



Children Used by Adults to Commit Crime

Diversion Programme Manual

Children Used by Adults to Commit Crime:
Diversion Programme Manual

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For:

The Programme Towards the Elimination of the worst forms of Child Labour (TECL)

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This publication forms part of a series addressing Children Used by Adults to Commit Crime (CUBAC). Such use of children is considered a worst form of child labour in terms of the Worst Forms of Child Labour Convention of the International Labour Organisation. The initial series includes the following publications:

- Situation Analysis and Pilot Design
- Prevention Programme Manual
- Children's Perceptions of their Use by Adults in the Commission of Offences
- Diversion Programme Manual
- Guidelines for Role-players in the Criminal Justice System

Copies of these publications can be obtained from: The Children's Rights Project, Community Law Centre, University of the Western Cape, Private Bag X17, Bellville 7535. Tel: +27 21 959 2950 • Fax: +27 21 959 2411 • Email: jgallinetti@uwc.ac.za

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Foreword

The desirability of diverting children away from the formal criminal justice system has become entrenched in South Africa. It is evidenced by various provisions contained in the Probation Services Act (as amended) and the Child Justice Bill, as well as the fact that diversion has been held to be a first option for first time child offenders in the seminal judgment of *S v Z and four other cases 1999 (1) SACR 427 (E)*.

There are a number of reasons for the move away from punitive measures for children towards a more restorative approach, and one of the most convincing is the fact that there is a substantial body of international and local research which illustrates that the treatment and rehabilitation of offenders does work.

This manual contains an intervention designed for a specific group of child offenders that is meant to supplement existing diversion programmes. Not all children are used by adults to commit crime, but there are strong anecdotal indications, supported by a recent study on this very issue involving children, that such instrumental use of children is a real phenomenon in South Africa. The research undertaken with children has shown that adults often use a reward system to elicit the participation of children in crime. This intervention has been designed to provide alternatives and behavioural means for children to avoid them succumbing to such influences and committing offences.

This diversion intervention represents a valuable effort to expand the programmatic responses to offending that are available in South Africa, in order to cater for specific groups of children in trouble with the law.



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Chapter 1

Introduction

Background to CUBAC

“CUBAC” is the abbreviated form for the term “children being used by adults to commit crime”. This issue has been recognised by the International Labour Organisation as one of the worst forms of child labour through the Worst Forms of Child Labour Convention (Convention 182) of 1999. South Africa ratified this Convention in 2000.

Following from South Africa’s ratification of the ILO Minimum Age for Admission to Employment Convention (1973) and of the Worst Forms of Child Labour Convention (1999), the Child Labour Programme of Action (CLPA) was drafted and was provisionally approved by representatives from various government departments on 4 September 2003 (subject to certain amendments), and submitted to Cabinet for noting in July 2005. CLPA is subject to the finalisation of a costing exercise of the various recommended actions steps to be implemented by the key government departments.

In drafting the CLPA, certain principles were adhered to and these included the prioritisation and identification of the worst forms of child labour for South Africa, the examination of best practices elsewhere, sustainability and the avoidance of duplication. CLPA has identified a wide range of activities that fall under the mandate of various government departments and agencies, some of which are already contained in existing policy and others that are new.

The following three issues have been identified as worst forms of child labour in South Africa:

- commercial sexual exploitation of children and child trafficking
- the delivery of water by children to households far away from safe sources of water
- children used by adults in the commission of offences (CUBAC)

In order to facilitate the action and work needed to combat and eliminate these worst forms of child labour, Towards the Elimination of the worst forms of Child Labour (TECL) - a technical assistance project to the Department of Labour - commissioned the investigation and design of three pilot projects, aimed at addressing the identified worst forms of child labour for South Africa as specified above.

The design of the pilot for CUBAC included a rapid assessment of the situation of children used by adults and other older children in South Africa, which was followed by a baseline study in four sites to determine the nature, extent and consequences of CUBAC and determine the suitability of the sites for the pilot programmes, which were being designed.

The pilot programme in relation to CUBAC will seek to promote education and intervention for children, both at a prevention level, and at the level of diversion programmes. This manual provides the content and information necessary for the implementation of a CUBAC intervention within the context of a diversion programme. It is accompanied by a similar manual that focuses on the issue of prevention, for both children and adults.

Why include a CUBAC session in Diversion Programmes?

Information available to us thus far about CUBAC indicates that adults' engagement of children in crime may be quite a commonplace phenomenon.¹ It may therefore be assumed that children who have been involved in crime (such as those in diversion programmes) may have already had the experience of being engaged by adults in crime, or may be at risk of such engagement. Therefore, children in diversion programmes are particularly important to target to provide information about the phenomenon of CUBAC, and more importantly, to engage in the development of appropriate life-skills in order that they may be able to recognise CUBAC situations, and practice behaviours that enable them to disengage from the situation, while ensuring their safety.

It should be noted that children who are not in diversion programmes (who may not have committed crime) are also considered to be important recipients of information and skills development in relation to CUBAC.

Adults, particularly those responsible for the care of children, are also considered to have an important role to play in prevention in relation to CUBAC. A programme focusing on adults in relation to prevention is presented in the separate manual on prevention mentioned above.

The CUBAC session for Diversion Programmes

This manual is intended to provide material for the implementation of one session dedicated to CUBAC within an existing diversion programme. The session is designed to last between 2 and 3.5 hours. It is also anticipated that the content in this manual be implemented with flexibility, taking into consideration the group of children involved as well as the specific diversion programme to which this session will be added. This is particularly necessary given that some of the more general content (for example, the exercise related to risk factors for youth crime - section 3 below) may have been covered elsewhere in the diversion programme. Therefore, such aspects of this session need not be repeated and facilitators may omit that exercise.

What is important for the appropriate insertion of CUBAC content into a diversion programme is to ensure that all of the following objectives are met, through the process of the entire diversion programme - they need not all be addressed in the one session proposed below.

It is recommended that the CUBAC session be inserted into diversion programmes later in the programme, when trust levels between the children and programme facilitator are presumably higher.

The key objectives of the session are as follows:

- To introduce the participants to the issue of children being used by adults to commit crime, and indicate its international significance,
- To enable children in diversion programmes to examine the range of risk factors relating to offending in general, and define the factors that relate to the individual, the home and family, the school and the community,
- To enable children to identify some of the common situations for children being engaged in crime by adults,
- To provide participants with opportunities to role-play different behavioural responses to CUBAC situations,
- To provide information to children as to where and how to access assistance if this is needed.

¹ Frank, C and Muntingh, L. 2005. *Children Used by Adults to Commit Crime (CUBAC): Children's Perceptions*. Pretoria: International Labour Organisation.

Chapter 2

Implementation of the Programme Content

Good Practice in Programme Delivery

In implementing this as an additional session to an existing diversion programme, facilitators are reminded that all the key “good practices” in relation to general programme delivery and facilitation remain applicable.

Some of these “good practice” guidelines are listed below:

Flexibility of Programme Design

All efforts should be made to design and implement programmes that have been tailored to the needs and capacities of the individual children in the group, as well as the group as a whole. This is so because all children and groups of children are different. Programme content should be based on a thorough assessment of a range of issues relating to individual children, and the group as a whole. Among other things, attention should be paid to: the ages of the children, their levels of education, language, needs, strengths and capacities, risk factors, gender (see below), etc.

It has been noted that programmes need to be multi-focused, multi-dimensional and multi-resourced, in other words the programmes need to employ different ways to engage children and use different approaches, drawing on the experience of different fields of expertise.² Efforts should also be made to involve programme participants in the design of programmes.³

It is important that programme content be based on research findings.⁴ This means that programme designers need to be aware of emerging research findings relating to what content and process aspects of programmes have been shown to be effective. All efforts should be made not to continue to use strategies and approaches that research has shown to be largely ineffective.

Experiential Programmes

Diversion programmes need to be transformational in nature, i.e. focused on changing behaviour, thought and attitude, to name a few.⁵ In order to achieve the desired change amongst participants, creative approaches that reach, engage and transform participants need to be sought. Experiential learning strategies have long been recognised as a valuable and effective means through which to engage people in learning, using their own life experiences and capacities to enable this process.

² Fine, N. 1996. *Through the Walls: Transforming Institutional Thinking*. Cape Town: Community Law Centre, University of the Western Cape.

³ Dawes, A and Van Der Merwe, A. 2005. *The Development of Minimum Standards for Diversion Programmes in the Child Justice System*. Cape Town: Human Sciences Research Council.

⁴ *Ibid.*

⁵ Fine, op cit.

At the very least, all efforts need to be made to eliminate the use of one-directional, lecture-type sessions with programme participants, that exclude the possibility of interaction between the participants. Experiential learning is discussed in further depth in the section that follows.

Mainstreaming Gender

All programmes, regardless of whether or not they include both genders, should seek to “mainstream” the issue of gender. This does not imply a focus on “women’s or girls’ issues” but rather the need to question and understand how issues relate to both men and women. Such an approach would seek to understand both the differences and the similarities of experience, thought and insights of men and women, girls and boys.⁶

Practicing Behavioural Options

Given that most diversion programmes seek to encourage both cognitive and behavioural change, such programmes should seek to engage participants in the testing of different behavioural options within the safety of the programme. This means that efforts need to be made within the design of programmes to allow not only for participants to select and test behavioural responses to different situations, but also for these to be debated by the larger group, and for other alternatives to be generated and explored.

Ensuring the Safety of Participants

In all cases, diversion programmes need to prioritise the safety of the participants. While this relates to children’s safety during the programme, it also relates to the safety of children if they choose to test out or implement new behavioural options offered through the programme outside the programme environment. For example, some programmes include content relating to decision-making. It should be part of the programme to explore with children the consequences of certain decisions being made and particularly also highlight the risks that may relate to what are believed to be good decisions. A child may make the decision to leave a gang. While this is a very positive decision, it also carries the risk of recrimination from the gang.

In relation to CUBAC, it is critical that practitioners be aware of the risks for children who resist being engaged by adults in crime. Therefore, it is important that the programme be used to provide as much information as possible to the child in relation to the consequences of his/her choices, as well as what support may be available to him/her. It is also true, in relation to CUBAC, that the nature of the phenomenon makes it difficult for children to talk about the problem, particularly because they may feel vulnerable to intimidation or retaliation from adults. Therefore, the facilitator needs to ensure that children are made aware that if they wish to share information about personal experiences relating to CUBAC, they need not reveal the name of the adult involved or any details that may provide clues to his or her identity.

Programme planning and monitoring and evaluation

Programmes need to have clear objectives and the interventions and outcomes must be aligned to these objectives.⁷ However, all efforts need to be made to continually ensure that the entire programme conforms to this requirement, especially after smaller changes are introduced into programmes. Good practice in relation to the monitoring and evaluation of programmes also needs to be applied on an on-going basis.

Learning based on Strengths and Capacities

The design of both programme content and process needs to place the strengths and capacities of participants at the forefront of the learning process. This means utilising processes that recognise, acknowledge and bring participants’ prior knowledge and experience to the centre of each exercise. This also implies utilising current capacities to catalyse the development of new capacities.

⁶ Youth Development Network. 2004. *Engendering Youth: Mainstreaming a Gender Perspective in the Youth Sector*. Johannesburg: Youth Development Network.

⁷ Dawes et al, *op cit*.

Experiential Learning

“Tell me, and I will forget. Show me, and I may remember. Involve me, and I will understand.”

Confucius, 450 BC

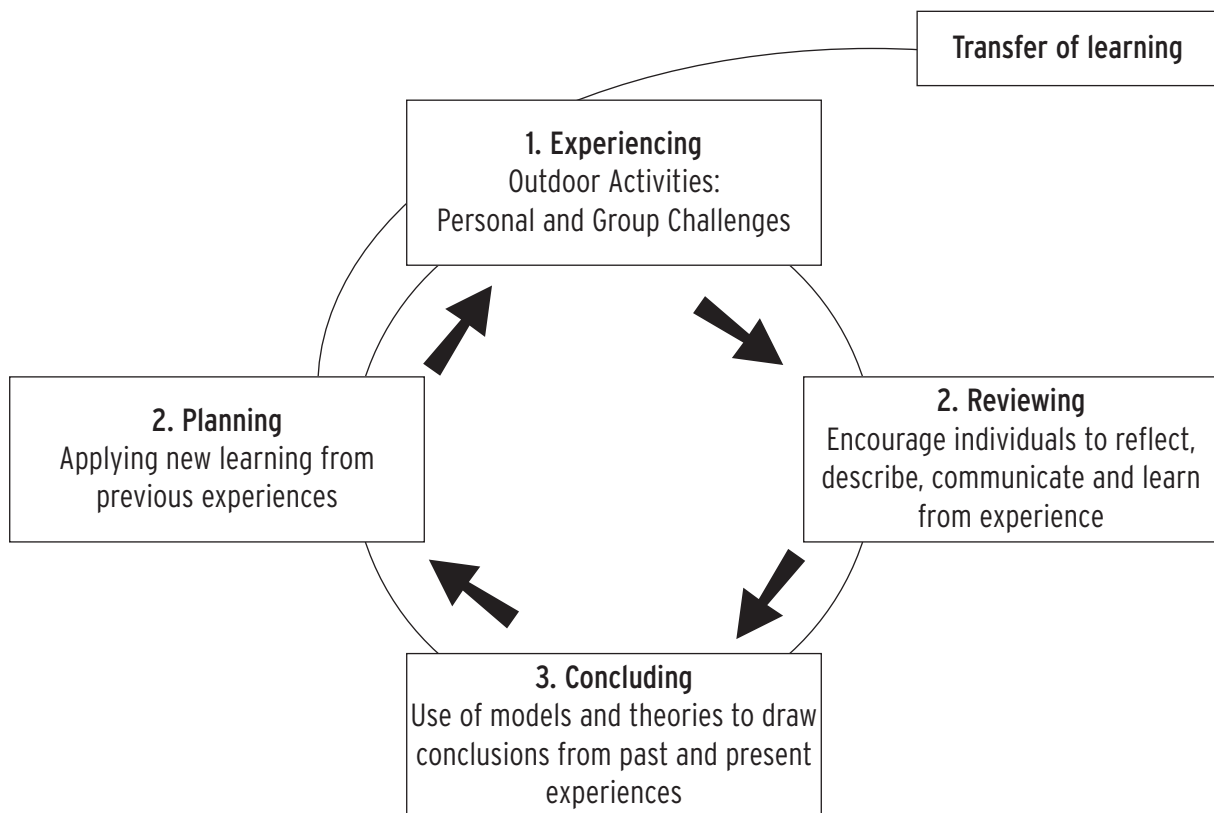
The above statement is quoted very often by those in experiential education as it illustrates the value and purpose of experiential learning techniques. For the purposes of this manual we will be focusing on that aspect of experiential learning that relates to encouraging personal growth and development and approaches that increase individual self awareness and/or group effectiveness.

Experiential learning refers to an active process where learners are provided with experiences (and are encouraged to build on their own experiences) after which the learner is facilitated through a process of reflection, with the intention of enabling new insights to emerge. Most simply, this may be summarised as:

EXPERIENCE + REFLECTION = LEARNING

Most approaches to experiential learning provide for a structured sequence of learning which is guided by a cyclical model, called “the learning cycle”. While different models of experiential learning may suggest different cycles ranging from 2 to 6 stages, the cycle below is recommended for the implementation of this programme.

The Experiential Learning Cycle⁸



⁸ www.wilderdom.com/experiential/elc/ExperientialLearningCycle.htm Adapted from Exeter, 2001 and Kolb, 1984, www.wilderdom.com/experiential/elc/ExperientialLearningCycle.htm

Using the Experiential Learning Cycle

Stage 1: Experiencing

Offer participants an “experience” within the context of the group session. This experience could be individual or group-based, could be situated in a classroom or outdoors, and could be any range of activities including the following:

- Problem-solving
- Role-play
- Project work
- Games
- Music and/or drama
- Art
- Film/video

In terms of the content presented in this manual, examples of “experiences” are the development of CUBAC risk scenarios and role-plays.

Stage 2: Reviewing/Reflecting

During this phase of the learning cycle, it is the role of the facilitator to encourage the learners to reflect on the experience.

During this phase, facilitators could start with the process of **identification** or **definition**. This seeks to engage participants in describing what they saw and experienced during Stage 1. This assists the entire group to develop some common awareness of what was seen, and bring to light different perspectives on the experience. The central question that defines the process of identification is:

What happened?

Next, facilitators may encourage the group to **analyse** the experience. This means enabling the group to explore the meaning of the experience, from their various perspectives. The facilitator needs to enable all the dimensions of the experience to be analysed by the group, and may aid this process by breaking the experience up into manageable pieces. The central question that defines this aspect of the learning process is:

What does this mean?

Overall, the reviewing and reflecting phase is used to fully explore and understand the experience and its meaning for the participants.

Stage 3: Concluding

This stage is utilised for the purpose of engaging participants in deciding what the experience means for themselves and others, either in similar circumstances or in totally different circumstances. Here, participants are encouraged to develop some general ideas, models or theories relating to both thought and behaviour in the future. For example, participants may be asked, given what they have experienced:

How may they or others think or act differently in future to enable a more positive outcome?

Stage 4: Planning

This stage is intended to enable participants to explore how what they have just learned or decided may apply to new situations. Here, participants are encouraged to think as realistically as possible.

The Role of the Facilitator

Facilitators are required to be both creative and confident, and exhibit warmth, flexibility and fairness.⁹

In the context of this kind of programme involving work with children and young people, the experiential learning cycle is managed by the facilitator. S/he is responsible for the overall design of the programme, the planning of individual sessions and ultimately ensuring that opportunities for learning are maximised through the process.

The facilitator is the key agent of change for the participants; the success with which change is achieved depends on the facilitator's ability to encourage learning through asking strategic questions, and reflecting feelings and thoughts back to the group. These are skills that are not developed overnight, but are absolutely central to supporting learning and change amongst young people.

The facilitator is the ultimate guardian of the safety of children within the programme, and needs also to be keenly aware of the safety needs of children as they leave the programme and engage in the real world. The design and management of each programme, and each individual programme session, needs to actively deal with these safety concerns.

Group Size

Group size is a very important concern. This manual suggests that a maximum of 20 children be included in a group. This is not a rule, however, and the decision about size should involve balancing issues of depth and quality with those of cost effectiveness.

It should be noted however, that there is a point where groups become too large for individual children to participate effectively and the experience and effort are rendered meaningless. Groups of more than 30 in the case of diversion programmes are inclined to go in this direction and should be used with extreme caution.

Providing a List of Community Resources to Support Children

Central to the effectiveness of this session is to ensure that children who need help in relation to the issue of CUBAC are made aware of where this can be accessed.

It is essential to this session that the facilitator develops a list of community resources specific to the local area that may assist the children and that this is provided to participants at the end of the session. It is also important that an explanation is provided to participants as to how to access these resources, and what assistance may be expected.

Facilitators need to make themselves aware of key government and NGO role-players and their roles in assisting children. These resources should be as local as possible in order to facilitate children accessing assistance. It may also be helpful to children if these personnel and organisations are invited to attend the CUBAC session.

Applying this Manual

This manual is structured in such a way as to allow the facilitator flexibility in being able to lift particular exercises from the text. Alternatively, the manual may be followed as is. It is recommended that facilitators make themselves very familiar with the central objectives of the session, and then seek to achieve those, rather than following the manual directly.

⁹ Dawes et al, *op cit*.

Chapter 3

Content of CUBAC Session

Summary of Session

No.	Activity	Time Required	Materials	Appendix
1.	Welcome	5 minutes	None	-
2.	Introduction to CUBAC	15 minutes	Joe's story	1
3.	Risk factors for youth crime	35 minutes	Pen and paper for each group Newsprint Markers	2 and 3
4.	Developing CUBAC scenarios	35 minutes	Pen and paper for each group Newsprint Markers	4 and 5
5.	Practising responses to CUBAC risk situations	1hr and 30 minutes	None	-
6.	Resources to support children	10 minutes	List of Resources	-
7.	CUBAC Information Form	10 minutes	CUBAC Information Form	6
	Total Time:	3 hours and 20 minutes		

Objectives of the CUBAC Session

- To introduce the participants to the issue of children being used by adults to commit crime, and indicate its international significance
- To enable children in diversion programmes to examine the range of risks factors relating to offending in general, and define the factors that relate to the individual, the home and family, the school and the community.
- To enable children to identify some of the common situations for them being engaged in crime by adults
- To provide participants with opportunities to role-play different behavioural responses to CUBAC situations
- To provide information to children as to where and how to access assistance if this is needed

Facilitation of the Programme

Activity 1: Welcome

Welcome the children to the session. As it forms part of an existing diversion programme, recap the purpose of the entire diversion programme and remind participants of the previous session, its intentions, and what some of the central learnings emerging from the group were.

Activity 2: Introduction to CUBAC

Objective of the Exercise: To introduce and familiarise the participants with the issue of children being used by adults to commit crime, and indicate its international significance.

Key Learning: What does CUBAC mean?

Time Required: 15 minutes

Materials: Joe's story - Appendix 1

Method:

- Facilitator reads Joe's story to the group (Appendix 1).
- Facilitator asks the group what they noted in the story, and facilitates the discussion towards the issue of Tom, as an adult, using Joe and his friends to commit a criminal offence.
- Facilitator introduces the idea of CUBAC to the group, stating that the issue of "children being used by adults to commit crime" is recognised internationally as one of the worst forms of child labour.

Explain that there is an international convention, the International Labour Organisation Convention 182, on the Elimination of the Worst Forms of Child Labour, which identifies CUBAC as well as the following as the worst forms of child labour:

- All forms of slavery such as the sale and trafficking of children, including the use of children in armed conflict;
- The use of children for prostitution and pornography
- Work which is likely to harm the health, safety or morals of children

Inform the group that 151 countries in the world have agreed to work to stop these worst forms of child labour, and that South Africa is one of the countries that have agreed to do this (in 2000).

- The facilitator should then ask the group whether they believe that Joe is a victim or an offender.
- In facilitating the responses from the group, the facilitator should enable the group to understand the complex nature of CUBAC i.e. that the child may be used by adults, but if s/he agrees to commit the crime (as in the case of Joe and his friends), then s/he is still expected to take responsibility for his/her actions. Conclude this point by explaining that CUBAC places children in the odd position of being both "victim" and offender.
- Explain the following as being the objectives of the session:
 - To introduce the participants to the issue of children being used by adults to commit crime, and indicate its international significance
 - To enable children in diversion programmes to examine the range of risk factors relating to offending in general, and define the factors that relate to the individual, the home and family, the school and the community.
 - To enable children to identify some of the common situations for children being engaged in crime by adults
 - To provide participants with opportunities to role-play different behavioural responses to CUBAC situations
 - To provide information to children as to where and how to access assistance if this is needed

- Explain the following as being the purpose of the session:
 - Children may be at risk of being used by adults to commit crime and this may be avoidable if children understand what is happening,
 - Once children recognise that they are being used by adults, or that there is a risk of this, they may be able to take action to avoid the situation,
 - Children may be able to change things if they learn what possible actions they could take, and get some practice in these actions,
 - **However, children need to realise that CUBAC is not an “excuse” for avoiding responsibility or blame for committing an offence. They will still be held liable, but what is necessary is for them to be able to resist such risky situations in future.**
- Conclude by asking whether participants are clear about what is meant by CUBAC.

Activity 3: Risk Factors for Youth Crime (optional)¹⁰

Objective of the Exercise: To enable children to examine the range of risk factors relating to offending, and define the factors that relate to the individual, the home and family, the school and the community. Note that this relates to children and crime more generally, and not only to CUBAC.

Key Learning:

- The 4 different kinds of factors that create risks for children committing crimes
- It is usually not one factor but rather a complex range of factors that results in children becoming involved in crime
- These factors often influence the choices that children make, but children still do have choices
- An awareness of these factors can make one more aware of what motivates and influences one's choices

Time Required: 35 minutes

Materials: Pen and paper for each group
 Newsprint
 Markers

Method:

- Split up the participants into groups of four or five.
- Ask the groups to take 10 minutes and to generate on a piece of paper a list of what factors they believe cause children to commit crime. These must be grouped into 4 kinds of factors:
 - Factors relating to the individual child
 - Factors relating to the home and family
 - Factors relating to school
 - Factors relating to the community

Allow 10 minutes
for group discussion

During the first 2 minutes of this period, the facilitator should check with each of the groups to ensure that all understand the task to be undertaken.

¹⁰ This exercise is optional if the issue of risk factors for youth crime have been explored earlier in the programme.

During the group discussions, the facilitator should place 4 newsprint pages up on the wall. Each one should be headed to represent one set of factors noted above (see **Appendix 2**).

After the allotted discussion time, ask each group in turn to write up the risk factors that they have selected on the newsprint, within the appropriate category, and to explain their reasons for suggesting each risk factor. Each additional group should only add new factors that they have discussed and explain these.

Based on the set of risk factors in **Appendix 3**, facilitate the addition of factors that have been missed by the groups.

Facilitate a discussion that explores each category of risk factors (i.e. individual, home and family, school, and community) and engage participants in discussion about how risk is created in each of these domains.

In this discussion, allow the group to explore:

- What kind of individual or personal characteristics may result in someone being at increased risk of involvement in crime?
- What happens at home and in families that increases the risk of children getting involved in crime?
- How do people and situations at school contribute to children getting involved in crime?
- What happens in communities that makes it easier for or enables children's involvement in crime?

Ensure that children are able to understand the following:

- It is usually not one factor but rather a complex range of factors that result in children becoming involved in crime
- These factors often influence the choices that children make, but children still do have choices
- An awareness of these factors can make one more aware of what motivates and influences one's choices

In concluding this exercise, ask participants to identify those risk factors (from the newsprints) that, in their experience, are most common to children in their communities who commit crime.

Activity 4: Developing CUBAC Scenarios

Objective of the Exercise: To enable children to identify some of the common situations and strategies for children being engaged in crime by adults.

Time Required: 35 minutes

Materials: Pen and paper for each group
Newsprint
Markers

Method:

- Split the group up again into different groups of 4 or 5
- Ask each group to develop 4 stories or scenarios that tell of 4 different ways in which adults may influence children to commit crime. Encourage the participants to consider stories and scenarios related to their own lives, families and neighbourhoods. (*Note to facilitator - these will be used for role-plays in the next session.*)

Provide as an example of what is the required, Lindiwe's story, **Appendix 4**.

Note: it is critical to word the above instruction carefully so that children are afforded the opportunity to think of as wide a range of scenarios as possible.

Allow 15 minutes
for group discussion

During the first 2 minutes of this period, the facilitator should check with each of the groups to ensure that all understand the task to be undertaken.

- Groups should then be asked to present one of their stories/scenarios at a time. In each case, the group must be encouraged to explain how the adult influenced the child to commit the crime, as well as to assess whether the child had a choice or not.
- As each story is presented, the facilitator should help the group identify the essence of the scenario. For example, in the case of Lindiwe's story (**Appendix 4**), the essence of the story was that Grace used Lindiwe's trust and her need for clothes and money to get her to commit the crime.

The facilitator should ask questions and encourage the group to generate stories and scenarios, and should ensure that the list covers, at least, the following types of scenarios:

- Children being forced to commit crime through violence
- Children being forced to commit crime through threats of violence
- Children being given money, clothes and other material rewards
- Children being given attention, acknowledgement, respect and other emotional rewards
- Parents and caregivers committing crime
- Parents and caregivers excusing or ignoring children committing crime
- Parents and caregivers not providing guidance or being good examples
- Based on the stories presented, the group should be asked to identify what factors create risks for CUBAC. These should be listed on the newsprint by the facilitator, under the categories: individual factors, family factors, school factors and community factors.
- The discussion should be concluded through a brief look at the risk factors for CUBAC noted in **Appendix 5**. It should be noted that the list provided is based on limited research and should therefore be used just as a guideline.

Activity 5: Practising Responses to CUBAC Risk Situations

Objective of the Exercise: To provide participants with opportunities to role-play different behavioural responses to CUBAC situations, specifically how to avoid and resist influence from adults.

Key Learning: Possible behavioural responses (and the accompanying risks) to various CUBAC risk scenarios

Time Required: 1 hour and 30 minutes

Materials: None

Method:

- The facilitator should return to the sets of scenarios developed by the groups in the previous exercise and select one scenario for each of the groups to role-play. The selection should be made in order to represent the range of different ways in which adults may engage children in crime. For example, scenarios of the following types should be selected for this session:
 - Children being forced to commit crime through violence
 - Children being forced to commit crime through threats of violence
 - Children being given money, clothes and other material rewards
 - Children being given attention, acknowledgement, respect and other emotional rewards
 - Parents and caregivers committing crime
 - Parents and caregivers excusing or ignoring children committing crime
 - Parents and caregivers not providing guidance or being good examples

- Divide the participants into groups of 4 or 5, and ask them to plan a role-play in which the scenario they are allocated is played out, but where they also provide the child concerned with a way of responding to the situation that enables him or her to manage the situation effectively.

Allow 15 minutes for groups to plan and rehearse role-plays

During the first 2 minutes of this period, the facilitator should check with each of the groups to ensure that all understand the task to be undertaken.

- Ask groups to role-play their story. After each role-play, facilitate a discussion that relates to how the situation may best be dealt with. Focus on assisting children to be as practical and realistic as possible with a focus on ensuring that the safety of children is paramount. This means that during the role-plays the facilitators should point out the potential for the safety of a child to be placed at risk. The group should be asked to generate behavioural options for the child that reduce the risks of being harmed.
- Ask the group to generate some ideas of a general nature that children may use to get themselves out of CUBAC situations:
For example:
 - Make an excuse and remove yourself from the physical location
 - Tell the person that you would prefer not to get involved

Activity 6: Resources to Support Children

Objective of the Exercise: To inform children about the existence of community resources to assist them and how they may access help if they need it.

Time Required: 10 minutes

Materials: Resource list

Method:

- Hand out copies of a list of local community resources where children can go if they require assistance.
- Go through the list with participants, explaining what kind of assistance they can expect from the different community organisations or government institutions on the list.
- Provide information about how to go about accessing assistance e.g. who to ask for, whether to phone or visit the office, etc.

Activity 7: CUBAC Information Form

Objective of the Exercise: To inform children about the Form, and its purpose, and to request that it be filled out.

Time Required: 10 minutes

Materials: CUBAC Information Form (Appendix 6)

Method:

- Inform the participants that since the CUBAC work is new and is being piloted for the first time, researchers are collecting information about participants in the programme.
- Inform the participants that the researchers would like them to fill in the Form, and promise to keep the information secret. Tell them that their names will not be mentioned in the research.

Allow 10 minutes for the completion of the Form

During the first 2 minutes of this period, the facilitator should check with each of the groups to ensure that all understand the task to be undertaken.

Completion of the form is voluntary and facilitators should not compel any child to fill in the form.

Activity 8: Conclusion

- Conclude the session by recapping the central objectives of the session
- Ask participants whether there are any questions

References

Dawes, A and Van Der Merwe, A. 2005. The Development of Minimum Standards for Diversion Programmes in the Child Justice System. Cape Town: Human Sciences Research Council.

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Frank, C and Muntingh, L. 2005. Children Used by Adults to Commit Crime (CUBAC): Children's Perceptions. Pretoria: International Labour Organisation.

Youth Development Network. 2004. Engendering Youth: Mainstreaming a Gender Perspective in the Youth Sector. Johannesburg: Youth Development Network.

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Appendix 1

Joe's Story

Joe is 13 years old. He and his three friends were playing video games at the local shop when they were approached by a man. Joe recognised the man as a friend of his older brother. The man introduced himself as Tom. He asked Joe if he and his friends would like to make some extra money. None of them had any money, so they all said yes. He said that they could all make a lot of money if they sold dagga for him to their friends at school.

Appendix 2

Newsprint 1:

Individual Factors

Newsprint 2:

Home and Family Factors

Newsprint 3:

School Factors

Newsprint 4

Community Factors

Appendix 3

Risk Factors for Youth Crime and Anti-Social Behaviour

Individual Factors

- Limited social abilities
- Limited cognitive abilities
- Substance abuse
- Gang membership
- History of anti-social behaviour/offending, including selling illegal drugs
- Anti-social peers

Home and Family Factors

- Poor child management/disciplinary practices or inconsistent and insufficient parental or care-giver guidance
- Parental attitudes favourable to crime
- Anti-social or criminal parents
- Family conflict or violence
- Poor parental supervision
- Relative poverty

School Risk Factors

- Poor school performance
- Low commitment to schooling
- Low educational aspirations
- Disruptive behaviour, bullying
- Truancy, school exclusion

Neighbourhood and Community Factors

- Few opportunities for employment and economic exclusion
- A culture of violence
- Poor housing and neighbourhood conditions
- Disorganised neighbourhood, little sense of community
- High turnover of residents
- Lack of facilities and services for young people
- Availability of drugs

Appendix 4

Lindiwe's Story

Lindiwe is 16 years old. She lives with her mother who has to work two different jobs to support the household. Often, she does not have time to spend with Lindiwe as she is either rushing off to work, or is too tired to talk.

Lindiwe was walking home from school one day and was approached by Grace. Lindiwe was very impressed by Grace who was in her mid-20s and had a job and drove a fancy red car. Most of all, Lindiwe was impressed by the fact that Grace dressed in the latest fashions, and wore the best designer labels.

As they became more friendly, Lindiwe shared her problems with Grace, who was very supportive and understanding, and began to help her by giving her gifts of clothes and money. This was more than Lindiwe could have ever hoped for from her mother.

One day, Grace asked Lindiwe if she would help her with a small task. She said that she needed someone to walk into an expensive shop and take 4 bottles of perfume. Lindiwe knew that this was wrong and that she could be caught, but she also didn't want to hurt or disappoint Grace, so she decided to do it.

Appendix 5

Risk Factors for CUBAC

Individual Factors

- Drug use or drug addiction
- Involvement in crime
- Peer group involved in crime
- Aspiring to material rewards, with limited efforts to achieve these through legal means
- Association with adults involved in crime

Family Factors

- Poverty
- Limited parenting skills
- Absence of father figure
- Family involvement in crime and/or disregard for child's criminal behaviour

Community Factors

- Criminal economy offering financial rewards for criminal activities
- Gangs
- The availability of illicit drugs

Appendix 6

CUBAC Participant Information Form: DIVERSION PROGRAMME

(Please tick the correct option)

1.	Your name			
2.	Your age			
3.	Gender	FEMALE	MALE	
4.	Do you go to school	YES	NO	
4.1.	Name of school			
4.2.	Grade at school			
5.	Who are the people that take care of you (for example: mother, grandmother)			
6.	Do you live on your own or with other people?	I live on my own	I live with other people	
6.1.	If you live with other people, please name the people that you live with (for example, aunt, friends, etc.)			
7.	What offence were you charged with before coming to the diversion programme?			
8.	Were you accused on your own or with others?	ALONE	WITH OTHERS	
9.	If you were accused with others, were these adults or children, or both? <i>Tick the applicable boxes</i>	Adults	Children	Both adults and children
10.	Have you been charged with other offences before this? If yes, please list.			
11.	Have you been convicted of other offences before? If yes, please list.			
12.	Have you ever been used by an adult to commit crime?	YES	NO	
13.	If yes, please provide examples of what happened.			

Notes to facilitator :

- You can make a copy of this form and hand it out to the children
- These forms will be collected from you and should be kept safe.

