

A CO-CONSTRUCTED PRACTICE MODEL FOR SUPPORTING PARENTS OF CHILDREN IN CONFLICT WITH THE LAW

Zurina Abdulla, Blanche Pretorius, Veonna Goliath

The ecological systems theory and the buffering effect model both suggest that the absence of a multi-systemic conceptualisation of supporting parents of children in conflict with the law (CCL) diminishes the impact of traditional generic efforts to meaningfully buffer parents of CCL during the child justice process. This participatory qualitative study involved parents of CCL and child justice officials as co-constructors of a practice model for supporting parents of CCL. The co-constructed practice model shows that parents must have access to informational, emotional, practical and professional support prior to, during and after the child justice process..

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INTRODUCTION

Parents play a pivotal role in supporting their children during the child justice process; however, the absence of parent-focused support services within the child justice system compels the design of a practice model to support parents of children in conflict with the law. Targeted support for parents of children in conflict with the law (CCL) must be prioritised at policy and practice level, since supporting parents can prevent recidivism (Vander Pyl, 2018; Stallman & Ralph, 2007:2). A focus on parents in policy and practice has gained traction since the 1990s with the United Nations Convention on the Rights of the Child (UNCRC, 1989) placing the spotlight on children's rights. Parents, as a target for services, are primarily linked to improved outcomes for children and their families. However, parents can also be involved in human services, as co-developers of services that benefit not only their families but other parents as well. Underpinned by family- and child-centred policies, parents and parenting are increasingly viewed as a means to a better end for children and families (Daly, Bray, Bruckauf, Byrne, Margaria, Pečnik, & Samms-Vaughan, 2015; Mokomane in Robila, 2014; Makiwane & Berry, 2013). Instead of an acknowledgement of parents' agency in being advocates for their own and their children's rights and needs (Auerbach, 2007), parents are unfortunately reduced to their parenting roles of provision and care. Parenting support and support for parents of CCL are aspects reflected in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985, Part 1 [1.2 and 1.3]) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (1990, IV, Paragraph 16). Gould and Ward (2015:2) argue that supporting parents is in South Africa's best interests and that the Department of Social Development (DSD) must play a leading role in coordinating support services to parents. Guided by the preceding policies internationally and nationally, supporting parents primarily involves parenting support programmes for parents of CCL focusing on parents as service extenders to ensure that their children comply with court orders or desist from offending behaviour (Burke, Mulvey, Schubert & Garbin, 2014). A service extender refers to a person who is tasked with extending or reinforcing the prescribed interventions beyond the counselling relationship (Burke et al., 2014:5). Very few programmes comprehensively target support for parents of CCL as service recipients to address parent-determined needs from the charge or arrest stage to the aftercare stage (Burke et al., 2014). Even fewer include parents as partners and service advocates influencing policy and practice related to supporting parents especially during the child justice process (CJP) (Burke et al., 2014). For the purpose of this article, parenting support is included under the umbrella phrase "supporting parents", which includes a variety of support services to parents of CCL. Traditionally, parenting support aims to strengthen parents' parenting skills to improve the parent-child relationship. Supporting parents involves holistic and comprehensive psychosocial support to ensure

parents' overall wellbeing, especially during times of stress or crisis (Roberts, Coakley, Washington & Kelley, 2014:8).

The issue addressed in this article is the lack of support services to parents of CCL during the CJP and the exclusion of parents as service advocates and extenders, limiting opportunity for them to inform, influence and co-develop support services to parents. To address this issue, the article presents a practice model co-constructed by parents and child justice officials to support parents of CCL. Providing support services to parents, although alluded to in the White Paper on Families in South Africa (South Africa, Department of Social Development, 2012:39-42), is overshadowed by the emphasis on families and children. The aforementioned White Paper identifies three strategic priorities, namely promotion of healthy family life, family strengthening, and family preservation. Priority 1.8 highlights the provision of parental support programmes as a priority in enhancing "parents' ability and capability to protect children" (South Africa, White Paper on Families in South Africa, South Africa, Department of Social Development, 2012:40). It further describes a continuum of services in support of families (including parents), which are comprised of prevention, early intervention, statutory intervention, reunification and aftercare services (South Africa, Department of Social Development, 2012:38). The Draft Integrated Parenting Framework (South Africa, Department of Social Development, 2011-12) attempts to unpack the support services that can be provided to parents throughout the child's lifespan giving some useful examples of parenting strategies. However, unlike the White Paper on Families in South Africa (South Africa, Department of Social Development, 2012), the Draft Integrated Parenting Framework (South Africa, South Africa, Department of Social Development, 2011-12) fails to describe how the various parental support services can be implemented in an integrated manner within the child protection and the child justice systems. Whilst various South African policies speak to the importance of providing support for parents and propose strategies or programmes for supporting parents, the application and integration of these proposed support strategies or programmes, especially in the Child Justice System, are mostly absent (Hargovan, 2013; Steyn, 2012; Reyneke & Reyneke, 2011). Furthermore, there is limited opportunity for parents to co-develop the strategies purported to support parents.

The Child Justice Act 75 of 2008 (South Africa, 2009) provides the legislative framework for dealing with CCL. The Child Justice Act (South Africa, 2009) describes in detail what should happen when a child is in conflict with the law and emphasises the importance of holding children, particularly children aged 14 to 18 years, accountable for their actions. Recognising the need to provide children with opportunities to be diverted away from formal court proceedings, the Act (Child Justice Act 75 of 2008) also emphasises placing children into parental care during the child justice process rather than detaining them in custody. Once a decision is made within the child justice system on the fate of the child, the Child Justice Act 75 of 2008 (South Africa, 2009) makes provision for children to be placed into the care of their parents or guardians (Wakefield, 2015:18). However, unlike in other countries, the South African legislation does not specify or make provision for support services to parents of CCL (Varma, 2007; Woodcock, 2003). The majority of CCL are released into parental care on the understanding that the parents become responsible for ensuring that their children comply with court orders and desist from crime (Gallinetti & Kassan, 2007:28). In terms of the Child Justice Act 75 of 2008, Chapter 4, Section 24 (7) (South Africa, 2009), when a child's non-compliance is found to be the fault of the parent, the parent or guardian may be fined or imprisoned for a period not exceeding three months. The emphasis on the role and responsibility of parents may stem from the view that "a child is ... the product of parental influence and any manifested deficiencies, as evident in offending behaviour, are presumed to justify parental liability" (Riley, 2007:229). The United States and Europe hold parents liable for their minor children's transgressions of the law and mandate their participation in parenting programmes and or counselling (Le Sage & De Ruyter, 2008:789). Assigning parents these responsibilities and setting criminal liability for children's non-compliance with a court order is therefore not new in the field of child justice. Although the Child Justice Act 75 of 2008 (South Africa, 2009) appears to follow the example set by the United States and Europe in assigning parents legal

responsibility for ensuring their child's compliance with conditions (e.g. compulsory school attendance, diversion programme attendance) set by court, it fails to provide resources or programmes to support parents during the child justice process. This is alarming considering that there is evidence to suggest that CCL are more likely to be exposed to negative parental and family attitudes or behaviours. This may include harsh punishment, parental substance abuse, domestic violence, lack of parental monitoring, lack of supervision, lack of encouragement and lack of support, and parents' inability to deal with the offending behaviour (Poduthase, 2012:61, 63). The Children's Act 38 of 2005, Chapter 4 Section 46 (g) and (h) (iii) (South Africa, 2006) recognises that parents have a legal responsibility towards their children and that in fulfilling this responsibility parents also have a right to access support services which can assist them when they encounter obstacles in fulfilling this responsibility. Parents of CCL have additional responsibilities during the CJP as they are expected to support and monitor their children and ensure their compliance to court ordered interventions.

A child's entry into the child justice system could be viewed as a crisis for the parent or guardian and the family as a whole. They are often in a state of shock when notified by the police that the child has committed a crime (Abdulla & Goliath, 2015:210). During this time of shock and possibly disappointment or anger towards the child, parents are expected to support the child during the child justice process and support their child's efforts to desist from crime. This implies that they have to focus on their child's needs and set aside their own need for support. Contrary to the Children's Act 38 of 2005 (Chapter 9, section 150) (South Africa, 2006) Chapter 4, Section 24 of the Child Justice Act 75 of 2008 (South Africa, 2009) does not make any provision for the parent to request or access support services. No programmes or services are offered to help parents in fulfilling their parental responsibility in providing appropriate care for their child, to manage their child's behaviour during and after the CJP, or to support the parent during the CJP (Abdulla & Goliath, 2015; Steyn, 2012; Reyneke & Reyneke, 2011). The majority of parents of adolescents in conflict with the law expressed the need for "counselling, support, information and guidance" during the child justice process (Abdulla & Goliath, 2015:215). Poduthase (2012:61, 68) states that parents of CCL find it difficult to deal with their child's offending behaviour and recommends that a "systemic family assessment must be conducted to assess the overall environment" and functioning of the family, inclusive of the parent dyad. Several studies emphasise the multi-systemic approach in assessing and supporting parents of CCL rather than focusing narrowly on the parent and family (Meinck, Cluver, Boyes, & Mhlongo, 2015; McAlister & Carr, 2014).

Apart from providing support services to parents, parents must also be included in developing and designing the support services to ensure responsive and targeted support during the child justice process. This research facilitated the participation of parents of CCL in the co-construction of a practice model to support them during the child justice process. Inclusion and involvement of parents as active partners throughout the research process ensured that the co-constructed practice model responds to the support needs expressed by parents whose children have been involved in the child justice system.

THEORETICAL FRAMEWORK

The ecological systems theory (Bronfenbrenner, 1986:723) and the buffering effect model (Cameron & Vanderwoerd, 1997:35) underpinned this study. The ecological systems theory complements the buffering effect model as it helps in conceptualising how the various systems can support parents during a time of crisis, including the type of support they can offer, and how parents can influence the systems to be responsive to parents' support needs. This integrated theoretical framework therefore allows for a holistic view towards understanding and responding to the support needs of parents of CCL at various systemic levels. Its applicability is based on parents' need for support across systems, especially targeted support when their children are in conflict with the law. The ecological systems theory posits that each individual functions as part of a wider system, with the individual forming the nucleus of the system. Their family, peers and parents' social network form the microsystem and the relationships between various individuals in the micro-system form the mesosystem. The exo-system

includes various organisations, groups or departments that do not directly have contact with parents but have an impact on parents, and the macro-system forming the wider society (Bronfenbrenner, 1986:723). Neal and Neal (2013:725) state that, based on this theory, systems are understood as being interdependent and have a direct or indirect influence on each other; thus risk factors or unfulfilled needs in one system will have an effect on the other systems and require a response from these systems. Children's transgression of the law and their subsequent arrest can have far-reaching consequences for themselves and their relationships with parents, thereby affecting the parent-child subsystem and the community, thereby affecting the macro-system.

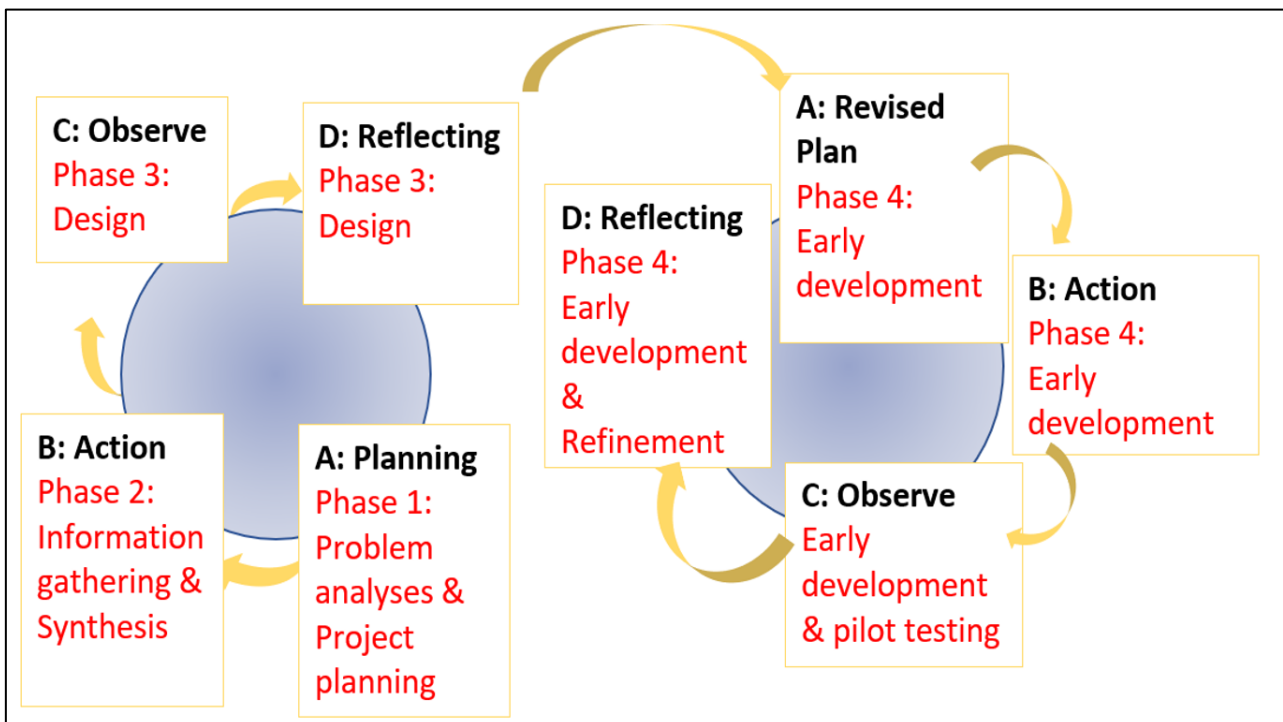
The buffering effect can be defined as "social support that acts as a protective factor against the adverse effect of negative life events on psychological well-being" (Garland & Hospel, 2013:572). The buffering effect model, which is based on the social support perspective, hypothesises that when individuals have access to strong social support systems at the various system levels during times of increased stress, they are better able to cope with the stress and are better insulated against their effects (Feeney & Collins, 2014:114; Cameron & Vanderwoerd, 1997:3). The support perspective underpinning the buffering effect model indicates that helping children, parents and families as a whole requires the provision of various types of help and support to address the multitude of challenges and crises that families experience (Cameron & Vanderwoerd, 1997:3). This perspective promotes the understanding of parents' needs through assessment to establish the type of support that is required and to identify possible formal and informal sources of support that can be integrated to provide the necessary support. Based on the support perspective, the buffering effect model explains how providing support to parents during a time of crisis helps them cope better with a crisis and increases their access to formal and informal sources of support, which can in turn strengthen their ability to support their child (Cameron & Vanderwoerd, 1997:3).

The buffering effect model was employed in this study to understand how parents can be supported to help them cope during their child's journey during the CJP and to increase parents' access to formal and informal sources of support. The ecological system's basis of assessment and intervention with CCL is most visible in Chapter 8 Section 53 of the Child Justice Act 75 of 2008 (South Africa, 2009) which makes provision for the child's risk factors and needs identified within the micro- and meso-level to be addressed. Diversion options ranging from compulsory school attendance, family-time order, peer association order, good behaviour order and community service order aim to address risk factors within the various systems. The Child Justice Act 75 of 2008 (South Africa, 2009) therefore recognises that responding to CCL calls for an integrated systemic approach which requires change to occur within each system of support to reduce the child's risk of reoffending and to increase the supportive factors. Although the Child Justice Act 75 of 2008 (South Africa, 2009) makes provision for assessment to reveal the system level at which interventions should be targeted, historically the focus of interventions has been primarily on the child, and their participation or compliance with the chosen interventions. Interventions aimed at addressing the risk factors and increasing the protective factors at the micro- and meso-level are limited to parents or families' voluntary participation in group-based parenting programmes or family counselling. Furthermore, interventions aimed at the community level involve a generic approach to community development inclusive of crime prevention rather than addressing the community risks associated with children's involvement in crime (Abdulla, 2019:14; Kruger, Lancaster, Landman, Liebermann, Louw & Robertshaw, 2016:21). It appears that interventions aimed at addressing the support needs of children, parents and their families at the meso-level are not strongly linked to individual risk factors and protective factors at the micro-level. The linkage between interventions aimed at addressing the risk factors identified at both the micro- and meso-level is even less clear at a macro-level pointing to the absence of an integrated multi-systemic approach to dealing with CCL and supporting CCL and their parents. The goal of this study was to explore the type of support needed by parents of CCL at the micro- and meso-level and co-constructing a practice model that would serve as a buffer for parents throughout the child justice process.

RESEARCH APPROACH AND METHODOLOGY

This study employed participatory action research (PAR), which is a qualitative approach rooted in the non-positivist paradigm (Zuber-Skerritt, 2011:80,100), as it explored and described a phenomenon using data-collection methods such as observations and focus group discussions (Engel & Schutt, 2005:16). Yardley (2000:217) adds that qualitative methods involve the co-construction of meaning about “truth”, “knowledge” and “reality” in context. The study integrated Zuber-Skerritt’s (2011:34) participatory action research cycles with Rothman and Thomas’s first four phases of intervention design and development (see Figure 1 below) (Fawcett, Suarez-Balcazar, Balcazar, White, Paine, Blanchard, & Embree, 1994 in Rothman and Thomas, 1994:26-49).

FIGURE 0
INTEGRATIVE MODEL OF PARTICIPATORY ACTION RESEARCH AND INTERVENTION RESEARCH



Source: (Abdulla, 2019:18)

PAR involves a cyclical process of planning, taking action, observing and reflecting repeatedly until a refined and appropriate solution or resolution is achieved (Coghlan & Brannick, 2010:8). The PAR cycles were followed throughout the research process especially during the data generation and design phase as this facilitated co-construction through data verification and refinement of the practice model. As an example of applied research, the study sought to answer questions that determine which interventions work, under what conditions interventions work best, and what changes are necessary to facilitate interventions that address practice problems.

Participatory action research involves participants in an active advisory capacity throughout the research process (Turnbull, Friesen & Ramirez, 1998). This complements the applied research process as it facilitates participative planning, action (intervention) and reflection during the research process (Reason & Bradbury, 2001:1 cited in Zuber-Skerritt, 2011:37) to facilitate the collaboration of all stakeholders in the “design and conduct of all phases of the research process” (178Turnbull *et al.*, 1998:181). Intervention research comprises knowledge development, knowledge utilisation, and lastly, design and development (Thomas & Rothman in Rothman & Thomas, 1994:3). Intervention design and development employs various approaches that “construct a systematic methodology for evolving human service interventions” (Thomas & Rothman in Rothman & Thomas, 1994:3). An earlier study

(Abdulla & Goliath, 2015) focused on parents' experiences of monitoring their children's compliance with diversion orders. The latter study highlighted the formal and informal support parents need during the CJP in monitoring their children's compliance with diversion orders (Abdulla & Goliath, 2015). To address the absence of support for parents of CCL, the current study facilitated the active participation of parents of CCL and child justice officials in co-constructing the design and development of a practice model for supporting parents of CCL during the CJP. Figure 2 provides an overview of the sample involved during the data-collection process.

FIGURE 2
OVERVIEW OF SAMPLE INVOLVED IN DATA GENERATION FOR THIS STUDY

SAMPLE		DATA COLLECTION	
PARENTS	CHILD JUSTICE OFFICIALS	OBSERVATIONS	FOCUS GROUPS
Total: 19 3 Fathers 2 Grandmothers 12 Mothers 2 Guardians	Total: 14 2 Prosecutors 3 Attorneys 3 Social workers/ Probation officers 1 Magistrate 5 Police officers	26 CJ officer and parent engagements observed 32 Observation sessions (15 pre- and 17 during pilot)	Phase 1: Problem analysis and project planning during 4 focus groups Phase 2: Information gathering and synthesis during 2 focus groups Phase 3: Design during 3 focus groups Phase 4: Early development and pilot testing during 3 focus groups

The population for the current study consisted of parents whose children had appeared at either of the two research sites, namely a One-Stop Child Justice Centre and a Reception, Assessment and Referral Office at a Magistrate's Court. Through purposive non-probability sampling, guided by an inclusion criterion, 19 parents and 14 child justice officials participated over a period of 18 months. The inclusion criteria for parents of CCL were parents whose children were involved at any stage of the CJP between June 2016 and November 2017; their children had appeared at one of the research sites and could speak English, Afrikaans or Xhosa. The inclusion criteria for Child Justice Officials were that they had to have contact with parents of CCL between June 2016 and November 2017, and be stationed at one of the research sites.

The data-generation methods employed in the study were primarily dictated by the integrated research design, which involved participants during the data-collection process and the design phase. Parents and child justice official (CJOs) involved in this study participated in 12 working group sessions. The focus of each work session was aligned to the sequential phases of the integrated research design and interview guides consisting of three sections – namely the reflection, topical discussion and the way forward – were used to facilitate the semi-structured interviews during the sessions. The topical discussion section was aligned to the particular phase of the research design, while the way forward guided the next phase of the research process. The PAR cycles underpinned each phase of the research process to ensure continuous planning, action, observation and reflection. Phase one's group discussions focused on identifying concerns of participants related to the type of support parents need during the CJP. Phase two discussions focused on exploring and identifying existing practice models and sources of support for parents of CCL. Phase three involved participants in designing an observational tool. Phase three also focused on exploring and identifying procedural elements that were included in the design of the practice model. In addition, a reflection session with an expert panel, namely the local child justice forum, facilitated a review of the initial practice model and data collection on the identified procedural elements. Phase four involved conducting a pilot test during which working group discussions were conducted with parents and CJOs who participated in the preceding phases, and newly recruited parents who had experienced the use of the preliminary practice model. Data were gathered on their experiences of the preliminary practice model to guide the refinement of the practice model.

Participant observations as a secondary method of data collection were employed during the problem-analysis phase and during the pilot-testing phase. The participant observations focused on observing child justice officials' interactions with parents of CCL during the various stages of the CJP. The observation tools employed in this study were co-developed by participants who identified a set of behaviours, conditions and attitudes for inclusion in the observation tools. Observation tools were developed for each stage of the CJP and reflected qualitative statements that the observers would confirm or disconfirm during their observations. Using the semi-structured observation tools, three trained field observers who are qualified social workers observed interactions between parents and CJOs at the two research sites during the charge or arrest stage, the preliminary inquiry, probation assessments and diversion sessions. The same sites were observed using the same observation tools and the same observers during the problem-analysis phase and during the pilot-testing phase. This enabled comparisons to be drawn between the two observation blocks. Thirty-two observation sessions consisting of 4-hour sessions each were conducted, with 15 sessions conducted during the problem-analysis phase and 17 sessions conducted during the pilot-testing phase. Observers also made field notes to record their impressions of the interactions and the context. The researcher facilitated a group reflection session with the observers after each observation block. Although the number of observation sessions was pre-determined, the data collected also reached a point of saturation, as the same observations were noted within the different stages and by the same observers during both observation blocks. Participant observations as a method of data collection, although useful in providing real time data and contextual data, were very time consuming and expensive.

The audio-recorded group discussions were transcribed per group. The data were analysed and interpreted following the qualitative data-analysis steps as described by Engel and Schutt (2005:386), namely condensing the data, searching for patterns, identifying relationships, and synthesising the data to find meaning in texts. Ongoing documentation of the data-generation process occurred with abridged reports on preliminary findings and the preliminary practice model being shared with participants throughout the research process. Data were managed by reading and annotating the data. The transcripts were read repeatedly and notes made in the margin of the transcripts of the researcher's impressions of the participants' responses. The data were then organised into categories to create meaning and understanding of participants' responses. The participants were given an opportunity to confirm the accuracy of the findings and could make verbal or written submissions to add to or clarify the transcripts. The data analysis was undertaken under the supervision of the research supervisors, and an independent coder was involved in authenticating the analysis and interpretations made from the data. The data from the observation tools and observers' field notes were recorded on an Excel® spreadsheet for each stage of the CJP observed and the various categories of CJOs that were observed. The various CJO categories observed were then colour coded to indicate their profession and recorded against a specified behaviour to tally the occurrence, partial occurrence or non-occurrence of the behaviours. The data for the problem-analysis observations were compared with the observations recorded during the pilot testing to search for similarities or differences, and were then compared to the data generated during the problem-analysis and pilot-testing phase working group discussions to look for further similarities or differences between the working group data and the observation data.

Yardley's (2000:221-224) criteria for ensuring trustworthiness, namely commitment, rigour, transparency and coherence, guided the research process. In addition, to judge trustworthiness and quality of the participatory action research process and outcomes, Reason's (2006 cited in Coghlan & Brannick, 2010:145) choice points were considered and applied, particularly given the explicitly participative nature of the study, in research with, for and by people rather than on people. Various strategies were employed during the study to ensure full compliance with prescribed ethical standards, including securing informed consent from participants for their voluntary participation in the study and maintaining participants' privacy by anonymising all transcripts, and informing participants when threats to anonymity and privacy emerged in sessions outside of the original working group. Ethical

clearance was granted by the Research Ethics Committee (Human), Nelson Mandela University (Reference Number H16-HEA-SDP-001).

FINDINGS AND DISCUSSION

Based on analysis and synthesis of the descriptive themes, the analytic themes that emerged in the current study include parent-focused prevention services, accessible social work services for parents, family-centred assessment and intervention, and lastly, an inclusive and collaborative child justice system. The next section presents a discussion of the themes and the proposed co-constructed practice model for supporting parents of CCL.

ANALYTIC THEMES

Theme 1: Parent-focused prevention services

This theme highlights the importance of the CJS having to adopt a holistic approach in supporting parents of CCL. Underpinning this theme is the view that preventing children's entry into the CJS and their desistance from crime require the CJS and its stakeholders to expand their prevention focus. Prevention services must reach or involve parents and children in the general population (primary prevention), those in the at-risk category (secondary prevention) and those already within the CJS (tertiary prevention). The general description of parents' roles prior to the CJP involves parents disciplining their children or seeking professional help when they identify at-risk behaviour. This is consistent with the findings that primary prevention aimed at at-risk children must focus on ensuring early detection and intervention of at-risk behaviours such as school absence or dropout, substance abuse and violence within the home environment (Souverein, Ward, Visser & Burton, 2016). Parents, as caregivers, can play a critical role in primary prevention to reduce their child's likelihood of entering the CJS. This view is supported by various policies, namely the White Paper on Families in South Africa (2012), the Integrated Social Crime Prevention Strategy (2011), the Draft Integrated Parenting Framework (2011) and, most notably, by the Child Justice Act 75 of 2008 (2009) recognising that involving parents at all levels of prevention services is vital in ensuring holistic prevention services.

The findings point to a three-pronged parent-focused prevention approach aimed at addressing poverty, unemployment, substance abuse and education on the CJP, inclusive of restorative justice at the three prevention levels. The findings also point to the involvement of not only parents but also various stakeholders in addressing these macro- and micro-level risk factors. The CJS offers a good example of a multi-stakeholder system that claims to involve parents in prevention services; however, in reality it facilitates parental exclusion and admonishes rather than supports parents of CCL. The findings revealed the need to buffer the effect of relational stressors at the meso-level by facilitating support for parents from the family, schools and their community, particularly at the secondary and tertiary prevention levels. Schools particularly can be viewed as social capital as they can offer parents valuable advice, referral to resources and can support parents' efforts in accessing help proactively for their child prior to their entry into the CJS (Dufur, Hoffman, Braudt, Parcel & Spence, 2015:521). It also points to the need for primary prevention services to be integrated and coordinated among the various child justice and social services stakeholders to address issues of substance abuse, gangsterism, community violence and community safety. One parent explained

"If you as parent go to the police with a problem that your child is using drugs or your child is using 'tik' ... the police does not really react, because all that they say to you as parents is that they cannot do anything. ... They do not know what to do, now you as the parent is sitting with the problem – what should you do? You think, you do not know where to go to. ... Your hands are cut off. You cannot hit the child, you cannot do anything."

There is a strong link between delinquency and the characteristics of the community in which people reside, particularly communities where young people are exposed to drugs, alcohol and anti-social attitudes to involvement in criminal activities (Cuervo, Villanueva, Born & Gavray, 2018:80). These

community challenges directly affect parents and children, as they increase children's risk of engaging in at-risk behaviour such as substance abuse, dropping out of school and delinquency. This in turn increases the need for availability of support, resources and services for parents, so that they are supported within these high-risk communities and buffered from the impact of community stressors.

Crime prevention as proposed by government (White Paper on Safety and Security, 2016; Integrated Social Crime Prevention Strategy, 2011; National Crime Prevention Strategy, 1996) requires multi-stakeholder (exo-level) involvement to address the macro-, meso- and micro-level risk factors known to contribute to children becoming at risk and entering the CJS. These strategies must also target the general parent population, parents of children at-risk and parents of CCL. This view is aligned to Bray's (2015 cited in Daly et al., 2015:96) view that government has an obligation to provide primary intervention services to parents and families to reduce the risk of children requiring statutory interventions. Newham (2005:6) agrees that coordination of efforts, activities and resources are necessary for effective social crime prevention. Primary prevention parenting programmes aimed at supporting parents whose young children display at-risk behaviour have been found to be effective in preventing the development of future anti-social conduct disorders (Hutchings, Bywater, Daley, Gardner, Whitaker, Jones, Eames, & Edwards, 2007). Reyneke and Reyneke (2011) highlighted the prevention services offered at the Mangaung One-Stop Child Justice Centre to address the shortage of services for at-risk youths. The centre offers parents an opportunity to voluntarily refer their at-risk youths to participate in one of their 17 diversion programmes (Reyneke & Reyneke, 2011). This practice points to an opportunity for some diversion programmes aimed at addressing at-risk behaviour in children to be adjusted and offered as secondary prevention programmes by probation officers, assistant probation officers and diversion social workers.

Theme 2: Accessible social work services for parents

The accessibility and availability of social workers is important in ensuring the provision of professional support for parents within their communities. Child justice officials and parents alike, highlighted social workers as the key professionals in assessing and intervening with parents prior to, during and after the CJP. Parents in the present study expressed their struggles in accessing social work services despite many attempts to find a social worker to assist them. A mother reflected on her long journey in trying to access social work services in managing her child's challenging behaviour:

"We have walked a long road with my daughter, and we are just wishing for help ... then again we get to different types of social workers, then we hear how the social system works. Then we get to a point where we ask, we live with this child at home, can't they try to do what we ask them to do? Then they tell us no, according to the law this is how a thing gets done... it feels to me that I don't stand a chance to help my child ... She is so, I am scared ... I will kill her."

September (2006:69) noted with concern the inaccessibility of social workers, particularly at community level and in rural areas. Despite DSD's employment of 7,578 new social workers since 2010, there is still a shortage of social workers, including probation officers, to meet the current demand for social work services (Portfolio Committee on Social Development, 2019).

Although the findings point to parents seeking help for their children's at-risk behaviour, the lack of available support to assist parents prior to their children's entry into the CJS is a major concern (Abdulla & Goliath, 2015). Parents are able to identify some of the at-risk behaviours; however, appropriate assistance and support are not readily accessible, resulting in parents losing hope of accessing help for their children. Having access to social work services, including assessment, intervention and aftercare, provides a measure of support for parents to cope with the various risk factors they are exposed to within communities and their families. Although parents have access to some form of informal support, parents of CCL require the services of social workers for various reasons. Firstly, based on parents' understanding of the social worker's role, parents were unanimous that they needed social work intervention to help them manage their children's challenging behaviours

and specifically substance abuse. Secondly, despite some parents' repeated struggles to access support and services from social workers they approached, parents still maintained that social workers are the professionals most suitable to assist and support them. Child justice officials (CJOs) shared this view and felt social workers from DSD in particular are responsible for supporting parents and providing social development services to parents. Lastly, based on the type of professional support parents said they needed prior to, during and after the CJP, the skills set and expertise of social workers would allow them to support, guide, counsel, educate parents and lobby or advocate on parents' behalf and with parents for access to services or resources. It has been found that probation officers (social workers) are in the best position to assess the level of support parents needed and provide the appropriate advice, guidance, support and education for parents struggling with their children's uncontrollable behaviour (Maschi, Schwalbe & Ristow, 2013).

Parents must be educated on their right to services based on the Batho Pele principles, social work principles and the types of services available to address their support needs and concerns (South Africa, Department of Social Development, 2013:20 & 46). Increasing social work accessibility requires that DSD place social workers at police stations, schools and at DSD satellite offices within a 20 km radius of communities to increase their visibility and accessibility (South Africa, Department of Social Development, 2013:42). This would help in responding to parents' need for immediate and accessible social work services.

Notably there are some barriers to making social work services accessible and responsive to parents' needs. Given the need for CJOs to be trained on how to work with and support parents of CCL, it can be deduced that DSD social workers would also need to be trained on how to work with parents of children at risk of offending and CCL. In line with DSD's generic norms and standards for social welfare services, the recruitment, training of social workers and funding of social services is critically important (South Africa, Department of Social Development, 2013:15, 40, 49). The recent DSD withdrawal of subsidies from the non-governmental sector further aggravates the shortage of social workers. From 2013 to date, non-governmental organisations, which are often based within communities, have reduced their services in communities, thereby withdrawing critical services to children and parents (Van Wyk, 2018). This links with the findings of Lofell (2008:90), who pointed out the systemic challenges faced within the CJS and the child protection system in terms of the shortage of social workers and the existing social workers having high caseloads that make it difficult to attend to the current demand for their services.

Theme 3: Family-centred assessment and intervention

The findings indicate that, because of the multi-stakeholder process involved in the CJS that children and parents must move through, finding an opportunity to assess and provide intervention to the parent is a challenge. This challenge appears to be compounded by the limited time social workers have available to conduct their assessment and ensure that the assessment report is ready for court. This finding also links with the emphasis placed on the procedural steps of taking a child through the motions of the child justice process rather than viewing the child and the parents' involvement in the system as an opportunity to provide assistance and support to the parent and the child. A police officer reflected on the procedural focus of the CJS, stating that "*we're still concerned about is mommy gonna come with or daddy, to simplify our processes. It's got nothing to do with their emotions and their trauma and stuff and that is a problem. Parents should be catered [for]*". Another implication of this finding is that the judicial case flow and the social work case management processes followed in the system may not adequately facilitate the efficiency of the system in providing parents with the necessary support. The inadequate access to social work services for parents of CCL, points to the absence of a continuum of support for parents and families of CCL during each phase of the CJP. This absence can be attributed to a variety of factors cited under theme 2. It seems counter-intuitive in the African context to view a child as an individual, separate from the rest of his family and community. Despite the importance of family and community, the current social work and probation practice is to limit the focus on the parent and exclude the family during assessment and intervention. Jokani

(2011:6, 27) points to the preliminary inquiry being geared to encourage parents' participation while the Probation Services Act 35 of 2002 (South Africa, 2002) encourages the involvement of parents during the assessment and restorative justice conferences. Jokani (2011:47), however, confirms that parental assistance in the context of the Child Justice Act 75 of 2008 (2009) refers mainly to the parent assisting their child during the CJP. One parent highlighted her need for social work services for herself and her child stating that *"the child is busy breaking you psychologically ... and there must be ... a social worker where ... once or twice a month they must sit together around a table and let the social worker ... investigate you and she must be able to test you to see how you are progressing. How is your progress with the child and the child must go through the same process."* Another study found that although parents were viewed by CJOs as important role-players, they were not adequately supported to be involved in the system, especially during the intervention stage (Steyn, 2012:76). It is recommended that the parents' role within the CJS be elaborated on and formalised to stipulate exactly what is expected of them, with appropriate support so that parents can fulfil their role (Steyn, 2012:76).

An alarming finding by Reyneke and Reyneke (2011:147) was that when probation officers failed to assess and provide intervention for parents of CCL, children were more likely to be removed from parental care and placed into foster care. This implies that instead of supporting parents during the CJP to prevent their child from going deeper into the system, when faced with parents who struggled to manage their children's behaviour, probation officers in some instances removed the child from parental care at the parents' request, or because parents refused to take their child into their care. This reinforces disempowerment of parents through probation officers' narratives of parents as non-coping or "not good enough" parents and children receiving the same negative message about their parents. CJOs recognised the impact of the family, the home environment, family relationships and family communication on parents and children to support parents' view that family counselling was needed. When parents are included in assessment and intervention, it is primarily with the view to support compliance with court-mandated interventions. However, when children and parents participate in family counselling, it helps the family strengthen their ability to better cope during current and future difficulties in the family such as family relationships, behaviour or discipline issues of the child (South Africa, Department of Social Development, 2013:61). Family counselling can also focus on the parent sub-system, the parent-child sub-system and the child-sibling sub-system to strengthen the system to restore family relations and functioning.

Theme 4: Inclusive and collaborative CJS

Underpinning this theme is the issue of power imbalance where one person is perceived or experienced as superior over the other. In the present study the power imbalance is reflected in relations between parents and schools (teachers), parents and professionals including CJOs, and parents and the CJS system. With many of the parents being single and female, issues of gender-based power imbalance also emerged where females assumed the gendered role of taking care of a child-related issue such as accompanying their child during the CJP. Budlender and Lund (2011:929) point out that women are primarily expected to assume the caregiver role even when males are present. The power imbalance also manifested in terms of the parents' role and voice during the CJP juxtaposed to that of CJOs, who assumed the superior professional status accorded them by the CJS. This directly facilitated or contributed to the exclusion of parents throughout the CJP despite them being regarded by CJOs as the persons responsible for ensuring children's care and desistance from crime. One parent explained that she had no opportunity to engage with the magistrate during the court proceedings: *"I do not feel satisfied with the sentence that the magistrate served him with ... I wanted..., I thought they will ask the parent to say something, before they give him a sentence. I wanted to tell her, 'Your honour, just for ten minutes, give me a chance of only ten or five minutes so that I can just explain quickly'..."* Pennington (2012:493, 500) found that when parents were not included and informed of the legal processes related to their children's cases that it negatively influenced their view of and confidence in the legal process. The power imbalance emerges most strikingly during the court process where the Presiding Officer sat in a higher position than everyone else; CJOs had their backs turned to parents throughout the

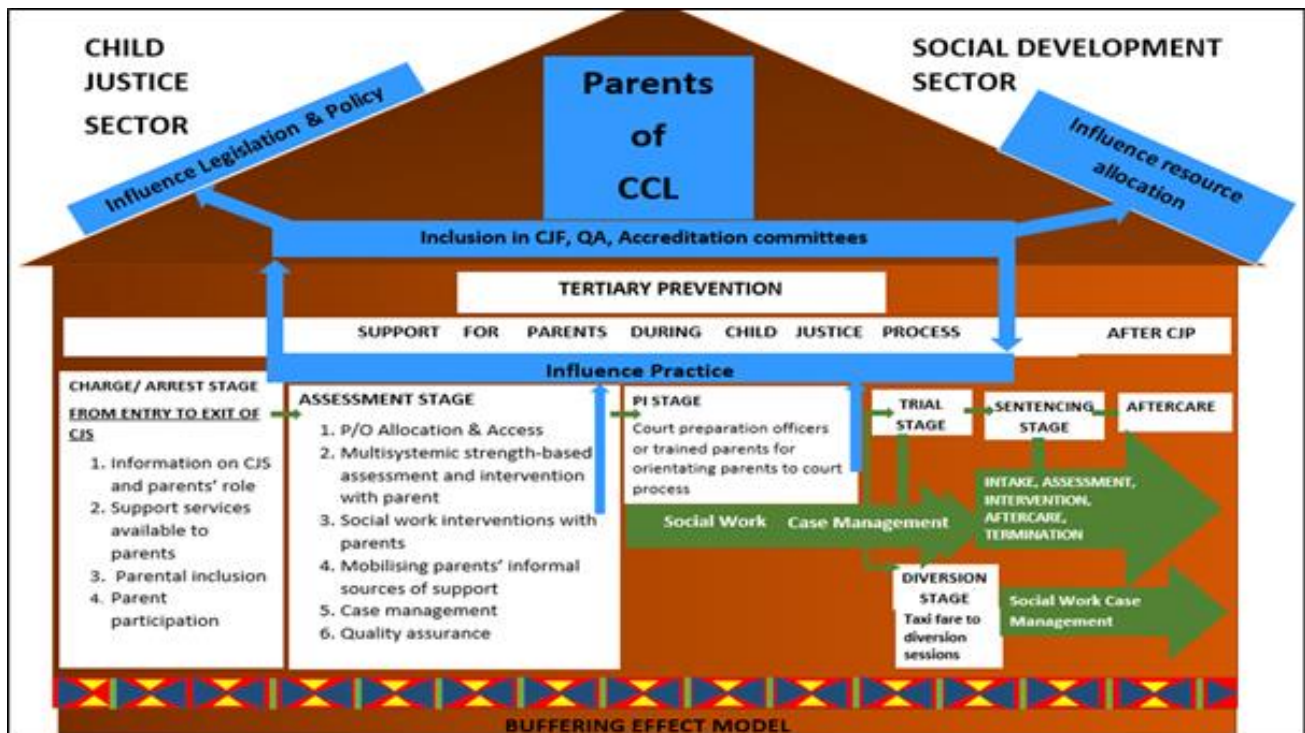
proceedings with most parents either not being engaged or involved during the procedure. This was further compounded by the power imbalance because of the lack of knowledge among parents of the CJP compared to CJOs being knowledgeable on the CJP. The importance of parents' involvement and participation during the CJP, including the court process, has been highlighted by numerous studies as a prerequisite for parents playing a meaningful role during the process and their active engagement in interventions (Cavanagh & Cauffman, 2017; Peterson-Badali & Broeking, 2010; Varma, 2007). These studies also found that parents mostly felt overwhelmed and excluded during the court proceedings and were unsure of the role they were expected to fulfil. Reyneke and Reyneke (2011) similarly found that, despite the restorative justice principles underpinning the Child Justice Act 75 of 2008 (2009), even at a One-Stop Child Justice Centre there was no physical space for parents or the child to sit in the decision-making circle in court and engage with officials during the court processes. Meaningful engagement and inclusion of parents in the CJS requires respectful and active involvement of parents throughout the CJP including decision-making about how and what services they want to access (Burke et al., 2014:11-12). Engaging with parents in their own language is also important, as parents in the present study explained that they decided not to discuss their concerns or needs when they could not express this in their mother tongue.

The impact of power imbalance as a risk factor is that it silences, excludes and deprives parents from assuming their role and meaningfully engaging with the CJS/CJOs. They are unable to influence or give input on the type of interventions that will best support them and address their concerns. Peterson-Badali and Broeking (2009) found that CJOs viewed parents as needing to be involved in the CJP; however, the system does not adequately facilitate opportunities for parental involvement and support as implied in the policy. Peterson-Badali and Broeking (2010:17) found that most (73%) of the CJOs in their study agreed that the CJS did not make adequate provision to support parents during the CJP to fulfil the role anticipated by the legislation. It requires that the CJS be sensitive to the various roles parents may assume during the CJP, which may include that of 'service user', 'service extender' in terms of fulfilling tasks related to interventions aimed at their child or 'advocates' for services to themselves and their child (Burke et al., 2014:5-6).

A CO-CONSTRUCTED PRACTICE MODEL FOR SUPPORTING PARENTS OF CHILDREN IN CONFLICT WITH THE LAW

Building from the findings of this study, previous research and evidence-based support for parents, the practice model consists of support for parents at secondary and tertiary prevention level. This model assumes that, in line with current social development policies, support for parents must be in place at a primary prevention level (i.e. universal support across parents' lifespan) and indicates the availability of various types of support for parents of children at-risk and CCL, namely targeted support prior to, during and after the CJS. Prevention services form the overarching element of the model emphasising that parent-focused services must be rendered at the primary and secondary prevention level to support parents and prevent children's entry into the CJS. For the purpose of this article, the tertiary prevention level of the co-constructed practice model (Figure 3) will be discussed.

FIGURE 3
CO-CONSTRUCTED PRACTICE MODEL FOR SUPPORT PARENTS OF CCL



Source: (Abdulla, 2019:328)

The tertiary prevention level is indicated as separate stages during the CJP as parents have specific support needs during the respective stages warranting targeted support. Most children and parents who enter the CJS do not proceed to the court stage as their children are diverted; however, parents still need access to support services during these stages as diverted children are placed into parental care. The preliminary inquiry and the court stage are coupled as parents experienced similar support needs because of the court processes involved at these stages. The sentencing stage, although not depicted in the model, includes detention and non-custodial sentencing. The court process, sentencing and aftercare stages are indicated in the latter section of the model as only a few children are sentenced; however, these few parents often need intensive support during these stages. The model presents a continuum of support for parents from the “pre-existent” or primary and secondary prevention level to the tertiary prevention level. Each stage within this continuum of support is characterised by specific practice activities that enable the support of parents. Parents’ access to formal support depends on their self-referral or the professional assessment of the parents to identify the type of support they need and the provision of various types of support at individual, family, community and court level. While the practice model depicts the stages where parents need support, the present study along with other studies (Cavanaugh & Cauffman, 2017; Varma, 2007) emphasises that the support must be offered in a context where professionals embrace social work values and principles. Similarly, Batho Pele principles guiding public services are important in guiding CJOs’ behaviours and attitudes towards parents seeking formal support and should extend to all categories of parents including resistant parents (South Africa, Department of Social Development, 2013:20, 46). Parents in the present study emphasised that the treatment they received from CJOs influenced whether they asked for support, raised their concerns, or participated during the CJP. Therefore, CJOs must understand that their approach to parents could either hinder or help parents seeking and accepting support. Figure 3 graphically depicts the model indicating parents’ journey during and after the CJP and the different types of support that must be offered to parents during and after the CJP.

CJOs, particularly probation officers, have to ensure that parents’ needs and concerns are considered and appropriate support services are made available to them. To facilitate parents’ active participation

in prevention services and the CJS they need to have access to information and be provided with opportunities to engage with and ask questions about the services purported to support them. Parents who have access to informational support must become knowledgeable about the CJP, their role, CJO's roles, restorative justice, resources or services for parents and how to manage their children's behaviour or substance abuse. Parents having access to responsive social work services at community (schools, DSD satellite offices, police station) and court level is another key element in them participating in a variety of interventions aimed at supporting them. Parents need access to formal support on an ongoing basis guided by their needs rather than only when professionals are available or identify a need. Parents must be the ones determining the type of support and services they need, from which professional they need the support and when they need the support. This takes into account that professionals, at times, are the ones who have to persuade parents that they need support; however, the model promotes collaboration with parents rather than coercion. This implies that professionals have to use a variety of strategies as indicated by Maschi et al. (2013:476) to build rapport with parents and develop partnerships where parents can see the potential value of participating in support services.

CONCLUSION

The findings highlighted the absence of support for parents of CCL and the lack of parents' inclusion during the CJP. The importance of parents as significant role players within the CJS as service users and service advocates is evident. Parents of CCL need support to buffer them during and after the CJP to ensure that they have access to emotional, informational, practical and professional support. The practice model motivates for CJOs, the CJS and the legislation alike to adopt an expanded view of parents of CCL to fulfil a meaningful role during the CJP and within the CJS. The model illustrates how CJOs, the system and the legislation can address parents' support needs and facilitate their access to various types of support to enable them to fulfil their parental role and to cope during and after the CJP. The implication for practice is recognition by CJOs that parents are not merely service extenders, but can be included as service users, services advocates and partners throughout the CJP. This expanded view of parents' role and the provision of support for parents of CCL is aligned to the achievement of the vision of the White Paper on families (South Africa, Department of Social Development, 2012) and the Integrated Parenting Framework (South Africa, Department of Social Development, 2011) as governments' commitment to supporting parents and families.

RECOMMENDATIONS FOR PRACTICE AND FUTURE RESEARCH

An opportunity exists for all child justice stakeholders, including parents of CCL, to work in a collaborative, integrated and coordinated manner in supporting parents, thereby increasing accessibility to support services for parents. It is recommended that the model be implemented collaboratively by mobilising existing resources within the government sector and non-governmental sector to facilitate expansion of their services to include parents and focus on supporting parents. It is recommended that future research focus on understanding the support and service needs of parents who resist involvement during the CJP and how social work intervention can facilitate support for resistant parents of CCL who potentially remain at risk for recidivism and journeying deeper into the CJS.

Acknowledgement

This paper is based on the research supported in part by the National Research Foundation of South Africa (Grant number:110825).

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