

Reasons for not finalising child sexual abuse cases in alternative care: social workers' perceptions

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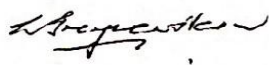
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- ❖ Prof. L. A. Greyvenstein for the English language editing.

ENGLISH LANGUAGE EDITING CERTIFICATION

This is to certify that the English language editing of this dissertation by Ms V Grunder was done by Prof L A Greyvenstein.



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STATEMENT

I, **Veronica Grunder** hereby state that the manuscript entitled:

***Reasons for not finalising child sexual abuse cases in alternative care:
social workers' perceptions***

is my own work.

Grunder

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2014-11-13

Date

SUMMARY

TITLE: Reasons for not finalising child sexual abuse cases in alternative care: social workers' perceptions

Key words: Alternative care, children, finalisation, sexual abuse, social workers

Dealing with child sexual abuse cases, is an integral part of the social workers job. Due to the nature of the abuse and the provisions made by the Children's Act, 38 of 2005, as amended, to safeguard the child victim, many social workers remove children of child sexual abuse cases and place them in alternative care.

The **aim** of this study is to explore the perceptions of social workers on the reasons why child sexual abuse cases in alternative care is not finalized. Some of the factors that play a role in not finalising these cases are: the high case loads of the courts and social workers, the lack of cooperation from the South African Police Service, the notion that if a child is removed, the child is safe and further intervention is a luxury.

This study reveals that there is a lack in training and adequate knowledge on how to deal with child sexual abuse cases. The study also indicates that a lack of communication between the role players in child sexual abuse cases exists, causing some social workers to lose their drive for these cases. Due to the high amount of cases of the Police, the courts and the social workers, these cases are not always seen as a priority and the fact that the child is not as adequate a witness as he/she needs to be, finalising these cases are not very successful. Another reality made known from this study, is that there is a dire need for forensic social workers in the field and alongside it, there is a lack of funds, prohibiting social workers to make use of the few forensic social workers in private practice.

It was indicated that forum meetings and training be provided to all the stake holders in child sexual abuse cases, as well as to develop a clear protocol, indicating how to deal with these cases and explain each stakeholder's role and responsibilities.

OPSOMMING

TITEL: Redes waarom sake van seksuele misbruik van kinders nie gefinaliseer word tydens alternatiewe sorg nie: persepsies van maatskaplike werkers

Sleuteltermes: Alternatiewe sorg, finalisering, kinders, maatskaplike werker, seksuele misbruik.

Die hantering van sake van seksuele misbruik van kinders maak 'n groot deel van die maatskaplike werker se werk uit. Weens die aard van die mishandeling en die voorsiening wat deur die Kinderwet, 38 van 2005 gemaak word om die kind te beveilig, word hierdie slagoffers verwyder en in alternatiewe sorg geplaas.

Die **doel** van hierdie studie is om maatskaplike werkers se persepsies oor waarom sake van seksuele misbruik van kinders in alternatiewe sorg nie gefinaliseer word nie, te bepaal. Van die faktore wat daartoe lei dat hierdie sake nie gefinaliseer word nie, is: hoë aantal gevalle van die howe, hoë gevalleladings van maatskaplike werkers, 'n tekort aan samewerking van die Suid-Afrikaanse Polisie, die neiging dat sodra 'n kind beveilig is, verdere ondersoek 'n luukseheid is.

Die resultate van die studie dui daarop dat daar 'n tekort aan opleiding en genoegsame kennis bestaan om met sake van seksuele misbruik van kinders te werk. Die studie dui ook daarop dat daar 'n tekort aan kommunikasie bestaan tussen die rolspelers van sake rakende die seksuele misbruik van kinders, wat daartoe lei dat maatskaplike werkers hul dryfkrag vir hierdie sake verloor. Weens hoë aantal sake wat die Polisie, die howe en die maatskaplike werkers moet hanteer, kan hierdie sake nie altyd as 'n prioriteit gesien word nie en die feit dat die kind nie so 'n betroubare getuie is nie, word die finalisering van hierdie sake nie altyd suksesvol afgehandel nie. 'n Ander realiteit wat na vore gekom het in hierdie studie, is dat daar 'n groot behoefte aan forensiese maatskaplike werkers in die praktyk bestaan. Tekort aan fondse beperk maatskaplike werkers om forensiese maatskaplike werkers in privaat praktyk te benut.

Aanbevelings van deelnemers in hierdie studie is dat forumvergaderings en opleiding aan alle aandeelhouders in sake van seksuele misbruik van kinders gebied moet word, asook dat daar 'n protokol ontwikkel moet word wat elkeen se rol en verantwoordelikhede duidelik aandui.

FOREWORD

The article format was chosen in accordance with regulations A.11.2.5 for the degree MA (Social Work in Forensic Practice). The article will comply with the requirements of the journal, *Social Work/Maatskaplike Werk*.

INSTRUCTIONS TO THE AUTHORS

SOCIAL WORK/MAATSKAPLIKE WERK

The journal publishes articles, book reviews and commentary on articles already published from the field of Social Work. Contributions may be written in English or Afrikaans. All contributions will be critically reviewed by at least two referees on whose advice contributions will be accepted or rejected by the editorial committee. All refereeing is strictly confidential. Manuscripts may be returned to the authors if extensive revision is required or if the style of presentation does not conform to the Journal practice. Articles of less than 2000 words or more than 10 000 words are normally not considered for publication. The article must be in Times Roman, fontsize: 12 and in double spacing. When word- for- word quotations, facts or arguments from other sources are cited, the surname(s), year of publication and the page number(s) must appear in parenthesis in the text, e.g. “...” (Berger, 1976:12).

More details about sources referred to in the text should appear at the end of the manuscript under the caption “Reference”. The sources must be arranged alphabetically according to the surnames of the authors. In terms of SANSO-014 the Journal is classified as an approved research journal for the purpose of subsidy by the State.

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SECTION A:

Reasons for not finalising child sexual abuse cases in alternative care: social workers' perspective

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1. INTRODUCTION AND PROBLEM STATEMENT

Child sexual abuse is a world-wide problem. It is experienced in various countries such as America, Europe and Africa, and also in various provinces of South Africa including the Gauteng Province (Chitereka, 2010:29; Galloway, 2013:1; Meel, 2008; Rape Statistics: South Africa, 2011). The South African Police Management (2012/2013:2) reported in their latest report on crime statistics in South Africa that crimes in South Africa declined over the past 9 years (2004/5 to 2012/13) both in ratios and raw figures. In the same report the sexual offences in the Mpumalanga Province (South Africa, 2012/2013:54) increased from 4,092 cases in 2012/2013 to 4,267 in 2012/2013. These statistics show the seriousness of sexual offences in the Mpumalanga Province. South Africa has been branded as the “rape capital of the world” according to Calitz, (2011); Goosen (2012) and Mengel (2008).

Child sexual abuse is a complex life experience, not a diagnosis or a disorder (Putnam, 2003:269) and has existed from time immemorial, recorded in the history all over the world (Crosson-Tower, 2004:186; Lawrence, 2005:7). Sexual abuse according to the Children's Act 38 of 2005, as amended (South Africa, 2005) is: (i) sexually molesting or assaulting a child or allowing a child to be sexually molested

or assaulted; (ii) encouraging, inducing or forcing a child to be used for the sexual gratification of another person; (iii) using a child in or deliberately exposing a child to sexual activities or pornography; or (iv) procuring or allowing a child to be procured for commercial sexual exploitation or in any way participating or assisting in the commercial sexual exploitation of a child (South Africa, 2005:11).

Goldman and Grimbeek (2014:3) and Lawrence (2005:23) add actions such as rape, sexual sadism, paedophilia and incest, whilst Downs, Moore and McFadden (2011:214) add fondling, prostitution and any type of penetration. A child according to the Children's Act 38 of 2005, as amended (South Africa, 2005) is a person under the age of 18. The sexual abuse of a child is a serious social problem that is being dealt with by social workers. The Children's Act, 38 of 2005, as amended, gives the option in Chapter 11 (sections 167-179) to place a child in alternative care, when they are being sexually abused by their caregiver. Alternative care is the care of a child placed in foster care, child and youth care centres, temporary safe care (South Africa, 2005). Children's court can be opened to place a child in alternative care. In South Africa, social workers do not always finalise child sexual abuse cases. This can mean that they do not follow through the full extent of the case, including the criminal court procedures. There are various reasons for not finalising, and the aim of this study is to determine the perceptions of social workers regarding this issue.

Millions of children are involved in legal actions, specifically children who endured sexual abuse (Quas & Goodman, 2012:392). In 2002 up to 25% of girls were sexually abused annually in the USA (Kellogg, 2005:2) and according to the WHO Global School-based Student Health Survey, 9%-33% of children in Africa are sexually abused (Girgira, Tilahun & Bacha, 2014:94). According to the Department of Social Development, (South Africa, 2012:9) the 2010/11 statistics from the South African Police Service recorded over 50 000 crimes against children, and 52% of all these crimes against children were sexual in nature. The National Youth Victimization Study (Department of Social Development, 2012:43) found that 21% of young children in South Africa stated that they were most afraid of sexual assault. Children are victims in half of all reported cases of indecent assault, and close to half of all reported rapes (Richter & Dawes, 2008:83). This indicates the reality of

the matter of sexual abuse experienced by children, leaving a gap in the country's child protection services that should be addressed. The Nkangala district in Mpumalanga did show a 7.9% decrease in sexual crimes according to the South African Government News Agency (2012). In practice, social workers at the SAVF (*Suid-Afrikaanse Vroue Federasie*) Belfast Child and Youth Care Centre, in the Nkangala district of Mpumalanga (including Belfast, Delmas, Dullstroom, Hendrina, Kriel, Machado Town, Middelburg, Ogies, Phola, Pullens Hope, Rietkuil, Waterval-Boven and Witbank) experience numerous cases where children who have been sexually abused are placed in the facility or other alternative care placements for safe guarding. These cases usually result in the child not being able to visit home, due to the perpetrator still living at home. In these cases, the child will either visit relatives or holiday parents, but not easily get the chance to visit home. At the SAVF Child and Youth Care centre in Belfast the social workers also experienced that the sexually abused child in most cases is placed in the facility without the finalisation of the sexual abuse case and the prosecution of the alleged perpetrator. The sexually abused child is confronted with a demand for role performance that is inappropriate to his/her mental, physical, emotional and social development (Bezuidenhout, 2008:62; Finkelhor & Browne, 1985:2; Kellogg, 2005:1; South Africa, 2012:15) and they cannot protect themselves (Girgiria *et al.*, 2014:92). There are a number of laws that serve either to assure the right to protection or to prevent sexual abuse of children in South Africa (Bezuidenhout, 2008:6) such as:

- **Films and publications Act 65 of 1996**, protects children from exploitation in pornography (South Africa, 1996b).
- **The Children's Act 38 of 2005 along with the Amendment Act 41 of (South Africa, 2005)** makes provision for the protection of children against sexual abuse and this includes: sexual molestation/assault; encouraging/inducing or forcing a child to be used for the sexual gratification of another person; using a child in or deliberately exposing a child to sexual activities or pornography; procuring or allowing a child to be procured for commercial sexual exploitation or participating or assisting in the commercial sexual exploitation of a child; and trafficking. Reference here, can be made to articles 110, 111, 120, 135, 141, 150, 151, 152,

154, 155, 155—159, 171, 173, 174, 282 - 288. This gives the opportunity for the child to be removed from the sexual abuse environment, placed in safety and given a situation that is in the best interest for him/her. Foster care, institutional care or place of safety placements are the options to social workers. Reunification services are also needed, but this poses a problem if the perpetrator is not prosecuted. The perpetrator can also be removed from the home, leaving the child in the home environment. All these are possibilities that can be utilized by social workers in the process of safe guarding the child who is sexually abused.

- **The Criminal Law (Sexual offences and Related Matters) Amendment Bill 2007 (South Africa, 2007)** makes provision for the protection of children in terms of: sexual consent; statutory sexual assault; sexual exploitation and grooming; exposure or display of pornography to children and/or using children for pornography purposes or benefiting from child pornography; compelling or causing children to witness sexual offences; establishing a national register for sexual offenders; prohibiting certain types of employment; and the obligation to report (South Africa, 2007). The criminal law exists for prosecution, but in practice, the intervention of the social worker stops as soon as the child is safe guarded. Social workers do not routinely follow the route of criminal court and safe guarding the child appears to be the only priority, while the alleged sexual offender is not prosecuted.
- Section 28(d) of the **Constitution** (South Africa, 1996a:47) states every child has the right to be protected from abuse, section 28(e): to be protected from exploitative practices, and section 28(f): not to be required to perform work or services that – (i) are inappropriate for a person of that child's age; or (ii) place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development. Other child protection models include the Department of Social Development's National Child Protection Strategy and System (NCPSS) (Department of Social Development, 2012:48) whose aim is to ensure an equitable spread of child protection programmes and inter-sectorial collaboration, while the Department of Justice manages the National Policy

Framework for the Management of Sexual Offences (Department of Social Development, 2012:48).

Although there are numerous acts and policies to protect the child, it is the intervention action taken by the social worker that determines how a case of sexual abuse is being dealt with. The Children's Act 38 of 2005, as amended (South Africa, 2005), specifically articles 150, 151, 152, 155, 156, 157, 158, 171, 173, and 174, include provision for removal of a child to alternative care if they suffer abuse in their home environment or alternative placement and, therefore, the social worker has the option to remove the child from the home and place him/her in foster care, a child and youth care centre, or in place of safety. Options that can also be used are to follow the route of criminal court to convict the offender or to remove the offender from the home, keeping the child in the home environment. According to the Department of Social Development (2012:31), children are more often placed in care centres in order to remove them from the violence in their homes, without the case going to criminal court. According to the Department of Social Development (2012:32), removal of a child to alternative care such as children's homes, foster care and child and youth care centres, should be the last resort, but in practice, according to the researcher, placing a child in alternative care is an easy and fast way to protect the child and finalise the case.

Pellergrim and Wagner (2012:1) list the following as reasons for the decision to remove the child: (1) nature of the abuse, (2) severity of abuse, (3) frequency of abuse (4) mother's employment status, (5) mothers' compliance with a recommended treatment plan, and (6) mothers' belief of the victim. Having information, the social worker must consider the child in the situation and make 'issue' judgments, which are vulnerable to human error, but the social worker must stay child-focused (Horwarth, 2010:73; Leichtentritt, Davidson-Arad, & Peled, 2011:380). Jowitt and O'Loughlin (2005:20) add that the primary duty of the social worker is to safeguard the welfare of the child. According to Goldbeck, Laib-Koehnemund and Fegert (2007:920), "case management in child protective services is a process of stepwise decision making that requires complex cognitive, social and emotional abilities, comprehensive knowledge, and multiple specific skills on the

part of the child protection worker.” They add that many case workers feel overwhelmed by these tasks and request assistance.

Prosecution of sexual abuse cases is often problematic (Smith, Letourneau, Saunders, Kilpatrick, Resnick & Best 2000:274). According to Anon. (2010:1) only 15% of South Africa’s sexual offences resulted in convictions. These statistics confirm in a direct way that offenders are not prosecuted, indicating that the criminal court procedure is not successful. In South Africa, it appears to be a general process to remove children from their homes when they have been sexually abused, rather than pursuing the criminal case of the offender (Ntlatleng, 2011:26-27). The problem arises with other children who are unsafe because the perpetrator is still in the community. As part of the multi-professional team, social workers thus have an important role in the finalisation of child sexual abuse cases and the prosecution of the alleged perpetrator according to Segal, Gerdes and Steiner (2007:170). In practice, according to the research done by Ntlatleng (2011), social workers experience difficulties in the handling and finalisation of some child sexual abuse cases.

There are possible reasons for social workers in South Africa not finalising a child sexual abuse case in alternative care. It is, therefore, necessary to explore the perceptions of social workers in not finalising the sexual abuse cases in alternative care, to determine why these cases are not being finalised and how service rendering can be adapted to ensure more convictions of offenders. Reasons for this are if a child faces a defendant, especially one who threatened or harmed the victim, or to whom loyalty is felt, it is traumatic for the child (Quas & Goodman, 2012:395). Children’s ability to testify in court regarding in which they provide their testimony and the way people understand the context in which the child as victim provides the report, may contribute to social workers who do not finalise the sexual abuse cases (Ntlatleng, 2011:3). Other reasons for not following the route of criminal court may be that court calendars routinely change; families may fail to show up for follow-up appointments or not fully complete questionnaires; and families might relocate (Loffell, 2000:6; Quas & Goodman, 2012:397,401). Another reason may be a general fear for criminal cases under social workers, but according to Roux,

Bungane and Strydom (2010:51) “social workers have a responsibility towards their clients and the community”. Alvarez, Kenny, Donohue and Carpin (2004:566) mentioned that there is a general feeling that the child protection services will not do anything about the case. With the low success statistics of the prosecution of child sexual abuse cases in South Africa, social workers may feel that the South African Police Service’s Family and Child Services (SAPS’s FCS) unit will not have success. According to Brown (2011:48), increased referral rates to statutory child care services pressures the social worker. Lawrence (2005:102) and Sinanan (2011:657) add by saying that limited financial resources are a gap in social service delivery. This might be yet another reason for rather safeguarding the child, than going to a forensic social worker. Another problem might also be the limited social workers working in the forensic field in South Africa and who are adequately specialized (Esposito, Trocmé, Shlonsky, Collin-Vézina & Sinha, 2013:2038; Vizard, 2013:511).

Decision making in social work is difficult, challenging, risky and has a degree of uncertainty – these challenges are even higher in child protection services (Stokes & Schmidt, 2012:83). Decisions are often made with insufficient, unreliable, conflicting, or missing information within a stressful and pressured organisational and political context (Stokes & Schmidt, 2012:83). Child protection workers struggle with these decisions and usually request assistance (Goldbeck *et al.*, 2007:920). Alvarez *et al.* (2004:565) and Goldman and Grimbeek (2014:4) claim that lack of training regarding the specific reporting procedures, is an impediment and that the actions of the social worker are based on their interpretation that what they do is the best interest of the child. Procedures and legal matters need to be taught to social workers (Alvarez *et al.* 2004:571). According to Gallagher (2001:227), agency workers have been heavily criticized over their handling of alleged child sexual abuse cases, particularly in respect of their assessments and interventions. Gallagher (2001:237) found that of the six cases he researched, all six children were removed and placed in alternative care, of which one was placed in foster care – with only one case having contact with the biological family after the removal.

The role of social workers is to safeguard the child, but they also have the responsibility to facilitate the process for the alleged offender to be prosecuted, in order to make the environment safer. Due to a variety of possible reasons, the social workers act mainly as a safeguarder for children, at times ignoring the role of prosecuting the alleged offender. This one-sided role leads to children being placed in alternative care with little possibility of returning the child home, the finalisation of the sexual abuse case and the prosecution of the alleged perpetrator.

One can come to the conclusion that social workers, the Police service and the courts are failing sexually abused children and the fact that hundreds, maybe thousands of parents give up on the legal system to protect their children is an indication that the public is losing confidence in the law (Kisanga, Mbwambo, Hogan, Nystrom, Emmelin & Lindmark, 2010:290; Meyers, 1990:2).

From the above mentioned, the following question arises:

What are the perceptions of social workers regarding the reasons not finalising child sexual abuse cases in alternative care?

2. THEORETICAL FRAMEWORK

Although there are different theories such as the psychodynamic, learning and systems theories, the focus for purposes of this study will be on the systems theory. According to Zastrow (2008:49), the systems theory “opposes simple cause-and-effect explanations”. The systems theory attempts to understand the individual as a system of interacting elements. Systems theories focus on the interrelationships of elements in nature, encompassing physics, chemistry, biology, and social relationships (Anon., 2014:2). By means of the systems theory the researcher intervenes by looking at a holistic view of sexually abused children and their environment, and bringing the concept of person-in-environment back into perspective (Robbins, Chatterjee & Canda, 1998:59). With the systems theory the researcher can evaluate the impact of the different systems on the perceptions of social workers regarding the reasons why social workers do not finalise child sexual abuse cases in alternative care.

3. AIM OF THE RESEARCH

The aim of this research is to explore and describe what the perceptions of social workers are regarding the reasons why they do not finalise child sexual abused cases of children in alternative care.

4. CENTRAL THEORETICAL ARGUMENT

Exploring the perceptions of social workers regarding why they do not finalise sexual abuse cases of children in alternative care, contributes in assisting social workers with knowledge and insight in the importance of finalising child sexual abuse cases in alternative care. In assisting social workers in finalising child sexual abuse cases in alternative care, it will assure more successful prosecutions of alleged perpetrators.

5. RESEARCH METHODOLOGY

Research methodology is the process involving the application of a variety of standardized methods and techniques in the pursuit of knowledge (Fouché & Schrunik, 2011:323). The researcher will use the qualitative approach in an attempt to understand the person's perceptions, perspectives and understanding of a specific situation (Botma, Greeff, Mulaudzi & Wright, 2010:210; Fouché & Schurink, 2011:305).

5.1 Literature review

According to Fouché and Delport (2011:134), the study of relevant literature is important for the formulation of the problem statement, contributing to a clearer understanding of the problem identified. The literature review will contribute to outline the problem that will be studied (Fouché & Schurink, 2011: 305).

A detailed analysis of the literature was done by the researcher on the different roles for social workers in child sexual abuse cases. Analysis on literature on the perceptions why social workers do not finalise child sexual abuse cases especially

of children in alternative care was also done by the researcher. A study on the different theories in social work, and especially the systems theory to understand the individual as a system of interacting elements, was done.

Various literature was used from books, journal articles, research reports and theses to statistical reports, laws and Departmental reports. The following databases were utilized: EBSCOhost, SAePublications, Google Scholar, Science Direct, Jstore and the catalogue - Ferdinand Postma Library and Potchefstroom Campus of the North-West University.

5.2 Research design

For this research, a qualitative approach was used, to collect data in a natural setting - sensitive to the people under study (Creswell, 2007: 37). This study thus made use of the qualitative research method, including having one-on-one semi-structured interviews.

According to Fouché, Delport and De Vos (2011:143), the research design focuses on the end result and all the steps in the process to achieve the anticipated outcome. The interpretive-descriptive design was used to interpret and describe the reasons why social workers do not finalise child sexual abuse cases of children in alternative care (Botma, *et al.*, 2010:190; Fouché & De Vos, 2011:95; St George, 2010:1624). Interpretive practice engages both the how and what of social reality (St. George, 2010:1626). According to Botma *et al.* (2010:110), the researcher uses the interpretive descriptive design when little about a certain topic is known. The researcher aims to explore and describe the phenomena as accurately as possible (Fouché & Schurink, 2011:316) and as described by Fouché and De Vos (2011:96) attempt to present an “intensive examination of the phenomena and their deeper meanings”.

5.3 Research method

Research method refers to data gathering, data analysis and ensuring rigor in research (Botma *et al.*, 2010:199).

5.3.1 Sample

According to Morse and Field (1995) cited in Botma *et al.* (2010:199), there are two guided principles in qualitative sampling, namely appropriateness (identifying participants that can best inform the research) and adequacy (enough data to develop a rich description of the phenomenon) (Leedy & Ormrod, 2001:29).

- **Population**

The research was done in Mpumalanga, specifically the Department of Social Development and Non-Government Organisations (NGO's) namely Child Welfare, Christian Social Council (CSC) and *Suid-Afrikaanse Vroue Federasie* (SAVF) in the following areas: Middelburg, Belfast, Witbank, Secunda and Waterval-Boven. The population that the researcher used was registered social workers that are working either at the Department of Social Development or at the above mentioned NGO's in these areas, who have dealt with a case of child sexual abuse in the past.

- **Sampling method**

For this study, the researcher made use of the purposive sampling method. This type of sampling was chosen because the participants that were selected had dealt with cases of child sexual abuse which provide them with an understanding for the research (Creswell, 2007:125; Strydom & Delpont, 2011:392). Strydom and Delpont (2011) as well as Patton (1990) further explain that purposive sampling allows the researcher to choose a case because it illustrates some feature in which the researcher is interested, and in terms of its relevance to the study. In the case of purposive sampling, the researchers purposely seek typical and divergent data (Strydom & Delpont, 2011:392). Dealing with child sexual abuse cases is part of the case load of the social worker. The researcher was interested in what the perceptions of social workers were not finalising child sexual abuse cases in alternative care. This "what" questions constituted the exploratory study (Fouché & Delpont, 2011: 95).

- **Inclusion criteria**

- Registered social workers of the Department of Social Development, Child Welfare, CSC and SAVF who are involved with a case(s) of sexually abused children in alternative care in Belfast, Middelburg, Witbank, Secunda and Waterval-Boven areas, who do not finalise cases of child sexual abuse in alternative care.
- Social workers involved with a case(s) of sexually abused children in alternative care which include sexually abused children in foster care as well as children in child and youth care centres.
- Social workers, speaking Afrikaans and English joined the study and no age group or years of experience were set as a limit for inclusion.

- **Exclusion criteria**

Registered social workers who are not from the Department of Social Development, Child Welfare, CSC and SAVF and who are not involved with a case(s) of sexually abused children in alternative care in Belfast, Middelburg, Witbank, Secunda and Waterval-Boven areas.

5.3.2 Data collection

For the purpose of this study a qualitative approach was used. Semi-structured interviews were conducted by the researcher herself with the participants in order to collect the richest data possible until data saturation (Greeff, 2011:351). Data saturation, according to Botma *et al.* (2010:290), is the collection of data to the point where a sense of closure is attained because new data yield redundant information. Babbie and Mouton (2001:53) stated that a basic individual interview is an interview allowing for the object of the study to speak for him or her, instead of providing the participants with a battery of predetermined hypothesis-based research questions. The aim of semi-structured interviews is to gain a detailed picture about the theme of the study (Greeff, 2010:537). According to Greeff (2011:342), the interview "is a social relationship designed to exchange information between the participant and

the researcher". The interviews were developed with a particular interest in mind, but still allowing for flexibility and depth.

According to Monette, Sullivan and De Jong (2005:178), an interview schedule provides a researcher with a set of predetermined questions that might be used as an instrument to collect the data. With the semi-structured interview the researcher had a set of seven predetermined questions on the interview schedule for the social workers. The interview was guided, but not dictated by the interview schedule (Greeff, 2005:296). The interview schedule was aimed at providing the participants with an opportunity to explain how they truly felt about the reasons for child sexual abuse cases in alternative care not being finalised.

The interview schedule was evaluated by experts in the Social Work Division of the North-West University of the Potchefstroom Campus to ensure quality control and also pre-tested by two social workers in the field who are also knowledgeable on child sexual abuse cases and who were not part of the research. By pre-testing the interview schedule, the construct validity could be evaluated (Botma *et al.*, 2010:137). After the schedule was pre-tested, adjustments were made to the schedule – specifically regarding the clarity of some questions.

During each interview, audiotape recordings were made with the consent of the social workers. Monette *et al.* (2005:79) see recording the responses of interviews as the main task. This gave the researcher the opportunity to give her undivided attention to the interview.

5.3.3 The role of the researcher

- Approval from the Health Research Ethical Committee of the Faculty Health Sciences of the North-West University to conduct this study in the Social Work Forensic Practice project was obtained (**Annexure 1**).
- Written permission to conduct the research was obtained from all the managers of the various organisations to conduct the interviews with the social workers. This included, Department of Social Development (DSD) Belfast/Waterval-

Boven, *Suid-Afrikaanse Vroue Federasie* (SAVF) Secunda/Middelburg, Christian Social Council (CSC) Middelburg, Christian Social Counsel Witbank/Mpumalanga, Child Welfare Witbank (**Annexure 2**).

- Permission was obtained from the social workers to be part of the research after explaining the aim of the research to them and before they gave written consent (**Annexure 3**).
- The interviews with the social workers were in their own offices at the various organisations.
- The place and time of each interview was scheduled with the participants well in advance.
- The researcher conducted the semi-structured interviews with each social worker individually. The interview with each social worker lasted approximately 40-60 minutes.
- Permission was obtained from the participants for tape-recording the interviews.
- The data were collected and recorded.

5.3.4 Data analysis

Data analysis is the process of bringing order, structure and meaning to the mass of collected data (De Vos, 2005:333) and Schurink, Fouché and De Vos (2011:397) describe qualitative data analysis as reducing the volume of data, identifying the significant information, recognizing important patterns and developing a structure for communicating the essence of what the data reveals.

According to Babbie (2007:378), qualitative data analysis is a “non-numerical examination and interpretation of observations, for the purpose of discovering underlying meanings and patterns in relationships.” The data was categorized according to the answers to the questions and various themes from some questions were identified. The qualitative data was analysed by hand. The following guidelines given by Botma *et al.* (2010:213) and Schurink, Fouché and De Vos (2011:402) were followed while the data were analysed:

- The initial research was kept in mind.
- All data was transcribed.
- During transcription, enough space should be left on both the left and right margin allowing the researcher to make notes during analysis.
- Topics were coded.
- The processing and interpretation of the qualitative data were done by hand and themes and subthemes were identified.

5.4 Ethical aspects

According to Gray (2009:576) ethical aspects are a set of moral principles that are presented and accepted by a group or individual as rules for behaviour. The researcher has a responsibility towards the participants of the study as well as towards the discipline (Strydom, 2011:114). Ethics relate to moral standards that the researcher should uphold in all stages of the research.

The research proposal was approved by the Health Research Ethical Committee of the Faculty of Health Sciences of the Potchefstroom Campus of North-West University. Written permission **NWU-0027-09-A1** was obtained from the ethics committee for the main research project Forensic Social Work Practice. (**Annexure 1**).

Ethical aspects pertaining to this study were dealt with in the following manner:

- **Actions and competence of the researcher:**

According to Mnisi (2012:8), researchers are obliged to ensure that they are competent and skilled to undertake research investigations. The researcher has been working with social workers for longer than three years, and the skills gained thus far, in questioning and discussing topics with other professionals, is an indication of the researcher's ability to conduct the study. The researcher is trained to do interviews not only in social work practice, but also during a module in the Master's Degree of Social Work: Forensic Practice, as well as in research projects by other researchers. She continues to keep abreast of knowledge pertaining to appropriate interview techniques from pertinent literature in order to refine her

interviewing skills. As a registered social worker, the researcher has to obey the code of ethics and rules for the social workers of the South African Council for Social Service Professions and, therefore, inform the participants beforehand about the potential impact the interviews about non-finalised sexual abuse cases may have on them.

- **Avoidance of harm:**

Avoidance of harm in research indicates that the participant may not be harmed physically or emotionally during the research study (Strydom, 2011:115). In this study the researcher minimized all possibilities that could lead to harming the participants, specifically emotional harm. This was done by preparing the participant about the study and what could have been expected and also by establishing a good relationship with the participants. Sensitive topics were not forced on the participants, and neither were they forced to discuss any aspect that made them uncomfortable. The researcher undertook to treat all participants with respect during the interviews in order not to emotionally harm them. During data collection by means of an interview, the researcher was aware that she must observe for the experience of any harm of an emotional nature by the participants, when answering questions. It was explained to the participants that if they need debriefing sessions, it will be arranged for them.

- **Benefits and risks**

Benefits for the participants in this research were to explore what the perceptions of social workers are regarding not finalizing sexual abuse cases of children in alternative care. Identifying the perceptions of social workers regarding the reasons why they do not want to finalise sexual abused cases of children in alternative care, will contribute towards managers that can assist social workers in the finalisation of child sexual abuse cases in alternative care. Assisting social workers in finalising child sexual abuse cases in alternative care will ensure more successful prosecutions of alleged perpetrators. This study gives the social workers also an opportunity to discuss issues concerning child sexual abuse in a safe environment, where they will not be judged or given a written warning by an employer for not

finalising the sexual abuse case. The social workers can thus discharge some long kept-in frustrations or concerns they could not have discussed with a supervisor. The social work field will benefit from this study, by contributing new, rich information regarding the perceptions of social workers with regard to the perceptions of social workers for not finalising child sexual abuse cases. This can lead to opportunities for further research studies and for the development of an action plan to deal with these types of cases.

Risk, according to Botma *et al.* (2010:22), “equates to arm of injury and implies it is something detrimental that will occur in the future”. Emotional harm may occur due to self-disclosure of social workers’ perceptions and previous involvement in child sexual abuse cases. The participants were informed about the opportunity of working through their embarrassments and trauma (if they need it) by means of debriefing sessions by an appropriate therapist (Strydom, 2011:122).

Throughout the study, risks were diminished by evaluating the participant’s emotional wellbeing, through the answers they gave. The benefits outweighed the risks, not only for the participants but also for the social work profession and for more prosecutions of alleged perpetrators of sexual abuse children. The participants did not receive any kind of payment for their participation.

- **Voluntary participation:**

Permission was firstly obtained by the relevant organisations, specifically the supervisors and/or managers of the social workers and then by the possible participants. It was clearly stated that participation in the study is voluntary and that no one must feel obliged to participate (Strydom, 2011:116). The participants of this study could end their participation in the study at any time, unless data had already been gathered. This was explained to each participant prior to the study. The letters with the information regarding the study were sent out well in advance, in order to give prospective participants enough time to decide whether they would like to participate or not.

- **Informed consent:**

This ethical principle involves telling participants what the procedure is that will be followed during the study, as well as advantages, disadvantages and important information necessary for the participants to know about (Monette *et al.*, 2005:53; Strydom, 2011:117). The aim of this research was explained to the managers of the social workers and the social workers in writing and verbally. The managers were not included, because they had to identify social workers in the organisation who qualified for the study. A preface outlining the research, its voluntary nature and statement of confidentiality was included on the semi-structured interview schedule. Written consent was obtained to have permission from the organisation's managers and the identified social worker to participate in the study. Only social workers who gave written consent were included in this study. The participants were guaranteed that nothing they did not agree to will be introduced in the study. The participants were informed that they could withdraw from the study at any time without consequences, unless data have already been gathered and analysed (Butz, 2008:249). The participants had the opportunity to ask questions before the study commenced.

- **Confidentiality**

Neuman (2000:283) states that no participants' privacy may be harmed. Due to the sensitive nature of the subject of the research, the social workers were assured of confidentiality. All tape-recorded materials and completed interview schedules was safely stored in a locked cabinet in the researcher's office, where no one else had access to, and thereafter, it will be stored in a store room at the Social Work division of the North-West University, Potchefstroom Campus, for three years, prohibiting all people, including the researcher and study leader from having access to the material. Interviews were held with each participant separately in a private office, with the aim of avoiding interruptions (Greeff, 2011:350). Each participant was allocated a symbol/letter (A-L) beforehand, such as Participant A, Participant B *etcetera*, to maintain confidentiality. The researcher maintained anonymity as far as possible during the research process. The participants were informed of the confidentiality that would apply regarding their identity. It was specifically explained

to them that their identity will not be made known and would be kept anonymous for the purposes of the research report.

- **Release and publication of the findings**

The findings of the study will be introduced to the reading public in written form by means of a dissertation as well as an article in an accredited journal. The social workers and organisations will be informed as Mnisi (2012:8) deems it necessary, of results that will be published regarding the research project.

6. TRUSTWORTHINESS

Trustworthiness according to Botma *et al.* (2010:232) has four epistemological standards namely truth value, applicability, consistency and neutrality.

TABLE 1: STANDARDS, STRATEGIES AND APPLIED CRITERIA TO ENSURE TRUSTWORTHINESS

Epistemological standards	Strategies	Application
Truth Value	Credibility	Credibility refers to internal invalidity. The researcher must have confidence in the truth of the findings in regards to the participants as well as the context in which the research was undertaken. For the purpose of the study the researcher ensured credibility through member checking (Botma <i>et al.</i> , 2010:232 & Shenton, 2004:64).
Consistency	Dependability	Dependability refers to the replication of the study in the same context; making use of the same methods and with the same participants, the findings will stay consistent. To enable dependability the researcher included the following: <ul style="list-style-type: none"> ○ Dependable audit: the researcher provided a detailed account on how data was collected. ○ Description of the methodology: to include in the research design what was planned and executed during the study. ○ Peer examination of the study (Botma <i>et al.</i>, 2010:232 & Shenton, 2004:64).
Applicability	Transferability	Transferability is determined by the degree findings can be

		generalized to the larger population. The findings in regard to this qualitative study were specific to social workers in the Belfast, Middelburg, Witbank, Secunda and Waterval-Boven areas. The researcher improved transferability by the selection of resources and sampling, saturation of data and the detailed description of the data (Botma <i>et al.</i> , 2010:232 & Shenton, 2004:64).
Neutrality	Confirmability	Confirmability entails the research process and results are free from prejudice. For the purpose of the study conformability was made by making field notes available for auditing (Botma <i>et al.</i> , 2010:232 & Shenton, 2004:64).

(Botma *et al.*, 2010:232; Shenton, 2004:64).

7. LIMITATIONS OF THE STUDY

7.1 Availability of participants

Two of the participants did not honour the arranged appointment. The researcher found this out on the day of both appointments. No rescheduling was available, as the researcher could not drive back again.

7.2 Financial implications

Due to limited finances – specifically with regard to transport, the researcher was not in a position to reschedule appointments that participants did not honour, because some appointments were more than 200km for the researcher to drive.

7.3 Interruptions

Some of the participants' colleagues did not respect the interview and on some occasions, the interviews were interrupted.

8. TERMINOLOGY

8.1. Alternative care

According to the Children's Act, 38 of 2005, as amended, alternative is:

- (1) A child is in alternative care if the child has been placed –
 - (a) In foster care;
 - (b) In the care of a child and youth care centre following an order of a court in terms of this Act or the Criminal Procedure Act, 1977 (Act 51 of 1977);
 - (c) In temporary safe care.

8.2. Child

The Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No 32 of 2007) defines a child as a person under the age of 18 years, or with reference to section 15 and 16, a person 12 years or older but under the age of 16 years, and “children” has a corresponding meaning.

8.3. 'Finalisation'

In terms of this study, finalisation is seen as the stage where the criminal court procedure has been finalized, a verdict has been given by the magistrate and the final placement of the child can be determined. The Criminal Law (Sexual offences and related matters) Amendment Act, 32 of 2007, states the following - indicating the finalisation of a criminal court process:

- (1) A court shall, if-
 - (a) that or another court has convicted a person of an offence in terms of this Act; and
 - (b) a penalty is not prescribed in respect of that offence in terms of this Act or by any other Act, impose a sentence, as provided for in section 276 of the Criminal Procedure Act, 1977 (Act 51 of 1977), which that court considers appropriate and which is within that court's penal jurisdiction.
- (2) If a person is convicted of any offence under this Act, the court that imposes the sentence shall consider as an aggravating factor the fact that the person-

- (a) committed the offence with the intent to gain financially, or receive any favour, benefit, reward, compensation or any other advantage; or
- (b) gained financially, or received any favour, benefit, reward, compensation
or any other advantage, from the commission of such offence.

8.4. Social worker

A person who is registered or deemed to be registered as a social worker in terms of the Social Service Professions Act, 1978 (Act 110 of 1978) (South Africa, 2005:12).

8.5. Sexual abuse

Children's Act, (Act No 38 of 2005) defines sexual abuse as:

- sexually molesting or assaulting a child or allowing a child to be sexually molested or assaulted;
- encouraging, inducing or forcing a child to be used for sexual gratification of another person;
- using a child in or deliberately exposing a child to sexual activities or pornography or,
- procuring or allowing a child to be procured for commercial sexual exploitation or in any way participating or assisting in the commercial sexual exploitation of a child.

8.6 ACRONYMS

- **SAPS:** South African Police Service
- **SAVF:** *Suid-Afrikaanse Vroue-Federasie*
- **NGO:** Non-government Organisation
- **CSC:** Christian Social Council
- **DSD:** Department of Social Development
- **FCS:** Family Violence, Child Protection and Sexual Offences

9. RESEARCH RESULTS

This study's results will be discussed according to the themes followed during the interview. Seven main themes with some subthemes are distinguished and used to focus on the aim of the study. Results were compared to the literature on the subject.

9.1 Profile of the participants

Twelve participants were social workers from, DSD Belfast/ Waterval-Boven, CSC Middelburg, CSC Witbank, CSC Secunda, SAVF Secunda/Middelburg and Child Welfare Witbank. The participants have knowledge and/or experience on sexual abuse cases of children in alternative care not being finalized. The participants were referred to as participant A, B *etcetera*.

9.1.1 Age and gender of the participants

TABLE 2: AGE AND GENDER

Participants	Age	Sex
Participant A	30-40	Female
Participant B	30-40	Female
Participant C	50-60	Female
Participant D	40-50	Female
Participant E	30-40	Female
Participant F	20-30	Female
Participant G	20-30	Female
Participant H	40-50	Female
Participant I	30-40	Female
Participant J	40-50	Female
Participant K	20-30	Female
Participant L	30-40	Female

The above table indicates that twelve participants participated in the research. All twelve participants were females, three (3) participants were between the ages of 20-30, five (5) participants were between the ages of 30-40, three (3) participants was between 40-50 and one (1) participant was between the ages 50-60.

It appears that social workers in practice are mostly females.

9.1.2 Qualification of participants

The following information can be given on the participants' qualifications:

TABLE 3: QUALIFICATIONS **N=12**

Participant	Diploma	Degree
Participant A		X
Participant B		X
Participant C		X
Participant D		X
Participant E		X
Participant F		X
Participant G		X
Participant H	X	
Participant I		X
Participant J		X
Participant K		X
Participant L		X

Eleven (91.6%) participants have a Degree in social work and one (8.4%) of the participants has a diploma in social work. In this study, most participants completed their qualification at a University.

9.1.3 Experiences as a social worker

TABLE 4: WORK EXPERIENCE OF SOCIAL WORKERS

Participant number	Social Work Experience
Participant A	8 years
Participant B	7 years
Participant C	21 years
Participant D	14 years
Participant E	2 years
Participant F	2 years and 6 months
Participant G	1 year and 10 months
Participant H	16 years
Participant I	6 years
Participant J	6 years
Participant K	10 months
Participant L	11 years and 6 months

The participants of this study showed a variety of amount of experience. It indicates that in South Africa, even social workers with as little as ten months' experience in social work have to deal with cases of sexual abuse. Four participants had less than three years' experience in social work and three participants had more than three years, but less than seven years' experience.

9.2 Themes and subthemes obtained from the interviews

Semi-structured interviews were used, guided by an interview schedule of pre-set questions to gather the data. After the completion of the interviews the researcher identified seven main themes, some of the themes, having their own subthemes. The themes and subthemes can be summarized as follows:

TABLE 5: THEMES AND SUBTHEMES

THEME NR.	THEME NAME	SUBTHEMES
1	Perceptions on the management of child sexual abuse cases.	
2	Processes followed in child sexual abuse cases.	
3	Problems experienced in child sexual abuse cases.	<ul style="list-style-type: none"> a. Children b. Parents/family c. Perpetrator d. Alternative placements e. Police f. Courts g. Organizational h. Other problems
4	Reasons why alternative care placements of sexual abuse cases are not finalised.	<ul style="list-style-type: none"> a. Police b. Court c. Social workers d. Perpetrator e. Child
5	Perceptions on testifying in criminal court.	<ul style="list-style-type: none"> a. Will do it b. Only on request c. Will not do it

6	Type of assistance needed with child sexual abuse cases.	
7	Perception on referring a child sexual abuse case versus doing it self.	

9.3 THEME 1: Perceptions on the management of child sexual abuse cases.

The management of child sexual abuse cases includes the intake, foreseeing that an assessment is done, reporting to the Police, and opening and finalising court procedures. It also entails interviews with the alleged perpetrator and the non-offending parties involved. Legal professionals and social workers struggle with the difficult balance of protecting children while maintaining the rights of those suspected of abusing children; nowhere is this balance more difficult to maintain than in the area of child sexual abuse (Ney, 1995:21). The majority of cases have no physical or medical evidence and no other witnesses and many professionals must make decisions on these cases with little or no specialized training (Ney, 1995:22). The general perception of social workers was determined by asking an open ended question: "What is your perception on the management of child sexual abuse cases?" From the interviews, the following was gathered to be the various perceptions of social workers:

The participants feel that there is no clear procedure to work by when dealing with child sexual abuse cases and that it is generally not handled very well, mainly due to the criminal cases that take too long and therapy cannot be given to the child. These cases are seen as difficult cases, especially with their high case loads. A participant mentioned that as a social worker, she '*only does touch ups because there is not enough time*'. The participant mentioned that the cases are complicated, challenging and very stressful as well as emotionally draining and that the social worker's personality and insight affect the case.

There is a general feeling that the Children's Act, 38 of 2005 (South Africa, 2005), as amended, is being used to safeguard the child, but one participant raised her

concern that this has a negative effect on the child, for the child feels punished for being removed. *“The whole process is frustrating and it is easier to just leave it by removing the child on other allegations”* a participant said, adding to another participant’s comment that they as social workers cannot only focus on sexual abuse in court, they need to add for example neglect or another allegations as well, just in case the sexual abuse cannot be proven. This provides the social worker with the necessary means to remove the child from the perpetrator. Many of the participants felt that it is not easy removing the perpetrator from the home in these types of cases. Despite the protection intended by this constitutional, legislative and civic environment to safeguard children’s rights, wrongs are perpetrated against a large number of South African children every day (Richter & Dawes, 2008:81).

The social workers also feel that if the child has been removed, there is estrangement that starts developing between the child and his/her family, while waiting for the trial. An opinion concluding all of the above, is that the way these cases are dealt with, is *“not done in a way that helps the child”*.

The social workers feel that they prioritize the case, report it to the Police and then there is *“no feedback”*. With regard to the systems involved in the management of these cases, the social workers feel that there are too many systems involved in these types of cases and some of the systems, specifically: *“the Police don’t do much”*. Some participants also felt that the courts do not give priority to these cases and that the courts are lenient because if someone does not come to court, *“the hearing is just postponed”*. Another participant said: *“nothing really happens”*.

Forensic social workers are very scarce if they at all existing in the area. The fees of the forensic social worker are always a concern and not all forensic social workers are willing to testify in court.

With sexual abuse cases, there is a general feeling that a lack of education is affecting the sexual abuse cases. Some participants felt that social work students are not trained enough in the field of sexual abuse and also that they lack sensitivity. Generally, social workers are *“not always prepared”* for the sexual abuse case as a whole and the participants mentioned a need for training as well as more staff.

Professionals often lack accurate information vital to decision-making: the specific course that prosecution would take within the criminal justice system, the nature (and likelihood) of requirements that would be imposed on the victim, and the incidence of successful resolution of the case (Martone, Jaudes & Cavins, 1996:458).

Another perception on the management of child sexual abuse cases, is that the clients do not understand the process, they do not get involved, but get upset about the route it has to follow. With regard to the client: “*the parents do not report*” or “*the parents don’t believe the child*”. Foster parents experience trauma and struggle to control the child.

With regard to the child, the participants felt that the effect of sexual abuse is severe on all levels of the child and therapy is not always effective. They also mentioned that the process is stressful for the child and “*the child is not as effective as a witness as we wish*”. Young children easily forget and this has a negative outcome on the finalisation of the case.

Some participants feel that the management of their organisation does not see social workers as being competent/qualified to deal with child sexual abuse cases, while others feel that the administrative staff of their organisations “*don’t understand and cannot give support*”. One participant stated that it is always better to be more than one professional handling a child sexual abuse case, mainly for extra support and an extra opinion.

9.4 THEME 2: Processes followed in child sexual abuse cases.

According to the participants, when a child is sexually abused, there are various ways in which the case can be reported, handled and followed through. The basic process according to the Children’s Act, 38 of 2005, as amended (*consolidated regulations pertaining to the Children’s Act 2005*) is the following: assess the total situation of the child’s context; establish facts surrounding the circumstances; and decide on the appropriate protective measures or intervention. The Criminal Law (Sexual offences and related matters) Amendment Act, 32 of 2007 states that any

person with knowledge of possible sexual abuse must report it to a Police official. Many participants experienced that the Police would request a forensic assessment or would not assist them unless the forensic assessment is done; thereafter a criminal case is opened if there is enough evidence. Reyneke and Reyneke (2010) state that South Africa ratified the United Nations' CRC and this ratification means South Africa is bound to the international standard of child justice and, therefore, has had to bring South African law in line with international standards.

A question was asked: "What process would you follow if you had to deal with a child sexual abuse case?" and the participants each gave their individual response as follow:

- *"When the alleged perpetrator is a family member, I remove the child and place him/her in alternative care. Then I report the case to the Police's FCS unit. SAPS arrange the medical exam and the forensic assessment and request other reports from me as the social worker and a psychologist if they need it. If SAPS takes too long or doesn't have someone to do the forensic assessment, we use our local psychologist to do the forensic assessment."*
- *"When the sexual abuse case is first reported to us, we go to the school, do a home visit and interview the parent. If we find out that the allegation is true and the alleged perpetrator is a family member, we remove the child and place him/her in foster care. We do not use a forensic social worker. We do it ourselves and SAPS do the crime part."*
- *"I open Children's Court immediately, report it to the SAPS and make use of a forensic social worker."*
- *"I usually did my own investigation and wrote a report to the court. Now we must refer the case to another organisation as we are no longer allowed to deal with these cases."*
- *"I complete a Form 22, we also trained the SAPS to complete a form 22 and to report it to the FCS unit, if the initial report is made to them. If it is necessary, I remove the child, then I report to the SAPS, SAPS take the child to the hospital"*

with a rape kit for the doctor to investigate. We have a red/green-door project, where certain members in the community are places of safety, so we make use of these people to safeguard the children. We do not make use of a forensic social worker.”

- *“When these cases are reported to me, I get all the information from the child and let the person to whom the disclosure was made, write down all the information. I arrange for a forensic assessment and after the assessment, I decide whether the child should be removed or if contact should be limited. Then I open a criminal court case. If it appears that the disclosure of the child will not stand in Criminal court, I open Children’s Court Proceedings.”*
- *“We don’t have a specific process we follow, but we do report to SAPS, do a forensic assessment and then decide whether we should remove the child.”*
- *“If the client can afford it, we refer them to a private forensic social worker. If they cannot afford it, I request that my colleague does the assessment for me. If the client went to the SAPS first, we open Children’s Court and then the SAPS request a forensic assessment report from us. In the situation where the case came to us first, we do not always include the SAPS, we rather remove the child on other grounds.”*
- *“When a case of child sexual abuse comes to us, we first investigate if the allegation is really happening, then we remove the child. The SAPS send people back to us, even after they reported sexual abuse to them. We receive no assistance from the SAPS and no assistance from a forensic social worker.”*
- *“With these cases, we refer to an independent person for the forensic assessments. We then refer to the Police, even though it is tough to do it. We then remove the child.”*
- *“We refer the child for a forensic assessment. We remove the child with Children’s Court and then finalise the Children’s Court proceedings. After this, we don’t give much attention to the case because the criminal case must follow its route.”*

- *“We advise parents to report the case to the SAPS. If the case is opened, the child is taken for a medical exam and a form J88 is completed. If the child struggles to give information, the child is referred for a forensic assessment. This is only done after we have tried everything to get a disclosure.”*

There appears to be diverse ways of dealing with these types of cases, but all have the South African Police Service (SAPS) as part of their process. The main aspects needed in the process of dealing with child sexual abuse cases, are evident in most of the participants' described processes. The “in between” parts seem to differ, such as whether to first report to the Police, doing a forensic assessment or not, as well as to whether the process goes to criminal court. One participant said that: *“even if I go to another organisation for input on a sexual abuse case, the process differs.”*

Four (33.3%) of the participants do not make use of a forensic social worker in their process of dealing with child sexual abuse cases, while seven (58.3%) of the participants do make use of a forensic social worker to do the forensic assessments. One (8.3%) of the participants said that she only makes use of a forensic social worker, when every other method to get a disclosure was unsuccessful.

Nine (75%) of the participants indicate that the removal of the child is part of their process. According to the Department of Social Development (2012:32) removal of a child to alternative care such as children's homes, foster care and child and youth care centres, should be the last resort, but in practice, placing a child in alternative care is an easy and fast way to protect the child and finalise the case.

Cases of children with alleged or confirmed abuse and neglect may be processed either within the child welfare system, the legal system, or the health care system, but coordination between different systems is necessary (Goldbeck *et al.*, 2007:291). According to Chitereka (2010:36), intervention activities may include: referral to the appropriate individual and/or family counseling services; securing emergency shelter if necessary; referral to medical and legal services; as well as advocacy for clients.

9.5 THEME 3: Problems experienced in child sexual abuse cases.

The participants were asked an open-ended question on the type of problems they experience while dealing with a child sexual abuse case. Various problems were discussed and mentioned. According to Faller (2007), the extent of problems in child sexual abuse disputes includes the accuracy of the child and adult accounts of sexual abuse, methods for decision-making, about the probability of sexual abuse, appropriate interventions in sexual abuse cases, and the impact of sexual abuse on its victims. The problems participants identified, can be divided under the following subthemes:

9.5.1 Children

The participants feel that the feelings of the child, when the child is removed, are a problem. One participant said that the children feel it is their fault for breaking up the family. Sometimes the child does not see that what is happening, is abuse. When dealing with a child who has been sexually abused, some of them tend to masturbate, and they also tend to abuse other children in the alternative placement, making alternative placements difficult. According to Chitereka (2010) and Kiser, Smith Stover, Navalta, Dorado, Vogel, Abdul-Adil, Kim, Lee, Vivrette & Briggs, (2014), some of the effects of child sexual abuse can include: inability to trust; fear of intimacy; depression; suicidal ideation; low self-esteem; anger; guilt; isolation and alienation from others, all having an effect on the placement with foster parents. *“Some of these children are damaged too much and we can only place them back”*. Irrespective of the age of a child, the consequences of child sexual abuse are very serious and the child may end up having many various unacceptable forms of behaviour (Chitereka, 2010:33; Kiser *et al.*, 2014:1088).

9.5.2 Parents/family of the child

According to some participants parents allow various activities to be accepted such as exposing children to danger which can include access to the internet as well as allowing the children to go out to unknown places. When children perceive their parents as being lenient, they are more prone to get involved in unwanted activities (Koning, Verdurmen, Engels, Van den Eijnden & Vollebergh, 2012:284). Chitereka

(2010) mentions that parental neglect is another cause of child sexual abuse. There is a general experience that family or other community members are reluctant to report a case of child sexual abuse to the Police like one of the remarks of a participant “a problem is getting people involved, like the mother or people around, because they don’t want their things to be out there”. Participants also said that people do not want to testify. In research done by Mabusela (2013:35) and Motshegoa (2011:16), parents fear to appear in court as witnesses. Mabusela (2013:35) came to the conclusion that the procedures for children to testify in court are not on standard which is not only harmful for the child but also impacts on the ability of the child to give evidence which contributes to the low conviction rate for offences against sexual abused children. Cases of child sexual abuse are rarely reported because the majority of the perpetrators are related or close to the abused children, such as fathers, uncles, brothers, and, in some instances their school teachers (Chitereka, 2010:29).

9.5.3 Perpetrator

According to the Children’s Act, 38 of 2005 (South Africa, 2005), as amended, provision is made for the social worker to remove the perpetrator from the house. Not one of the participants found this section of the Act helpful, for they are of opinion that it is not successful in child sexual abuse cases. According to the participants, perpetrators are very clever and rehabilitation is experienced as being unsuccessful; perpetrators display personality disorders - making them very self-focused; perpetrators groom the children – making it harder to deal with child sexual abuse cases and perpetrators threaten the children to keep quiet, and the children submit because the children have nowhere to go. According to Kiser *et al.* (2014:1088) the effect of the trauma of sexual abuse is much more severe when the child had a relationship with the perpetrator.

On the whole, there are few distinguishing personal characteristics of abusers (Richter & Dawes, 2008:87) but according to Van Niekerk (2006:104-107) myths and beliefs about perpetrators such as all who commit sexual offence against children are pedophiles or homosexuals may not apply to all or to one offender in their entirety.

9.5.4 Alternative placements

The participants feel that the limited and lack of alternative placements for children who are victims of sexual abuse, is a problem experienced on a regular basis. Participants feel that it is hard to find the right alternative placement of a child. Failed placements translate directly into added stress in certain already stressful lives (Fisher, Burraston & Pears, 2005:68).

Foster parents do not want sexually abused children in their care. One of the participants is of opinion that no Children's Home is capable of dealing with these situations. Due to placement options, therapy is not always successful.

9.5.5 SAPS

The attitude of the SAPS officers is a problem for some participants when they have to report a case of child sexual abuse. There is also an underlying frustration for not having clarity on the exact process to report these cases to the SAPS. Apart from the experience that the SAPS are educated enough in dealing with a child sexual abuse case, some participants directly stated that *"the SAPS don't do their jobs, leading to cases being thrown out"*. Police not knowing how to talk to children is a problem as well as their lack of knowledge on the Children's Act, 38 of 2005. In research done with SAPS officials in South Africa, the focus groups placed the blame for the serious shortage of experienced detectives squarely on the shoulders of SAPS management (Mofokeng, 2012:92).

Two participants mentioned that no matter what cases involving a child, are reported to them, they always refer them back to the social workers – *"even a missing child case"*, there is thus no assistance from the SAPS. *"The SAPS are just not there, and yet, these things involve them 100%"*. Data from 2004 according to Richter and Dawes (2008:84) on the activities of the Family Violence, Child Protection and Sexual Offences (FCS) units, show how narrow the funnel is from police reports to convictions: during that period, 2003–04, the FCS opened 40,732 dockets, of which 3031 (7%) were concluded with convictions. Of the 2377 convictions in crimes against children, a gross estimate of the average sentence was five years (Richter & Dawes, 2008:84).

9.5.6 Court

According to two participants some courts do not make use of mediators, and according to another participant, the use of mediators is a scarce practice. In small towns, the courts are only open on certain days – making it difficult in situations where a court session is needed. One participant said the following: “The South African criminal justice system is largely punitive, retributive and adversarial in nature (Reyneke & Reyneke, 2010:358)”. A problem that three participants identified is that the courts request social workers to leave their work and come and mediate certain cases. This is not possible at all times and therefore there is a perception that mediators are limited. In order to protect the best interests of the child witness, the South African Criminal Justice system adopted “technology-based protective measures” in 1996, namely the intermediary system, to reduce trauma and stress experienced by child witnesses. This system is seen as a more child friendly approach and allows the child’s testimony by close circuit television, where the child will be in a separate venue, and not directly confronted with the accused (Fouche & Le Roux, 2014:207).

In South African law and the laws of many other countries, may appear rather straight forward for legal practitioners, however, in the context of forensic mental health assessments, the complexity of this issue should not be understated (Pillay, 2009:21). According to Pillay (2009), the courts should take into account the complex areas of human development, human behaviour, individual variation, and such non-specific concepts as intelligence and moral development in cases of sexual abuse (Pillay, 2009:21).

9.5.7 Organisational aspects

Various organisations are experienced to follow different processes, as one participant said: “*even if I go to the other organisations, they cannot help me, because their process is different.*” Some participants felt that there is little assistance for being straight from university and having to deal with these cases, while other participants experience the fact that they may deal with some cases and not with others, as a problem in service delivery. A lack of experience for the

participants is a problem. In research done by Cussons (2011:33) and Chitereka (2010:36) the majority of participants said that the basic training of social workers is not enough to deal with child sexual abuse cases. According to them social workers do not have enough knowledge and practical experiences to conduct these investigations. According to Green, Thorpe and Traupman (2005:152), not all skills are transferable and specialized training is better than in-house or worse, on-the-job training.

A participant said: “*referral can let a client feel unassisted*”, while another participant felt that one of the problems is that there are not enough people available who speak the child’s language. Due to the time these cases take reunification services are not done. Another problem according to some participants is that there are no or little forensic social workers available and funds are a universal problem.

9.5.8 Other problems

The participants also identified a few other problems such as:

- Doctors are not willing to testify.
- The sexual abuse cases are frustrating and emotional for social workers;.
- Information is contaminated and it is hard to find the truth.
- There is a need for a protocol in dealing with child sexual abuse cases.
- According to a participant “*the courts, the Police and the social workers, need to be on the same page*”. Richter and Dawes (2008) mention that all indications are that levels of collaboration are poor, resources for child protection are far lower that needed, and insufficient attention is paid to preventative services.

Child sexual abuse is considered a significant problem in many African countries, yet few studies actually document incidence or prevalence rates, or examine the unique dynamics in specific African countries. As a result, responses are hampered by a lack of empirical data to guide interventions in these countries, where laws about child abuse are only recently being enacted and implemented. (Chitereka,

2010:29). Clearly, the task of conducting forensic mental health examinations on children needs to be approached with extreme care and caution, and a call for research into best practices in this area is most appropriate (Pillay, 2009:21).

9.6 THEME 4: Reasons why alternative care placements of sexual abuse cases are not finalised.

Richter and Dawes (2008) concluded the following: “South African legislation (the Care Act 1983, Children’s Act 2005, the Children’s Bill 2006 and the Prevention of Violence Act 1993) obliges and mandates persons in particular professions (such as doctors) and persons in a position of responsibility for a child to report suspicions of abuse to child protection authorities, such as social services or the police. However, Child Protection Registers are not functional in many areas of the country, nor is it clear who has responsibility for their maintenance, financing and links to services and quality control”. Information is scarce regarding how many cases of child sexual abuse ultimately result in a criminal indictment and pendency in a criminal courtroom (Martone *et al.*, 1996:461).

A question was asked to the participants “What are the reasons for not finalizing child sexual abuse cases?” The participants identified the following reasons:

9.6.1 SAPS

According to some participants, the SAPS have too high case loads. The procedure of the SAPS, as well as the courts, makes these cases very long and can be reasons why the case doesn’t get finalized. According to Mofokeng (2012:89) “The perceived performance of the South African Police Service detectives received a lot of criticism from journalistic reports due to perceived unmanaged workload and withdrawal of cases in courts and most detectives are found wanting when coming to investigation skills and report writing. Having limited evidence to prosecute the alleged perpetrator, extends the finalisation process because the child cannot go home due to the fact that the perpetrator’s is still in the home environment. Some participants are of the opinion that the alleged perpetrators convince the SAPS that they are innocent and then “*these cases do not get somewhere*”. According to one participant, dockets are not taken to court or are lost, “*it is chaotic with the SAPS, dockets are just closed and you still wait for the case*” to be finalised. The SAPS

don't take these cases seriously – *“they don't even see it as a real crime”* which indicates possible myths with regard to sexual abuse of children, such as: “Children who are being abused will show physical evidence of abuse” and “Children who are being abused would immediately tell their parents” (Cromer & Goldsmith, 2010:633). Myths minimizing harm included statements such as “sexual abuse is nonviolent and, therefore, non-damaging” and “children naturally outgrow the effects of sexual abuse or neglect.” (Cromer & Goldsmith, 2010:633).

9.6.2 Court

The participants mentioned that the criminal procedures take a very long time. One participant said the following: *“just opening children's court is the only option left. At least the child is safe, it is quite relieving to know, even though I didn't focus on the sexual abuse, at least I've taken the child away from the source of the abuse – it is much better than not doing anything and leaving the case hanging.”* The participants also mentioned that the courts easily scrape cases off the role, thus leaving them not finalized; the courts are overloaded with cases; the courts extending all the cases; it is accepted that a criminal case can take up to four years to be finalized. According to one participant *“courts drag it out so long that everyone loses their drive in these cases”*. They also mentioned that there is a lack of mediators and this can slow the case. Language is also a problem in court according to one participant.

Two participants said the following

“The legal system is letting us down, if I remove a child on sexual abuse, the case usually ends, thus I remove with the children's court because I cannot wait for the criminal court”. It is argued by Mofokeng (2012) that cases coming before the lower courts seem petty, lack quality.

“Sometimes the criminal court says a case is nully-prosecuted because the child is already safe guarded”.

9.6.3 Social workers

Child abuse is a very sensitive issue and as such it needs to be handled very carefully (Chitereka, 2009:31). The participants refer to the role social workers play in not finalising sexual abuse cases in alternative care and the following aspects mentioned, are summarized from each individual participants' response:

- The perception that NPO's (Non-Profit Organisation's) social workers are not experts leads to the quest of searching for a forensic social worker as well as getting funds – all of which takes time.
- Some social workers feel unsure of the route to follow in child sexual abuse cases.
- There is the possibility of a social worker being bribed by the perpetrator, thus leading to no progress in the case.
- Negligence from the social worker can also extend these cases too long.
- Threats from the perpetrator and community members are a reality in the lives of the social workers, thus scaring the social worker and leading him/her to leave the case. There have been reports of cases where physical violence has been used against professional social workers during the course of their work (Chitereka, 2009:31).
- Too much stress for the social worker can lead to slow progress.
- The feeling that the child is safe after removal can cause the social worker to slow down the case.
- The very high workload of social workers can impact that effectiveness of dealing with a child sexual abuse case. Social workers in Africa have excessive workloads, this is because there are very few trained social workers in most African countries and those who are trained do not normally want to work in rural areas (Chitereka, 2009:32).

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- If a child is safe and with the dire need of funds, social workers leave the case – not having to find the necessary funds for a forensic social worker.
 - It is very difficult working with the perpetrator, thus if the child is safe, the social worker avoids working with them.
 - *“The parents make you crazy! You want them out of your life”* another participant said. Even though child welfare laws in most African countries give social workers powers to deal with issues concerning children, social workers still face resistance from abusive parents when they want to remove children from their custody (Chitereka, 2009:31).
 - The participants are of opinion that the process for them stops after reporting to the Police, as they cannot assist in the criminal part of the case.
 - A participant said: *“if the social worker doesn’t put pressure on a case, nothing happens”*.
 - According to one participant *“the whole system is not working”*. Another said: *‘everyone is unsure’*.
 - There are a lot of systems involved to finalize a case.
 - *“We see that the perpetrator just goes away due to limited evidence. That is very bad for us to see and we don’t know how to deal with it.”*

Various reasons why sexual abuse cases are not finalized, and according to Martone *et al.* (1996) and Faller, Birdsall, Vandervort and Henry (2006), difficulty in prosecuting cases having very young victims, lack of corroborative evidence, conflicting investigative reports, hesitancy or inability of victims to express themselves or to identify the perpetrator, and failure of the family to cooperate with criminal prosecution effect the sexual abuse case.

9.6.4 Perpetrator

According to Ammerman and Hersen (1991), the difficulty for legal and mental health practitioners is judging the relative benefit of removing a perpetrator from the home for an isolated event versus preserving the family constellation. According to the participants the removal of the perpetrator is not an option and is unsuccessful because the “*perpetrators are usually the providers for the family*”. This causes the criminal case to slur for various reasons such as the family will not testify, the child cannot be placed back and rehabilitation seems to be unsuccessful. Sometimes the perpetrator manipulates the courts by going from one lawyer to another.

There are certain relevant myths when focusing on the perpetrator. Suggested myths imply the child is responsible (e.g., “If children did not want it, they could always say ‘stop’”); “Incest is a family system problem” and “Rape/incest runs in the family—it is in the genes” (Cromer & Goldsmith, 2010:628)

9.6.5 Child

According to Fouche and Le Roux (2014), child sexual abuse is common in South Africa and as a result child victims are increasingly called upon to testify in criminal proceedings. Since child sexual abuse is often secretive, it is difficult to obtain evidence and during court testimony, any witness could be exposed to the interrogation by the defense lawyer, attacking the credibility of the witness (Fouche & Le Roux, 2014:207-208). Participants stated “*there is just not always enough evidence*” and “*as long as the child is safe, we are satisfied*”, indicating that the social workers act in the child’s safety amid a criminal system that is lacking evidence.

The participants also refer to some foster parents not wanting the child to go through the trauma of a criminal case and that there are no witnesses to testify with the child as reasons why the criminal court procedures are not always followed through.

9.7 THEME 5: Perception on testifying in criminal court.

Testifying in criminal court can be part of the process in a child sexual abuse case. According to Khurshid and Jacquin (2013), expert witnesses can play an important role in the legal decisions, by educating the court about a particular field of knowledge and providing unbiased information.

A question was asked of the participants “What are your perceptions on testifying in a criminal court with a child sexual abuse case?” The answers of the participants could be concluded in the following subthemes:

9.7.1 Participants will testify in criminal court

The following responses from the participants placed them in this category:

- *“It is not a problem to testify in criminal court, I have no concerns”*
- *“I will testify in criminal court, but would like some training”*
- *“Testifying is only telling the truth”*
- *“I will do it, but you need to have a strong personality”*
- *“Yes, I will do it, I know what I am doing”*

Social work testimony starts with mastery of the subject matter and awareness of issues that arise in the legal arena, and beyond these fundamentals, social workers should appreciate that every aspect of their work is fair game for critical evaluation (Brodsky & Terrell, 2011:80).

9.7.2 Only on request will the participant testify in criminal court

The following responses from the participants place them in this category:

- *“Despite my fear, I will testify because it is important for the child”*
- *“If I receive training, then I will testify”*
- *“I will not do it voluntary, because I cannot think fast”*
- *“Due to the tiring fact, I will not do it voluntary, not because I am scared”*
- *“I will do it, but I will be scared”*
- *“We have no choice, even if it is not safe for us”*

9.7.3 The participant will not testify in criminal court.

The following response from a participant places her in this category:

- *"I will not do it, due to the threats and no protection"*

Brodsky and Terrell (2011:73) mention that testifying in court can be stressful and demanding for lay and expert witnesses alike and challenges while testifying is the following: questioning about credentials, experience, competence, accuracy and nature of the assessment, and subsequent conclusions.

Five (41.6%) of the participants are willing to testify in criminal courts on their child sexual abuse cases. Six (50%) of the participants will testify in court for the child, as they feel it is part of their job, a noble thing to do and 'not about me', but they will only do it if the court requests their testimony. Only one (8.3%) is not willing to testify in court.

9.8 THEME 6: Type of assistance needed with child sexual abuse cases.

The participants were asked a question on the type of assistance they would like to have when dealing with a child sexual abuse case. The following is a summary of their requests:

- To have a medical examiner that is available at all times.
- Having medical doctors that know how to work with these children.
- There is a need for SAPS to do the investigation when the case is reported to them and to take the docket to court.
- The availability of forensic social workers to assist in the process.
- Having a specialized children's branch in the Police, where they have their own forensic social workers.
- Some participants feel that if they could work in a multi-disciplinary team, they would be able to deal with these cases better.

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- The availability of funds to pay the forensic social workers.
 - Having specialized people to deal with these cases would be a great benefit for some participants.
 - Having a psychologist who can assist the social worker to deal with the child's emotional harm due to the abuse.
 - Cooperation from other organisations, specifically if the participant's organisation limits them to deal with certain cases.
 - General assistance from the Police.
 - Having well informed and competent SAPS officers
 - Having a supervisor to consult with on these cases. According to Engelbrecht (2010), supervision services are an absolute necessity for social workers.
 - Assistance for the child after the court process has been finalized, because the criminal court just ends – no referral to therapists etc. is being made, the child and the family is just left hanging.
 - There is a need to have someone with whom the social worker can debrief – someone with knowledge on social work.
 - Having a magistrate who understands the family dynamics would be a great benefit to a case of child sexual abuse.
 - Having lawyers who act in the best interest of the child.
 - *"I would mean a lot to have the Police on our side"*
 - Having the family on your side.
 - To have access to the *gurus* of the forensic field for knowledge and assistance.
 - If there are open channels between the Police, the courts, prosecutors and the social workers, the child sexual abuse cases will be much easier to deal with.

- Forum meetings with all the stakeholders on how to deal with these cases will be assisting everyone.
- If there could be a clear step by step process where each stakeholder understands his part in the process. There is evidence that procedural changes, such as checklists and structured protocols improve documentation and awareness by health care professionals (Goldbeck, *et al.*, 2007:920).
- *“I think we really need knowledge on how this whole process works’ and another participants said: if we could just get the knowledge on how to start a case”*
- *“We need to open channels between social workers, SAPS and court. The social workers are excluded”*
- *“If the system could be revised, if there could be a better way of handling such cases, it would help”*
- *“Add more to the social work students’ modules”*

Partab (2010) advises that group work sessions, and post-session reflections and learning curves can improve social workers’ knowledge and decrease their stress levels, which are experienced due to some of the following reasons given by Goldbeck *et al.* (2007:920) “a complex prognostic procedure taking into account multiple risk factors, such as developmental timing, severity, subtype, and additional dimensions of maltreatment has to be undertaken by child protective workers.” They add that many case workers feel overwhelmed by these tasks and request assistance.

9.9 THEME 7: Option of referring a child sexual abuse case versus doing it self.

To determine the overall feeling of social workers regarding child sexual abuse cases, they were asked whether they would take these cases on themselves, or if they would prefer to refer it. They were asked to motivate their answer. The following were their motivations:

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- “When I started a case, I would like to continue with the case”
 - “I will rather do it myself, because the child is taught that this social worker will help you and I want first hand information”.
 - “I would like to be the manager of these cases, but I would like to add other disciplines”
 - “I would do it myself because I would like the satisfaction of helping. I would only refer if it is not in my area”
 - “I would do it myself because I want to be able to be in control of my part of the process”
 - “I want to manage these cases myself – if I have the resources”
 - “I don’t mind to deal with these cases, even though they are stressful and difficult”
 - “I would prefer doing these cases myself because this way I am helping children”
 - “I want to deal with these cases, but will have to refer if I don’t make progress”

One (8.3%) respondent said that she will refer the investigation process as she does not feel comfortable with the process. Two (16.6%) respondents are of the opinion that they will deal with a case up to the point where (1) “*I don’t see progress*” and (2) “*when it becomes too challenging*”. Nine (75%) of the respondents prefer to deal with the child sexual abuse cases reported to them and will not refer.

Decisions are often made with insufficient, unreliable, conflicting, or missing information within a stressful and pressured organisational and political context (Stokes & Schmidt, 2012:83) and therefore, a social worker should be able and responsible enough to know whether it would be in the best interest of the child to be referred or not.

10. RESEARCHER'S OBSERVATION

10.1. Frustration

The social workers feel responsible for the child victims, but are frustrated with the legal system and the intervention from the Police. They feel they do not have a voice and they have little support in dealing with these cases. The social workers also feel that they can at least safeguard the child, if the legal system takes its time or doesn't assist, they do not have to be concerned over the wellbeing of the child.

10.2. Inadequacy

Social workers do not feel adequately trained and experienced to deal with these cases.

10.3. Over confidence

Some social workers feel they do not need any assistance in dealing with child sexual abuse cases.

10.4. Fear

Social workers are scared of the perpetrators and violent community members. This impacts their confidence and work efficacy.

11. SUMMARY

- Some participants do not make use of a forensic social worker in their process of dealing with child sexual abuse cases, while others do make use of a forensic social worker to do the forensic assessments. A participant stated that she only makes use of a forensic social worker, when every other method to get a disclosure was unsuccessful. Forensic social work is a specialist endeavour that builds on this generalist practice identity (Sheehan, 2012:412)
- Most of the participants indicate that the removal of the child is part of their process, even though the Department of Social Development (2012:32) stated

that removal of a child to alternative care such as children's homes, foster care and child and youth care centres, should be the last resort.

- About an equal amount of the participants are willing to testify in criminal courts on their child sexual abuse cases or will testify in court for the child, as they feel it is part of their job or a noble thing to do. There was a participant that is not willing to testify in court.
- One respondent said that she will refer the investigation process, while two participants are of opinion that they will deal with these cases to a certain extent. Most of the participants preferred to deal with these cases themselves.
- Social workers see child sexual abuse cases as difficult, challenging and emotionally draining cases.
- The social workers feel that they do not always have the necessary training and knowledge to deal with these cases.
- Most social workers remove the child victim from the abusive environment and place the child in alternative care.
- There is the general feeling that there are too many systems involved, making it difficult to finalise, especially due to the limited communication between the systems involved.
- Social workers experience that they do not have any support from their organisations, the Police and at times the courts.
- In many situations, it is the Police having the biggest effect on slowing child sexual abuse cases down.
- The Police officers are not all trained in dealing with children, nor sexual abuse as a crime.
- The courts do not understand the dynamics of sexual abuse and lawyers are not acting in the best interest of the child.

- The families of the child victims are very reluctant to report these cases, because the alleged perpetrator is very often the provider for the family.
- People are not keen on testifying in court, as they do not want to get involved.
- Social workers receive threats and are scared of the possibility to receive threats, making it difficult to finalize these child sexual abuse cases.
- The impact of sexual abuse on the child is so severe that the social workers feel therapy is not always successful. The lengthy trials prevent the children from receiving therapy and therefore some social workers and even foster parents do not want to finalize. They prefer healing the child by means of therapy. Fouche and Le Roux (2014:208) advocate that if the best interests of the child are paramount in cases of child sexual abuse, then therapy should be provided even if it compromises the judicial process.
- Alternative placement in South Africa is a problem. There are very few places where a child can be safeguarded, where there is (1) a space for the child; (2) adequately trained personnel to deal with these cases and (3) willing assistance with these difficult children.
- Some foster parents cannot cope with a sexually abused child and the acting out behaviour of these children, makes placements difficult in all situations: foster care, place of safety houses and children's homes.
- Social workers feel that they do all that they can and that they then have to leave the rest of the process over to the Police to do an investigations, take the docket to court and then to wait for the court process to start.
- The notion exists that the child is removed and is away from the perpetrator, thus if the legal part of the case drags out to much, the social worker at least knows that the child is safe.

- The family members as well as the perpetrator add to the stress the social worker experiences and this leads to the social workers just removing and getting the family members out of their lives.
- What has been surprising during this research; is that the social workers are much more willing to testify in criminal court than anticipated and they are frustrated with the cases not being finalized.
- A need exists for the development of a protocol where there is a clear step by step process of dealing with these cases, explaining the roles and responsibilities of each party involved in a child sexual abuse case.
- There is a need to have forum meetings with the Police, lawyers, courts and social workers on these types of cases.
- There is a need for training, showing a willingness to finalize these cases correctly.
- There is a need for forensic social workers in the field.

12. RECOMMENDATIONS

- Parents in the communities should be made aware of child sexual abuse and be taught how to keep their children safe.
- The universities must add more training on child sexual abuse for the social work students, as well as the law students.
- The Police should take the responsibility of ensuring a full working FCS unit, with officers knowledgeable on sexual abuse and how to talk to these child victims.
- The Police should appoint more forensic social workers to assist the social workers in the investigations.
- Hospitals should have a medical examiner that is capable of doing sexual abuse investigations and is willing and capable of testifying in court.
- Social workers, especially ones new in the field, should not handle sexual abuse cases.
- Social workers must receive extra supervision from a more experienced social worker in the field of sexual abuse.
- Each organisation should ensure that the social workers stay up to date with child sexual abuse trainings.
- The head of the Department of Social Development, should, with assistance from a FCS officer and NGO managers, arrange a forum meeting with all stakeholders in child sexual abuse cases. Social workers, lawyers, magistrates, clerks of the courts, Police officers should all be included in this forum meeting.
- A protocol should be developed, where a clear process is outlined indicating the whole process of dealing with a child sexual abuse case. It should indicate which stakeholder is responsible for which task and when to give over to the next person.

13. CONCLUSION

It can be concluded that there are many reasons why sexual abuse cases of children in alternative care are not finalised. Reasons may be that due to the stress of the case, the social worker safeguards the child and does not finalise, because the child is *out of harm's way*. Although the latter is a reason for not finalising these child sexual abuse cases in alternative care, the main reasons for these cases not being finalised, appears due to the negligence of the Police, the lengthy and lenient processes of the courts, the uncooperative nature of the family members and social workers that are not trained to finalise these cases.

Social workers do not get the necessary support from the systems that are established to assist them, they are of opinion that they need extra training and the needed resources such as a forensic social worker is lacking in their environments.

The social workers are doing the best they can in a situation where support lacks; resources are frequently non-existent; threats are a reality; and they are alone dealing with difficult clients, feeling overwhelmed by stress and the emotional effects on themselves, all while having the stress of finding a placement for the child victim and safeguarding the child.

In conclusion, social workers feel alone in dealing with these cases. There is a great need for the development of a protocol for social work, lawyers, the court staff, doctors and Police officers, in order for everyone to know and understand the process of dealing with child sexual abuse cases, ensuring that alternative placements are not the final step in the process.

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SECTION B: ANNEXURES

ANNEXURE 2: LETTERS GRANTING PERMISSION TO CONDUCT RESEARCH AT THE VARIOUS ORGANIZATIONS



Professionele Dienste Sentrum / Professional Services Centre • Pleinstraat 23A Plein Street
Middelburg

Middelburg
001-926 NPO
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CHRISTELIK-MAATSKAPLIKE RAAD • CHRISTIAN SOCIAL COUNCIL • UMKHANDLU WOBUDLELWANO BOBUKI IRESTI

16 September 2014

Dear Sir / Madam

Refer: Mrs. Veronica Grunder

This letter is to confirm that permission is granted to Mrs. Veronica Grunder to conduct a research project titled: Reason for not finalizing child sexual abuse cases in alternative care – social workers perception.

Contact Mrs. Marijke Smal with any queries regarding the above.

Kind Regards

A handwritten signature in black ink, appearing to read 'Hannem Scholtz', with a long horizontal stroke extending to the right.

Hannem Scholtz

CMR Middelburg – Human Resources

Diens met Deernis • Caring with Compassion • Ukunakekela ngobnbele

DIREKTEUR / DIRECTOR:
MsNs Susan Lorenz

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CHRISTELIK-MAATSKAPLIKE RAAD • CHRISTIAN SOCIAL COUNCIL • UMKHANDLU WOBUDLELWANO BOBUKHFESTU

Navrae / Enq: Mrs. A. Aucamp
Ons verw / Our ref:
U verw / Your ref:

18 September 2014

Heil die Leser,

INSAKE NAVORSING

Hiermee word bevestig dat dat Veronica Grunder haar navorsing by CMR Wilbank mag doen.

Vir enige verdere navrae is u welkom om ondergetekende te skakel in die verband.

Vriendelike groete


MEV. A. AUCAMP
SUPERVISOR



Diens met Deernis • Caring with Compassion • Ukunakekela ngobubele

DIREKTEUR / DIRECTOR:
Me/Ms Susan Louw

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CHILD WELFARE SA: eMALAHLENI

Reg. No: 001-937 NPO



**P.O. BOX / POSBUS 97
Cnr. MANDELA & JELICOE STR
WITBANK, 1035**

**TEL: (013) 6562471/2
FAKS/FAX: (013) 6562471/2**

Enquiries: Ms Shupikai Chinyaure
Tel: 0136562471

11 September 2014

Dear Veronica

Re: Request for research

This letter serves to inform you that we have received your request for research and we approve the research. Our organization is therefore willing to participate in the research.

Kind regards



Ms Shupikai Chinyaure
Principal Social Worker



Department:
Social Development
MPUMALANGA PROVINCE
Nkangala District

Emakhazeni sub-
district Office
Coetsee street 41
Belfast
1035

Tel : 013 253 1792
Fax : 013 2531186

Ukukhuluphulisa Kwesiliva

Umhlanga WazokuThuthukiswa Komiphakathi

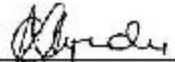
Departement van Maatskaplike
Ontwikkeling

To: TO WHOM IT MAY CONCERN

Re: PARTICIPATION TO THE RESEARCH PROJECT

This serves to confirm that 3 social workers from Department of Social Development Emakhazeni are willing to participate to the research interviews to be conducted by the social worker from SAVF Belfast Children's home.

Kindly Regards.



MRS G.K NYUNDU
SOCIAL WORK SUPERVISOR: BELFAST

15/09/2014

Date





SAVF
HOOFKANTOOR
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Posbus/P.O.Box 112
Middelburg
1050

8 September 2014

Me V Grönder
SAVF Belfast Kinderhuis
Belfast

TOESTEMMING VIR NAVORSING:

Hiermee verleen ondergetekende toestemming dat SAVF maatskaplike werkers in ondergetekende se werksgebied genader kan word vir die navorsing vir u meestersgraad.

Vriendelike groete

MJ Potgieter
Streekbestuurder:Maatskaplike dienste
MPUMALANGA

ANNEXURE 3: WRITTEN CONSENT OF PARTICIPANTS

Research title: Reasons for not finalising child sexual abuse cases in alternative care: social workers' perceptions.

RESEARCHER: Veronica Grunder, MA Social Work (Forensic Practice) Student

SUPERVISOR: Dr Adrie Roux

DECLARATION:

I,.....hereby declare that I was invited to voluntarily participate in the above mentioned study and that I am at liberty to withdraw my participation at any time during the process.

I give my permission that the interview be recorded and understand that the recording will only be made available to the researcher and her study leader. The recorded interview will purely be used to assist in the interpretation and analyses of data and will be destroyed afterwards.

I was informed of the following aspects:

Purpose: To determine the perceptions of social workers for the reasons why child sexual abuse cases in alternative, are not finalized.

Procedures: Permission was obtained from the various organisations' managers in Mpumalanga (CMR, SAVF, Child Welfare and DSD) to conduct the research in the environment of their organisations. Information will be obtained by means of semi-structured one to one interviews.

Confidentiality and anonymity: The researcher stands under a stringent moral obligation to do whatever is required to make certain confidentiality prevails. The results of this study may be published in professional journals and or presented at professional conferences but anonymity of participants will be concealed and thus confidential when information is revealed.

Risk: Non participation is voluntary.

Possible advantages: The specific research will be in the interest of all social workers dealing with child sexual abuse cases in alternative care, as not finalising these cases are a reality.

SIGNATURES:

PARTICIPANT

_____ DATE _____ PLACE _____

RESEARCHER

_____ DATE _____ PLACE _____

WITNESS

_____ DATE _____ PLACE _____

ANNEXURE 4: INTERVIEW SCHEDULE WITH SOCIAL WORKERS

RESEARCH TITLE: Reasons for not finalizing child sexual abuse cases in alternative care: social workers' perceptions

INTRODUCTION

The undersigned social worker is conducting research on the reasons for not finalising child sexual abuse cases in alternative care.

Exploring the perceptions of social workers regarding their perceptions why they do not finalise sexual abuse cases of children in alternative care, contribute in assisting social workers with the finalisation of child sexual abuse cases in alternative care. In assisting social workers in finalising child sexual abuse cases in alternative care, it will assure more successful prosecutions of alleged perpetrators.

IDENTIFICATION PARTICULARS

1. TABLE 1: AGE OF PARTICIPANTS

AGE	FEMALE	MALE
20-30		
31-40		
41-50		
51-60		
Above 60		

2. TABLE 2: HIGHEST QUALIFICATION OF PARTICIPANTS

Diploma	Degree	Master degree	Doctors degree	Other (specify)

3. TABLE 3: INSTITUTION WHERE QUALIFICATION WAS OBTAINED

University	College	Other (specify)

4. TABLE 4: YEARS OF EXPERIENCE

Years working as a social worker	Specify
0-3 years	
4-7 years	
7-10 years	
10-13 years	
14-17 years	
18-20 years	
20 years and more	

- 5. What is your perception on the management of child sexual abuse cases?**
- 6. What process would you follow if you had to deal with a child sexual abuse case?**
- 7. What do you perceive as problems in dealing with child sexual abuse cases?**
- 8. What are the reasons for not finalising child sexual abuse cases?**
- 9. What are your perceptions on testifying in a criminal court with a child sexual abuse case?**
- 10. What kind of assistance would you like to have when dealing with a child sexual abuse case?**
- 11. If you had the option, would you manage a child sexual abuse case yourself, or would you prefer to refer the case to someone else? Please motivate your answer.**