I write this paper with some frustration. To be debating policy relevant to reducing youth crime in May 2008 seems, in the South African context, a real indictment of our politics and our policy priorities. We are not, after all, evaluating dedicated and consistent action on the issue – we are debating what should be done. This, in a country with a crippling crime rate and in which half the population is under 25. The issue and the arguments about it are not new – as indicated below, analysts have been discussing this for the past 20 years. Yet, here we are. Nevertheless, in just more than a year, the country will have a new administration and so perhaps there is an opportunity, a new space, for concentrated attention on the issue. Therefore, if the argument presented in this paper provides a sense of déjà vu – let’s put it aside and consider, instead, what should and can be done.

Briefly put, this paper argues that youth crime, indeed, crime in South Africa, is a function of the development and replication, over the past 30 years of a “culture of violence”, a “normalisation of crime and violence” amongst an “underclass” of negatively socialised and socially excluded youth who constitute a significant proportion of South Africa’s population. The youth revolt of 1976 and the rebellion of the 1980s critically wounded the key institutions of informal authority – South Africa’s families and schools - and these have not been adequately healed. To put it bluntly, the children of yesterday’s “lost generation” have not, as yet, been found and given relief– rather, they are now learning to be lost. This, it is argued, can be attributed in part to a strategic misconception of the nature of crime in the country and, related to this, poor strategy options post 1994.

The paper is presented as a discussion document and is intended to stimulate debate on the policy choices that need to be made to address the issues. The paper therefore provides a brief overview of the scope and nature of youth crime and victimisation, a look at the critical factors driving this, the current policy environment and then, some suggestions on what is likely to be effective in the future and the appropriate institutional arrangements for this.
2. **BLEEDING IN THE BELOVED COUNTRY- YOUTH CRIME IN SOUTH AFRICA**

2.1 The scale and nature of youth victimisation
While it is common cause that South Africa has high levels of crime and that what distinguishes the country from other countries with similarly high crime rates is the violent nature of much of the crime, it is less commonly known that South Africa’s youth, that is, young people aged 12-22, are generally victimised at twice the adult rate, and at rates even higher for violent crimes.

This is indicated in Figure 1 below, which, comparing the results of the Institute for Security Studies’ 2003 National Victims of Crime Survey, with those of the CJCP’s 2005 National Youth Victimisation Survey (which surveyed 4,409 respondents aged 12-22), shows that young people experience assault at roughly 8 times the adult rate; theft at five times and robbery at four times the adult rate.

**Figure 1: Youth experience of crime**¹ (n=4,409)

![Bar chart showing youth victimisation compared to adult rates](image)

Given South Africa’s demographics – half of the population of some 46-million is under 25² – the high rate of youth victimisation is not that surprising. More surprising perhaps is that the research, which assessed victimisation within the 12-month period ending September 2005, indicates that many of these crimes were committed in places normally considered “safe” – the school and home. To take the three most common crimes as examples:

- 52.4% of the victims of theft reported that their property had been stolen at school and roughly one in three (31.2%) said it had been stolen at their homes. Almost one in two victims said they knew who had stolen their property (46.2%), and, more than half of these indicated they knew the perpetrator by name (55.7%).
- Assault was typically reported to occur at school (26%), in public places (21.6%) and at home (19.6%) and 92.9% of the victims said they were aware of the identity of the perpetrator.

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¹ Data for the graphic sourced from Leoschut. L. & Burton. P.  2005. *How rich the Rewards? Results of the 2005 National Youth Victimisation Study*, Cape Town: Centre for Justice and Crime Prevention. While there is some overlap in the data – for instance, between respondents aged 18-22 who would be included in both surveys, and for the crime of housebreaking, which affects all residents of the household - the graphic serves as a useful illustration.

Robbery was typically reported to take place in the streets of the victim’s residential area (32%), at school (13.7%) and at home (7.6%). The perpetrators were identified as “known community members” (37.7%); learners at school (20.8%), other friends or acquaintances (10.7%).

These findings have been supported by more recent CJCP research which points to the school as a key site of crime and violence.

Figure 2 Violence in South African Schools (n=12,794)

As is to be expected, data from this research indicates that the classmates of the victims were identified as the primary perpetrators of school violence (94.4% for threats; 94.1% for assault; 55.4% for robbery and 29.5% for theft). However, educators were themselves identified as the perpetrators in 5.8% of the thefts, 5% of the threats and 4.6% of the reported robberies. More worrying, however, is that 50.9% of the primary school respondents reported that their teachers had assaulted them as did 14.9% of the secondary school respondents.

Apart from describing the extent of violence in South Africa’s schools the research also paints a worrying picture of a general criminality and disorder. This is indicated in Figure 3 below.

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5 This is probably attributable to the high rates of corporal punishment, which, despite being illegal, continue to be reported in South African schools – 70.1% of primary school respondents and 47.5% of secondary school respondents reported that they were beaten or caned or smacked by an educator or principal when they had done something wrong.
If South Africa’s schools are the site of much youth victimisation and crime, then, sadly, the home environment and immediate social context of South Africa’s youth does little to help. Indeed, a strong argument can be made that what is happening in the schools is, really, an extension of the crime and violence that pervades South African homes and their immediate environments.

2.2 Exposure to crime and violence
As indicated in Figure 4 and Figure 5 below, South Africa’s youth also experience significant violence in their own homes as victims on the one hand, and witnesses to this violence on the other.7

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6 Graphic from Burton P. op cit. p. 47.
7 Both graphics from Burton, P. op cit. p.58 & p.61. While primary school learners appear to witness less violence outside of their homes than older learners (48.5% as opposed to 67.9%), they report that they are exposed to violence in their homes to the same extent (11.1%)
Figure 5  Exposure to violence in home and community (secondary school learners) (n=6,787)

These findings corroborate the earlier National Youth Victimisation Study which indicated that roughly one in 10 of the 4,409 respondents (11.9%) had witnessed violent interpersonal disputes amongst family members, many of which involved the use of a weapon (39.8%) like a stick or a knife.8.

Further, as indicated in Figure 6 below, criminality within the home appears to be fairly widespread.

Figure 6  Crime in the family (n=12,784)9

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9 Graphic from Burton P. op cit. p. 56.
Again, these statistics appear to broadly corroborate those of the earlier research which indicated that 8.3% of the adult family members of the respondents had used drugs in the period of the research and 10.5% of the adult family members “had done something could get them into trouble with the law”\.10

Such awareness of criminality is not limited to the home environment – there appears to be a much wider awareness of crime in the community. For instance, the National Youth Victimisation Study found that:

“… close to half (49.2%) of [the 4,409] respondents were personally acquainted with individuals in their communities who had committed criminal acts, including stealing, selling stolen property and mugging or assaulting others. More than a quarter (28.8%) of these participants were also familiar with community members who made a living by being involved in criminal activities.”11

Given their experience in the school grounds, in their homes and their immediate environments, it should not be surprising that almost one in five (18.3%) of the respondents had considered committing what they knew would be a criminal offence.12

**Figure 7: Youth who had considered committing crime (n=4,408)**

For half of these young people (50.2%), thinking about it was not enough – they admitted they had already committed what they knew was a criminal offence.

3. **THE NORMALISATION OF CRIME AND VIOLENCE**

The point of the descriptive statistics presented above is simply to demonstrate quantitatively, what most South Africans know intuitively: for a significant number of South Africans, and particularly young South Africans, victimisation, crime and violence is a very common experience. There are very few safe spaces.

This can only have a marked impact on how the country’s youth are socialised and develop their identities.

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10 ibid. p.32.
11 ibid. p..20.
12 ibid. p.33.
As Anthony Giddens puts it: “Self identity is not something that is just given … but something that has to be routinely created and sustained in the reflexive activities of the individual.”

Here, Pierre Bourdieu writes of “habitus” which:

“… inherited from our individual and collective histories and traditions … guide[s] us in responding to cultural rules, contexts and events. … It gives rise to and serves as the classifying basis for individual collective practices. It helps shape our world view and locates our practices in certain social environments, producing and reproducing existing cultural practices. In this context habitus produces a predisposed yet seemingly normalised way of seeing the world and acting within it.”

In other words, local experience, what is felt and seen and understood of the way other people in the immediate environment do things, shape one’s own view of what is “normal”, “routine” and “everyday”. This then provides the framework for the development of self-identity and understanding of what is required to “connect” or “fit” or “achieve” in the “normal” environment. It is in this way that a “culture” develops and is replicated. In social development theory: “… when the processes of socialisation integrate opportunities for interactions with others with the necessary involvement, participatory skills and reinforcement, a social bond develops. … The creation of social bonds is set within a context whereby structural influences and individual characteristics make available differing opportunities both pro- and antisocial for young people.”

The relationship and interaction between the social context and individual criminality is taken up in more directly criminological literature in Sutherland’s “differential association theory” and Albert Bandura’s “social learning theory” in which criminality is learned through exposure, modelling or imitation and both internal and external reinforcement of behaviour; and France and Homel’s theory of criminal “pathways” – a social development theory which specifically seeks to describe a set of criminogenic risk factors in its analysis of “…the experiences of a human life – experiences that, considered holistically over time and social situations, have a shape, a coherence: a story to tell about a life being lived out in particular ways.”

In South Africa, this cultural theme has a long history. Initially taken up 22 years ago by the late Percy Qoboza who wrote in *City Press* in April 1986 about “the dark, terrible beauty” of the courage of the young township fighters, and acknowledged “… a great shame … that this is our heritage to our children: the knowledge of how to die, and how to kill.” This analysis was then developed in the early 1990s by, amongst others, Colin Bundy, who wrote of the blurring of political and criminal activity and the destruction of families and schools in the township violence of the 1980s and noted that: “Social workers and psychologists speak of brutalization; an alternative term might be the internalisation of violence.” A little later, Graeme Simpson wrote, with real insight on the “amagents” and the emerging “culture of violence” in which criminal narratives were justified in terms of mainstream “business”, “status”, “lifestyle” “and materialism”. More recently, Antony Altbeker argues in a popular book that the pervasiveness of crime and violence is:

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“… the result a chain reaction that has seen high levels of criminality lead to ever more people copycatting others into crime. This has turned what would have been have been a serious crime problem into one that has turned violence into something approach epidemic proportions, a problem far bigger than can be explained solely by the factors – whether historical, social or economic – that are usually deemed to be ‘the root causes’” 21

However, when Altbeker argues that ‘Suggesting that violence in South Africa is a cultural phenomenon, like any culture-based argument is controversial, even provocative’22, this, as indicated above, is an issue that we have known about and lived with for some time now.

So, consistently exposed to crime and violence in the key institutions of their socialisation – their homes, schools and immediate social environments - a significant proportion of South Africa’s youth has learned and internalised this behaviour and so replicates it. Indeed, there is research that indicates that crime, and often violent crime, is a primary means for many young South Africans to connect and bond with society, to acquire “respect”, “status”, sexual partners and to demonstrate “achievement” amongst their peers and in their communities.23

These are essential human desires but, as we are all too aware, the positive pathways or avenues for meeting them – mainly sound education leading to career-oriented employment – are, for too many young South African’s, constantly out of reach. In sociological terms this resonates with Robert Merton’s strain theory – the structural divide between the cultural goals of society as expressed in the “material possessions, symbols of status, accomplishments and esteem that established norms and values encourage us to aspire to…” and “… the distribution of opportunities to achieve these goals in socially acceptable ways”.24 So, for Merton:

“It is only when a system of cultural values extols, virtually above all else, certain common symbols of success for the population at large while its social structure rigorously restricts or completely eliminates access to approved modes of acquiring these symbols for a considerable part of the same population, that antisocial behavior ensues on a considerable scale” 25.

Excluded by the debilitating effects of poverty, dysfunctional home environments, poor education, lack of appropriate skills and unemployment, this “underclass” cannot access the dominant or mainstream culture and yet is incorporated into it and is constantly aware of and seeks to achieve its primary symbols – wealth and conspicuous, acquisitive consumption.26 Lacking access to legitimate pathways of achieving society’s normative goals, a significant proportion of South Africa’s youth has “normalised” illegitimate means – crime and violence – of acquiring the prevailing symbols of “success”, to demonstrate cultural compliance, individual status and “control” over their environments.

Thus, for a significant proportion of young South Africans, crime and violence has been normalised, become “culturally acceptable”, mainly through consistent experience and exposure in the key institutions of their socialisation – their homes, their schools and their immediate environments.

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22 Ibid. p.119.
Recent research by the CJCP indicates some empirical validation of this argument. For instance, the research which was conducted amongst 395 young offenders (of mainly violent crimes), their parents or other caregivers (n=233), their siblings (n=297) and their peers, show that:27

- More than three quarters of the young offenders (76.2%) had themselves been a victim of crime – they had been victims of mainly assault (44.1%); robbery (43.5%); theft (22.3%) and home burglary (15.8%).
- The households of the young offenders were violent - 43.3% offenders reported having witnessed a violent interpersonal dispute in their homes, while the same was reported by one in four of their siblings (26.9%) and roughly one in five of their care-givers (22.3%). The victims of this violence were mainly other members of the family.
- Also, criminal activity was prevalent in many of these households - one in three reported knowing family members who were engaged in illicit activities that could get them into trouble with the law (35.9%) and when asked if they knew family members who had, in the year preceding the interview, dealt or sold any drugs, 21% of the young offenders reported that they did.
- More than trouble with the law, it is clear that for many of the young offenders, the imprisonment of members of their families is a relatively common experience. A total of 165 of the 395 young offenders (41.8%) reported that a member of their family had been imprisoned, before their own incarceration.
- Awareness of criminality in their neighbourhoods was very high – 84.6% of the young offenders reported they knew people in their neighbourhoods who were involved in activities that could get them into trouble with the law, and 79.2% of these respondents said they knew people in their neighbourhoods who made a living from crime. This wide-ranging awareness of crime in the immediate community was corroborated by 70.4% of the offender’s siblings and more than half of their caregivers (51.1%).

4. IN THE HALL OF MIRRORS: THE POLICY RESPONSE TO YOUTH CRIME

As indicated above, the normalisation of crime and violence or South Africa’s “culture of violence” has been a topic of academic and public discourse for some time. Yet, I would argue that this is precisely the issue that South African crime reduction policy, or, at least the implementation of that policy, has missed.

For instance, analysis of the development and implementation of South Africa’s National Crime Prevention Strategy, which specifically articulated a developmental approach to crime reduction involving the range of functions associated with the “social cluster” in support of the activities of the law enforcement agencies, indicates that it was “… compromised at its inception in 1996 by the differing political needs of the new politicians and bureaucratic competition in the newly created Department of Safety and Security” and rapidly became more “a statement of vision than a strategy”28

Indeed, it may be argued that the only parts of the strategy that were implemented were those concerned with improvements to the criminal justice system (CJS) - specifically, the Business Against Crime supported Integrated Justice System programme that aimed at improving the management of offenders and victims and the flow of information through the CJS and which put in projects intended to enhance systems of reporting, recording and investigation at police stations and detective units, improve the administration of the courts and strengthen the sentencing regime, reduce escapes from prison and parole violations.29

It is also clear that the 1998 White Paper on Safety and Security, which set the policy framework for an “inter-locking” approach to law enforcement and “social crime prevention” was, from the date of its

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27 This research, together with research analyzing the key factors that build resilience to crime, will be published later in 2008.
29 See Rauch. J. ibid.
Cabinet approval, almost wholly ignored – in favour of a high-density and tough policing and sentencing approach. This has meant that the key social and situational crime prevention policy provisions contained in these policy documents – intended specifically to address the developmental issues related to the “culture of violence” have either not been implemented, or, where there has been an attempt at implementation, at anywhere near the scope and scale envisaged by those who drafted and approved the policy.

The main reason for this, I would argue, is the continuous rhetoric associated with the supposedly tough approach adopted by the police following the 1999 elections – a public and political rhetoric that consistently puts the police at the centre of “a war against crime”. Publicly articulated through the ritualised release of police crime statistics which attempt to show that crime has “stabilised” and therefore the police are “winning the war” and, more sensationalistically, by the vacuous statements of public figures, from the late Steve Tshwete’s “ons gaan hulle moer” to the more recent “shoot the bastards!” from Susan Shabangu, the Deputy Minister for Safety and Security, this rhetoric positions the police as the primary crime reduction agency. This has allowed the Departments of Social Development, Education, Health, Housing and Transport to either ignore or abdicate their crime-prevention responsibilities - crime is the responsibility of the police. Today, the function of Social Crime Prevention (as it was clumsily called in the 1998 White Paper on Safety and Security) is the responsibility of a small unit in the SAPS.

Importantly too, this approach posits crime in South Africa as the function of “others”, “them”, “the criminals” who can somehow be readily identified and dealt with (by the police, courts and prisons). And that is the strategic misconception – “they” are actually “us”, “the criminals” are our children. As this paper has tried to show, for far too many young South Africans, crime and violence is an intrinsic feature of socialisation, an inherent feature of personal development. Yet, policy implementation has continuously focussed outwards, when it should have looked inwards.

Now, none of this should be read to imply that South Africa should not improve the efficiency of the agencies of its criminal justice system – the police (especially the detective service), the courts and functioning of the prisons. Such improvements are necessary (if only to enhance public confidence in the state) but they will surely not be sufficient - particularly if the point of it all is to change a value system, a “culture” held by a significant proportion of South Africa’s youth.

Simply put, if the real issue is that if South Africa is required to turn the cultural tables, make “normal” crime and violence “abnormal”, make it exceptional rather than “routine” and “everyday” then there are much better places to start than the criminal justice system. South Africa’s recidivism rate – variously “guesstimated” at upwards of 66% 30 - bears this out, as does the CJCP research on young offenders which shows that imprisonment was a fairly constant feature in their lives: half of them (49.4%) reported that they had been incarcerated prior to the offence for which they were currently incarcerated – for one in five of these offenders (21.3%), twice before.

Also, a stream of empirical evaluative research indicates that “parenting variables” mediate some 80% of the factors like “family dissolution, unemployment, geographic mobility and household crowding on juvenile participation in crime” 31 and demonstrates that an “aggregate level variable measuring parenting quality … mediates the effects of structural variables on crime.” 32

Fortunately, there appears to be a developing legal and policy framework that acknowledges, if sometimes tacitly, a more developmental approach to the issue. For instance, the provisions of the Children’s Act (No.30 of 2005 and its Amendment Act of 2006 [B19F-2006], the Education Laws Amendment Act (No.31 of 2007) and the provisions of the Child Justice Bill are good examples, as is

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30 There is no reliable figure for this as yet, but anecdotally, most analysts settle on upwards of two-thirds.
the recently announced R10-billion Department of Education’s Early Childhood Development Programme. Also, the inclusion of explicit crime prevention provisions in some of the Urban Renewal Programme sites and within the Integrated Development Programmes of some of the metro and other local authorities are positive developments.

This framework may provide the space for a more coherent, developmental and preventative approach in the future – a dedicated risk-based strategy for reducing youth crime and violence.

5. A NEW DEAL FOR SOUTH AFRICAN YOUTH? TOWARDS A RISK-BASED STRATEGY

Given South African demographics, the scale of youth crime and violence, its constant replication and the debilitating effect on South Africa, I would argue that a re-think is required – it is not enough to simply hope that the potentially crime preventive provisions of the new social policy would, if implemented effectively, have the desired effect. Rather, I think that what is required is a dedicated crime reduction policy and a costed strategy for its implementation, a strategy that provides for evidence-based amelioration of specific risks faced by South Africa’s youth.

There is a stream of international literature on risk which details specific individual, family, school, and environmental factors\(^{33}\) and this has been taken up locally by a range of authors.\(^{34}\) However, for South Africa one problem with the literature and the approach it outlines is that of scale - this is mainly because the risk factors that are analysed and addressed in the developed world (particularly Europe and North America) refer to conditions in specific, contained localities (usually a few inner-city blocks) which can be identified and targeted for multiple interventions. In South Africa, these factors describe the conditions of the majority of the population. So, all the risk factors for crime and violence in South Africa have not, as yet, been weighted or prioritised and therefore, analyses tend to be fairly broad.

Nevertheless, the research does indicate five key principles that may be useful for guiding the content of a dedicated youth crime reduction strategy.

- **Crime and particularly violent crime is typically a youthful male enterprise** – this is a universal phenomenon, and the age of first offence is typically early teens and, for those who are caught, the age of first incarceration is typically late twenties\(^{35}\). This refers to the age-crime curve in which most offenders, even career criminals, “age-out” of crime as they get older and their criminal activity gets less violent. This is also why most of the literature refers to youth between the ages of 15-25 being particularly at-risk of offending. However the CJCP research indicates that the age of first offence in South Africa may well be younger than what is “typical” - the young offenders reported that they had committed their first criminal act at a very young age – 10-15 years (43.5%); 16-18 (35.9%) and 19-25 (18.7%).

- **Generalised community level interventions are not effective** – a review of evaluative literature indicates that there is “... very little direct observational evidence that community or neighbourhood-level surveillance and intervention play a critical role in limiting the amount of crime that actually occurs.”\(^{36}\) This cautions against too quick a resort to national “moral regeneration campaigns”, programmes intended to enhance “community ties” through volunteer associations.

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and recreational facilities and empowering community-based organisations, like the Community Police Forums (although these may be good ideas for a variety of other reasons).

- **Generalised deterrence is not effective** – programme evaluation indicates that programmes designed to make youth “aware” of crime or “scared” of its consequences through “exposure” or stern messaging from authority figures at best do nothing (they cause no harm), or, at worst, encourage criminal behaviour.\(^{37}\)

- **Targeted early preventative intervention is key** – there is much evaluation literature that provides “guidance on the risk factors to target and demonstrates that impressive results can be achieved by using a number of early prevention programmes that target these risk factors.”\(^{38}\) Mostly, these programmes focus on building functional families.

- **Systemic support to sustain early intervention is as important** - this refers simply to the means by which the impact of early intervention programmes are built on and sustained over the early life-course of at-risk individuals, in other words: “… the mechanisms that sustain the effects should be given as much attention as the prevention initiatives or interventions that result in these effects.”\(^{39}\) Programmes here focus primarily on the management of safe schools and immediate post-school activities, especially the transition from school to (often temporary or sporadic) employment.

Given this, and the analysis of the normalisation of crime and violence above, how would these principles be incorporated into the content of a risk-based strategy for reducing youth crime and violence in South Africa?

Clearly, the focus of the strategy would need to be on the home, school and immediate post school environments of at-risk youth. However, the first and perhaps most difficult issue would be to identify who qualifies as being “at-risk”. As already indicated, there is much work to be done on weighing and prioritising risk factors in South Africa, but from what research indicates and for purposes of debate, I would propose the following six criteria:

- Residence in a locality with high rates of violent crime
- Residence in a household with reported domestic violence
- Personal victimisation – particularly a history of violent victimisation
- The conviction of a parent or sibling on a criminal charge
- Presence of poor cognitive ability and attainment, as expressed in seriously disruptive behaviour in learning environments
- Prior offending behaviour

In effect, these criteria would limit the implementation of the interventions to the most violence prone areas of the country – the 70-odd priority police station areas that record more than 60% of all violent crime in the country and that is one of the purposes of these criteria.

Given these criteria, the key elements of a comprehensive strategy would be the following:

- **A coherent and sustained family behavioural support programme that focuses on dysfunctional and violent households, particularly those headed by young single mothers**


\(^{38}\) Farrington, D & Welsh B. op cit. p. 168


For instance, in the CJCP research on young offenders, just one in five said they lived with both parents (23%) and just 29 respondents (7.4%) indicated that they had had a positive and consistent relationship with their father - more than half of the respondents (53%) indicated that they had not received emotional support from their fathers (who were either not around, or, if they were, did not seem to care much). This was affirmed by just about half of their siblings (48.1%).

- **A dedicated and comprehensive early childhood development programme that provides developmental support to the children coming from dysfunctional households.**
  Allied to the family support programme, this would aim at improving cognitive abilities, learning ability, self-esteem and empathy for others.

- **A sustained effort to improve the management and quality of South Africa’s schools, so that they function more positively as places of positive learning and socialisation.**
  Here there is already some activity and the rigorous implementation of the provisions of the Education Laws Amendment Act (No.31 of 2007) will no doubt help as will enhanced implementation of the safer school strategies already in place in some provinces – the better of which aim at developing a community-wide sense of the school as a “node of care” or “sacred space”.

- **A 12-month mandatory and comprehensive national youth civic service programme that focuses on developmental support to those young people aged between 15-25 who are not in the education system or working or who have been released from incarceration.**
  Building on the aims of the current National Youth Service, namely offering “… excluded groups the opportunity to reach their full potential for mainstream participation by gaining experience of service at community level, gaining hard and soft skills, increasing their self-esteem …” through the provision of opportunities they could not get through the formal education system and, importantly, a structured exit to employment opportunities (including self-employment). This could entail review of the Expanded Public Works Programme (EWP) and a more connected tie-in between the youth service programme and the EWP.

- **For young offenders, upgraded and sustained diversion programmes and a monitoring system for young offenders.**
  Based on the principals of restorative justice and community service, many diversion programmes are already in place and to upgrade these, the development of minimum standards by the HSRC is clearly helpful. However, an obvious gap remains – how to judge whether diversion programmes are effective or, in other words, a monitoring system that keeps track of young offenders to enable assessment of repeat offending. Allied to this, a closer connection between diversion programmes and family support programmes should be established.

- **For young offenders who have been incarcerated, a systematic exit and re-integration programme.**
  The specific aim of this programme would be to limit repeat offending and recidivism. So, linked to current education programmes for young offenders inside prison and the probation system, this should aim at developing a sense of personal responsibility for one’s actions and empathy for the impact of one’s actions on others, as well as a step-by-step programme for positive reintegration into society, including links to the family support programme and the youth civic service programme.

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41 Speech by Ms Gugu Ndebele, Deputy-Director General, Department of Education at the Launch of the CJCP National Schools Violence Study at the Human Rights Commission, Johannesburg, 23rd April 2008.
6. CONCLUSION

To conclude this paper, I wish to highlight two obvious and immediate criticisms of the proposals outlined above – likely cost; and instituting perverse incentives.

The cost issue is a real one – the types of programmes outlined above do not come cheap, especially at the scale required in South Africa. However, I think the real question is not whether South Africa can afford to implement these interventions, but rather, whether we can afford not to. The only alternative is a continuation of the current largely punitive approach which emphasises the functions of the criminal justice system and this can only result in a massive expansion of the prison system. Not only do we know that this will not be effective in mitigating the normalisation of crime and violence (actually it may well exacerbate it), we also know that this is also very expensive. One analyst has recently proposed a prison expansion programme costing R60-billion over 10 years (and this is just building costs – it excludes the R125 per day costs of keeping an offender in prison). However, up-front expenditure on effective preventative programmes lessens the costs incurred by the criminal justice system by thinning the numbers going through that system in the first place. In other words, it makes financial sense to invest in prevention, rather than “a cure” of very doubtful efficacy. It also makes political and social sense to invest in the development of the country’s youth, rather than its likely imprisonment.

The second issue – that of providing perverse incentives is more tricky and refers to the acquisition of required social services through deliberately illegitimate means. It is actually an issue of state capacity. In this case, some of the interventions outlined above may incentivise criminality if that is the only means of acquiring some of the services. Here the proposed family support and early childhood development programmes come readily to mind. So, the proposals are predicated on the assumption of generally improving public services – especially those associated with the functions of the Departments of Social Development and Education. However, this assumption is implicit in all social policy proposals and improving service delivery is a constant theme for the management of these departments. Therefore, the point here is not to elaborate on the institutional mechanisms and accountability structures required to improve service delivery – rather it is simply to highlight that declining or deteriorating service delivery in the youth crime sector may well have consequences greater than may be anticipated.

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