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“We Learn How to Stay Out of Trouble”: Children in Conflict with the Law’s Perspectives on Mentorship as a Diversion Programme in Tshwane, South Africa

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Abstract

South Africa has seen a surge in child offending. Child offenders commit violent crimes such as armed robbery, housebreaking, rape and murder. Conversely, not all child offenders commit violent crimes. Many child offenders are detained for minor charges such as shoplifting, theft and possession of illegal substances. Most of these children face numerous levels of adversity, including poverty, dysfunctional households and limited parental involvement. Responses to child criminal behaviour accentuate rehabilitation through measures such as diversion. Narrative accounts of children in conflict with the law who underwent mentorship programmes, as a diversion initiative, are scarce and underrepresented. Through a qualitative inquiry, 13 children who completed the National Youth Development Outreach (NYDO) Centre’s Mentoring Diversion Programme were interviewed and data were analysed thematically. Findings provided insight into the participants’ background and context, the mentor–mentee relationship, responsibility, effectiveness of the programme, and aftercare support. This paper contributes to scientific research and is conducive to curtailing child offending.

Keywords: children in conflict with the law; child justice system; diversion; mentorship

Introduction

South Africa has seen a rampant surge in child offending over the last few years (Booyens, Beukman, and Bezuidenhout 2013; Sibisi and Warria 2020; Van Diemen 2019; Ward, van der Merwe, and Dawes 2012). According to the South African Judicial Inspectorate for Correctional Services, between 2019 and 2020 there were 2,058 sentenced children in conflict with the law, and 3,724 detainees awaiting trial. During 2018–2019, 6,302 offenders under the age of 18 years old were incarcerated

(Mlamla 2021). Children¹ in conflict with the law, in South Africa, commit heinous crimes such as armed robbery and housebreaking, rape and murder. Conversely, not all children in conflict with the law commit violent crimes. Many children in conflict with the law are detained for minor charges such as shoplifting, theft and possession of illegal drugs, but because these are not severe violations, they do not garner the same attention as violent offences (Sibisi and Warriá 2020). Most of these children face numerous levels of adversity, including poverty, dysfunctional households and limited parental involvement (Lynch and Liefwaard 2020). Consequently, they are exposed to several risk variables that may raise their likelihood of engaging in criminal activity. Often, children in conflict with the law are exposed to crime and violence in influential institutions of socialization such as their homes, schools and communities. Several interpersonal, familial, communal and social-structural elements have been identified as putting individuals and communities at risk (Naidoo and Van Hout 2022; Ntuli and Singh 2019; Tshunungwa and Obioha 2021).

Children are exposed to communal violence as they grow up in South Africa. Deviance is influenced by proximity to criminal peers, the availability of alcohol and drugs, and living in impoverished communities (Chauke and Malatji 2021; Lamb 2019; Le Roux and Mokhele 2011). Poverty, unemployment, HIV/AIDS and high crime rates are all unique elements in the South African environment that contribute to a collapse of societal values. As HIV/AIDS began to claim the lives of the economically active generation, the situation deteriorated, leading to a rise in HIV/AIDS-related orphanhood and deprivation (Adeagbo and Naidoo 2020; Sibisi and Warriá 2020). Reports on crimes perpetrated by young people are increasingly recounted in the media (Masson 2022; Sangqu 2022; Seleka 2021), thus substantiating the need to find alternative initiatives for dealing with children in conflict with the law.

The focus of responses to child criminal behaviour has shifted from incarceration and punishment to rehabilitation through strategies such as diversion. Diversion is the court's decision to allow children, in conflict with the law, to remain with their parents or guardians under certain restrictions based on clear and convincing evidence that a child is deprived or in need of treatment or rehabilitation. In sum, it is the formal suspension of juvenile proceedings and placement of the child in conflict with the law in a treatment or care programme (Dlamalala and du Preez 2020). Those overseeing the implementation of diversion programmes must ensure strict adherence to the Act's interpretation, prioritizing the protection of constitutional rights for the children involved (Ozah and Hansungule 2021:11). While the specific frameworks, structures or operational dynamics of these programmes may vary, they share a common goal – to reform delinquent behaviour and decrease the likelihood of reoffending (Connolly 2022:37). A pivotal aspect of diversion programmes lies in affording children in conflict with the law the opportunity to cultivate positive relationships with their peers. This fosters the promotion of values and norms that align with societal expectations (Connolly 2022:100). Diversion aims to improve connections and establish and develop life

¹According to South African legislation, a child is considered to be a person younger than 18 years old (Department of Justice and Constitutional Development 2008).

skills. Diversion has been used since the 1990s and is seen as a potential alternative to formal procedures (Crawford 2007). In South Africa, there are numerous diversion programmes such as life-skills training, outdoor interventions, silence the violence, family group conferencing, restorative justice programmes and mentoring (Latchman 2020).

Mentoring as a diversion programme is one of the least-researched initiatives for dealing with children in conflict with the law. Discrepancies are caused by a variety of factors, including the mentors' inconsistent record-keeping, mismatched partnerships and inadequate support (Ginting and Shofwan 2021; Lakind, Atkins, and Eddy 2015; Raposa, Rhodes, and Herrera 2016). However, mentoring programmes boast various benefits such as preventing and curbing delinquent behaviours, cultivation of hope and optimism, as well as accomplishments in school, family and society (Hawkins et al. 2020). Despite several hurdles, diversion and reintegration services in South Africa are progressively demonstrating the value of a criminal justice system (CJS) that integrates restorative justice philosophies (Schoeman 2019; Sloth-Nielsen 2021). Child offending prevention is best addressed through collaborative methods including all relevant stakeholders. In this sense, the child in conflict with the law, the victim and the community all play important roles, because these groups do not exist in isolation but are part of a larger system that legitimizes and influences their purpose. Moreover, early intervention is a crucial component of the child justice system and intervention programmes. South Africa is a multicultural nation in need of culturally appropriate interventions to increase its youth's receptivity to change their criminal behaviour. However, there is a dearth of empirical evidence on the optimal kind of diversion intervention suited for the South African milieu (Motshedi 2020). Moreover, narrative accounts of children in conflict with the law who underwent mentorship programmes, as a diversion initiative, are scarce and underrepresented. Consequently, the paper aims to explore children in conflict with the law's perspectives on mentorship as a diversion programme. To achieve this goal the paper was guided by the following objectives, based on the participants' perspectives: (a) to describe the mentor-mentee relationship; (b) to explore the significance of responsibility; (c) to ascertain the effectiveness of the programme; and (d) to explore aftercare support and recommendations. Thus, this paper seeks to contribute to empirical evidence concerning mentorship as a diversion programme experienced by children in conflict with the law. In this way, the findings of the paper are not only conducive to scientific research but also practically beneficial to curtailing child offending.

The paper is organized as follows: diverted children in conflict with the law and the CJS are explored. Thereafter, mentorship as a diversion approach is reviewed and details concerning the study site – the National Youth Development Outreach (NYDO) Centre – are outlined. The research methodology that underpins this paper, as well as the study's findings, are discussed.

Diverted Children in Conflict with the Law and the CJS

For decades, social scientists have worked to identify and comprehend the problem of children in conflict with the law, as well as to identify characteristics that lead to

the continuation of antisocial behaviour (Tshunungwa and Obioha 2021; Wylie, Clinkinbeard, and Hobbs 2019). A better understanding of such determinants will enable policymakers and practitioners to plan and implement effective initiatives to improve awareness about child offending. Since norms differ significantly between cultures, the concept of deviation is complex. Every deviant act entails a violation of social rules that govern children in conflict with the law's behaviour in society (Sibisi and Warriia 2020). This demonstrates the importance of a holistic approach focused on strengthening the bonds between all significant persons in a child's life (Dlamalala and du Preez 2020; Magidson and Kidd 2021; Ntuli and Singh 2019).

In South Africa, many children grow up in disorganized and violent communities, contributing to the deterioration of community support structures (Motshedi 2020). Furthermore, children who engage in serious delinquent behaviours are among those who are most likely to engage in criminal behaviour throughout their lifetime (Lamb 2019; World Health Organization 2020). As a result, it is critical to pinpoint the root reasons for early childhood delinquency and develop efficient intervention strategies to interrupt this potentially problematic developmental trajectory. Section 55 of the Child Justice Act 75 of 2008 accentuates the importance of diversion and the prevention of offending and recidivism (Department of Justice and Constitutional Development 2008).

Diversion is linked to the concept of restorative justice, which necessitates a balancing of rights and obligations. Furthermore, it is the redirection of cases away from official criminal court procedures when there is sufficient evidence to prosecute (Dlamalala and du Preez 2020; Ntuli and Singh 2019). Diversion can also be defined as the process of placing children and youth who have violated the law into treatment-oriented programmes before formal court processes to curtail their infiltration into the CJS and thus circumvent stigma and labelling (Latchman 2020). Furthermore, it strives to instil a sense of responsibility in children in conflict with the law by making them accountable for their acts and promoting respect for all citizens' fundamental rights (Latchman 2020).

South African legislation categorizes the seriousness of crime into three schedules. Schedule 1 contains the least serious offences and Schedule 3 the most serious offences. After consultation with all relevant stakeholders, Schedule 1 and 2 offences are eligible for diversion programmes. In addition, assessment must explore all aspects of a child's life (Smith 2021). These include, but are not limited to, the child's age, cultural, religious and developmental needs, and language. Diversions should be tailored to a child's educational level and cognitive capacity, as well as familial and environmental factors. The diversion programme's proportionality should be examined reflecting the child's circumstances (Smith 2021). Options for diversion should consider the nature of the violation as well as the interests of society (section 55 of the Child Justice Act 75 of 2008; Department of Justice and Constitutional Development 2008).

Mentorship as a Diversion Approach

South Africa is entrenched in a culture of violence and the issue of young people experiencing violence is complex (Hoosen et al. 2022). As a result, exposure to violence has contributed to most children being suspected or accused of being

involved in criminal activities (Songca 2018). According to Hoosen et al. (2022), the way these children are socialized, “they are set on a path of becoming”. Globally, the deprivation of children’s liberty has always been an issue of concern and it remains critical to emphasize that interventions employed are aimed at protecting and channelling them away from the interaction with the criminal justice system (Lynch and Liefgaard 2020). For a child in conflict with the law to be referred to an accredited facility that will assist in modifying the deviant behaviour, they must meet the criteria for diversion in accordance with section 52(2) of the Child Justice Act 75 of 2008 (Department of Justice and Constitutional Development 2008).

The theoretical foundation of the mentoring programme is founded on “modelling theory” because it is characterized by the social learning theory and adopts a holistic approach when assessing factors contributing to child offending (Periani, Purwendah, and Iskatinah 2023). Mentoring is a mutually beneficial relationship in which a more experienced person assists a less experienced person. Mentoring is defined in this context as a relationship between a capable, compassionate adult and a disadvantaged or troubled child. It is based on the perception that children learn behaviour by observing and imitating adults and peers. Thus, skills and cognitive growth occur because of modelling positive behaviour, and such conduct is subsequently viewed as vital (Andris et al. 2021; Bradley 2018; Connolly 2022).

Mentoring initiatives contribute to giving youth better access to future personal, academic and professional prospects. Mentoring programmes have proven to assist young people to succeed. Youth mentorship programme participants boast higher grades, improved school attendance, and are less likely to experiment with alcohol and drugs than their peers. Longer mentoring relationships are advantageous, while early termination relates to negative implications for “at-risk” youth (Andris et al. 2021; DuBois et al. 2011; Raposa et al. 2019). Mentoring experiences benefit mentors as well. Mentors are inspired to give back to their community by sharing their experiences with and supporting youth (Anderson and DuBois 2022; Lakind et al. 2015; Spencer et al. 2017).

This paper is premised on perspectives of children in conflict with the law who underwent a mentoring programme hosted by the NYDO Centre.

The NYDO Centre

The NYDO Centre is a non-profit organization established in 1990 and is situated in Gauteng, South Africa. It serves its surrounding communities – Eersterus and Mamelodi. It is purposed with giving young people the opportunity to participate in constructive activities that would steer them away from a life of crime and substance abuse. To accomplish its mission, the NYDO focuses on the underlying socio-economic situations that enhance the risk factors for criminality, such as poverty, unemployment and inadequate parenting. Moreover, the NYDO Centre’s principal objective is to train, educate and develop programmes for children and youth in conflict with the law (National Youth Development Outreach 2023). One of these programmes is a joint adolescent development and youth mentorship intervention for children who have committed offences. The programme may last 12 weeks or more, depending on the progress of the child in conflict with the law. The mentorship intervention programme provided by the NYDO entails a sympathetic

and loving relationship between the mentee and mentors from similar backgrounds and origins. Participants attend between two or more sessions per week for three months. Despite completing the programme, the mentors may continue with aftercare support and mentorship.

The NYDO Centre is an accredited organization that provides services to children in conflict with the law. Generally, facilities that offer services to children in conflict with the law play a vital role in dealing with contributory risk factors and conditions associated with deviancy (Smith 2021). Children in conflict with the law are referred either by the children's courts, the school, parents or guardians. Children in conflict with the law who participated in this study were between the ages of 15 and 18 years and committed Level 1 and Level 2 Schedule offences. The mentoring programme is facilitated for 12 weeks and children who have completed the programme are offered the opportunity to attend post-intervention or aftercare programmes that aim to curb recidivism.

A professional social worker is mandated to conduct screening assessments before assigning children referred to the NYDO to a mentor. The NYDO mentoring programme is designed and guided by section 55 of the Child Justice Act 75 of 2008 (Department of Justice and Constitutional Development 2008) which entails a restorative justice ethos. The Social Development Department is responsible for providing accredited diversion service providers with guidelines and processes that must be adhered to. In addition, these programmes are designed and planned in a manner that underpins legislation within the child justice context (Department of Social Development 2010). Mentors assigned to facilitate diversion programmes are trained as social auxiliary workers and employed by the Department of Social Development. These mentors facilitate the mentoring programme under the supervision of a professional and registered social worker. Moreover, the mentoring programme outcomes are associated with definite skills that will assist with the desired behavioural change and promote the objective of diversion (Department of Social Development 2010). The children are informed of the NYDO's policies and procedures at the start of the programme. This applies to the house rules that govern tardiness and skipping sessions. Participants are advised that should they be unable to attend a session, they should notify one of the mentors or social workers so that it is recorded. Alternative arrangements can be made, and the duration of their programme/schedule can be adjusted to ensure that missed sessions are facilitated. Records are kept by signing the attendance registry. The schedules of the participants, which include the times and days of the week for attending sessions, are shared. The same schedule is given to the parents or guardians so they can supervise and promote attendance. Mentorship is extended to house visits; however, parents and guardians are notified in advance. To maintain transparent communication, mentors and social workers share their personal contact numbers.

Methodology

The paper was guided by a qualitative inquiry. Qualitative research seeks to gain an inclusive understanding of the research participants. It acknowledges that the ever-evolving social changes and complexities in society require new understanding

(Schurink, Schurink, and Fouché 2021). The study was structured using a phenomenological research approach. Phenomenology seeks to explain social experiences through the perceptions of research participants. This is accomplished through the perspectives, memories and experiences of the participants (Käufer and Chemero 2021). As a result, the paper's findings are enhanced. The goal of the study is to explore perspectives on mentorship as a diversion programme of children in conflict with the law.

The study's delineation is limited to the NYDO Centre. To recruit research participants, a non-probability method and purposive sampling strategies were used. Purposive sampling selects possible participants based on the study's objectives (Strydom 2021). To participate in the study, participants were required to be 18 years old or younger and have completed the mentorship programme. This was significant to be able to gauge the participants' perspectives on the mentorship programme. Section 55 of the Child Justice Act 75 of 2008 (Department of Justice and Constitutional Development 2008) stipulates that although 18-year-olds are usually treated as adults in the CJS, there can be exceptions in specific cases. For instance, in some cases involving individuals who are close to the age of 18 years, the court may consider factors such as the individual's maturity, circumstances and the nature of the offence when deciding how to proceed. Participants who contributed to the study and are listed as 18 years of age were diverted to the mentorship programme due to the consideration of the above-mentioned factors.

The first author (M. Z.) collected the empirical data by using semi-structured interviews. Face-to-face interviews were conducted with all participants, and interviews were scheduled based on their preferences and convenience. The interviews were conducted in English, Afrikaans, Sepedi and isiZulu as directed by the participants' preferred language choice and took between 30 and 60 minutes to complete. Questions concerning the participants' demographic information, their criminal involvement, details on their referral to the mentorship programme, and their perceptions and experiences of the mentors and programme were asked. The interviews were recorded, transcribed and translated by the first author (M. Z.).

In all, 13 participants attending the mentorship programme at the NYDO Centre in Tshwane (South Africa) were interviewed. After receiving permission from the NYDO Centre and ethical clearance, the first author (M. Z.) attended the 12-week mentorship programme. She became familiar with the contents of the programme and its facilitators. Thereafter, she requested permission to conduct the study from the NYDO stakeholders, parents or guardians of the participants and the child participants themselves. To enhance the study further, unstructured observation was used as an additional data collection tool. Unstructured observation is open-ended. The researcher observes, watches and records a wide range of behaviours and events concerning the phenomenon under study (Roestenburg 2021). The first author immersed herself in the mentorship programme for 12 weeks and descriptive notes and observations were recorded. The benefits of observation include the collection of rich data, a realistic view of the programme and an extension of the interview process (Roestenburg 2021).

Data quality was measured through its trustworthiness. The data are deemed credible as the findings represent the participants' perspectives and experiences. This was done through member checking, prolonged engagement, and triangulations.

Transferability is encouraged using rich descriptions being transferred to similar contexts. Dependability and confirmability are augmented through record-keeping, debriefing and review and critique of the research process (Rose and Johnson 2020). Moreover, as the study used more than one data collection method, data triangulation was established (Schurink et al. 2021).

Data were analysed thematically by both authors (M. Z. and S. K. J. v. R.) as guided by Braun and Clarke (2006). The data were read and reread several times and tentative codes were identified. Themes and sub-themes were discussed and then evaluated. Following that, the themes were refined, and the findings were written up in a research article (Maguire and Delahunt 2017).

The study was ethically endorsed and guided by the University of South Africa's Ethical Review Committee. The following ethical considerations as guided by Strydom and Roestenburg (2021) were implemented during the research process. Informed consent was obtained from the children and their legal guardians. To enhance transparency and informed consent, the purpose of the interview, the procedures involved, its voluntary nature, and any potential risks or benefits were explained. The participants were interviewed voluntarily in the absence of any coercion or pressure and made aware that they were free to withdraw from the interview at any time. Steps to minimize distress during the interview process were encouraged by ensuring questions were age-appropriate and sensitive to the participants' emotional well-being. The interviews were held in a private and secure setting and the participants' anonymity was ensured using pseudonyms. No compensation was provided for taking part in the interviews; however, the benefits of the study were delineated, including sharing their voices, increased understanding of their behaviour, and awareness of personal growth and development. After the interview, a debriefing session was held to address any concerns or questions the participants may have. Moreover, the first author (M. Z.) was intentional about being socially and culturally sensitive to the participants by fostering respect for their cultural norms and values (Strydom and Roestenburg 2021). The study sample was made up of 13 children who had been referred to the NYDO's Mentoring Diversion Programme. Pseudonyms were used to protect the privacy and anonymity of the participants.

Results

Participants' Profile

In all, 13 children, who took part in the NYDO's Mentoring Diversion Programme, were interviewed (see Table 1). The sample consisted of 10 males and three females. Of them, eight were Coloured and five Black. The participants' first languages were noted as predominantly Afrikaans; however, participants also reported speaking Sesotho, English, Setswana, Sepedi and isiXhosa. The participants' ages ranged from 15 to 18 years old at the time of the interviews. At the time the offence was committed, Grade 8 was the lowest educational level attained and Grade 12 was the highest. Six of the participants were no longer enrolled in school and, subsequently, none of them had completed Grade 12. Some participants were diagnosed with a

Table 1. Profile of participants

Participants	Gender	Ethnic group	Age (years)	Crime committed	Agency of referral
Keanu	Male	Coloured	17	Illegal possession of drugs	Court order
Tshepiso	Female	Black	17	Shoplifting	Court order
Lehlohonolo	Male	Black	18	Illegal possession of drugs	Social worker
Shawn	Male	Coloured	18	Theft	Court order
Lihle	Female	Black	16	Assault with intent to do grievous bodily harm	Court order
Craig	Male	Coloured	16	Theft; burglary at residential premises	Court order
Marvin	Male	Coloured	16	Illegal possession of drugs and theft	Court order
Diego	Male	Coloured	15	Theft	Court order
Karabo	Male	Black	17	Illegal possession of drugs	Court order
Clinton	Male	Coloured	17	Illegal possession of drugs	Court order
Fadiel	Male	Coloured	18	Common assault	Court order
Raboa	Male	Black	16	Shoplifting	Social worker
Shanaaz	Female	Coloured	17	Theft	Parent

learning disorder. Most of the participants reported living in a nuclear family, while some were raised by extended family members or by a single-parent household.

All participants revealed that they had never been arrested before the current criminal offence. However, some participants shared that they were involved in deviant behaviour such as possession of illegal drugs and common assault. Most of the participants were apprehended for illegal possession of drugs, followed by theft, shoplifting, common assault and assault with intent to inflict grievous bodily harm. Participants were referred to the NYDO by court order, a social worker or parent.

Most of the participants reported feeling positive but anxious once they were made aware that their offence had been diverted to a mentoring programme. Moreover, feelings of impatience to complete the programme and numbness were also raised. Some of their responses are documented below:

I was angry at myself, big sigh! I thought it was going to be boring (Keanu, 17-year-old male).

I thought I was not going to enjoy it, or they would label me or make me feel guilty (Lehlohonolo, 18-year-old male).

I was not excited at all but after attending the orientation session I was looking forward to it (Lihle, 16-year-old female).

I felt embarrassed because I thought people would judge me (Diego, 15-year-old male).

I was not happy; I thought everyone would know about it and people at NYDO would judge me; but I'm happy they understand me (Shanaaz, 17-year-old female).

Participants' principal motivations for attending the programme included avoiding criminal records, fostering responsibility for their actions, learning from their mistakes and appeasing their parents. Notably, participants believed the programme would assist in interrupting their current crime trajectory. Most participants shared that they felt supported by their parents or caregivers to attend the programme.

Perspectives on the Mentoring Programme

The participants shared their perspectives on the mentoring programme with specific reference to the following themes.

Mentor-Mentee Relationship

Mentors serve as facilitators during the programme and mentors were assigned to mentees. Social workers assigned to the centre and/or participants were present to oversee the mentoring sessions. The participants were generally eager to participate in the mentoring sessions. Sessions are conducted in groups and on a one-to-one basis. There were a few instances where some participants were passive and did not participate. The mentor would assign a task or activity to the participants and meet with those who were disinterested in a one-to-one session. As guided by the group rules, established by the group, if a participant did not follow the rules, consequences would follow. When the mentor established that the cause for non-participation was legitimate, there were no consequences, and the other participants were informed that the child in question had a valid reason. The consequence of non-participation was carried out through exercise: for the boys, push-ups; for the girls, running around the room on one leg.

All participants spoke positively about the mentor-mentee relationship. Some of the participants' responses are documented below:

My mentor is the best; it is nice having someone who understands you. I appreciate him because he showed me that not everyone gets a second chance in life (Lehlohonolo, 18-year-old male).

I enjoyed participating in a group even though I'm a shy person, but my mentors are very friendly. I feel like I'm talking to my brothers and sisters. They try to help me feel comfortable and be able to talk about my issues and share with other participants (Shawn, 18-year-old male).

They are very good, they are nice to us, and they don't judge us. I'm no longer that angry and aggressive. I listen to my parents and teachers, no longer fighting too much (Karabo, 17-year-old male).

They make sure that each one of us contributes and participates. It's very nice. I'm more observant of my surroundings because they teach us how to stay out

of trouble. I don't want to get into trouble, because it is my first time offending, and they are giving us a second chance (Tshepiso, 17-year-old female).

Mentors are tasked with bearing the responsibility of creating a connection with the mentees. Following the third session, participants reported feeling relaxed and comfortable, given the pleasant atmosphere. Moreover, seeing familiar faces also placed them at ease. Some participants stated that after they began to create relationships with other participants and mentors, the barriers they had built began to dissolve, and they were able to freely be themselves. Participants expressed satisfaction with their mentoring relationships. Male participants said they felt more at ease with female mentors and vice versa. They did, however, point out that this was dependent on the tasks and activities of the day since they preferred their own genders at times.

Responsibility

The participants were asked if the programme holds the participants responsible for their actions. Some of their verbatim responses are shared below:

It helps you understand that what you have done is not acceptable and that you must learn from your mistakes and others. I now fully understand how my actions affected so many people, especially my mom (Keanu, 17-year-old male).

Most things taught in the programme have made me aware to take responsibility for my actions and not to blame others because I'm responsible for me (Lehlohonolo, 18-year-old male).

NYDO teaches us to accept that we have done something wrong and learn to make good choices (Craig, 16-year-old male).

I'm learning how to avoid bad friends and situations and I know that what I have done is not okay (Marvin, 16-year-old male).

I have learnt to make positive decisions; the facilitators are always emphasizing the importance of choices (Clinton, 17-year-old male).

Raboa seemed uninterested in answering the question about responsibility and appeared to be in denial that he had done anything wrong. He also gave off the impression of being agitated and disturbed by the question. Conversely, Karabo was brave enough to acknowledge that he had been having difficulties admitting that the marijuana found in his possession was his. He acknowledged that his denial would not benefit him in the long term because it would make it difficult for the mentors to help him with his problem.

In response to future involvement in deviancy, participants shared the following:

I have learnt self-control and the ability to differentiate between right and wrong and to be able to say no to crime without feeling that my friends will think I'm stupid (Tshepiso, 17-year-old female).

In many ways, I have changed, and I know that crime is wrong (Shawn, 18-year-old male).

NYDO is good to me, and other children like me; I will not disappoint them by fighting or using drugs (Karabo, 17-year-old male).

I'm learning so much from everyone and by sharing with other children. I realize that I'm not alone and I can change and have good friends. I'm avoiding doing things that cause me to do crime now (Shanaaz, 17-year-old female).

I have learnt not to forget that every action or decision has consequences (Clinton, 17-year-old male).

Participants relayed feelings of transformation through enhanced self-control, gratitude, value-based morals and communal learning. Peer influence was raised as a significant factor in offending and possible re-offending behaviour. Interestingly, the participants purported that they can now advise other peers in similar situations. However, not all the participants could fully benefit from the mentoring programme. Fadiel acknowledged that he felt that the programme's impact was limited in his life because he was not able to disclose the truth about his behaviour. He shared that he went through a lot of bad things during his upbringing and could not speak about them because it hurt him too much.

Effectiveness of the Programme

All participants stated that they learned a lot from the life skills, parental and anger management classes, and baking sessions. Moreover, they expressed their sheer enjoyment of participation in the family day. They were particularly enthusiastic about outdoor activities including team building, cricket, football, art, paintball, minute-to-win-it games, camping and hiking.

The paper sought to determine how effective and impactful the participants perceived the programme to be on their behaviour. Participants responded positively to this inquiry as highlighted below:

The programme helped me. It helps me to be focused so that I can achieve my goals and they have given me a second chance because I don't have to go to jail. I can now plan for my future because I'm more positive (Tshepiso, 17-year-old female).

The tasks and assignments helped me to realize that I should solve my problems without using violence. I have experienced positive things from attending the programme. It helped me to improve as a person (Lehlohonolo, 18-year-old male).

The programme is taking me away from bad friends. I'm now able to participate in sports such as soccer. The school has suspended me and after I have attended the programme, I feel ready to go back because I was always fighting at school (Diego, 15-year-old male).

I have realized that if I continue living the way I was living, I won't be able to become a lawyer; so, I must change. NYDO has helped me a lot and it has given me a second chance in life (Clinton, 17-year-old male).

It has helped me manage my anger and to have good dreams about my future. I'm now concentrating on my schoolwork and have reduced the number of friends I used to have (Fadiel, 18-year-old male).

I no longer think about going to prison. I'm concentrating on changing and making my parents proud. I have learnt a lot, and my mentors are understanding (Shanaaz, 17-year-old female).

Overall, the participants experienced the mentoring programme positively. The participants identified key aspects as having the potential to act as a catalyst in achieving the desired change in their behaviour and lives. These include improved interpersonal relationships through learned communication skills. They reported that their relationship between their parents or guardians strengthened. They were equipped with good morals and values and embraced an increased sense of self-control, self-awareness, self-confidence and self-love. Accountability and responsibility for their actions amplified and they were less likely to shift blame. They noted learning was enhanced and cemented by combining elements of learning and play. Peer relationships were re-examined, and participants were enthusiastic about avoiding incarceration. Furthermore, the participants reiterated the emphasis on formal education throughout the programme.

In response to a query on whether the programme's activities directly addressed factors associated with offending, the participants shared the following:

I was able to talk about my life and things that hurt me in life (Keanu, 17-year-old male).

They help us to deal with our problems and you can share your deep-seated problems and you feel relieved by sharing (Tshepiso, 17-year-old female).

Our tasks and activities attend to my problems, my personal issues, and the reason I'm here. I have learnt to get out of trouble, be safe and I can advise others who are making the same mistakes (Lehlohonolo, 18-year-old male).

They ask you about your case, what happened and everything, then when you attend the programme, they talk and teach you about all bad decisions and they also talk to my family and come home to check if everything is okay (Raboa, 16-year-old male).

Overall, participants conveyed how sharing their experiences has helped them grow.

Aftercare Support and Recommendations

The NYDO offers an aftercare programme to participants who have completed the mentoring programme. Participants can access this aftercare programme, which lasts for three months, once their cases have been dismissed by the Child Justice Court. The aftercare programme schedules are supplied to the participants and their parents or guardians. Shawn explained that he benefitted so much from the

programme that he requested the mentors to continue mentorship even after his case was dismissed. He has been attending for 11 months after completion of the programme. Participants shared additional feedback on the aftercare programme:

I still need their guidance and they are not judgmental (Tshepiso, 17-year-old female).

They will be able to check if you are still on the right path and if not continue with the programme (Raboa, 16-year-old male).

They will help us if we struggle because sometimes is not easy to follow what they are teaching us. It is hard (Lihle, 16-year-old female).

It keeps you busy and, in a way, reminds you not to fall back to your ways (Fadiel, 18-year-old male).

Yes, aftercare will make sure that I do good and make them proud, because sometimes you get tempted but knowing that they will ask questions about your behaviour (Craig, 16-year-old male).

Yes, so that they can check if I'm now doing the right thing or still making the same mistakes (Lehlohonolo, 18-year-old male).

Sometimes it is not easy to cope without assistance, they really help to remind me not to do wrong things and I no longer want to disappoint my Mom (Keanu, 17-year-old male).

As much as the participants expressed a positive experience of attending the programme, they made some suggestions for improvement. The participants shared that the mentors should investigate incorporating skills such as woodwork and welding into the programme.

Discussion

Participants perceived the mentor–mentee relationship as supportive and rooted in trust. Thus, trust and transparent communication are identified as key components of successful mentor–mentee relationships. Consequently, mentorship is viewed as a source of positive role modelling and guidance for the participants. Furthermore, the programme's effectiveness is dependent on the mentor's capacity to encourage learning by asking change-oriented questions to a child willing to acquire the skills. Similar studies have reported on the positive results of mentorship for children in conflict with the law (Arifai and Zainuddin 2021; Creaney 2020; Setjo and Ma'ruf 2020; Steyn, Louw, and Van Rensburg 2012). Moreover, as endorsed by the participants, the mentorship relationship is a vital component in positively changing their behaviour.

Mentors are the primary agents needed for change in the participants' behaviour (Cesar and Decker 2020; Deane et al. 2022; Duron et al. 2019). Mentoring is a skill that takes time to develop and requires a particular level of maturity and understanding of the value of changing deviancy (Deane et al. 2022; Doty et al. 2019; Matheson et al. 2020). Mentors are usually responsible for taking the lead in creating

a connection with the mentees (Spencer et al. 2020). In a study conducted on 664 mentor–mentee dyads, it was found that mentors' levels of empathy and efficacy significantly impacted the quality of the mentor–mentee relationship (Deane et al. 2022). Participants mentioned the significance of interconnected aspects of a mentor's identity and social context. Race, gender, culture and ethnicity are predominant themes of adolescent self-identity (Nelson et al. 2018). However, despite differences, mentors who work with children in conflict with the law can foster meaningful connections with their mentees (Duron et al. 2019). The preference for the opposite-sex mentor, by the participants, can be linked to the need for connection with a parental figure of the opposite sex. In a systematic review of parental attachment during the adolescent phase, it was found that gender differences are significant in forming attachments (Delgado et al. 2022).

Participants recognized that mentorship programmes awakened a sense of responsibility in them. Responsibility is seen as a means of personal growth and development for the participants involved in the programme. Thus, the mentorship programme fostered accountability among the participants towards their decisions and actions. According to section 52 of the Child Justice Act 75 of 2008 (Department of Justice and Constitutional Development 2008), a requirement for diversion is that a child in conflict with the law accepts responsibility for their behaviour. The participants' internal revelations promote reintegration and success, and discourage delinquency and reoffending (Motshedi 2020). Mentorship programmes that include activities for youth to practise emotion regulation, assertive communication, problem-solving, meditation and mindfulness aid to reduce the risk of stress, anxiety and depression. Sports, arts, recreation and community service activities help youth build personal and social skills, which improve positive social behaviours and academic accomplishment while decreasing problem behaviours. Furthermore, environmental factors like continuous mentorship create notable contexts for building youth resilience (Agostino et al. 2019; Cavell, Spencer, and McQuillin 2021). Moreover, some participants mentioned that they could guide and positively influence their peers. This finding endorses how mentoring programmes can empower mentees to transition into becoming mentors (Silver and Gavini 2023).

Conflicting personal narratives highlight the positive and negative implications associated with the concept of responsibility. Raboa's response indicates that despite strides being made in mentorship programmes, individuals need to personally work towards responsibility and acceptance of one's actions. Conversely, Karabo displayed a sense of self-reflection and self-consciousness that emerged through this mindset shift, necessary for preventing future offending behaviour (DuBois et al. 2011; Kyritsi and Francesconi 2021). Research indicates that peer acceptance and fear of peer rejection are instrumental contributing factors in recidivism among children in conflict with the law (Raselekoane et al. 2019; Tinyani 2018; Tshunungwa and Obioha 2021).

The participants perceived the mentorship programme as effective in diverting them away from future involvement in criminal activities. Thus, mentorship initiatives can positively impact decreased recidivism. Moreover, improved behavioural and social outcomes were reported among participants. Participants conveyed how sharing their experiences has helped them grow. Catharsis, the

process of releasing strong and repressed emotions, is recognized as a healing, cleansing and transformative experience. Catharsis promotes emotional recovery and constructive therapeutic development. Furthermore, it is argued that this process can lead to permanent resolutions (Bukar et al. 2019). Thus, through the process of sharing their stories, the participants engaged in a healing and restorative process. However, this was not the experience of all the participants based on past trauma. As stipulated by Basto-Pereira et al. (2016) and Holtzhausen and Campbell (2021), adverse childhood experiences were found to be substantial predictors of deviant behaviour. Furthermore, the authors indicate that adverse childhood events such as physical abuse and emotional neglect had a significant impact on deviant behaviour.

Aftercare programmes encompass an array of support services tailored for children in conflict with the law who have completed a diversion programme. The primary objective of aftercare initiatives is to ensure that children in conflict with the law are not only equipped to navigate the challenges of life but also effectively reintegrated into the community (Mutsvara 2020:2). Research by James et al. (2013:269) underscores that the central focus of aftercare programmes is on the child in conflict with the law and their family background, addressing criminogenic needs that may manifest at different life stages. Furthermore, the success of an aftercare programme hinges significantly on the duration of its implementation, playing a crucial role in fostering strong relationships built on trust between staff, mentors and mentees (Connolly 2022:97). Furthermore, the quality of relationships formed during the aftercare period directly influences a juvenile's perception of the programme's effectiveness. Gagnon's (2018:11) findings posit that programmes aimed at reducing reoffending or modifying persistent deviant behaviour, particularly those integrated within the family framework, yield better results compared to those solely relying on individual or group-based approaches.

The significance of aftercare support in sustaining positive changes made during the mentorship programme was established. Recommendations from the participants ascertained the need for continued counselling, educational support, and access to various types of training and activities. As much as the participants expressed a positive experience of attending the programme, they made some suggestions for improvement. Moreover, developing skills through the Arts has proven to be beneficial in mentoring programmes. This could include, but is not limited to, poetry, drama and music (Dietsche 2020). Additionally, mentoring through virtual platforms has also yielded success. South African studies have found that through e-mentoring, mentees felt free to talk to their mentors, valued the mentorship programme and indicated a preference for phone calls (Hacking et al. 2019; MacDonald et al. 2020). Furthermore, participants shared the potential value of hosting such initiatives in their local schools.

Conclusion

South Africa has witnessed a significant increase in the number of children in conflict with the law. Many of these children face multiple challenges, including poverty, unstable family environments and limited parental involvement, which increase their vulnerability to criminality. Factors such as exposure to crime and

violence in their homes, schools and communities further contribute to delinquent behaviour. Mentoring as a diversion programme is a relatively understudied initiative for assisting children in conflict with the law. Through diversion programmes such as mentoring initiatives, the criminal trajectory of children in conflict with the law can be interrupted. By determining these children's perspectives on mentorship at the NYDO Centre in Tshwane, South Africa, narrative insights were harnessed. The paper's objectives were realized through the following findings. Participants appreciated the supportive and trust-based aspect of the mentor–mentee relationship. Mentorship serves as a source of positive role modelling and guidance, cultivating personal growth and accountability. The programme evoked a sense of responsibility, potentially minimizing repeat offences. Consequently, improved behavioural and social outcomes were reported. The provision of aftercare support is pivotal for sustaining positive transformation, as participants suggest ongoing counselling, education and training. Furthermore, areas necessitating improvement include adequate resources and continuous support services during the aftercare phase. The study is limited by its small sample size. However, the study's sample is a small and unique group, thus their contributions are heightened considering the sensitive nature of their circumstances. Future research should investigate the influence of completing a mentorship programme on recidivism.

Competing interests. The authors declare no potential competing interests.

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Translated Abstracts

Abstracto

Sudáfrica ha experimentado un aumento de la delincuencia infantil. Los delinquentes infantiles cometen delitos violentos como robo a mano armada, allanamiento de morada, violación y asesinato. Por el contrario, no todos los delinquentes infantiles cometen delitos violentos. Muchos delinquentes infantiles son detenidos por delitos menores como hurto, robo y posesión de sustancias ilegales. La mayoría de estos niños se enfrentan a numerosos niveles de adversidad, incluida la pobreza, hogares disfuncionales y una participación parental limitada. Las respuestas a la conducta delictiva infantil acentúan la rehabilitación a través de medidas como la desviación. Los relatos narrativos de niños en conflicto con la ley que se sometieron a programas de tutoría, como iniciativa de desviación, son escasos y están subrepresentados. A través de una investigación cualitativa, se entrevistó a 13 niños que completaron el Programa de Desvío de Tutoría del Centro Nacional de Desarrollo Juvenil (NYDO) y los datos se analizaron temáticamente. Los hallazgos proporcionaron información sobre los antecedentes y el contexto de los participantes, la relación mentor-aprendiz, la responsabilidad, la eficacia del programa y el apoyo posterior. Este artículo contribuye a la investigación científica y contribuye a reducir la delincuencia infantil.

Palabras clave: niños en conflicto con la ley; sistema de justicia infantil; desvío; tutoría

Abstrait

L'Afrique du Sud a connu une augmentation de la délinquance juvénile. Les jeunes délinquants commettent des crimes violents tels que des vols à main armée, des cambriolages, des viols et des meurtres. À l'inverse, tous les jeunes délinquants ne commettent pas de crimes violents. De nombreux jeunes délinquants sont détenus pour des chefs d'accusation mineurs tels que le vol à l'étalage, le vol et la possession de substances illégales. La plupart de ces enfants sont confrontés à de nombreux niveaux d'adversité, notamment la pauvreté, des ménages dysfonctionnels et une implication parentale limitée. Les réponses au comportement criminel des enfants accentuent la réadaptation par des mesures telles que la déjudiciarisation. Les récits d'enfants en conflit avec la loi qui ont suivi des programmes de mentorat, en tant qu'initiative de déjudiciarisation, sont rares et sous-représentés. Dans le cadre d'une enquête qualitative, 13 enfants ayant suivi le programme de déjudiciarisation par mentorat du National Youth Development Outreach (NYDO) Centre ont été interrogés et les données ont été analysées par thème. Les résultats ont permis de mieux comprendre le contexte et les antécédents des participants, la relation mentor-mentoré, la responsabilité, l'efficacité du programme et le soutien de suivi. Cet article contribue à la recherche scientifique et contribue à réduire la délinquance juvénile.

Mots-clés: enfants en conflit avec la loi; système de justice pour mineurs; déjudiciarisation; mentorat

摘要

南非的儿童犯罪率激增。儿童罪犯犯下武装抢劫、入室行窃、强奸和谋杀等暴力罪行。相反，并非所有儿童罪犯都犯下暴力罪行。许多儿童罪犯因商店偷窃、盗窃和持有非法物质等轻罪而被拘留。这些儿童中的大多数面临着多重困境，包括贫困、家庭不和和父母参与有限。对儿童犯罪行为的反应通过转移等措施来强调康复。作为一项转移举措，接受指导计划的违法儿童的叙述性报道很少，而且代表性不足。通过定性调查，对完成了国家青年发展外联（NYDO）中心指导转移计划的 13 名儿童进行了采访，并按主题分析了数据。调查结果深入了解了参与者的背景和背景、导师与学员的关系、责任、计划的有效性以及后续护理支持。本文有助于科学研究，有助于遏制儿童犯罪。

关键词： 违法儿童；儿童司法系统；转移；指导

العمل الخاص

لقد شهدت جنوب أفريقيا ارتفاعاً في جرائم الأطفال. يرتكب الأطفال الجانحون جرائم عنيفة مثل السطو المسلح، واقتحام المنازل، والاعتصاب والقتل. وعلى العكس من ذلك، لا يرتكب جميع الأطفال الجانحين جرائم عنيفة. يتم احتجاز العديد من الأطفال الجانحين بتهم بسيطة مثل سرقة المحلات التجارية والسرققة وحيازة مواد غير قانونية. يواجه معظم هؤلاء الأطفال مستويات متعددة من الشدايد، بما في ذلك الفقر، والأسر غير المستقرة، والمشاركة المحدودة للوالدين. تعمل الاستجابات لسلوك الأطفال الإجرامي على تعزيز إعادة التأهيل من خلال تدابير مثل التحويل. الروايات السرديّة للأطفال المخالفين للقانون الذين خضعوا لبرامج الإرشاد، كمبادرة تحويلية، نادرة وغير مهتلة. من خلال تحقيقات نوعي، تمت مقابلة ثلاثة عشر طفلاً أكملوا برنامج التحويل الإرشادي لمنظمة تنمية الشباب الوطنية (NYDO) وتم تحليل البيانات موضوعياً. قدمت النتائج رؤى حول خلفيّة المشاركين وسياقهم، والعلاقات بين المرشد والمرشد، والمساءلة، وفعالية البرنامج ودعم الرعاية اللاحقة. تساهم هذه الورقة في البحث العلمي وتساعد في الحد من جرائم الأطفال.

الكلمات المفتاحية: الأطفال المخالفون للقانون؛ نظام عدالة الأطفال؛ التحويل؛ الاستشارة

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