thusang Bana[1] (the research site of this project), children who are considered high risk are referred for institutional care in a secure facility as they are considered to be less suited for diversion programmes because of the severity of their risk profile (Omar, 2010).

Therefore, in relation to referral to diversion, it is the director of Public Prosecution that may recommend that the matter be diverted (Omar, 2010). However, if the probation officer has not completed the assessment and has not presented the child and the case to the prosecutor in the inquiry, the probation officer may recommend that the child attends diversion.

[1] Pseudonym

Victim offender mediation (VOM)

Victim offender mediation (VOM) forms part of the devices used for restorative justice for child offenders. It particularly refers to the organisation of a dialogue which will be facilitated by one or two mediators. The key objective of VOM is to provide a safe space for both the perpetrator and victim to come together and communicate their emotions and needs with one another (Diamond, 2016).

Family group conferencing (FGC)

Family group conferencing (FGC) refers to the act of involving people who are connected to both the victim, offender, and the community actors. This takes place in the form of an organised meeting, where the planning and decision regarding the child offence is made and a suitable verdict and the appropriate reparations for the victim are decided. In summation, FGC is to make collective efforts to restore the position of the victim, while not hindering the development of the offender (Diamond, 2016; Omar, 2010).

Incarceration

In relation to the incarceration of child sex offenders, the court ought to consider important rights and factors which include that the best interests of the child must be upheld and that children must not be imprisoned unless imprisonment cannot be avoided (Terblanche, 2012). In situations where the court deems child sex offenders a danger to society, the child stands trial in a child justice court and the court sends the offender to a more secure care facility and they are imprisoned in this facility. The sentencing in a child justice court (any court involved in the criminal procedure of South Africa dealing with bail application, pleas, trial and sentencing are child justice courts when they are required to apply the child justice act) (Terblanche, 2012) is regulated by chapter 10 of the Child Justice Act 75 of 2008.

2.4. South African Justice System and reporting of child sexual offending

The South African justice system, as highlighted above, requires a victim of a crime to lay a criminal charge against the perpetrator, an avenue which involves the South African Police Services (SAPS). It is not unfounded that there is minimal faith in the SAPS as a means to acquire justice (Burger, 2011; Gopal & Chetty, 2006). In addition, the South African Constitution gives allowance for the use of traditional courts, headed by traditional leaders, entrusted with the resolution of the matter as they deem fit (Constitution of the Republic of South Africa, 1996; Mungwari & Stofile, 2019). This process may or may not

lead to criminal procedures. Both of these factors possibly lower the reported number of occurrence of child sexual offending in SAPS statistics (Smallbone & Marshall, 2014).

2.5. Theoretical Frameworks

It is important that, in a study investigating child sexual offending behaviour, the sexual act neither be ignored nor viewed in isolation. Considering that the perpetrator interacts with various societal contexts such as family, school, church, etc… All of which produce unique stressors and traumas such as exposure to abuse, neglect, and other contextual risk factors. The importance of the consideration of these various modes of influence and learning that the child may be subjected to is apparent. Kramer (2014) explains that the personhood is not a product of biological predisposition, rather it is a product of cultural and interpersonal relations that have the power to create subjects. Thus, in the bid to move away from the use of a single reductionist theory to elucidate child sexual offending, the research employed three frameworks that are believed to be relevant lenses when investigating this population and behaviour. The following three frameworks have been employed: the theory of Social Learning, the Sociocultural Cognitive Theory, and the General Theory of Crime.

Social Learning

The theory of social learning stems from behavioural theories. Behavioural theories hold that humans predominantly learn what can be directly or indirectly observed or measured (Santrock, 2013). Albert Bandura, an American psychologist, is the architect of the social learning theory. In the developmental stages of the theory, Bandura reviewed theoretical components and empirical evidence which proved to support the social learning theory. In his seminal work he proposes that cognitive processes rely heavily on observational learning, which is also termed modelling (Bandura, 1963). Observational learning states that behaviour begins with the witnessing of an act, which becomes imprinted in the memory and subsequently modelled by a child. This extends to patterns of verbalised thoughts and expressed emotions of people modelling the behaviour. Bandura hypothesised that successful observational learning is reliant on the presence of the following processes: attentional process, retention process, production process, and motivational processes. However, each of these processes is affected by the individual's developmental process (Burton & Meezan, 2004).

The attentional process refers to the magnitude of attention paid to a modelled event and to the person modelling the behaviour. The attentional process is altered, enhanced or detracted from, based on the characteristics of the model or the modelled event. In addition, the increased prevalence or frequent exposure to a modelled behaviour may increase the likelihood of learning (Burton & Meezan, 2004). Furthermore, if the observer sees that the model is rewarded for the behaviour, this heightens the potential of learning the behaviour. Lastly, models who are attractive or important to the child observer, and those who can engage the child, are likely to be stronger models. Similarly, those who the child spends more time with become influential models (Burton & Meezan, 2004).

The retention process refers to the factors involved in the incorporation of the information of a modelled behaviour. Following acquisition, the behaviour is retained in the memory and used as a comparison template in order to guide the reproduction of the initially observed behaviour (Burton & Meezan, 2004).

Proceeding the attentional and retention process is the production process. The production process entails the child attempting to match the behaviour the child seeks to enact, with the behaviour previously observed.

Finally, is the motivational process, in which three types of incentives for the behaviour have the potential to serve as motivation for the behaviour: direct, vicarious, and self-generated. Direct incentives are those that a child receives for undertaking the previously modelled behaviour, vicarious incentives are rewards which a child sees another person receive for the behaviour and assumes that they will receive for behaving in a similar manner, and self-generated incentives are the affect the child feels which yields as a result of enacting the behaviour (Bandura, 1971).

Children may not only learn a behaviour but may also learn the verbalised thoughts and interpretations of motives associated with the behaviour. Such verbalised thoughts and interpreted motives may then guide or alter the child's thoughts and thought processes, which may be a necessary condition for the child to learn the behaviour. Bandura's latter work proposed that the model of learning is inclusive of three elements, namely: behaviour, the person (cognition), and the environment (Bandura, 2004; Burton & Meezan, 2004).

There are several generally recognised societal beliefs and customs that have strong logical connections to the phenomenon of social learning (Bischof & Rosen, 1997). These include messages implicitly and explicitly delivered through media, family pride, cultural

prescriptions, patriarchy and other societal structures that associate masculinity with sexual prowess and sexual aggression is seen as a way to express power. Thus, in a society like South Africa, it is important to note the excessive levels of violence, used especially as a way to keep "subordinate" groups (such as females and children) in check (Bischof & Rosen, 1997) and the high rates of Gender-Based Violence, inclusive of rape (Gqola, 2015).

Indeed the social learning theory has held prevalence over other etiological concepts for sexual deviant behaviour (Burton & Meezan, 2004). However, the manifesting sexually violent behaviour is more complex than the mere expression of observed behaviour. Further limitations of this theory include that it was not tried and tested in a South African context. South Africa has a unique social context thus would benefit more from a context specific analytic tool. In addition, the theory has been criticised for the lack of acknowledging developmental stages (Santrock, 2013). This is a failure to outline the way children from different age groups perceive a stimulus. It is because of these limitations that the social learning theory is used in this study only where it reasonably fits as an analytical lens to the understanding of child sexual offending behaviour.

Sociocultural Cognitive Theory

Lev Vygotsky from Russia, in his seminal work (1962) proposes that children actively construct their knowledge, ascertaining that factors such as culture and social interactions are key guides in cognitive development. Essentially, cognitive development involves learning the use of societal tools such as language, memory strategies and more. Thus, the individual will assimilate to their socio-cultural norms, meaning that the child's development is inseparable from social and cultural activities (Santrock, 2013). An important concept in the theory is the zone of proximal development, referring to the difference between what a person can achieve when acting alone and what the person can accomplish when acting with the support of others and/or cultural constructs. In essence, when people work together, they co-construct context, which aids the emergence of greater expertise (Lantolf, 2017).

In the context of sexually deviant behaviour in a child, the acquisitions of the necessary behavioural inhibitions over sexual behaviour and violence is seen as reflective of the sociocultural context in which the child co-constructs and acquires knowledge of behavioural norms. Albeit that the household is the primary influence during childhood, factors outside of the household become progressively more important as the child grows up and so various other factors begin to play an influential role in the conveying of socio-

cultural messages. The South African socio-cultural structure is based on notions of patriarchy which may be influential in boys feeling the need to assert dominant masculinity.

A General Theory of Crime

Michael Gottfredson and Travis Hirschi, coined A General Theory of Crime (1989; 1990), [which has been newly renamed the "self-control theory" (Geis, 2000)]. The theory has been proposed to facilitate the understanding of all crime and socially unacceptable behaviour across various contexts. Gottfredson and Hirschi (1990) define a criminal act as a trivial act aimed at satisfying the perpetrator's desires at that moment. Secondly, criminal acts are those actions which exercise force and/or coercion in the pursuit of self-interest.

A General Theory of Crime places emphasis on the concept of self-control, asserting that low self-control is the sole cause of criminal and delinquent behaviour. This is because people who lack self-control tend to be impulsive, engage in physical risk-taking behaviour, and are short-sighted. Whether an individual engages in crime or not may depend on individual circumstances and opportunities but it is their predisposition to low self-control that is the impetus to commit the crime (Hirschi & Gottfredson, 1994 cited in LaGrange & Silverman, 1999). According to this theory, the level of self-control is determined in early childhood and does not change throughout the course of life. Thus, ineffective parenting practices are cited as the main factor determining the level of self-control. Therefore, in order for parents to ensure that children acquire the adequate level of self-control, the parents ought to: (1) monitor the child's behaviour, (2) recognise deviant behaviour when it occurs, and (3) punish deviant behaviour (Gottfredson & Hirschi, 1990).

The theory has received criticism because different categories of crimes exist, varying from "rare", and 'complex", and "difficult"; corresponding to schedule one, two and three, with studies investigating the theory indicating that self-control is an important, but not the sole, cause of criminal behaviour (Buker, 2011). It can be argued against assertions that the level self-control is merely a product of parental influence as it is also determined by biological factors, family structure, religious involvement, school and social structure (Buker, 2011). In addition, this theory is limited in that it does not seem to take cognisance of the fact that crime is socially constructed and varies across place and time.

2.6. Contribution to the discipline of Psychology

Traditional psychology norms of theorising and treatment in the area of child sexual offending suggest the following individual factors as risk factors for child offending:

genetics, cognitive factors (such as poor cognitive development), emotional factors (such as high behavioural activation and low behavioural inhibition), and social characteristics (such as socio-economic context and societal norms) (Wasserman, et al., 2003). Traditional psychology states that factors such as birth complications, temperamental difficulties, sensation seeking, and hyperactivity are risk factors for delinquent behaviour. Attention and Hyperactivity Disorder (impulsivity), Conduct Disorder, Dissociative Disorder, cognitive distortions (offenders think about victims in distorted ways and that these beliefs facilitate and maintain their offending behaviour ways), and Anti-Social Personality Disorder are associated with the genesis and maintenance of child sexual offending. In addition, emphasis is also placed on early onset antisocial behaviour as a predictor of prospective delinquent behaviour. Antisocial behaviour is often manifested by oppositional rule violation and aggression (Wasserman, et al., 2003).

It can be deduced that traditional psychology seeks to explain child sexual offending behaviour through isolating the behaviour and pathologizing child offenders. This stance suggests that child offenders commit a sexual offence because they have certain psychological qualities that make them prone to commit a sexual offence (Lynam, et al., 2000). However, as Tonry and colleagues (1991) noted, "Most Individual-level research is inadequate because it neglects variation in community characteristics, while community-level research fails to take account of individual differences" (p. 42). This highlights the significance of viewing behaviour from the individual, familial, communal and societal contexts. This aligns with the current line of research that aims to help shed light on the mechanisms that underlie child sexual offending behaviour in various contexts. This form of understanding is essential in order to inform intervention strategies both at a preventative and curative level using psychology. This is an important advancement as it aligns with the call for a psychology that is cognisant of broader socio-political conditions related to South Africa and moves beyond individual sessions in a consulting room to a focus on the community and society at large as a unit of intervention (Pillay, 2003). The current research advocates for the cause and significance of Community Psychology. Community Psychology operates from the following principles: social justice, collectivist approach to intervention, equality and accessibility (Maseko et al., 2017).

2.7. Conclusion

This chapter discussed the concepts and legislative terms necessary in this study, the frameworks which are employed as lenses in the study and further provided an outline of the

contribution of the study to the discipline of psychology. The use of legislative definitions has been brought to the fore to buffer against ambiguous definitions in trying to locate the child sex offender. Furthermore, the research employed three frameworks to counter the limitations of the use of one theory to explain complex human behaviour. Lastly, the chapter located the relevance of the study within the discipline of psychology.

Chapter 3: Literature Review

3.1. Introduction

The concern about the limited research on children who perpetrate sexual offences has grown in South African society. This creates awareness of knowledge gaps for organisations working in the child protection and violence prevention sectors. The growth in concern is accompanied by a growth in the explanations for the aetiologies of these offences. Thus, when conducting a study on child sexual offending it was important to explore literature pertaining to the factors proposed to be of relevance to these offences.

This chapter provides an overview of literature pertaining to the current study with the aim of locating research on child sexual offending. The literature review was conducted in the following manner: the researcher accessed literature using Google Scholar, Academia.edu and the Wits Library Databases (Sage Publisher, Taylor and Francis, Routledge, and so on). In order to delve into the topics of interest, the researcher used the following phrases to search for relevant literature: child sex offender, juvenile sex offender, children who commit sexual crimes, children who commit crime, diversion programmes, child sexual offending versus play, types of child sex offenders, rape culture in South Africa, protective factors against juvenile offending, family structure in South Africa, and South African urban township. This literature search yielded broad results which the researcher read through to decipher relevance to the current study.

Literature has identified various influential factors across the ecological systems children are embedded in that may function as contributing factors in child sexual offending behaviour. These identified factors, as discussed below, seek to illustrate the reasons why a child would be at risk of committing a sexual offence. However, literature indicates that there is no single clear reason but multiple contributing factors that when a child is exposed to, may increase the risk of the child perpetrating a sexual offence. Therefore, children who commit sexual offences may be characterised by exposure to all or some of the risk factors.

3.2. Child sexual offending in South Africa : the sociocultural context

3.2.1. The South African society

There is a concerning prevalence of sexual crimes perpetrated by children in South Africa. The Optimus Study (2016) informs us that half of the adolescent participants of the study had experienced sexual violation by another child below the age of 18 years. According

to WHO (2009), high prevalence of sexual violence in a country may be due to the extent in which there is acceptance of interpersonal violence within the society. This explanation is of relevance to South African society when considering that the normalisation of interpersonal violence is a prominent feature in the country. This is to the extent that particular forms of violence are perceived as acceptable ways of conflict resolution, attainment of power, and appropriate punishment (Roestenburg & Oliphant, 2008). Indeed, the experience of community and domestic violence is regarded as a significant contributing factor to child sexual offending which is fundamentally concerning considering that in the Johannesburg, South African context, approximately 68% of children are exposed to violence within their communities and approximately 21,8% are exposed to domestic violence within their homes (Rangasami et al., 2013). Additional social norms that play an influential role in the prevalence of sexual offending are attitudes that support rape and reward violence (Petersen et al., 2005).

The above influencing factors (exposure to community and domestic violence) are perpetuated by intergenerational transference of behavioural norms. This is evidenced by the way boys are socialised from a young age to adopt a patriarchal notion of masculinity, which perpetuates unequal gender relations. This socialisation is enacted through various attempts to enforce control and discipline over women's bodies. Boy's attempt to assert authority is often manifested by means of sexual violence (Gqola, 2015).

3.2.2. The South African urban township context

The urban patterns in South Africa continue to resemble apartheid urban planning policy and spatial frameworks which enforced restrictions over settlement patterns based on race (Christopher, 2001). The South African urban township is particularly a site embodying the legacy of apartheid and of the past economic and social inequality. It remains de factor marginalised; occupied by oppressed groups, particularly in the form of race and class, are residents. The township has been formally defined as a physical location characterised by crowded housing and the lack of access to resources and services for its residents (Centre for the Study of Violence and Reconcilliation [CSVR], 2009). It is infiltrated with violence, crime, substance abuse, poverty, minimal access to resources and high population density. The recreational activities available to township residents include street bashes, street dancing, gang membership, playing games, drinking in shebeens, and listening to music (Swartz, 2009). The challenges faced by township residents include the lack of job opportunities, high rates of school drop-out and substance abuse (Dietrich et al., 2013). A

study conducted by Swartz (2009) investigating South African township youth concluded that young people living in such enviroments may "lack the physical, mental and emotional resources to act on what they believe to be the good they aspire to be" (p. 104). Therefore towship youth may be prone to perpetuate the behaviour that they are exposed to, such as violence, substance abuse and gang membership.

3.2.3. Race and sexual offences

Race, racism and racialised identities are a significant factor in South African life. In this study, race refers to the demarcation of South Africans into Africans, Whites, Coloureds, Indians and Asians (Erasmus, 2012). Race is often linked to socio-economic class because there is an overlap between race and economic inequality in South African society given the persistent levels of inter-racial inequalities owing to the country's apartheid legacy (Meiring et al., 2018). The socio-economic divide in the country translates to the lack of accessibility to economic, social, housing and educational resources for African people (Meiring et al., 2018). There exists minimal research that solely reports on the association between race and sexual offences in South Africa. The research generally alludes to the lower socio-economic status and the heightened risk of delinquent behaviour (Omar, 2010).

3.2.4. Class and sexual offences

The diminishing of apartheid legislation that enforced racial segregation has not been met with widespread racial integration. In fact, a new form of segregation emerged, dividing South Africa on levels of class and income (Christopher, 2001). The extensive divide has resulted in South Africa being reported amongst countries with high socio-economic inequality (Keeton, 2014). The levels of inequality have implications on the livelihood of South African children. There is consensus in research that young sex offenders tend to come from lower socio-economic backgrounds (Booysens, 2003; Omar, 2010). Within the South African context, this association is supported by research conducted by the Department of Social Development (2008) which looked at a sample of young crime offenders. The results of the study yielded that the common features in the lives of children that live within a low socio-economic class are parents' unemployment, poverty, lack of access to quality education, and violence in and outside the home. This is important because the communal context in which a child is raised in largely dictates what the child is exposed to. The exposure of a child to contexts in which crime is normalised, situations that lead to the breakdown of social moral, and an overall negative environment leads to negative behaviour.

In this instance and relevant to the current study, growing up in a violent community may increase the child's likelihood to engage in violent behaviour (Roestenburg & Oliphant, 2008). It is therefore not surprising that it is common that children who have been found to be in conflict with the law are from low and violent socio-economic neighbourhoods, considering that they are exposed to violence and victimisation, and that child offenders are more likely than other children to have witnessed extreme levels of violence (Booysens 2003; Omar, 2010).

There is also a high prevalence of what is stereotyped as a minimally present parenting style in low socio-economic communities which is attributed to poverty. This may be the case because parents from a low-socio-economic class often have to leave their children for lengthy periods of time to secure employment and generate income. This pattern is widely common for African fathers – bread winners- who are rarely at home, inevitably contributing to the problem of poor parental monitoring of children (Petersen et al., 2005). Findings from studies of childhood exposure to domestic violence consistently report that children raised in disadvantaged families are at a higher risk of offending (Wasserman et al., 2003). However, this research does not exempt children raised in affluent families from sexual offending behaviour. Indeed, child sexual offenders are found in every socio-economic class (Robertiello & Terry, 2007).

3.2.5. Harmful social norms

The presence of harmful social norms and gender discrimination is a risk factor for sexually violent behaviour. In South Africa harmful social norms include gender discrimination, which manifests itself in rape culture amongst other things (Gqola, 2015). Rape culture works to manufacture female fear which is part of a mechanism that is used to make females complacent to the pervasiveness of sexual violence (Gqola, 2015). Another glimpse of the role of gender discrimination and harmful social norms is brought forth in the general sexual behaviour displayed by child offenders, which involves strategies of offending that include coercion, intimidation, manipulation, force and secrecy (Bowman & Brundige, 2014). The victims that they target are often younger, female, physically weaker, and somewhat at a disadvantage to the perpetrator (Hansen-Hamburger, 2015). Indeed, the strategies employed by child offenders clearly display an awareness and use of gender power.

The next section reviews literature on the following risk factors: Adverse Childhood Experiences, family backgrounds, single parent headed families, early childhood trauma, self-

esteem and education. In regard to age as a risk factor, some researchers propose that age functions as a risk factor for both female and male children, with a younger age posing greater risk and longer abuse (Hansen-Hamburger, 2015). Turning to the relationship between the perpetrator and the victim of choice, long gone is the assumption of "stranger danger". Sexual abuse by childen is most likely to be of victims known to the individuals (Makoae et al., 2009).

3.3. Risk Factors

3.3.1. Adverse Childhood Experiences

It is well documented in literature on childhood that exposure to trauma and maltreatment during childhood exerts a negative impact on a person's health, behaviour, psychological development, and well-being (Chapman et al., 2004; Duke et al., 2010). The various forms of maltreatment and sources of trauma have been coined Adverse Childhood Experiences (ACE). ACEs refer to distinct childhood experiences that are identified as risk factors that increase the odds of physical and psychosocial problems as the individual grows. The identified factors include physical abuse, physical neglect, emotional abuse, emotional neglect, sexual abuse, domestic violence towards the mother figure, the presence of substance abuse within the household, the presence of people diagnosed with psychological disorders, formal parental separation or divorce, and having an imprisoned family member (Baglivio et al., 2014). These factors are identified as interrelated and exert a negative cumulative effect.

Research conducted in Florida, USA using a cohort of youth offenders revealed that the presence of a history of exposure to ACE components increased their likelihood of exhibiting violent and pathological behaviour (Fox et al., 2015). In addition, criminal populations, including sexual offenders, are more inclined than the general population to have a history of exposure to early trauma, with child sex offenders reported to be twice as likely to have been a victim of cumulative forms of maltreatment and family dysfunction (Levenson et al., 2014). It is evident that ACEs play a role in the development of negative behaviour. It has also been revealed through research reviewing the scores of people assessed using the ACE assessment that there exists a high correlation between obtaining a high score in the exposure to one of the various forms of ACEs and engaging in risky sexual behaviour and poor education outcomes (Fox et al., 2015). Sexual abuse, physical abuse, and neglect are identified as common ACEs among sex offenders (Levenson et al., 2014).

Indeed, research concerning ACEs informs us that the exposure to adverse experiences during childhood is associated with poorer physical health, mental health and behavioural outcomes. The various forms of ACEs are a contributing factor to social, emotional and cognitive impairment that incite high risk behaviour (Levenson et al., 2014). Although the aforementioned studies were conducted using samples from the global north, they remain relevant to the current study as they highlight the significance of exposure to ACEs in the enactment of harmful behaviour. Thus the understanding of ACE factors serves as a source of conceptualisation of child sexual offending behaviour as literature suggests that childhood trauma and adversity significantly increase the likelihood of an individual engaging in serious and violent offending (Fox et al., 2015). The various harsh conditions of exposure as a child that can lead to sources of childhood trauma associated with child sexual offending behaviour are discussed further below.

3.3.2. Family background and sexual offences

Literature is unanimous in proposing that the family plays a crucial role in the aetiology of adolescent sexual offences. Farineau (2016) reports about the significance of the relationship between delinquent behaviour and the child primary caregiver relationship, finding that the presence of a more positive relationship with a caregiver could serve to reduce sexual misconduct or serve as a positive barrier against the involvement in delinquent behaviour for children. What follows is an overview of significant family variables associated with sexual offences and some notions about how family variables may interact with individual characteristics and other intra-systemic factors.

Overall, studies in the field of child offending behaviour show that inadequate child-rearing practices, child maltreatment and family discord, are associated with early onset criminal behaviour. The most frequently reported features of the family context of child offenders include sexual abuse, neglect, frequent punishment, alcoholism, aggressive behaviour by the parent, fathers who engage in criminal activities, and unaffectionate parents (Marshall & Barbaree, 1990). Children who are subjected to these conditions more often than not internalise aggressive behaviour as a way of resolving conflicts, inevitably repeating the pattern of violence and abuse against their peers (Artz et al., 2016).

The family context of children with behavioural problems are found to be more likely to engage in conflicts involving discipline and the unintentional reinforcement of negative behaviour. What has been identified inadequate parenting practices are a strong predictor of

early onset of offending behaviour. Parenting practices that are predictive include poor supervision and high levels of parent-child conflict amongst others (Wasserman et al., 2003). In addition, unstable home environments (such as frequent change in parents residential and romantic partnerships) are reported to be infiltrated with unusual occurrences such as sibling incest, parents with sexual pathology, child exposure to sexual interactions of parental figures, and sexually deviant behaviour of parents. The exposure of a child to the aforementioned home situation is identified as a contributing factor to the learning and enactment of deviant sexual behaviours (Kobayashi et al., 1995).

There is agreement in literature regarding the role of the family background in child sex offending. These commonalities include conditions that compromise the quality and quantity of parental supervision that the child receives, such as in the case of absent parents due to work purposes, reoccurring parental withdrawal, or single parenthood (Roestenburg & Oliphant, 2008). Exposure to compromised parental care is associated with emotional deprivation for children. Children who have parents that are rejecting are more prone to not form an emotional attachment to their parents and be emotionally vulnerable. Both conditions of poor parental monitoring and emotional deprivation are areas that may have deleterious consequences for children and the behaviour they choose to engage in (Ullmann & Hilweg, 1999).

However, it is important to note that literature in this subject often accounts for hegemonic notions of parenting often found in western societies; involving significant time and energy expenditure (Elliot et al., 2015; Raffeata, 2015). The transposition of western notions of parenting does not take into consideration the context of African countries. Parents in African countries live in conditions of duress. These conditions do not always allow for parenting that employs time and energy expenditure, and affectionate touch to demonstrate love, care, or fondness (Jakubiak & Feeney, 2017; Raffeata, 2015). Thus, it is important to exercise discretion in the subject of parenting. Furthermore, the current study notes the conditions of duress that play a detrimental role in parenting such as work commitments and single-parenthood which is discussed below.

3.3.3. The single-parent headed family

The South African society has a large proportion of single-parent headed families, it is estimated that 37.9% of these households are headed by women (Bosh & Barita, 2020; Du Toit , 2012). The single-parent headed family is often charged with negative connotations,

evoking othering, undermining, skeptism and unease. The social condemnations of the single-parent family type extend to equating this family type with poverty, family breakdown, adolescent delinqency, and crime (Parks, 2013). Single parents are viewed as the causal factor of many social ills, particularly single-mothers, insinuating that there is a means or a choice to avoid a child exercising autonomy. Thus failing to ackowledge that the process of human development is complex and does not merely occur in isolation at home , but in an interaction of the personal, familial, community and educational settings.

Literature has documented over the years that there is often a failure to acknowledge the subject position of the single-mother which is a consequence of the entrenched socio-cultural gender perspectives which deem two parents of opposite sexes as a prerequisite for healthy child development as it deems single-mothering as deficient and inadequate (Bojuwoye & Sylvester, 2014; Dowd, 1997). There continues to be a failure to legitimise single-mothers as they remain subject to criticism regardless of how well they perform as parents against the odds. Single-mothers are subject to condemnation for the absence of a father and the presumed negative consequences of father absence. Their social status as working single-parents places them at risk for economic disparity when pitted against the couple-parent family. In South Africa a proportion of these mothers only receive financial help from social services, while working mothers are subject to receiving a lowered pay due to the gender pay gap (Bosch & Barit, 2020). Both instances do little to lessen the harsh economic realities of single-mothers (Elliot et al., 2015). Bosch & Barit (2020) note that indeed households headed by women are poorer than those headed by men. The condemnation of present single-mothers is not paralled by a critique of absent fathers. The lack of affirmation of single-motherhood exempifies the extent of patriachy in South African society.

3.3.4. Early childhood trauma and sexual offences

Exposure to early childhood trauma in the form of sexual and/or physical violence is identified as a factor that causes children to be more aggressive, which often results in engaging in violent behaviour (Glasser et al., 2001; Johnson & Knight, 2000). This statement is supported by research reporting that the experience of prolonged physical violence, as a victim and/or as a witness, is a common feature for young sexual offenders. Findings of a study conducted in the west during 1992, contrasting children who had experienced sexual abuse and those who had not, indicates that it is the actual experience of sexual abuse that is associated with an increase in the chances of sexual deviance (Friedrich et al., 1992). With

early research conducted on the caregivers of children who have experienced sexual abuse reporting that their children displayed more sexualised behaviour as compared to their non-sexually abused peers (Friedrich et al., 1992). In an effort to eliminate unjust generalisation, Friedrich (1993) further studied the difference between sexually abused children who exhibited sexual behaviours compared with sexually abused children who did not. The findings of the study indicated that children who exhibited deviant sexual behaviour had experienced sexual abuse with greater frequency and at a younger age than children who did not exhibit deviant sexual behaviour.

In addition, it is argued that the exposure to prolonged violence induces feelings of anxiety, stress, helplessness and fear which have an adverse impact on child development. In conjunction with the exposure to adverse violence, the young offender is likely to have been subjected to the trauma stemming from the discontinuity of care through separation from important attachment figures and rejection from the family at large. The rejection by family hinders children from developing secure attachments styles, which then negatively affects their ability to form social relations and adequate adjustment patterns (Bentovim & Williams, 1998).

It is, however, worth noting that there exists a body of research that defies the cycle of abuse as described above. For this reason, it can be concluded that although being a victim of abuse during early childhood may increase the risk of becoming an offender in later years, the route is not linear or ascertained across cases, as not all children who endure violence become violent later in their lives (Glasser et al., 2001).

3.3.5. Education and sexual offences

Poor school achievement is associated with a high incidence of behavioural problems, school absenteeism, and heightened risk of engaging in illegal behaviour (Booysens, 2003). Literature has long argued that child sex offenders are less likely to be intellectually strong or display good verbal skills (O'Brien, 1986). More specific findings in child sex offenders include academic failure, school dropout, resistance towards authority figures, poor attachment to school, and overall learning difficulties (Booyens, 2003).

With respect to the above, research using a psychopathological lens in investigating the association between education, learning abilities and sexual offending in children, places emphasis on the role of impulsivity. A study using a sample of outpatient adolescent sexual offenders found that 35% of the sample presented with symptoms of Attention Deficit and

Hyperactivity Disorder (ADHD) (Kobayashi et al., 1995). In relation to child sexual offending, children with ADHD are reported to be prone to engaging in impulsive imitation of dangerous and stimulating behaviour that they have observed before. Furthermore, studies show that impulsive male children are most likely to engage in illegal acts, particularly in situations when hyperactivity is comorbid with physical agression and oppositional defiant behaviour (Wasserman et al., 2003). The understanding of these dynamics is important in the understanding of child sex offenders because it highlights that impulsivity may be an important variable in differentiating child offenders who engage in episodic, thoughtless acting out from those who engage in calculated and remorseless offending. However, contrary to this conceptualisation, a study conducted by Omar in 2010 using a sample of child sexual offenders, found that the prevalence of learning problems in the sample was much lower than noted in earlier studies. All of the participants in Omar's (2010) study were in mainstream education and the majority of the participants were in the appropriate grade for their age and never repeated a grade. It is evident that there is a lack of consensus in literature regarding the intellectual and educational features of child sex offenders. This lack of agreement remains a task of future research to verify and specify the extent of the presence, or lack thereof, of learning difficulties in this population.

3.3.6. Sexual offending and self-esteem

The level of self-esteem together with self-efficacy among offenders is as an influential factor in the perpetration of a sexual offence (Pervan & Hunter, 2007). The influential role played by these factors is evidenced by the positive correlation found between low levels of self-esteem in juvenile males with their sense of low sexual ability in a study conducted by Schimel (1974). The positive correlation is of relevance to the study of child sexual offending because it alludes to the possibility that boys who struggle to develop a sexual relationship may turn to forceful sexual encounters, with the attempt to gain mastery over sexual ability and compensate for internal feelings of insecurity, inadequacy, and sexual inferiority. Thus, it is discernible that child offenders adopt toxic masculine behaviour which manifests itself through sexual violation of others as a way of confirming a sense of "manliness". This comes as no surprise because some South African sociocultural messages sway males into believing that "manliness" is performed through the exercise of power, control and an indifference for women (Petersen et al., 2005).

3.3.7. Gender, sex and sexual offences

It is widely reported in the literature that the child sexual offender is, in most instances, male. This is further made apparent by research conducted by the Department of Social Development reviewing children that are in conflict with the law in South Africa, which reveals that the majority of child offenders are male, forming 88% of the population, whilst females make up 12% (Roestenburg & Oliphant, 2008). Similarly, Rangasami and colleagues (2013) report that most sexual offenders are male, further stating that there exists a relationship between sexual offending and hegemonic masculinities, norms of manhood and sexuality. Indeed, the predominance of male perpetration against female victims is attributable to patriarchy within South African society (Bowman & Brundige, 2014). Thus, sexual abuse acts as a tool through which society maintains male dominance over women. It is for the aforementioned points that the research will solely focus on the male child sex offender.

3.3.8. Sexual orientation and gender identity

Research investigating male child sex offending ought to be thorough in delineating the role played by sexual orientation and gender identity as risk factors. Behaviours and attitudes regarding gender and sex are learned from early childhood through to adolescent years. Integral to the learning process are the sexual normative behaviours that are entrenched during the adolescent years (Omar, 2010). This is supported by research conducted on young offenders that identified adolescent groups as breading grounds for hostile masculinity, which is associated with both sexual and nonsexual coerciveness (Heighes, 2014; Thomas, 1992). The pervasive influential role of masculinity in child sexual offending is further evident in the social normative influences that prescribe that boys ought to engage in sexual relations at an early age in order to signify their masculinity. The pressure inflicted on boys to enact a sexualised masculinity together with the ideology of male toughness is identified as a motive for compliance with the prescribed societal norms and a desire for power over the victim. This combination often breeds an enactment of sexual violence (Petersen et al., 2005).

Turning to the subject of sexual orientation, literature reports that experiencing sexual victimisation breeds an anxious sexualisation and sexual identity confusion. Experiencing this confusion may be associated with the male victim being unsure of whether he is homosexual, due to experiencing arousal during the sexual assault. In this context, a sexual offence may be an attempt to gain mastery over homosexual conflict (Bentovim & Williams, 1998; Petersen et al., 2005; Worling, 1995). This is supported by a clinical observation of

male sexual offenders that reported male victims abused by males exhibit confusion and anxiety regarding sexual identity, engagement in behaviour related to reassertion of their masculinity and re-enactment of their victimisation (Glasser et al., 2001). Victims then try to gain a sense of mastery through over identification with the abuser. Research exploring this notion informs us that the over-identification with the abuser is more prominent in cases where the male child is sexually abused by the father figure, with physical abuse from the father found to be most powerful factor in predicting adolescents' sexual aggression when compared to physical abuse from mothers or others (Petersen et al., 2005). The relationship drawn by earlier research on the subject of sexual orientation and gender identity informs a complex understanding of male child sexual offending in the context of previous victimisation and societal gender norms.

3.4. Protective factors

The previous section has discussed risk factors in great detail owing to that this is a study concerned with the causal factors of child sexual offending. However, the researcher deemed it relevant to acknowledge the existence of protective factors.

It is important to note that while the factors discussed above are the postulated factors which are common amongst child sexual offenders, there exist children who are subject to the very same conditions, yet do not engage in sexual offending behaviours. This led to the review of protective factors. A protective factor modifies the manner in which a child responds to negative environmental conditions that places them at risk for maladaptive behavioural outcomes (Afifi & MacMillan, 2011). Resiliency, unwillingness to violate moral and religious principles, having a healthy sense of guilt, and understanding the formal sanctions which proceed violation of the law are some of these protective factors (Parkes, 2007). Research aimed at enhancing the understanding of child sex offending to inform intervention should take note of factors that may protect a child from illicit behaviour associated with adverse experiences.

3.5. Conclusion

This chapter has given an overview of literature on the risk factors and contributing factors for child sexual offending within the South African context. The literature is presented by reviewing factors pertaining to the broader South African societal context, the family context, adverse childhood experiences, the role of education followed by factors relevant to the individual. Proceeded by the discussion turned to a review regarding gender, gender

ideology and sexual orientation. Finally, a brief discussion provided regarding the protective factors.

Chapter 4: Research Methods

4.1. Introduction

This chapter provides an outline of the research design and a demonstration of the appropriateness of the chosen methods used to carry out the research. The study followed a desk-top, mixed method incorporating quantitative data to describe the sample and qualitative research to navigate the interview data collected from the case files. Below is the description of the study paradigm, approach, and design.

4.2. Research paradigm

The phenomenon under investigation in the study is child sexual offending. This, as demonstrated in the conceptual framework chapter, is a study of a socially constructed phenomenon: crime. Whether an action is or is not criminal depends on whether it is sanctioned by law in that specific society at that point in time (Little et al., 2012). Further to crime being socially constructed, the plausible risk factors as discussed in the literature review chapter are socially constructed too, as they are not fixed states and may change over time (Gablin, 2014). Examples of the risk factors include gender, class, socio-economic status, community, neighbours, and family composition. It is for this reason, that social constructivism is a fitting paradigm for this study.

4.3. Research approach

The study was conducted as a mixed method desk-top study. The quantitative part of the study provides sample background data. This is mainly demographic.

Qualitative research concerns itself with the manner in which people make sense of their world, how they experience events and the meaning attributed to events (Visagie, 2010). Qualitative research aims to describe and possibly explain the observations (Willig, 2001). The key focus of study was to use existing literature to explain the findings from the interview records data about the phenomena under investigation and form plausible conclusions that advance understanding of profiles of sexually offending children in a diversion setting in Johannesburg.

4.4. Study design

Due to the constraints associated with investigating child sexual abuse, the research strategy employed was document review. A document review study is an analysis of already

existing administrative records and documents (Baum, 1997). In this study the researcher studied case files of child sex offenders that were derived from an existing data archive of the organisation. The case files were completed between 2017 and 2019, and not created for the current research project; limitations of this are discussed below. The resultant data gathered provided a data corpus on children who have been received by the organisation for a sexual offence.

The use of existing data in the form of document study presented both benefits and shortcomings in comparison with self-reported methods (Choi et al., 2012). The strength of a document study is that the data were already accessible and available and so the data collection could be done efficiently. The researcher used specific pieces of information from all the data available, as the entirety of the form included information beyond the scope of this research (see appendix C and D). An additional benefit of the archival method is that it was unobtrusive, allowing the research to be conducted without any secondary traumatisation of the child perpetrator. The forms used to capture data included comprehensive abuse-specific information which has been gathered from several individuals including caregivers, social service workers, probation officers, and the perpetrator; the data allowed the researcher to corroborate information.

With regard to limitations of a document study, certain items elicited fixed answers or responses which limited probing. In addition, a challenge presented in terms of the data were inadequate recording and missing information. This was countered by corroborating information from both the intake form and assessment form, and where available, psychological reports and referral notes. Age, language, cognitive ability, social desirability and distortions of the truth may also impact the accuracy of information gathered from child perpetrators and primary caregivers by someone who was perceived as authority (Goodwin, 2005). The intake forms had data from open-ended interviews. An exploratory descriptive research design was followed using a mixed method desk-top study to analyse this data (Terre Blanche et al., 2014). This design was chosen to enable the research to present the quantitative demographic information and because there is a dearth of qualitatively analysed research on the phenomenon of child sexual offending.

4.5. Research site

The child justice system and services to children in conflict with the law have undergone changes in the last ten years (Errington, 2009). New legislation such as the

Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007; the Child Justice Act 75 of 2008 and an emphasis on the rights of the child have contributed positively to the need for change in the intervention system for children who offend. Currently the South African child in conflict with the law needs to be treated within the context of various socio-ecological levels (Roestenburg & Oliphant, 2008). Data were collected from Thusang Bana[2]. Thusang Bana is a non-profit organisation (NPO) based in Johannesburg, which has been operational for over three decades and renders services in alignment with the vision and mandate to treat child offenders within the context of various ecological levels. With the mandate of servicing victims and perpetrators of abuse, Thusang Bana is an NPO in the child protection sector. The aim of the organisation is to provide efficient and professional services to abused children, in order to facilitate the effective promotion of the children's healing process and to prevent any further abuse. Furthermore, the intervention aims to minimise any secondary and/or indirect harm to children and their families upon entering the child justice system. The organisation forms part of the few organisations in South Africa that provide holistic integrated services to children who are victims as well as perpetrators of abuse. The services rendered are inclusive of the following:

(1) **Medico-legal examinations**: a specialised medical facility for children who have experienced abuse and/or neglect, based within a nearby Academic Hospital, and is run by a multi-disciplinary team of paediatricians, forensic nurses and social workers.

(2) **Forensic assessments**: these form the basis of all court procedures in the conviction of perpetrators of violence against children. The assessments are conducted in a structured process in which the child is engaged with using various techniques by social workers. The objective of conducting forensic assessments is to elicit nuanced information from the violated child regarding their victimisation and then verify the information using collateral sources. Collateral resources may include witnesses and other people in relation to the victim.

(3) **Psychological Assessments**: this service is concerned with providing children with cognitive challenges fair access to the criminal justice system and therapeutic counselling and support provision to all child victims of abuse and their families. A specialised form of supportive counselling is given to caregivers of children who are victims of abuse, in order to

[2] pseudonym

better equip them to handle the trauma of the child. This form of counselling is believed to better enable them to better support the child.

(4) **Court preparation and support**: this is inclusive of the provision of communication skills, emotional support, and legal knowledge to children and caregivers in preparation for their court appearance.

The functionality of the organisation extends to outreach programmes in schools across Johannesburg. The outreach programmes are aimed to 1) create awareness in learners and educators about their rights and responsibilities; 2) To foster a zero tolerance of violence in schools.

Lastly, this organisation runs a diversion programme whose attendants are the focus of this study. The programme is designed to divert child sex offenders, referred through legal proceedings (involuntary cases) as well as those who are enrolled by their caregivers (voluntary cases), away from the formal criminal justice system and into an environment conducive for therapy and rehabilitation. The diversion programme works with children from 6 – 18 years (Errington, 2009). The programme is informed by theory and research that has outlined the risk factors associated child sex offending, dominant treatment models of child sex offending and prevalence research of child-on-child abuse (Rangasami et al., 2013). The aim of the programme is to encourage low to medium risk child sex offenders to comprehend the dire consequences of their behaviour, through equipping them with psychosocial resources in order to reduce the chances of reoffending (Rangasami et al., 2013). Low-risk child sex offenders may fit some or many of the following descriptors: has not perpetrated more than two sexual violations, has one victim, displays victim empathy, acknowledges responsibility for actions, has parental supervision, and has no evidence of aggression. A medium-risk child sex offender may fit some or many of these descriptors: not taking responsibility for own actions, committed more than one offence, has more than one victim, and parents not fully compliant to the treatment and display of victim empathy (Omar, 2010).

The diversion programme utilises a child centred multi-dimensional approach, drawing from a Cognitive Behavioural Theory (CBT) therapeutic framework, principles of a psycho-educational treatment and other behavioural treatment models. CBT believes that dysfunctional thinking regarding sex and sexuality results in engaging in inappropriate and harmful behaviour. The treatment focal points of the diversion programme include cognitive restructuring, impulse control, social skills training, empathy training, conflict resolution,

acknowledging behaviour, relapse prevention, and progress evaluation. All of these are achieved through the use of individual therapy, alternative therapy, role play, group and family treatment (Rangasami et al., 2013).

Child sexual offending in South Africa, and internationally, has only been recognised recently as a debilitating social problem and this is reflected in the paucity of research on it. Thusang Bana reports a year-on-year increase in the intake of child sexual offenders. However, the prevalence of this phenomenon is not matched with explanations as to why the behaviour continues to occur, nor how to effectively intervene at the individual or societal level. This study is concerned with contextual factors that potentially contribute to child sexual offences.

4.6. Participants and sampling

Sampling refers to the selection of research participants from an entire population (Durrheim, 2014). The population for this study was all case files of child sex offenders in diversion programmes at Thusang Bana. The target sample for the study was child sex offenders who have been referred to a diversion programme at the Thusang Bana organisation based in Johannesburg. The actual sample was selected using a purposive homogenous technique, defined as the use of research participants possessing common traits (Tongco, 2007). Purposive sampling involves an intentional selection of an informant due to the qualities that the informant has. The technique does not require the selection of a set number of informants, rather selection is based on the judgement of the researcher and restricted to those that possess the required information by virtue of their knowledge and/or experience (Etikan et al., 2016; Tongco, 2007). Homogenous sampling focuses on participants who possess certain similar characteristics, and so this sampling technique enables a focus on the precise specified characteristics and how they relate to the topic being researched (Etikan et al., 2016). The sampled case files were homogeneous in that they had an intake form and an assessment form for the diversion programme. All of these were cases of males not above the age of 18 years, referred to the diversion programme by the judiciary for perpetrating a sexual crime, and who attended the diversion programme.

The researcher utilised secondary data which was originally collected by Thusang Bana. The secondary data were used because of the sensitivity of this subject matter and because the population of this study form part of a vulnerable population: children. Pursuing research with vulnerable persons often has unique and difficult challenges because the

populations have the potential to be negatively impacted by the research process. However, this does not override the importance of conducting research using these populations as it is important because only when adequate research is conducted on these populations, attention will be drawn to their lived experiences and standards to enhance interventions targeted at these groups can be developed (Moore & Miller, 2001). In order to navigate this, the child offenders were not interviewed personally in the study.

Indeed, the lack of access to physical participants posed a restriction to the possible methods of data collection. Therefore, in order to attain data within this constraint, the data that were used in this study are from archival information of institutional case files, which serves as a proxy for the participants whose files were reviewed. The case files were allocated to the researcher by the organisation.

Inclusion and exclusion criteria.

A homogenous sample of 20 institutional (closed) case files of child sex offenders were used. A closed case file refers to a file of a child offender who has completed the diversion programme. The cases were not randomly selected but dependent on the following criteria: male perpetrator of a sexual offence, between the ages 11– 18 years, committed a sexual offence, have been adjudicated for a sexual offence during the period of 2017 – 2019, and have been referred to the diversion programme of Thusang Bana, through legal proceedings in Johannesburg, South Africa.

The criteria parameters outlined above were intended to ensure that the sample is coherent with the global literature of the demographic majority of children who offend sexually in terms of sex and to limit the sample to minors. In a purposive sampling, representativity is not sought and may not have been achievable due to the fact that data was collected from a non-profit organisation which provides free services: this skews the data towards low-income clients. Thus, the data accessed may be merely representative of affordability. Considering the high inequality gap in South Africa, it is arguable that it is those who belong to a low socio-economic class who may utilise the free services of Thusang Bana.

4.7. Procedure

For the required data of the study to be accessed from the organisation, the researcher requested permission from the management board. Upon obtaining permission, the organisation availed case files to the researcher. The case files were assessed for usability,

gleaned and captured by the researcher on a spreadsheet on the premises. The case files (intake and assessment forms) were examined for biographical, familial, and societal information and the perpetrator's perception of their offence. The data were subject to reporting of the demographic data and a thematic analysis to find potential themes that relate to the research questions and objectives. The case files were not removed from the premises of Thusang Bana for analysis but rather information was gathered onto a spreadsheet and coded.

4.8. Methods of data collection

This study is based on data obtained from case files containing information of the child sex offender who had completed the diversion programme. The nature of the forms within the case files allowed for the collection of demographic data which facilitated the contextualisation of the child sex offender in order to gain a better understanding of the offender. Furthermore, the case files were a source of information about the interplay and characteristics between children, their families and the offence. The files provided a valuable opportunity to learn about the child in relation to his offending behaviour.

Derived from the case files was information from the diversion programme intake form, assessment tool and the referral note from the probation officer, and where available, psychological assessment. There is a variation of diversion programmes in the child protection sector which ascribe to different intervention strategies specific to the subtype of child offenders the programme serves and are informed by different theoretical frameworks. Each has different intake and assessment forms designed to collect programme-specific information. Thus, this programme's intake and assessment form are exclusive to Thusang Bana. The forms were compiled by the facilitators of the diversion programme who are qualified social workers (Rangasami et al., 2013). The forms are completed during the first interview with the child and the caregivers. The forms are designed to determine the risk that the child poses to society, and to formulate an individual specific treatment plan.

The diversion programme intake and assessment forms are inclusive of a series of open and closed ended questions regarding the child's demographic information, their family, health, education and socio-economic circumstances, details about the sexual offence and background information (see attached appendix d and e). Questions relating to the child's background may be informative of historical and environmental contributing factors to the child's behaviour. The use of this assessment form has potential to provide insight regarding

the sexual offence and the child's feelings and acknowledgement of responsibility in relation to the offence. Noteworthy is that due to being subjected to a set of available case files by the staff of Thusang Bana, the researcher was unable to stay true to certain initial eligibility criteria being the age, individual perpetration, and completed information on the forms. The researcher had initially set out to only review the case files of child offenders who are 15 to 18 years of age, who in terms of legislature possess criminal capacity. Secondly, only those case files of children who perpetrated a sex crime individually were going to be focussed on, in order to counter the effect of group think. Lastly, case files in which the information was completed fully, in order to maximise the data corpus, were going to be examined. The lack of adherence to the eligibility criteria was due to the limited access to case files of this eligibility criterion to meet the desired sample quota and the lack of content within the files assigned to the researcher by the organisation.

4.9. Methods of data analysis

The research was a retrospective analysis of archival documents as the researcher studied data that have already been recorded. The child sex offender case files formed the raw data which was analysed in two ways: demographic data is presented quantitatively, and the qualitative interview data were subjected to thematic analysis. Thematic analysis facilitated the identification and reporting of patterns that were embedded in the data, allowing for the organising and description of the data in a detailed manner (Braun & Clarke, 2006). A reported theme is constituted by patterned responses that capture something important about the data in relation to the research questions. A deductive approach was utilised, as the analysis was driven by the frameworks, research questions and previous research in this area. Themes surfacing at both a sematic and latent level were analysed. The justification for the use of thematic analysis is that the study was exploratory in nature, therefore exploring the data and identifying themes proved insightful. The use of thematic analysis elicited patterns arising from the documents studied. The themes enabled the organisation of the information which enhanced the understanding of children who have committed a sexual crime.

The thematic analysis used in the study adhered to Braun and Clarke's (2006) six phase guide for conducting thematic analysis. These are as follows:

(1) The first phase required the researcher to be familiar with the data. During this phase the researcher immersed herself in the data in order to elicit a more in-depth

knowledge of the content. This involved active repeated reading of the data, searching for meanings and patterns.

(2) The second phase is the generation of initial codes. During this phase the researcher started to organise the data into meaningful groups. This occurred through giving full and equal attention to the various data items and identifying aspects of interest in the data, items that may form the basis of repeated themes throughout the data.

(3) Phase three began after the data has been coded. During this phase the researcher focused on searching for themes informed by the codes. The researcher made use of thematic maps during this phase.

(4) Phase four entailed the reviewing of the themes identified during the previous stage. The researcher also compared the themes.

(5) The fifth phase of thematic analysis involved defining and naming the themes deduced from the data.

(6) The sixth phase, which was the last phase, involved the production of the final research report.

In addition, the researcher used a critical approach to the data interpretation through the employment of a critical lens. This approach to the data analysis process is employed in order to explore and bring light to the social phenomena which play both a direct and indirect influential role in child sexual offending behaviour. The motivation underpinning the employment of these lenses forces the researcher to be critical and move away from the westernised conceptualisation of child sexual offending behaviour.

4.10. Data trustworthiness and reliability

All facilitators of the diversion programme are qualified social workers who undertake a one-year training course on the diversion of child sex offenders, provided internally at Thusang Bana. The facilitators are reported to be highly effective, well-trained and have a sound knowledge base in relation to diversion programmes. The training is continuous, after which the social workers work under supervision throughout the diversion programme. The central aim of the training is to limit the potential subjectivity when scribing narratives and to ensure that the narratives of the clients are captured as closely as possible, if not verbatim (Errington, 2019). This supports the trustworthiness of the data. However, it is worth noting that the intake and assessment forms used by the diversion programme are not a normed nor a standardised document across diversion programmes and thus makes replicability of the study across other diversion programmes challenging or even impossible.

4.11. Ethical considerations

The researcher understood the significance of conducting research in an ethical manner. Ethical clearance to conduct this study was obtained from the University of the Witwatersrand's Non-medical Ethics with Human Subjects Committee (MASPRJ19/004 IH). Permission was sought and obtained from the director of the organisation to access the required data. At the time of children entering this diversion programme, both the children and their guardians signed consent for the information given by them to be used for research purposes provided that the research is undertaken in order to further knowledge about abuse, data is treated anonymously and exempts the child from any identification.

The data were anonymised: no identifying information (names, surnames, and identity numbers) were captured nor used in the research report. This is particularly important in research involving children which obligates the researcher to ensure that no data can be linked to a specific individual. The case files of the children who have in the past attended the diversion programme were captured in private on the premises of the organisation. Lastly, the researcher did not receive any form of incentive from the organisation for conducting the research.

4.12. Reflexivity

Reflexivity refers to the researcher's awareness of their contribution to the construction of meanings throughout the research endeavour, essentially an acknowledgement that it is impossible to remain fully impartial while conducting research. Reflexivity encourages the researcher to interrogate the ways in which their involvement with a particular study plays an influential role in the study (Willig, 2001). There exist two types of reflexivity: personal reflexivity and epistemological reflexivity. The researcher will give an account of personal reflexivity. Personal reflexivity is concerned with reflection upon the manner in which our personal experiences, interests, values and beliefs, identities and political commitments have played an influential role in the shaping of the research (Willig, 2001). It was important that, I, as the researcher engage in a constant process of reflection on my personal position in relation to the research, and how this may have influenced the quality and validity of the inferences made.

My general interest in this subject area was brought forth by learning about the prevalence of sexual abuse perpetrated by children within the South African context through occupational involvement in working for NGOs in the child protection sector. My personal

knowledge and biases with regards to perpetration of sexual violence forced me to divorce myself from ascribing innocence to children but rather acknowledge them as sexual beings. Furthermore, the realisation of the socio-cultural factors that play an influential role in children perpetrating sexual offences has challenged my negative attitude towards delinquency into adopting a more empathetic stance. Indeed, it has been a combination of all of these factors that ignited curiosity, interest and a challenge to me to gain knowledge within this subject matter. I have always chosen as research topics, throughout my academic studies, issues which have personal significance, and which have bearing on my worldview.

Furthermore, qualitative research requires that the researcher approach the research process inductively without being constrained by predetermined categories of our subjects (Durrheim, 2014). It is therefore important that qualitative researchers establish their position to their subjects (Parker, 1994). According to statistics, boys are the most reported perpetrators, of which victims are girls. By virtue of my gender identity as a cisgender heterosexual female and politics as a feminist scholar, I am linked to this topic. My position is that of a young Black woman, who identifies herself as a Black feminist who is against the perpetration of gender-based violence and other forms of violence. The primary aim of feminists is to put the issues of females on the agenda and tackle discrimination and any form of oppression of females which is inclusive of violence against females (Eagle et al., 2014). My positionality required a constant state of awareness and reflection in order to not impose my personal biases throughout the study.

It is for the above that I bring attention to the fact that the data collection period coincided with the turmoil that took place in the Johannesburg city centre, where the organisation is situated in proximity of and where the data were collected from. There was an upsurge of xenophobic violence which was threatening the safety of the staff who used public transport routes which required passage through the city centre. Therefore, in the efforts to protect the staff members, the organisation closed early in order to make allowance for the staff to travel early, often before the violence erupted. This disrupted the data collection process as the researcher only had limited time allowance to collect data. Furthermore, compounded with the upsurge in xenophobic violence, there was an outcry regarding gender-based violence and femicide (GBVF) which dominated all media platforms. The brutal rape and murder of Uyinene Mrwetyana surfaced which was followed by many other survivors of GBV coming forth with their stories. This was an emotionally taxing time. The raised

awareness of the gross violence against women made collecting data narrating sexual violence a rather painful task.

4.13. Conclusion

The aim of this chapter was to give the background of the methodological choices that guided the data collection and analysis of the study, with the aim of qualifying the appropriateness of the chosen methods used to carry out the research. This chapter also offers researcher reflection.

Chapter 5: Findings

5.1. Introduction

The objectives of this chapter are to respond to the research questions by presenting the findings in relation to the demographics of the child offender, the circumstances surrounding the sexual offence, and the social context of the child offender. This chapter reports ages, sex, race, home language, nationality and the offender's educational status. Having reported the demographic information of the child offenders, the focus turns to the nature of domestic environment in relation to key characteristics of the parents, family structure and functioning, and the socio-economic situation and utilises this to understand what could set in motion the risk for offending. Thereafter, the focus of the chapter shifts to the findings of the nature of the sexual offence perpetrated, the profile of the victim of choice, and the stance of the adults involved in the process to advance knowledge in child sexual offending. The ultimate focus of the chapter is the outline of probable contributory social and environmental factors posing as risks for child sexual offending behaviour. Throughout the chapter the term 'respondent' refers to the participant/child at the diversion program whose file was examined. The words victim and perpetrator are in parenthesis which represents instances where the name of the victim or child was mentioned in the case files.

5.2. Demographic information of the child sex offender

At the time of the study, of the 50-target sample of files, the researcher was only able to capture 20 case files, which constituted the sample of the study. According to the findings of the study, a child who was referred to Thusang Bana's diversion programme for committing a sexual offence had the demographic profile as outlined below.

5.2.1. Age

The data were examined to determine the ages of the sample when the offence was committed. It is reported from the case files that all the respondents in the study were first time sexual offenders. The findings illustrated that the respondents tended to commit their first sexual offence between the ages of eleven years to eighteen years. The respondents were distributed in the following manner: two were aged eleven years, two aged twelve and another two aged thirteen years. Five of the respondents were fourteen years of age, followed by two who were aged fifteen years, four who were sixteen years of age, two who were aged seventeen and one who was eighteen years of age.

The clustering of the cases around the age of fourteen years (± grade 8) suggest that orientation into high school is a critical intervention period. The delivery of comprehensive sexuality education is not to be debated or offered as a choice in schools so as to circumvent claims of 'ignorance'. Parents need to be vigilant and pay attention to their adolescent boys to pick up any possible 'naughty' behaviours or indications thereof. Also, it would appear that during this time, supervision should be strengthened.

5.2.2. Race

The racial distribution of the sample comprised of seventeen Black African children, followed by two coloured children and one white child. Whilst racial categories are socially constructed and indicative of official racial profiling during the apartheid period in South Africa, they are also a proxy of a number of things including socio-economic status and socio-ecological context. The fact that the majority of the observations were of Black African children could mean a few things: firstly, that the prevalence and incidence of child offending behaviours is higher in this population group, secondly, that the chances of ending up in a court of justice and being found guilty are higher for Black Africans, or that offenders of Black African descent are more likely to use a public no-fee facility that an NPO diversion programme offers.

5.2.3. Home language

The distribution of the home languages was reflective of an array of languages within South Africa. Seven of the respondents reported to speak isiZulu, followed by five who spoke Sesotho, two who spoke isiXhosa, and two who spoke Afrikaans as home languages. With a small distribution of isiNdebele, Xitsonga, Sepedi and Setswana all comprised of one speaker each. There were three respondents who indicated a preference of two home languages each with two who indicated English and Afrikaans and one who indicated isiZulu and isiNdebele (a Zimbabwean national, isiNdebele being the main home language in Zimbabwe). The home language distribution of this sample was coherent with the racial group which they belong to, and their area of residence (Johannesburg where the main language is comprised of various dialects of isiZulu).

5.2.4. Nationality

The sample comprised of nineteen South African nationals and one foreign national. This finding should be understood against the background that foreign nationals in South Africa mainly live in the margins, are undocumented and may not be able to access public health

facilities, such as those offered at this diversion programme, without a valid RSA identity document or birth certificate. Therefore, although a valid RSA identity document or birth certificate may not be a requirement in accessing services; in practice having it facilitates easier access.

5.3. Family Background

This section presents the findings pertaining to the structure of the family, its role and the relationships between the various members. The emphasis placed on findings pertaining to the family characteristics is because the family unit has been identified as a key antecedent of child sexual offending.

5.3.1. Family structure

The way the organisation captured the information pertaining to family structure reflects that the concepts of "family" and "household" were used interchangeably, however it is important to note that the concepts do not mean the same thing. Makiwane and colleagues (2016) provide a distinction of the two concepts, explaining that "household" refers to people who share a physical space and jointly provide themselves with food and other essentials of living…" and a family refers to "persons who are related to a specific degree through blood, adoption, or a socially approved sexual union" (p. xvii). However, the researcher adopted the term family as the content of the data set alluded to a family as opposed to a household.

The composition of South African families is diverse, including single-headed, nuclear, blended, or extended families (Makiwane et al., 2016). The sample in this study came from a variety of family structures ranging from single-headed (of which eight comprised of single-mother households and just one was headed by a father). Following this category were five blended families, followed by three from a nuclear family structure, which comprised of the respondent and both his biological parents. Additionally, two respondents stayed with their extended family, separate from their parents. Lastly, one respondent belonged to a family of co-parents.

5.3.2. Single-mother family

Single mothers were reported to be the primary breadwinners, providing economically for the respondent and their siblings. The occupation status of the mothers ranged from unemployment to non-professional employment (See Table 1).

Table 1

The occupation status of the mother and how the needs of the child are met

No.	Employment status	Occupation	How the needs of the child are met
1	Unemployed		Mother is the only breadwinner and is assisted by social grants received for the younger siblings.
2	Unemployed		Mother is the sole breadwinner through selling second-hand clothing, renting out the outside rooms and the child(ren) grant/s.
7	Employed	Front shop assistant	Mother meets needs of the child
8	Employed	Bank Consultant	Mother is the breadwinner and meets the needs of the child.
11	Employed	Cleaner	Mother with the assistance of the child's older brother financially take care of the child.
12	Employed	Cleaner	Mother is the only breadwinner of the household.
14	Employed	Hairdresser	Mother is the breadwinner of the household.
17	Unemployed		Family survives with the food parcels the child receives from the school.
20	Unemployed		Mother does not have a stable income but is able to meet the needs of the child.

5.3.3. Father (dis)connections

The data indicated that fifteen of the twenty observed files had a biological father reported as absent. In the data, an absent father was used as an umbrella term for both known and unknown absent fathers. The different reasons a father can be absent include as a result of non-residence, death, divorce and/or separation, incarceration, neglect and pregnancy denial, among others (Padi et al., 2014) . Six of the absent fathers here were reported as absent due to death, seven were absent due to divorce or separation and thus non-residential, one was reported as incarnated and one due to neglect. The presence of male figures of the extended family who assume the paternal role is reported to buffer the effects of paternal absence. In the current study, the presence of auxiliary male figures took the form of social fathers and uncles who potentially buffered the lack of paternal presence. The findings relating to the presence of extended family members in the lives of the respondents is reported below.

5.3.4. Extended family involvement

In the cases reviewed, only three respondents belonged to an extended family without the presence of a biological parent. Amongst the extended family members of which respondents stayed with were grandmothers and uncles. There were a further three respondents who stayed with their biological parent and extended family members within the household, which comprised of a paternal aunt and the other the maternal family members. The presence of extended family aligns with the norm in South Africa of members of one family being dispersed across households.

5.3.5. Family relations

Thirteen of the observed cases indicated the presence of good relations with the mothers. The good relationship was described in the data set using adjectives such as "good", "close", "respectful", "love", "care", and "trusting". The relationships with the mother were further qualified as emotionally supportive, caring, loving and financially supportive structures for the respondent. While there was a substantial amount of data indicating good child-maternal relationships, there existed data which did not ascribe to this. This is evidenced by one case that reported that the biological mother was absent in the respondent's life and having a difficult relationship with the stepmother, while another case indicated a long-distance relationship with the mother (with the mother staying in a different province) and one case reported that the mother was deceased. The relational nature of four of the respondent cases was not specified.

Turning to the child-paternal relationship, as indicated in previous sections, there was a substantial proportion of absent fathers in the data set. There were seven respondents attributing lack of paternal relationships due to death and one due to the incarceration of the father. However, in some instances the mothers did marry or were cohabiting, so there were instances in which the respondent accounts for his relationship with the stepfather. Furthermore, nine respondents indicated that they had good relationships with their father or father figure. The markers of good relationships in these cases included "good relationship", "financially supportive", "spend a lot of time with dad", "respectful relationship" and "able to communicate with dad". Lastly, there was a minority of respondents who reported that they did not have a good relationship with their father, indicated by the use of negative relational talk indicating the lack of relationship with the father, or the use of words such as "minimal time spent with father", "poor communication with father", and "not so close relationship with his father".

Due to the lack of sufficient data that was captured on the forms regarding the nature of the relationship between the respondent and their siblings, only thirteen of the cases were analysable. The lack of sibling information may have also indicated the absence of siblings. Amongst the cases that accounted for the nature of sibling relations, eleven indicated the presence of a good relationship with siblings. According to the data set, a good relationship between siblings was constituted by joint church attendance, "support", "quality time", and "empowering". Only one case indicated the presence of a strained relationship with siblings – separated from siblings. And only one case stated to be an only child.

The narration of the familial relations within the cases overall served as indicators which the social worker deemed essential to qualify as good familial relations. The indicators included: "church attendance", "no history of sexual abuse", "no presence of alcohol abuse", "no risky behaviour", and "no sexual immorality". A minority of four cases indicated bad relations within the family, owing to the existence of a strained relationship due to mischievous behaviour of the respondent causing conflict within the family and the lack of family unity. Arguably, the way in which the social workers interpreted family relations may be understood as passing of a moral judgement but there was no substantiation of what informed what the social workers reported as indicators of good family relations.

5.3.6. Family living conditions and socioeconomic status

While the data collection tools did not record the areas where respondents reside, this information was available through the primary caretaker's accounts of their own places of residence and information divulged about who the respondent stays with. When consolidating the data of the residential area of the primary caregiver and that of the respondent, what was evident was that many of the respondents stayed with primary caregivers in urban South African township contexts in Johannesburg, such as Katlehong, Ivory Park, Tembisa, Daveyton, Vosloorus, Thokoza, Cosmocity, and Alexandra.

South Africa emerged from apartheid, which was characterised by the totalitarian oppression of black people and it was a system that ensured racial and gender disparities in wealth, social contexts and living conditions. The South African urban township embodies the legacy of apartheid of past economic and social inequality. The township is often described as dangerous, offers township education, and has high rates of unemployment (Swartz, 2009). Furthermore, townships report higher rates of violence, crime, substance

abuse, poverty, minimal access to resources and a high population density (Centre for the Study of Violence and Reconcilliation [CSVR], 2009).

5.4. Educational background

5.4.1. Type of schooling and performance

According to the data, seventeen of the respondents attended mainstream schools and three attended a special needs school. The schools attended by the sample were equally situated between the township and suburban areas. Noteworthy, there are few special needs schools in South African townships; therefore, this is not an indication that mainstream schooled respondents did not have special needs. This is evidenced by one case wherein the parent indicated that the respondent was a "slower learner" but the information pertaining to the type of school the respondent attended indicated attendance at a mainstream school. While the term "slow learner" has no definitive meaning, it is not unfounded that it is a term loosely used to refer to a child with special learning needs or a child attending a remedial school. Here is what was reported on the casefile:

> *"The child attend school at Gresworld high special school. (the perpetrator) is a slow learner and most of the time he likes to play with a phone and watching cartoons. He likes to play with kids younger than him"*

Regarding school performance, six observations indicated a history of grade repetition. Ten of the respondents were indicated to be average performers at school, while four were regarded as good performers. Amongst those described as good performers, were the three respondents who attended a special needs school, which does not have grades. Lastly, two respondents were indicated as being poor performers and four respondents unspecified.

5.4.2. Medium of transport

The medium of transport used by the respondents to school varied: seven walked, five used organised transportation, one used public transport, one used the family car and the medium of transportation of six was unspecified. Once more, this matched the respondent's socio-economic status in that the access to privatised transportation in the form of a family car may indicate better affordability of the household.

5.4.3. Extra-mural activities

The data pertaining to extra mural activities was insufficiently captured. Fourteen respondents had no specification of partaking in an extra-mural activity. While this may be an error in data capturing, it may also be an indication of the absence of participation in extra-mural activities. Nonetheless, six of respondents indicated participation in extra-mural activities with five indicating soccer and one partaking in the choir.

5.5. The nature of the sexual act

5.5.1. Nature of the charge (According to the referral agent)

According to the referral agents as per the referral notes, the nature of the charges of the sample were as follows:

Table 2

The number of respondents and the nature of the charge

Number of children in the sample	**Nature of charge**
10	Rape
4	Sexual Assault
1	Attempted Rape
5	Unspecified

5.5.2. Nature of Incident according to the child and/or primary caregiver

The nature of the offence refers to the kind of sexual act of abuse that was displayed by the respondent. Importantly, the data revealed that there is a discrepancy between the nature of the charge as per the referral agent and the account of the nature of the incident recorded by the organisation during the interviews conducted between the social worker and the primary caregiver or the perpetrator. This section of findings focuses on the themes from the interview section of the data.

According to the interview data, the following types of sexual acts were displayed by the respondent: undressing of the victim, imitation of a sexual act, touching the genitals of the victim, mutual touching, watching a friend rape another, attempted rape, and rape.

Despite referral to the organisation for sexual violence, three of the respondents maintained that they had been falsely accused, and another three respondents claimed to have had consensual sex with the victim, of the three, one further indicated that the sexual act had

occurred multiple times. These respondents seemed to have used the presence of the following as markers of consent:

"She agreed to keep it a secret"

"She asked to hug me, I then asked for a kiss, after which we had consensual sex"

"I did not force myself on her"

"She agreed to have sex during break"

The finding indicated that respondents may have been of the belief that the accusations made against them were unfounded and made when the victims had changed their mind after agreeing to engage in the sexual act.

The respondents who admitted to committing a sexual offence made up fourteen of the cases. Amongst these cases, two reported to have only attempted to engage in a sexual act with the victim. The one respondent was stopped by the parent of the victim, who was home on that day. The other respondent exercised self-control and reported to have stopped himself from continuing with the sexual act as a result of recognising the inappropriateness. He then took further steps to seek adult counsel regarding the matter (went to inform the neighbour of sexual attempt, and the neighbour took the respondent to a social worker). A further four respondents were involved in the undressing and touching of the victims' genitalia, which was reported to have been done during play. Lastly, one respondent was involved in the offence of touching and watching a friend rape the victim in his home.

5.5.3. Place

Table 3

The place where the incident occurred and the number of instances

Place the incident occurred	**Number of instances**
Home shared by the victim and perpetrator	2
Home of the victim	2
Home of the perpetrator	2
School	4
Railway line	1
During play (venue unspecified)	4
Unspecified Venue	3
Missing data	**2**

Table 3 indicates that many of the offences took place in the home or school. A common theme in the findings is the lack of parental supervision and the low incidence of the respondent being a stranger to the victim. This finding reaffirms long standing findings of research: that the victim of rape typically has a standing relationship with the perpetrator.

5.5.4. Play versus sexual violence

The data reported respondents who engaged in sexual acts as a component of their play. This necessitates the establishment of a distinction between developmental sexual play and sexual violence. Among the case files reviewed, it was usual for the respondent to define the conditions and timing of the sexual act and the act was initiated to appease their desires. It is reported in one case file that the respondent indicated that "*I was bored, and I saw her playing with her friends and I thought of having sex so I took her into the house*…" Another respondent who spoke to multiple violations reported that when he chooses to engage in sexual violation "*I often touch their private parts when I play with them.*" Another one, stipulating the conditions of the sexual encounters, reported that "*She agreed to keep it a secret*". Evidently, the conditions of sexual act appear to be defined by the respondent.

5.5.5. Admission of guilt

The assessment process was conducted by the social worker in the form of an interpersonal interview with the respondent. The social worker is tasked with reporting the respondent's verbal account of the allegations and the respondent's feelings towards the victim.

According to the data, fourteen respondents gave a verbal account admitting to the allegations and portrayed feelings of remorse. This was followed by three who denied the occurrence of the incident and a further three who admitted to conducting a sexual act with the victim but maintained that the sexual act was consensual.

There was no information stipulating the voluntary basis of participation in the diversion programme intervention process. The respondents' admittance to the allegation during the assessment interview may have been largely informed by prior knowledge of this fact. This may have been accompanied by the fear of referral to an undesired form of punishment such as incarceration and juvenile school. It was therefore both interesting and alarming that there was a presence of respondents who did not give a verbal admission of guilt and the presence of missing data in a section which is crucial to the admission to the

programme. This information and lack thereof undermined the organisation's adherence to the diversion programme inclusion criteria.

5.5.6. Intentionality

The results from the study reveal the presence of intention by the respondent. The nature of the display of intention varies across cases. The markers of intention include: the use of lubricants, premeditation and manipulation. For example,

> *"The 14-year-old girl (victim) said that the (perpetrator) put her panties down pointing his penis and the boy-(victim) who is 9 years old also said that the (perpetrator) put Vaseline on his own penis and then put his penis inside the bum of the 9 year old"*

The quotation above is an account of the incident from the primary caregiver of a respondent. The respondent is described to have perpetrated offences against two siblings the 14-year-old girl and the 9-year-old boy. The use of lubricant is noteworthy as it alludes to the knowledge or awareness that anal sexual intercourse requires the use of lubricant to ease penetration. Indeed, this highlighted the presence of premeditation and acquired knowledge.

5.6. Profile of the victim

This section presents the profile of the victims. This information served to identify those who may be vulnerable to sexual violation by child offenders, and to increase appropriate awareness and possible prevention of future offences.

5.6.1. Age of Victim

Table 4

The age group of the of the victims and the number of victims within the age group

Age group in years	**Number of victims**
1-5	3
6-10	9
11-16	5

The findings illustrated that for 15 respondents, their victims were younger than them. The most significant age difference was that of a seventeen-year-old perpetrator and a two-year-old victim. Only one respondent targeted/violated a victim their own age and one chose a victim older. Four of the victims' ages were not accounted for. The pertinent aspect of these

findings was that the respondent chose victims who were younger than themselves. When choosing younger children, the respondent may have perceived himself as stronger, bigger and more powerful because of his age.

5.6.2. Sex and Gender

Table 5

The sex of the victims and the number of victims belonging to that sex group

Sex of the victim	**Number of victims**
Female	15
Male	6

The findings reflected that both female and male were victims of sexual violence. Moreover, they echoed that many of the victims were females, suggesting that they may be at greater, though not exclusive, risk of being sexually violated compared to males. This disproportionate distribution of victimhood reveals gender power dynamics that are discussed in the next chapter.

5.6.3. Relationship

These findings indicated that nineteen of the victims were known to the respondent, ten of which were a playmate, and six were family members while only three were schoolmates. This supports the argument that the victim had a prior relationship of some sort with the perpetrator.

5.7. Influential factors

5.7.1. Previous exposure to abuse

The data revealed that only one respondent was reported to have been a victim of previous abuse. The nature of the previous abuse was sexual abuse. The low incidence of sexual victimisation seemed contrary to the research conducted on child sexual offenders. Thus, it is noteworthy that the nature of the collection of information may impede on the respondent's willingness to disclose history of abuse due to the lack of trust between the interviewer and interviewee. In addition, male children may not disclose their sexual victimisation due to the lack of societal permission to express vulnerability. They may also feel that they would have been able to protect and defend themselves, that they were

somehow ‘unmanly’ in their experience of victimisation. Thus, no firm conclusions may be drawn regarding the history of abuse and its influence on the sample of this study. The findings suggest that diversion programmes seeking to acquire truthful accounts of the exposure of the child to abuse may benefit form an alternative line of questioning.

5.7.2. Lack of parental supervision

In twelve of the cases, the sexual acts perpetrated by the respondents occurred when there was lack of adult supervision. Of these cases, the respondents chose victims who were in their proximity– family, friends, or school mates. The victim of choice, and the circumstances during which the sexual violation occurred, were inclusive of the homes of the respondent, the homes of the victim, on the school premises and during neighbourhood play which suggests that the absence of adults was a common denominator of many of the cases.

5.7.3. Media

An important factor that was considered as a risk factor in relation to the development of sexually abusive behaviour, outside of the school and family environment, is exposure to media and other sources of information about sex. When asked about sources of influence, two respondents identified media (television shows they had watched and pornography) as a source.

5.7.4. Peers

The findings revealed that two cases explicitly identified peers as an influential factor for the sexual act by the respondent. This was inclusive of the respondent wanting to explore the information acquired during interactions with friends and pressure received from friends to become sexually active. Notable is that in five of the observed cases (in three of the cases, the respondents denied the allegations) the offence was committed in the context of a group. This may be an indicator of peers as a source of sexual socialisation. Many forms of male children’s peer association may provide fertile ground for the development of masculinities that are hostile and objectify girls manifesting in the conquest of girls as a form of success. The engagement in sexual intercourse may be a source of social capital for the respondent. Furthermore, the attribution of the sexualised behaviour to media and peers is consistent with social learning theory, that observed behaviour is mimicked or repeated by the respondent.

5.7.5. Family background

The data revealed that many of the respondents had the following common family backgrounds:

(a) Absent father
(b) Single mother headed family
(c) The mother has a non-professional job
(d) Reside in the township
(e) Renting property in the township
(f) Stay in informal settlements or RDP houses
(g) Low socio-economic status
(h) Lack of parental supervision after school or during play
(i) Residing with one biological parent with the partner of the biological parent
(j) Involvement of the extended family either by staying with them or taken care of by them when the parent is at work

5.7.6. Substance

The findings of the study revealed an absence of substance abuse by many of the respondents. Only one respondent had admitted to regular cigarette smoking. Furthermore, according to the data, none of the respondents were part of families who engaged in substance abuse.

5.8. Sentiments about or towards the child

5.8.1. Evaluation form and caregiver interview

An individual assessment was undertaken by the organisation to get an evaluation of the respondents. According to the organisation, conducting an evaluation was to help gauge the success of the intervention in decreasing the risk of reoffending. The evaluation of the respondents by the organisation reflected a positive outcome, wherein all the respondents were identified as suitable candidates for the diversion programme. This was measured by the presence of the following positive indicators: the admission of guilt by the respondent, remorse, cooperativeness during the interview, presence of calmness and respect, the maintenance of communication and eye-contact during the interview, agreement of the respondent to participate in the group work intervention, ability to speak, read and write in the English language (the lack of was regarded as a cause for concern), the respondent's

ability to relate well with others and/or to fit into groups, the respondent's ability to differentiate between good and bad behaviour, and the respondent's understanding of consequence. According to the data, the respondents displayed a level of insight, which was depicted by their awareness of the inappropriate nature of their behaviour, differentiation between right and wrong behaviour, and a display of remorse.

With regards to the manner in which the respondent reacted, data revealed that the respondents reacted in a positive way to the interview: ten of the respondents were reported to be "calm" and one was reported to be "open". There were those who reacted negatively to the interview as well, two were reported to display a level of fear, and these respondents were noted as "scared" and one reported to be "withdrawn". Only one respondent was reported to have reacted both positively and negatively, as he was reported as "distressed and calm". There were seven missing accounts.

In addition, the data reported the social worker's perceived attitude of the respondent towards them during the interview. Three were reported to be "cooperative" and another three "respectful". Seven were reported to display two qualities, of which included "calm and eye contact", "respectful and positive attitude", "calm and cooperative" , "cooperative and respectful", with some of the respondents perceived to possess congruent traits. One respondent was reported to have a calm yet closed off attitude towards the social worker. There were seven missing accounts.

The evaluation further sought to establish whether the respondent wished to partake in the diversion programme. According to the data, all the respondents expressed willingness to participate. Prior to full compliance, there were certain deviant cases. One respondent was initially not willing but eventually cooperated as the diversion programme was further explained. Another respondent reported to have denied having perpetrated a sexual violation when asked regarding their interest in participation. The expressed willingness to participate was followed by an exploration of the knowledge and skills the respondents sought to obtain from participation in the diversion programme. The findings revealed that the respondents desired to acquire knowledge and skills that would aid them in exercising adequate problem-solving skills, self-control in relation to their sex drive and overall sex education. This was evidenced by the social worker reporting responses such as:

"He wants to learn self-control and sex education"

"He said he wants to learn self-control and treating others with respect"

"He said he wants to change his behaviour and be a better person"

"Sex education and consequences of criminal record"

Indeed, eight of the respondents prioritised learning self-control and acquiring sex education. This may be an indicator of what they have identified as the source of their offending behaviour. This indicated the causal factor of their behaviour as the lack of knowledge regarding sexual practices and the tools to employ in order to achieve self-control. Furthermore, four respondents expressed a desire to have better relations with other people, through exercising respect, anger management and self-improvement. This may have been an indicator that the respondents identified the offending behaviour as a reflection of a character that lacked respect for others, or that required self-improvement. While the aforementioned observations revealed an element of internal locus of control and requiring tools that would aid internal decision making, there exists one respondent who sought to learn from the programme to resist associating with "bad" people. This may have been resultant of an attribution of their offending behaviour to the people who they had associated with. This attribution reflected a possible association of the offending behaviour to external pressure as it was reported that one respondent expressed regret and remorse:

"I want to learn how to be appreciative of this second chance and not associate myself with bad people"

The above case reflected that the respondent saw value in the programme and expressed knowledge they sought to acquire. Noteworthy is that there were three respondents who did not identify any knowledge they wished to acquire as the evaluation form communicated that *"The child denied any involvement in unacceptable behaviour"* referring to the sexual offence. The social worker noted that, *"Since the client denied any involvement in the offence this resulted in the client not having any goals."*

The cases of these respondents were identified as potential recipients of crime prevention skills. The data revealed that the respondents sought empowerment which is the ability to act in a manner which favours not exercising sexual acts impulsively or in an inappropriate manner. This includes the ability to act responsibly, regardless of internal and external influences that inspire engaging in a sexual act. It is important to note that the assessment and evaluation process was heavily influenced by the knowledge and attitudes of the social workers.

5.8.2. Moments of affirmation and manipulation of trust by the offender

The data revealed that there existed moments of affirmation of the behaviour of the respondent. This was evidenced by those cases where there was an expectation of a maintenance of secrecy by the victim:

> *"(The perpetrator) maintained that he had sex with his cousin few times, mostly in the afternoons when there was no one at home. He said it was consensual and the victim agreed to keep this a secret."*

A second instance of a source of affirmation of the respondent's behaviour was the presence of reciprocated play by the victim.

> *"(The perpetrator) mentioned that they were playing hide and seek with his friends. He said they asked (the victim) to have sex with her and she agreed"*

Lastly, the lack of immediate consequence to the behaviour was noted in the data. The results only cited two incidents wherein the respondent's behaviour was immediately accompanied by negative consequences. These incidents involved the physical assault of the respondent and the other consequence involved the immediate reporting of the respondent to a social worker. The cases noted that:

> *"He admitted that he grabbed the child and made her sleep in bed and then raped her because he was seeing that the child is going to report he decided to take the child himself to her parents and lied about why the child was crying. He panicked and they realised he was lying, and they beat him"*

> *"(the perpetrator) wanted to sleep with his sister but at the end he pushes himself away and he went out to the neighbours and told them about the situation and asked for help. His neighbours took him to the social worker and social worker open the case the sister was taken to the hospital for medical examination after they took her to a place of safe"*

The lack of negative consequences created opportunities for learning. This finding is reflective of what the social learning theory termed as vicarious learning, recognising that a child's behaviour is learnt both directly and indirectly.

5.9. Conclusion

This chapter has reported the findings of the study in accordance with the data collected and analysed. The findings have been presented in relation to the demographics of the child offender, the circumstances surrounding the sexual offence, and the socio-ecological context of the child offender. The chapter also offers findings in relation to the evaluation conducted by the organisation.

Chapter 6: Discussion

6.1. Introduction

This chapter offers a discussion of the findings in relation to existing international and local literature in order to understand and contextualize the findings. Frameworks, namely the social learning theory, a general theory of crime and the sociocultural cognitive theory are employed as theoretical lens to advance the understanding of the findings of the research. Finally, a conclusion is presented with respect to the meaning of these findings.

This section discusses the characteristics of the child sex offender as per the cases reviewed in the current study. The age and sex of the sample will not be discussed as this was merely for sample description purposes, as stipulated in the methods section. However, gender as a social construct in relation to masculinity and perpetration of gender-based sexual violence is explored. The chapter also offers a discussion of the social context and the family context of the child offender. Turning to the offence, the broad manner in which the sexual act was executed was diverse across the cases, consisting of undressing of the victim, touching of genitalia, imitation of a sexual act, watching rape (being an accomplice or observer), attempted rape and rape. This variety makes it difficult to draw conclusions that speak to the type of sexual offence children are more inclined to perform.

The findings agree with SAYStOP, a diversion programme for young sex offenders, based in the Western Cape, South Africa. In their submissions on the Child Justice Bill SAYStOP cautions against the simple generalisation of young sex offenders and encourages that there be an acknowledgement that there exists varying degrees and classes of sexual offending. To support this argument the organisation refers to an explanation offered by Friedrich (1997) that there exists the following types of child sex offenders: (a) children who display sexual aggression as a reaction to their own victimisation in a self-stimulating manner; (b) children who engage in very sexual aggression in an extensive but mutual interaction with other children; and (c) sexually aggressive children who are intrusive and coercive in their enactment.

6.2. The child sex offender in context: current evidence of a child who has committed a sexual crime referred to the diversion programme under study

In the instance of the respondents who verbally admitted guilt, this finding ought to be interpreted considering that there is no information stipulating the voluntary basis of

participation in the diversion programme intervention process. This is because the need for intervention has been recognised by the child justice system and the Department of Social Development, rather than by the child. Therefore a high proportion of children admitting to the allegation during the assessment interview may be largely informed by prior knowledge of this fact. The admission of guilt may be an indication of fear of referral to an undesired form of punishment such as incarceration, juvenile school and placement in a children's home. Thus, there is a strong potential for the assessment interview to be experienced by the child as coercive and potentially obligatory (Webster & Butcher, 2012). The coercion may be exacerbated by the fact that admission of the allegations is a pre-requisite for admission into the diversion programme. It is, therefore, both interesting and alarming that there is a presence of respondents who did not give a verbal admission of guilt and the presence of missing data in a section that is crucial to the admission into the programme. The findings of the study reveal an absence of substance abuse by many of the respondents with only one admitting to regular cigarette smoking. This finding may be idiosyncratic to the sample of this study, considering the common citation of substance abuse in research regarding the causal factors in child sexual offending. It is also possible that the respondent's knowledge that illicit substance use is a crime may have influenced them to provide this response. Hence, it may be beneficial for the diversion programme to employ an alternative line of questioning where the respondent will not feel obligated to give socially desirable responses. If resources permit, drug use tests would give a better reliable indication of drug use.

6.3. Reflection on sample demographics

The nationality of the respondents who had committed a sexual offence were all South Africans but one. When interpreting this finding, it is important to be cognisant that South Africa, since the dawn of democracy, has seen an upsurge in immigration, many of whom are undocumented which hinders their opportunities to access services which require identity documents (Solomon, 2001).

The respondents fell within the age range of 11 to 18 years of age. The age of sexual offending observed in the current study concur with that of a study investigating South African rural males between the age of 15-26 years, which reported that the majority of the males who raped had done so for the first time before the age of 18 years (Jewkes et al., 2006). However, from the intake form data, it is unknown if these respondents were already sexually active prior to this incident because this question was seemingly not asked by the social worker. If indeed this was their initial sexual experience the findings are in agreement

with literature that reports the median age of sexual debut in South Africa to be approximately 15 years for males (Harrison et al., 2005; Peltzer, 2010; Richter et al., 2015). It is important to note that amongst the young men reporting sexual debut before age 15 years, they were not necessarily ready for the sexual act, however they desired to partake in sex for social acceptance (Richter et al., 2015). Literature informs us that the commonly reported contributing factors exacerbating the desire to partake in a sexual act include experiences of poor parental supervision, peer pressure, asserting masculinity, and a history of sexual abuse (Harrison et al., 2005; Peltzer, 2010). These same factors of poor parental supervision, peer pressure and asserting hypersexual masculinity (a by-product of the limited options of masculinity offered in a patriarchal society), are similar to the contextual factors identified as facilitating environments as per this study. This indicates that it is possible that the respondents' own sexual debut experiences resulted from social learning and conditioning which was then enacted as violations to their victims.

Thus, the omission of a conversation about sex and sexuality by the social worker in the context of a sexual offence is concerning as it divorces the behaviour from expressions of sexualised masculinity. This represents a missed opportunity as the diversion programme should be an opportunity for rehabilitation towards a healthy and non-violent sexuality. Whilst the incident that resulted in a court case may appear to be the 'first' violation by the respondent; it is possible that they also struggled with the overall concept of consent as the freedom of choice to partake in sexual intercourse (Van Der Bijl, 2002). It is possible that even in their dating lives their girlfriend(s) may have been sexually violated by them but that the rape was understood in a context of a relationship and constructed differently. Date rape is not uncommon among South African young men. A study conducted using a sample of men from rural South Africa reported that the average age of first intimate partner rape was 16 years (Jewkes, et al., 2006). In the current study one respondent expressed that they obtained consent from the peer victim in the form of a verbal agreement to engage in a sexual act during the agreed upon time. In another case, consent took the form of what the respondent regarded as a natural progression from minor physical touch to romance in the form of a hug, a kiss and then the sexual act. It is apparent that the respondent assumed a blanket consent, acquired during the stage of the hug. This is why it is important to collect this information so as to provide a comprehensive service, otherwise the respondents might continue to engage in 'consensual' sex with their partners and not locate this as sexual violation.

The apparent clustering of perpetration around the age of 14 years, of which is the age when South Africans are likely to enter high school, is meaningful for understanding sex as a marker of young adulthood and maturity. This may be indicative that high school is a fertile ground for the exploration of sexuality and the significance of the implementation of comprehensive sexuality education in South African schools. There is an array of contextual conditions in South Africa impeding on parents' ability to spearhead sexual education within the home, such as: knowledge, religion, tradition and belief that it would encourage the child to engage in sex at a relatively early age (Nduna & Mendes, 2012; Pattman & Chege, 2002). Hence the fostering of sexuality education in schools is arguably a pragmatic response to this social need (Francis, 2009). Considering that schools are regularly attended institutions by most children up until grade 10 (Wittenberg, 2005), of those children who attend, most do so before they perpetrate a sexual offence (Kirby et al., 2006). While Life Orientation, inclusive of sexuality components, is a mandatory teaching area in South African schools, research cites that the curricula is framed in a negative construction of sexuality, chiefly addressing the danger and disease attributed to sexuality, neglecting other components, and reproduces gendered power relations (Shefer & Macleod, 2015). Compounding this situation is that many teachers lack the necessary skills to approach this topic (and navigate personal biases) often posing a conflict around values and comprehensive sexuality education (Francis, 2011). This knowledge presents an opportunity for the education system to ensure the adequate training of teachers as well as the material used for sexuality education (Young et al., 2019). Dintwe and Masilo (2019) suggest that in addition to equipping teachers with the necessary skills, social workers need to be deployed to schools to play a preventative role in social problems such as sexual offending. However, it is important to note that the learning of a child is not centralised, the influence of upbringing and socialisation should not be overlooked. The normalisation of sexuality education in various spheres of influence, inclusive of the community, family, cultural and religious entities is important.

The respondents predominantly chose victims who were younger than themselves. In relation to reasons for sexual offending against younger victims, research conducted using a sample of 329 juvenile sexual offenders across American states, using structural equation modelling, a model was established that indicated four significant paths leading to offending against younger victims. These paths were found to be "(a) from emotional abuse and physical abuse, through psychopathology and sexual fantasy, to child fantasy and child victim; (b) from emotional abuse and physical abuse, through sexual inadequacy to sexual

fantasy, and child fantasy to child victim; (c) from emotional abuse and physical abuse, through sexual inadequacy, to child fantasy and child victim, and (d) from sexual abuse directly to child victim" (Daversa & Knight, 2007, p.1323). In addition, when choosing younger child victims, the perpetrator may perceive himself as stronger, bigger and more powerful because of his age and gender (Omar, 2010).

The racial distribution of the child sex offender as per the cases reviewed was made up of seventeen Black Africans followed by two Coloureds and one White child. Evidently, there is a larger proportion of Black Africans. These findings reflect the demographic distribution of the South African population, which according to Statistics South Africa 2019 population estimates of males was as follows: a majority of Black/African 80.7%, followed by Coloureds 8, 8% and Whites 7, 9% and a minority of Indian/Asians 2.7%. Demographic distribution that reflect population distribution have been observed in studies conducted in the global north investigating juvenile sex offenders, which reports that there is a larger proportion of this group being of Caucasian origin (Van Wijik et al., 2005). When seeking to ascertain meaning to the racial demographic in this and other South African studies regarding sexual violence, it is important to remain cognisant of the legacy of apartheid, inclusive of the presence of negative racial stereotypes towards the character of Black African young men as sexually irresponsible and violent (Nduna & Mendes, 2012). Gqola (2015) cautions against the uncritical acceptance of this image of a poor, young Black African man as the perpetrator of sexual violence and the importance of the interrogation of the "automatic" links made between Black African men and rape. Therefore, in order to guide against interpreting the findings in a manner which reproduces this negative stereotype (to say that there is a stereotype does not mean that the researcher proposes that African male children do not commit sexual offences), the researcher seeks to highlight two factors which may be central to the high prevalence of Black African respondents in the current study. Firstly, in the case of South Africa, with a legacy of apartheid, there remains a racial hierarchy and white people have inherited a higher socio-economic class position (Gqola, 2017). The higher access to financial resources increases the likelihood for white South Africans to utilise private intervention programmes thus making it possible for the cases of those racial groups predisposed to lower socioeconomic status to be the dominant recipients of public not-for-profit organisations' services, which offers fee-free services. Secondly, the organisation is situated in central Johannesburg, South Africa and most residents here are Black African.

Both factors make the organisation accessible to children from varying socioeconomic classes, particularly those who require fee-free services and are in close proximity.

In regard to the type of schooling and performance, seventeen of the respondents attended mainstream schooling and only three attended a special needs school. It is important to be mindful that the information regarding the educational background is solely based on the accounts of the respondent and/or their care giver during the interview stage. The location of the schools attended is equally distributed between township and in suburban areas. South African township schools are characterised by overpopulation, violence and described as not conducive to learning (Swartz, 2009). This is compounded by the general lack of resources in disadvantaged schools and overcrowding that makes it difficult for educators to identify learners who may have learning difficulties, a risk factor for offending (Bray et al., 2009). The term 'special needs' school is loosely used in the case files, neglecting that the South African specialised school system caters for learners who have either singular or comorbid experiences of learning difficulties, physical difficulties or behavioural problems. Notable is that the remnants of apartheid include the lack special needs education in South African townships. Consequently, many Black African children with specialised education needs have been subject to mainstream schooling, where they receive minimal support or are excluded from the education system completely, thus inflating the number for perpetrators who attended mainstream schools (McKinney & Swartz, 2016). This was evidenced by one respondent who was described as a "slow learner" by their parent, yet he attends a mainstream school. The term "slow learner" is colloquially used to refer to a person with special or remedial education needs. With regards to the three cases that reported that the respondents attend a special needs school, due to the lack of specification of the nature of the specialised school in the case files, the researcher is unable to postulate a clear understanding.

In summation, although the global literature stipulates that children who sexually abuse often have learning disabilities (Booysens, 2003), this was difficult to ascertain in the current study because of this constraint. In addition, no respondent was subjected to psychometric assessment at the organisation nor were the educators interviewed about the learner for a comprehensive assessment. Thus, the actual performance of the respondent is unknown, neither is the extent to which they experience any learning difficulties. This therefore does not provide any useful information in terms of whether intellectual development may be related to sexually deviant behaviour or provide possible comorbidities with other socially sanctioned behaviours such as gang membership, theft, substance use, and

so forth. The fact that they mainly went to mainstream schools rules out explanations of their sexual offence as indicative of judgement failure that is associated with developmental disabilities. Judgements of 'special needs' also carry a potential to not pathologize sexual violence and should be made by skilled experts.

Notable too is the clustering of socially deviant behaviour in the line of questioning and assessment employed by the organisation of the respondent. Society has constructed a prescript of what is deemed normal or deviant behaviour. Deviant behaviours are subject to clustering, often in the absence of the understanding where the behaviour stems from. A study conducted to gauge the distinction between what is socially constructed as normal and deviant adolescent behaviour reported a cluster inclusive of: fighting, alcohol use, selling drugs, lying to parents, stealing, skipping school, and having multiple sexual partners (Barlett et al., 2005). Often, children who present with a behaviour which is socially deviant are subject to the same treatment aimed at correcting or punishing the deviant behaviour, without gaining understanding of the behaviour and addressing it accordingly. This information might be useful to parents and those designing intervention programmes aimed at assisting children to distinguish socially inappropriate behaviour and to not have blanket treatments for all behaviours deemed socially deviant.

6.4. Family background

6.4.1. Family relations

Family plays a crucial role in the aetiology of child sexual offending (Farineau, 2016). This is evidenced by the implication of the family in many factors of adverse childhood experiences (ACE), such as experience of abuse, presence of domestic violence towards the mother figure, emotional neglect, and parental separation (Baglivio et al., 2014). These are amongst other ACEs, which implicate the family, that impact the child's developmental process and increase the odds of a child developing behavioural problems. Although we cannot be sure that the experience of ACEs in the family precede rape perpetration, local research indicates that in a sample of young men who had committed rape, they had disproportionately experienced more adverse experiences during childhood (Jewkes et al., 2006). However, the presence of positive family relations, particularly with a primary caregiver, serves as a positive barrier against the development of delinquent behaviour (Farineau, 2016). Thus, information pertaining to the family background is important because when seeking to gain understanding of the child, it is useful to explore the contexts in which

the child grew up – and the influential elements exerted by the family in the shaping of the child's behaviour. The case files contained descriptions of families and relationships in households as provided by the respondents to the social workers. Regarding the nature of the family relations, the respondents described a subjective perception of good family relations. Nine respondents indicated having a good relationship with their father or father figure. Eight were unable to account for their relationship with their fathers due to the father being absent. The accounts of the respondents displayed substantial affection for their mothers, often identifying the mother as emotionally and financially supportive. Only two cases reported maternal absence. Evidently, the respondents had good relationships with parents who were present actors in their lives. Cases reporting the lack of cohesive family relations were often of respondents who stayed with extended family members or stepparents. All respondents were financially dependent on their primary caregiver. The primary caregiver was more often the mother (alone, or with the help of the extended family or partner), with only two cases that reported the father as the primary caregiver. It is important to note family relations, as the influence of the family takes precedence over overall social norms. The nature of gender relations, presence of intimidation, manipulation and secrecy used on the child by the family members as a means of acquiring desired behaviour form a point of learning for the child who normalises this type of behaviour (Bowman & Brundige, 2014). In addition, the role of exposure to trauma, in the form of experiencing abuse, have the potential to prompt a child to seek to acquire mastery in other contexts.

Turning to the African context, the African cultural context places significance on the paternal family of the individual. Thus, the lack of paternal presence as highlighted above feeds into the phenomenon of children growing up without carrying the surname of the biological father, commonly cited as a source of reason when a male child engages in mischievous behaviour and sometimes serious misconduct. However, Nduna (2014) critically engages with this line of thinking and highlights socio-political forces present in South Africa which may breed misfortunes. Nduna (2014) suggests that attributing undesirable situations to lack of paternal ancestral protection might be construed as externalising the individual's locus of control, yet beliefs in ancestral protection is lived cultural reality for many Black African South Africans.

6.4.2. The double jeopardy

Although there exists no universal understanding of parenthood, this concept is better understood with the consideration of local socio-historical context (Rabe, 2016). South

African parenting practices are fluid, owing to the economic realities, sociocultural expectations and gender relations. The diverse nature of the South African family structure is highlighted by the findings of this and other studies. Previous literature in the subject of child sex offenders holds the view that many young offenders come from single parent women-headed households (Becker et al., 1986; Thomas et al. 2003). This study sought to engage with this notion.

The existence of single-mother families is often attributed to father absence. This statement is echoed by the findings of this study wherein a paternal absence was prominent. The absence of a father places great strain on the mother who must bear greater responsibility for raising the child. This was true for the eight reviewed cases reported to be of single-mother headed families. When interviewed during the intake process, the mothers revealed that they played the role of a sole breadwinner. The burden of parenthood was exacerbated by the fact that many of the mothers are employed in non-professional low paying jobs. The low earning potential in blue collar employment disadvantages the family in that they remain in a low-socioeconomic class, inevitably limiting their access to resources. The implications of this includes the unavailability of the mother due to long working hours away from home. This is addressed in this study by two respondents expressing that due to the working hours and distant location of where the mother works, the responsibility of looking after the younger siblings was assumed by the respondent as the older sibling. In another case, the maternal uncle was responsible to take care of the respondent due to the adverse working conditions of the mother.

The architecture of apartheid was such that Black families reside far away from the central business districts where they commute to work (Price, 2005). This means that some workers are out of their houses before their children leave for school at dawn and return long after their children have returned from school at dusk. This translates to the lack of parental supervision due to mothers being at work and the lack of access to aftercare services and child minders due to the lack of financial aid to pay for this. The lack of parental supervision creates a window for the child to engage in mischievous behaviour. Other than the burden of parenthood placed on the mother, literature states that due to father absence, the child may experience feelings of trauma, sadness, rejection and/or insecurity (Chant, 2007). The emotional reaction, over and above the material deprivation, that is associated with absent fathers as described here is parallel to the findings of Swartz (2009), of a sample of township youth who attested that their father's absence was a source of anger and caused rivalry

between siblings. Paternal absence is regarded as most influential during the development of masculine identity, occurring in the years of early adolescence in the male child (Richter, et al., 2012).

Regardless of the above, the single-mother family continues to be the subject of derogation from those societal members who ascribe to patriarchal notions. Derogations are reflected in the negative stereotypes such as “deviant” or “inferior” and often pitted against opposite sex couple families which are deemed as the norm (Dowd, 1997). Indeed, this is a societal narrative which could potentially undermine the single mother by not acknowledging the marginalised mother who works hard to meet the multitude of the needs of her family, with minimal support. Indeed, the lack of regard and understanding of the complexity of the single-mother family is reflective of a patriarchal system that renders dual-heteronormative parenting as superior and a requirement for raising a child who will not be at risk for engaging in deviant behaviour (Rabe, 2016). In sync with this line of thinking is literature which proposes that in the lack of paternal presence, maternal uncles, grandfathers as well as older brothers assume the role of social fathers, who support the mothers financially and they render the children with paternal love and guidance (Richter, et al., 2012). This was the case for this sample. This reflects a clear prioritisation of the masculine figure in the life of a child. In the current study, the presence of auxiliary male figures took the form of the partner of the mother and uncles.

There is a danger in the glorification of the presence of the masculine figure in the life of a child. McIntosh Polela, in his celebrated memoir documenting his life journey (2011), narrates how he became accustomed to his father beating his mother and assumed that it was normal. He regarded the use of violence on his mother as befitting punishment, similarly to his experience after bad behaviour. This is not an isolated event. In a patriachal system, those who are perceived as weak are used as objects by the dominant figure to manifest their power. The father assumes the position of the disciplinarian. The home is the first point of influence thus there is danger in the normalisation of men’s use of violence in the traditional heteronomative household of patriachal domination to gain compliance as communicated by exerting dominance and subordination (Hooks, 2001). Research reports that men acknowledge the use of violence to control women and children, and employ discourses supported by male dominance and entitlement as a means of justification (Shefer et al., 2006), whilst neglecting the physical and the psychological damage on children. A notable psychological damage is the mindset that the adullt is always right and holding power,

rendering the subjects of the violence helpless (Mayisela, 2018). Indeed the negative experience is implicated in the formation of one's identity, inevitably socialisng the child into learning that it is normal to use violence to elicit desirable behaviour from others, although there are no accounts of the father figures' disciplinarian role within the narratives of the respondents. Three respondents reported that although they had a good relationship with their father who they did not stay with, they did not share the difficulties they face in life with their fathers. There was no specification as to what the source of the difficulties were. This is typical of a perfomativity of a masculinity which acknowledges the father as dominant and disciplinarian figure, which does not support male vulnerabilty such as the expression of challenges faced. Arguably, sexual offending in some of the observed cases may resemble assertion of dominance. In essence, merely engaging with the subject of a father's role based on the physical presence of a masculine figure is reductionist. Asserting a causal relationship between a single-mother family and engaging in a sexual offence neglects that children actively strive for agency with respect to their actions. It is not uncommon for individuals to respond in unanticipated ways which detest the dominant narrative. Swartz (2009) cites the different decision-making processes that young people employ. Decision-making is conducted through consideration of circumstantial information and is executed based on consequences, benefits, and influences. Thus, to conclude that children raised in single-parent households all employ the same decision-making process is unfounded. Therefore, while there is paternal absence in the study, it is important to caution against the patriachal society's notion which associates child sexual offending with this factor without critical engagement.

A common thread that is observed amongst the respondents is reflective of a common thread in the general population: children who are raised in single-income families (Rani, 2006). The extent to which the double marginalised single-mother is financially burdened is demonstrated in them occupying a low-socioeconomic class, and in turn offending, in various ways, is common in the lower socio-economic strata where children are often in conflict with the law (Mabelane et al., 2019). One indicator of the socio-economic status evident in this study is the medium of transport used by the respondents to go to school. Seven respondents walked, while five used organised transportation. The respondents did not make mention of the use of a family car. This may be due to the lack of access to one. No matter how close the school is, the use of a family car would, to some extent suggest that 1) children spend a bit more time with their parents in the car, 2) the family can afford such an asset, and 3) the child has those hours of being removed from potential opportunities to learn and explore things that

their parents would disapprove. Whilst removing public transport from the equation is not one hundred percent safe, it reduces group contact with others in the undertaking of public transport to and from school. Is this a solution? Definitely not because children remain exposed through other means, for instance while at school. Furthermore, children need play time with peers and the freedom to know and explore their neighbourhoods.

The implications of socio-economic status are also relevant in the findings regarding participation in extra-mural activities. Only six of the respondents indicated participation in extra-mural activities. This comes as no surprise when taking into consideration that a half of the respondents attended schools in the township, which may not have resources to offer a variety of extra-mural activities to all learners. Furthermore, father absence and single-mother parenthood places constraints on the learner which may make the conditions of partaking in an extra-mural activity unfeasible. These constraints include the lack of financial resources required for engaging in extra mural activities (such as transportation, clothing requirements, extra food etc.). Some children may be required to assume the caretaking role of younger siblings until the parent returns from work, which is particularly prevalent in single-mother households, thus making them unable to partake in after-school and weekend extra-mural activities due to time constraints (Dowd, 1997). Participation in sport and extracurricular activities is an avenue to keep young people disciplined, occupied and out of trouble (Swartz, 2009). However, the family context of the child offenders as described here may make it difficult to explore the benefits of this avenue. A plausible risk factor of a single mother household is that the mother bears the burden of financial provision which has the potential to result in a lack of supervision of the child (Swartz, 2009). This may be a direct result of occupational commitments; it is also reflective of the low access to resources such as financial resources which would make it possible for the mothers to hire alternative care or supervision and ease the burden of motherhood.

6.5. The pedagogic influence of the urban South African township

The consolidated data of the residential area of the primary caregiver and that of the respondent evidently suggests that they stayed in urban South African townships such as Katlehong, Ivory Park, Tembisa, Daveyton, Vosloorus, Thokoza, Cosmo City, and Alexandra. It is therefore important that a contextual understanding of the residential areas be established.

South Africa emerged from the system of apartheid which was characterised by the totalitarian oppression of Black people (Rosadini, 2020). The apartheid system ensured disparities in living conditions through the segregation laws. Since then, the South African urban township remains the site embodying the legacy of apartheid of past economic and social inequality, defined as a physical location characterised by crowded housing and the lack of access to resources and basic services for the poor, marginalised and oppressed groups. The township experiences disproportionally higher levels of violence, crime, substance abuse, poverty, minimal access to resources and high population density (Centre for the Study of Violence and Reconcilliation [CSVR], 2009). Faced with minimal development, the recreational activities available to its residents include street bashes, street dancing, gang membership, playing games, drinking in shebeens and listening to music (Dietrich et al., 2013; Swartz, 2009). The township forms part of the child's source of learning as it is a place where children spend their time thus it inevitably plays a crucial role in shaping the child's knowledge base and subsequently behavioural patterns (Swartz, 2009). The pervasive exposure to criminal behaviour or rule breaking from family members, peers and community members may desensitise the child to rule adherence and pave their way towards offending behaviour (Burton & Meezan, 2004). Young people stated that residing in the township was a distractor of their ability to be morally upright (Swartz, 2009). Echoing what is postulated by the theory of social learning, that if a child is exposed to a chaotic enviroment, the child has heightened chances of witnessing inappropriate behaviours more often, more clearly as opposed to structured and well controlled envroments, wherein the number of inappropriate behaviours available for observation will be limited (Burton & Meezan, 2004). This may be true for the sample of this study who, through exposure to an array of features of the South African township as described above, are at a heightened risk of learning and enacting high socially and legally deviant behaviour.

The parameters of the South African township are compounded with the patriarchal social landscape. This translates to the child's gender identity being negotiated where there exist dominant social norms of masculinity that portray young men as conquerors and macho-risk takers for engaging in sexual acts. In contrast, femininity is constructed as passive to the advances of men. Growing up in the shadow of this gender order influences the way children construct their identities including formation of their gender and sexual being. Children who embrace the gender order may then strive for validation through the enactment of the normalised form of masculinity (Parkes, 2007). Patriachy teaches men to assert toxic

masculinity from a young age and restricts alternative paths through which boys can demonstrate manhood (Hooks, 2001). This is reflected by literature that states that within these contexts often the conditions of sex are characterised by emotional and/or physical coercion (Campbell & MacPhail, 2002; Smit, et al., 2006). Young men in these contexts draw on youthful hypermasculinity, manifesting in the prioritisation of sexual dominance and physical violence (Gibbs et al., 2018).

For most of the respondents there appeared to be a lack of parental supervision for both the perpetrator and victim when the sexual act occured. This was visible when observing the victim of choice and the place in which the sexual offence occurred. Townsend and Dawes (2007) postulate that financially disadvantaged parents often face overburdening stresses due to their economic hardship, and in such situations the parents may tend to be emotionally distant and have challenges monitoring and supervising children. However, the researcher cannot ascertain a causal relationship between poverty, the lack of parental supervision and child sexual abuse. The respondents targeted victims who they were in proximity of – family, friends, and school mates. The context where the sexual violation occurred included the homes of the respondent, the home of the victim and during neighbourhood play and at times where no adult or parent was available, thus suggesting that the perpetrators are monitoring the environment and are making their moves based on a probability that they may not be caught.

Contrary to the negative features of the township, communal living yields positive support. In times of crisis neighbours are known to extend care and help each other in times of need (Swartz, 2009). This is often characterised by neighbours assuming the responsibility of caring for each other's children in the absence of the primary caregiver. Essentially, the South African township context is complex.

6.6. The nature of the sexual act and the victim of choice

6.6.1 Sexual violence versus developmentally appropriate play

The most prevalent form of child sexual abuse with contact is fondling (Schönbucher et al., 2011). Research conducted by Higsin-Smith and colleagues (2007), reported that fondling was the second highest reported form of child sexual abuse in their South African sample of victims. Smallbone and Marshall (2014) report that female children were more prone to fondling than male children. In light of this, the findings pertaining to the nature of the incident raise the question of the distinction between sexual violence and developmentally

appropriate sexual play, considering the predominance of fondling in the findings narrated as an extension of play.

According to Booysens (2003), most youthful sexual offenders in South Africa are between the ages of fourteen and fifteen years. It is further postulated that 42% of recorded sexual assaults against children in South Africa are committed by children younger than thirteen years of age (Bezuidenhout & Joubert, 2003). In contrast to the criminality of sexual acts performed by this age group, Larsson and Svedin (2002) state that children in the pre-pubescent phase are most sexually curious and do not intentionally engage in harmful behaviour. Conditions proposed by literature to assist in the distinction between developmentally appropriate sexual exploration and problematic sexual behaviour include: when the behaviour interferes with the child's social and cognitive development, the compulsivity of the sexual behaviour, the use of coercion or force to gain victim compliance, the occurrence between children of significantly different ages or developmental abilities or when the behaviour is continued in secrecy following adult awareness (Pithers et al., 1998). However, there is danger in the transposition of western literature to explain South African phenomena as it overlooks the different standards of normal developmental behaviour and societal contexts. Research conducted in the pursuit to decipher children's play in diverse contexts of eastern and southern Africa reports that children learn through observation and experimentation. The study observed imitative play, wherein the child's performance resembled a reconstruction of observations made from the behaviour of adult figures. The child was more prone to imitating those traits which are striking to the child (Bloch & Adler, 1994). There appears to be a level of dependence of children's play on adult activities. Mostly observed was the social construction of the gendered division of labour, such as boys pretending to build cars and girls cooking. Arguably, the exposure to a hypersexualised environment may increase the likelihood of a child engaging in imitative play of such. Thus, it is important to be observant of the type of play the child engages in and be cognisant of how the reaction may reinforce the type of play.

Although there is literature which renders an explanation of pre-pubescent engagement in sexual behaviour as an act of curiosity, it does not absolve those cases that are inclusive of an element of intention. Solely relying on literature that regards early sexual behaviour a result of curiosity would result in neglecting studies indicating that early sexual debut is a reported feature among South African children (Dietrich et al., 2013). The interplay between play and sex is exemplified in research conducted by Pattman and Chege (2009)

using a sample of children from sub-Saharan Africa, aged six years, who made revelations of their own sexual experiences, in the same breath as play, however recognised that this was an extension of play which was to be hid from their parents. The element of intention is also depicted by Ayanda Borotho (2019), in her autobiography where she narrates one of her memorable incidents of sexual violation occurred during play, when her older male cousin mimicked a monster who would chase the younger cousins and throw them on the bed and pretend to devour them. The author noticed that her turn to be devoured was longer than the other cousins and each incident was characterised by the "monster" being on top of her, his lips and tongue on her and him fondling her private parts. While the older cousin played with another younger victim, the author noticed that the perpetrator had unzipped his pants and his penis was fully erect. It became apparent to the author that the older cousin had intentions alternative to, and beyond mere play (Borotho, 2019). In addition, a longitudinal study investigating South African adolescents reported that early sexual debut was associated with sexual coercion, with a higher number of female children, particularly below the age of fourteen years, reporting their first sexual encounter as coerced (Richter et al., 2015).

However, a universal understanding of what is deemed "normal" and what is deemed "problematic" does not exist; these definitions are social and context specific. Thus, without a standardised and globally accepted distinction of what constitutes child sexual abuse and child developmentally appropriate sexual behaviour, the barriers to obtaining a succinct understanding of child sexual offenders will remain.

6.6.2. Indicators of Intention

The victim of choice

The victims of abuse comprised of fifteen female children and six male children. This suggests that the target of choice was aligned to dominant heteronormative ideas of sexuality. This finding is substantiated by literature which states that both boys and girls are victims of sexual violation, but girls are more susceptible due to their gendered position within the South African society (Abel et al., 1988; Thomas, 1992; Thomas et al., 2003). Notable is the insightful research conducted by Jonker and Swanzen (2007) in the West Rand areas of Johannesburg which reviewed 1996 child sex abuse cases, and of this number 1699 were girls and 297 were boys, indicating a notable prevalence of boy victims. Sikweyiya and Jewkes (2009) conducted research into child sexual abuse of boys in rural areas. What came to light was that due to the lack of adult supervision whilst on remotely located jobs, such as herding,

young boys were being intimidated or forced to engage in sexual activities. In summation, patriarchy is a significant factor in child sexual violence as it breeds a sense of entitlement over the bodies of those perceived as less powerful. Patriarchy's power is reinforced by the patriarch's ability to force his will (Hansen-hamburger, 2015).

Accessibility to the victim

Contemporary South African literature on child sexual abuse reports that perpetrators of sexual violence are more prone to victimise someone known to them (Jewkes et al., 2009; Mathews et al., 2013). From the findings of this study, it was apparent that the respondents preyed on victims they had known and had some kind of relationship with. The relationships described in the cases comprised of neighbours, peers, schoolmates, and relatives. Research from an organisation in the child protection sector in South Africa regarding the relationship between the perpetrator and the victim reports that adult acquaintances, minor acquaintances, and then biological fathers, as the most common perpetrators. Overall, their research findings suggest that approximately 89.1% of child sexual violence was carried out by an individual known to the victim (Dawes et al., 2007). Arguably, the respondents in this study used moments of trust for their own benefit. Exercising the use of power in the form of trust, age and physical stature, for personal gratification is inseparable from situations of exploitations from everyday social life (Levett, 2004). In this study, the exercise of power may take the form of force, coercion, bribery, threats and game play (Omar 2010; Richter et al 2004). In addition, respondent's capitalisation of situations were younger relatives were under their care. The presence of unequal power relations are deterministic in the victim's (those possessing less power) ability to negotiate about sexual activities and protect and defend themselves against unwelcome sexual acts (Wood & Jewkes, 2000). Thus, the context of unequal power makes it possible for the dominant respondent to determine the timing of sexual intercourse and its nature. Arguably, the above corresponds with literature which states that child sex offenders tend to behave in opportunistic and manipulative ways by luring victims (Crooks et al., 2005; Richter et al., 2015). The use of coercion is more common among young men who attribute engaging in sexual intercourse as a source of social capital and as a self-esteem booster (Jewkes, et al., 2006).

Furthermore, literature stipulates that the perpetrators' control over sexual activity is often accompanied by acts of violence to ensure compliance from the victim (Wood & Jewkes, 2000). The cases reviewed by this study deviate from literature in that there is no reported use of physical violence to ensure compliance from the victim. It is, however,

important to remain cognisant of the context in which the information was obtained, in the context of an interview of the perpetrator by the organisation's social worker. The nature of the interview, compounded by its timing (after referral by the court) may have implications (learnt from family and peers how to conduct self to not face incarceration, conditions of diversion programme narrated by the justice system, and an awareness of conditions of acceptance into a diversion programme) which lead to the enactment of social desirability. This limits the respondent's proneness to divulge information involving the use of physical violence which may incriminate them.

A central finding of this research, similarly to the General Theory of Crime, is the existence of a motive to engage in a sexual act, the execution of which is then made possible by context (Gottfredson & Hirschi, 1990). The intention is evidenced by planning, premeditation and the manipulation and the use of power, and preying on younger victims. Literature associates intentional sexual violent behaviour to previous sexual abuse: being a victim of recurrent sexual abuse increases the likelihood that the individual will become an abuser (Friedrich, 1993). This was not found in this study, with only one respondent who had indicated that they were a victim of sexual abuse.

Location of the child sexual abuse

The findings indicate the location of abuse as a significant factor. The abuse predominantly occurred in the home of the respondent, the home of the victim, and the school premises, which concurs with existing international literature that indicates that the majority of sexual abuse tends to take place within the home of the perpetrator or victim. Similarly, the findings of this study revealed that the school was a site of violence. This suggests that the female child often faces obstacles in the pursuit of acquiring education. That is, sexual violence by fellow pupils and teachers (Bowman & Brundige, 2014; Mashilo & Dintwe,2019).

For the most part, this research supports the argument proposed by situational crime writers, that the immediate environment wherein the offending behaviour occurs may be more than a passive background but a contributing factor to the initiating and executing of an action (Wortley & Smallbone, 2006). It is possible for situations to present cues that prompt an individual to engage in behaviour socially categorised as wrongful such as illegal acts. Although the respondents were not asked directly about the role of situational influence on the offending behaviour, the findings suggest that immediate environmental factors, such as

the lack of parental supervision and the low incidence of stranger victim are important in many of the respondent's cases.

The low incidence of a history of sexual victimisation are in contrast to a large portion of literature regarding child sexual offenders which states that children who have been sexually abused are likely to be the exhibitors of sexualised behaviour (when compared to non-abused children) (Pithers et al.,1998). In regard to sexual abuse, the premise that supports social learning theory as a viable explanation is that a child who was either sexually victimized and/or witnessed others being sexually violated. The experience constitutes an event of learning where the child then models their own sexually violent behaviour, with more sexual victimisation predicting more severe sexually violent behaviour (Burton & Meezan, 2004). For instance, more male adolescents who have reported a history of sexual victimization were more likely to perpetrate a sexual offence against males and younger children as opposed to females (Burton & Meezan, 2004).

Use of manipulation and asserting masculinity

A dominant feature in South African society is still the socialisation of men from a young age to adopt a traditional patriarchal notion of masculinity, which perpetuates unequal gender and sex relations, often enacted through attempts to enforce control over feminine bodies (Gqola, 2015). Masculinity is identified as implicit in the construction of ideas that legitimate and motivate violence (Sikweyiya et al., 2007). Indeed, the assertion of masculinity is cited as a common thread in the perpetration of sexual crimes used to sustain a level of domination (Ricciardelli, 2012). While the organisation under study classified the cases reviewed as not inclusive of the use of physical violence, which is often the marker of masculinity, similar to the societal notion that rape only occurs if physical force is used (Sikweyiya et al.,2007). It is important to remain mindful that the account was from the perpetrator. At face value, these accounts are as the organisation believes, however, this study proposes that there exist notable tools employed to assert masculinity such as: the perpetuation of ideas of the ill-treatment of women and entitlement over feminine bodies (Jewkes, et al., 2006). Firstly, this is exemplified by the victims of choice, discussed above.

Secondly, peer association provide a context of perpetuating ideals of masculinity which define masculine success as the sexual conquest of women (Jewkes, et al., 2006). The findings indicate that two of the respondents cited peers as a source of pressure to engage in the sexual act. In addition, five were in the context of a group. Noteworthy, one respondent

expressed that his intention was not to harm the victim but to engage in a sexual act. This indicates the presence of peer association and possible influence played in the sexual offending behaviour as a means to acquire masculine success.

Lastly, is the use of manipulation as a means employed to summon submission. Manipulation refers to the handling or arranging of something cleverly or cunningly (Concise Oxford English Dictionary, 2008). The manner in which the sexual incidents were described were as follows: play, consensual, out of boredom – and together with the nature of the relationship between the perpetrator and the victim is suggestive that there was an element of manipulation to lure the victims. A particular case is of the respondent who was tasked with taking care of his younger cousin afterschool pending adult supervision. The respondent reported to then engage in ongoing sexual acts with the cousin during this period. In his defence he stipulates that there was consent from the victim to engage in the sexual act and further consent to maintain the occurrence of the sexual acts a secret shared by the respondent and the victim. This narration indicates overt manipulation by the respondent, namely preying on a younger relative during moments of the victim's vulnerability in the form of using a period when the victim entrusts the respondent with their wellbeing – as the older cousin was tasked to care for the victim pending the return of the parents from work. Furthermore, the insistence of the respondent that the victim agreed to maintain the incident as private information shared between the two of them and requiring secrecy, indicates a level of insight by the respondent of the wrongful nature of the act (Bowman & Brundige, 2014). These features indicate a level of handling of the situation in a cunning and opportunistic way.

Implicit forms of manipulative acts by the respondents are exemplified by the victimisation during moments of play. Play is often inclusive of a level of trust amongst the playmates and a consensus of the goal to have fun. Therefore, the pursuit of play resembling that of a sexual act or intention to engage in a sexual act may be indicative of the capitalisation of moments of trust. These findings are informative in as far as they confirm that child offenders succumb to the temptation to engage in a sexual act when presented with an opportunity. The absence of restraints in the pursuit of self-gratifying behaviour supports the concept of crime perpetration due to weakened controls, similarly to the argument put forward by the General Theory of Crime (Gottfredson & Hirschi, 1990).

The normalisation of preying on those who are perceived as vulnerable presents an opportunity for intervention and so, at the core of the rehabilitation of child sex offenders,

needs to be an emphasis that the children ought to adopt positive masculinities or pro-feminist masculinities (Gibbs et al., 2018).

6.7. Direct and indirect learning

An important factor to consider as a risk factor when explaining the development of sexually abusive behaviour, outside of the school and family environment, is exposure to media. When asked about sources of influence some of the respondents identified media (television shows watched) as a source. The media has certainly been identified as a having a detrimental impact on the sexual attitudes, beliefs, thoughts and behaviour of children. According to Webb and colleagues (2007), this is a factor identified by many welfare organisations that attest to the link between young sex offenders and their exposure to pornography. Sexually abusive youth were found to be significantly more likely to be exposed to explicit pornography before the age of 10 years when compared to non-sexually abusive delinquents (Leuizamo, 2000). It is important to note that children can learn behaviour even when there is no desire on the part of the primary caregiver to pass it on to the child. It is not unfounded that a child can unintentionally observe and internalise sexualised behaviour from various sources, for example music videos, movies, adult programmes, and peer or communal conversation. Consequently, this leads to desensitisation to developmentally unacceptable and inappropriate behaviour (Baron & Bryne, 2004; Marshall & Barbaree, 1990). Recently, the Gauteng Department of Education reported the suspension of learners from a high school in Johannesburg who had recorded a sexual video which went viral on social media. The video was initially circulated within the school; this depicts the availability of sexual content to learners (Dlulane, 2020). Thus, when discussing the subject of media influence, it is important that sources alternative to pornographic sites be considered. Alternative media sources such as social media also appear to be more accessible. The findings reveal that peers were a common feature identified as an influential factor for the sexual act by the respondent. The influence is inclusive of the respondent wanting to explore the information and knowledge acquired during interactions with friends and/or pressure from friends to become sexually active.

6.8. Implications of changing legislature on research on child sexual offending

An impending factor on research in the subject of chid sex offending is the evolving definition of what constitutes rape, a sexual offence, and a child. Previously in South Africa, the crime of rape was narrowly defined by common law as the unlawful and intentional

penetrative sexual intercourse with a woman by a man without her consent. The premise of rape law was never intended to protect the victims' freedom of choice but rather to curb behaviour deemed as immoral, such as the loss of virginity prior to marriage (Van Der Bijl, 2002). Essentially consent and non-consent were irrelevant, in the case of females, rape law was used as a tool to uphold men's rights over female sexuality (Hall, 1988). The definition of rape has since changed to incorporate the victims' freedom of choice to consent to sexual intercourse. With regards to the matter of age, South Africa ascribed to The Sexual Offences Act 23, 1957 which presented that an offence was the prohibition to attempt or to have carnal sex with a person who is under the age of consent. It was an offence for a male to have sex with a boy younger than 19 years and for a female to have sex with a boy under the age of 16 years. It was also an offence for a female to commit an "indecent" act with a female under the age of 19 years (Denness, 2016). There was inconsistency in the law as the consent age for same-sex intercourse was 19 years and 16 years for intercourse with the opposite sex (Denness, 2016; South African Law Commission [SALC], 2002). In order to broaden the legal regulations for sexual violence a bill was proposed by the South African Law Commission (2002) which was inclusive of a more extensive definition of rape and not restricted to the penetration of the vagina or anus by the male sex organ. In addition, rape is indicated by the following circumstances: coercion, act of sexual penetration committed under false pretense or fraudulant means, and circumstances wherein a person does not have the mental capacity to understand the nature of the act. This does not account for non-penetrative sexual violations (SALC, 2002).

The relevance to this study is that only a small proportion of sex crimes were recognised under the narrow legal regualtions. The narrow regulations excluded children who engaged in a sexual violation between the age of 16 years and 18 years because sexual intercourse during this age group was regarded consenusal. For this reason, there may have been an underreporting of sexual violations of this age group. The present legislature regards this age group as below the age of consent. Essentially, the information of child sexual offenders prior to 2007 may not be a true reflection of sexual violations by persons below the age of 18 years.

6.9. Conclusion

This chapter presented a discussion of the findings of the study which show the cumulative role played by the individual, familial, economic and socio-cultural contexts in creating a window of opportunity for children to engage in sexual acts. Typically, with the

primary caregiver at work, the children are responsible to look after themselves and are trusted to be courteous during play. It is this trusting relationship that breeds an attitude of denialism in the primary caregivers of the child offender. The case files recorded reflect an overly positive evaluation of the child offenders amidst the offending behaviour. The level of success of the intervention appears to be determined by the outcomes of the evaluation process. Therefore, the positive evaluative assessment with a dire lack of any critical engagement or the pattern of disbelief from the caregivers is compounded by the greatly positive evaluation conducted by the social workers from the organisation. This may be indicative of the adherence to the stance of retributive justice, which firmly believes in the rehabilitation of child offenders and the possibility of reconciliation with the community as agents who will not engage in recidivism, owing to the belief of the impactful nature of the intervention. The organisation thus adopts a lens that prioritises the dignity of the child. The adults in the lives of the child offenders may not have the resources to separate the child from the behaviour. There is a clear unwillingness to confront the fact that the child has committed a sexual offence. Thus, employing a unidimensional perspective of the child absolves the child of the capability of engaging in problematic behaviour. These reactions are reflective of adults' tendency to wish innocence on to children and individual discomfort with thinking about childhood sexuality (Pattman & Chege, 2002). The attitudes of the parents of the respondents presents an opportunity for diversion programmes to equip the primary caregivers of the child sex offender with resources that will facilitate their understanding and appreciation of the child as agentic amidst the sexual offence.

Chapter 7: Conclusions, Limitations and Recommendations

7.1. Introduction

The concluding section of this report focuses on the conclusions and limitations of the study, as well as recommendations for future research and interventions. In closing, the conclusion highlights the key aspects of the study's findings and implications for future work.

7.2. Conclusions

The aim of this research was to elicit factors that will enhance the understanding of child sex offending in Johannesburg, South Africa with the view of making recommendations to inform intervention strategies for children in conflict with the law. This research adds to pioneering research in response to the phenomenon of child sexual offending focused on understanding child sexual offenders using typologies. However, the use of typologies can be restrictive as the population of child sexual offenders is very diverse. Further efforts to understand the phenomenon have located the behaviour in an ecological model, highlighting the significance of the individual, family, community and society as significant role players. Literature indicates that the early onset of delinquent behaviour is a result of an accumulation of various factors. The amount of risk factors and stressors and the length of exposure to them, play an impactful role on child behaviour (Wasserman et al., 2003). The findings of this study resonate with and serve to broaden the knowledge regarding the multifaceted nature of child sex offending which is a complex subject that cannot be attributed to one factor but rather occurs within an array of contextual factors.

The findings of the current study highlight the predominant demographic particulars of child sex offenders who have undergone a diversion programme at Thusang Bana, the circumstances of the offence, and the social context of the offenders. The demographic profile is an age range of eleven to eighteen years, with clustering around age fourteen and sixteen. The racial distribution of the respondent comprised of Black Africans, followed by Coloureds and Whites. The sample was comprised of nineteen South African nationals and only one foreign national. The following common family backgrounds were noted: absent father, single mother headed household compounded by the mother having a non-professional job. In addition, the respondents were predominantly from a low socio-economic class and the township as a common area of residence. It was common that the respondents resided with one biological parent and the partner of the biological parent, with instances where there

was involvement of the extended family either by staying with them or taken care of by them when the parent is at work.

The findings painted an informative picture of the sexual offence and the contextual dynamics which provided fertile ground for its occurrence, highlighting that the nature of the sexual offence committed was diverse, ranging from most severe inclusive of sexual penetration and attempted penetration to less severe behaviour involving touching of the victim. The findings also illustrated that the act of sexual offending is complex, often reflective of the influence from the following factors: personal choices (exercising autonomy); intrapsychic factors (self-control, inability to delay gratification), and external pressures (peers, socialisation, situational factors) (Swartz, 2009). There is consequently a need to examine aspects that will enhance the education of children regarding appropriate sexuality. Lastly, a common denominator in the context where the sexual violence occurred was the lack of adult supervision, particularly during school breaks, after school or during play.

Most importantly, one needs to acknowledge the importance of this research. The findings have allowed the understanding of child sex offending to progress from a simplistic to a complex and multifaceted understanding. Subsequently, interventions that are designed based on the current understanding of the homogenous paths to sexual violence and the homogenous profile of child sex offenders seem unjustified by the findings of this study. This research encourages an intervention system that will take into account the individual child offenders' contextual background and contextual needs. The research also highlights the opportunity for intervention at a societal level and that it is essential that interventions address critical context specific issues, particularly social norms around gender and sexuality. There needs to be a shift in discourse regarding sexuality from being a taboo topic to one that is adequately explored. The shift in discourse and attitudes presents an opportunity to intervene by educating both parents and children. This may aid the establishment of boundaries during play, pro-feminist attitudes and ability for a child to explore their sexuality without contravening the law.

7.3. Limitations of the study

It is acknowledged that a variety of limitations are present within this research. The limitations which are mostly addressable in future research and ought to be given paramount consideration as they will affect the quality of data acquired.

The use of administrative data such as case files posed numerous limitations, including missing information, data quality challenges, under-recording, and changes in recording practices (Stevens et al., 2014). Missing data affected the range and depth of data available for analysis. Indeed, the research indicates that the collection of information by diversion programmes ought to be conducted with great tenacity. The researcher reviewed intake forms of respondents who joined the diversion programme, referrals were court-mandated and, therefore, trust of the social worker may have been an issue for the respondent. As a result, the respondents may have shared selective information during their intake for the fear of removal by welfare, thus leaning towards presenting the family in a positive light during the intake interview. This has the potential of affecting the findings of the research. In addition, the feeling of an obligation to answer questions in a socially desirable manner poses a limitation as it may have prevented the respondents from disclosing their past sexual victimisation during the intake interview. The organisations interview process should be approached in a manner that induces a relationship of trust between the interviewer and the interviewee.

Due to the data being obtained from cases of respondents who have been referred by the justice system after a sexual violation, the research is further limited as it does not allow for a conclusive understanding of the relationship between conditions, characteristics and proneness to engaging in sexual misconduct, due to the absence of children who have been subjected to the same conditions and have not offended. Therefore, the research could only comment on the circumstances of children who have committed sexual offences as per the sample of the study. The data have been collected through intake interviews and assessment forms conducted by social workers who are the facilitators of the diversion programme and consequently there may be presence of interview bias/ collection bias. In addition, the data is written from the interpretation of the social worker. Therefore, as opposed to reporting the verbatim content of the interview, the social worker used a lens which searches for particular cues of the presence of certain behaviour and thus reported based on the presence of those cues or the lack thereof.

Notable too is that according to the findings, seventeen of the respondents reported, as a home language, a language other than English. The conducting of the interview in English by the diversion programme may have bearing on both understanding and articulation of the respondent and thus the quality of the information obtained. This presents an opportunity for diversion programmes to employ more accommodative languages during intake interviews.

Indeed, the disparate definitions of factors relating to child sex offending have resulted in discrepancies in research findings regarding child sexual offending. While South African legislature offers a comprehensive definition, the age parameters of what constitutes a child is different across countries. Similarly, the change in the definition of a sexual crime over the years has created grey areas in classifying child sexual offending. Accumulatively the result is a lack of coherence in literature pertaining to child sexual offending which impedes on parameters of the inclusion or exclusion of cases and data generated by research. The evolving nature of definitions makes it problematic to concur on a definitive estimation of child sexual offending, negatively affecting the understanding of the prevalence of child sexual offending.

Lastly, the information contained on the forms only provided only a glimpse of the child offender's life which has had implications on the findings of the study as it aimed to gather information regarding the background of the child.

7.4. Recommendations

It is recommended that future research in the subject of child sexual offending takes into consideration, as variables, the themes elicited by this research as they have been observed in the current study of children who have committed a sexual crime. It is possible that a similar age distribution of child sexual offending to the one reported here could be mirrored in other services which are not free - this needs to be investigated. It is also possible that this age distribution could be observed in randomly selected samples. A larger and cross provincial study is needed of different diversion centres in order to confirm the pattern of racial profiles seen here. This would be meaningful in more diverse provinces such as Gauteng, Kwa-Zulu Natal and the Western Cape. Furthermore, the way the organisation solicits the narratives from the child offenders needs to consider the important role of trust as a pre-requisite for the disclosure of information. Lastly, organisations that offer diversion programmes need to implement strict measures during the intake process to ensure the capturing of all required information on the intake and referral forms.

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Appendices

Appendix A: Ethical Clearance

UNIVERSITY OF THE WITWATERSRAND JOHANNESBURG

HUMAN RESEARCH ETHICS COMMITTEE (SCHOOL OF HUMAN & COMMUNITY DEVELOPMENT

CLEARANCE CERTIFICATE	PROTOCOL NUMBER: MASPRJ19/004 IH
PROJECT TITLE:	An ecological systems approach to understanding child sexual offenders in Johannesburg: evidence from case files
INVESTIGATORS	Mhlanga Nokhetho
DEPARTMENT	Psychology
DATE CONSIDERED	12/06/19
DECISION OF COMMITTEE*	Approved

This ethical clearance is valid for 2 years and may be renewed upon application

DATE: 12 June 2019

CHAIRPERSON
(Prof. Tanya Graham)

cc Supervisor: Prof. Mzikazi
Nduna Psychology

DECLARATION OF INVESTIGATOR (S)

To be completed in duplicate and one copy returned to the Secretary, Room 100015, 10ff floor, Senate House, University.

I/we fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure be contemplated from the research procedure, as approved, I/we undertake to submit a revised protocol to the Committee.

This ethical clearance will expire on 31 December 2021

PLEASE QUOTE THE PROTOCOL NUMBER ALL ENQUIRIES

Appendix B: Information Sheet

School of Human and Community Development

Private Bag 3, Wits

2050

Johannesburg, South Africa

Tel: 27 (0)11 717 4524/5

Fax: 27 (0)11 717 4556

To whom it may concern,

I am a Masters in Social and Psychological Research student, from the University of the Witwatersrand. I am undertaking am undertaking an applied research project in fulfillment of my degree, which aims to understand child sexual offenders. Understanding the dynamics of this phenomenon could help provide better information to the public, academics and policy makers on child sexual violence and the required interventions.

This project is being run under the supervision of Professor Mzikazi Nduna. The study seeks to gain a broad understanding of child sexual offenders through undertaking a retrospective review of primary documents. Therefore, I would like to request permission to undertake the research project using social work case file s from your database of male child sexual offenders between the ages of 14 – 18 years, who have been referred to the Teddy Bear Clinics SPARC diversion programme.

Permission to undertake this study will involve granting access to the researcher to case file s at all three TBC Johannesburg branches. Upon access being granted, the researcher will review the case file s in order to ensure they meet the biographic criteria stipulated above, and that all required fields have been fully completed. Upon obtaining the relevant case file s, they will be reviewed on the premises of the TBC. The projected time that will be dedicated to this period will be dependent on the length of the documents that will be utilized for analysis. All case files will be treated with utmost confidentiality and I will conceal all identity and all identifying information in the final report. Within the report or any other

publication, I will refer to the children by a unique code number or pseudonym (another name).

Please understand that granting the requested permission is completely voluntary, and you are not being forced to volunteer the requested documentation. The choice of whether to grant permission or not is that of the relevant parties of The Teddy Bear Clinic.

Should you choose to grant permission to the researcher to conduct this study, please complete the form that follows below. Should you have any further questions or concerns please feel free to contact me or my supervisor on the details which appear below.

This research will contribute both to a larger body of knowledge on the pervasive sexual violence, more specifically, child sexual violence in South Africa. Information will be of use to various role players in the child protection sector and the South African society at large.

The research report entailing the research findings will be made available on request.

Warm regards,

Nokhetho Mhlanga

Mhlanganokhetho@gmail.com

Supervisor:

Professor Mzikazi Nduna

Mzikazi.Nduna@wits.ac.za

I have read and understood the Information Sheet

Signed _____

Date_____

Appendix C: Consent Form

School of Human and Community Development

Private Bag 3, Wits

2050

Johannesburg, South Africa

Tel: 27 (0)11 717 4524/5

Fax: 27 (0)11 717 4556

I_____ have read and understood the participant information sheet. The organization hereby give permission to Nokhetho Mhlanga to undertake her study as per requirements outlined in the information sheet. The organization understands that:

- The organisation is participating freely and without being forced in any way to do so not in any way affect me negatively.
- The organisation can refuse access to certain documentation at any time.
- The organisation understands that no information which identifies the participants will be included in the research report.
- The organization hereby consent to the electronic capturing of information contained in the SPARC intake form (excluding any identifying information) for analytical purposes.
- The case files will only be read by the researcher.
- No other persons from any organisation or in their personal capacity will be privy to these.
- The organisation agrees for the accounts given in the case file s to be quoted verbatim in reports written in relation to this project.
- The organisation understands that all identifying features will be changed, this includes the names of the social workers, children and their parents or caregivers

Signature of consent: _____

Date: _____

Appendix D: Intake form

INTAKE FORM

Intake done by:	Intake date:	Referral date:

REFERAL DETAILS

Name of the referral agent	
Ref/ CAS number	
Nature of charges	
Contact person	
Contact numbers	

Name of the person/s interviewed**:**
Relationship with the child:

CHILD IDENTIFYING DETAILS

Child's name:			Child's surname:
Date of birth:			Age:
Gender:	M	F	Race: African/White/Indian/Coloured/Other
Home language:			Nationality:
Name of school:			Grade
Teacher's name:			School contacts:

CAREGIVER'S DETAILS			
Name of mother:		Name of fathe	
Surname:		Surname:	
DOB/ Age		DOB/ Age	
Contact No:	(C)	Contact No:	**(C)**
	(W)		(W)
Email address		Email address	
Address:		Address:	
Marital status			
Occupation			

Name of place of safety		House parer	
Name of social worker		Contacts:	

FAMILY GENOGRAM:

PRESENTING PROBLEM: (According to the care giver)

- I HEREBY DECLARE THAT THE INFORMATION GIVEN ABOVE IS THE TRUTH AND REALISE THAT ANY FALSE INFORMATION GIVEN BY ME COULD AFFECT THE DESIRED OUTCOME OF THE INTERVENTION.
- I UNDERSTAND THAT INFORMATION GIVEN BY ME HERE OR IN THE GROUP MAY BE USED FOR RESEARCH PURPOSES TO ENHANCE THE SERVICES OFFERED. I UNDERSTAND THAT THE INFORMATION WILL BE TREATED ANONYMOUSLY AND I WILL NOT BE IDENTIFIED IN ANYWAY.
- I THEREFORE DECLARE MY COMMITMENT TO THE PROGRAMME AND TO COMPLY WITH ANY REQUIREMENTS FROM THE PROGRAMME. IN THE EVENT THAT I DO NOT DO AS REQUIRED, I ACCEPT THAT THE MATTER WILL BE REFERRED BACK TO THE REFERRAL AGENT FOR DECISION BY THEM.

Client's Signature:	Parent/Guardian's Signature:

FOR OFFICE USE ONLY

CHECK LIST:

ITEM	YES	NO
Referral note		
Admission letter		
School letter		
Signatures from all parties		
Pre-test evaluation form		
Post-test evaluation form		
Contacts details captured		
Diversion contract		
Next appointment date		

Intervention plan

Does the child need further assessment?			
To who is he/she referred to?			
Which age group is the child: 7-10		11-14	15-18
Which intervention is suitable for the child? Group		Individual session	

Assessor's Name:	Signature:
Designation:	Date:
Practice registration number	

Appendix E: Assessment form

Assessment form

PART ONE: TO BE COMPLETED BY THE INTAKE WORKER

Interviewer:	Date:
Group code:	

CHILD IDENTIFYING DETAILS:

Child's Surname:	Child's Name:
Date of Birth:	Age:

Gender: Female ☐ Male ☐ **Race:** Black ☐ White ☐ Coloured ☐ Asian ☐

Nationality:	Language:

CONTACT DETAILS

Parents of child			
Name of Mother:		Name of Father:	
Surname:		Surname:	
Contact No.:	(H)	Contact No.:	(H)
	(W)		(W)
	(C)		(C)
Address:		Address:	

Name of Place of Safety:		Name of Caregiver/ House mother:	
Name of Social Worker:		Contact No.:	

FAMILY GENOGRAM:

FAMILY BACKGROUND:

REFERRAL DETAILS:

Referred by:	Referral date:
Reason for referral:	

CRIMINAL STATUS OF THE CASE

What is the accused pleading?	
How far is the court proceeding?	
Legal representative:	Contact No.:
Investigation Officer:	Contact No.:
Name of School:	Contact No.:
Name of Prosecutor/Probation Officer	Contact No.:
Name of Court:	Court Case No.:

PRESENTING PROBLEM: (According to the CHILD)

IF CLIENT WAS ABUSED PLEASE COMPLETE THE FOLLOWING:

Have you ever been abused before?	Nature of abuse:
How often were you abused?	When did it occur?
Offender's Name:	Relationship to abuser:
Gender:	Age:
How old were you at the time:	
What was the child's reaction to the abuse:	
Was the abuse disclosed?	Has a case been opened?
If not, why not:	
If yes, what is the progress/outcome:	
How do you think that the abuse has affected his/her life?	
Has the sexual functioning been affected and how?	

What is the nature of the sexual dysfunction?

RISK FACTORS:

Gang Involvement:

Substance Use:

Adult Involvement:

Socio-economic Status:

Peer Pressure:

Previous Involvement in Crime:

RISK ASSESSMENT:

OFFENDER						
Age:	10 years and below (young and unsophisticated)				Above 10 years (young or unsophisticated)	
Honesty:	Open and honest		Lies		Lies and steals	
Responsibility:	Takes responsibility for his/her actions		Denies responsibility for his/her actions		Denial on more than one level and shifts responsibility to victim	
Empathy:	Shows concern for victim		Shows a little concern		Shows no concern	
Clinical History:	Good progress		Slow and little progress		No progress	
Own Abuse:	No history of abuse		Some history of abuse		Chronic history of abuse	
Schooling Problems:	Coping at school		Learning problems (some questionable progress)		Not coping at school and no progress	
Influence:	Acted independently		Peer influence		Easily influenced by media	
Social skills:	Social competence		Lacks social competence (skills)		Social incompetence	
OFFENCE						
Nature:	Atypical and Spontaneous		Premeditation and Manipulation		Sophisticated premeditation and Manipulation (Well organised and executed)	
Aggression:	No force used		Minor force		Severe force	
Intensity:	Fondling /Touching on genetalia		Attempted penetration		Penetration	
Frequency and number of victims:	One to two incidents with one victim		Repeated incidents (three or four times) with two to three victims		Compulsive (More than four) with more than three victims	
Duration:	Short time span		Longer time span		A very long time	
SITUATION						
Family Pathology:	Pro-social family		Some deviance (dysfunctional)		Severe family dysfunction	
Family Support:	Co-operate with treatment and consistent supervision		Insufficient co-operation and inconsistent supervision		No co-operation and no supervision	
Community Context (Violence, or wealthy, etc):						
Risk Category	Low Risk		Medium Risk		High Risk	

EVALUATION:

What is the child's level of insight?
What is the child's reaction to the interview?
What is the child's attitude towards the therapist?
What is the therapist's reaction to the child?
What is the child's level of remorse?
How would you describe the child's willingness to be involved in the intervention programme?

Facilitator's Name:	Signature:	Date:

- I HEREBY DECLARE THAT THE INFORMATION GIVEN ABOVE IS THE TRUTH AND REALISE THAT ANY FALSE INFORMATION GIVEN BY ME COULD AFFECT THE DESIRED OUTCOME OF THE GROUP.
- I UNDERSTAND THAT INFORMATION GIVEN BY ME HERE OR IN THE GROUP MAY BE USED FOR RESEARCH PURPOSES TO ENHANCE THE SERVICES OFFERED. I UNDERSTAND THAT THE INFORMATION WILL BE TREATED ANONYMOUSLY AND I WILL NOT BE IDENTIFIED IN ANYWAY.
- I THEREFORE DECLARE MY COMMITMENT TO THE PROGRAMME AND TO COMPLY WITH ANY REQUIREMENTS FROM THE PROGRAMME. IN THE EVENT THAT I DO NOT DO AS REQUIRED, I ACCEPT THAT THE MATTER WILL BE REFERRED BACK TO THE REFERRAL AGENT FOR DECISION BY THEM.

Client's Signature:	Parent/Guardian's Signature: