

The **child care worker**

ISSN 0258-8927 ■ VOLUME 13 ■ NUMBER 3 ■ MARCH 1995



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Cover Picture: Neil Bradfield, Cape Town.



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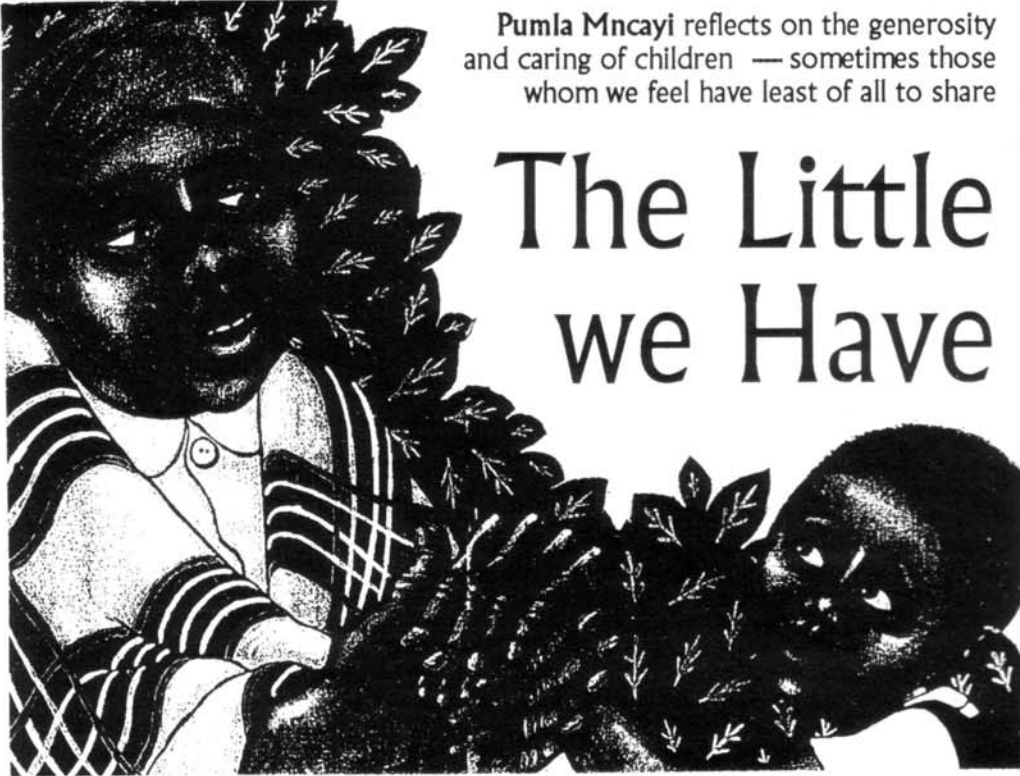
THE NATIONAL ASSOCIATION OF CHILD CARE WORKERS
IS AN INDEPENDENT NON-RACIAL ORGANISATION
WHICH PROVIDES THE PROFESSIONAL TRAINING AND INFRASTRUCTURE
TO IMPROVE STANDARDS OF CARE AND TREATMENT
FOR CHILDREN IN RESIDENTIAL SETTINGS



Fédération Internationale des Communautés Éducatives
International Federation of Educative Communities (UNESCO)



Association Internationale des Educateurs de Jeunes Inadaptés
International Association of Workers with Troubled Children



Pumla Mncayi reflects on the generosity and caring of children — sometimes those whom we feel have least of all to share

The Little we Have

The importance of a sense of belonging stretches perhaps more widely than we realise. For Black people it has much to do with our culture of *Ubuntu*, that tradition of care, belonging and community. You cannot buy *Ubuntu*; it is just who you are, a trait. I believe, we could come up with the best of rehabilitation programmes, technically excellent, but if they do not reflect our basic human need for togetherness and belonging, then they are doomed. A sense of belonging is perhaps the culmination of *Ubuntu*. *Ubuntu* encompasses patience, tolerance, peace, love, hope, obedience, going the extra mile.

Last year we admitted a child with the name of Pinkie. Not having a full picture of her background and her home circumstances, especially her health condition, she was openly received as usual by staff and children. Later it was realised that the young, beautiful looking girl was a psychiatric patient who was in and out of Lentegour Hospital. Episodes of disturbed behaviour began. During the first stages, because she was not showing violent signs and seeming only a little out of touch with reality, we did not mind. The child care workers

felt they still could cope. Later on, though Pinkie was still not violent, the problem was that those around her, especially the children, had something to entertain themselves with. They started to make fun of her. She was writing love letters in English (especially to the administrative staff) referring to facts but in a bizarre way. Other behaviours worried us: ongoing hunger pangs and quite an appetite, singing out of context, etc. One Friday, fearing what might develop during the weekend it was decided that we should take some preventive action. Even though it was the Social Worker's task, it was the whole team, Principal, Social Worker, Senior Child Care Worker, Child Care Worker who were with Pinkie at the offices till after 6 pm requesting for admission at whatever hospital that was ready to receive her. As you know, child care really is "Patience" itself. We were sent from pillar to post, contacting Groote Schuur, passed from one section to the other, then to Red Cross Children's Hospital, to Lentegour, then to Tygerberg. Eventually we phoned our friend, psychiatrist Dr John Westaway, who really did all the ground work for us, right up to the point of phoning the ward and the

doctor in charge of the ward where Pinkie had been previously. We were greatly relieved when the doctor phoned us, asking that Pinkie be brought in that same evening, even though he still had to go through all their procedures because Pinkie was an out patient. So it was not just a move from outside back to the inside — it was back to square one, for new assessments, etc.

Some time later, on a Sunday at the end of January, there is Pinkie, smiling, walking up the aisle in the church where I belong in Khayelitsha. She could not wait for the service to finish, to ask me to go outside with her. Another surprise — she

takes me to another of our girls, Nyamie. (Nyamie has been on leave of absence since December, and we were still investigating this problem.) It is said that Nyamie is rejected by her mother because the mother is having a new affair with another man. She apparently hit the child on the head with an iron rod and chased her away. Nyamie is also one of the children who struggles with the normal school curriculum. The mother is aware that there is a problem, but she has preferred to take the problem to the witchdoctor. From our point of view, the mother had been advised of another route to follow, for example, to take the child for an educational and/or psychological assessment and possibly for some appropriate treatment flowing from that.

The highlight of the story is that Pinkie, troubled as she is, found Nyamie in the street, picked her up and took her to her own home. Pinkie herself had apparently been released from Lentegour and was back at home. With all of her own problems, there she is playing a parent role to Nyamie — comforting her, giving her food, offering her shelter. After our discussion outside the church she volunteered to accompany Nyamie back to Masikhule Children's Home — and even to give her the bus fare.

That is *Ubuntu*. One belongs somewhere. Someone cares. As long as there are people around, you do not feel rejected. To both of these children Masikhule is very much in their minds; they both feel they belong here. ■



The Three P's of Children's Rights: Provision, Protection and Participation

We may read the Convention as a suggested "contract" between the child and adult generations, as a desired model where children have access to resources, they are protected and they are allowed to participate. The contract is built upon the three hard P's; provision, protection and participation. These three P's are, actually, universal elements of the organisation of childhood in any society and at any time. Only the social forms of our giving effect to these three P's may vary according to time and place. Children are always nourished, educated and protected to some degree, and they have participated according to the allowances of a particular generational model. The Convention could be seen as an attempt to make these aspects of the generational model explicit. The reasons are, for sure, several. For instance, it is according to the civilized notion of childhood no longer acceptable to let children suffer or to misuse them. Historically, the newest elements might be concerned with perceiving the child as an individual holder of rights, and the spectrum of rights is widened to take in participation. In many other respects the Convention follows the already culturally established notion of the proper generation relations.

We may therefore conclude that the Convention tries partly to renew the notion of the status of the child, and partly to press for the better satisfaction of the well-known needs of the child. The parties who sign the Convention assume the role of implementers. Any contradictions will then become apparent, too, if they are allowed to feature on the agenda.

The basic elements of the "contract" between children and adults, namely provision, protection and participation, should be encountered not only in the state policy, but in all communication and interaction between adults and children. In a way, the way we programme and implement the three hard P's will touch upon sharing of material and mental resources, sharing knowledge and experiences, and even affection and power.

1. Provision: distribution of resources

Provision refers to *sharing* and *distribution*; it includes the *right to possess, receive or have access* to certain resources and services. The Convention stresses that state parties shall undertake measures for children "to the maximum extent of their available resources". It suggests that children should get a lot and the best. So, elaborating the idea of provision will call for a lot of work if it is to be implemented.

Provision is a basic general concept, and within it "resource" is a key word. It is involved in a wide variety of things like money, mental and physical space, power, opportunities, knowledge, love, friendship, self-esteem, and nature ...

The second set of key words involves things like possessing, receiving and having access to resources. The process of redistributing some resources, like money and power, is going on in many countries.

There are critical issues like: which kinds of resources are distributed by policy making, and what are the explicit and implicit consequences of certain decisions about resources? Moreover, which

kinds of resources are produced and shared in everyday communication? Who has resources? Do children have any resources that can be distributed?

What do we know about the distribution of the resources between the child and adult generations? Not very much. This leads us to the complicated field of the nature of knowledge. The national reports of the research project "Childhood as a Social Phenomenon" (Qvortrup 1990) have indicated again and again that the data on children and childhood are adult- and institution-oriented. Family statistics and "child information" is actually saying more about adulthood than childhood. We need a knowledge policy that also takes the child as a unit of observation. Knowledge is also a resource field where children should get more social space, for instance, as informants. There is another challenge in this generational contract: our policies should be firmly based on the sustainable choices so that "something" is left to the not-yet-born generations.

2. Protection: parenting and "regression"

Protection stands for the right to be shielded from certain acts and practices (social and individual misuses). It is close to parenting. In our culture the responsibility for parenting is restricted to two adults, the mother and the father. Parenting is perceived as a private issue. However, the components of parenting are complex and specialized. Children are actually parented by several adults — in private parental parenting and in professional parenting.

The problem is: what is the interplay between these different aspects of parenting? A suggestion focusing on this very interplay springs from the problems of marginalized families. A study of child protection (Fisher et al, 1986) proposes that the concept of *parents* should be extended. "All parenting is shared between the family and the wider kinship and friendship network, and between this system and state provision" (page 120).

Every major reform on children has been implemented through new special groups of experts, and much of childhood is encapsulated in the institutions influenced by professional thinking. Socially shared parenting would involve a lot of rethinking as to children as a social group, as well as children at risk. The redistribution of the economic "burden" due to the maintenance of children is a form of socially shared parenting. Another 'social parenting' concern is how children are parented in child institutions like schools, day care centres and children's homes. Are we, as child experts, able to develop means to protect children and adults from negative and growth-denying experiences? Are we able to create environments that actually go beyond the impressive planning illustrated by 'figures, boxes and arrows'?

Children make their acquaintance with the world in these institutions and schools. These are the places where they meet and reflect on the world in their minds, and grasp it in their own way. For these explorations, plenty of room and free space of all kinds are needed. Institutions for children are also socialized forms of mother's breast and father's lap. These are supposed to be feeding and encouraging, not suffocating and imprisoning.

3. Participation: progression and "occupying" the world

Participation stands for the right to do things, express oneself and have an effective voice as an individual child and as a larger group. The rights to freedom are consid-

ered so vital to adults. What happens when minors have access to them too? Children's rights to protection and welfare do not touch upon the power relationship between adults and children, but the rights to freedom do (Franklin 1986).

Will these rights and freedoms become everyday practice in schools and communities? If minors are given new chances of participation and co-determination, they too will become social subjects (rather than objects) of the politics of childhood alongside adults. A genuine transformation between the generations can take place only if all the parties involved are allotted the status of subject.

When children themselves have a chance to study life, they can participate in analyzing the major issues affecting them. As they examine the rights of the child, they may explore what these mean in practice, and they can also participate in advocating and implementing them. This calls for arenas in which there is a shift from adult domination to social partnership.

Children are members of their families, schools or day care and other institutions, but also of the specific generation into which they happen to be born.

We need to know and understand the child generation which we are dealing with, and not to imagine that our adult-oriented knowledge of childhood reflects adequately their reality. We need to be available to them with our experiences and skills; social arenas and practices are needed in which the minors may in turn express their experiences. These partnerships with children might help us as adults better to understand the fantasies hidden in words and experience and to avoid empty rhetoric.

Helping marginalized children in practice

I would like to highlight this thinking by an example. What would shared parenting and participation of children mean, particularly with regard to children at risk or in special dangers?

Kuttula is a Finnish non-gov-

ernmental organization dedicated to child care, dealing especially with children in difficult situations who have been deserted and abandoned not only by their families but also by diverse helping services. They have complex family backgrounds as well as complex "careers" in the helping services. Some of these children are mentally ill, some of them come from prison. *Kuttula* serves these children by providing them with "homely atmosphere, with affection and love, which they were deprived of in their previous lives" — as they like to state themselves.

Qualities of the community

Some of the essential features of the community's activity are the following:

1. No one is rejected. Nobody will be sent from the community with an accompanying note which reads "Beyond help by means at our disposal". The children usually spend a long period living at *Kuttula* which thus becomes a stable part of a child's family.
2. "The extended joint parenthood" means that the relations between adults and children in this community, together with previous important human relations (whenever possible, at least on the mental level) make up the network of primary relationships.
3. The child is helped to realize his position as a link in the chain of generations. The people previously important to the child are associated with the activities whenever possible. The children are relieved of any responsibility for their parents and supported (for instance, by permitting their negative feelings) in taking responsibility for themselves, and also in integrating their previous, however chaotic, experiences in their life history (see Hansen 1991).
4. The children's problems are investigated and treated in the order they appear in everyday life. In community meetings topics like death, violence, or abuse are discussed — and not avoided to protect the child from discussing such things which are so characteristic of their previous lives. Simultaneously, positive

resources are made available and the children prepared for these.

5. The children participate in the maintenance of the community, which is not served to them 'ready-made' by the adults.

Control of the community is firmly in the hands of the adults, but the children clearly feel that they are participants necessary in the management of the organisation. At present the community is visiting Nepal. The children, having experienced themselves as "social problems" and trouble-makers, are now doing their share in development aid.

They also are taking responsibility for their own school attendance, which in many cases had suffered over long intervals.

A major issue for us is the way we plan to cross several kinds of boundaries — which may be administrative or professional — the boundaries be-

tween open and residential care, between public and private services, between this or that kind of parents, between expert and lay support, between child and adult services.

References

- Alanen, L. and Bardy, M. *Lapsuuden aika ja lasten paikka*. SH 12/1990. Vapok. Helsinki.
- And: *Childhood as a Social Phenomenon*. National Report for Finland. Eurosocial 36/7/1990.
- Daenzer, P.M. *Towards a Multicultural Society*. Presented at SOS '91: National Agency for Health and Welfare. Lahti/Finland 22.24.5.1991.
- Fisher, M., Marsh, P. and Phillips, D. *In and Out of Care*. B.T. Batsford Ltd. London 1986.
- Franklin, B. (ed.) *The Rights of Children*. Basil Blackwell. Oxford 1986.
- Hautamäki, S. *Ydintrauma*. Pohjoinen 1988.
- Qvortrup, J. *Childhood as a Social Phenomenon*. Eurosocial 36/0/1990. (And the national reports of the research project in the same serial.)

THE GENERATION THING



W. Scullin

"It's your son on the phone, sir. He says Yes, you can borrow his beach buggy if he can use the BMW and the credit card"



The
child
care
worker's

Toolbox

'Take-away' skills
for those who
work with troubled
children and youth

Activity Groups

I: Goals, planning, and getting ideas together

Brian Gannon introduces one of the most common tools used by child care workers

Child care workers will make much use of activities in work with deprived and troubled children. Most of the young people you work with are short on life experience, and this can leave them clumsy, awkward, shy and unwilling in tackling their daily personal and social tasks. In child care, it is never enough to put children in cosy cottages and to pretend that now everything will be alright. We have to recognise the limitations and shortcomings they bring with them, and work at these in some systematic way. One of the best methods is *doing things* with children.

Goals

There are many things which children will gain from activity groups — some obvious and some quite complex and clinical. But let's make a list of some of the simpler gains they can make ... and you try to add to these as you think of them. This will give you your own list of goals as you plan activities for children. Here are some ideas to start with: interest, involvement, fun, companionship, satisfaction of making things, learning, exploring, self-expression, achievement, mastery, co-operation, competition, patience, excitement, attention, ideas ... There are times when we will plan activities just so that we all have fun. There will be times when we involve a child for a more special and individual purpose. Patricia is too self-conscious and shy to try anything new in front of others — we run a group where *all* of the group

members must learn something new so that she sees she is not alone in this. Keith finds it hard to wait his turn or to take instructions from other people — we run an activity with formal rules (like soccer or monopoly) where the rules are part of the game, and he learns why there are rules.

Most of us learned things about life simply by doing things. Activity groups give children in care opportunities to learn things they never had the chance to learn before.

Planning

In the most rewarding activity groups we know the key to success has been planning, planning and overplanning — which the children should never be pressured by or aware of. The planning is a matter of having ideas and materials at your finger-tips, to be used on a given activity group day or set aside for another. The choice depends on the immediate needs and moods of the children. Materials for projects should be prepared and easily accessible. If, for example, you are using a record player or other special equipment, have it set up and ready to go. Make sure it is in working order. Balls or other play material for which you have planned a special game should be assembled so you need not leave the children while you scramble about trying to retrieve the items. If you are an inveterate list-maker you will, perhaps, make out a proposed schedule for the day — or just list the different ideas you have.

Why all this? After all, it is not a military campaign you are planning. But remember the brief attention span of youngsters ... ten minutes, maybe? You need to be ready to move into some new activity quickly as their interest flags. Older children might be expected to stay interested for longer, but what if the project you planned just doesn't strike a chord or takes less time than you expected? You need something else in its place. More planning means more flexibility. *Flexibility* is the key word. Your group may be low-keyed one day, quite equal to listening and to doing quiet activities. The same group may have switched into high gear another day and more time outside is in order, or, if that is not possible, then some moving around activities inside are necessary. Be ready to switch the order of activities to suit the mood of the day or even of the moment. Be prepared to spring into a little exercise period in

the middle of an art project before returning to it. It will be helpful if you take your cue from schools: they preach a rule of thumb for activity groups — "quiet followed by noise; still followed by movement." The one automatically sets the stage for the other. After running about, a child is ready to sit quietly and listen to a story; after drawing a picture he is all set to use some of his larger muscles. For a basic idea of what might be included in your day, consider the following: free play, arts and crafts, music, story, refreshments, nature or science project, games, time outdoors. Such a list sounds more intimidating than it is in practice. You would not, of course, do all of those things every time. The idea of having to set up anything 'scientific' or 'musical' may overwhelm you, but overcoming such apparent difficulties is what the activity group planner must do. The best groups include very simple activities, right for the children and right for the average child care worker to tackle with the group.

What to do?

This last section on planning was adapted from Broad and Butterworth's book *The Playgroup Handbook*, which is directed more at preschool children. However, we must remember that activity groups with older children in care are often aimed at catching up on experiences missed earlier in their lives, so that ideas from the age when they *should have* been playing can easily be





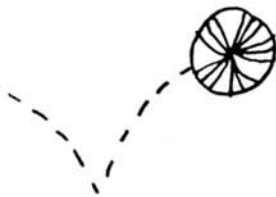
adapted for our use. I remember reading Beatrix Potter to twelve-year-olds, and as if that wasn't far enough out the age group, there were always a few fifteen and sixteen-year-olds sitting at the fringes of the group! And why not? Broad and Butterworth suggest a number of categories for activity groups. Of course there are more, but try to think of some appropriate activities for your own group under each of these headings.

Arts and crafts: Children of all ages learn much from designing, making, colouring and playing with things they make themselves. Starting with poster-painting egg boxes and sticking them together to make goodness-knows-what, they learn a lot about the real world of what works and what doesn't work, of accuracy in getting the results they want, of patience in waiting for things to dry or set, of the aesthetics of what looks nice — and the harder lessons of mistakes, failure, and having to start again. Older children will design the decorations for a party, make a hokkie for their pigeons or frame a well-loved poster. In each case, the end result may or not be pleasing and durable ... but the value lies in the *doing*.



Trips and outings: There are several aspects to this kind of activity. Participating in ordi-

nary events (like shopping, going to the library) makes up for experiences lost when they were younger. Trips to new and different places (other suburbs, open country, an old-age home) provide stimulation and material for new thinking and fantasy, for discovery and a widened view of the world. We can never expect each member of the group to get the same impressions or learn the same lessons from a trip — each will experience it differently and get out something individually important or significant. The wise child care worker can make another whole group session out of that fact, as we listen to each others' impressions of a trip to the river or the local shopping mall.



Games: Remember always *why* we plan activity groups. For one, they are just to have fun. For another, they really are most appropriate tools for work with children. Games have a zillion uses. Individual games (a basketball net on the garage door, patience, computers, lego) can release withdrawn youngsters from themselves and their often defeated and pessimistic thoughts, competing, perhaps, against themselves and their own previous best — which can be safer than losing to others while they build some personal skills. Team games (relay races, red rover,

five-a-side soccer) provide excitement and get children involved at a non-threatening group level with others. Our children very often do not have the skills to get into school teams. Our activity groups could have this goal in mind: get the children up to speed, building skills and team tolerance so that we can pass this responsibility on to the school. What games can you think up for a single child, three kids, a dozen or twenty?



Story-telling: This is a lost art, not only with deprived children but also in many families. TV and movies are too strong competition — or are they really?

Children have a wide range of needs, and one of these is for attention and intimacy. Many will say that it is wrong to put troubled children in front of a TV set so often, for this feeds into their immature needs for stimulation, and fails to meet their more important needs for closeness, belonging and shared small group experiences.

Child in care also have a need for ideas and imagery which help them work through their own personal situations, and there is much useful literature today which deals sensitively and positively with issues like family separation and loss, struggling families, living with alcoholism, etc.

When they find it painful to face up to their own personal and family difficulties, children are often relieved when they hear that others share their hurt and can deal with it successfully.

Remember, too, that one of the long-term results of our work with children is only seen when they become parents and start families themselves. We can make some contribution to the lives of children living fifteen or twenty years hence, by building some quieter and more personal experiences for their parents (our children) today.



Physical exercise: We have learned in recent years that a sense of physical well-being plays a large role in mental health. Many games will help with this, but today there is a common focus on physical health in its own right. Weight-watching, gym groups and a morning or evening jogging times will have immediate physical results, but you may be surprised at the psychological and social results which follow.



Life Skills: Older children benefit greatly from activities which reflect their later adult and career responsibilities, and children in care appreciate it when we devote some time to this. This can apply at the level of home-maker skills which they are too easily denied in an institutional setting (laundry, menu planning, purchasing, appliances); it can apply at the level of vocational skills (using tools, making clothes); and it can apply at the level of personal relationships. Ask your group what they would like in this area.

Great profit, little effort

Why do we go to all this trouble? The main reason is to offer deprived and discouraged children something new and something different in their lives, which (perhaps for the first time) allows them to end a day feeling better about themselves, with a sense of growth, success, belonging and satisfaction. In most cases such experiences do away with their feelings of failure, rejection and powerlessness, and make further treatment unnecessary. Isn't that why the children were referred to your programme in the first place? ■

The organisation EPOCH (End Physical Punishment of Children) is busy establishing a South African group at present. This will be an up-front topic of discussion in coming months. In this text, EPOCH lines up its side of the argument.

Why should ending physical punishment of children be significant now?

South Africa is preoccupied with fundamental survival issues for many of its children — rights to life and to basic health services, care and education — and with the protection of children whose lives have been disrupted by organised violence and discrimination on a huge scale. Advocating an end to all physical punishment of course does not seek to divert attention from these major problems. Challenging routine physical punishment and humiliation of children cannot solve such problems, but it is a necessary part of improving children's status and thus achieving a new public and political priority for children. It is a worthy aim even where their survival is threatened. It does not compete with other programmes; its costs can be minimal and its benefits huge.

Societies could not wait for a social utopia before challenging routine domestic violence to women; delay is no more justifiable in the case of children. Research strongly suggests that if we are to reduce the overall levels of violence in adult societies, we must recognise physical punishment and deliberate humiliation of children as a significant root cause, challenge it and end it through legal reform and education.

What is commonly recognised and condemned as child abuse, both physical and sexual, is intimately connected with physical punishment and concepts of adult "ownership" of children.

Why now?

From children's perspective, an end to all physical punishment is long overdue (hence the strong statement in the Children's Charter adopted in Cape Town in June 1992). The legal

and social acceptance of such punishment and its widespread use is a breach of their fundamental human rights, and reflects and confirms their low status. Limited research suggests that in South Africa, as in many other countries worldwide, there are high levels of corporal punishment in the home in all or most communities, in schools, in child care institutions, and (now under serious challenge) in the penal system.

South Africa's ratification of the UN Convention on the Rights of the Child, due shortly, provides a particular context for making speedy progress.

Beyond the basic human rights arguments, there are strong research-based supporting arguments for ending all physical punishment of children: its association with the growth of violent attitudes and actions in childhood and later life, escalation to more serious child abuse, "accidental" injuries caused by even minor forms of physical punishment. There is already a very high level of concern about levels of all kinds of violence in South African society, and a broad commitment to reduce them.

Ending all physical punishment of children is not a "new" issue: it is the final stage of a long process of ending legal and social acceptance of such punishment and treatment; children are the last members of society to gain the fundamental human right of physical integrity. There are clear parallels with the previous legality of "domestic" violence to women, and the campaigns against it.

There is accelerating worldwide progress to end the acceptance of physical punishment.

Culture and tradition

Physical punishment and deliberate humiliation of children is very common in most societies and communities in all countries and continents. As a tradition, it is certainly not "owned" by any particular groups. Historically and geographically its use has tended to follow enslavement, colonisation, military occupation and certain religious teachings.

There is some anthropological research which suggests that in some small-scale societies, notably hunter-gatherer societies, the use of physical punishment in child-rearing is rare. Such societies are now often under threat of extinction.

A very personal issue

Physical punishment is a habit passed down from one generation to another. Most people will have been hit and humiliated as children; many will have hit their own growing children. These experiences as children and as parents get in the way of compassionate and logical consideration of the arguments against it.

The UN Convention confirms that children have an equal right to physical and personal integrity — to be protected from all forms of physical or mental violence: a right which neither culture nor tradition nor religion nor material circumstances should limit.

Those who campaign to end physical punishment of children are not simply advocating one way of child-rearing over another; they are seeking to apply a fundamental human right to all adult/child relationships. Like many human rights campaigns, this issue never has majority public support until legal reform is achieved: research

shows that public attitudes on physical punishment change rapidly when legal change is accompanied by education.

Existing support In South Africa

South Africa signed the UN Convention on the Rights of the Child in January 1993, signifying its intention to ratify. We understand ratification is imminent. (By the end of 1994 the Convention had been ratified by 167 countries worldwide.)

The Convention provides international authority for insisting on all children's rights to physical and personal integrity — to protection from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse" while in the care of parents and others. This comprehensive protection outlined in Article 19 complements the insistence in Article 37 (reflecting Article 7 of the International Covenant on Civil and Political Rights), that no child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

In addition, the Convention underlines in Article 2 that the rights within it must be available to all children without discrimination; thus punishments or treatment involving mental or physical violence cannot be justified, as they often are, on grounds of culture, religion, race or tradition. Article 28.2 requires States Parties to ensure that school discipline is administered "in a manner consistent with the child's human dignity and in conformity with the ... Convention" — i.e. in conformity with Article 19, without any form of mental or physical violence.

The UN Committee on the Rights of the Child (the elected expert committee responsible for monitoring implementation) has emphasised during its consideration of Initial Reports from States Parties that physical punishment, in the home and in institutions, is not compatible with full implementation of the Convention. It is paying special attention to this issue in its scrutiny of initial reports from States Parties.

The Official Report of the Committee's 4th session (CRC/C/20 25 October 1993) indicated that the Committee recognised

the importance of the question of corporal punishment in improving the system of promotion and protection of the rights of the child. The provisions of Article 19 "were intended to prompt those in authority in each country to find the most effective way in their own societies to break cycles of violence that were often perpetuated from generation to generation under the cover of tradition and custom" (CRC/C/SR. 136, 41). In October 1994 a General Discussion on children's rights within the family was called by the Committee as its contribution to International Year of the Family. It re-emphasised the child's right to physical integrity and freedom from physical punishment, and rejected attempts in some countries to draw a line between "acceptable" chastisement and abuse. Most recently in its "concluding observations" on the Initial Report of the United Kingdom, the Committee stated: "The Committee is also of the opinion that additional efforts are required to overcome the problem of violence in society. The Committee recommends that physical punishment of children in families be prohibited in light of the provisions laid down in articles 3 and 19 of the Convention. The Committee recommends that the provisions of articles 19, 28, 29, and 37 taken together with the principle of the best interests of the child require that public educational campaigns be launched to emphasise the child's right to physical integrity. Such measures would assist in creating a climate of opinion so as to change societal attitudes in the non-acceptance of the use of physical punishment in the family and to the acceptance of the legal prohibition of the physical punishment of children" (CRC/C/15/Add.34; January 1995).

Other UN instruments

South Africa has also signed (on October 3 1994) but not yet ratified the International Covenant on Civil and Political Rights. This (Article 7) guarantees protection from "cruel, inhuman or degrading treatment or punishment". In its 1992 report, the Human Rights Committee which oversees implementation of the Covenant, stated: "The prohibition in arti-

cle 7 relates not only to acts that cause physical pain but also to acts that cause mental suffering to the victim. In the Committee's view, moreover, the prohibition must extend to corporal punishment, including excessive chastisement ordered as punishment for a crime or as an educative or disciplinary measure. It is appropriate to emphasise in this regard that article 7 protects, in particular, children, pupils and patients in teaching and medical institutions".

Three sets of UN rules — the *United Nations Standard Minimum Rules for the Administration of Juvenile Justice*, the *United Nations Rules for the Protection of Juveniles Deprived of their Liberty*, and the *United Nations Guidelines for the Prevention of Juvenile Delinquency* — all support prohibition of corporal punishment.

The Children's Charter of South Africa: This Charter, adopted by a representative group of children at the Children's Summit in Cape Town on June 1 1992, covers protection from violence in Article 5:

"1. All children have the right to be protected from all types of violence including: physical, emotional, verbal, psychological, sexual, state, political, gang, domestic, school, township and community, street, racial, self-destructive and all other forms of violence. 2. All children have the right to freedom from corporal punishment at school, from the police and in prisons and at home ..."
African Charter on the Rights and Welfare of the Child: This Charter, adopted at the 1990 Summit of the Organisation of African Unity, reflects Article 19 of the UN Convention by insisting that states must "take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment ... " etc.

South Africa's interim Constitution

The interim Constitution extends all Constitutional rights to all South African citizens without discrimination, including discrimination on the ground of age. Children are therefore entitled to have "respect for and protection of his or her dignity"

and are protected from "cruel, inhuman or degrading treatment or punishment". A specific section is devoted to children and this provides, among other rights, the right "not to be subject to neglect or abuse". Corporal punishment is not specifically mentioned in the Interim Constitution.

The current appeal to the Constitutional Court over whipping in the penal system seems likely to succeed, given current interpretations of international instruments and international progress. But that does not necessarily imply that physical punishment in schools, other institutions and the home would be ruled unconstitutional under the same articles. (Apart from the UN Committee on the Rights of the Child, no international body has as yet condemned all levels of physical punishment of children).

Under the Interim Constitution, provincial legislation determines education services at all levels save university, health services, welfare services and cultural affairs. The

National Parliament can overturn provincial laws in these areas if the service needs to be regulated by uniform standards in order to be performed effectively, or it is necessary to set minimum standards (Article 125 and Schedule 6). The interim Constitution also provides that the national and provincial governments "shall not alter the rights powers and functions of governing bodies, management councils, etc., of community-managed or state-aided primary or secondary schools" under laws existing just before the commencement of the interim Constitution unless agreement has been reached with such bodies (Article 247).

The interim Constitution also enables international treaties, such as the UN Convention, to form part of South African law and to be binding, provided that Parliament makes an express provision to that end and the treaty is not inconsistent with the Constitution (Articles 231, and 82). (Some European countries have a similar provision: civil and political rights are automatically subsumed into law; social and economic rights are protected by the "standstill principle" that these services should not fall below their levels at the date of ratification).

In Africa, it appears that school physical punishment was prohibited by decree in Burkina Faso in 1965, and it is not permitted in Botswana. In Namibia, the Supreme Court declared corporal punishment in government schools and the penal system unconstitutional in 1991

The interim Constitution provides for an 11-member Human Rights Commission, which should act as a government watchdog and ombudsman on violations of rights.

Position statements of major organisations

The Second African Conference on Child Abuse and Neglect (Cape Town, September 1993), organised by the South African Society for the Prevention of Child Abuse and Neglect (SASP-CAN) and others, unanimously adopted a resolution to support moves to end all physical punishment of children in South Africa through education and legal reform.

The Advisory Panel to the Goldstone Commission inquiry into Children and Violence (October 1994) advocated prohibition of all physical punishment of children in South Africa, quoting the UN Convention.

It appears that as yet few South African organisations have formally adopted a policy seeking an end to all physical punishment through education and legal reform. But the following incomplete list of developments is relevant:

- RAPAN's publications and training activities strongly advocate children's right to protection from all physical punishment;
- A number of organisations including Nicro have been campaigning against all penal physical punishment;
- The National Children's Rights Committee has made strong statements

- against all physical punishment;
- The National Association of Child Care Workers makes commitment to a Code of Ethics an obligation for registration. The Code includes the statement: "I believe that corporal punishment is unacceptable. Inappropriate behaviour should be dealt with through positive, productive discipline and guidance".
- The Child Welfare Society in Cape Town has promoted an end to physical punishment in its own institutions and the child care system;
- The Congress of South African Students has campaigned strongly against school corporal punishment;
- Of teacher organisations, the South African Democratic Teachers' Union adopted a position some years ago that school corporal punishment is inappropriate and should be prohibited; it appears that some of the 17 associations affiliated to the National Professional Teachers' Organisation of South Africa have adopted a position against school corporal punishment (we are checking which).

Worldwide progress to end physical punishment

Recently, recognition of the moral obligation to uphold all children's rights to physical integrity, and acceptance of the evidence of the dangers to the child and to society of ignoring the issue, have led to significant progress towards ending physical punishment.

In many countries, physical punishment in schools, child care institutions and the penal system has been prohibited for many years (Poland prohibited it in its schools as long ago as 1783).

In Africa, it appears that school physical punishment was prohibited by decree in Burkina Faso in 1965, and it is not permitted in Botswana. In Namibia, the Supreme Court declared corporal punishment in government schools and the penal system unconstitutional in 1991 (Ex Parte Attorney General, Namibia: in re Corporal

Punishment by Organs of the State). In Zimbabwe the Supreme Court declared sentences of whipping or corporal punishment for juveniles unconstitutional in 1989 (S v A Juvenile, Zimbabwe Supreme Court). But following the case it appears that a constitutional amendment has been agreed to permit corporal punishment of juveniles. Six countries — all European — have so far formally prohibited all physical punishment of children, by parents and other carers (Sweden, 1979; Finland, 1984; Denmark, 1986; Norway, 1987; Austria, 1989 and Cyprus, 1994). Research following legal reforms in the Scandinavian countries has documented entirely positive effects.

In Sweden: "The law has dramatically reduced physical punishment and commitment to it. It has broken the inter-generational transmission of the practice. It has helped to reduce serious child-battering ... Professionals in particular have welcomed having a "clear line" to transmit to parents" (A. Haeuser, University of Wisconsin, 1981 and 1988).

Recent (1994) research commissioned by the Department of Health and Social Affairs in Sweden found only 10 per cent of a representative sample approving of physical punishment. In Germany legal reform against physical punishment has been under consideration. In Ireland, the governmental Irish Law Reform Commission has proposed that full prohibition of physical punishment should follow a government-sponsored education campaign.

In Poland a governmental body reviewing constitutional changes has proposed legal reform. In Switzerland a governmental committee on child abuse has proposed explicit prohibition. In the UK, the Scottish Law Commission has proposed strict limits on physical punishment of Scottish children. In New Zealand the Governmental Commissioner for Children has campaigned for legal reform and promoted an education campaign, with booklets, posters and teaching packs. In Canada the Federal Ministry of Justice has commissioned studies and is considering legal reform in the light of the UN Convention. ■

Will you be there? Everybody else will!

The NACCW'S
10th Biennial Conference
Cape Town, July 1995

DETAILS ENCLOSED WITH THIS ISSUE



Last month we introduced the publication *Juvenile Justice for South Africa*. Here we examine some of the principles and definitions proposed by the authors.

Principles and policy for change

The policy changes outlined in the document *Juvenile Justice for South Africa* were grounded on a number of clear principles, but an attempt was also made to write the proposals in the form of legislation, thus testing the feasibility and practicability of the ideas. The underlying principles are listed below, followed by a list of definitions applying to the legislative proposals.

Principles

Any court or any person who exercises any power conferred by or under this Act shall be guided by the following principles:

1. The best interests of the young person shall be paramount in all actions.
2. Unless the safety of the community requires otherwise, criminal proceedings should not be instituted against a young person if there is an alternative means of dealing with the matter.
3. A young person may not be discriminated against, directly or indirectly, on one or more of the following grounds: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.
4. The vulnerability of young people entitles them to special protection during investigation.
5. A young person has the right to express an opinion, to be involved in all decisions and to have their opinion taken seriously in any matter or procedure affecting him or her.
6. A young person has all due process and constitutional rights together with these addi-

tional rights:

- (a) To have present at all decisions affecting them a person or persons important to his or her life, except where that participation would not be in the best interests of the young person.
- (b) To have matters explained to them in a clear, understandable manner appropriate to their age and in language which they understand.
- (c) When deprived of liberty, to be separated from adult offenders and suspects and to maintain contact with their family/community.
- (d) To remain in the Community during investigation and while awaiting a final resolution of matters unless it can be demonstrated that they are likely to endanger themselves or others.
- (e) To periodic reviews of placement.
- (f) To have procedures dealt with in time frames appropriate to young people.
7. The family/community is central to the well-being of the young person. Therefore in any decisions consideration should be given to:
 - (a) Ensuring that the family/community is involved in all decisions about the young person and
 - b) How decisions affecting the young person will affect the family/community.
 - (c) Strengthening the relationship between the young person and the family/community.
 - (d) Supporting the family/community so that they can deal with the offending young person themselves.
 - (e) Keeping disruptive intervention into family/community life to a minimum.
8. A young person should be

held accountable for his or her actions and should be encouraged to accept responsibility for his or her behaviour.

9. In deciding sanctions for a young person:

- (a) Age should be a mitigating factor in any decision about sanctions or type of sanctions.
 - (b) The sanctions should promote the development of the family/community.
 - (c) A young person should not need to be institutionalised in order to have his or her welfare needs met.
 - (d) A young person should only be placed in detention in exceptional circumstances.
 - (e) Where it is considered to be necessary, detention or imprisonment should be used for the shortest possible time, and never longer than the sentence that would be given to an adult committing a similar offence.
 - (f) young people in any form of custody should have the narrowest possible restriction placed on their constitutional rights.
10. The victim should have the right to be involved in all decisions about sanctions, and their interests must be considered in any decision.
11. In all actions, the procedures, penalties and other actions should have respect for the needs, values and beliefs of particular cultural and ethnic groups.
12. A young person has a right to protection from publicity about his or her offending and from having any records of offences as a juvenile cited in an adult court or in relation to any application for employment.

Definitions

Alternative Sentence. Any sentence that does not include whipping or incarceration and adheres to the Principles of the Act.

Arrest. To stop the forward motion or actions of a young person who is endangering other people, property or him or herself using the minimum force required under the circumstances.

Care Facility. Institutions approved by the Department of Welfare to provide care for young people ranging from open care facilities to secure care facilities.

Caution. The text refers to three types of caution. The first is an informal caution which is a

warning issued by a police officer at the scene of the alleged offending behaviour or in the presence of the parent or guardian. No record is kept of this type of caution.

The second is a formal caution issued at the police station by a police officer above the rank of constable. A record is kept by the police of this type of caution.

The third type of caution is a caution as a sentence handed down by the juvenile court either unconditionally or with conditions set out in section 12.3

Charge. A charge is laid only once a decision has been made to refer the matter to a Prosecutor. Prior to that time an incident has been reported, but a charge has not yet been laid.

Child Care Act. Child Care Act no. 74 of 1983

Children's Court Inquiry. Inquiry as set out in the Child Care Act no. 74 of 1983.

Closed Discussions. A discussion in private between the young person and one or more of the people present at a Family Group Conference.

Consensus. Agreement by the mutual consent of the participants of a Family Conference.

Duty Officer. The officer on duty at the police station when a young person is brought in by the arresting officer.

Family/Family Group. These terms are used interchangeably to describe the people that the young person defines as his or her supportive network. This may mean relatives of the young person or in the case of homeless children, may mean a shelter worker or other people close to the young person's life.

Family Group Conference. A meeting of all or some of the people who form the supportive network of the young person, and all or some of those people affected by the alleged offending behaviour of a young person, which operates according to rules and procedures set out in the text.

Guardian. A guardian is any responsible adult who expresses a *bona fide* willingness to assist the young person at any stage of the procedures set out in the text.

Humane Correction. Behaviour management which adheres to international standards.

Juvenile Court. A criminal court before which a young person is

appearing.

Language. Language which a young person understands. This means both the mother-tongue language of the young person as well as language appropriate to the age of the young person.

Open Care Facility. An institution provided for the care of awaiting trial young people who are not charged with a serious offence — presently called a place of safety.

Priority Status. The case must be given priority on the court roll. Absolute priority status means the case must be given absolute priority on the court roll.

Programme. An approved programme in which a young person participates as part of their acknowledgment of accountability for their actions. Such a programme may be run by state or non-state bodies.

Reception Process. Reception Process is a process by which an incident involving a young person is reported at a police station. During the Reception Process certain procedures are laid out regarding the handling of the young person by the duty officer and the Youth Justice Worker.

Referral Meeting. This meeting takes place as soon after the Reception Process as possible and is a procedure for making an initial decision about the handling of the reported incident.

Secure-car facility. A locked institution provided for the secure care of either awaiting trial or sentenced young people.

Serious Offence. Murder, armed robbery, robbery resulting in serious injury, rape, sexual assault, assault resulting in grievous bodily harm, arson resulting in serious damage.

Young Person. A person who has attained the age of seven but is under the age of 18. Used interchangeably with juvenile, as in Juvenile Court.

Youth Justice Worker. A person employed to carry out the tasks and responsibilities as set out in the text.

Juvenile Justice for South Africa: Proposals for policy and legislative change is available from the Institute of Criminology, University of Cape Town, Private Bag Rondebosch 7700, to whom enquiries should be addressed. This extract is published with permission. ■

CHILDREN

Successful work with challenging children requires the ability to look beyond deficit and deviance to find slivers of hope and normalcy in even our most difficult students.
Cathy Copeland
shared some time with an autistic child.

“Ah-Kheem”

I knew Ben for only a few months, but will remember him forever.

He was seven years old and rather small for his age. He had ordinary brown hair, a few ordinary freckles, ordinary arms and legs, and an ordinary seven-year-old mischievous twinkle in his big, brown eyes. However, this little boy was not at all ordinary. I was a school counsellor the first time I met Ben. I entered his classroom quietly with the intention of meeting each student. As I looked toward Ben, a broad smile spread across his freckled face. I spoke to him, but he did not respond. “Ben doesn’t talk,” his teacher said.

I watched from a distance and introduced myself to the other children in the class. Ben moved to a corner of the room and occupied himself with his fingers, a ritual that I would witness every time I visited him. He was able to move his pinky fingers into an “L” shape across his other three fingers. He’d done this

for so long that he could make this move with no help from his free hand, though at times he would use his free hand to



force his pinky finger further and further back.

This seemed to be a necessary activity — perhaps it restored some degree of order. Perhaps it opened a door behind which he could retreat to some safety. I do not know. As time went by, I became a familiar face to Ben; and he increasingly tugged at my heart. His puzzled eyes would stare into his teacher’s eyes as he cocked his head to the side. It was as though he was

pleading for some understanding — as though he found himself locked inside a

world far away from the rest of us, filled with fear and anger and distrust. Although his voice was used mostly for screaming and squealing during his fits, it was in this time of “pleading” that his eyes begged, and a small little-boy voice said with questioning this one word: “Ah-Kheem? Ah-Kheem?” He used his hands to communicate, but it was a self-styled method with only a limited number of motions indicating hunger or thirst. Ben did not play with the other children; and if anyone approached him, he would walk away — isolating himself and ignoring any activity around him.

On one occasion, I brought my guitar into his classroom. My intention was to engage another student; instead, Ben walked over to me. As I sang and played, he placed his small hand on the strings and cocked his head to one side. He stayed only a moment, but it was a moment in which something as simple as music connected the two of us. In an instant he retreated again — to that unknown world occupied only by Ben and his demons.

There were times when Ben would bite himself or bang his head against the wall of his desk — as though his anger and frustration collided and a battle raged within. There were other times when he was loving and seemed to seek a human touch and a gentle, comforting voice. His teacher began to understand something about this need and would stroke his arms as they stretched across his desk. Almost as a lullaby, she would softly repeat, “Ah-

Kheem ... Ah-Kheem.” Suddenly, this was a different seven-year-old. He became still and often put his head down, seemingly mesmerised in a dream-like calmness. But even these times were filled with uncertainty. His behaviour could become erratic without warning; one second he was hugging his teacher, the next, he was biting, kicking, hitting, or spitting on her. Who was this enemy within? And what was the War all about? No one knew — least of all Ben.

I grew that year, as did Ben and his teacher. Ben was able to learn some hand signs typically used by those who are deaf. With much patience and repetition, he was able to place various shapes into their proper spaces, as well as to pick up his toys and put them in the correct bins. His teacher grew by adding many skills to her repertoire and a tremendous amount of knowledge to her understanding and ability to work with autistic children.

As for myself, I witnessed a compassion and caring that few others in the school would ever have the opportunity to see. Often bitten and beaten, and usually frustrated that she could not get inside of this tormented little boy and calm the storm, this very special teacher persevered. She was able to develop a “knowing” of Ben — not an understanding — but an abiding connection achieved by a oneness that they were able to share only once in a while. It was as though “Ah-kheem” meant something, but only to Ben and his teacher.

Although I will never really know what they knew, “Ah-Kheem” has a special place in my heart, as do Ben and his teacher. For me, “Ah-Kheem” means “Help.” Help me as I am. Love me and accept me. See me as I am, not as you are; and realise that I need calmness in a chaos over which I have no control. As a counsellor, this one little word taught to me by one small, autistic child sums up the humanness we all seek in an inhumane existence. So from me to you, “Ah-Kheem.”

The Journal of Emotional and Behavioural Problems

The first of two articles based on a workshop by Professor Michael Bourdillon of the University of Zimbabwe

Part I: The Problem

The Children on our Streets

Everybody seems to agree that street children comprise a growing problem in Africa's cities. This is why most of us are interested in street children. This agreement is, however, very deceptive. When we start asking precisely what the problem is, we find we get different answers. So the first question I think we ought to face is: 'Is there really a problem?' If so, what precisely is the nature of this problem?

I remember once raising this issue in a workshop. A social worker started asking aggressively: 'Are you suggesting there is no problem?' I hedged and tried to explain that the issue was not as clear as seems at first sight. Eventually she got tired of my academic talking round the issue, and said firmly: 'The children are no problem; the problem is the police who keep rounding them up and sending them to us!'

When we start thinking precisely about what the problem is, we will find there are different problems for different people. Let us start with administrators, including government officials at all levels.

Administrators' problems

Planners do not plan for street children. Wherever street children appear, they are not in the plans — and not wanted. But they are there through force of circumstances. It is no good deciding where we do not want them and trying to wish them out of existence. We need to decide where and how we do want them to live in a way that is practically possible.

The government has the responsibility for looking after all its citizens. When there are children on the streets, who do not have adequate food and shelter, government is clearly failing in its responsibility.

Some members of government

genuinely care about their responsibility for their people. So deprived children are for them a problem.

From the administrators' point of view, there are at least three other evident problems that do not arise from such social conscience. One of these concerns is the image of the city or the country: street children are unsightly. They tarnish the image of a modern, well administered city.

They offend middle- and upper-class ideas of what life should be like in a city. The presence of street children offends particularly those administrators who are responsible for running the city properly: it looks as though they are incapable of doing their job properly.

If this is the major problem, the solution is simply to round up the people concerned and put them out of sight. I think most of us would agree that this is not the way to conceive the problem, and that such solutions are not humane. But it is the way some people subconsciously think. We hear people talking about "cleaning up" the city, as if these children of our country can be considered "dirt" — sometimes they are explicitly spoken of as "dirt".

A second problem facing administrators is that if they are to be held responsible for the running of society, they need to be in control. Flagrant breach of law cannot be tolerated. Street children often do break the law. They are often involved in minor crime. They certainly do not respond well to attempts to control their activities — especially where money is concerned.

This leads to a third, and more serious, problem for administrators: street children sometimes threaten the rights of other, more law-abiding, citizens. Apart from threat to people's property, street children

sometimes harass the public, and can threaten their physical safety.

The Public

The public has diverse perceptions of the problems of street children. Some of these relate to the threat to persons and property that I have just mentioned. There are also some less selfish problems perceived. Street children are often homeless, hungry and abused, and we need to do something to help them. Street children appeal to our paternal or maternal instincts to protect and care for young children.

Having young children on the street offends our ideas of what childhood should be about. We believe that all children should have a home to go to, to provide shelter, and a caring family environment.

All children should have security. They should be able to play games and have fun. They should be improving themselves at school. Children should not have to earn their own living. They should be clean and wash regularly. They should be healthy, and get help immediately when they are sick. These we regard as the fundamental rights of children, and street children appear to be denied some or all of these rights. Partly out of sympathy, and partly out of a sense of guilt about our own comforts, it offends us when we see children deprived of these essentials of childhood.

One reason for trying to do something for the children is our concern for the future. When we see children neglected on the street, we worry about what this means for the future of our society. When we see young children fighting with knives, we worry about how violent they will be when they grow up. Our concern for

the children is mixed with a concern for ourselves and our own children.

Related to all this are issues of society and culture. People are fundamentally social beings. The human body operates in co-operation with other people through a system of learning. From infancy onwards, we have been learning skills of how to cope with everyday situations, including skills of language, of etiquette, as well as more specialised skills.

Our learning only works within society and culture. These need a degree of stability for us to feel comfortable as we carry out our intricate variety of learned routines. So we have an image of how society should be. We are disturbed by people who threaten this comfortable stability with radically different ways of organizing themselves and behaving generally. Street children, by their visibly different way of life, disturb us.

Our instinctive reaction is draw such children back into our way of life and our values. We think of reintegrating them into society and into schools. We think of how to get these children as near as possible to what we think childhood ought to be. Our instinctive reaction, like the reaction of authorities, is how to keep the children off the streets. We would be less disturbed if they were made less visible.

Welfare Organisations

Social welfare organisations often share the problems of other people among the public, but they may have further problems specific to their work.

People in government departments of social welfare may subscribe to the ideals of the government they work for. Or they may be more sympathetic to the children, as the lady I described at the beginning. In this case, they have yet another problem. How do they reconcile what they think is best for the children, with what their superiors tell them to do? How can they satisfy their superiors and, at the same time, the needs of the children?

NGOs often have problems of interference from government, or at least lack of co-operation. How do you try to help children on the street, when these children are constantly being rounded up and imprisoned in



***For the children,
being on the streets
may be a solution to
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It may be the
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parents.***

institutions? How do you try to protect the interests and rights of the children, without acquiring the reputation of being trouble-makers — with all the problems that go with such a reputation?

The children and their families

For the children and their families, being on the street is not a problem. It is their solution to a number of problems. Crowded living conditions are a problem. A young lad who shares a single-room with his mother and two grown-up sisters with children of their own, solves a problem by finding somewhere to sleep with his friends. He remains attached to his family and visits them regularly. He is integrated with them and does not need to be reintegrated. But it is better for him to sleep out than to stay at home. When he finds a group of friends with whom he can stay at night, his situation has improved. He becomes visible as a street child and part of *our* problem, but for him, being on the streets solves the problem of sharing an overcrowded room.

For the families and the children, child labour is not a problem. It is the solution to the

problem of not having enough money to feed and clothe the children. Child labour can be a problem. If a child is forced to work all day for an adult who takes most of the child's earnings (as sometimes happens with refugee children who are afraid of being repatriated if their plight is known), this is inhumane and unjust. It may be a problem for children to have to do hours of manual labour at school, or to spend much of their day in misery learning useless and boring information. (Somehow, we always accept child labour if it is enforced in the 'respectable' environment of the school.) But spending a few hours earning a bit of extra money for himself or the family can be quite fun.

One little girl was sitting with her friends selling things by the side of the road. She had a large bunch of bananas to sell. When a potential customer wanted to buy the whole bunch, she refused. After much argument, she eventually explained. "If I sell you the whole bunch, what am I going to do for the rest of the day? I can't sit here with nothing to sell."

Being out of school may not be a problem. Paying school fees for an education that will be useless in terms of finding employment is a problem. Living under an authoritarian teacher can be a problem, especially one that regularly beats, or verbally abuses, vulnerable children. Spending hours doing boring and totally useless and meaningless learning is a problem. Opting for the streets solves all these problems.

Breaking the law in money-making rackets is not a problem: it is a partial solution to the problems of poverty. Sniffing glue relieves the pain of cold and hunger. Taking alcohol or marijuana relieves boredom, and enables a child to become part of a supportive group. And so on.

For the children, being on the streets may be a solution to problems of violence or neglect at home. It may fulfill a need for ambition or adventure. It may be the solution to having no home or no parents.

The problems for the children are things like lack of security, cold in the winter, keeping dry in the rains, hunger at times (though quite often they earn very well in Harare), what to do

when they are sick, where to keep their belongings or savings, how to prepare for an adult future. Perhaps their biggest problem is harassment — from the police, from governments, from criminals, from their peers.

They also have problem maintaining their self-respect and self-image, when people like us criticise the way they live or their values, or demand that our feelings of what is right for children are the only correct ones. They may feel inferior and guilty when NGOs or social workers tell them how they ought to go about things, what they ought to want and do.

There may be other problems of which they are not fully aware, the danger of AIDS or other diseases, or of sniffing glue. But let us not confuse our problems with theirs. We need to remember that sometimes our problems are their solutions, and sometimes our solutions are their problems. If they are part of our problems; part of their problem is us!

What are the real problems?

If authorities, the public, social workers, children and their families all have different problems, what are the real or most important problems? Our first reaction may be to say that the children's problems are the most important. But there is no simple answer.

Children know what some of their problems are, but they often do not have the knowledge or the experience to understand the difference between their fundamental problems and the symptoms. And they often do not know how to resolve their problems in the long term.

Sometimes the children have to adopt the tough culture of the streets. When they are with their peers, they have to act and speak as if they enjoy street life. When you continually act and speak in a particular style, you get to think that way.

When they are with us, they may express a desire to leave the streets, go to school and fit into a more normal mode of life. Then back with their peers, they give up the opportunities we offer them, and steal from the hand that feeds them. How do we work out what they really want and when they are pre-

tending? Sometimes they do not know themselves.

The other problems I have mentioned are real problems, even if they are not the problems of the children. Most of us want an orderly and safe city to live in, and we cannot simply let people disrupt the order of our lives with impunity.

There is another issue in trying to assess the real problem: it is not always clear which children are most in need of help. The boy who looks most pathetic might in fact be the boy of initiative, and a talented actor, earning a good living from his begging routine. The children that respond most readily to any organisation offering to help, might again be those with a sharp eye for gain and a good sense of initiative. The children who are not coping with street life might be more withdrawn and thus less visible. Such children might be suffering abuse, or extreme poverty and overcrowding at home. The visible children attract attention, but they are not necessarily the ones most in need of help.

In Harare, much attention is paid to street boys, who are very visible on the streets. Homeless girls quickly get drawn into the sex industry. They spend less time on the streets, and when they do appear they look well dressed and well nourished. They are not so noticeable, and people hardly ever talk about them. As far as I know, no organisations here have focused their attention on such girls. Yet, arguably, these girls are more abused and more in need of help than the boys.

There is no simple answer to what or who are the most important problems, and what are the best solutions. In different organisations, we try to help in different ways. We do the best we can, not expecting it to be perfect, hoping that in some way we can help. But we cannot help if we do not think very carefully about what problems we are trying to solve, and whose problems these are. ■

Michael Bourdillon has taught for many years in the Department of Sociology at the University of Zimbabwe. He helped establish *Streets Ahead* to help street children in Harare. He has published a book on a harassed homeless community.

Policy delays frustrate those wanting to get on with the job

My professional and personal contact with child care spans a 10-year period, with the last three years as principal of a Children's Home. While we all fully appreciate that we are living in a new South Africa, and any new administration needs time to be established, the emerging issues already look like we are in for a long haul.

Policy

For the past five years or so, there has been a circular process of speaking to state departments — the juniors going to the seniors, the seniors to the Minister, then coming back with the response, a year or so later, that some Committee or other will look at it. Currently, the new government has Strategic Management Teams (SMT's) consulting and developing policy for specific Departments and sectors within those Departments. This is an improvement on the past, but there is an enormous amount of duplication taking place. In the Western Cape, established multi-disciplinary professional teams have been examining issues, such as juveniles in detention and institutional abuse protocols, to give two examples. With the advent of the SMT's we have been able to identify up to six different groupings within a single province discussing the same issue. This is gross mismanagement of time and resources, and indicates a lack of direction. At a national policy level, we must bear in mind that Welfare is controlled by a Nationalist Party Minister in the Government of National Unity, and many of the Provincial Welfare Ministers are from the ANC. We couldn't have hoped for a more intriguing situation than the obvious trade-offs which will have to take place at Budget time. And we all thought that Welfare was an apolitical and neutral field ...

Research

Does anyone know of any meaningful national research regarding the *type* of care needed and *how many* children and families need care? Unless it's a state secret, for reasons beyond comprehension, there can be no reason for us to be without constantly updated research. Current information would help many children's organisations in their strategic planning and in assessing changing needs.

Financial Issues

Private welfare organisations offer various programmes and receive subsidies for these services. As such, the responsibility of the state is meant to be fulfilled on a "sub-contract" basis. Which child care organisation is satisfied with their financial deal from the state? The gap between *actual costs* and *subsidies* has widened to the extent that some homes have to raise between 40% — 60% of their operating budget. A large proportion of staff time and energy has to be diverted towards raising funds. Why should we have to beg? The state department sets the standard for each home, and then only provides a small portion of the operating expenditure. It is quite obvious that the state-run Places of Safety have an *actual cost* budget of two to three times the subsidy provided to privately run homes. Why should privately run homes not be given the same allocation? When one reads of R2 Billion (yes, Billion) worth of fraud in the Welfare Department, one seems to have part of the answer.

Can we deliver?

It will be a sad day indeed when our only concerns relate to issues distant from the needy people we serve. Policy and administration issues are important, but we will be left behind completely if we can't get past these matters speedily, and get on with the task at hand.

Priorities

Welfare as a national issue has yet to discover where it stands in the list of priorities. That is determined by the politicians, who then make the Budget allocations. So far, it looks as though the RDP will offer support for a limited number of projects. Existing welfare services will probably receive similar or reduced subsidies over the next few years. In the absence of clear policy and budget direction, where existing organisations look for ways to expand and improve services to meet the changing needs, a deafening and paralysing silence prevails. I hope that consultation and discussion at the highest levels will facilitate speedy and


meaningful changes. As practitioners and taxpayers we ought to insist on this.

Leon Isaacson
Cape Town

Thanks

On behalf of our organisation, the Cape Town City Mission Homes and Services, I would like to express sincere thanks to the Editorial Board and staff of *The Child Care Worker* for your excellent publication. The articles are relevant and informative. The context of "within community" is an important emphasis which I have enjoyed recently.

Lorenzo Davids
Bridgetown



Working with Youth at Risk


A new course for child and youth care workers, teachers, social workers, parents, youth justice workers, youth workers — all who work with young people at risk.

Module 1: *Developmental Work with Youth.* (40 hours of training in eight 5-hour workshops)
Module 2: *PART — Professional Assault Response Training* (16 hours of training over two days, though courses can be tailored to accommodate the needs of individual student groups)

PART Training of Trainers: Senior workers can be trained and certified to train others in their organisations.

Information leaflets available from any NACCW office.

Address further enquiries to Jackie Winfield or Lesley du Toit on telephone (031) 463-1033/99. Write to NACCW, P.O. Box 28323, Malvern 4055.



Conference

The President and Secretary-General of FICE International will be attending so this looks like being quite a FICE event.

Prof. James Anglin will be giving the keynote address on *Reconstructing a World in which Children can Live, One Family at a Time*. He will also be giving further papers on the important subject of fostering change in child and youth care practice, and a workshop *Fostering Personal Transformation in the Process of Professional Development*. Other delegates from abroad include **Eli Amir** from Israel who will talk on integration of children from different cultures, and taking steps towards peaceful co-existence. **Phil Biondo** from the USA hopes to talk on the use of wilderness interventions with aggressive clients and **William Little** will look at child care training in the state of Ohio.

Many interesting local speakers will present subjects such as: education for out-of-school children, effective volunteer management, long-term survival in child care, an indigenous model for awareness, and parent/child relationships. These subjects will be presented by a wide range of people working in the field and include child and youth care workers, academics, directors of institutions. We are looking forward to a stimulating and challenging Conference to celebrate the NACCW's 20th anniversary.

Developing Welfare Policy

A National Strategic Management Committee (NSMC) consisting of representatives from national, regional welfare and population development departments, as well as the RDP office, has been established. Among other tasks, this Committee is responsible for the White Paper on welfare policy and legislation, and restructuring welfare delivery, financing and budget. The technical committee on HRD aspect of the White Paper has requested that NACCW submit a detailed proposal on child and youth care human resource development by the end of this

month. This will cover basic principles, training, salaries and service conditions, registration, ethics, etc. — very similar work to that done recently by the task team. NACCW Regional Executives were asked to encourage contributions from members. The Task team is on hold at the moment, waiting for the go ahead from the Technical Committee on HRD.

The Profession

NACCW Director Lesley du Toit met with the SA Council for Social Workers Executive Committee on 21 February 1995 in Pretoria (at their request) to present the case for child and youth care being established as a profession separate from social work. (Prof de Bruyn's advocacy in this regard has been invaluable). They were most understanding and receptive and have formally agreed to help establish structures and legislation which will enable child and youth care workers to have their own council, but to work in close co-operation with other professionals. They fully agree that child and youth care is not a form of 'auxiliary social work' and that child care workers should not have to work "under" social workers. One possibility is that they will ask to change the Social Work Council to the Social Work and Allied Professions Council and this will function in a similar way to the Medical and Dental Council.

Degree Programme

Prof James Anglin, Prof de Bruyn and Lesley du Toit will be working in 1995/1996 to establish the BA degree in child and youth care. They will begin on the curriculum within 1995 and it is sincerely hoped that those who complete the Certificate in Child and Youth Care will be given some form of credit towards the degree. Once the state has formalised the new PAS and HRD programme for child and youth care, UNISA will be in a position to set up the structures for the degree.

Concerns over programmes and subsidies

Many organisations are concerned about this at present and it seems that the govern-

ment departments themselves are unclear as to the way forward. Some regions have decided that programmes do not have to be submitted this year, while others have brought subsidies in line with the old "House of Assembly" grant (which for some has meant a cut in subsidy).

It is disquieting to hear presentations from various organisations' representatives (at NACCW meetings and elsewhere) suggesting future cuts in subsidy and very little support for residential care. All those who have concerns or who have received confused messages regarding this should write to Lesley du Toit giving details of their experiences and concerns as soon as possible.

Staffing

The NACCW has been deeply saddened this month to lose the services of both André Thompson (Cape Town office) and Glynnis Lee (secretary in the National Office). André has been with the NACCW for only a short time, but has in that time been highly appreciated by his colleagues and has built many bridges and helped to re-establish the professional services in the Western Cape. André has been "seconded" to SOS Children's Villages in Namibia for a six-month period. Glynnis was with the NACCW for six years and has in many ways kept us all going through thick and thin. She resigned to take up a full-time position in work that she has been longing to try out and we wish her much success.

Lesley du Toit writes: "I would like to ask that members be particularly patient and aware of the extra loads carried by all staff due to retrenchments and resignations. It is essential for everyone to understand that we will not be able to offer the same degree of service as we did in 1994."

Childhood Injury Prevention Week

This will take place from 6 to 12 August 1995. Every year more than 3000 children under the age of 15 die in South Africa due to injuries or so called "accidents". This is an average of nine children a day. Hundreds of thousands are also injured. During this Week special focus will be placed on the importance of the prevention of childhood "accidents". The Child Accident Prevention Foundation will distribute educational materials on child safety, have media coverage and exhibitions during this Week.

Parents and caregivers should take care especially with pre-school children. Make sure your home is "childproof" and be aware of hazards in your child's environment. Most "accidents" happen in and around the child's own home.

Numerous pamphlets on accident prevention are available free of charge covering such subjects as drownings, burns, poisonings, choking and suffocation and others.

Contact the Child Accident Prevention Foundation, P.O. Box 13115, Sir Lowry Road, Cape Town 7900.

THE HOMESTEAD

(Projects for Street Children)

We require the services of a full time Co-ordinator for our Drop-In Centre. The successful applicant will need to be strong and resourceful, able to deal with exceptionally difficult children and have good writing and administrative skills. A qualification in primary school education or social work, and a driver's licence are necessary prerequisites. *Phone 419-9763/4 between 12:30 and 4:30pm. Ask for Paul*

THE HOMESTEAD

(Projects for Street Children)

We require the services of a part time Typist/Admin. Assistant. The successful applicant must be familiar with Microsoft Works and D-Base. Must be able to work in a turbulent but creative environment, and have good people skills. *Phone 419-9763/4. Ask for Annie*

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EDITORIAL

The case for continuing child care services

As planning and consultation progresses about welfare in general and child welfare in particular, the place of residential child care services in the future is often questioned. The basis for this is well understood. Worldwide the family and the community are acknowledged to be the best places for children to be brought up. For the past fifty years the benefits of institutions have been in doubt, and indeed positive harm has been associated with many aspects of institutional care. The very existence of institutional care for children and young people is often seen as a rebuke to a society which has somehow failed to uphold its family values.

Certainly the child and youth care field itself has shared in these misgivings. Moves towards professionalisation have been accompanied by the development of clear ethics and the principle of registration. The rights of children have become integral in child care training, administration and practice. Historically the NACCW itself has been a strong promoter of the positive aspects of care and the involvement of families. The resolutions of its very first National Conference in 1977 the called for children to be placed near their families, for families and children to be involved in the admission process, for periods in places of safety to be shorter, and for residential care to be seen not as an end in itself, but as part of family care. Since then, the extensive training programmes of the NACCW have gone a long way towards promoting more focussed and

purposeful child care intervention, with emphasis on the family and community contexts.

Judged by the past

The child care service in South Africa has been in a catch-22 position for many years. On the one hand it has actively promoted the expansion of child care roles into preventive, family and follow-up services. At the NACCW Conference ten years ago, much time was devoted to a proposal on subsidies which would reward child care programmes which concentrated more actively on children's problems, family reconstruction and speedier return of children to their communities. These proposals fell on deaf ears. To this day, for all the talk of programmes, children's homes are still subsidised on the primitive basis of the number of children resident, with no support for work undertaken beyond the walls of the institution. Those organisations which have bravely pioneered better programmes which returned children home sooner received no help with their improved staff and simply lost subsidies when children went home. The spirit was willing, but the insight and foresight of the state was weak.

Progress, yes and no

The progress we have seen internationally is that children are no longer kept *unnecessarily* in institutions. Progress which we have unhappily *not* seen is that society has anywhere moved beyond the need for residential institutions. Michael Durrant, writing from the Australian

viewpoint in 1993, said: "Residential treatment is here to stay. However sophisticated our therapy skills become, however extensively we are able to establish community-based support services, I cannot imagine a time when there will not be court-ordered placements ... Services that seek to prevent residential placement, such as 'intensive family-based services', are an important addition to the mental health and welfare field; however, their proponents are clear that these services do not mean that placements never occur."

UK psychiatrist Philip Barker is strongly critical of negative institutional experiences. Yet he reminds us of two groups of children we will always have to cater for: (a) those who need placement whatever the programme being offered, for example, to protect the community, to protect the child, or those whose behaviour is so disturbed as to be more than community resources can deal with; and (b) those who definitely benefit from residential programmes, for example, the 'we've tried everything' cases, and those who need treatment which is beyond skills of parents.

Baby and bathwater

We agree with those who say that children should not have to be admitted to institutions. We may also say how awful it is that there are children who must be hospitalised for leukaemia — but we cannot simply shut down the hospitals until leukaemia is conquered.

In the same way, with all the work that must be done with youngsters in difficulty in this country, let us never risk losing the immense experience and potential resources of our residential child care organisations until we have solved the problems of family breakdown, seriously troubled kids and abuse.

The child care worker

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Editorial Office: P.O. Box 23199, Claremont 7735, South Africa. e-Mail: pretext@iaccess.za. CompuServe 100075.1233. Telephone/Fax: (021) 788-3610. *The Child Care Worker* is published on the 25th of each month except December. Copy deadline for all material is the 10th of each month. **NACCW Members:** Journal and Individual Membership R55.00. **Non-members:** Subscription: R55.00 p.a. Agency or Library Subscriptions: R55.00 p.a. post free. Commercial advertisements: R3.00 column/cm. Situations Vacant or Wanted advertisements for child care posts are free to Corporate and Individual Members. All enquiries, articles, letters and new subscriptions may be sent to the Editor at the above address. **Editorial Board Members:** Merle Allsopp BA, HDE, NHCRC; Marcelle Biderman-Pam BA (SW) (Hons); Annette Cockburn LTCL, Dip.Ad.Ed.(UCT); Leon Isaacson, Kathy Mitchell BA; Pumla Mncayi BA (SW); André Thompson NHCRC. *United Kingdom:* Peter Harper MSc (Clinical Psychology); *United States:* Dina Hatchuel BSocSc (SW) (Hons) PSW MSocSc. **Editor:** Brian Gannon