



**University of Fort Hare**  
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An assessment of the challenges of police child protection unit in providing services to  
vulnerable children in Alice, Eastern Cape Province

By

Clair Mutyambizi

201013390

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**SUPERVISOR: PROF.N.J. MESATYWA**

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## DECLARATION

I, Clair Mutyambizi, the researcher hereby declare that this research report is my own work. It is being submitted in fulfilment of the requirements for the Master of Social Work Degree at the University of Fort Hare. It has not been submitted anywhere before for any degree purposes in any other University.

MUTYAMBIZI C.....

Date signed: .....

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## **ABSTRACT**

The study set out to assess the challenges that are faced by the South African Police child protection unit in providing services to vulnerable children in Alice, Eastern Cape Province. The study used the qualitative design. Data was collected using in-depth interviews in which twenty individual participants took part.

The results indicate that the challenges of SAP child protection unit in providing services to vulnerable children in Alice, Eastern Cape Province are mainly financial based, emotionally stressful, labour related, and can be caused by parental oversight, legal constraints that begets lack of trust and also policing illegal child immigrants. These factors make the police child protection unit's work challenging thereby hampering its effectiveness.

It has therefore been recommended that the police child protection unit should be given the support due to them so as to make service delivery to vulnerable children in Alice effective. Also it has been recommended that children be educated that the police are there to enforce the law, assist and not to harm them.

## CHAPTER 1

### Introduction and background to the study

#### 1.1 Introduction and background

Children are generally vulnerable on many levels since they cannot protect themselves. As a group in society, they are usually innocent, belong to the collective and are beneficiaries of rights. In South Africa, as in any other country, children are assets of the nation and are a symbol of the future as well as bearers of various responsibilities. This implies that they are generally in need of care and protection which is why it is necessary to have a specialist field focusing on the protection of children. With specific reference to South Africa, there is evidence of the rampant abuse of children's rights through the available statistics (Statistics South Africa, 2011).

It has become evident that the number and rate at which children become vulnerable has grown higher in the Eastern Cape unlike in the other provinces in South Africa. According to Statistics South Africa (2011) the uppermost degree of orphaned children are found in the Eastern Cape. This is mainly shown by the extensive number of children who have been found to be living in child-headed homes. Intrinsically, there is a greater need for a wide-ranging approach to protect children facing the above circumstances as well as other children in general. Statistics South Africa (2011) states that the number of orphaned children in South Africa has increased over a period of five years from the rate of 17% to 21%. In 2006 the overall number of children who lost their parents amounted to 3,768,000. A big percentage of orphans in South Africa is due to

be escalating due to the HIV and AIDS pandemic. These children who become parentless due to AIDS constitute almost half of all orphans nationwide. It is upon this ground that the relevance of child protection can be viewed.

UNICEF (2009) defines child protection unit as a government entity that assists and protects vulnerable children as well as supports stability among families. Jenkins (2007) highlights that; during the pre-industrial era child protection has been available especially when the family were taking care of their children. During this period, the family and the community served children and also other members of the community who needed help until the modern issue of social welfare came in.

Presently, children face various challenges with regards to violation and deprivation of their rights in South Africa. Statistics South Africa (2010) confirms that of all the children living in child-headed homes almost half are aged 15 years and above. However, children who are in need of care and/or protection qualify to benefit from the foster child grant. The increase in the beneficiaries of foster care grants indicates that there is a surge in the number of children in need of care due to neglect and/or abuse within this time period, hence this means that the child protection system's role should be enhanced(Hood,2012).

Martin (2010) states that despite the measures that the government seem to have put in place to address and attend to children in need, the issue of child protection remains a challenge to those in the field and also to society at large. With the deepening crisis and appalling living conditions for children, the government has taken steps through the

enactment of various legislations like the Child care Act, the Bill of Rights and others. Providing care and support to children in need is one of South Africa's challenging tasks, despite the country's efforts toward child protection law and policy implementation (Martin, 2010).

UNICEF (2009) attests that most families in South Africa face challenges in providing care and protection for children. This is sometimes caused by the fact that the country has bred a legacy of violence, inequality and social disorder. Conversely the country's huge HIV pandemic has ensued high levels of orphan hood. Children lose their childhood status as they resume the roles of their deceased parents as caregivers of their siblings. Sometimes the children take on the role of providing care for their sick parents.

The nation is working towards the establishment of a continuing legal framework and the amplification of policies that address the issue of providing protection and care for children. This may include assuring that their rights that require services in the community are entrenched. The laws such as the Children's Act, the Convention on the Rights of the Child Act and the Child Justice Act are in tandem to form a basis of child protection context (UNICEF, 2009).

Agent, Brass & Lachman (1995) state that it is uncertain whether the child protection system may be able to meet the children's needs in the long term. Furthermore, the concept of child protection in South Africa among other countries is often seen as an

impossible fantasy and the society on the other hand contravenes the attempts to alleviate child abuse. It is one of the primary responsibilities of the child protection unit to receive and investigate reports of child neglect, abuse and child maltreatment. Considering the intensifying rate at which children are abused. Reports have placed child protection service units and agencies under increasing pressure for service delivery.

## **1.2 Problem statement**

The issue of helping children in need is one of the major concerns in Africa as it bring with it various issues which have adverse effects on the general populace of the children in the community, (Morton & Salus, 1994).

In this case of Eastern Cape Province, in Alice town, child abuse is an intricate problem and child protection thereby poses as a challenging responsibility (Depanfilis & Selus, 2002).

This study is aimed at investigating challenges faced by South African child protection unit when providing services to vulnerable children in Alice.

## **1.3 Aim**

The aim of this study is to develop an understanding on the challenges faced by the South African police child protection unit in providing services to vulnerable children in

Alice, Eastern Cape Province, South Africa. The following are the objectives that emanate from the aim of the study:

#### **1.4 Objectives of the study**

- To find out challenges that are encountered by the child protection service unit in providing adequate services to vulnerable children.
- To investigate the kind of services that these vulnerable children need from the child protection unit.
- To examine the kind of services that is provided by the child protection unit to vulnerable children.

#### **1.5 Research Questions**

- To what extent do vulnerable children need protection from the child protection unit?
- How does child protection unit assist vulnerable children?
- How can child protection service provision be improved?

#### **1.6 Significance of the study**

According to Blaxter, Hughes, Tight (2006) the notion of significance has both a specific, numerical meaning and a more general, common-sense interpretation.



- The study will enhance the knowledge of police child protection sector on the challenges that they face and how they can address them.
- The study will contribute to literature on the challenges faced by the South African police child protection unit in Alice.
- The study will improve public understanding on the challenges posed for the child protection unit which limits adequate provision of services to children in need.
- This study will provide objective academic research for further policy planning and how the government can implement and effectively offer assistance to the police child protection unit
- Additionally, the dissertation will assist practitioners, policy makers, community educators and scholars in addressing the issue of child protection services provided for vulnerable children.
- Findings that emanates from the study will be published in accredited journal.

### **1.7 Envisaged ethical issues**

Ethical considerations guide the researcher to do the right thing, because when working with human participants there are ethical issues that need to be adhered to. The researcher had to apply for ethical clearance certificate through the Ethics committee of the University of Fort hare and had to consider matters that related to honesty in the production of knowledge and accountability for the emotional, physical and intellectual

welfare of the participants. When conducting research one need not to be biased, be it racial or gender-wise (Bangura & Larbi 2006). There are several ethical issues that one had to take into consideration when conducting a research; these issues included informed consent, confidentiality. In order to ensure the protection of the participants' rights, they were informed about the fundamental ethical concerns, such as informed consent, voluntary involvement, privacy and confidentiality (Berg, 1995). The following were the ethics that were utilized.

### **1.7.1 Privacy**

Privacy in research entails that the information exchanged between the researcher and the participant be kept in secret or private. Privacy is an act of seclusion of certain information that individuals or specifically participants may want to keep private. It was the responsibility of the researcher to ensure that the participants' right to privacy were strictly observed.

### **1.7.2 Confidentiality**

Confidentiality should be given utmost consideration (Cohen, Manion & Morrison, 2000). The researcher was sensitive to how the information provided could be protected from illegal observation. The participants were also informed that they would be informed should relative confidentiality emanates due to any sudden findings from the research and this will ensure the provision of professional assistance as the matter arises.

### **1.7.3 Informed consent**

The researcher had to ensure that she obtains informed consent of the participants. Informed consent was obtained from each participant in writing or orally. The participants were informed of their right to carefully reflect on the risks and to ask any relevant questions. The ethical principle denoted that the obligation of the researcher was to respect all participants as individuals who are capable of informed decisions regarding their participation in the research study. The participants were told who the researcher was and what this research was all about.

The methods and procedures that were used were explained to them thoroughly and they were provided with sufficient time to make their own decisions about participation. Lastly, the participants were made aware of their right to terminate their involvement at any stage of the research should they feel the need. Usually, this is done so that people must have a clear understanding of what they are getting involved with.

### **1.7.4 Protection from harm**

Individuals should be treated as separate subjects when conducting a research with human participants. In other words the researcher ensured that the participants had full disclosure and were aware of the nature of the study and its potential risks. It was the responsibility of the researcher to ensure that the participants were not subjected to any kind of harm or risk while participating in the research.

#### **1.7.4.1 Voluntary participation**

The researcher was under an obligation to avoid coercing subjects to participate or to divulge information that was confidential. Voluntarism in research means that individuals should be able to exercise free power by choosing to participate. The participants were aware that their involvement had to be done on their own will.

#### **1.7.5 Honesty in reporting the findings**

The researcher was also expected to provide the accurate results of the findings. Failure to report the findings of the research could be regarded as misconduct in research. Misconduct in research means that or could be defined as falsification and/or fabrication in proposing, performing, reviewing or reporting research results.

### **1.8 Research methodology**

The researcher will use qualitative methods as this will enable the study to have solid detailed information. According to Babbie (2010) Qualitative data analysis is often discussed as, forms of analysis of information that is collected using qualitative procedures. According to Myers (2009) qualitative method is action research, case study research based on grounded theory. This research method can be said to be naturalistic, holistic and inductive for example in this case the study is set to study the challenges faced by the South African child protection unit, hence the qualitative research would determine the experiences that the police child protection unit encounter.

### **1.8.1 Research instruments**

Boyce & Neal (2006) define in-depth interviews in qualitative research method that involve conducting thorough individual interviews with a minor number of respondents to explore their views on a specific idea, program or circumstance. Individual in-depth interviews will be used to collect data from the key informants, which are the South African police child protection unit, Alice. The interviews will allow the researcher to exercise some flexibility by rephrasing questions and probing for clarity sake. The researcher will visit the South African Police child protection unit to conduct these interviews. The interview schedule will be constructed by the researcher and will be in English. A tape recorder will be used and permission for its use will be sought prior interviews. The researcher will transcribe the information from the tape recording. This will ensure that all information gathered is correctly and accurately documented.

### **1.8.2 Population of the study**

According to Churchill, (2010) the target population is defined as the totality of cases that conforms to some designated specifications. The researcher intends to conduct twenty interviews with different individuals in the South African child protection unit. The study will involve evaluating the contribution of the South African child protection unit towards service provision to the vulnerable children in Alice. According to Remler and Ryzin (2011) the larger the sample of the population, the more precise the sample estimate.

### **1.8.3 Sampling techniques**

Black, (1999) defines purposive sampling as a technique whereby the researcher hand-picks his/her subjects on the basis of particular characteristics. According to De Vos et al (2001) purposive sampling is centered entirely on the verdict of the researcher, in that a sample is composed of elements that contain the most characteristics, representative or distinctive qualities of the population. This study will use purposive sampling.

### **1.8.4 Data Analysis**

Qualitative data analysis comprises collecting information in the form of written or spoken language or observations and analysis of the data by classifying themes (Blanche, Durrheim and Painter 2009). Content analysis is a process whereby interviews, notes and other types of unobtrusive data become open to investigation when the data they convey has been summarized and made thoroughly comparable. A neutral coding is then applied to the notes of the material, (Babbie, 1998). The study will use content analysis to evaluate the data. The results will be analyzed and grouped into emerging themes.

## **1.9 Envisaged structure of Thesis**

### **Chapter one: Introduction and background**

The first chapter of the study provided an overall introduction in terms of the background and the basis for the study, statement of problem, research questions, aims and

objectives as well as ethical considerations of the study. This chapter also provided clarification of concepts as well as an outline of the study.

## **Chapter two: Challenges and setbacks encountered by South African Police Child Protection unit in service delivery**

This chapter has focused on the review of related literature on the challenges and setbacks that the South African Police child protection unit encounters in rendering services to vulnerable children.

## **Chapter three: Research Methodology**

This chapter dwelled on the methods that were employed in the study. Furthermore the third chapter of this study also focused on how the research was going to be conducted, the population of the study and on how the sample was selected.

## **Chapter four: Interpretation of findings and Data Analysis**

This chapter encompass data collection and data analysis techniques clarification. The presentation, analysis and discussion of findings from the methods utilized are explained in this chapter.

## **Chapter five: Summary of findings**

The final chapter of this study integrates all the findings in the research. The shortcomings were highlighted in this chapter. In other words this chapter has focused on presenting an overall summary of findings, conclusions and recommendations. The following chapter will present literature reviewed in this study.



## CHAPTER 2

### LITERATURE REVIEW

#### 2.1 Introduction

(Fink 2005) describes research literature review to be a systematic way of identifying, evaluating and synthesizing the available work recorded by researchers, scholars and practitioners. Literature provides a general idea about the subject and how one's research will contribute to the betterment of the world at large, (Hardwick and Worsley, 2011). The literature review in this chapter provides the opinions of different authors on the subject matter. The main aim is to give evidence that studies have been conducted before concerning the subject matter. The challenges of the police child protection unit cannot be conducted significantly without first understanding the literature review in the field of study (Gray, 2009). A comprehensive literature review allows for what (Condliffe & Shulman, 1999) calls generativity, that is, the ability of researchers to build upon the work of those who have come before. Generativity helps develop both integrity and sophistication in research (Gray, 2009). Therefore child protection is the provision of fixed government-run services which are intended to protect children and youths who are in need and to inspire family solidity. UNICEF employs the word protection to denote prevention and response to violence, manipulation of children who are defenceless to abuse such as inadequate parental care, separation from family and even in conflict with the law (UNICEF, 2009). UNICEF supports the application of new and old laws,

policies, regulations and services that in many ways safeguard children from violence, exploitation and abuse.

Therefore, this study defines child abuse and neglect as the likely harm that a child is prone to due to the failure of an adult who has primary responsibility to safe guard the child. According to Paxson et al (2004) child abuse is a parent's failure to act or provide for the child and this may result in death, serious physical or emotional damage to the child. It can also be in the form of sexual exploitation or any act that may present risk.

The South African government is in charge of ensuring that sufficient services are provided to vulnerable children, and UNICEF is assisting with the advancement and execution of national schemes to achieve this role. According to Skinner (2003), the term vulnerable children has no implicit definition but was introduced to the limited usefulness of the tight definition of orphan hood. The most common definition of an orphan is a child who has lost one or both parents due to death. This definition has been altered as most children have lost their parents due to neglect whereby the parents may have deserted the child or in other cases when the parents are unwilling to be involved in the child's life. Also the loss of one parent according to (Skinner et al, 2006) is sufficient to classify the child as an orphan, especially when the deceased parent was the primary caregiver. Hence the term is basically aimed at addressing children who are in need of care. These children may be vulnerable to child abuse.

According to a study conducted by Skinner et al (2006) the participants informed that their community was not aware of the difference between an orphan and a vulnerable

child. The absence of guardian in a child's life can increase the potential vulnerability of the child. Colgan (2009) attest that the main concern is that assistance in accessing birth registration and social grants should be provided. This may include warranting suitable provision of prevention and early intervention services, and establishing substitute care systems for children who are dispossessed of family care and protection.

Also, a review of literature for a research project serves essentially the same purpose as a road map and a travel plan for a journey (Adams & Schvaneveldt, 1991). Most of us obtain new insights, ideas, and leads by observing human behaviour, talking with others, and critically reading what others have written. Reaside & White (2007) explains that in any research project, it is essential to understand what has already been done if anything in the specific topic that has been chosen and in the wider subject area of that topic.

## **2.2 Theoretical framework**

There are a number of theories that seek to explain and analyse the challenges faced by police child protection unit in providing services to vulnerable children. These theories' main emphasis is on the challenges faced by the South African Police child protection unit in dealing with vulnerable children. The following discussions are some of the discourses of the literature reviewed. These writings are theories that are aimed at explaining human behaviour and the intricacies involved, as well as ecological theories that attempt to explain the interrelationship and interdependence of parts upon each other. Lastly, other explorations of challenges faced by the police child protection unit as

well as the experiences encountered will also be highlighted. Challenges are troubles, problems, setbacks or impediments (Martin 2010). The following are the theories that underpin the study:

### **2.2.1 Systems theory**

A social system is a system of processes of interaction between actors. It is the structure of the relations between the actors as involved in the interactive process which is essentially the structure of the social system. The system is a network of such relationships (Parsons, 2008). The systems approach is a method of elaborating the gradual complexity of systems across a scale that looks at the person in environment (Anderson, Carter & Lowe, 1999).

The systems theory allows one to understand the components and dynamics of client systems so as to be able to interpret complications (Akister 2006). In other words the theory look at the subsystems of an organisation as parts of a body that are interrelated and interdependent on each other. With regard to child protection, the systems approach started with a purpose or goal (Fred Wulczyn; Deborah Daro; John Fluke; Sara Feldman; Christin Glodek; Kate Lifanda, 2010).

The theory has also assisted with the cultivation of a stable intervention strategy that aimed at making the goodness suitable for the individuals and their environment. In this instance, the study employed the use of this theory by assessing the challenges that are faced by the South African police child protection unit when providing services to the vulnerable children in the Alice community.

The form of systems theory that is applied in social work originated as a result of the dissatisfaction that ascended with the way cause-and-effect theories illuminated change in living organisms. The systems theory was portrayed as the interactions between the parts of an organism. According to Von Bertalanffy (Friedman & Allen, 2011) the systems theory looks at the system as a whole, with its relationships and interactions with other systems and as a mechanism of growth and change. Therefore, the police child protection units should have an ability to define its interaction and interrelationship of the context. They should be able to provide valid information on relationships and shared meaning. This stands a better chance to address the issues that are challenging to the organization (Capra, 2005).

The systems theory depends on the conditions that an interaction of subsystems takes place between parts and also the manner in which relationships are described between the subsystems and these should be linear. What happens in the system, however can only measure the changes by observing the outputs in relationship to the outcomes or goals of the system. Child protection unit workers can alter their own actions so as to create changes within the system. Hence the systems theory is an organizational theory that looks at interactions, interrelationships and interdependency between subsystems of a system. In this case, the systems theory sought to provide an understanding of the police child protection system.

Emile Durkheim and Max Weber, took early systems theory as it was initially applied in the late 1800s and early 1900s to biological organisms and applied it to human social systems (Friedman & Allen, 2011). Durkheim was interested in the way societies were

organized and the way in which they maintain consistency and group distinctiveness. According to Friedman & Allen (2011) Durkheim noted that in controlled systems, division of labor contributes to the maintenance of societies. Whereas, in intricate systems, individuals perform various roles that lead to specialization and dissection as well as create a high degree of mutual interdependence between units. The systems theory is particularly focused at how roles and division of labor is maintained in a system at macro level. For example, the role of the police in a society is to protect citizens specifically in relation to this study, to protect children from criminals and preserve order by prosecuting perpetrators. The stability of the Alice community as a whole is threatened when the police fail to deliver as they are mandated. Thus, according to Durkheim certain factors in the social environment challenge the police child protection system and its results. The police system interacts with other systems and there are expectations on the roles and functions of the police unit to conform to certain standards. If a system does not subscribe to those norms, then the system is considered dysfunctional whether or not its failure to subscribe to certain norms is due to their incompetence or simply because of the challenges and setbacks that they face (Friedman & Allen, 2011).

Max Weber on the other hand was known for studying complex social institutions and organizations. In contrast to Durkheim, Weber postulated that governments and bureaucracies are essentially coercive in nature and are maintained through monopolizing the use of violence or force. These studies were aimed at understanding the way in which leaders influence society and the functioning of an organizational system (Friedman & Allen, 2011). According to Friedman et al, (2010) it is important for

the police child protection system to be attentive to Weber's view that the best interests of a client system they serve may conflict with their interests therefore creating challenges for them to provide adequate services. According to Friedman & Allen (2011), Von Bertalanffy believed that all things, living and non-living should be regarded as systems and that systems have properties that are capable of being studied. He defined a system as an organized entity that is made up of components that interact with other entities and also which endures over some period of time (Anderson et al., 1999). In social work social systems can be differentiated and classified into three levels which are the micro, mezzo, and macro level basing on the system size and complexity. A systems approach is described by four foci hence the relevance of the systems theory in the study.

### **2.2.2 Complexity Theory**

Complexity theory has emerged in recent years and has the potential to provide new understandings for practice in a complex world. Complexity theory refers to a metatheory which was drawn from a number of disciplines, social work included (Stevens & Cox, 2008). The essential concepts related with complexity had its origin in the fields of mathematics and physics, mainly from the late 1950s onwards (Fisher, Lapedes, Packard, & Wendroff, 1987). The complexity theory is a recurrent theme for integrated working in children's services, (Hood, 2009). Models of integration have often taken a practical approach, which sets apart organizations as vehicles for an evidence-based reaction to multiple problems. Henceforth the protection of children is a primary endeavour of social work with children. However despite extensive support from

politicians, policy makers and the majority of the public for this work, child protection practice and practitioners are frequently criticized for apparent failures to protect vulnerable children (Cilliers, 2005). A vulnerable child is seen as someone who has little or no access to basic needs or rights (Martin, 2010). They may have both parents, but the child might be compromised in other ways. The definition of vulnerability is said to reflect certain aspects of the context of the child. Vulnerability is contextualized for many as the children who do not have some of their basic rights fulfilled, has identification problems in the environment and any other problems.

Contemporary research in complexity theory encourages the growth of concepts and their uses which aid better understanding of the issues that child protection practitioners experience daily (Stevens & Cox, 2008). Furthermore the complexity theory provides a framework to gain insights into the processes involved. The child protection unit is part of a complex system which is not entirely random. Therefore, it is a part of the SAP which may be facing several chaotic patterns hence the reason it can be called a complex adaptive system (Capra, 2005). The idea of boundaries of instability can help understand how to protect children, as this is an essential process in understanding the issues of complexity of work in the police department (Stevens & Cox, 2009). The issue of protecting children in need of care and protection calls for the practitioners to understand that they are working within an unstable and complex environment. Certain measures such as child protection procedures in research do not suffice on their own as they may serve as attractors and they may lead to unplanned consequences. Instead, practitioners and organizations need to develop a sense of the dynamism of the system within which they are working, and to see the potential for any factor inside the system



to contribute to a change. A high degree of tolerance to working with boundaries of instability and uncertainty is essential. Other practitioners may develop this sense of attitude towards child protection but the challenges still remain vast and may represent a change for the organizations involved (Stevens & Cox, 2008).

Complexity theory can be used to develop new ways of working with vulnerable children. Stevens and Hassett (2007) have developed several indicators based on complexity theory which can be considered in risk assessment. This may imply that by applying complexity concepts this may provide an opportunity for practitioners to move away from a riskaverse approach. This can be done by encouraging an overview of interactions within the whole system that may include all participants and in their environment. This can be achieved by stimulating a problem-solving attitude, which should be owned and encouraged by organizations. Indeed as complexity concepts become better understood, it is suggested that one might see the emergence of new policies based on these ideas. Complexity theory can be used as a paradigm to provide a more realistic framework for interventions to keep children safe and in the process assist in addressing the challenges that are posed for the police child protection unit. In other words, the complexity theory focuses on understanding the relationship between emergent behaviour and the intricateness of parts. This model just like the systems approach is focused on subsystems or parts of a general whole, thus to say the two models although different they in a way complement each other. The complexity approach is related to an increasing technocratic culture in children's services which limit professional skills when needed the most.

The complexity model is thereby relevant to this study as it seeks to enlighten the populace on the challenges that are posed for the South African police child protection unit in Alice, Eastern Cape. The individual, family and community care also may contribute to the vulnerability and wellbeing of a child. Other indicators for vulnerability in children can also be any physical or mental handicap or any other long-term difficulty that would make it difficult for the child to function independently. Illnesses such as HIV and Aids, emotional or psychological problems may be some of the indicators that need to be closely checked. Apathy or helplessness that can be seen in the child as a sign of being unhappy, dull, not performing well in class, being miserable or demotivated; or neglect of schoolwork, not attending school regularly and not performing well at school (Skinner et al, 2006).

There are also physical indicators that can show that the child does not receive sufficient food and constantly shows signs of hunger; constantly showing signs of not sleeping well; has poor hygiene or cannot engage in personal care; and does not have clothing or clothing is dirty or damaged. The core indicators that make a child vulnerable include abuse at emotional, physical or sexual level and being neglected by not receiving care, particularly love, guidance and support.

### **2.3 Experiences of vulnerable children and child protection**

The development of programs that place children in the center of relief programs to foster a culture of child protection need to be scrutinized. Many children in Africa are not

subjected to abuse as compared to the developed states although their wellbeing is threatened by the existence of poverty, starvation, and preventable diseases including HIV/AIDS, war, deprivation and child labor (Lachman et al, (2002). The development of innovative child abuse services is a recent phenomenon, and the development of research into the field is becoming prominent (UNICEF, 2004). The major focus for child protection has taken place in the developed world with the emergence of legal and social measures in response to the epidemiologic studies that were the early characteristic of research (Smart, 2003). Yet despite this, the phenomenon of child abuse remains a challenging issue for all those in the field and for society as a whole, (Lachman et al, 2002).

### **2.3.1 Factors that subject children to vulnerability**

The safety of children is a concern for almost everyone and the severe abuse, injury or death of a child results in high public response. Children, just like adults, experience problems and challenges in the natural course of their lives. These might either be related to the normal developmental processes or come as a result of traumatic and stressful experiences that provoke anger, jealousy, fear and grief. The vulnerability of children motivates efforts of providing care and protection of this age group from all corners of potential harm in society. In that regard, there are many intervention strategies in South Africa that are meant to assist and help vulnerable children. These efforts go with a major goal of enabling children to live a constructive life, to have a normal development and positive growth. Eth and Pynoos (1984) state that the susceptibility of any child to psychic trauma is a function of several parameters including

genetic, constitutional and personality makeup, past life experiences, the state of mind and phase of development. It is therefore a known fact, that childhood experiences have a lifetime impact on every individual and that negative experiences often cause developmental problems in children and make them vulnerable.

In South Africa, abuse, neglect and cruelty faced by children destroy their trust and often fosters mistrust. This increases children's resistance to risk exposure and exploration. According to Erickson's Psychosocial Theory, children often encounter shame and doubt which in turn inhibit self-expression and sense of self.

#### **2.3.1.1 Traumatic and Difficult Circumstances**

Certain major events, such as the illness of a parent or any family member, domestic violence, divorce, child abuse and child marriages may challenge a child's abilities to cope. According to McMurrin & McGuire (2005) Denham and Almeida (1987) there are events that do not directly affect the child such as natural disasters, war, or terrorism but may cause anxiety in children. Fears about all these can preoccupy a child and interfere with the child's emotional and social development (Crenshaw, 2004). For example, a chronic illness may prevent a child from participating in activities and also impair performance in school. Most African societies are in continual war zones, and to talk of child protection in these situations may not be realistic (Gabarino, 1993). The consequences of post-traumatic stress on children exposed to such devastating experiences are yet to be addressed.

### **2.3.1.2 Poverty**

This is a problem that deprives children of their right to life, basic health, food and clothing, shelter, education and many other facilities needed to meet the basic needs of a child. Berrut (2011) in his report notes that 4% of South African children (the majority of them from the black community) live in destitution. Poverty has been defined by the United Nations as a denial of choices and opportunities, a violation of human dignity, (Nicholas, 2010). Children from poor families are sometimes supported by extended family networks but most children feel unsupported by these networks. In most cases these children are subjected to inadequate living conditions and this often makes them run to the streets. Poverty also results in a large number of children not getting the opportunity to be in school. Many children are forced to take care of themselves or to supplement household income in the streets. The kind of poverty that faces Africa as a whole is in contradiction to any realistic prospect of implementing effective child protection services (Whiteside, 2002). Most African countries do not have the resources for child protection and this involves the child protection service providers as well, in particular the social workers and the police. (Whiteside, 2002) The issue of poverty can prevent society as a whole from addressing the needs of a child at risk, and it may well place children at risk. Poverty is measured in more than financial terms and can be looked at in a light that offers hope rather than despair (Whiteside, 2002).

Social exclusion and political marginalization compound the synergistic inter-relationship between poverty, ignorance, poor health, malnutrition, and mortality (UNICEF, 2001). Most of these children become victims of trafficking and prostitution in the streets as

they are lured for better opportunities. The cycle of poverty leaves some children as household heads, most of them destitute orphans while the scarcity of available resources may lead many others to scavenge for survival on the streets or in risky environments. In many cases, poverty in South Africa is due to the country's high unemployment rate and because of this difficult socio-economic situations are rife. Some of the South African families (particularly single mothers and those without a fixed income) face lack of food and thus often go hungry. In addition to this, there are a large number of children who reside in shanty towns, in particular in the Western Cape and Gauteng Provinces as well as the Eastern Cape region where the housing facilities are very poor (Berrut, 2011). These expose children to health risks and threats to life thus making children vulnerable.

### **2.3.1.3 Health problems**

The infant mortality rate may mainly result from the AIDS virus and has remained unchanged since 1990 as indicated by Berrut (2011). The majorities of children less than five years are deficient in vitamin A and iron which causes considerable growth problems. Moreover, malnourishment and overeating contributes to a disturbingly greater extent in the health of young South Africans. Health problems are prevalent amongst children especially those born with the HIV infection and this affects the normal development of children. The crisis is devastating in rural communities where access to medical care remains difficult. Thus, the government and other non-governmental

organizations have designed nutrition programs for schools so that a large number of children may have access to them (Mifune, 2000).

Additionally, the impact has devastating effects on the way in which societies view the issue of child protection and in particular child sexual abuse (Ward & Munawar, 2007). AIDS affects children and most orphans, especially those who lose their parents to HIV/AIDS, suffer from having to care for sick and dying parents and younger siblings, as they become child heads. Loss of income as parents are unable to work is another scenario that makes a child vulnerable. Children are also subjected to trauma by having to witness and endure parental deaths and these experiences may be associated with emotional stress and also stigmatization within the community if the societies become aware of the parents death was due to the AIDS epidemic.

#### **2.3.1.4 Legislative framework to child protection**

Part 3 of the Child Protection Act asserts that protective measures relating to health of children should be taken seriously. Sections 129–130 of the Act spells out the requirements of consent to medical treatment and surgical operation, HIV-testing and others. The major risks to the health of children living and working in the street lie in their lack of shelter and concomitant exposure to cold and damp. This may include their vulnerability to traffic accidents; the difficulties they face in accessing medical services and their inability to pay for such services. Malnutrition may also arise from their dependence on left-over-food from restaurants, food stalls or garbage bins (Swart-Kruger & Donald, 1994). To add on to these illnesses and infections may be the lack of

adequate ablution facilities, dental caries, sores, rashes, scabies and untreated unitary tract infections (Ward & Munawar, 2007).

The AIDS pandemic has changed the social structure of societies in the Southern African countries with cases of AIDS orphans and children infected and affected by HIV/AIDS becoming more common (Barruet, & Tchangai-Walla, 2000). Sections 132 and 133 of the Child Protection Act states respectively that counselling must be done before and after HIV testing and confidentiality of information on HIV/AIDS status of children must be maintained.

#### **2.3.1.5 Deprivation to basic education**

Berrut (2011) state that more than 90% of South African children benefit from the right to education but on contrary, some of them do not always have access especially those in marginalized rural communities. The main reason being that their families are too poor to pay for their education and the costs that it incurs. In many cases, handicapped children may not have access to education and this deprives them from the right to education. They suffer from discrimination countrywide and many rarely go to school because of that. The issue of distribution of educational opportunities in South Africa makes children vulnerable because education may help one to progress from one level to the next.



### **2.3.1.6 The risk of offending the law**

Nicholas et al (2010) note that “the involvement of children in crime has become a significant social problem in communities in South Africa and other parts of the world.” It has been noted that on a daily basis, reports from the media highlight the involvement of children in violent crimes such as murder, rape and robbery. The committing of crimes by children is a result of a number of circumstances and unfortunately many of these are push factors and beyond the possible control of the child. Thus, children are vulnerable as they face these risks. When they get arrested, some fall victim of being imprisoned together with adults who further abuse and torture the young offenders. According to a study conducted by Bowlby (1994), early maternal deprivation was casually related to antisocial behaviour. This theory rested on two key postulates: a warm, close, and unbroken relationship between a child and mother is essential for mental health. Separation and rejection from and by the mother accounts for most of the intractable cases of delinquency (Hollin, 1990). The imprisonment of a parent also has profound effects for their relationship with their children and is likely to have all sorts of other indirect effects on their children’s lives. (Shaw & Dawson, 2001) argues that, younger children often suffer from separation anxiety having lost one very important person in their life they may fear they will lose others. In the middle childhood, sadness, anger or depression may predominate. Children are often angry at their parents for separating. This is most common in boys as they act out in anger and their behaviour becomes difficult to control, this may lead to committing offences.

(Cilliers, 2005) argue that there are many different reasons why children act out by offending the law. Contributory factors which produce the type of disturbance which can lead children to commit petty crimes include serious physical abuse, sexual abuse, emotional abuse or neglect, exposure to repetitive or extreme violence including witnessing such violence, parental mental illness, parental abandonment, rejection by parents and other. Traumatic loss, neurological abnormalities, conduct disorder, substance abuse, and in few cases, mental illness may also be contributory factors to vulnerability. However, according to Boswell (2000) the combination of factors is different in each individual case. It is further posited that abuse, rejection and traumatic loss can provoke deep feelings of shame and anger (Garbarino, 1999:228 as cited in Boswell; 2000:5). A study by Dr. Gwyneth Boswell entitled 'violent victims' examined 200 cases of young offenders sentenced as juveniles who had been sentenced for murder and serious crimes such as manslaughter found that 72% had experienced emotional, sexual, physical and organized abuse as children (Boswell; 2000:7). Fifty-seven percent of the sample had experienced the loss of significant figure to which they were emotionally attached, by bereavement or cessation of contact, which was estimated by professionals to have a distinct impact upon them and their subsequent behaviour.

According to Boswell (2000) such loss constitutes a major source of childhood trauma, which, depending on how it is handled, may later contribute to disordered behaviour that may include aggression and violence. Family factors are also taken into account when predicting violence. (Crouter & Head, 2002) note that the strongest predictions for

violence are poor parental supervision, parental aggression (including harsh, punitive discipline) and parental conflict.

### **2.3.1.7 Rape**

Another factor that may be considered to make children vulnerable is rape or sexual abuse. A study analysed the data of 195 girls from a juvenile correctional institution for girls and 67 victims of rape or attempted rape were from the 2007 National Sexual Victimization Survey. The major finding was that rape or attempted rape victimization lead to negative emotional results that may include poor self-esteem and negative attitude to sex in female children. The hypothesis that rape or attempted rape victimization is related to emotional characteristics was supported by many scholars. Second, there were differences in the experiences of rape or attempted rape victimization between girls in the context of their environment that the victimized girls confronted. Third, the high rate of sexual victimization among delinquent girls has been observed to be due to the problematic situations they are exposed to including sexual exploitation and rape victimization. From the above study it can be noted that children may be vulnerable to abuse. Although there are several legislation that have been put in place by the South African government to tackle such issues, the delivery of services to vulnerable children remains a complex and challenging process for the child protection practitioners. The services that are rendered to these children require an inter-sectorial and integrated approach.

### **2.3.1.8 Child neglect and abuse**

According to a study conducted by Bowlby (1994), early maternal deprivation of children exposes children to vulnerability and therefore makes children in need of care and protection. According to Paxsons & Haskins (2009) the Federal Child Abuse Prevention and Treatment act sets a minimum standard for child abuse and neglect due to failure of a parent to act which may end up exposing a child to harm or risk.

Long, Wilkinson & Kays (2011) state that child abuse is in several forms. Physical abuse is the intentional use of physical force against a child that has a potential of resulting in physical injury. Whereas, sexual abuse is one of the forms of child abuse in which any attempted sexual act or exploitation of a child is done by a parent or guardian. It is seen as abuse whether the child consents to it or not. Another form of child abuse is psychological abuse that may be a behaviour by the caregiver that makes the child feels worthless, flawed, unwanted and unloved. Psychological abuse is also when the caregiver makes the child useful only when they benefit as the caregiver or parent. The final form of child abuse is child neglect. This is when the parent or caregiver fails to meet the child's basic needs, which subjects the child to vulnerability socially, physically emotionally and psychologically.

## **2.4 Services offered for vulnerable children by the police child protection unit**

### **2.4.1 Prosecution of perpetrators**

Child abuse, sexual exploitation and sexual violence occur in private but just like any other form of crime it has got adverse effects on its victims and the community at large. It is the responsibility of the police to ensure that the perpetrators of such crimes to children are caught and prosecuted. Part of effective prosecution of the police is to introduce evidence and information that corroborates what might be perceived as a collateral detail in a victim's interview but which cumulatively demonstrates victim credibility (Long, Wilkinson & Kays, 2011).

### **2.4.2 Investigations of exploitation of children**

The role of law enforcement in child abuse cases is to investigate so as to determine whether a violation of criminal law occurred, identify and arrest the offender as well as file appropriate criminal charges. The response of the police to child abuse issues needs to be consistent. Consistency in dealing with child protective issues is aimed at helping the officers that work with child protection to ensure that they handle and offer adequate services for the vulnerable children they work with in their specific field, (Law Enforcement Response to child abuse, 2001).

Investigators in the police department take upon the responsibility of objectively investigating child maltreatment. They must conduct interviews with the children involved and interrogate suspected the offenders (Snipes, 2004).

### **2.4.3 Foster care placement**

Foster care can be defined as care for children and young people aged below 18 years which is provided on a short or long term basis by approved caregivers in their own homes, or in a home owned or rented by an agency, who are reimbursed for expenses incurred (Hayden & Mulroney, 2003). In order to achieve effective intervention in child abuse/neglect investigations, caseworkers, police, and foster families must co-operate, collaborate, and coordinate their working relationships. The safety and well-being of the child is paramount. When a child runs away from his or her foster home, the child's caseworker and foster care worker should be notified immediately. Should the whereabouts of the child be unknown and become worrisome, the police must be notified. The police should be informed when a child's whereabouts are known and there is risk for the child in that environment whether the child leaves willingly or is forcibly removed from their placement, this is a 'crime in action' and should be reported to the police immediately. Contacting the police will ensure that the police can start looking for the child on time and find out if nothing bad has happened to the child (Wernham, 2005). It is also necessary to report to the police if a child who ran away from foster care is at a known location and there is known risks associated with them being there (Health and Social care, 2005).

According to the Child Protection Act section 158 placements of children in child and youth care centres is paramount. The duration and extension of orders is also stated in the Act (section 159). Where risk assessments in relation to a child or a group of children in foster care indicate that the police involvement is needed, this information

should be discussed with the nominated police officer. A joint plan to reduce the risk and to respond quickly and effectively to situations likely to arise should be developed. Where the circumstances of a child in foster care require an immediate response by the police in the interests of public safety, the child and/or others, it is imperative for the police to be informed immediately. Police response is imperative to the assessed risk and considered appropriate to protect and safeguard all those present. Where possible, staff will accompany any child who requires to be removed to a police station (Health and Social Care, 2012). In the case where a foster child is physically out of control to the point where someone is likely to get hurt, the best thing to do is to call the police.

#### **2.4.4 Referrals to places of safety**

The Children's Act, 2008 allows a police officer to remove a person when they think there is immediate need of care or control from a public place to a place that is safe for the child. This is called a place of safety which can be in the interest of that person or for the protection of others. The child can be rehabilitated in a place of safety for a certain period of time until arrangements for permanent rehabilitation have been made (UNICEF, 2008). The police play a major role in the initiation and delivery of child protection services in the community. They are relied on by community members for these services partly due to a lack of alternative especially for persons who are vulnerable and helpless. Once contact with a vulnerable child is made, the police can choose among several alternative dispositions (Way, Evans & Banks, 1993). A large portion of this type of police involvement is characterized by referring the vulnerable child or child in need to a social worker or place of safety where help is offered. The

police can make referrals even in cases that involve minor criminal violations; police have discretion to seek assistance from other child protection workers. One major option for police is transporting the individual to a place of safety, for example they can transport a child from a street to a children's home that rehabilitates children who work and live in the streets.

## **2.5 Roles of the police in child protection**

The following roles played by the police officers are highlighted:

### **2.5.1 Prevention and Advocacy**

The police are seen as a symbol of public safety, they have the responsibility of raising awareness about child abuse and neglect. Their views and opinions regarding the issue of child protection is bound to carry with it significant information and weight for the public as a whole. The police, because of this are expected to participate in community educative awareness programs and efforts that are made to enlighten the communities in ways than can help reduce child maltreatment, abuse and exploitation. The police encourage the people to report cases of child abuse by their active involvement in awareness campaigns with the community. Prevention programs are commonly held in schools and are targeted mostly at sexual abuse (Martin, 2010).



### **2.5.2 Support to child protective services**

UNICEF (2008) highlight that the cooperation of the police and the child protection services increases the quality of the services provided in child protection. It is important for the law enforcement officers/ police to work together with the child protection services as the police are trained in self-protection. Their training may be important and helpful should a complication arise while working with violent or substance controlled individuals. The police have also a way of instilling discipline on the public as they stand as law enforcers. It is important for them to accompany child protection caseworkers for investigation when working with child protection issues. Law enforcement's authorities are widely accepted by the public than child protection service. Hence it is one of the roles of the police to work together with the child protection services (UNICEF, 2008).

### **2.5.3 Investigative role**

Just like the child protective services the police are under the same obligation to play the investigative role in child protection. As the criminal investigative agency in communities the police must investigate the same incidents that are investigated by the child protection services. In this regard the police and child protection services should make sure that they work towards the same purpose so as to avoid unnecessary conflicts and to improve the outcomes of an investigation. Hence when the police child protection unit and child protection services work together they bring out desirable results (Van De Walt, 2002). However there are cases of child protection that the police generally attend to on their own or take the lead role. These cases include child

suicides, out of home child abuse child pornography and organized sexual exploitation of minors (Pence & Wilson, 1992).

#### **2.5.4 Victim support**

The police also take on the role of offering support and guidance to victims of child abuse or neglect. In communities where victim witness services is available the police officer is available to help prepare and support a child the child victim through prosecution. This also involves taking on the responsibility of taking the child to court prior prosecution and also explain to the child should questions arise from the child.

#### **2.5.5 Immediate Response**

The police are well known to respond faster to urgent situations unlike the child protection services. This is so because police availability is in most cases a twenty-four hour service whereas child protection services are limited to a certain time of day. In other words when the police learn or suspect that a child abuse perpetrator is attempting to flee they can generally get the person in time as compared to the other child protection services.

#### **2.6 Child protection legislations**

The disagreement behind the available rights of children presents the pursuit of child protection as an aim of the state, even though child protection is not solely the responsibility of the state. Without such legitimacy, advocates for child protection systems for instance the South African Police child protection unit may lack the

institutional leverage needed to define its scope. The Department of Social Development aims to ensure the provision of comprehensive, integrated, sustainable and quality social development services that address vulnerability so as to create an enabling environment for sustainable development in partnership with those committed to building a caring society for the children in need. There are several legislations that advocate for child protection for vulnerable children.

### **2.6.1 Bill of Rights: Section 28**

The Bill of Rights is the Constitution of South Africa. Section 28 of the Bill of Rights affirms children's rights to protection from maltreatment, neglect, abuse or degradation etc. According to the Bill of Rights every child has the right to a name and a nationality from birth; right to family care or parental care, or to appropriate alternative care when removed from the family environment; right to basic nutrition, shelter, basic health care services and social services; right to be protected from maltreatment, neglect, abuse or degradation; right to be protected from exploitative labour practices; right not to be required or permitted to perform work or provide services that are inappropriate for a person of that child's age or place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development. Section 28 of the Bill of Right also postulates that the child has a right not to be detained except as a measure of last resort, in which case, in addition to the rights a child enjoys under sections 12 and 35, the child may be detained only for the, shortest appropriate period of time, and has the right to be kept separately from detained persons over the age of 18 years and treated in a manner that take account of the child's age (Statutes Of The Republic Of South

Africa Constitutional Law, 2001). Hence the South African Constitution also places the child protection service providers to ensure the wellbeing and functioning of the children in their full potential.

### **2.6.2 The Children's Act 38 of 2005**

The Children's Act, 2005 provides for the creation of the National Child Protection Register that is used for listing all persons found unsuitable to work with children. In terms of this law, childcare facilities, including welfare organizations are able to check prospective employees, foster parents and adoptive parents against the register. For the implementation of the Children's Act, 2005 for South Africa the government increased awareness of the legislation and draft regulations while accelerating service delivery to children in need of care and protection(Colgan,2009). This Act includes a compulsory reporting of physical and sexual abuse and deliberate neglect. A child protection register of all reports and tracking responses, an offender register aimed at preventing perpetrators from working with children and causing further harm is also available. The Act also dwells on the importance of identification, reporting and referral of children in need to social service professionals for investigation, assessment, referral and support services. There is prevention and early intervention services aimed at supporting families and responding to situations of risk as well. Furthermore the Act sets out guiding principles which should govern the care and protection of children as well as the responsibilities and rights of parents. The Act is aimed at stipulating the provision of children's courts, the issuing of contribution orders. There is also a part with guidelines on adoption of children within South African as well as inter-country adoption. The Act

also gives effect to the Hague Convention on International Child Abduction and it provides for surrogate motherhood. Section 153 (1) of the Children's Act holds that a police officer who has received a report about an alleged offender and determines that it is in the best interest of the child, with a written notice to the alleged offender removes the child from the home or place where the child resides. Finally, the Act makes provision for new offences against children in South Africa.

### **2.6.2.1 Protective elements of the Act**

Section 7 stipulates that whatever provision of this Act that requires the best interests of child standard, certain factors must be taken into consideration where relevant. Meaning that everything that surrounds the child has to be in the interest and advantage of the child's wellbeing. Anything that threatens the wellbeing and/or functioning of the child should be attended to immediately. Moreover, in order to protect children, attendance at proceedings in children's court is closed and should be attended by specific persons as outlined in section 56 (a-f). This limits the attendance to court hearings to only the people relevant to the case and these can be the social worker, the police. Correspondingly, the Act makes provisions for court orders to be aimed at securing stability in a child's life, this is contained in section 157 (1 -4). In order to protect the child, the Act specifically provide for a pre-hearing, family group conferences, other lay-forums and settling out of court in sections 69-72. Section 66 (a-d) maintains that no person has access to children's court case records and this is simply to protect the child's record from public consumption or circulation. Similarly, no person may publish

the proceedings of child court hearings. This is to protect the name or identify of the child. This is done to protect the child's identity.

Section 32 has also indicated the care of children by persons not holding parental responsibilities and rights as having to safeguard the child's health, well-being, development, protect the child from maltreatment, abuse, etc. The period of dependence of a child on a caregiver can be extended due to several reasons, which include unemployment, physical or mental handicap or even severe illness (Shulman, 2009). The caretaker is the person who plays the key role of caring for the vulnerable child. The caregiver/ caretaker should be available all the time to provide all aspects of care for the child and also be responsible for the child under their care. The roles for caretakers are seen as being to protect the rights of the children in their care as far as they are able. By protecting the rights of the child the caretaker i.e. the caretaker's responsibility to ensure that there is provision of basic requirements of life and development such as shelter, food, education, clothing and health care. Also the responsibility entitles them to make sure that there is a suitable environment for psychosocial development and to support, moral, cultural and religious instruction, as well as basic hygiene. Several other protective elements of the Act are found in sections 278 (2) and 286 amongst many others within the Act.

### **2.6.3 Sexual Offenses Act**

This Act has broadened the definition of rape and is inclusive of a wide range of crimes that commonly occur against children (sexual grooming, sexual exploitation, use of and

exposure to pornography). In addition it takes on the role to protect the child from all forms of sexual exploitation and sexual abuse. It further notes that States Parties are obligated to take all appropriate national, bilateral and multilateral measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices and the exploitative use of children in pornographic performances and materials (Nicholas, 2010).

## **2.7 Roles of other disciplines**

The field of child protection acknowledges the need for alliance among a wide range of actors at various levels in the child protection system, (Allen Consulting Group, 2008; Save the Children, 2009; Inter-American Children's Institute, 2003 as cited by Wulczyn et al, 2010). These actors range from the supranational, state, police, community, NGO and NPO, family, and lastly children. The interrelationship of these can be described as one of mutuality. Different perspectives can affect how actors respond to conditions affecting the child protection system.

## **2.8 International views on child protection**

International child protection strategies are said to be incapable of addressing the abuse of children in the Southern hemisphere without taking into consideration issues like the global debt and the struggles of the communities as a whole. Global debt is now a major issue in many less developed countries. The immense poverty that faces the African population contradicts any realistic chances of effective child protection services being

developed. Most of the African countries do not have the resources for child protection (Lachman et al, 2002). The AIDS pandemic has changed the social structures of many African and Asian societies with cases of children that are affected and infected by AIDS becoming more common (Pitche, Kombate, Barruet, & Tchangai-Walla, 2000). The impact has devastating effects on the way child protection is being viewed. According to a case study that was conducted in Zimbabwe by Chinyangara, Chokuwenga, Dete, Dube, Kembo, Moyo & Nkomo, (1997) examining issues that arose from HIV in Zimbabwe, the growth and rate at which children are orphaned through AIDS has escalated, it is safe to say the issue of child protection is a challenge that faces many countries in Asia and Africa.

The Legal Unit program in Côte d'Ivoire allows local social and judicial service providers to address the different elements necessary for a broad child protection program, based on the UN Children's Fund's (UNICEF's) Protective Environment Framework. The UNICEF Protective Environment Framework applies a human rights approach to child protection by recognizing the government's duties to protect children while acknowledging the responsibilities and potential contribution of others (UNICEF 2007). This Framework labels eight features that are necessary to construct an environment that protects children from all types of abuse, exploitation and violence.

The Legal Unit is an individuals and resource based network that can be employed as required to protect the rights of children and their families. The main task is to help



resolve legal problems for vulnerable children and their families either by mediation or prosecution, and to raise awareness about children's rights among their communities. The Legal Units reflects on the priorities and tools of the Protective Environment Framework as they are integrated into existing structures and also because they seek to provide services for all vulnerable children. They also strengthen the capacity of families to protect and care for children by providing economic, social and psychological support. They are now aimed at helping the government improve child protection policies and legislation (Castle, 2011).

In Florida, it has been reported that there have been inconsistencies in child protection practice due to inadequate supervision. Also there were reports that inconsistencies in practice occur because of inadequate supervision (Pera 2012). A recently held Florida Governor's Panel on child protection issues found that there was a high staff turnover, unmanageable caseloads, poorly trained staff, and inconsistent procedures which consequently continue to plague the child protection unit. Other factors that can undermine the credibility of child protection practitioners are poorly trained staff or inconsistent policy implementation which in turn hampers productivity. New strategies of states and localities that call for a new partnership between state child welfare agencies and the federal government have been put in place. Legislations that generated federal mandates are responsible for many of the reforms of the past 20 years, including mandatory reporting systems for child abuse and neglect, as well as judicial review of decisions to remove children from their homes when necessary. These legislations have enhanced state and local child protection systems.

## **2.9 Challenges faced by the police child protection unit**

(Training Resources Group and Play Therapy Africa, 2012) found the following challenges to be the main setbacks that the police child protection unit needs addressed in future system strengthening efforts..

### **2.9.1 Proposing strategies that are realistic with regard to available resources**

There is a tendency to promote strategies and policies that are disconnected from budget realities. When necessary financial and human resources are not available, even the best strategies will sit on the shelf, with no change in bettering children's well-being. Strategic approaches might consider multiple phases where ambitious end results are reached through the attainment of sequential milestones. Proposing unrealistic strategies generates frustration which in turn even thwarts the police child protection unit's efforts (State of policing, 2014).

### **2.9.2 Employing common concepts and terms in child protection systems**

Community actors, including children, their caregivers and the society as a whole have a lot to contribute to the meaning of child protection. Efforts should be made to adapt participatory tools in which children, parents and communities are equipped with views of police child protection unit's prospects if they are provided with appropriate services and support. Failure of this can lead to very demeaning results of the police child protection as it would be a futile mission for them if they are to work without the help of the society as a whole.

### **2.9.3 Coordinating efforts at all levels of the formal and informal child protection systems**

Also there exists a lack of effective communication and coordination between child protection systems which deters the maximum functioning of the police child protection unit. This has been seen at the ministry level, between different levels of government and in relations with communities and civil society. In an effort to identify what makes it so hard for the police child protection unit to do well, it is important to look at the national policing and governance structures, policies, training and guidance to see if there are any cracks or factors that may be pulling the practice in the wrong direction. Local and national policing primacies include safeguarding children.

While a number of countries have coordination groups that focus on a particular issue, such as the Steering Committee in Nigeria that focuses on the Social Development Workforce, a full-time secretariat is the best way to manage the range of administrative and communication tasks required in child protection system strengthening. This can also be supported by the fact that there is no collaboration between the courts and the police. A good example would be the fact that there are certain laws that have been placed in favour of the perpetrators. In Zimbabwe and South Africa for instance among other nations, there is the executive clemency and expurgement of criminal records which allows the perpetrators a pardon of their criminals. This poses as a challenge to the police child protection unit as it undermines the work that the law enforcers do by arresting the perpetrators and when the perpetrator know that they can apply for the presidential pardon, there are no chance of decreasing abuse towards children. There

should be strict laws and policies that punish anyone who commits crimes against children severely. Creating collaborative approaches in which the community, family representatives, policy makers and stakeholders are partners with the police child protection unit is imperative.

#### **2.9.4 Lack of support from the communities**

Putting plans into action and instance in Zimbabwe, there are several cases in which a child is molested but the community (parents/guardians included) fails to report the cases to the police. Instead policy into operation depends on the people. By people it simply means that everyone including the children, their communities and those in charge of policy making need to each participate so as to lighten the work of the police child protection unit (NSPCC Report, 2014). This is also supported by.. who notes that the society protects perpetrators. For arrangements are made for the child to be married to the perpetrator or in other cases the issue is regarded as a secret in families should the perpetrator be a family member, be it extended or immediate.

#### **2.9.5 Leadership and corruption**

Leadership and governance manifests at all levels and this is precarious for police child protection unit strengthening. Both at national and regional level, it involves ensuring that strategic policy frameworks exist and are implemented, and that this is combined with effective oversight, coalition-building and advocacy to build political will and legitimize child protection systems and work. However it is a challenge for the police to challenge government leaders and officials in their efforts to excel in children protection.

Hence at the end of the day leadership and corruption of leaders poses as a great challenge for the police child protection unit. At local level, families and community leaders participate fully and contribute in creating ongoing strategies towards community based child protection mechanisms. It becomes pointless when the very same advocates of justice towards children become the perpetrators. Overall, a strong system will be built on effective linkages between local and national level leadership and governance, hence the importance of Leaders and government input and conduct scrutiny (NPCC, 2014).

### **2.9.6 Failure to work together with all multi-disciplinary teams**

The most effective approach to cases involving child maltreatment is interagency coordination and planning. Social workers, physicians, therapists, prosecutors, judges, and police officers all have important roles to play. All must work together with a common concern, which is the welfare of the child with the shared goal to communicate with mutual respect. Differences of opinion are to be expected. Effective teamwork includes having a mechanism for discussing and, if possible, resolving these differences (Carl B et al).

All members of the child protection team have an obligation to appreciate what the other professionals on the other teams are doing to accomplish their roles towards protecting children. For example, law enforcement officers need to be concerned that their investigations could traumatize a child, and physicians and therapists need to be concerned that their treatment and evaluation techniques might hinder or damage law

enforcement's investigation. Therefore discussions of problems that the team encounters during investigations should be encouraged which will help resolve them as well as clarify the roles and responsibilities of team members. However the problem is that there lacks a sense of coordination between the multi-disciplines. All child protection practitioners need to have clearly defined roles in order to carry out their responsibilities effectively.

### **2.9.7 Failure to establish Law Enforcement Protocols and Procedures that benefit their roles as child protection officers**

With their legal authority to investigate violations of the law, law enforcement officers are vital members of a community's child protection team. Failure to respond properly to child abuse cases from the outset (e.g., failure of the responding law enforcement officer to obtain certain information) can result in cases being dismissed in court or, in some cases, in innocent people being falsely accused and it is a challenge for the police officers. Investigators should be trained and experienced in objectively investigating child maltreatment, including conducting interviews of children and interrogating suspected offenders.

### **2.9.8 Lack of resources to learn the language used in child protection**

(Carl B. H, Wayne P, M.S, Jack R. S, Bill W 2001) Members of the police child protection unit must be familiar with highly specialized technical terms like dissociation and battered child syndrome among others. There is also need for them to familiarize with basic or common terms such as child, molestation and rape. However, problems

can arise because some terms do not have a universally accepted, consistent definition. It is important for clear communication and effective coordination that professional team members understand what is meant when professional terminology (or jargon) is used by other team members and that they ask for clarification when they do not.

## **2.10 Conclusion**

UNICEF (2009), in a case study made in an open school in Zambia in relation to promoting education for orphaned and vulnerable children, a number of organizational and management weaknesses were revealed. These weaknesses included an outdated constitution, a vague organizational structure, and a lack of well-defined roles and responsibilities and under-utilized skills for resource mobilization. On the whole, the three-year (2005–2007) strategic plan that was developed for that particular case has responded to most of the problems that arise in the organizations that deal with child protection. Staff conditions of service have been reviewed, and a Financial and Office Management Manual has been developed (UNICEF, 2004). A child protection policy, for use in schools, and a human resources manual are in the process of being developed.

(Campbell, 1995) notes that it is dangerous for social workers and child protection workers to take action based on belief systems or to deprive a parent of a child without adequate investigation and the search for evidence is an indirect form of abuse. The most careful investigative techniques should be employed in order to prevent contamination of a child's evidence. In the whole world, children come into contact with the police every day either when they are in need of care and protection or in conflict

with the law. This chapter has dealt with factors that contribute to the vulnerability of children in societies; various theories that underpin the study, legislations and intervention processes have been highlighted. The following chapter deals with the research methodology that has been employed to the study.



## CHAPTER 3

### RESEARCH METHODOLOGY

#### 3.1 Introduction

This chapter focuses on the study's research methodology that is the research design, sampling procedure, data collection methods, instruments that were used. The research questions and the method employed in this study, analysis as well as validity and reliability of the study were described. The instrument was used to assess the challenges that are faced by the police child protection unit when working with vulnerable children. A differentiation between research design, methodology and qualitative research designs has been highlighted. A research design was important because it directed on how data had to be collected (Riessman, 2008).

#### 3.2 Research Design

A research design can be defined as a blueprint, or outline, for conducting the study in such a way that maximum control will be exercised over factors that could interfere with the validity of the research results (Polit and Hungler, 1999). The research design was the researcher's overall plan for obtaining answers to the research questions guiding the study. Designing a study has helped the researcher to plan and implement the study in a way that would help to obtain the results. This has increased the chances of obtaining information that could be associated with the real situation (Burns & Grove 2001). This study used a qualitative design to identify and describe factors contributing to the

assessment of the challenges that are faced by the SAP child protection unit when providing services to vulnerable children. The identified factors were categorized into individual perceptions, contributing factors and themes which could help to assess the challenges that are faced by the police child protection unit in dealing with vulnerable children in Alice, Eastern Cape.

### **3.3 Qualitative research**

This study investigated the factors that could help identify the challenges that were faced by the police child protection unit in providing services to vulnerable children in Alice, Eastern Cape Province. Qualitative data, according to Babbie (2010) is often discussed as, forms of analysis of information that is collected using qualitative procedures which is comprised of collecting information in the form of written or spoken language or observations and analysis of the data by classification of themes (Blanche, Durrheim and Painter 2009). According to Myers (2009) qualitative methods are action research, case study research and grounded theory. The study made use of this approach, mainly because the researcher wanted to indulge into direct dialogues with the participants. Several other scholars are of the notion that qualitative research provides detailed and well outlined descriptions of the world as compared to quantitative researchers (Denzin & Lincoln, 2000). The qualitative approach is mostly used when a research requires an in-depth understanding of a certain aspect (De Vos, 2000). This research required an in-depth understanding of the challenges that were directly or indirectly posed for the police when working with vulnerable children. According to Leyden (2005) the qualitative approach is flexible, as it provides the interviewer with a

broad range of theories and themes which arise in the discussions with the participants. While collecting data the researcher was subjected to several challenges which ultimately resulted in modifying questions depending on the responses and cooperation of the participants. The study was naturalistic, holistic and inductive for example in this case, the study was set to study the challenges faced by the South African child protection unit. The qualitative research determined the experiences that the police who worked child protection unit encountered.

### **3.3.1 Sampling technique: Purposive sampling**

Palys (2008) note that purposive sampling is whereby one uses a series of strategic choices about with whom, where and how the research is going to be conducted. The two things that were implicit in employing this sampling technique is that the way that one picks his sample has to be tied to the objectives of the study. Purposive sampling is almost synonymous with qualitative research. This study employed purposive sampling whereby the researcher handpicked her subjects on the basis of particular characteristics in this case the researcher hand-picked the police who work in child protection with vulnerable children. The research required an in-depth study, a sample of twenty police men and women were selected because qualitative studies focus more on the content than the quantity. Twenty police officers were approached by the researcher from two police stations in Alice. This sampling method was utilized because the researcher had a purpose in mind, (De Vos, 2002). According to Kumar (2005) the researcher went to those people who in her opinion had the required information for the study and who were also willing to share it.

### **3.3.2 Instrument (in-depth interviews)**

Data collection instruments refer to devices used to collect data such as questionnaires, tests, structured interview schedules and checklists (Seaman, 1998). The researcher made use of in-depth interviews. Boyce & Neal (2006) define in-depth interviews as qualitative research methods that involve conducting thorough individual interviews with a minor number of respondents to explore their views on a specific idea, program or circumstance. In-depth interviews were used to collect data from the key informants, that is, the South African police child protection unit, Alice. Twenty semi-structured in-depth type of questions were used in the interviews to collect data. De Vos (2002) state that, the interview schedule in structured interviews is there to guide rather than to dictate the interview process. It is important to note that data collection was done with the police in two police stations, ten from each station. The interviews enabled the researcher to exercise flexibility by rephrasing questions and probing so as to get clarity. The researcher visited the South African Police child protection units in Nkonkobe and in Fort Beaufort to conduct these interviews. The interviews were conducted using a tape recorder and has enabled the researcher to have detailed information on what would have transpired during the interview (De Vos, 2002). Permission to use a tape recorder was sought prior the interviews and the interview guide was personally constructed by the researcher.

### **3.4 Study Setting**

The research was undertaken in Alice Town, at Nkonkobe police station and also Fort Beaufort police station. Participants were identified from the two police stations within the child protection unit. The Department of Social Development works hand in hand with both police stations in helping children in need. Their programs consist of counselling and community awareness. The researcher chose the Nkonkobe and Fort Beaufort police stations mainly because most research tends to undermine and ignore rural areas and focus more on the urban areas. Also most studies that deal with child protection focus on the recipients and very few give attention to the service providers in this case the police are the service providers.

### **3.5 Ethical Considerations**

Ethical considerations encourage the researcher to do the right thing, because when working with human participants there are ethical issues that need to be taken into consideration. The researcher has to consider matters related to honesty in the production of knowledge and accountability for the emotional, physical and intellectual welfare of the participants (Bangura & Larbi 2006).

There were several ethical issues that the research took into consideration while conducting the study; these included informed consent, confidentiality, privacy etc. In order to ensure the protection of the participants' rights, they were informed about the fundamental ethical concerns, such as informed consent, voluntary involvement, privacy

and confidentiality (Berg, 1995). An ethical clearance was obtained from the University's ethics committee.

### **3.5.1 Privacy**

Privacy in research entails that the information exchanged between the researcher and the participant be kept in secret or private. Privacy is an act of seclusion of certain information that individuals or participants may want to keep private. It was the researcher's responsibility to ensure that the participants' right to privacy was strictly observed.

### **3.5.2 Confidentiality**

Confidentiality was given the upmost consideration by the researcher during the collection of data (Cohen, Manion & Morrison, 2000). Confidentiality was exercised through the use of pseudonyms in order to ensure the anonymity of the participant's identities for protection. Kumar (2005) note that the researcher should ensure that information gathered cannot be traced back to its source by anyone else except the researcher. The research used pseudonyms to ensure that information cannot at any point be traced back to the participants. The researcher was sensitive as to how the information provided could be protected from illegal observation and also how the participants would be informed of any sudden findings from the research that they may, or may not, want to be known.

### **3.5.3 Informed consent**

The researcher ensured that he or she got informed consent of participants before the interviews. Informed consent was obtained from each participant in writing or orally and the data collection commenced with the signing of the consent forms by the participants. After which, the researcher readdressed the objectives of the study to each one. Afterwards the researcher informed them of the importance of recording their conversations. The researcher did not record the interviews conducted with the participants without acquiring an informed consent from each one of them as it was unethical to make use of recording instruments without the consent of the participant (De Vos, 2000).

The participants were also informed of their right to carefully reflect on the risks and to ask any relevant questions. The ethical principle denotes the obligation of the researcher to respect all participants as individuals who are capable of informed decisions regarding their participation in the research study. The participants were told who the researcher was and what this research was all about. The methods and procedures that were to be used were explained to them thoroughly. They were given sufficient time to make their own decisions about participation. Lastly, the participants were made aware of their right to terminate their involvement at any stage of the research should they have felt the need. Usually, this is done so that people must have a clear understanding of what they are getting involved with.

### **3.5.4 Protection from harm**

The participants were treated as separate subjects while conducting the study as it was important to do so in a research which involved human participants. In other words the researcher ensured that the participants have full disclosure of the nature of the study and its potential risks. It was the responsibility of the researcher to ensure that the participants were not subjected to any kind of harm or risk while or after participating in the research. The researcher observed certain reluctance on the part of the participants to get too involved in the research in fear of implicating their jobs. Some went to an extent of altering some of their facts to paint a better picture of their police stations so that they may seem to be perfect. This was so to avoid getting into trouble which could result in them losing their jobs. This notion was supported by Kirthand Zinger (1998) who postulates that individuals have got a tendency to reconstruct events to suit a situation.

#### **3.5.4.1 Voluntary Participation**

The researcher made it a point to avoid coercing subjects to participate. Voluntarism in the study was explained by the researcher to all participants as it entail that individuals should be able to exercise free power by choosing to participate. The participants were made aware that their involvement was to be done on their own free will.



#### **3.5.4.2 Honesty in reporting the findings**

The researcher should provide the accurate results of his/her findings. Failure to report the findings of the research can be regarded as misconduct in research. Misconduct in this research can be defined as falsification and/or fabrication in proposing, performing, reviewing or reporting research results.

#### **3.6. Data analysis**

Data analysis is when data is processed and analysed so as to understand the process of bringing order, structure and meaning to the mass of collected data (De Vos et al, 2002). The study used thematic approach and themes, subthemes and categories emerged and these were used for data analysis. The researcher listened to the taped interviews and also referred to the notes that she wrote during the interviews. The researcher synthesized data gathered by putting together information from all the participants. Afterwards the researcher made use of open coding whereby the concepts were labelled and categories were developed and defined based on their properties and dimensions.

#### **3.7. Limitations of the Study**

There were a number of challenges that were faced by the researcher during the data collection process.

- The first one was experiencing difficulties in accessing the participants. The researcher had to visit the police stations several times before she could find police officers who were willing to participate in the study.
- Secondly, because the police department is considered as one of the legal departments, the researcher also faced the challenge that most of the participants in the department were somewhat hesitant to be involved.
- It was after the researcher explained and assured the participants that the information was not going to be traced back to them that they volunteered to cooperate.
- The researcher was forced to conduct some interviews without the use of the tape recorder because some of the participants were uncomfortable to have their voices recorded.
- The researcher resorted to taking notes and some of the participants were more comfortable to that.
- Lastly the researcher had to rephrase and change some of the questions to inculcate some of the responses from the participants.

### **3.8 Conclusion**

The chapter's main focus is on the methods that were used in the collection of data. It presented the researcher's reasons for choosing the qualitative approach. The chapter also highlights that the purposive sampling technique was used in identifying the participants. The chapter also explained the process of data collection, ethical

considerations, the study setting, as well as the limitations of the study. The following chapter highlight the presentation of findings and data analysis.

## CHAPTER 4

### Interpretation of Findings and Data analysis

#### 4.1 Introduction

The purpose of this study was to assess the challenges faced by the South African police child protection unit in providing services to vulnerable children in Alice, Eastern Cape. The previous chapter focused on the research methodology applied in the study. This chapter dwells on the findings and the researcher's analysis of the data. The study is aimed at providing an understanding on the challenges that are faced by the police child protection in providing services for the vulnerable children in Alice Eastern Cape. The information that the researcher collected was gathered from the accounts given by twenty participants about their experiences in with vulnerable children. In-depth interviews were scheduled and used as an instrument for data collection. The analysed data was organized into emerging themes.

The use of pseudonyms was employed in order to protect the identity of the participants which is in line with the ethical consideration of confidentiality in research. The themes to be discussed among others include: demographic information; police officers understanding of challenges; factors that conduce domestic violence; the challenging experiences encountered by the police in child protection; services offered for vulnerable victims; services offered in dealing with perpetrators; and, perspectives on existing law child protection.

## 4.2. Discussion of findings

### 4.2.1 Demographic Information

Table 1: Demographic Information of the SAPs child protection at Nkonkobe station

Gender	Years' work experience with vulnerable children.	Pseudonyms	Rank	Years in current position	Race
Male	Nine	Alex	Detective Constable	Six	Black
Male	Seven	Elias	Detective	Two	Black
Female	Four	Trish	Commander	Four	Black
Female	Three	Anita	Constable	Three	Black
Female	Two	Adelaide	Officer	Two	Black
Female	Four	Patience	Detective	Four	Black
Female	Four	Paleta	Officer	Four	Black
Female	Three	Michelle	Officer	Three	Black
Female	One	Lerato	Constable	One	Black
Male	Five	Donald	Officer	Five	Black

This theme shows the demographic variables that categorized the sample. The research relied on the accounts given by twenty (100%) participants who work with child protection in both Nkonkobe and Fort Beaufort. Nine male and eleven female participants were interviewed. This information was analysed under the themes stated in Table 1.

Table 2: Demographic Information of the SAPS child protection services in Fort Beaufort

<b>Gender</b>	<b>Years' work experience with vulnerable children.</b>	<b>Pseudonyms</b>	<b>Rank</b>	<b>Years in current position</b>	<b>Race</b>
<b>Female</b>	<b>3 years</b>	<b>Alice</b>	<b>Constable</b>	<b>7yrs</b>	<b>Coloured</b>
<b>Male</b>	<b>5 years</b>	<b>Roy</b>	<b>Sargent</b>	<b>5yrs</b>	<b>Black</b>
<b>Male</b>	<b>2 years</b>	<b>Ashan</b>	<b>Sargent</b>	<b>5yrs</b>	<b>Black</b>
<b>Female</b>	<b>7 years</b>	<b>Lexie</b>	<b>Officer</b>	<b>9yrs</b>	<b>Black</b>
<b>Male</b>	<b>2 years</b>	<b>Russell</b>	<b>Admin clerk</b>	<b>3yrs</b>	<b>Black</b>
<b>Male</b>	<b>2 1/2 years</b>	<b>Malcolm</b>	<b>Constable</b>	<b>4yrs</b>	<b>Black</b>
<b>Male</b>	<b>4 years</b>	<b>Joe</b>	<b>Constable</b>	<b>5 yrs</b>	<b>Black</b>
<b>Female</b>	<b>3 years</b>	<b>Linda</b>	<b>Constable</b>	<b>7yrs</b>	<b>Black</b>
<b>Male</b>	<b>8 years</b>	<b>Lloyd</b>	<b>Detective</b>	<b>10yrs</b>	<b>Black</b>

<b>Male</b>	<b>6 years</b>	<b>Kenny</b>	<b>Officer</b>	<b>8yrs</b>	<b>Black</b>
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**Table 2**

Table 1 and Table 2 show the biographical details of the participants as presented by the information provided by the participants during the interviews. The participants were purposely handpicked from the South African Police child protection units in Nkonkobe and Fort Beaufort. All the participants responded to the interview questions in English because they understood that Xhosa was not the researcher’s first language. The twenty participants had worked within the child protection unit for at least 2 years.

Some of the participants stated:

*“I have worked with the police reservoirs for four years before I was assigned to work with the child protection unit under the Community Service Center here in Fort Beaufort”.*

*“I have worked as an officer for five years and as a Constable with the police station but got promoted to Detective constable four years back and started working with the child protection unit in Nkonkobe. Meaning to say that I have worked with the South African police for nine years now.”*

According to the Literature reviewed it was noted that because of the intensifying rate at which children are abused, reports have placed the child protection unit under increasing pressure hence posing several challenges for the child protection service

providers (Martin,2010). This is also supported by Paul Lachman (2002) who notes that the concept of child protection is often a distant dream, and the very structures of society negate the attempts to alleviate the position children find themselves in.

#### **4.2.2 Theme One: Biographical details of individual participants**

This section presents a detailed summary of contextual themes and their subthemes.

##### **4.2.2.1 Sub Theme: Age**

The sample consisted of women and men between the ages of 20 and 50 years. Eleven of the women interviewed were between the ages of 21 and 40. There were only nine males who participated between the ages of 26 and 45. In terms of the report given by the participants, their age difference did not determine any difference or pose any particular challenges for them in their encounters with vulnerable children.

##### **4.2.2.2 Sub Theme: Gender**

The sample consisted of both men and women. Eleven women were interviewed and they all gave insights on the kind of work they do as well as the importance of their gender when dealing with vulnerable children. Some of the participants said:

*“It is hard to discuss a child’s problem with the child especially when it’s a child of the opposite sex. There is need of the child to be attended to by a police officer of the same sex so that he/she feels understood”.*



*“When a female child comes with the problem that she has been sexually abused by a male perpetrator it is important for the case to be handed by a female police officer so that the child does not feel afraid as it only natural for the child to feel victimized by all men.”*

Nine men were interviewed and their involvement was enlightening. Some of the participant’s responses struck out to the researcher when he highlighted that:

*“I believe that for our services as the police to be effective for the vulnerable children it is important for males to be attended to by males. For instance when a male young offender is being questioned for something he is suspected of doing, it is wiser for that kind of case to be handled by a male officer because allowing a female officer to handle the case can only make the vulnerable child feel judged and misunderstood.”*

#### **4.2.2.3 Sub Theme: Race**

Most of the police officers who participated in the interviews were blacks. This did not by any chance imply that the participants’ race contributed to the reports given in the interviews that were conducted by the participants.

#### **4.2.2.4 Sub Theme: Pseudonyms of participants**

In line with the social work ethics of confidentiality, anonymity and privacy are important when dealing with clients. The researcher made use of pseudonyms in this study so as

to protect the identities of the participants. This is supported by Thyer (2001) who postulates that confidentiality and protection of participants are key in a research study. The use of pseudonyms was employed in order to protect the identity of the participants which is in line with the ethical consideration of anonymity in research.

#### **4.2.3 Theme Two: Challenging factors faced by the police when dealing with child protection matters and vulnerable children.**

This sheds light on the respondent's description of the kind of challenges encountered in dealing and working with vulnerable children. Many issues arose as members of the South African Police child protection unit highlighted several concerns of theirs in their work with vulnerable children. The issues that are challenging to the police child protection unit include financial constraints, emotional stress, transport limitations, lack of manpower, being feared by the victims and the lack of trust. These issues are going to be classified as the categories that emerged from the sub themes of the study.

##### **4.2.3.1 Financial Constraints**

The issue of finance being a huge setback arose from the interviews that were conducted all of the participants (100%) pointed out that the major challenge that hinders effective service provision to vulnerable children is financial constraints. They stated that the South African Police child protection unit is funded by the Department of Social Development, a government sector that deals with social issues affecting the public. Finance and funding pose as great threats in the quality of the police work. This was supported by Carl B. H et al, (2001) who postulates that putting plans that are

aimed at enhancing the work of the child protection unit into action requires financial resources and moral support.

Some of the participants explained:

*“The government insist that services be available for vulnerable children in all 78 villages in Alice and yet as the child protection unit we fail to meet the expectations as it is hard for us to do so due to lack of funding”.*

*“We are striving to visit the communities to educate them on the roles of the police and the community as well in helping vulnerable children but in order for an awareness campaign to be successful we need funding to feed the people”.*

The South African Police Services Act 68 of 1995 holds that for the SAPs to reach their full potential it is important for them to develop a plan before the end of each financial year set out priorities and objectives for the following year. This Act provides a basis for funding for the child protection unit and all police departments. According to Lamont, Polk and Sa'a-Raquejo (2001) financial constraints are the frictions that prevent an organization from reaching its full potential and fund all of its desired investments.

#### **4.2.3.2 Budgetary Deficits**

All 20 participants who were interviewed mentioned that the budget allocation of the police child protection unit is barely enough to ensure that they discharge their duties to the children in need effectively. A considerable fraction of six interviewees informed that sometimes in budgeting, priorities are often altered and misplaced, resources are not

utilized due to lack of knowledge as to how and where financial resource allocation is needed most.

Some of the participants stated:

*“This year we had intentions to go around to all of the Alice villages educating the communities on the issues that surround vulnerable children and how the people in the communities should assist the children of Alice when they are in need. The problem that hindered us from making that happen is that we were given only R50 000 to cover all the expenses for the Awareness campaigns we had in mind. The fifty thousand Rand was not enough to cover for all the villages so we managed to visit only five of the seventy-eight.”*

*“Budget constraints hinder our service delivery to vulnerable children.”*

According to Training Resources Group and Play Therapy Africa, (2012) this trend of promoting strategies and policies that are completely not in line with budget realities has taken a toll. Whereas as soon as necessary financial and human resources are not provided, even the best strategies will suppress productivity, with no change in bettering children’s well-being.

#### 4.2.3.3 Transport Limitation

The issue of transport was one of the common issues that were said to be the main challenges by all twenty of the interviewees. The main problem that surrounded the issue of transport is the unavailability of marked vehicles to transport the vulnerable child as is expected by the Children's Act of 2005.

Some of the participants remarked:

*"The police laws that hold that a child or young adult should not be transported in a marked police car be it to court or for health purposes".*

*"Lack and shortage of transport is frustrating as it hinders service delivery to vulnerable children".*

*"It would have been much better if the unit could have their own unmarked service transport instead of depending to pool cars of SAPS".*

Since 2000, there are ample provisions that have been put in place to safeguarding the rights of children, be they offenders or victims of crime and discretion is one of them (Carrington & Schulenberg, 2003). According to the Juvenile laws in South Africa the policeman dealing with a juvenile offender is obligated to follow certain procedures for instance the juvenile must not be handcuffed or transported in a marked police vehicle or in the same vehicle carrying adult offenders. A probation officer has to be informed at

the time of arrest and an adult family member summoned (Varma, 2002). Due to unavailability of unmarked cars, the police in the child protection unit in Alice are forced to transport vulnerable children in marked vehicles.

#### **4.2.3.4 Emotional Stress**

All participants highlighted that in the past years stress has been realized to become a major concern in organizational work. In police work, stress is inevitable, as the police are obliged to attend to victims whenever they are in need. It is a challenge for the police as a whole and most specifically for those who work in child protection. Most of the issues that the police child protection unit address can be threatening to one's psychological wellbeing.

Some of the participants reiterated:

*"We are trained and warned not to get attached to the people who come here in need of our help, as it is one of the ethics of the profession. But as a mother who has a young daughter at home I cannot help taking it personal when a child the same age with my little girl is raped and the case is brought to our attention as the law enforcers".*

*"In as much as I may try to avoid getting attached and getting emotionally stressed by such issues like child abuse it is unavoidable, I am human at the end of the day."*

*“I have dealt with quite a number of cases in which I was asked to accompany a child and his social worker to a court hearing for security reasons. At one point a six year old male child had been sexually assaulted by his uncle and so the uncle was supposed to undergo trial. The court hearing was an insult to me as a parent. Having to see the perpetrator who had done such a ruthless act to an innocent child is very challenging. When I got out of the hearing session I wanted to cry. You know why? Because I kept thinking what if the same thing were to happen to my own child. I remember that day when I got home I could not eat. I was too stressed and upset because of the case. Obviously I never told anyone back at work because we are not supposed to get attached and be emotional with some cases as it goes against the police work’s ethics but who are we kidding. We are bound to get emotionally stressed at some point.”*

Police officers are often reluctant to show their emotional weaknesses in front of their peers or the public (Boswell et al 2004). This poses as a challenge for them especially when working with vulnerable because matters that are stressful need to be shared and addressed as a team (Miller, 2014).

#### **4.2.3.5 Lack of manpower**

All participants (20) that were interviewed stated that there was a lot of work to be done and only a few of them are allocated to do the work.

Some of the participants explained:

*"There are few of us who are assigned to work in child protection and there are times when the work load is unbearable for the child protection unit. In some cases other officers outside the unit help out when they can".*

*"Not that we don't appreciate the assistance, but having other workers who are outside the unit handle some of the work the child protection unit should be handling undermines the child protection unit as a whole."*

*"There is five of us in our shift and yet on an average normal day we get approximately at least fifteen cases each."*

Labour force can be skilled, semi-skilled or non-skilled. The advancement of any organization is dependent on the structure of its labour force skills and their relevancy to the society's needs and objectives. The more the skilled labour, the more advanced and effective the system will be (Nadhim Hikmat Ahmmed, 2005).

#### **4.2.3.6 Fear of the police**

All 20 participants alluded that having to face the police after causing or being in trouble evokes fear in the child in need and this poses as a challenge for the police child protection unit as it limits them to function to their full capacity. There is fear of being bombarded by the community, fear of being victimized once again and the unspoken fear of being misunderstood.



Some of the participants explained:

*“Being a vulnerable child and having to interact with the police has proven to be a scary thing. The fear comes from one’s point of experience overtime and in most cases in the primary socialization of the child. Almost all children, vulnerable or not have been told or threatened by their guardians using the police’s name”.*

*“Of course I’m sure that when the parents threaten their child using the police when he/she is being mischievous, they mean no harm”.*

*“It is that same policeman who has been labelled as scary who enforces the law and now when the child is in need it become a problem for the police as this create discomfort for the child.”*

Another officer added, *“...children should be taught from a very tender age of the goodness and duties of the police to help them. It is important to teach the children that the police do not go about inflicting physical pain or harm on everyone but are there to help when one has a problem.”*

Fear of the police is as a result of a lack of understanding one’s rights and this is a challenge that the South African Police child protection unit face when providing services to vulnerable children in Alice, Eastern Cape.

#### **4.2.3.7 Lack of trust**

All participants attested that a significant number of children lack trust in the police and this makes them afraid to open up when they are being interviewed by the police. In most cases children withhold information in fear of stigmatization. Street children and young offenders are most at risk of stigmatization from the community.

Some of the participants noted:

*“Their living conditions they feel that society has been cruel to them and therefore feel insecure and for them the police are no better”.*

*“This kind of mentality and lack of trust makes it difficult for the child to receive and accept assistance from the police child protection unit. Hence this becomes a challenge for the police to provide services for this vulnerable child”.*

The majority of these vulnerable children live in conditions of poverty; as a result their social world breeds negativity and futility (Kidd, 2003).

#### **4.2.4 Theme Three: Kind of services needed by vulnerable children from the police child protection unit**

The following are categories that have emerged from the sub theme:

#### **4.2.4.1 Fear of being misunderstood**

All participants felt that almost all the vulnerable children suffered from issues of insecurity and always they are in fear of being misunderstood even in situations that they trying to be on their best behaviour.

Some of the participants stated:

*“It is sad to notice that when these children had to talk about their abuse, some stutter, some become shaky as they fear that nobody will believe their stories”.*

*“One of these children was so scared and feared that she will be misunderstood and nobody will believe that she was being molested by his own uncle”.*

Contextual concerns about potential breaches of information which may culminate to embarrassment and loss of trust seem also to be important factors that influence the vulnerable child's view of the services on offer (Baginsky, 2003).

According to Young and First(2003) a vulnerable child feels lonely, isolated, sad, misunderstood, unsupported, defective, deprived, overwhelmed, victimized, and powerlessness. It may take some time or never for a vulnerable child to know that the police understand them.

#### **4.2.4.2 Parental oversight**

According to all 20 participants parents are required to be present in cases where a vulnerable child is involved because a child is normally defined by his or her age. The

most common agreement is 18 years which is the legal age in many countries worldwide. These age definitions depend on the period of dependence of a child on the parent or caregiver.

Some participants urged:

“Parents needs to practice their legal rights and involved in their children’s situation and give consent to the police where necessary”.

“Child supervision by a parent is imperative and the parent should be present and accompany the child when she has to open up a case”.

*“As a police officer one cannot interview a child in the absence of a parent or guardian. This poses as a challenge to the effectiveness of the services that we seek to provide for vulnerable children in that in almost all of the cases of sexual abuse of children, the perpetrators are people they live with or better those that take care of the child. Hence it is then difficult for the child to give the actual account of her experience because she is now forced to change the story in fear of getting in trouble with the caretaker or guardian in question.”*

A significant proportion of the South African Law support and insist on prior parental permission for a young person in order to open a case and to access counselling (Jenkins & Polat, 2006). In effect, this deference to the assumed right of parents to give or to withhold consent to police involvement is in support of nothing less than a parental right of refusal which basically ruins the child’s chances at recovery and acquiring

justice. Parental authority into the police involvement with the children in need represents an attenuation of the police work (Jerkins 2010), in this case the child protection unit's work. Parental oversight places a certain authority in the parents hands compared to the police. With regard to the issue of limiting access, Baginsky (2004) note that parents should be informed when a child is in need of police services and be given a choice to opt out should they want to. According to Jerkins (2010) in a study whereby parental involvement was questioned in schools it was stated that the opting out approach has been employed in schools as an attempt to standardize provision of services by not ignoring the desires of the parents.

In contrast, although the roles of the parents in a conviction or assessment of a vulnerable child's case are immense, too much involvement can hinder progress. Sometimes the issues that bring a child in need to the police require a private place for disclosure, independent of parental knowledge or oversight. Further, young people and children in need often tend to evaluate the available services on an outcome-based perspective. According to McLaughlin (1996), they fear losing control over the processes which concerns them. A requirement for prior parental permission may deter some young people from accessing the services available (Dennison, 1998).

#### **4.2.5 Theme Four: The kind of services that are provided by the child protection unit to vulnerable children.**

The following are some of the services that are provided to vulnerable children by the Child Protection Unit:

#### 4.2.5.1 Legal constraints on confidential matters

All participants mentioned that absolute confidentiality was difficult to maintain due to the processes that are involved during the operations in police stations.

Some participants uttered:

*“It is difficult to maintain confidentiality in police work especially in child protection whereby it is protocol to make referrals that may involve other departments like the social work or the health departments”.*

*“Colleagues are usually curious in cases that involve young children and would ask them questions whilst the unit officer is busy with administrative work on the case.”*

Another distinctive feature when dealing with young people and children in need is based on legal obligations, given their greater vulnerability to harm and the system is set up for their protection. In police work just like in any other entities like social work and legal professions confidentiality entails keeping information secure and protecting it from public use (Pattenden, 2003). However, there are major perceived constraints and challenges to the maintenance of confidentiality when working with children and young people, with regard to the law (Jerkins, 2010).

#### 4.2.5.2 Policing Illegal vulnerable child Immigrants

All participants find it challenging to work with illegal child immigrants. The majority of illegal immigrants are from the neighbouring countries, i.e. Zimbabwe, Malawi, Mozambique and Nigeria. Most of the people who migrate to South Africa bring their families with them. The major challenge that the police officers face when providing services is that the child immigrants do not cooperate with the police in fear of being separated from their families. They also have the fear and the risk of being sent back to their home countries. When a child is put in a position to suffer all in the name of migrating in search of a better life, that child qualifies as a vulnerable child.

Participants reiterated:

*“The police believe that many child immigrants end up participating in crimes such as robbery so as to be able to fend for them”.*

*“Although new laws have been put in place to have enforcement action and control over movements in its territories, including issuance of travel documentations, the situation is unpredictable in Southern Africa”.*

*“A number of factors are responsible for the influx of child refugees into the country. These include coercion, trafficking and voluntary migration.”*

*“Children are manipulated into believing that there are better opportunities in this country than their home countries”.*

Continuing violent conflicts, economic instability and instances of drought in war-dominated countries merely worsen the outflow of people from other countries into South Africa. The South African Constitution holds that a child be it an immigrant or citizen, has a right to be removed from the present living conditions and placed into one that is in favour of his/her wellbeing (Nicholas et al, 2010).

### **4.3 Conclusion**

It is evident from these findings that the South African Police child protection unit faces far-reaching challenges that deeply affect adequate provision of services to vulnerable children in Alice, Eastern Cape province. The problems and challenges analysed in the study are, for the most part, social, institutional and operational and together they hinder the police force in their responsibility of law enforcement and crime control aimed at addressing problems faced by the child population. The following chapter deals with the summary of findings, conclusions and recommendations of the study.



## **CHAPTER 5**

### **Summary of findings, Conclusions and Recommendations**

#### **5.1 Introduction**

This is the final chapter which presents the summary of findings of the study and the conclusions are drawn from the findings. Recommendations are drawn from the conclusions and suggestions for further research are highlighted in this chapter.

#### **5.2 Summary of findings**

The South African police child protection unit provide services like victims support, prevention and protection from perpetrators to vulnerable children in Alice, Eastern Cape Province. However, the police child protection unit is faced by a numerous setbacks and challenges which hamper their service provision to vulnerable children in Alice. Most if not all of the police who work in child protection believe that all of the following are the challenges that they face when dealing with vulnerable children: Transport Limitation, Emotional stress, Lack of man power, children's fear of the police, parental oversight, legal constraints to confidentiality with their work with vulnerable children and having to police illegal child immigrants and others.

##### **5.2.1 Theme Two: Summary of findings:**

**Challenging factors faced by the police when dealing with child protection and vulnerable children**

The majority of the participants agreed that children need protection from the peers, families, community and society on a very larger extent. On a global scale the police are considered to be on the front line when dealing with problems that affect the child. The Children's Act 35 of 2005 gives them the power to remove a child from an environment that has potential to harm the child.

Based on the findings the following conclusions are drawn:

- The police are obligated to make a professional judgement to decide whether a child is at risk of trouble or not.
- The police child protection unit, unlike the social workers do not need to obtain a court order first so as to protect a vulnerable child.

Based on the conclusions the following recommendations are provided:

- Wellness programs can be introduced to the police environment for the betterment of their officers functioning.
- Employment assistance program can help them enhance their own functioning.
- The government, NGOs, Unicef etc. should ensure that there is full implementation of a specific curricular and programs that can improve provision of services to vulnerable children from the South African Police child protection unit.
- Also it is important for children to be taught of their rights according to the Children's Act 38 Of 2005 and also as held in Section 28 of the Bill of Rights in schools and also in the community. This should be done so that when a child

gets into trouble or is subjected to any form or kind of abuse they would know that they need to seek assistance from the police.

### **5.2.2 Theme Three: Kind of services needed by vulnerable children from the child protection unit**

The police have a wide scope of responsibilities with regard to child protection. The child protection unit undertakes these responsibilities. The main concern of the police child protection unit is the welfare of the child. However, their responsibility is to determine whether a criminal offence has been committed and to identify the persons involved. They also need to secure the best possible evidence so as to protect the child in need. The police are under an obligation to coordinate and work with Social welfare and other agencies in relation to all child protection matters. The police child protection unit are required to also get involved in strategy discussions, and in child protection conferences that are in line with the procedures and processes aimed at protecting the child in need. Furthermore the Police are entitled to share information that they may have acquired regarding the cases of vulnerable children in the forums that they attend, this information could include knowledge of a family member's relevant criminal records, or those of third parties where relevant. According to the South African Police Service Amendment Act 2012, the police officers are expected to take responsibility for gathering and preserving evidence for criminal prosecution and arresting perpetrators where appropriate Government Gazzette,(2012).

Conclusions drawn from the study:

- The Police are obligated to apply all resources available to them to safeguard the welfare of children at risk of impending danger.
- Police can remove children at risk of significant harm by exercising powers of protection as is noted in (Section 46 of the Children Act 1989).
- Police officers can force entry to premises in circumstances where it is considered necessary to save life (Section 17 of the Police and Criminal Evidence Act 1984).

Recommendations drawn from the conclusions:

- Social service practitioners should provide social and child protection services and assistance to improve the social and psychological functioning of children in need of care and to those that are vulnerable.
- Workshops and awareness campaigns should be arranged to educate children in schools, homes and on the street of their rights so that they know that they should seek assistance from the police when they find themselves in harmful situations.

### **5.2.3 Theme four: The kind of services that are provided by the child protection unit to vulnerable children.**

First and foremost the roles and work of the police child protection unit needs to be reviewed at international level so as to allow the people at the top that is, the government, policy makers and others to understand that the kind of work that the police child protection unit does is different and far more complex than the rest.

Therefore, the unit need the best support they can have, financially, psychologically and socially. The community as a whole need also to be educated on the way they portray the police to the children around them. It is important for the community to be careful of what children learn from them as they are part of their socialization system.

Conclusions drawn from findings:

- Non- governmental organizations and some of the United Nation agencies like UNICEF, WHO, ILO, and others should be encouraged to work together with the police.
- The Department of Justice should ensure that the effectiveness of the South African child protection unit is instilled in the provision of services to vulnerable children in Alice, Eastern Cape Province and generally.

Recommendations drawn from the conclusions:

- Social workers just like the police child protection unit should work with different organizations and agencies in order to provide protective services for vulnerable children.
- These organizations may include child welfare, government and non-governmental organizations.
- Awareness campaigns should also be held in the Alice communities to educate and encourage parents, guardians or caretakers to avoid using the police to scare or threaten their children.

- These campaigns should involve the participation of all social services providers that is, the psychologists, social workers, department of education, nurses and social welfare.
- The community members, the youth and the stakeholders should be encouraged to pose as role models so that children will know that the police are harmless.

### **5.3 Implication of findings for social work practice**

This research applies to social work practice because social workers and the police child protection workers are both professions that work with vulnerability of a client at almost every point. The problems that are faced by the police child protection are more or less the same with the ones that can be posed for the social workers who also work with children in need. Additionally, social work practice deal with problems that affect the police at individual, family or community level. According to Dean, (2000) police work and social work have a linked relationship and can provide mutually supportive functions, given the fact that both professionals have the specialized knowledge and skills to ensure effectiveness and avoid conflictive interactions.

The study is also relevant to social work because although the police can provide immediate response there is need for follow up services like from the social workers. The conditions surrounding police child protection work are immense, but it is of importance for reactions to such situations to include three stages which are response, stabilization and prevention (Dean, 2000). The findings of the study are relevant to social work as they enlighten and prepare social work practitioners for the inevitable problems that arise when working with vulnerable children.

## 5.4 Conclusion

The study reveals the challenges that are faced by the South African Police child protection unit in providing services to vulnerable children in Alice, Eastern Cape Province. Child abuse and neglect are some of the major issues that have brutal effects on most communities in South Africa. Many crimes that are committed against children are inhumane and this calls for the intervention of the police child protection unit to assist these children who suffer from these crimes. Sometimes they even suffer from the untimely deaths of their parents. The results show that there are quite a number of challenges that are faced by the police child protection unit which hamper the provision of effective services to the vulnerable children. The research as highlighted shows an assessment of the challenges that the SAP child protection unit face when providing services to vulnerable children in Alice. However, the significant role that is played by the child protection unit in South Africa and particularly in the Eastern Cape Province against all odds cannot be underscored.

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## Appendix 1: Research Instrument

### Interview Guide

I am a Social Work Masters student in the Department of Social Sciences and Humanities at the University of Fort Hare who is conducting an academic research based on assessing the challenges that are faced by the South African Police child protection unit in providing services to vulnerable children in Alice, Eastern Cape Province. This research will be used for academic purposes only and please feel free to withdraw at any point should you feel uncomfortable. Nevertheless your full participation is highly appreciated as the information that you provide is intended to benefit scholars as well as policy makers and other people who may be interested in assisting your community. Your name and address will not be required so as to ensure the anonymity of your identity. Thank you, looking forward to your cooperation.

Themes	Sub-themes	Prompts
1. Biographical details.	Since we are meeting for the first time can you please tell me about yourself? -Tell me about your child protection expertise.  -What experiences have you had working with vulnerable Children	-Police station.  -Police rank.  -Experience.  -Dislikes.

	<p>or children who need protection?</p> <p>-Describe what you like and dislike about being in the child protection unit.</p>	
<p>2. To find out challenges that are encountered by the child protection service unit in providing adequate services to vulnerable children.</p>	<p>-Tell me about a crisis which you have recently encountered while working with a vulnerable child. What was your role? What did you do?</p> <p>-How do you normally deal with challenges like that? -Describe the most difficult situation that you have encountered in the last 6 months and what made them so difficult.</p>	<p>-Crisis</p> <p>-Roles</p> <p>-Difficulties</p> <p>-Challenges</p>

<p>3. To investigate the kind of services that these vulnerable children need from the child protection unit.</p>	<p>-What kind of programs or facilities do you offer for vulnerable children?</p> <p>-How would you determine that a program has achieved its desired results?</p> <p>-Describe a situation where a program that was designed to assist children proved either adequate or inadequate. How did you handle the situation?</p> <p>- What do you believe are the biggest causes of the challenges that you face in child protection service provision at the moment?</p>	<p>-Programs</p> <p>-Services</p> <p>-Results</p> <p>-Adequacy</p> <p>-Effective</p>
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<p>4. To examine the kind of Services that is provided by the child protection unit to vulnerable children.</p>	<p>-Describe what you believe to be good or adequate service provision for a vulnerable child.</p> <p>-Tell me a situation where you were able to apply this philosophy.</p> <p>-How have you monitored the accuracy of your work with the vulnerable children who came to you for assistance in the past? Give me an example.</p> <p>-Can you give me an example of a time where a direct challenge was encountered in your work and how you handled the situation?</p> <p>- How do you handle cases that are challenging to the unit as a team?</p>	<p>To what extent do you think your work with vulnerable children is Effective.</p>
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