

## **An analysis of measures that are aimed at addressing juvenile delinquency in Gauteng South Africa**

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**ABSTRACT:** Since the beginning of human existence, crime, including those committed by children, has been a major issue (Levin, 1940). Nowadays, the issue of juvenile delinquency is a prevalent issue in all societies, with Gauteng being no exception (Marimuthu, 2014). This is reflected by an increase in the number of children in the South African prison system (Krohn and Lane, 2015). This article examines this phenomenon, particularly in relation to the prevention of juvenile delinquency in Gauteng. Using a semi-systematic literature review the researchers selected 53 empirical research sources to analyse the current interventions. Subsequently, the data was scrutinised using a thematic analysis approach.

**KEYWORDS:** Juvenile; adolescent; youth; juvenile delinquency; status offence; antisocial behaviour; risk factors; protective factors; retributive justice; interventions

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### **I. INTRODUCTION**

Juvenile delinquency is one of the key global challenges that permeates various societies throughout the world (Lobos, 2017). This phenomenon has become a major societal concern caused by various factors both at the micro and macro levels (Lobos, 2017; Surong and Lyngdoh, 2020). Surong and Lyngdoh, (2020), highlight the fact that there are complex competing factors that perpetuate this scourge. These factors are ranging from dysfunctionality of primary (family structures) and secondary (entities such as schools) socialization institutions to unachievable socio-economic demands that at times legitimize illegal means to the end (Ntshangase, 2015; Lobos, 2017; Surong and Lyngdoh, 2020; World Youth Report, 2003).

In the recent past, the criminology discipline adopted public health's risk factors analysis approach in an attempt to study the causality of juvenile delinquency with an intention to work towards its prevention (Farrington, 2000; Moore, 1995). According to Farrington (2000), the risk factor prevention paradigm's effect on criminology has grown significantly since the 1990s. The primary goal of this approach is to designate risk factors that are favourable for the commission of an offense (Farrington, 2000). Similarly, through this approach protective factors are identified and enhanced to foster linkages between the explanation of causal factors and determination of preventative mechanisms (Farrington, 2000). This is achieved by employing scientific research to determine the strategies of improving public policy in dealing with delinquency (Farrington, 2000).

Although the risk factors research paradigm has always focused on predicting serious and violent offenses, it is also relevant to all levels of determining the etiology of delinquency among juveniles (Moore, 1995; Farrington, 2000). This article defines risk factors that perpetuate all forms of juvenile delinquency in Gauteng ranging from minor to serious offences. This is realized through the assessment of the effectiveness of mechanisms that are aimed at mitigating the risk factors. Here the intent is to highlight areas of improvement in the current policy interventions on children in conflict with the law. This is achieved through a succinct presentation of the transformation of the policy approaches in dealing with the problem of juvenile delinquency, defining the theoretical conceptual framework utilized in this paper. Subsequently, the researchers outline current measures to deal with juvenile delinquency in Gauteng.

### **II. BACKGROUND**

Juvenile delinquency or rather deviant behaviour is described by various scholars as a broad and confounding trajectory that extends from minor transgressions to serious criminal acts (World Youth Report, 2003; Ntshangase, 2015; Marimuthu, 2014, Prag, 2004; Skelton, 2007). McLaughlin and Muncie (2001) further highlight that this phenomenon could be traced as far back as the early nineteenth century. This was mainly influenced by changing social conditions, which were brought forth by rapid urbanisation and industrialisation (Khuda, 2019).

White's account highlights that most of the youth crimes recorded in England in the early 19<sup>th</sup> century were mainly orchestrated by adult influences (White, 2014). White (2014), further signals the fact that numerous press articles in the nineteenth century highlighted various stories of people such as Charles King, who ran pickpocketing gangs in England. Various punishment regimes were devised to mitigate the growing juvenile criminal problem in England and other countries in Europe (Levin, 1940). These mechanisms subsume among others; incarceration, corporal punishment, capital punishment and excommunication by means of transportation to penal colonies such as Australia (Levin, 1940).

Throughout the nineteenth century, the approaches to deal with juvenile delinquency underwent a series of changes ranging from punitive measures to welfare orientated interventions (Levin, 1940; White, 2014). These series of changes were motivated by various factors that include among other the abolishment of the transportation policy in 1857 and the growth of activism for children's welfare (White, 2014). This culminated in the adoption of welfare mechanisms to provide alternative viable solutions from the retributive measures which were initially adopted to deal with juvenile crimes in Britain (Levin, 1940). Levin (1940), notes that there was a concerted effort to employ measures that are based on the principles of restorative justice to enable the youth offenders to appreciate the impact of their transgressions. This was further motivated by the realisation that retributive justice measures which were mainly applied in the early nineteenth century were not necessarily bringing about the desired results (White, 2014; Levin, 1940).

This gave rise to a new form of activism that used a welfare orientated approach as an alternative to imprisonment of youth offenders (Krohn and Lane, 2015; Skelton and Tshehla, 2008). For White (2014); Skelton and Tshehla (2008), in the latter part of the nineteenth century welfarist activism became popular in Europe and the United States of America (USA) (Skelton and Tshehla, 2008). According to White (2014), this resulted in the establishment of welfare houses throughout the USA and Europe to institutionalise delinquent juveniles. Skelton and Tshehla (2008), state that this approach was further challenged in the last half of the twentieth century by an interest to move away from "welfarist" approaches to a juvenile justice system that incorporates elements of reconciliation to ensure young offenders appreciate the severity of their transgressions. This was further enhanced by the United Nations (UN) position of adopting the universal human rights based approach in dealing with cases of children in conflict with the law whilst facing justice for their actions (Krohn and Lane, 2015; Skelton and Tshehla, 2008).

The World Youth Report, highlights that this also provided member states an opportunity to devise human rights based approaches (World Youth Report, 2003). This came at a critical point as the police statistics reflected a dramatic increase in all youth crime incidents in most parts of the world (World Youth Report, 2003). This prompted various countries to devise policy interventions to regulate juvenile justice in their respective localities (World Youth Report, 2003; Marimuthu, 2014; Skelton, 2007). Muncie (2005), stipulates that the debate on the nature of the juvenile justice system that the global community ought to adopt in addressing youth criminality was marked by a need to ensure that all preclusive measures are taken to minimise the chances of young offenders continuing their deviant behaviour to adulthood. It was within this context that the UN took a resolution that emphasises minimising the incarceration of young offenders (Krohn and Lane, 2015); Skelton, 2007; Skelton and Tshehla, 2008). According to Skelton and Tshehla (2008); Krohn and Lane (2015); Skelton (2007) this UN convention advocates for the imprisonment of young people to only be used as a last resort, notably on serious cases.

Correspondingly, studies have consistently demonstrated that the circumstances that lead to juvenile delinquency are dependent on a variety of factors that vary from country to country around the world (World Youth Report, 2003). However, there are key factors that seem to cut across all contexts. These factors include among others, the effect of change in socio-economic conditions of all countries in transition and the legitimisation of illegal means to achieve economic status (World Youth Report, 2003; Surong and Lyngdoh, 2020).

## 2.1 The South African Context

South Africa, like any other country in the world has experienced an escalation of juvenile crime incidents in the recent past, particularly in the post 1994 era (Prag, 2004; Ntshangase, 2015; Skelton, 2007). Booyens (2003) cited in Marimuthu (2014), states that in the 1990s, South Africa experienced an unprecedented number of arrests for juveniles, which further invigorated the creation of a legislative framework to combat the increasing prevalence of crimes committed by young offenders.

Skelton (2007), posits that South Africa's journey of developing the policy framework in compliance with the UN resolution on preserving rights of youth in conflict with the law was somewhat impacted by a range of factors. These factors subsume among others the advent of activism for a fair and equitable criminal juvenile justice system and the adoption of the human rights based constitution in the early 1990s (Skelton, 2007). It is worth noting that according to Skelton (2007), the late emergence of advocacy for a just juvenile justice system in South Africa could mainly be attributed to a combination of factors compared to many other comparable

countries worldwide. The protracted struggle against apartheid, to a certain degree, delayed the emergence of a strong civil society movement to improve the situation of children in conflict with the law (Skelton and Tshehla, 2008; Skelton, 2007; Krohn and Lane, 2015).

Additionally, Krohn and Lane (2015), note that South Africa's approach in addressing juvenile delinquency was also affected by various transitional phases, ranging from precolonial, colonial, apartheid and post-apartheid eras. Similarly, Krohn and Lane (2015), further highlight that African Customary Law used by pre-colonial communities emphasised the significance of rehabilitating offenders. The intention was to ensure that perpetrators comprehend the effects of their actions (Krohn and Lane, 2015). For Krohn and Lane (2015), the foundations of African Customary Law were premised on the principles of restorative justice with more emphasis on reconciliation between both parties. Moreover, it is worth noting that the African Customary Law did not employ any form of institutionalisation for all offenders notably the juvenile perpetrators (Skelton, 2007).

Subsequently, when the British government took over, African Customary Law was overtaken by Roman Dutch and English laws throughout the colonial era, which resulted in more harsh child justice policies and practices (Skelton & Tshehla, 2008). One of the salient historical examples of the measures that the colonial regime introduced was the enactment of the Reformatory Institutions Act in 1879 (Krohn and Lane, 2015). The introduction of this legislation led to the establishment of the William Porter Reformatory School in the late nineteenth century in Cape Town (Skelton and Tshehla, 2008; Krohn and Lane, 2015).

This was the first reformatory school, which was built with the intention to institutionalise delinquent youth in South Africa (Krohn and Lane, 2015; Skelton and Tshehla, 2008). The school's primary role was to serve as an institute where the government could send all youth with charges that the society perceived to be reformable (Krohn and Lane, 2015). Chisholm (1986), notes that boys were only sent for charges that were related to theft of property whilst girls were admitted for a range of offences, which subsumed child prostitution, theft, assault and murder.

It is also noteworthy to highlight that scholars such as Krohn and Tshehla (2015); Chisholm, (1986) and Badroodien (1999) pointed out that the racial and political conditions of the day had a tremendous effect on the treatment of inmates at the Porter Reformatory. For instance, white boys had to undergo industrial training whilst black boys were forced into manual labour (Chisholm, 1986). This trajectory continued throughout the colonial period with more welfarist policies which were more sympathetic to poor white children (Skelton and Tshehla, 2008; Chisholm, 1986; Badroodien, 1999). This culminated in the establishment of 14 industry schools by 1948, which were used to steer mainly poor white children from societal conditions, that the government perceived as risk factors for their delinquent behaviour (Krohn and Lane, 2015).

Moreover, it is worth noting that more welfarist acts were enacted during the first half of the twentieth century (Skelton and Tshehla, 2008). These pieces of legislation include the 1911 Prisons and Reformatories Act (Act, 13 of 1911), the 1913 Children's Protection Act (Act, 25 of 1913) and the Children's Act of 1937 to mention a few (Skelton and Tshehla, 2008). Skelton and Tshehla (2008), contend that many child offenders were processed through the punitive justice system throughout the colonial and apartheid eras. Despite the fact that many of the juvenile justice policies advocated for a welfarist approach in dealing with child offenders (Skelton and Tshehla, 2008). A considerable number of studies cited the shortage of reformatory institutions and unequal racial policies as the key factors that perpetuated the problem of the majority of child offenders to be relegated to the penal system (Skelton, 2007; Skelton and Tshehla, 2008).

In addition, the racial divisions created by legislation during the oppressive apartheid era further entrenched the racialization of child justice policies (Skelton and Tshehla, 2008; Marimuthu, 2014). In the post-apartheid era, the principles of constitutional democracy have shaped child justice policy within the context of progressive ideas of restorative justice and human rights discourse (Skelton and Tshehla, 2008). Although the contemporary policy framework is premised on the commendable restorative justice model, the effect of social inequalities still exact a considerable number of obstacles that impede the attainment of a fair and equitable juvenile justice system (Skelton, 2007).

As indicated elsewhere in this paper, the key interest of this article is to assess the effectiveness of the measures that are aimed at addressing the contemporary social conditions that necessitate juvenile delinquency in Gauteng. It is therefore critical to draw attention to theoretical frameworks in an effort to designate the conceptual framework which will be utilised in depicting the social dynamics that underpin the scourge of juvenile delinquency in Gauteng.

### **III. Theoretical Framework**

#### **3.1. Introduction**

The key function of criminology as a discipline is to explain various factors that necessitate the commission of a crime and criminal behaviour (Bezuidenhout and Joubert, 2003:80). Moreover, the principal objective of criminology is to delineate factors that underpin the conditions in which criminality occurs and also to predict

the “onset of delinquent behaviour” (Marimuthu, 2014; Barlow and Ferdinand, 1992:13). In an attempt to explain the causes of youth criminal behaviour, various theories were developed to analyse this phenomenon (Bezuidenhout and Joubert, 2003).

As reflected in the preceding section of this paper, the interventions to deal with juvenile delinquency were developed over time. It is therefore significant to note that the theoretical explanations of this phenomenon also transformed throughout the past two centuries since the 1800s (Marimuthu, 2014; Maderthaler, 2005). Many scholars highlight that the study of delinquency is essentially interdisciplinary in nature and its theoretical explanations reflect a range of perspectives that emanate from both social and biological scientific fields (Levin, 1940; Marimuthu, 2014).

The key distinction among these scientific approaches is characterised by different avenues that they employ in studying the causes of crime notably juvenile delinquency (Marimuthu, 2014; Sonnekus, 1992). These theoretical explanations can be classified into two main categories, namely: biological and sociological perspectives (Sonnekus, 1992). Sonnekus (1992) and Shoemaker (1996), note that biomedical approaches define the etiology of crime through the analysis of the effects of physiological defects on the individual’s potential deviant behaviour. Equally, on the other hand sociological perspectives are vested in assessing the impact of external influences in onsetting delinquent behaviour (Shoemaker, 2018; Farrington, 2000).

The present article succinctly examines the sociological theories of criminology, with an intent to craft a conceptual framework which serves as a foundation of this study’s thesis. Drawing from classical and contemporary sociological theories, the researchers aim to understand the relationship between crime and social conditions in enabling and offsetting delinquent behaviour of the youth in Gauteng. The next subsection presents a synopsis of the main criminological theoretical perspectives that many scholars employed over time to study this phenomenon.

### **3.2. Sociological theories of crime**

A French sociologist Emile Durkheim, asserts that law is the standard by which any community could be evaluated (Ritzer, 2012). This is primarily due to the fact that “law reproduces the principal forms of social solidarity” (Boylestad, 1968). For Boylestad (1968), these principles are critical in facilitating a moral social fabric to define community norms and values. These shared norms and values enable societies to determine the core attributes of ideal social behaviour (Boylestad, 1968). This becomes a cornerstone of a structure that reinforces social bonds (Ritzer, 2012). In his delineation of the effects of change on transitional societies, Durkheim theorises that the collapse or loss of previously shared norms and values creates an environment that is favourable to the proliferation of delinquent behaviour (Ritzer, 2012). Durkheim describes this transitional phase as a state of “anomie” and he further stipulates that this happens during and after periods of significant and quick changes in a specific society (Ritzer, 2012). This phase is characterised by significant changes in social, economic, or political institutions (Ritzer, 2012). Furthermore, Durkheim postulates that this is a transitional phase where all common values and norms are no longer valid and new ones have not yet evolved to take their place (Ritzer, 2012).

This results in the destruction of social moral standards as people no longer see the significance of the norms and values that they hold dearly (Ritzer, 2012). As a result, Anomie can develop a sense of purposelessness, engender despondency and encourage deviance and criminality (<https://www.thoughtco.com/anomie-definition3026052>).

#### **3.2.1. Developmental theories**

Developmental theories exact emphasis on studying factors that influence an individual’s perception of right or wrong (Desantis, 2020). This idea of good or evil gradually develops, particularly during childhood (Desantis, 2020). In Desantis (2020), it is argued that childhood forms a strong basis for a moral development of individuals. Consequently, some Juveniles show an appreciation of the settled norms and values of society while others are unable to do so (Desantis, 2020). The psychologist Lawrence Kohlberg states that those individuals who are unable to fully appreciate the significance of moral values are most likely to develop deviant behaviour. He further contends there is a distinct variation in the levels of moral maturity between those individuals who tend to commit crimes and those who do not engage in any delinquent behaviour. According to Kohlberg (Undated), there are three distinct levels of moral reasoning and each level has two sub-stages. The individual gradually progresses through each of the three stages through the transformation of their reasoning capacity (Kohlberg, undated). However, it is also worth noting that each individual does not need to achieve all the stages of moral development.

##### **(a) Level 1 -Preconventional morality**

Preconventional morality is the initial phase of moral development (Kohlberg, Undated). This phase often lasts until the age of nine years (Kohlberg, Undated). At this stage, the child's sense of morality is externally



regulated by authority figures such as parents and teachers. During this phase children do not have the capacity to question all the rules of engagement and they believe that they are absolute (Kohlberg, Undated). Children generally make moral decisions based on the physical consequences of their actions (Kohlberg, Undated). The following are the substages of this phase:

- Stage 1: Obedience-and-Punishment Orientation Stage focuses on the child's willingness to follow the rules in an attempt to escape punishment. For instance, the juvenile learns to understand the severity of his or her offence through the amount of punishment received (Kohlberg, undated).
- Stage 2: The instrumental Orientation Stage, relies on what the individual believes is in their best interests (Kohlberg, Undated). In essence in this developmental phase compliance with the rules are fortified by what the child believes that the action will benefit him or her (DeSantis, 2020).

(b) Level 2: Conventional moral reasoning

At this phase, the child's concept of morality is dependent on a need to maintain societal interactions by upholding conventional norms and values (Kohlberg, Undated). The key purpose of continuing obeying authority figures' norms is based on the belief that it is vital to maintain cordial relationships and social order (Kohlberg, Undated). During this phase, rules and customs are strictly followed without any contestation. In essence, children voluntarily comply without questioning the propriety or justice of the rules (Kohlberg, undated).

- Stage 3: Good Boy, Nice Girl Orientation

In stage 3, children desire affirmations to motivate them to comply with the norms and standards (Kohlberg, Undated). Excellent behaviours and acts of kindness to others when they are emphasized tend to enhance a need to maintain acceptable social conduct (Kohlberg, undated.)

- Stage 4: In the law-and-order orientation stage, the child instinctively accepts rules and conventions due to the fact that they are vital in maintaining a functioning society (Kohlberg, Undated). What further motivates moral reasoning in this stage is the fact that a child perceives that rules are common to everyone, and this enhances the sense of obligation to obey them (Kohlberg, Undated). In essence, moral reasoning at this stage takes precedence over the demand for individual approval evident in stage three (Kohlberg, Undated). This is driven by the understanding that upholding laws and norms is both an obligation and a responsibility for all to optimise the functioning of society (Kohlberg, Undated). Kohlberg (undated) further hypothesises that most of society's active adult individuals are still fixated on stage four's moral reasoning (Kohlberg, Undated). He suggests that this is due to the fact that the morality of these individuals is still largely controlled by structural influences (Kohlberg, undated).

(c) Level 3: Post conventional moral Reasoning

In this phase, an individual's sense of morality is defined by abstract principles and values throughout the post-conventional level (Kohlberg, Undated). The capacity to question the propriety of some laws is fully developed. This is displayed by an individual's ability to designate those social rules that are unjust which should be changed or eliminated. For Kohlberg (undated), this is facilitated by a growing realization that individuals are separate entities from society and may disobey rules inconsistent with their principles. The only social bond that binds the post-conventional moralists is their commitment to ethical principles that are premised on upholding basic human rights such as life, liberty and justice for all. These individuals view social norms as useful but evolving mechanisms rather than absolute prescriptions that must be followed blindly. Seeing that post-conventional individuals value their moral judgment more than social conventions, their conduct, notably at stage six is susceptible to being confounded for pre-conventional moral reasoning. Some scholars posit that many people do not necessarily attain this degree of abstract moral reasoning (Kohlberg, undated).

- Stage 5: Social-Contract Orientation. The individuals that graduate to this stage, see the world as a space with a multiplicity of ideas, rights, and values that are progressively improving (Kohlberg, Undated). These individuals place a great deal of emphasis on the recognition of ideological diversity rather than promoting people to be inflexible edicts. The moral reasoning at this stage enables individuals to recognise laws as social contracts. The ultimate common goal is to achieve general welfare and the requirement for social inclusion is characterised by striving for a common good for the most considerable number of people. This requires all people to uphold a combination of

two key moral principles that are based on the mutual respect of majority decisions and unavoidable compromise. Kohlberg (undated) contends that theoretically democratic government's foundation is built on the philosophy of this stage of moral reasoning.

- Stage 6: Universal-Ethical-Principial Orientation. In this phase, abstract reasoning guides the moral outlook of people at this point (Kohlberg, Undated). Adopted principles are premised on intellectual reasoning that places emphasis on the significance of concepts such as equality, dignity, and respect. The validity of laws depends on their commitment to justice. This moral reasoning enables the disobedience of unjust laws to reflect a high regard for principles of fairness. In essence, individuals voluntarily uphold laws with an understanding that it is their moral obligation rather than to be compelled by a fear of punishment (Kohlberg, undated).

### **3.1.3. Social Disorganization theory**

Social disorganization theory accentuates a great deal of importance on the geographical location's influence rather than the person's characteristics in predicting potential criminal activity (Walker and Zawisza, 2014). According to this theory, structural socio-economic inequalities encourage juveniles to become criminals due to exposure to unfavourable environmental conditions (Walker and Zawisza, 2014). For Shaw and McKay, (1942), cited in Walker and Zawisza, (2014), social conditions such as degeneration of infrastructure, poverty and a higher level of ethnic and cultural mixing are all difficulties in neighbourhoods with the highest crime rates. Walker and Zawisza (2014), stipulate that Shaw and McKay (1942) propose four (4) specific assumptions as an explanation for Delinquency causal factors. These factors include degraded environmental conditions, rapid urbanisation, joblessness and poverty (Walker and Zawisza, 2014).

### **3.1.4. Strain theory**

The strain theory posits that people turn to crime as an alternative to legal means as a measure to achieve their goals. This often occurs when all legal means are not attainable (Ireland, 2012). It is within this context that the strain theory has had a significant impact on delinquency research and public policy (Agnew, 1985). The strain theory acknowledges that only a sizeable group of strained individuals turn to crime (Agnew, 1985). The first modern strain theory can be traced from the work of Emil Durkheim which was later transformed by Merton's classic strain theory in the middle of the twentieth century and it became one of the dominating schools of thought in criminology (Raturi and Rastogi, 2022). Classic strain theory is concerned with challenges pertaining to the difficulties to achieve economic prosperity (Agnew, 1985). Moreover, these theories also assess the impact of the conditions of the middle-class standard of living to the potential onset of delinquent behaviour (Agnew, 1985).

### **3.1.5. Social learning theory**

This theory is based on the notion that we learn from our interactions with others in a social context (Nabavi, 2012; Edinyang, 2016). According to this thinking, learning is facilitated through Observation, imitation and modelling of other people's behaviours (Nabavi, 2014; Nabavi, 2012; Edinyang, 2016). The assimilation and mimicking of other people's behaviours are further motivated by the fact that the observed conduct is perceived to be favourable or rewarding to the learner (Nabavi, 2014). Bandura (1969), postulates the significance of understanding that there are various factors, which impact the choice of reproduction of a modelled behaviour. This is precisely due to the fact that children are constantly exposed to multiple models ranging from the actions of parents, teachers and other people in their immediate environment to the media content they consume through television (Nabavi, 2012)

In essence, the social learning theory highlights the significance of understanding the impact of various sources in modelling the behaviour of young people (Edinyang, 2016). Since, children observe their parents, older siblings, relatives, and neighbours and imitate their behaviours towards certain situations (Edinyang, 2016). Additionally, the effect of rewarding the reproduction of the observed behaviours further enhances the chances of normalising the specific behaviour (Nabavi, 2012; Edinyang, 2016).

### **3.1.6 Labelling theory**

This sociological approach highlights the significance of labelling in further perpetuating delinquent behaviour, especially among juveniles (Wellford, 1975). This perspective suggests that even though deviant behaviour may emanate from considerable causes and contexts, the classification of people enhances the chances of prolonging the deviant behaviour (Wellford, 1975; Lemert, 1967). For Becker (1963) and Lemert (1967), the impact of negative preconceptions (stigma) associated with the deviant label has multiple potential effects in reinforcing chronic juvenile delinquent behaviour. This can result in deviant behaviour becoming a "method of defence, attack, or adaptation" (Lemert, 1967:17). In summary, this thinking accentuates a need to

note the impact of labelling in excluding offenders from the rest of the community. Since this could initiate processes that reinforce or stabilize participation in crime and deviance, regardless of the behavioural patterns or social and psychological conditions that might have existed before labelling (Bernburg, 2019).

### **3.1.7. Differential Association theory**

The differential association theory has provided an account that explicates all kinds of criminal activities, ranging from juvenile delinquency to white-collar crime (Forsyth and Copes, 2014). Although this theoretical proposition does not essentially define the causal factors that perpetuate criminal behaviour, however, it is able to depict how it happens (Forsyth and Copes, 2014).

In a nutshell, the differential association perspective is a social psychological theory that focuses on explaining how someone becomes a criminal (Forsyth and Copes, 2014). The hypothesis states that when the potential offender is of the view that the benefits of breaking the law outstrip the perceptions of the conceivable effects of complying with legal prescriptions enhances the chances of an individual to choose to commit a crime (Forsyth and Copes, 2014). Similarly, this theory highlights that for a person to successfully engage in criminality, he or she should possess the appropriate skills (Forsyth and Copes, 2014). These attributes could range from sophisticated and challenging computer hacking skills to simple and easy to learn abilities such as stealing things from stores (Forsyth and Copes, 2014).

### **3.1.8. Social control theory**

This theory suggests that human beings are inherently deviant, and they need laws, rules, and regulations to maintain harmony (Pratt et al., 2011; Hirschi, 2015). It further postulates that the difference between those who are susceptible to participate in criminal activities and those who are not is the extent of the strength of the bond they possess with the norms of their society (Hirschi, 2015). Hirschi (2015), proposed that there are four different types of links which are elementary in determining whether or not the individuals will engage in criminal activities. They subsume the attachment, commitment, involvement, and belief (Pratt et al., 2011). This theory further submits that the level of association with an institution or social structure precludes the possibility of committing a crime against that specific community (Pratt et al., 2011:58).

## **3.2. Concluding Remarks**

The development of considerable criminological theories has been based on sociological research (Bezuidenhout and Joubert, 2003). Generally, these theories have suggested that criminal behaviour is the natural reaction of biological and psychologically normal individuals to specific social conditions. These social circumstances have a greater impact on juveniles than on adults. Young people are more vulnerable to disturbing factors due to their tender age and their limited exposure to the social structure they are a part of. Later in this paper, this thought is further explored, particularly in relation to the assessment of the interventions that are employed to mitigate this phenomenon in Gauteng.

## **IV. METHODOLOGY**

This paper took a “semi-systematic literature review” of both international and local studies that assessed the development of the approaches to deal with juvenile delinquency (Cook et al., 1997; Crowther and Cook, 2007; Eriksson et al., 2022). A total of 53 literature sources that extend over a broad spectrum of topics that investigated the etiology of crime were collected from three main databases accessed over the Internet. These include Google Scholar, JStor and Sabinet Online. The researchers employed a systematic search strategy that entailed running multiple searches from the databases over a period of two months using the same set of keywords (juvenile; crime delinquency; deviant behaviour) (Cook et al, 1997). The final data sources were limited to English research articles, reports, legislative statutes, dissertations and book reviews covering key developments of the juvenile justice approaches mainly in the South African context. Additionally, researchers utilized predetermined criteria of limiting the literature sources that are published from academic journals and legal databases to ensure the credibility of the data that this article is built upon. Finally, the data was firstly thematically analysed to label the key aspects and subsequently, the cross-case analysis technique was applied to depict common themes from the data.

## **V. FINDINGS**

### **5.1 Child Justice Legal Framework**

As indicated elsewhere in this paper major reforms of the current juvenile justice laws became prominent during the transition to democracy in South Africa from the apartheid era (Krohn and Lane 2015). The concepts of restorative justice and ubuntu became a cornerstone of child justice policies in the post-1994 era

and this was further motivated by the spirit of the new constitution of the current democratic government (Skelton, 2002; Krohn and Lane, 2015). Restorative justice is also a fundamental component of the Child Justice Act (Act, 75 of 2008) (Hereby referred to as CJA). The Act highlights a need to adopt practices of reconciliation, restitution, and accountability through the involvement of the child, their family and the community with an intention to break the cycle of crime on juveniles (CJA, 2008:6).

Skelton (2007), notes that child justice in South Africa started with the ratification of the UN Convention on the Rights of the Child (1989) and the adoption of the African Charter on the Rights and Welfare of the Child (ACRWC/the Charter) (2000) in South Africa. For Skelton and Tshehla (2008), this facilitated the country's official commitment to set up laws, procedures, and institutions to help children who are in breach of the law. After lengthy consultation process, the Child Justice Bill was drafted in 2000 however it could not be passed into law until after the 2004 elections (Krohn and Lane 2015). This process could only resume in 2007 when the Bill was reintroduced to Parliament (Krohn and Lane, 2015). Civil society organisations and institutions played a role in this process, both individually and as a group under the auspices of the Child Justice Alliance (CJ Alliance (Marimuthu, 2014; Krohn and Lane 2015). The Bill was finally passed in 2008, signed and finally put into practice in 2010 (Krohn and Lane 2015).

Prior to the introduction of the Bill, there were other pieces of legislation that provided assistance to children who encountered the criminal justice system following the end of Apartheid (Krohn and Lane, 2015). According to the 1996 Constitution of South Africa (Act, 108 of 1996) (Constitution) children are entitled to the same procedural rights as any other individual who has been apprehended, detained, or charged with a criminal offense. Those rights include the right not to be detained, except in exceptional circumstances, and for an appropriate length of time (Krohn and Lane, 2015). Furthermore, children are entitled to be separated from those over the age of 18 and to be processed and detained in an age-appropriate manner (Krohn and Lane, 2015). In addition to the constitutional rights, a new section of the Correctional Services Act of 1959 provided that children awaiting trial are to be detained at a reduced rate and that only children aged 14 to 18 are to be detained in prisons (Krohn and Lane, 2015).

### **5.1.1 Child Justice Act (CJA)**

The Act stipulates that children under the age of ten are not subject to criminal liability and that a prosecutor must demonstrate that a child between the ages of 10 and 14 can commit a criminal offence (Skelton, 2002). One of the challenges is that a low proportion of children in South Africa (40%) possess registered birth certificates (Skelton, 2002). The Bill stipulates that a probation officer may use a specified list of documents to determine the age of a child; the Magistrate may also estimate this age; or a medical professional may be consulted to determine the age (Skelton, 2002). Minimum sentencing requirements for adults accused of criminal offences are not applicable to children (see Skelton, 2002).

#### **(a) Arrest**

The Act provides for alternatives to the arrest of the child (Badenhorst, 2011). Children may not be arrested without reasonable cause for a minor offence (Badenhorst, 2011). Parents or caregivers should receive a written letter or summons informing them when the child must appear for a preliminary inquiry (Badenhorst, 2011). A probation officer must be notified of the arrest or of an alternative action to the arrest, such as notifying a parent within twenty-four (24) hours (Badenhorst, 2011). There is some evidence that since the introduction of the Act, the distribution of summonses or written notices has not been effective (Badenhorst, 2011).

Probation officers (qualified social workers) must assess any child accused of a criminal offense, including those under the age of ten (Badenhorst, 2011). The purpose of assessment is to determine whether the child is eligible for care, to obtain information regarding prior cases involving the child, to determine whether diversion is appropriate and to determine whether an adult exploited the child to commit the crime (Skelton and Tshehla (2008)). If a child is arrested, they must appear at a pre-trial inquiry within forty-eight (48) hours (Badenhorst, 2011).

#### **(b) Preliminary Enquiry**

The preliminary inquiry is a feature of the Act that has been praised by international commentators as being highly innovative and exemplary for child justice systems around the world (Stout, 2006). It is an informal pre-trial procedure in which the probation officer assesses the child, considers diversion options, and assesses the desirability of a children's court referral (Stout, 2006). The child and their parents should be encouraged to take part in the inquiry (Stout, 2006). After the preliminary inquiry is concluded, the magistrate may either release or hold the child in custody (Stout, 2006). A child who has been placed in prison must return to the preliminary inquiry on a 14-day basis (Stout, 2006). Prison should be regarded as a last resort and should only be imposed



for the shortest possible period of time (Stout, 2006). In accordance with the UN CRPC, which South Africa ratified and continues to uphold in the Constitution, incarcerated children must be separated from adult prisoners (Stout, 2006). However, there is evidence that children continue to be placed in police and prison cells alongside adult prisoners (Stout, 2006).

(c) Diversion

Diversion is an essential element of restorative justice as it is critical in facilitating the rehabilitation of young offenders (Skelton, 2007). The act stipulates that this process can be instituted at any stage of the criminal proceedings, to prevent the detention of the youth below the age of 18 years (Skelton, 2002). Prior to the Act's implementation, it was estimated that 50% of child offenders would engage in diversion (Skelton, 2007). The CJA defines three levels of diversion, with level one being a set of short non-intensive programs and levels two and three being longer and more intensive diversion programs (Skelton, 2007). These levels have been designed to encourage practitioners to view diversion not as a one-size-fits-all approach, but as a diverse set of options for both minor and serious offenses (Skelton, 2007). Dawes and van der Merwe (2012), contend that the child must accept responsibility for their actions in order to be eligible for diversion. Examples of diversion programs include Life-Skills, Peer/Youth Mentoring, Wilderness Therapy, Skills Training/Educational or Entrepreneurship Programs, Therapeutic Programs, Oral/ Written Apologies, Community Service or Multi-Modal Programs, Victim Offender Mediation and Family Group Counselling (Dawes and van der Merwe, 2012).

(d) Children's court

Children's trials are not publicly accessible (Skelton, 2007). All three tiers of courts - District Court, Regional Court and High Court - may hear child-related cases, furthermore, it is worth noting that the tier of the court is determined by the gravity of the offence (Skelton, 2007). Similarly, despite the nature of the outcomes of the preliminary inquiry, the court may still order diversion to a juvenile based on the specific circumstances surrounding the matter in question (Skelton, 2007). In addition, children are entitled to legal counsel in cases where there would otherwise be a great deal of unfairness and in cases where the child and their family are unable to afford representation (Skelton, 2007). The child's legal representative must explain the rights of the child in a manner that is appropriate for the child's age (Skelton, 2007).

(e) Sentencing

In the event of a child being found guilty of a minor Schedule 1 offence (e.g., theft under R250, common assault or possession of illegal drugs under R50), the Act recommends that the child be released on bail or placed in the custody of a parent or relevant adult (Badenhorst, 2011). The magistrate presiding over the preliminary inquiry has the authority to release the child regardless of the offence (Badenhorst, 2011). Imprisonment is only to be used as a last resort and for a limited period (Badenhorst, 2011). The purpose of sentencing a child offender to imprisonment is to enable the child to take responsibility for the harm done to others, and the sentence should be proportionate to the individual child and the offense committed (Badenhorst, 2011).

## 5.2. Snapshot of children in contact with the law

The constant growing number of juveniles that are in conflict with the law remains a daunting challenge in South Africa, notably in Gauteng (Ntshangase, 2015). A considerable number of scholarly works note a range of risk factors that necessitate the proliferation of this phenomenon (Marimuthu, 2014; Badenhorst, 2011; Krohn and Lane 2015). For Krohn and Lane (2015) the parliamentary monitoring report paints an unfavourable image of the growing trend of the number of children in conflict with the law in the recent past.

- There are an estimated 10,000 children who are detained/arrested by the police every month.
- Approximately 2,750 to 4,000 juveniles are expected to appear in court.
- Approximately 1,300-1,900 children per month are diverted from custody.
- Approximately one thousand children are held in custody awaiting trial.
- In June 2009, the Parliamentary Research Unit (PRU) reported that 908 children convicted of a crime were in prison and 689 were awaiting trial in prison.

## 5.3. Challenges to the Implementation of the CJA

The Act provides a highly progressive set of procedures and suggested courses of action within the framework of the restorative justice approach (Skelton, 2007; Krohn and Lane, 2015). However, the current South African context is characterised by high levels of inequality and the legacy of colonialism and apartheid (Krohn and

Lane, 2015). This means that young people are not yet able to access justice in their everyday lives due to their inability to experience the economic advantages that are often associated with democracy (Krohn and Lane, 2015). This could lead to disappointment and in some instances to potential criminal activities (Krohn and Lane, 2015). The most worrying aspect of this phenomenon is not the amount of crime committed daily, rather the key concern is characterised by the violent nature of these activities (Krohn and Lane, 2015). Wards et al., (2012), highlight that in 2000, the homicide rate for the 15–29-year-olds in South Africa stood at 184 per 100 000, which was nine times higher than the international average. This was twice higher than the rate of homicide for the 15- to 29-year-olds in the United States, the world's highest-income region, for this age group (Wards et al., 2012).

The prevalence of violent behaviour among young offenders of 12-25 years of age is evident in a study conducted by the Centre for Justice and Prevention of Crime (Burton et al., 2009). The study involved a sample of 395 young offenders aged 12-25 years, from four provinces (Burton et al., 2009). The results of the study revealed that 30.9 percent of the participants were imprisoned for armed robbery/robbery; 23.5 percent for housebreaking; 10.6 percent for rape; and 10 percent for murder (Burton et al., 2009). Furthermore, according to Burton et al., 2009, 59.2 percent of participants reported carrying a firearm, knife or another weapon for self-defence, while 48.1 percent reported using force, threats or a weapon to commit theft (Burton, et al., 2009; Krohn and Lane, 2015).

The Gini coefficient, a measure of inequality, is a measure of the difference between the household incomes of the highest-income households in a country and those of the lowest-income households (Bosch, et al., 2010). Bosch, et al., (2010), posits that the South African Gini coefficient is among the highest in the world. This inequality can be seen in the prevalence of crime among children, as well as in the prevalence of youth unemployment (51% of South Africans aged 15-24 were unemployed in 2010, according to Statistics South Africa) (Krohn and Lane, 2015). Despite South Africa being one of the least unequal countries in the world, the rate of youth unemployment is still significantly higher than in other developing countries (Krohn and Lane, 2015).

The prevalence of child poverty in South Africa is concerning, not only due to its prominence but also due to the structural inequalities that exist (Hall and Cennells, 2011). According to a study conducted by Hall and Cennells (2011), the majority of South African children (75%) live in households that subsist on an income of less than USD 120 per capita per month, while 60% of children live in households with USD 60 per capita per month and 35% live in households that receive USD 30 per capita per month. Furthermore, children living in homes affected by income poverty are significantly disadvantaged in terms of geographical and racial disparities, with children living in urban areas and white children being particularly disadvantaged (Hall & Cennells, 2011).

The education system is also characterised by gross inequalities (Hall and Cennells, 2011). For example, in 2007, most of the white population aged 21-25 years had completed a minimum of 12 years of formal education, yet only 35% of black youth had achieved this level of formal education (Hall and Cennells, 2011). Similarly, the socio-economic level of a young person is used to predict the completion of secondary school (Hall and Cennells (2011). For instance, according to a national representative panel study of 28,000 young people, which was divided into five socioeconomic quintiles, it was estimated that over 80% of the young people in the richest quintile completed grade 12, while only 23% of those in the poorer quintile did (Hall and Cennells (2011). Furthermore, it is estimated that there are up to three million children not in education, employment, or training (NEETs) (Krohn and Lane, 2015). These descriptive statistics highlight the fact that while many of the new rights and policies have been crystallised in legislation, the youth often do not benefit from the new democracy (Krohn and Lane, 2015). This suggests that many children violating the law may be indicative of a legal and political system that is not equitable in terms of economic and social conditions (Krohn and Lane, 2015).

In South Africa, structural inequality is evident in the prevalence of crime and violence among young people, with Burton (2008) reporting that young people are two times more likely to experience crime than adults. From September 2004 to September 2005, the prevalence of crime or violence among young people aged 12-22 was 42%, with 27% of victims being of a violent nature and 26% being victims of property crime (Burton, 2008). Despite the decriminalisation of corporal punishment in South African schools in 1996, 7 out of 10 primary school children and 50 out of 50 high school youth report being hit, caned or spanked by teachers or the principal (Burton, 2008). This highlights the prevalence of gross inequality and the prevalence of violent, illegal behaviour that has become commonplace in everyday settings such as schools, homes, peer groups and communities, creating what Burton (2008) has referred to as a culture of violence.

The implementation of the Bill presents a further challenge in terms of the transformation and capacity-building of the key institutions and actors in the Child Justice system, such as the Police and Social Workers (Burton, 2008). Historically, South African police have been predominantly punitive in their approach to crime prevention and many have a limited understanding of the needs of children and what is deemed to be in their best interests (Burton, 2008). The Child Justice Alliance's first report since the Bill's introduction states that a significant number of children are now entering the Youth Justice system (Burton, 2008).

The system has been significantly altered, and the diversion of children has been reduced (Badenhorst, 2012). This decrease is attributed to a lack of police education, which means that law enforcement personnel are uncertain of how to respond to children who are suspected of violating the law, and thus choose not to arrest them (Badenhorst, 2012).

Restorative justice offers a flexible framework that allows police to utilise a wide range of resources, including community, family and community-based institutions (Badenhorst, 2012). However, the policy necessitates qualified and well-trained police personnel who are able to implement this approach (Badenhorst, 2012). Neglect of children by law enforcement officers results in the denial of support to young people who should be entering the system and receiving early intervention services (see Badenhorst (2012)). Furthermore, the reduced number of children being treated by police may lead to the public rejecting the new legislation as they are already inclined to resort to more severe and punitive measures, often resulting in vigilante justice (see Badenhorst (2012)).

## **VI. CONCLUSION**

The Child Justice Act (CJA) of South Africa is a significant development in terms of both the final form of the Bill and the perseverance of civil society organisations in working with the government to reach this outcome (Skelton, 2002). The South African transition, which was based on a spirit of peace-loving reconciliation, as well as the increasing momentum of the international Restorative Child Justice paradigm, served as structural precursors to the creation and specific form of the definitive Child Justice Act (Skelton, 2002). The South African CJA marks a departure from the child justice policies of the past, which were often used by the State to impose wider oppressive regimes. These earlier child justice systems were characterized by widespread institutionalisation and violence. The implementation of democratic legislation is, however, only the first stage in the process of building a democratic society. Subsequently, the implementation of new legislation must be accompanied by efforts to bridge the gap between progressive policy and the everyday inequalities experienced by people on the ground. Consequently, the current child justice system in South Africa reveals a fundamental disconnect between some of the more progressive democratic aspirations and the reality of extreme inequality that exists in a society in which violence has become a commonplace way of resolving problems. To address the root cause of an unhealthy society and not merely the symptoms, such as youth crime, solutions must be found that are transformational and redistributive at the individual, family, educational, community as well as social levels.

The development of high-quality diversion programs that provide alternatives to young people and promote forms of community growth must be implemented through multi-departmental partnerships. The child justice system needs to be equipped with the necessary training to facilitate such processes through a variety of means, including those not directly within its purview. As former President Nelson Mandela once said, "The way in which a society treats its children is the clearest indication of its soul". South Africa's "soul" is yet to be fully revealed and much remains to be done.

Finally, juvenile adjudication and rehabilitation should consider sociological factors such as poverty, abandonment, labelling and deviants. Developed and undeveloped countries are suffering from juvenile delinquency largely due to sociological factors. The current state of our adjudication system does not adequately reflect the current shift in the social deviance faced by young people. Policy makers should be concerned about juvenile delinquency and provide adequate research and technical education to those working with the delinquents. Governments should devise strategies to address this alarming situation and enact specific laws to safeguard the rights of these individuals who are a part of society.

## **VII. RECOMMENDATION**

It is the interest of this paper to highlight the following points as one of the key interventions to enhance the fight against juvenile delinquency in Gauteng.

- Future research: In the spirit of enhancing the government's oversight role, there is a need to commission a comprehensive empirical study to assess policy gaps in the current interventions to mitigate juvenile delinquency.
- Policy evaluation: Literature demonstrated a need for policy reforms to devise a comprehensive and purposive strategic approach in dealing with the risk factors that necessitate delinquent behaviour among the youth in Gauteng.
- Centralised juvenile justice centre: The current interventions are spread over several entities that subsume different government institutions and civil society organisations. This results in non-integrated preventative approaches that do not have a centralised coordinating body whose primary role is to unify all interventions to deal with juvenile rehabilitation.

## REFERENCES

- [1]. Badenhorst, C., 2011. Legal responses to cyber bullying and sexting in South Africa. Centre for Justice and Crime Prevention, 10, pp.1-20.
- [2]. Badenhorst, C., 2012. Second year of the Child Justice Act's implementation: Dwindling numbers. Child Justice Alliance Research Report, The Child Justice Alliance, The Children's Rights Project, Community Law Centre, University of Western Cape, 3.
- [3]. Badroodien, A., 1999. Race, crime, welfare and state social institutions in South Africa from the 1940's. *Social Dynamics*, 25(2), pp.49-74.
- [4]. Bandura, A., 1969. Social-learning theory of identificatory processes. *Handbook of socialization theory and research*, 213, p.262.
- [5]. Becker, H.S., 1963. *Outsiders: Studies in the Sociology of Deviance* (Glencoe, IL and London).
- [6]. Bernburg, J.G., 2019. Labeling theory. *Handbook on crime and deviance*, pp.179-196.
- [7]. Bezuidenhout, C. and Joubert, S.J. eds., 2003. *Child and youth misbehaviour in South Africa: a holistic view*. Van Schaik Publishers.
- [8]. Bosch, A., Rossouw, J., Claassens, T. and du Plessis, B., 2010. A second look at measuring inequality in South Africa: A modified
- [9]. Boylestad, R.L., 1968. *Introductory circuit an Analysis*. 1176.
- [10]. Gini coefficient. University of KwaZulu-Natal, School of Development Studies. Cook, D.J., Mulrow, C.D. and Haynes, R.B., 1997. Systematic reviews: synthesis of best evidence for clinical decisions. *Annals of internal medicine*, 126(5), pp.376-380.
- [11]. Burton, P., Leoschut, L. and Bonora, A., 2009. *Walking the Tightrope: Youth Resilience to crime in*.
- [12]. Burton, P., 2008. *Merchants, skollies and stones: Experiences of school violence in South Africa*. Centre for Justice and Crime Prevention.
- [13]. Crowther, M.A. and Cook, D.J., 2007. *Trials and tribulations of systematic reviews and meta-analyses*. *ASH Education Program Book*, 2007(1), pp.493-497.
- [14]. Chisholm, L., 1986. The pedagogy of Porter: The origins of the reformatory in the Cape Colony, 1882–1910. *The Journal of African History*, 27(3), pp.481-495.
- [15]. Dawes, A. and van der Merwe, A., 2012. Interventions for young offenders: What we know about what 'works' in diversion programmes. Ward et al (eds), 363.
- [16]. DeSantis, A.J., KOHLBERG'S MORAL DEVELOPMENT THEORY AND EVOLUTIONARY MORALITY MODEL ON VIEWS OF HOMOSEXUALITY.
- [17]. Forsyth, C.J. and Copes, H. eds., 2014. *Encyclopaedia of social deviance*. Sage Publications.
- [18]. Edinyang, S.D., 2016. The significance of social learning theories in the teaching of social studies education. *International Journal of Sociology and Anthropology Research*, 2(1), pp.40-45.
- [19]. Eriksson, E., Baykal, G.E. and Torgersson, O., 2022, June. The role of learning theory in child-computer interaction-a semi-systematic literature review. In *Interaction Design and Children* (pp. 50-68).
- [20]. Farrington, D.P., 2000. Explaining and preventing crime: The globalization of knowledge—The American Society of Criminology 1999 presidential address. *Criminology*, 38(1), pp.1-24.
- [21]. Hall, K. and Chennells, M., 2011. *Children and income poverty: A brief update*.
- [22]. Hirschi, T., 2015. *Social Control Theory: A Control Theory of Delinquency*. In *Criminology Theory* (pp. 289-305). Routledge.
- [23]. Khuda, K.E., 2019. Juvenile delinquency, Its causes and justice system in Bangladesh: A Critical Analysis. *Journal of South Asian Studies*, 7(3), pp.111-120.
- [24]. Krohn, M.D. and Lane, J. eds., 2015. *The handbook of juvenile delinquency and juvenile justice*. John Wiley & Sons.
- [25]. Lemert, E.M., 1967. *Human deviance, social problems, and social control*. (No Title).
- [26]. Levin, Y., 1940. The treatment of juvenile delinquency in England during the early nineteenth century. *Am. Inst. Crim. L. & Criminology*, 31, p.38.
- [27]. Lobos, J., 2017. *Factors Affecting Juvenile Delinquency*. *Faculty Research Journal Bulacan State University-Meneses Campus Factors*, 7, pp.0-6.
- [28]. Marimuthu, B.A., 2014. *A quantitative analysis of juvenile delinquency trends among school going adolescents in a select sample of secondary schools in Chatsworth, Durban* (Doctoral dissertation).
- [29]. Muncie, J., 2005. The globalization of crime control—the case of youth and juvenile justice: Neo-liberalism, policy convergence and international conventions. *Theoretical criminology*, 9(1), pp.35-64.
- [30]. Muncie, J., 2008. The punitive turn in juvenile justice: Cultures of control and rights compliance in Western Europe and the USA. *Youth Justice*, 8(2), pp.107-121.
- [31]. Munyo, I., 2015. The juvenile crime dilemma. *Review of Economic Dynamics*, 18(2), 201-211. Available at <https://doi.org/10.1016/j.red.2014.03.004>. Accessed 12 July 2023.
- [32]. Nabavi, R.T., 2012. Bandura's social learning theory & social cognitive learning theory. *Theory of Developmental Psychology*, 1(1), pp.1-24.
- [33]. Nabavi, R.T., 2014. *Theories of Developmental Psychology Title: Bandura's Social Learning Theory & Social Cognitive Learning Theory* RaziehTadayon Nabavi. no. November.
- [34]. Ntshangase, M.P., 2015. *A study of juvenile delinquency amongst adolescents in secondary schools in Gauteng* (Doctoral dissertation).
- [35]. Prag, G.M., 2004. *Self-esteem in Delinquent-prone adolescents in Gauteng* (Doctoral dissertation, University of Johannesburg).
- [36]. Skelton, A., 2002. Restorative justice as a framework for juvenile justice reform: A South African perspective. *British Journal of Criminology*, 42(3), pp.496-513.
- [37]. Shoemaker, P.J., 1996. Hardwired for news: Using biological and cultural evolution to explain the surveillance function. *Journal of communication*.
- [38]. Shoemaker, D.J., 2018. *Theories of delinquency: An examination of explanations of delinquent behavior*. Oxford University Press.
- [39]. Skelton, A., 2007. *Reforming the juvenile justice system in South Africa. Policy and Law Reform and Parallel Development*.
- [40]. Skelton, A. and Tshehla, B., 2008. *Child Justice in South Africa*. Institute for Security Studies Monographs, 2008(150), p.72.
- [41]. Sonnekus, E.F., 1992. Introduction to juvenile criminology as a field of specialisation. *Acta Criminologica: African Journal of Criminology & Victimology*, 5(1), pp.55-64.
- [42]. Stout, B., 2006. Is diversion the appropriate emphasis for South African child justice?. *Youth Justice*, 6(2), pp.129-142.



- [43]. Surong, R. and Lyngdoh, A., 2020. A study on the causes of juvenile delinquency and its prevention by the community. *International journal of Indian psychology*, 8(4), pp.e138-e138.
- [44]. Ritzer, G. and Yagatich, W., 2012. *Contemporary sociological theory*. The Wiley-Blackwell companion to sociology, pp.98-118.
- [45]. Ward, C. and Dawes, A., 2012. *Youth violence: Sources and solutions in South Africa*. UCT press.
- [46]. Wellford, C., 1975. Labelling theory and criminology: An assessment. *Social Problems*, 22(3), pp.332-345.
- [47]. White, M., 2014. *Juvenile crime in the 19th century*. *Discovering literature: Romantics and victorians*.
- [48]. World Youth Report., 2003. The global situation of young people. 189-211. Popline document number: 305818. Available at <https://www.popline.org/docs/1702/305818.htm>. Accessed on 05 June 2023.