




# **Fathers' experiences on denied contact with their children after a break-up: A case of the Limpopo Province**

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Dissertation submitted for the *Magister* in Social Work at the North-West University

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## Acknowledgments

I would like to extend my sincere appreciation to;

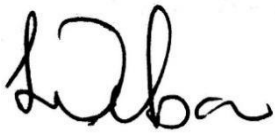
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Permission to submit

Letter of permission

Permission to submit the dissertation for examination purposes

I, the research supervisor, hereby declare that the input and effort of Mr William Matjila in writing this dissertation reflects research done by him on this topic. I hereby grant permission that he may submit the dissertation for examination in fulfilment of the requirements for the degree Magister in Social Work.

A handwritten signature in black ink, appearing to read 'Lizane Wilson', written in a cursive style.

Dr Lizane Wilson

Research supervisor

### Declaration of the Researcher

I, Matjila Colly William, hereby declare that the manuscript with the title, "Fathers experiences on denied contact with their children after a breakup" A Case of the Limpopo Province" is my own work. All references used or quoted were acknowledged by citing in text and also in referencing in the bibliography. I further declare, that I have not previously in its entirety, or in part, submitted the said manuscript at any other university to obtain a degree.



November 2019

## Declaration of the editor

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23 NOVEMBER 2019

### TO WHOM IT MAY CONCERN

This is to certify that I, Dr Rose-marie V. McCabe, proofread and edited the following Master's research report entitled:

*Sepedi fathers' experiences on denied contact with their children after a break-up: Bakenberg, Mogalakwena Municipality* by CW Matjila.

I suggested certain changes and corrections to language usage and style, which I trust will be effected to make it suitable for evaluation.

signed:



Dr Rose-marie McCabe

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## **Preface**

The dissertation is presented in article format as indicated in Rule A.5.4.2.7 of the North-West University Potchefstroom Campus Yearbook

- The dissertation consists of Section A, Part 1: Is the introduction, Part 2: Literature Review.
- The articles are presented in Section B. The articles are intended to be submitted to the Social Work and Social Work Practitioner. The researcher followed the Harvard referencing style and guidelines for authors of the journal in Article 1. The Harvard reference style and guidelines for authors of the journal in Article 2.
- Section C consists of a summary of research study, methodology, recommendation and implication of findings. Section D consists out of a list of Annexures.
- In Section A and C the researcher used the Harvard reference guide according to the North-West University's referencing manual.

## **Abstract**

Despite the new Children's Act framework on parental responsibilities and rights, there is still a constant battle that parents have over children. Fathers being denied contact with their children at Bakenberg, Limpopo Province is increasing at an alarming rate as fathers are being denied contact with their children after a break-up. The Sepedi speaking people are mostly from Limpopo province. Paternal family plays a very crucial role in the upbringing of children. It is imperative for children to have contact with family members from their father's side. Fathers are important in children's lives to provide guidance and instil discipline. The aim of this study was therefore to through a qualitative descriptive design use document analysis and semi-structured interviews to explore the experiences of Sepedi fathers on the phenomenon of "contact-with-the-child" after relational break-up in Bakenberg, Mogalakwena Municipality. Data was analyzed using Tesch's qualitative data analysis model. The findings revealed that poor income and only temporary employment were identified to have disadvantaged the majority of fathers by not being allowed to have contact with their children after a break-up. The influences of grandparents and other family members, cultural factors, conflict between parents and the mothers' power over parenting roles contributed to the denial of father-to-child contact. Mothers refused to share parenting responsibilities with fathers after divorce or separation, and applied strict rules that excluded the fathers. Mothers displayed jealousy after the break-up and made children turn against their fathers as well. Mothers have put their needs before those of the children, while fathers on the other hand experienced disruptions aimed at ensuring that visitations are not possible between them (fathers) and children.

### **Key words:**

Contact-with-the-child, Sepedi culture, Paternal family, Cultural values, Father-to-child relationship, Child, denied contact with child

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## **SECTION A**

### **PART 1: INTRODUCTION AND ORIENTATION TO THE RESEARCH**

#### **1.1 INTRODUCTION**

The amended Children's Act (38 of 2005) stipulates the rights of fathers (both married and unmarried) to have contact with their children. Professor Weshal Domingo, the head of law at Wits and a family law expert, and her colleague, law lecturer Prinslean Mahery write how, despite South Africa's new Children's Act framework, which "created a shift from the idea of parental power over a child to the notion that parents have parental responsibilities and rights, that hasn't fundamentally changed the constant battle that parents and other interested parties have over children" (Saturday Star, 2019).

According to Sekgale (2017:77), it appears as if the societal goal of the Children's Act is to protect mothers, who are normally the primary caretakers of children. However, what is in the mother's best interest is not always in the best interest of the child, and because of the obligation in terms of Section 28(2) of the Constitution, the view is generally that, it is in the best interest of the child to exclude the uncommitted father. It is however, submitted that in doing so the committed father's rights are often also excluded. A problem often occurs if a mother refuses to allow a committed father to develop a relationship with his children, regardless of whether he has acquired rights in terms of Section 21 of the Children's Act or not.

Internationally, a study conducted in Canada and Britain indicates that 70% of a sample of 80 non-custodial fathers believes their wives actively discouraged contact by denying access or otherwise interfering with access (Kruk, 2012). Braver and Griffin (2000) report that about a third of the non-custodial fathers in their study claimed that they have been denied visitation privileges at least once, while a quarter of custodial parents admit such denials. In Virginia (United States of America, USA), 62% of cases reported that fathers have been denied contact with their children. Similarly, in Georgia (USA) 46% of cases of "child contact" have reported fathers having been denied access to their children by mothers. In Australia, 80% of the cases recorded showed that fathers have been denied contact with their children. In Arizona (USA), 182 cases of fathers who have been denied access to their children by mothers have been reported as well (Nielsen, 2017). Nationally, Judge Peter Mabuse has sentenced a Pretoria mother to 30 days imprisonment for

contempt of court after she denied her ex-husband access to their 3 year old son (Saturday Star, 2019).

Studies have found that paternal absence, neglect or abandonment can result in poor educational performance, school drop-out, teen pregnancy, and drug and alcohol abuse (Bojuwoye & Sylvester, 2014:217; Maldonado, 2014:634). In addition, fatherless children have been linked to an increased tendency toward violence, substance abuse, truancy, unwed pregnancies, and psychological disorders in contrast to children whose fathers play an active role in their lives (Khewu & Adu, 2015:6; Manyatse & Nduna, 2014:68; Wilson, Henriksen, Bustamante & Irby, 2016:190). Moreover, many children are uncertain and confused and deeply feel the need for a father's attachment, presence and a lifestyle characterized by good values received from their fathers (Freeks & Lotter, 2011; Khewu & Adu, 2015).

Notwithstanding the resilience and role played by mothers in the lives of adolescent boys (Freeks, 2017:91; Langa, 2017:63), the involvement and presence of a father in the household, especially in the lives of the children, has been largely associated with positive outcomes. If fathers are denied contact with their children, it causes children to grow up without a father. Bojuwoye and Sylvester (2014:217) explain that children growing up in single mother homes are deprived of a live-in gender role model and financial security which is generally provided by the father as the head of the family. Von der Lippe, Eilersten and Hartmann (2010:11) posit that there are a number of positive outcomes for children that have been associated with a secure attachment relationship with their mothers. For example, secure attachment increases a child's autonomy and initiative. In addition it has been found that children who are securely attached develop more positive social competence, cognitive functioning and physical and mental health (de Minzi, 2010).

According to Thabede (2005:104), children do not directly comprehend cultural ideology when they are young. Beliefs about the father are usually transmitted by the parents and other emotionally significant adults. More often than not, parents are the primary socializers of their offspring and the major source of children's beliefs about the world. The personal father (any adult person who is not the biological father to the child but still willing to provide basic needs to the child), the mother, and other adults with whom the child has a close connection, mediate both cultural and religious attitudes about the father found in the larger society to the child. The child in turn internalises these beliefs which were passed

to them by the parents and ultimately the beliefs becomes part of their daily living. Thabede (2005:104-106) further posits that socialization theory helps us to understand that the messages from significant others carry greater weight than those of others with whom the child does not share as close a bond.

## **1.2 CONTEXTUALIZATION AND PROBLEM STATEMENT**

Even though the rights of fathers (both married and unmarried fathers) are enshrined in the amended Children's Act (38 of 2005), the researcher, currently working as a social worker in the Department of Social Development in the Mogalakwena Municipality, Limpopo Province, has observed that cases on the lack of 'father-to-child-contact', after having lived in both cohabiting and marriage relationships, seem to have recently increased at an alarming rate at Bakenberg. Bakenberg is a rural area situated approximately plus-minus 50 Kilometres away from the west side of Mokopane town. This area (Bakenberg) falls under the Mogalakwena municipality in the Waterberg district of the Limpopo Province. Most fathers struggle to visit their children or make contact with them due to barriers set by the children's mothers. The researcher noticed that denial of contact-with-the-child" matters pertained to children between the ages of 0 to 18 years. Speaking on behalf of the tribal office of Bakenberg, Maletle (2018), one of the cultural experts in South Africa, also adds that the chief is also concerned about the increasing number of denial of contact-with-the-child matters reported daily by his community members.

Locally, the number of statistical records from the Mogalakwena Magistrate's court in the Limpopo Province pertaining to former cohabitating fathers and married fathers who reported denial of child are increasing at an alarming rate (Sekgobela, 2019). Based on the statistical information provided by the clerk of the court from Mogalakwena Magistrate's office, a total number of 306 files concerning Sepedi speaking fathers that are being denied contact with their children have been opened from January 2016 until December 2019 (Sekgobela, 2019). The cases of other ethnic groups for the same period from January 2016 until December 2019 recorded 80 for Xitsonga, Isindebele recorded 40 and that of foreign nationals like Zimbabweans, Somali etc, recorded the total amount of 07 cases. Six years ago when the researcher was still new in the Social work profession, in South Africa, particularly in the Waterberg district of the Limpopo Province, the cases of denial of 'father-to-child contact' were not as rife as they are recently shown.

The rationale for conducting the current study in Limpopo Province was the alarming rate of fathers who are denied contact with their children. According to Statistics South Africa (2019) more than 50% of cases of denial of father-to-child contact after breaking up are reported annually in the Limpopo Province. The researcher is also aware that there could be other Sepedi fathers in other provinces who experience such denial of 'father-to-child contact'. However, the study targeted Sepedi-fathers from Limpopo Province as the researcher has personally witnessed the cases as they were reported to his office and department.

One of the cultural experts at Bakenberg, Limpopo Province, Maletle (2018) highlighted the fact that parents previously used to have a way of dealing with the issue of denial of 'father-child contact' without others noticing that there is conflict between the couple. However, currently, many cases are reported at government offices and tribal offices for interventions. Due to his knowledge and experience, Mr Maletle, was assigned by the traditional council of Bakenberg to handle all the cultural matters arising at the village. The researcher working as a social worker, can also confirm that cases are increasing at an alarming rate among the Sepedi-speaking people in the Bakenberg, Waterberg district for reasons that are unknown. The disagreements between parents during divorce settlements may attribute to the scourge of fathers being denied contact with their children (Kgadima, 2017:77). In addition, failure to pay child maintenance may also lead to fathers being denied contact with their children (Pitsoane, 2013:9).

The Sepedi-speaking people are, according to Statistics South Africa (2016), spread throughout the nine provinces of South Africa, but are mainly found in the Limpopo Province. There are eleven official languages in South Africa, and Sepedi being one of them, is predominantly used in the Limpopo Province, particularly in the Waterberg district. Sepedi-speaking people believe in cultural activities. Sepedi is the most dominant culture and the language spoken by many at Bakenberg, Limpopo Province (Stats SA, 2016). The researcher was prompted to investigate the cases involving Sepedi speaking people in particular, because they have been reported to the Social workers offices at Bakenberg in the highest number of cases. According to Rankopo and Osei-Hwedie (2011:141) it is important to note that culture is essentially about identity in a particular environmental setting. It promotes a particular way of organizing life and viewing and understanding the world. Notwithstanding this, there are other cultural groups such as Ndebele, Tsonga and others who are also represented at Bakenberg. However, the Sepedi culture has the

highest database on matters of “fathers’ who were denied contact-with-the-child” after a break up. According to prevailing cultural practices, the attribution of the father’s surname to his children marks the integration of children into their father’s family and places them in the family lineage in full relationship with other forefathers or ancestors (Mkhize, 2006). Nkuna and Jewkins (2012:321) also note that “paternal connection for the child is important in this setting for ancestral protection”. The researcher is of the view that, it is imperative in this study to understand the Sepedi-speaking people’s beliefs, values and customs that govern their behaviours as a population.

The International Federation of Social Workers (IFSW) and International Association of Schools for Social Workers (IASSW) (2014) indicate that the social work profession should endeavour to acknowledge indigenous knowledge as an invaluable tool to enhancing the scientific knowledge of social work. Shokane and Masoga (2018:1) suggest that indigenous knowledge encourages local cultures and contexts, which integrate a culturally-sensitive and Afro-sensed approach. Which, in turn, has the potential for driving a changed social work practice and education. Thubakgale and Kekana (2018) social workers serving the Sepedi-speaking people at Bakenberg, have indicated that social work programmes are not being delivered in an indigenous manner by means of which, from an African perspective, life transitions or problems are being celebrated through rituals. Rankopo and Ose-Hwedie (2011:81) further explicates indigenous knowledge as knowledge that is characterized by its “embeddedness in the cultural web and history of a people including their civilization forms that are the backbone of the social, economic, scientific and technological identity of such a people”. It is therefore, essential to understand the denial of “father-child contact” after a break up within the specific culture and in the context of indigenous knowledge.

In summary, the research problem entails that there has been an increase in the occurrence of lack of ‘father-to-child contact’ matters after a relationship break-up at Bakenberg, Limpopo Province amongst the Sepedi-speaking people over the recent years. The implication of this problem is that the relationship between the father and his children is under strain or not able to develop, thus negatively affecting the child. Hence this research study intends to fill a gap in knowledge in relation to lack of “contact-with-the-child” after a relationship breakup, especially among the Sepedi-speaking people. It is furthermore essential to understand social work practice and the culture of the Sepedi-speaking people as this could help view life through their eyes as a population and also

render appropriate services to them (Shokane & Masoga, 2018:1). From this research problem the primary research question for this study was formulated as: What are the experiences of Sepedi fathers from Bakenberg, Mogalakwena Municipality that are denied contact with their children after a break-up?

### **1.3 AIM AND OBJECTIVES**

According to Holnes (2015:136) the research aim refers to the overall purpose of the study, and generally involves the long-term vision and broad requirements for the project. The aim of this study was to qualitatively explore by means of a descriptive design the experiences of Sepedi fathers from Bakenberg, Limpopo Province, who were denied contact with their children after a break-up.

According to Liamputtong (2013:270) research objectives are the specific statements about what the proposed project seeks to accomplish. The following objectives assisted the researcher to achieve the aim of the study.

- To conduct a literature study of previous research on the topic of “contact-with-the-child” after a break-up in order to develop a conceptual framework for this study.
- To explore and describe the experiences of formerly co-habiting or married Sepedi fathers on being denied “contact-with-the-child” after a breakup.
- To analyse the data, describe the themes and present the findings in two articles.

### **1.4 CONCEPT DEFINITIONS**

#### **1.4.1 Contact-with-the-child**

The amended Children’s Act (38 of 2005) in particular Section 20 and 21 respectively stipulates that ‘contact’, in relation to a child, means: (a) maintaining a personal relationship with a child; and (b) if the child lives with someone else (c) having communication on a regular basis with the child in person including, (d) visiting the child; or (e) being visited by the child; or (f) communication on a regular basis with the child in any other manner, including (g) through the post; or (h) by telephone or any other form of electronic communication. For the purpose of this study the word ‘contact-with-the-child’ will be used to refer to the interaction between the father and his children.

#### **1.4.2 Sepedi culture**

The Sepedi speaking people are, according to Statistics South Africa, spread throughout the nine provinces of South Africa, but are mainly found in the Limpopo province (StatsSA,

2016). One of the regions in the Limpopo Province called the Waterberg region, in the Waterberg district, is divided into Bakenberg North and Bakenberg South circuits. Bakenberg is not only dominated by the Sepedi speaking people, it is inhabited by amaNdebele and Xitsonga tribes as well. For the purpose of this study anyone who speaks Sepedi ,resides in the Bakenberg area and are from the Sepedi ethnic group will be included.

#### **1.4.3 Paternal family**

Paternal family' refers to the family in which the father was born and brought up. In the African 'traditional' context children normally take the father's identity and need to have certain rituals performed according to their biological father's clan name (Idang, 2015:102).

#### **1.4.4 Cultural values**

According to Collins, Jordan and Coleman (2013:207) culture refers to the culmination of values, beliefs, customs and norms that people have acquired, usually in the context of their family and community. Rankopo and Osei-Hwedie (2011:142) assert that culture is essentially about identity in a particular environmental setting. It promotes a particular way of organizing life and viewing and understanding the world. In view of the coexistence of cultures in plural societies such as South Africa, there is likely to be a degree of cultural assimilation or melding of cultures to enable them to survive. At the same time, the cultural practices of other groups are viewed through different lenses, leading to clashes of cultural values (Malete, 2018; Thabede, 2005).

#### **1.4.5 Father-to-child relationship**

According to Herring and Kaslow (2002) the emotional bond between parents and children is a key element in the psychological development and functioning of the children. From a family systems perspective, fathers who reside with their children have many opportunities to interact and develop a relationship with them. Although it is possible that involved and committed non-residential fathers also build close relationships with their children, co-residence has been found to be a strong correlate of the quality of the father-child relationship (Makusha & Richter, 2015:35). For the purpose of this study, father-to-child relationship will refer to the interaction between the father and his children.

#### **1.4.6 Child**

According to the amended Children's Act (38 of 2005) any person(s) who is under the age of 18 years is referred to as a minor.

## **1.5 RESEARCH METHODOLOGY**

### **1.5.1 Research approach**

This study was conducted from a qualitative research approach. Qualitative research typically studies people or systems by interacting with and observing the participants in their natural environment (Cresswell, 2016:51). This approach also gives a voice to people (participants) by “hearing” people’s own personal narratives in their own language (Liamputtong, 2013:1). The researcher heard the voices of Sepedi speaking fathers when narrating about their experiences of being denied contact with their children. With the qualitative research approach, the researcher aimed to obtain in-depth, rich information from the participants.

### **1.5.2 Research design**

A qualitative descriptive design was used for the purpose of this study. A descriptive research design follows from the exploratory research design with the main purpose of documenting the “participants experiences, views, and meanings as richly as possible” (Cresswell, 2016:289). The central questions in descriptive research are who and why (Cresswell, 2016:289), although there are no immediate intentions of understanding the “why” of their circumstances or the causes of their problems (Dudley, 2011:106). In this study a qualitative descriptive design was used in order to explore the experiences of the participants in-depth.

### **1.5.3 Population**

The population refers to a total set from which the individuals or units of analysis are chosen (Creswell, 2016:381). It is also understood as a larger group of persons from which particular participants can be selected for data collection. The population for this study consisted of fathers living permanently in the Bakenberg, Mogalakwena Municipality, Limpopo Province and who have been denied contact with their children. This population group has been chosen based on the fact that the highest number of cases reported to the social workers’ offices at Bakenberg involved Sepedi speaking fathers.

### **1.5.4 Sampling method**

For the purpose of this study, non-probability purposive sampling was used to sample participants for the semi-structured interviews. According to Strydom and Delpont (2011:392) purposive sampling refers to the deliberate selection of specific individuals, events or setting because of the crucial information they can provide which cannot be

obtained as effectively through other ways or methods. Purposive sampling is the most common strategy in qualitative research as it allows for researchers to find cases that will provide in-depth information which will fit the purpose of the study (Patton, 2002:12). Purposive sampling was considered the most appropriate sampling method for the study as the researcher was interested in collecting data from a specific group of participants, namely, fathers who are being denied contact with their children.

### **1.5.5 Sample size and motivation**

Strydom and Delpont (2011:328) indicate that “there are no rules” for the sample size in qualitative research and that the sample size will depend on what the researcher wants to discover, the purpose of the investigation, what will be helpful and what can be done within the available time. Apart from the fact that there are no rules for the size of the sample, it is furthermore also difficult to determine beforehand what the sample size of a qualitative research study will be as the data collection efforts will only stop once data saturation is achieved (Strydom & Delpont, 2011:328). In other words, saturation will be reached when the researcher has gathered data to the point of diminishing returns, when nothing new is being added.

The researcher initially planned to sample 15 participants to start with, but then to collect data until data saturation. Data saturation was reached by the 13<sup>th</sup> participant, that is when the researcher realized that no new information was emerging and there was much repetition of what previous participants had said. Data saturation was confirmed through re-listening to the audio recordings of the previous participants. That is when the researcher realized that the information shared by the 13<sup>th</sup> participant was already provided. Out of 13 fathers who participated in the study, only 6 of them were married and 7 fathers were never married.

### **1.5.6 Sample inclusion criteria**

The specific inclusion criteria for the study were:

- Fathers aged between 18 – 50 years. The age group of the fathers was extended in order for a bigger group of fathers to have an opportunity to be included in the study.
- Fathers living in the Bakenberg, Mogalakwena Municipality. Bakenberg is dominated by Sepedi speaking people and statistics from the Mogalakwena magistrate’s court, which includes Bakenberg, indicated that denial of child contact

matters are increasing at an alarming rate among the Sepedi-speaking people for unknown reasons.

- Fathers are being denied 'contact-with-the-child' after a relationship breakup. Children were between the ages of 0 and 18 years. Participants were selected post denial of "contact-with-the-child" which included a few months and not more than five years after the breakup.
- Fathers who were fluent either in Sepedi or English.
- Fathers from the Sepedi culture.

Thabede (2005:17) indicates that literature studies on Sepedi culture are meagre and not recorded. Therefore, it is for this reason the Sepedi culture has been chosen as a sample in this current study. It was also essential to understand the Sepedi culture in the context of the indigenous knowledge.

#### **1.5.7 Sample exclusion criteria**

The specific exclusions for the participants was:

- Sepedi fathers who have relocated to other provinces.
- Sepedi fathers who stayed full time with their children.
- Sepedi fathers' whose contact with their children is prohibited by law (for example through a protection order etc.) were excluded from the study as their experiences may differ from those where the mother was prohibiting contact.
- Sepedi fathers from other provinces were excluded on the basis that at the moment the cases of denial of 'father-to-child contact' are on the rise in Limpopo Province. The researcher was aware that there could be other Sepedi fathers in other provinces who experienced denial of 'father-to-child contact'. However, the researcher focused his study in Limpopo Province because he personally witnessed the cases as they were reported to his office and department.

#### **1.5.8 Data collection methods**

Interviewing is the predominant mode of data or information collection in qualitative research as it leads to interaction, and allows for the researcher to establish an understanding of what is happening in the individual's life (Greeff, 2011:342). The data collection methods that were used in this current study included semi-structured interviews and document analysis. These two data collection methods complemented each other in this study as one method focused on collecting data from the participants themselves, while the other method focused on collecting data from the case files.

### 1.5.8.1 Semi-structured interviews

*Semi-structured interviews* were used as one of the data collection methods, whereby an interview schedule was used to guide the interview. The researcher has compiled an interview schedule (See attached Annexure 5) which was used in this regard. The researcher reviewed the schedule with the study leader to ensure that the question(s) was appropriate to pose to the participants. Furthermore, with the guidance of the study leader, the researcher managed to complete a pilot study beforehand.

According to Hazzi and Maldon (2015:53) pilot testing refers to a mini-version of a full scale study to pre- test a particular research data-collection instrument such as an interview. The purpose of the pilot testing in this study was to assess various components of the interview guide such as content validity (Matuska, 2011:222), effectiveness (Hennink-Kaminski, Willoughby & McMahan, 2014:37), relevance and reliability (Walker, 2015:871). The pilot testing in this study was done in the following manner: One participant was chosen for the pilot testing in order to ensure that the questions were understandable and answered the research question. The participant was briefed in person before the commencement of the pilot testing. The briefing included an explanation of the consent form that he was required to sign before answering the questions. The participant indicated that he found the questions to be clear and the responses received from the participant was in line with the research question.

The questions asked during the interviews were in relation to the topic and contributed towards achieving the specific aim of the research project and to answer the research questions. The questions that were asked during the interviews were as follow:

- Please tell me about your experiences on being denied contact with your child/ren?
- Have you always been denied contact or was there a time where you did have contact with your child/ren? Tell me more about this.
- What do you think caused you to be denied contact with your child/ren?
- What would you say is holding you back from having contact with your child?

Since the interviews were conducted in a formal and individual setting, the researcher started the interviews by establishing rapport with the participants. By establishing rapport, the researcher aimed at encouraging the participants to feel welcomed and appreciated. During the interviews, the researcher enhanced participation by nodding even if the

information provided by the participant was not relevant for the study. This was to help the participants feel that their contribution was valued. The researcher audio-recorded all the interviews for the purposes of data analysis with the permission of the participants. The recorded interviews were transcribed in a verbatim format by an independent transcriber from a private business. The fathers were interviewed individually so as to obtain their perspectives about the subject matter. All the interviews were conducted in the Bakenberg Social Development boardroom which provided an environment conducive to privacy and confidentiality. The duration of the interviews was between one and two hours. There was a break of 15 minutes so that participants could stretch their legs. Refreshments such as biscuits, snacks and soft drinks were served to the participants. The interview site was reachable to the participants; however, the participants were reimbursed with R20-00 each to make use of local transport to ferry them to and from the interview site. Interviews were conducted in a non-threatening way by making use of principles such as empathy and a non-judgemental attitude. The participants were free not to respond to questions that they were not comfortable with. Throughout the interviews the researcher made use of the interview techniques such as active listening, paying attention to verbal and non-verbal cues of communication, paraphrasing, and reflection (Greeff, 2011:345) in order to ensure that participants are in agreement and feel comfortable with the information that will be recorded.

According to Mack, Woodsong, Macqueen, Guest and Namey (2014:9) field notes are used for supplementary documentation of the discussion, and as a backup in the event that the recording system fails. The researcher used the field notes in order to keep track of the conversation and to stay focused on the topic at hand during the interviews.

#### 1.5.8.2 Document analysis

*Document analysis*, which was also used to collect data in this study, is a form of qualitative research in which documents are interpreted by the researcher to give a voice and meaning around an assessment topic. Document analysis focuses on the description, identification of trends, frequencies and interrelationships in the relevant documents consulted (Sarantakos, 2013:304). According to Bowen (2009:31) document analysis is an efficient and effective way of gathering data because documents are manageable and are practical resources. Within the confines of the document analysis, the researcher aims to

capture predominantly surface impressions, sometimes with and sometimes without previous planning and preparation (Sarantakos, 2013:304).

Before actual document analysis can take place, the researcher must go through a detailed planning process in order to ensure reliable results (Bowen, 2009:5). Sarantakos (2013:305) identified two steps, which include the selection of the topic and the methodology. In this study, the researcher has taken the decision to research the issue of “denial of father-to-child contact” after the relationship break-up at Bakenberg. The methodology that guided the researcher to achieve the objectives of the study was to follow the steps below:

The researcher first got permission for access to the potential participants’ personal files from the Limpopo Provincial Department of Social Development. A requisition was made so that information can be accessed. Although permission to access the files was requested from the Provincial office, the social workers from Bakenberg office also were asked to give permission to access the files as the case managers. As soon as permission was granted by both the Provincial office and the Bakenberg office respectively, potential participants were requested to give their informed consent to access their files as well. While obtaining informed consent from the participants, the mediator also informed and explained document analysis to them. Their written permission allowing access to their personal files at DSD was then obtained. In case participants denied consent to the files that were going to be documented on the informed consent form (Annexure 4) then the participant’s personal file was not going to be used.

The questions that were asked during the document analysis were as follow:

- 1.1. When did the break-up happen?
- 1.2. The reason(s) for the break-up?
- 1.3. How old was the child by the time the couple broke up?
- 1.4. What information is available on why the father was denied contact with his child/ren?

The researcher documented the information with permission from the participants for the purposes of data analysis. The fathers’ case files or case registers was consulted individually so as to avoid generalization of information gathered. The following is a summary of the participants’ biographical information:

**Table 1.1: Biographical information of participants**

<b>Name</b>	<b>Age</b>	<b>Gender</b>	<b>Marital status</b>	<b>Qualifications</b>	<b>Number of children</b>	<b>Employment status</b>
Participant 1	39	Male	Married	Degree	4	Social worker
Participant 2	42	Male	Never married	Grade 10	1	Unemployed
Participant 3	30	Male	Never married	Grade 11	1	Street vendor
Participant 4	48	Male	Married	Doctoral degree	2	School principal
Participant 5	44	Male	Married	Grade 12	1	Business owner
Participant 6	34	Male	Never married	Grade 12	1	Driver
Participant 7	31	Male	Never married	Grade 12	1	General worker
Participant 8	36	Male	Married	Grade 12	1	Security officer
Participant 9	34	Male	Never married	Grade 7	1	Bricklayer
Participant 10	37	Male	Married	Diploma	1	Community Development Practitioner
Participant 11	40	Male	Never married	Grade 12	1	Unemployed
Participant 12	30	Male	Never married	Grade 12	1	Unemployed
Participant 13	34	Male	Never married	Grade 12	5	Community Policing forum

**Table 1.2: Biographical information of participants whom the researcher had access to their files**

<b>Name</b>	<b>Age</b>	<b>Gender</b>	<b>Marital status</b>	<b>Qualifications</b>	<b>Number of children</b>	<b>Employment status</b>
Case file 1	44 years	Male	Married	Grade 12	02	Bricklayer
Case file 2	40 years	Male	Married	Diploma in finance	01	Teller
Case file 3	40 years	Male	Never married	Grade 11	01	Car mechanic
Case file 4	39 years	Male	Married	Grade 12	02	Traditional healer
Case file 5	38 years	Male	Never married	Grade 10	02	Taxi driver
Case file 6	36 years	Male	Never married	Grade 12	03	Unemployed
Case file 7	34 years	Male	Never married	Grade 7	04	Security officer
Case file 8	34 years	Male	Never married	Grade 12	01	Street vendor
Case file 9	32 years	Male	Never married	Grade 10	02	Security officer
Case file 10	29 years	Male	Never married	Grade 11	03	Taxi driver
Case file 11	27 years	Male	Never married	Grade 12	01	Spaza shop owner
Case file 12	23 years	Male	Never married	Grade 12	01	Mine operator

### 1.5.9 Data analysis

The nature of the data has to be considered before deciding on an appropriate data analysis strategy. The data in this study was rich qualitative data reflecting deep accounts of participant experiences (Fouché & Schurink, 2011:420) regarding “contact-with-the-child” after the relationship breakup. During analysis of the data (transcribed interviews), the researcher considered the words, context and frequency of certain comments based on the eight steps of Tesch’s qualitative data analysis model as it is described in De Vos and Fouché (1998:343-344). These steps involve the following:

- The researcher first carefully read through all the transcriptions, making notes of ideas as they emerged from the data.
- One interview was selected at a time and read in order to discern the meaning in the information against the themes or topics that emerged. The researcher compared the information from the interviews to that of the field notes in order to confirm any theme or topics identified.
- The researcher went through all the transcripts and arranged the data in groups under similar topics forming labels for major themes and for unique themes.
- The researcher abbreviated the themes as codes and wrote the codes next to the appropriate segment of the text. The organization of the data was then observed and checked to see if new categories or themes emerged.
- Once the organization of data was observed and checked, the researcher reduced the total list of categories by grouping topics together according to their relatedness. Lines drawn between the categories to indicate the interrelationship of different categories.
- A final decision was made on the abbreviation of each category, and then the codes were arranged alphabetically.
- The data material belonging to a category was grouped together and a preliminary analysis was performed as well.
- Finally, the recording of the data was done in the form of writing the research report (De Vos & Fouché, 1998:343-344).

As a supplement, other data was obtained through document analysis. The documents were analyzed using exploratory analysis, which is one of the approaches of document analysis. Exploratory analysis, as an approach enabled the researcher to search for peculiarities, characteristics, attributes, and trends in the text that mark the identity of the

message conveyed through the document. It involves identifying data, comparing them, weighing their relevance and significance, and recording them systematically. The integrated and interpreted image of the document was presented in the conclusion of this study (Sarantakos, 2013:305).

The two sets of data collected in this study (i.e. data from the interviews as well as data from the documents) were then combined in order to answer the research question. By integrating these two data collection methods, the researcher aimed to avoid the issue of biasness which could occur when answering the research question. Prior to the finalization of the report, the researcher conducted a literature comparison to increase the trustworthiness of the findings and also located the study within the existing knowledge. This furthermore enabled the researcher to compare and contrast the findings to the existing knowledge or literature. By so doing the research increased the scientific value of the study.

## **1.6 TRUSTWORTHINESS**

According to Fouché and Schurink (2011:442) there are four constructs which must be considered when deciding upon the trustworthiness of a qualitative study, namely, credibility, transferability, dependability and confirmability. These four constructs will subsequently be discussed in relation to how they were incorporated in the study to guarantee its trustworthiness.

### **1.6.1 Credibility**

According to Fouché and Schurink (2011:442) credibility in qualitative research is defined as "...the extent to which the data and data analysis are believable and trustworthy". Credibility is equivalent to the "internal validity" of a qualitative research study, that is, the way the credibility of a research project reflects reality (Fouché & Schurink, 2011:442). Shenton (2004:64) suggests that researchers should incorporate the following important aspects in order to ensure the credibility of a research project:

- The use of well-established research methods. For the purpose of this study, semi-structured interviews and document analysis were chosen as they link up with the qualitative interpretive design, with both aimed at gaining in-depth understanding of a situation. Field notes were also integrated throughout the study to support the data that was gathered during the documentation process. The field notes were used as a

way to support the data collected during the semi-structured interviews and document analysis.

- The development of early familiarity with the mediator. In this regard the researcher and the mediator went through the case files of the participants in order to identify documents which contain the necessary information so as to satisfy best practice (Shenton, 2004:65).
- Incorporating tactics to ensure honesty. The interviews were conducted in a non-threatening way (i.e. having a non-judgemental attitude). The participants were safeguarded from responding to questions they did not feel comfortable with and they were not disadvantaged in any way. The participants were furthermore not misled with regard to what the aim of the study was and what was expected of them as participants as they were informed about this before the study commenced.
- A co-coder was used to assist the researcher with the coding of data during data analysis and in order to reduce bias within the study.
- The use of debriefing sessions. This aspect was incorporated in each interview where the participants were referred to a social worker from Social Development who is knowledgeable in providing debriefing. The voluntary debriefing sessions therefore occurred directly after the interviews. The sessions were done in order to allow the participants the opportunity to reflect on their thoughts and feelings about the interview once it was completed. The participants were informed beforehand, via the informed consent documents, should there be a need for counselling as a result of their participation in the study. A social worker from Bakenberg Social Development was prearranged (see Annexure 8) to provide counselling to the participants who required the service.
- Literature study. The researcher engaged in a literature study to verify the findings of the intended study with an existing body of knowledge.

### **1.6.2 Dependability**

This construct in qualitative research can be compared to reliability in quantitative research. Dependability entails that the researcher needs to ensure consistency and the possibility of the findings being replicated in a bigger context. The fact that human behaviour, needs and attitudes are often subjective, may make it difficult for the researcher to ensure dependability. The researcher therefore ensured that the research process was logical, well documented and that an audit trail was left for possible future research on a similar topic (Fouché & Schurink, 2011:442). Shenton (2004:71) suggests that in order to ensure

the logical documentation of the process, the detail process notes need to include a description of the planned design and how it will be implemented, how the data will be collected in the field and an evaluation of the process that will be chosen to elicit the data. All the documents, such as transcribed interviews and field notes as well as the correspondence between the researcher and other role players involved were kept in a file on the researcher's personal computer as well as in a closed cabinet in the researcher's office. Furthermore, a detailed research report was written at the end. The research report also served as an audit trail, should a similar study need to be replicated.

### **1.6.3 Transferability**

According to Fouché and Schurink (2011:442) transferability can be understood as how one's findings of a situation in the research can be transferred to another situation. This aspect therefore looks at how the findings of the study can be generalized to another situation. In terms of this study, the researcher was of the opinion that the findings are transferrable to other Sepedi fathers seeing that a group of Sepedi-speaking people was involved in the study, with a number of participants who represented a variety of possible fathers who were denied contact with their child/ren and that the procedures were scientifically sound.

### **1.6.4 Confirmability**

According to Fouché and Schurink (2011:420) this construct can be understood as an objective of the research as it refers to the objectivity and neutrality of the data. In order to achieve this, the researcher will employ the following:

- The main tool that was employed to achieve confirmability was the use of a co-coder during data analysis which gave the researcher the opportunity to ensure congruency between him and the participants about the accuracy, relevance and meaning of the data.
- By employing interview skills such as paraphrasing and reflecting, the researcher would be able to understand the point made by the participants, without necessarily replicating their words. This would enable the researcher to reflect the participant's feelings back to them.

The researcher gave the participants the opportunity to express themselves and shared whatever message they wished to convey, and in turn gave them the opportunity to correct any misunderstandings if needed (Greeff, 2011:420).

## **1.7 ETHICS**

### **1.7.1 Process of sample recruitment**

After the necessary legal authorization (Annexure 3) and goodwill permission (Annexure 2) as well as ethical clearance from the ethics office, HREC of North-West University (Annexure 1), were obtained to conduct the study, the researcher contacted the gatekeeper, who was the social work supervisor at the Department of Social Development at the Bakenberg office, to request access to the research site and the participants. The gatekeeper was requested to appoint the mediator, who was the social worker from the Department of Social Development at Bakenberg office, to facilitate access to the participants. The mediator was requested to, within the data base of service users who complained about denial of 'contact-with-the-child' after breaking up, identified possible participants that met the inclusion criteria. The mediator posted or emailed the participants' letters about the study describing the aim and purpose of the study and what was required from them as participants. They were also provided with a consent letter. The mediator was trained by the researcher. Participants who were interested and willing to participate were requested to inform the mediator of their willingness to participate.

After the participants, who were interested and willing to participate, had informed the mediator of their willingness to participate, they were requested to, within five working days, visit the Bakenberg Social Development office where they met the mediator who was available to the participants for any questions or concerns regarding the study. The mediator discussed the informed consent document (Annexure 4) with them. The informed consent forms included information about the fact that participation is voluntary, participation is free and members could withdraw from participating at any stage without any consequences, the benefit of documentation of the study and the aim of the research project. The participants were then requested to sign the consent form in the presence of an independent person. The independent person ensured that participants felt protected and not exposed to harmful circumstances. She saw to it that participants willing to take part in the study sign the informed consent without undue influence. The participants were provided with a copy of the signed consent form.

### **1.7.2 Legal authorization**

Legal authorization to conduct the interviews, as well as permission to access the case files at Bakenberg Social Development offices, was requested from the Provincial

Department of Social Development (Annexure 3). The Provincial office had been given the authority to grant permission to sub offices such as the Bakenberg Social Development office. The requisition letters to conduct the interviews and permission to access the case files were forwarded to the Provincial office for approval.

### **1.7.3 Goodwill permission**

The goodwill permission letters requesting access to the potential participants were obtained from the Bakenberg Tribal office (Annexure 2). The Tribal Chief, Mr. L.P. Langa was asked to give permission so that his community members could be interviewed. Bakenberg is on tribal land owned by the chief; therefore, it was advisable to get permission from the chief before interviewing the potential participants from his village. This written permission was obtained after provisional HREC clearance was granted and before the study commenced.

### **1.7.4 Confidentiality, anonymity and privacy**

*Confidentiality* refers to the commitment that the researcher will under no circumstances disclose information shared by the participants (McLaughlin, 2007:61). In an attempt to uphold the principles of confidentiality in this study, participants' information was protected and treated with confidentiality at all times. Participants were reassured that whatever they shared with the research team (i.e. the researcher, the study leader, the mediator, the co-coder and the independent person) remained confidential. Participants remained anonymous to anyone outside the study.

Concerning *anonymity*, the term refers to the ethical protection of participants when they remain nameless, when their identity is protected from disclosure and they remain unknown (Neuman, 2011:69). This includes any symbol or letter' that will make it difficult for any person outside the research team to identify the real names of the participants (Strydom & Delport, 2011:62). The personal identification of the participants was known to the research team only, and not by anyone outside the study. The researcher replaced the real names of participants with pseudonyms. None of the participants' real names appeared in the final article. The research team members (such as the mediator, the independent person, the transcriber and the co-coder) signed a confidentiality agreement (Annexure 6) before handling the information of the participants. By so doing, they were obliged to remain ethical throughout the study.

In addition, *privacy* is another important ethical element that needs to be taken into consideration when working with participants. The right to privacy is the individual's right to decide when, where and to whom his or her attitudes, beliefs and behaviour will be revealed (Strydom & Delpont, 2011:62). To ensure privacy for the participants, the interviews were conducted in the Bakenberg Social Development boardroom which was safe and quiet. The venue was away from the public eyes. The doors and windows were in good condition which helped avoid unnecessary disturbances that could occur.

### **1.7.5 Role players**

The gatekeeper in the study was the social work supervisor from the Department of Social Development. The social work supervisor was a suitable person to be the gatekeeper as she was the head of the institution. She had a good relationship with the majority of the service users at Bakenberg and knows the place well. The social worker (responsible for matters relating to children and families) was requested to act as the mediator for the study. Her role was to facilitate access to the participants or documents.

### **1.7.6 Expertise of researchers**

The researcher obtained a Bachelor of Social work degree at North-West University (Mafikeng campus) and Bachelor of Arts Honours in Psychology (Unisa) in 2012 and 2017 respectively. During the periods spent at these respective universities, the researcher conducted qualitative studies. Both of the studies used unstructured interviews as data collection methods. The main purpose was to get an in-depth picture of the subject matters under investigation (i.e. Teenage pregnancy in rural areas of Limpopo, and Perceptions of social workers towards the Child headed households phenomenon at Sekgakgapeng village.) Phenomenological designs were employed by these two studies. This exposure has given the researcher a set of necessary skills, and provided knowledge about conducting further research. The researcher is a registered social worker and currently working in the Department of Social Development where he has been employed since 2012. With the amount of experience the researcher possesses, he has the necessary expertise to conduct research fairly with limited subjectivity. As a professional social worker, the researcher is guided by the South African Council for Social Service professions (SACSSP) rules and regulations. The SACSSP as the regulatory body requires that social workers promote social justice and human rights as fundamental principles when rendering services to diverse people. The researcher's experience in the field of Social work will assist him to detect service users who might seek special attention

during the interview processes. The researcher further enhanced his research expertise through attending the basics of health research ethics held in January 2019 at North-West University (Potchefstroom campus) by the Human Research Ethics Committee (HREC).

The research supervisor has been teaching in academia since 2006 and has been a research supervisor in social work and play therapy since 2012. She provides research supervision to Masters as well as PhD students. She has been a peer reviewer for a numerous accredited journals. She has been internal as well as external examiner for 20 research studies. She has, but is not limited to, research experience in child sexual abuse as well as community engagement. She has been a research study leader for 15 completed Masters degree studies in Social work and Psychology. The majority of these studies were qualitative studies and the data collection methods included semi-structured interviews and focus group discussions. Her own PhD study, although a qualitative study included a quantitative component where questionnaires were used.

#### **1.7.8 Risk level of the study**

The risk level of the proposed study was medium. The participants were all adults and not considered to be a vulnerable research population, but there was a potential of risks that could cause some harm. However, the necessary precautions were taken to reduce those risks. The researcher would end the interview if necessary. The researcher made sure that such participant(s) was referred to the social worker whose presence and services were pre-arranged and made readily available in case such kinds of incidences happened. The social worker was made available before the commencement of the interviews and during the concluding session. This arrangement was made in writing to the Social worker, See attached declaration by the social worker (Annexure 8).

#### **1.7.9 Dissemination of the study**

All the participants, the Bakenberg Tribal office in particular, the chief and Social Development each will receive a summary of the research study once the study is completed. Participants who have emails will also receive the document via e-mail. Other participants who do not have e-mail addresses will receive a hard copy summary of the research study. The summary of the research will be hand-delivered to them by the researcher.

### 1.7.10 Storage and archiving of data

During the study, the electronic data was kept on the researcher's personal laptop, which was password protected. Only the researcher, the study leader and the transcriber had access to the raw data. The interviews were transcribed and the audio recordings were deleted from the audio-recorder as well as from the laptop. The transcribed interviews were saved on the researcher's laptop. Hard copies of the interviews as well as the field notes taken down during the interviews were stored in a locked cabinet in the researcher's office. After the completion of the study, all the hard copies (interviews, field notes) will be sent to the CCYFS, North-West University, where they will be locked up and after a period of five years destroyed by the administration officer of the university. All the data on the researcher's computer will also be deleted after the completion of the study.

## 1.8 REFERENCES

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## **PART 2 : LITERATURE REVIEW**

### **2.1 INTRODUCTION**

Child contact after parental separation or divorce has become a highly contentious issue. Many separating couples, despite the difficulties, are able to sort out contact arrangements themselves. However, for some it becomes problematic, either because regular reliable contact is not established due to a high degree of conflict, or because there are serious concerns about the child's safety and well-being.

It is therefore necessary in this chapter to explore the following relationships and practices more thoroughly: family and parental practices in South Africa, the relationship between the father and mother, defining parent-child contact, the legislative framework regulating father-child contact, the father-child contact phenomenon, denial of father-child contact, factors contributing to father-child contact, father-level factors, child-level factors, African families in South Africa with the focus on the Sepedi culture, dealing with the phenomenon of denial of father-child contact, and lastly, the theoretical perspective that will be used in this study.

### **2.2 FAMILY AND PARENTAL PRACTICES IN SOUTH AFRICA**

The White Paper on Families in South Africa (2013:11) defines a family as a societal group that is related by blood (kinship), adoption, foster parenting, or the ties of marriage (civil, customary or religious), civil unions or cohabitation, and go beyond a particular physical residence. South Africa adopted the western family model of family life that promotes the nuclear family which consists of the husband, his wife, and their children. It is through the family that "each generation is replaced by the next; that children are born, socialised, and cared for until they attain their independence; that each generation fulfils its caring responsibilities to minors, older persons, and the sick" (White Paper on Families, 2013).

#### **2.2.1 High divorce rate in South Africa**

Families in South Africa are currently under extreme pressure due to the high rate of divorce which has reached unprecedented high levels as one in every two couples' marriage ends up in divorce (Statistics South Africa, 2018). The 2017 divorce statistics reported by Stats SA is based on 25 390 finalized divorces forms and processed by the end of 2018. The number of 25 390 indicates an increase of 64 (0,3%) divorces from the 25 326 cases processed in 2016 (StatsSA, 2018). The Family and Marriage Association of

South Africa (FAMSA) posits that divorce has been shown to have more negative implications for children's education, economic and overall well-being as this may limit access to parent-child contact by residential parent (usually the mother) (Department of Social Development, 2013).

As in many countries, having an involved father living at home can make a big difference in the life of a young child in South Africa (Richter, Chris, Hosegood, Madhavan, Makiwane, Makusha, Morrell, & Swartz, 2012:2). International research and some studies from South Africa indicated that children whose fathers are present achieve better at school, have higher self-esteem and are more secure in their relationships with partners of the opposite sex (Richter *et al.*, 2012:2; Swartz, *et al.*, 2013:92).

Consequent to high rates of divorce and migration processes, parent-child contact is affected, as parents are no longer staying together in a relationship. The changing nature of family life and patterns of women and men's workforce participation have meant that the parenting roles, expectations and responsibilities of mothers and fathers are in transition (Richter *et al.*, 2013:92).

### **2.3 THE RELATIONSHIP BETWEEN THE FATHER AND THE MOTHER**

The quality of the relationship between parents has been highlighted as an important aspect of family well-being and parental conflict is widely identified as a negative influence on many aspects of child development (Ellis, *et al.*, 2017:2). Conflict during marriage is one of the most common reasons for divorce while it may seem that the separation of a couple could solve the parental conflict, it is estimated that in 24% to 33% of the divorced families, the parents continue to have disputes between them two years after their separation (Escapa, 2017:49). Madiga (2008:27) defines conflict "as a state of opposition or clash between ideas or interests. It is a process of interaction between individuals or groups".

In a study conducted by Hooker, *et al.* (2016:3) one in four mothers and one in six fathers reported experiencing physical hurt before separation. Over one-half of fathers and about two-thirds of mothers reported experiences of emotional abuse before or during separation (Hooker *et al.*, 2016:3). The use of unkind words, screaming, or pushing each other by parents, not only hurt themselves but also their children (Tynan, 2011:3-15).

The father's relationship with the child's mother is also critical to a child's well-being. Fathers who treat their children's mothers in a respectful manner and who handle

relationship conflict in an appropriate and adult way are more likely to have sons who understand how they should treat the opposite sex (Ellis *et al.*, 2017:2). Consequently, these male children are less likely to act aggressively towards females. This positive relationship also benefits daughters because it allows them to see how they should expect treatment from men (Ellis *et al.*, 2017:3). Ultimately, a father who develops and maintains a positive relationship with the mother of his children has a greater tendency to be involved and spend time with his children and, therefore, develop children with healthier psychological and emotional well-being (Ellis *et al.*, 2017:3).

Murphy (2014:4) added that depressed mothers on the other hand, reflect their feelings onto their children, which causes mothers not to be good role models. As a result, children will not be able to develop their standard emotions. A study conducted by McIntosh and Chisholm (2008:15) found that children were more likely to experience high emotional stress when there was substantially shared care, significant parental conflict, high psychological hostility between parents, and one parent had concerns about the child's safety with the other parent, among other factors.

## **2.4 PARENT-CHILD CONTACT**

According to Mahon and Moore (2011:3) parent-child contact refers to essentially permitting a parent to meet and / or communicate with a child. It is a right of visitation. Contact has potential value in terms of developing the child's sense of identity, preserving links with the wider family, and providing an additional source of support for children and even protects them from abuse (Mahon & Moore, 2011:3).

The long-term involvement of a parent or both parents in an emotionally supportive way helps the child to adjust well to the new situation (after divorce/separation). The nature and quality of the parent-child interaction is, in fact, more important than whether or not the parent is present in the home (Le Bourdais & Marcil-Gratton, 2009:641). If there is a good relationship between the child and the parent that is leaving the home, the negative effects of divorce are lessened (Louw & Louw, 2014:355).

Parent-child contact after divorce continues to attract much policy attention - perhaps, because it remains a source of conflict for many parents. It is noted that, parent-child contact can vary along many dimensions including frequency, amount, nature, quality, flexibility and stability (Mahon & Moore, 2011:116). Consequent to that, Le Bourdais and Marcil-Gratton (2009:641) posit that keeping in touch with children is, of course, far easier

for fathers who live with their children on a regular basis. However, maintaining father-child contact after separation appears to be directly related to the amount of time fathers had to create close ties through daily interactions.

## **2.5 LEGISLATIVE FRAMEWORK REGULATING FATHER-CHILD CONTACT**

Several policies and Acts make provision for the parental rights and responsibilities of married and unmarried fathers and are stipulated in the amended Children's Act 38 of 2005.

### **2.5.1 Parental responsibilities and rights of married fathers**

Section 20 of the amended Children's Act 38 of 2005 stipulates that: the biological father of a child has full parental responsibilities and rights in respect of the child (a) if he is married to the child's mother; (b) if he was married to the child's mother at (i) the time of the child's conception; (ii) the time of the child's birth; (iii) any time between the child's conception and birth (Children's Act 38 of 2005).

### **2.5.2 Parental responsibilities and rights of unmarried fathers**

In terms of Section 21 of the same Act (Children's Act 38 of 2005) as amended, the biological father of a child who does not have parental responsibilities and rights in respect of the child in terms of Section 20, acquires full parental responsibilities and rights in respect of the child, (a) if at the time of the child's birth he is living with the mother in a permanent life-partnership; or (b) if he, regardless of whether he has lived or is living with the mother, (i) consents to be identified or successfully applies in terms of Section 26 to be identified as the child's father or pays damages in terms of customary law, (ii) contributes or has attempted in good faith to contribute to the child's upbringing for a reasonable period and (iii) contributes or has attempted in good faith to contribute towards expenses in connection with the maintenance of the child for a reasonable period (Children's Act 38 of 2005).

Although, it is stipulated in Section 20 and 21 of the amended Children's Act 38 of 2005, it seems that the rights of non-custodial parents (usually the fathers) to have contact with their children are still not being protected. Professor Weshal Domingo, the head of law at Wits and a family law expert, and her colleague, law lecturer Prinslean Mahery, write how, despite South Africa's new Children's Act framework, which "created a shift from the idea of parental power over a child to the notion that parents have parental responsibilities and

rights, this hasn't fundamentally changed the constant battle that parents and other interested parties have over children (Saturday Star, 2019).

## **2.6 DENIAL OF FATHER-CHILD CONTACT**

More recently, the focus on denial of father-child contact has been raised nationally by Fathers' 4 Justice, a civil rights organization campaigning for children's rights to see both parents and grandparents after divorce (Guardian, 2016). Dr Steven Pretorius, the founder of Fathers 4 Justice in South Africa said, "The Organisations main goal was to raise awareness of the plight of many parents - mainly fathers who had restricted contact with their children" (Guardian, 2016). In addition, Sekgale (2017:43) pointed out that fathers of extra-marital children are granted guardianship, custody and contact rights to children after they went to court. Sekgale (2017:43) indicated that these fathers are not granted automatic rights and in order to assert these rights, the father must apply to court and the matter be investigated by the Family Advocate.

As this study focuses on the phenomenon of father's that are being denied contact to their children the next section will focus on the current state of this phenomenon at the international, national and local level.

### **2.6.1 International level**

Internationally, a study conducted in Canada and Britain indicates that 70% of a sample of 80 non-custodial fathers believes their ex-wives actively discouraged contact by denying access or otherwise interfering with access (Kruk, 2016:54). Braver and Griffin (2000:47) report that about a third of the non-custodial fathers in their study claimed that they have been denied visitation privileges at least once, while a quarter of custodial parents admit such denials. In Virginia, United States of America (USA), 62% of cases reported that fathers have been denied contact with their children (Braver & Griffin, 2000:66). Similarly, in Georgia (USA), 46% of cases of "child contact" have reported fathers having been denied access to their children by mothers (Braver & Griffin, 2000:67). In Australia, 80% of the cases recorded showed that fathers have been denied contact with their children (Nielsen, 2017:309). In Arizona, 182 cases of fathers who have been denied access to their children by mothers have been reported as well (Nielsen, 2017:309).

## **2.6.2 National level**

Nationally, in March 30, 2015, Judge Peter Mabuse sentenced a Pretoria mother to 30 days imprisonment for contempt of court after she denied her ex-husband contact with their 3 year old son (Saturday Star, 2019).

In another case in 2011, a father alleged that the mother of his son had alienated the child from him (the father) for five years by “telling him(the child) that he killed their first-born child (who died because of being born prematurely), that he used to beat her up all the time during their marriage, and that he made no financial contribution to the child’s maintenance, although he had been paying R4000 a month at all times” (Nielsen, 2017:309). “Despite progressive case law and legislation, many fathers still believe that courts are biased against them because of their sex.” Many fathers argue that even when they have contact orders in place, “you have mothers who routinely refuse to obey contact orders” (Saturday Star, 2019).

More recently (2019-04-09), a South African radio station, Thobela FM, in a programme called Moremogolo wa Thobela (Family strengthening current show), had a telephonic interview with an anonymous man from Seshego Zone 3, who gave an insight into his experiences on denied contact with his son after parental separation. The man also reported that what furthermore worries him is that the maternal family of the child, teaches the child certain things that he as the father doesn’t like. The man further reported that his son was relocated to Pretoria by the maternal family to ensure that he never sees his son again.

## **2.6.3 Local level (Bakenberg District)**

Locally, the number of statistical records from the Mogalakwena Magistrate’s court in the Limpopo Province pertaining to former cohabitating fathers and married fathers who reported denial of child are increasing at an alarming rate (Sekgobela, 2019). Based on the statistical information provided by the clerk of the court from Mogalakwena Magistrate’s office, a total number of 306 files concerning Sepedi speaking fathers that are being denied contact with their children have been opened from January 2016 until December 2019 (Sekgobela, 2019). The cases of other ethnic groups for the same period from January 2016 until December 2019 recorded 80 for Xitsonga, Isindebele recorded 40 and that of foreign nationals like Zimbabweans, Somali etc, recorded the total amount of 07 cases. Six years ago when the researcher was still new in the Social work profession,

Unlike before in South Africa, particularly in the Waterberg district of the Limpopo Province, the cases of denial of 'father-to-child contact' were not as rife as they are recently shown to be (Sekgobela, 2019).

The researcher, currently working as a social worker in the Department of Social Development in Mogalakwena Municipality, Limpopo Province, also observed that cases on the lack of 'father-to-child-contact', seem to be at the rise as matters involving both couples in co-habitation and those in marriages are referred to the social workers offices in high volumes. Most fathers struggle to visit their children or make contact with them due to barriers set by the children's mothers. The researcher noticed that denial of "contact-with-the-child" matters pertained to children between the ages of 0 to 18 years. Due to his knowledge and experience, Mr Malete was assigned by the traditional council of Bakenberg, under the leadership of Mr Langa to handle cultural matters arising at the village (Malete, 2019).

## **2.7 FACTORS CONTRIBUTING TO FATHER-CHILD CONTACT**

Researchers and theorists have identified several factors that appear to influence the degree fathers are involved in parenting relationships after divorce or break-up. Some of these factors include geographic distance and men's economic status (King & Heard, 2000:6). Fathers who hold positive attitudes about fatherhood spend more time with their children. Having a close relationship with the mother of the child is also a determinant contributor for the father's closeness and support for his children (Khewu & Adu, 2015:3). In addition, fathers who consider that having a child made them happier, and who claim to be satisfied with custody arrangements and with the time they spend with their children, are also those who spend the most time with them (Le Bourdais & Marcil-Gratton, 2009:10).

### **2.7.1 Father involvement with their children**

The literature on nonresident fathers' involvement with their children has examined a number of factors that influence fathers in both the quantity of time spent with and the amount of child support provided to their biological children. Three main categories of factors emerge in the literature: (1) parenting practices (2) parental relationship and (3) the father's socio-demographic characteristics (Le Bourdais & Marcil-Gratton, 2009:75).

### 2.7.1.1 Parenting practices

Parenting is a complex responsibility that comprises of different behaviours and dynamics, all of which operate within varying degrees to influence child outcomes (Mc Namara, Selig & Hawley, 2010:4). Darling and Steinberg (1993:488) define parenting styles as: a constellation of attitudes towards the child that are communicated to the child and that, taken together, create an emotional climate in which parents' behaviours are expressed. These behaviours include both the specific, goal-directed behaviours through which parents perform their parental duties (to be referred to as parenting practices) and non-goal directed parental behaviours, such as postures, changes in tone of voice, or the spontaneous expression of emotion (Darling & Steinberg, 1993:488). Parenting styles encompass two essential building blocks of parenting and represent a parent's normal patterns of behaviour and parental values. The first building block is parental support and warmth that includes parents encouraging autonomy and self-regulation in their children. The second is behavioural control and refers to discipline, supervision and other behaviours required from a child within the family environment (Darling & Steinberg, 1993:488). Fathers are relatively more involved in physical play interaction while mothers report more caregiving interactions; however, mothers and fathers engage in caregiving to a similar degree in observational studies when both parents are present. Mothers' and fathers, parenting styles have been found to be moderately correlated within families (Darling & Steinberg, 1993:488).

### 2.7.1.2 Parental relationship

The relationship between children and their parents forms a foundation for all other interpersonal relationships (Driscoll & Roberts, 2011:2). Parent-child relationships frequently serve as assets, moderators, and mediators (Scrouse, Duggal, Weinfield, & Carlson, 2000:45). Parents' perceptions of their relationships with their children can serve as key indicators of the quality of the parent-child relationships, which in turn is a robust predictor of children's emotional development, school performance and social growth (Driscoll & Roberts, 2011:9). A longitudinal study conducted in Canada in 2004, has acknowledged that the parent-child relationship is the most important framework for social learning and adaptation in preschoolers, and is a reliable predictor of children's internalizing and externalizing disorders (Trentacosta, *et al.*, 2008:49). The father's physical involvement makes the family strong and trustworthy, and when the challenges of life approach, the family is strong and steadfast. The role of the father therefore, is crucial

in terms of the love and attention that he gives to his family and how he leads by example when it comes to values (Freeks, 2017:99). In sum, mothers and fathers appear to experience both qualitative differences in their relationships with their sons and daughters (Driscoll & Roberts, 2011:8).

### 2.7.1.3 Fathers socioeconomic and demographic characteristics

A number of socioeconomic and demographic characteristics of the fathers themselves are significant to the amount of involvement non-resident fathers have in their children's lives. For instances, in a study conducted by Le Bourdais and Marcil-Gratton (2009) on keeping contact with children and assessing the father/child post-separation focused on factors such as racial/ethnic background, fathers incomes, and family dynamics/trajectories of fathers in new unions. Fathers' socio-economic and ethnic backgrounds often appear to have an influence in ways fathers interact with their children. Ultimately, the contact between the father and his children becomes compromised. Hence, fathers of different ethnic backgrounds and educational experiences were found to pursue different types of activities or modes of communication with their children (Le Bourdais & Marcil-Gratton, 2009:628).

## 2.8 CHILD-LEVEL FACTORS

Four main categories of factors emerge in the literature: gender, age, communication and Father-to-child Relationship (Le Bourdais & Marcil-Gratton, 2009:76):

### 2.8.1 Gender

Research on the impact of gender on custody arrangement for children following the separation of their parents suggests that the child's gender plays a significant role in custody decisions and thus on the amount of contact between father and child (Le Bourdais & Gratton, 2009:66). The gender of the child may therefore also play a role in the significance of interactions between fathers and their adolescent children. As children move into adolescence, fathers' involvement may begin to differ based on a child's gender. In reference to gender, Lesch and Kelapile (2016:504) indicated that the gender of the child plays a crucial role during parents' separation. It is indicated that children between 0-5 years, both boys and girls, usually prefer to stay with their mother after separation or divorce, while older children are able to make choices on their own regarding who they want to stay with (Lesch & Kelapile, 2016:504). Role modelling becomes more important during adolescence. Fathers tend to be more with their sons than with their daughters,

particularly during the period of adolescence. They tend to have fewer conversations with their adolescent daughters than with their sons (Brotherson, Yamamoto & Acock, 2003:195).

### **2.8.2 Age**

A Canadian survey has shown that the relationship between a child's age and the amount of contact is nonlinear and fluctuates as the child goes through different development stages (Le Bourdais & Gratton, 2009:66). School-aged and adolescent children show better academic achievement and school adjustment, more positive self-concept, and more healthy personality adjustment when relationships with fathers are positive (Brotherson *et al.*, 2003:195).

### **2.8.3 Communication**

Communication between fathers and sons may be more likely to occur in the context of shared activities and interests (such as playing soccer), whereas, fathers and daughters may tend to be more directly engaged in conversation outside of activities and in direct face-to-face interaction (Brotherson *et al.*, 2003:195). A father's positive communication with school-aged and adolescent children is significantly associated with more positive outcomes on self-control, self-esteem, and social competence (Brotherson *et al.*, 2003:195).

### **2.8.4 Father-child relationship**

The final child-level factor that is examined in most analyses of the amount of father-child contact between nonresident or separated fathers is the actual physical location of fathers and children, namely, measuring the distance between the parental residences. This physical distance has been shown to sharply affect the amount of contact between father and child, as greater distances can distinctively limit the number of days a child spends with his or her father (Cooksey & Craig, 1998; Le Bourdais & Marcil-Gratton, 2009:67). In addition, a study conducted by Hallman, *et al.* (2007:8) noted that a loss of day-to-day time with their children results in missing aspects of their children's development, as well as opportunities to have an influence in their children's lives (Hallman, *et al.*, 2007:8).

## **2.9 AFRICAN FAMILIES IN SOUTH AFRICA WITH A FOCUS ON THE SEPEDI CULTURE**

### **2.9.1 Cultural diversity in South Africa**

South Africa is rich in its diverse cultures which govern family formations. According to Prinsloo (2012:29), cultural diversity refers to the variety in human society and culture in a specific region - seen in aspects such as language, dress, tradition and the way people interact with their environment. Unlike many countries around the world which have an established cultural identity (for example, China, India, and England), South Africa is often described as a 'rainbow nation' (Singh, 2011:26). It is indicated that respect, understanding and tolerance in a diverse cultural environment is crucial to establishing a shared culture (Singh, 2011:26). Rankopo and Ose-Hwedie (2011:142) further reported that the classification of people into various cultures means that they are different.

### **2.9.2 African cultural diversity in South Africa**

The African population has different ethnic groups of which nine are officially recognised, namely Bapedi, Basotho, Batswana, amaSwati, Venda, Tsonga, Ndebele, Xhosa and amaZulu (StatsSA, 2017:33). African culture is embedded in strong moral considerations. It has a system of various beliefs and customs which every individual ought to keep in order to live long and to avoid bringing curses on them and others (Idang, 2015:103). African culture has a moral code that forbids doing harm to a relative, kinsman, and in-law, a foreigner and a stranger (Idang, 2015:104). In spite of their various cultures, Africans do share some dominant traits in their belief systems and have similar values that distinguish them from other peoples of the world (Idang, 2015:99). For instance Thabede (2005:64) reported that all African tribes, ethnic groups and cultures believe in God and have various names that they use to refer to him. African culture can be regarded as the sum of African philosophy, cosmology, behaviour, epistemology, ontology, axiology, religion, custom, habits, values and artefacts (Thabede, 2005:33).

### **2.9.3 Sepedi speaking people in South Africa**

The Sepedi speaking people are, according to Statistics South Africa, spread throughout the nine provinces of South Africa, but are mainly found in the Limpopo province (StatsSA, 2017:33). One of the regions in the Limpopo Province called the Waterberg region, in the Waterberg district, is divided into Bakenberg North and Bakenberg South circuits. Bakenberg is not only dominated by the Sepedi speaking people, it is inhabited by amaNdebele and Xitsonga tribes as well. In a study conducted by Singh (2011:33), Sepedi culture is steeped in the oral tradition and little literature is available in written texts. One of

the participants further reported that “through story-telling, they were being developed both socially and culturally” (Singh, 2011:33).

## **2.10 MARRIAGES IN SOUTH AFRICA WITH A FOCUS ON THE SEPEDI CULTURE**

### **2.10.1 Marriages in South Africa**

Marriage is regarded by many as an important family event since it normatively marks the inception of the family formation (Kalule-Sabiti, *et al.*, 2007:89). In South Africa, for instance, the Marriage Act No. 25 of 1961 governs the civil union between spouses, whereas the Customary Marriages Act No. 120 of 1998 was enacted on 15<sup>th</sup> of November 2000 to give recognition to customary marriages among indigenous population groups in South Africa. It is further indicated that the adoption of these acts aims to help promote the recognition of the consent of the parties to be married, as well as to foster the existence of the acknowledgement to select their partners. Despite this development, the selection of marriage partners is still done with the consent of family members (Sekgale, 2017:29).

### **2.10.2 African marriages in South Africa**

Basic rules underlying marriage in African societies are firstly, that a woman may only have one spouse, a man on the other hand, may have more than one wife at a time, if he so wishes. Secondly, marriage is virilocal, which means that a woman should join her husband after marriage, either at his own homestead or that of his father or brothers (Hammond-Tooke, 1993:179). Siqwana-Ndulo (1998:410) maintains that an African marriage is the formation of a family, and has always been at the core of a unique and complex social organization underpinned by the value systems unique to African societies. In addition Thabede (2005:72) reported that most African marriages are, therefore, either traditional, civil and / or both. In addition, Kgadima (2017:9) submits that marriage in South Africa among Africans is a process of involving a series of negotiations over several months or years; it is not a single event and this may result in differing perceptions as to when the couple gets married.

### **2.10.3 Sepedi marriages in South Africa**

According to the Northern Sotho/Pedi, like other cultures, marriage signifies a bond between a man and a woman. It also creates a relationship between the two families (Mankga, 2011:11). Monning (1998:129) also elaborated that “Marriage among Pedi is not an individual affair legalizing a relationship between two of the relatives”. In a study

conducted by Mankga (2013:12) regarding Sepedi marriage, one of the informants reported that when a man is about to marry, he will confront his parents using the language “Ke Gotše” translated as ‘I have grown up’. This statement in Sepedi culture is to alert the parents that it is time for him to marry. Hammond-Tooke (1993:193) posits that marriage must, therefore, be regarded as an important rite of passage, and it must be emphasized that, by the act of marriage, both the bride and the groom move towards maturity.

## **2.11 DEALING WITH THE PHENOMENON OF DENIAL OF FATHER-CHILD CONTACT**

In an attempt to address the issue of denial of father-to-child contact in South Africa, certain documents are used as guidelines: The Constitution, in particular chapter 2, which speaks of Human rights, the Children’s Act 38 of 2005, and certain Conventions regarding children to which South Africa is a signatory (i.e. The United Nations on the Rights of the Child, the African Charter on the Rights and Welfare of a child, the Universal Declaration of Human Rights (Theron, 2014:2).

### **2.11.1 Child access procedure**

According to Theron (2014:2), non-custodial parents who experience denial of access to children need to follow the correct way of addressing the matter, which is to approach the court on an urgent basis to have the parent or caregiver who is refusing the non-custodial parent such access brought before court to explain exactly why they are doing so. Unless they have good reasons, the court will issue a warrant of arrest and hold it over. If the offending parent again does not comply, that warrant can (with authorization of the court) be executed upon (Theron, 2014:2).

### **2.11.2 Non-custodial fathers’ rights and responsibilities**

In terms of the Maintenance Act (No 99 of 1998), parents have a common-law and statutory duty to support their children, and take care of their reasonable living, education, food, clothing, medical care, and accommodation needs. Theron (2014:2) cautions that there are misconceptions that arise from the belief that access to children and maintenance are interlinked, in that if a person (usually the father), for whatever reason, fails to meet his maintenance obligations, the opposing parent or caregiver (usually the mother or grandparent) now has the right to refuse the father access. However, according to Theron (2014:20) this is not true, and although the father is probably in contempt of an

order of the court regarding the payment of maintenance, the mother now also is falling foul of the law. When a father does not pay maintenance (due to lack of means or for another reason), he cannot be refused access to see his children. Moreover, the children cannot be denied their right to see their father. The converse is also true; even if a parent wants nothing to do with his children, he still has a statutory and a common-law duty to pay maintenance for them (Theron, 2014:2).

### **2.11.3 The relationship between the parent and the child**

Section 7 of the Children's Act, 38 of 2005, regarding the relationship between the parent/caregiver and the child, broadly looks at the following: the person wanting access, and if it is beneficial to the child as is, or if it needs to be amended. The attitude of the parent/caregiver, and the person seeking contact towards the exercise of their parental rights and responsibilities in respect of the child, that is, do they take it seriously, are they committed and is it done consistently? (This includes the regular payment of maintenance by the parent seeking access to the child). If this has not been done or the parent seeking contact has been absent, the court will want to know why this was the case and why, now, the parent desires to exercise his parental rights and responsibilities and play an active role in the child's life. There are many good reasons, ranging from the parent not knowing he had a child, to overcoming addiction and the end of a jail term (Children's Act 38 of 2005).

### **2.11.4 Contempt of a court order**

Section 35 of the Children's Act states that any person (usually the custodial parent) who prevents a person who holds parental responsibilities and rights in terms of an order of court (parenting plan, settlement agreement or the like) from exercising those rights is guilty of an offence and liable to a fine or a period of imprisonment not exceeding a year (Children's Act 38 of 2005). All fathers have equal rights and responsibilities, regardless of being married, divorced and separated or never living together (Children's Act 38 of 2005). During parental separation or divorce the court may order that both parents be given access to the children through the drafting of a parenting plan. A parenting plan (or "parenting agreement") simply sets out in writing how both parents intend to contribute to the care and wellbeing of their children. Detailed information is usually in four areas: children's living arrangements and contact schedules; financial support for children; parents' decision-making responsibilities; and parental dispute resolution processes. Parenting plans aim to "give each parent the opportunity to consider the nature of their

parenting responsibilities”, and “to increase the likelihood of shared parenting”. They are intended to be “flexible and capable of easy alteration to meet the changing needs of the child”, and seek to prevent future disputes by ensuring that all potentially contentious issues are identified and dealt with in as constructive a way as possible, thereby “preventing unnecessary involvement in the Court system and its adversarial process” (Children’s Act 38 of 2005).

### **2.11.5 Constitutional rights of children and their right to maintain contact with both parents**

Section 28 (1) (b) of the Constitution of the Republic of South Africa, in particular chapter 2, the Bill of Rights stipulates that: every child has the right to family care or parental care or appropriate alternative care when removed from the family environment.

The United Nations (UN) Convention on the Rights of Children further emphasizes the child’s rights to maintain regular contact with both parents following divorce or separation, except in cases where such separation is deemed to be in the best interests of the child. Article 5 of the UN Convention on the Rights of the Child (CRC) recognizes the rights and duties of parents to provide appropriate direction to the child in the exercise of the child’s Convention’s rights - taking into account the child’s evolving capacity. Article 18 says that States ‘shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child’ and that ‘the best interests of the child will be their basic concern’. This Article places a clear emphasis on the responsibilities of both parents for their children, which has been increasingly incorporated by States in post-separation legislation (Children’s Act 38 of 2005).

### **2.11.6 Role of the office of the family advocate**

The office of the family advocate in South Africa deals with disputes between parents or family members over the parental responsibilities and rights of children. The functions of the Family advocate have been extended by the Children’s Act as follow: Upon application by either of the parties or by direction of the court, the family advocate will review the parties in the presence of each other or separately where necessary to ascertain their personal circumstances and background details in the matter (Children’s Act 38 of 2005).

The office of the family advocate also interviews the child with the assistance of the family counsellor in order to obtain and convey the child's views on the matter to court. The family advocate assists the parties to reach an agreeable or viable solution through mediation by applying their legal expertise and dispute resolution skills in the matter. If the parties reach an agreement, the family advocate will then help them draft a parenting plan or responsibilities and rights agreement which can be registered with the office of family advocate or made a court order. If the parties cannot reach an agreement, the family advocate will then make recommendations based on the enquiry that was conducted (Children's Act 38 of 2005).

### **2.11.7 Sepedi traditional courts' (Kgoro) interventions regarding father-child contact matters**

In an attempt to intervene on child contact matters, the chief and his executive focuses on the following aspects; the father's willingness to have contact with the child, the responsibilities he has assumed since the child was born and whether he has paid or is willing to pay the damages. Access-to-the-child in Sepedi does not mean that the father of the child should disrespect the woman's parents by entering the girl's home as he pleases. Again, child contact does not mean the father of the child should see eye-to-eye with the woman's parents. Respecting elders in Sepedi is highly encouraged (Malete, 2018). In most African cultures such as Sepedi, the payment of damages gives the biological father of the children full recognition as a father and failure to pay damages would forfeit the chances of being recognised as the biological father (Thabede, 2005:73).

## **2.12 THEORETICAL PERSPECTIVE**

### **2.12.1 Family systems theory**

Family systems theory originates from the term *system*, which denotes a "complex of elements or components directly or indirectly related in a casual network, such that each component is related to at least some others in a more stable way within a particular period of time" (Teater, 2014:18). Within the family context, systems theory defines a family as a group of interdependent individuals who organize themselves as a unit to achieve family functions or goals (Nomaguchi, Brown & Leyman, 2015:3; Seiffge-Krenke, 2013:499). This theory assumes that: The parts of a system are interconnected and interdependent (Teater, 2014:21). Any change in one part of the family impacts the whole system (Kelly & Ganong, 2011:108) since individual family members are embedded in the

larger family system (Cox, 2010:95). Therefore, they cannot be completely understood separately from the context of the whole system since the functioning of an individual is not only related to the individuals themselves but to the system as a whole (Galovan, Holmes, Schramm & Lee, 2014:1847; Nomaguchi et al., 2015:3).

The family is a dynamic system which also exercises flexibility to encourage individuality and autonomy among family members (Seiffge-Krenke, 2013:497; Yoshida & Busby, 2012:2014). This assumption is premised on the understanding that although interdependence is crucial for family functioning, it is acknowledged that it may also stifle individual development (Galovan et al., 2015:8). Furthermore, the authors claim that families that lack individual autonomy reflect dysfunction. Additionally, the family permits individuals to function autonomously but still remain emotionally connected to the relationship (Haefner, 2014:865). However, individual autonomy was found to be gendered since females tend to struggle with separating themselves from the family unit, whereas males prefer autonomy, although they may still wish to retain some connection (Yoshida & Busby, 2012:205). Within social work, this theory is deemed ideal for the assessment of the family systems during intervention as it enables social workers to assess how children are influenced and affected by their family system with regard to parental divorce or separation.

### **2.13 SUMMARY**

Most studies have been conducted on father-to-child contact around the globe. The cases of denial of father-to-child contact by mothers continue to escalate even more. There are measures in place to strengthen the contact between fathers and children; however, cases continue to increase at an alarming rate among the Sepedi-speaking people in the Limpopo Province.

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**SECTION B: INTRODUCTION TO ARTICLES**

**ARTICLE 1: “CONTACT-WITH-THE-CHILD” AND RELATIONAL BREAK-UP AMONG THE  
SEPEDI SPEAKING PEOPLE**

## **“CONTACT-WITH-THE-CHILD” AND RELATIONAL BREAK-UP AMONG THE SEPEDI SPEAKING PEOPLE**

Colly William Matjila, Lizane Wilson

### **KEY WORDS:**

Contact-with-the-child, Sepedi culture, cultural values, father-child relationship, relational break-up

### **INTRODUCTION**

The phenomenon of “contact-with-the-child” and a relationship break-up among Sepedi-speaking people at Bakenberg, Limpopo Province is growing at an alarming rate. Based on the statistical information provided by the Clerk of the court from Mogalakwena Magistrate, a total number of 306 files concerning fathers that are being denied contact with their children have been opened from January 2016 until December 2019 (Sekgobela, 2019). This number consist of families that uses Sepedi as a first language. Matters that involve people from other ethnic groups such as Xitsonga recorded 80, Isindebele at 40 cases and others such as foreign nationals (Zimbabweans and Somali) who recorded 7 cases. However, the exact number of other ethnic groups in relation to the matter (denial of father-to-child contact) is unknown, hence it is not the main focus of this study. Previously in South Africa, particularly in the Waterberg district of the Limpopo Province, the cases of denial of ‘father-to-child contact’ were not as rife as they are recently shown to be (Sekgobela, 2019). A lack of intervention in this regard exists and fathers continue to face challenges when attempting to make contact with their children after a relationship break-up. For this reason, the focus of the research that informed this article was on “contact-with-the-child” and relational break-up among the Sepedi speaking people. The aim was to develop a better understanding of how this experience affected fathers then and now.

### **BACKGROUND**

The rights of fathers (both married and unmarried) to have contact with their children are stipulated in the Amended Children’s Act (38 of 2005). Despite the fact that this Act “created a shift from the idea of parental power over a child to the notion that parents have parental responsibilities and rights”, has not fundamentally changed the constant battle that parents and other interested parties have over children (Saturday Star 2019). Sekgale (2017:77) states that it appears that the goal of the Children’s Act is to protect mothers, who are normally the primary caretakers of children, but what is in the mother’s best interest is not always in the best interest of the child.

Studies conducted in Canada and Britain indicate that 70% of non-custodial fathers reported to have been purposefully discouraged from making contact with their children by mothers (Kruk, 2012).

Braver and Griffin (2000) posit that non-custodial fathers in their study claimed that they have been denied visitation rights at least once, while a quarter of custodial parents admit such denials. Similarly, in Georgia (United States of America) 46% of cases of “child contact” have reported fathers having been denied access to their children by mothers (Kruk, 2012). In Arizona (United States of America), 182 cases of fathers who have been denied access to their children by mothers have been reported as well (Nielsen, 2017).

Recently in South Africa, Judge Peter Mabuse sentenced a Pretoria mother to 30 days imprisonment for contempt of court after she denied her ex-husband access to their 3 year old son (Saturday Star, 2019). Contact with parents plays a crucial role in shaping children’s social, emotional, personal and cognitive development, and there is substantial literature documenting the adverse effects of disrupted contact-with-the-child after parental separation or divorce (Mabusela, 2014:26). Research conducted by Le Bourdais (2009:623) shows that children who are deprived of meaningful contact with one of their parents are at a greater risk psychologically, even when they are able to maintain contact with the other parent. Children are more likely to attain their psychological potential when they are able to develop and maintain meaningful contact with both parents, whether the two parents live together or not (Kruk, 2017:6). With a relationship break-up, it is usually difficult for everyone in the family to cope with the situation; however, children are often the worst victims of family break-up (Akter, 2013:138). Maldonado (2014:634) argues that boys who grow up in an absent father household are more likely to display hyper-masculine behaviour, may also engage in risky sexual behaviour and have difficulties forming and maintaining relationships. In addition, fatherless children have been linked to an increased tendency toward violence, substance abuse, truancy, unwed pregnancies, and psychological disorders in contrast to children whose fathers play an active role in their lives (Khewu & Adu, 2015:6; Manyatse & Nduna, 2014:68; Wilson *et al.*, 2016:190). Moreover, many children are uncertain and confused and deeply feel the need for a father’s attachment, presence and a lifestyle characterized by good values received from their fathers (Freek & Lotter, 2011; Khewu & Adu, 2015:34).

Notwithstanding the resilience and role played by mothers in the lives of adolescent boys (Freek, 2017a:91; Langa, 2017:63), the involvement and presence of a father in the household especially in the lives of the children has been largely associated with positive outcomes. If fathers are denied contact with their children, it causes children to grow up without a father. Bojuwoye and Sylvester (2014:217) explain that children growing up in single mother homes are deprived of a live-in

gender role model and financial security which is generally provided by the father as the head of the family.

According to Thabede (2005:108), children do not directly comprehend cultural ideology when they are young. Beliefs about the father are usually transmitted by the parents and other emotionally significant adults. More often than not, parents are the primary socializers of their offspring and the major source of children's beliefs about the world. The father, the mother, and other adults, with whom the child has a close connection, mediate both cultural and religious attitudes about the father found in the larger society to the child. The child in turn internalises these beliefs, so that they become his or her own. Krampe (2009:890) further posits that, socialization theory helps us to understand that the messages from significant others carry greater weight than those of others with whom the child does not share as close a bond (Krampe, 2009:890). According to Rankopo and Osei-Hwedie (2011:141), it is important to note that culture is essentially about identity in a particular environmental setting. It promotes a particular way of organizing life and viewing and understanding the world.

Sepedi-speaking people believe in cultural activities. Sepedi is the dominant culture of and the language spoken by most at Bakenberg, Limpopo Province (Statistics SA, 2016). The Sepedi-speaking people are, according to Statistics South Africa (2016), spread throughout the nine provinces of South Africa, but are mainly found in the Limpopo Province. There are eleven official languages in South Africa, Sepedi being one of them, and it is predominantly used in the Limpopo Province, particularly in the Waterberg district. There are also other cultural groups such as the Ndebele, the Tsonga and others who are also represented at Bakenberg.

However, the Sepedi culture has the highest database on matters of "fathers' denial of contact-with-the-child" after a break up. According to prevailing cultural practices, the attribution of the father's surname to his children marks the integration of children into their father's family and places them in the family lineage in full relationship with other forefathers or ancestors (Mkhize, 2006). Nkuna and Jewkins (2012:321) also note that "paternal connection for the child is important in this setting for ancestral protection". To explore the phenomenon of "contact-with-the-child" and a relationship break-up among the Sepedi-speaking people in South Africa, was important, as it explains how culture influence people's interaction with each other. Culture refers to the totality of the pattern of behaviour of a particular group of people. It includes everything that makes them distinct from any other group of people (Idang, 2015:98).

## **RESEARCH METHODOLOGY**

This study adopted a qualitative research approach and so a qualitative descriptive design (Rubin & Babbie, 2013:51) was used for the purpose of this study.

The population for this study consisted of fathers from the Sepedi culture living full time in the Bakenberg, Mogalakwena Municipality, Limpopo Province and who have been denied contact with their children. This population group has been chosen based on the fact that the highest number of cases reported to the social workers' offices at Bakenberg involved Sepedi speaking fathers. The specific inclusion criteria for the study were: Fathers aged between 18 – 50 years who are fluent in Sepedi or English. The age group of the fathers was extended in order for a bigger group of fathers to have the opportunity to be included in the study.

Non-probability purposive sampling was used to sample participants for the semi-structured interviews. The researcher initially planned to sample 15 participants to start with but to collect data until data saturation. Data saturation was reached at the 13th participant, that is when the researcher realized that no new information was emerging and there was much repetition of what previous participants had said.

The participants in this study were given pseudo names during the interviews to avoid revealing their real names as this could have violated their right to anonymous. Participants were all men between 25 to 48 years of age. Out of 13 participants, only 6 of them (participants) were married and another 7 participants were never married. 3 of the participants had tertiary qualifications ranging from diploma to doctoral degrees respectively. The majority of the participants have were found to have completed grade 12, while, a small number of the participants dropped out of school before they could complete grade 12. Furthermore, it was found that most of the participants had one child by the time of separation or divorce with their partners. In addition, the participants comprised of professionals who work in government, the self-employed, as well as the unemployed participants.

### **Data collection**

The data collection methods that were used included semi-structured interviews and document analysis. These two data collection methods complemented each other in this study as one method focused on collecting data from the participants themselves, while the other method focused on collecting data from the case files.

**Semi-structured interviews** were used as one of the data collection methods. An interview schedule compiled by the researcher was used to guide the interview. The researcher first reviewed the interview schedule with the study leader to ensure that the questions posed to the participants were appropriate. Furthermore, the questions were tested during a pilot study beforehand. The questions that were used during the semi-structured interviews included the following questions: Please tell me about your experiences on being denied contact with your child/ren?; Have you always been denied contact or was there a time where you did have contact with your child/ren? Tell me more about this: what do you think caused you to be denied contact with your child/ren? What would you say is holding you back from having contact with your child? The interviews were conducted in the Bakenberg Social Development boardroom which provided an environment conducive to privacy and confidentiality. The interviews were between one to two hours with a break of 15 minutes. All of the interviews were audio recorded for data analysis purposes with the permission of the participants. The recorded interviews were transcribed in a verbatim format by a transcriber. Field notes were used as supplementary documentations to the discussion and as a backup in the event that the recording system failed (Mack, Woodsongs & MacQueen, 2014:9).

**Document analysis** was also used to collect data in this study as document analysis focuses on the description of the documents consulted identification of trends, frequencies and interrelationships in the relevant documents consulted (Nieuwenhuis, 2007:304). Nieuwenhuis (2013:305) identified two steps, namely, the selection of the topic and the methodology. In this study, the researcher took the decision to research the issue of “denial of father-to-child contact” after the relationship break-up at Bakenberg. The methodology that guided the researcher to achieve the objectives of the study was to follow the steps below: the researcher first obtained permission for access to the potential participants’ personal files from the Limpopo Provincial Department of Social Development as well as from the social workers at the Bakenberg office. As soon as permission was granted by both the Provincial office and the Bakenberg office respectively, potential participants were requested to give their informed consent for the researcher to access their files. Their written permission allowing access to their personal files at DSD was then obtained. The questions that was asked during the document analysis were as follows: When did the break-up happen? How long is the break-up? What reason(s) were given for the break-up? How old was the child by the time the couple broke up? What information is available on why the father was denied contact with his child/ren?

## **Data analysis**

The data obtained from the interviews was analysed using the eight steps of Tesch's qualitative data analysis model as it is described in De Vos and Fouché (2011:343-344). Tesch's steps provided a clear framework through which data could be coded and categorized in themes and subthemes in a logical manner. The data obtained through the document analysis was analyzed using exploratory analysis, which is one of the approaches to document analysis. Exploratory analysis enabled the researcher to search for peculiarities, characteristics, attributes and trends in the text that marked the identity of the message conveyed through the document. This involved identifying data, comparing them, weighing their relevance and significance, and recording them systematically (Sarantakos, 2013:305).

## **Trustworthiness**

The following aspects to ensure the verification of qualitative data were included: credibility was ensured through member checking and triangulation. The researcher employed the member checking method to establish the trustworthiness and credibility of the findings. Member checking refers to the method of, where applicable, reverting to the participants with the transcript to ensure that the researcher had captured their views correctly (Fouché & Schurink, 2011). Member checking was applied in the study by the researcher by going back to the participants and clarifying what they had said when there was uncertainty. In this current study, the researcher had to revert to one of the participants in particular to seek clarity on some of the views he expressed while narrating his experiences of being denied contact with the child after parental separation. Data triangulation was also used to ensure credibility in this study. This involved the simultaneous collection and analysis of data so that the different findings could be compared, giving the researcher the opportunity to reach more complete conclusions (Delpont & Fouché, 2011). According to Kennedy (2009), triangulation facilitates the validation of data through cross-verification from two or more methods of data collection. In this study semi-structured interviews and document analysis were utilised.

Dependability was facilitated through an audit trail which provided a description of the research steps that were taken from the start of the research project, as well as the reporting of the findings (Lincoln & Guba, 1985). This audit trail includes the raw data (field notes, transcribed interviews and data analysis notes). Denscombe (2010) states that confirmability addresses the issue of objectivity and focuses on the extent to which qualitative research can produce findings that are free from the influence of the researcher. The researcher achieved confirmability through the verbatim transcription of the audio-recordings to ensure an accurate reflection of the participants' views.

## **Ethical considerations**

Ethical approval for the research was obtained from the ethics committee of the university. Legal authorization to conduct the interviews, as well as permission to access the case files at Bakenberg Social Development offices, was requested from the Provincial Department of Social Development. The Provincial office had been given the authority to grant permission to Sub - offices such as the Bakenberg Social Development office. The requisition letters to conduct the interviews and permission to access the case files were forwarded to the Provincial office for approval. The goodwill permission letters requesting access to the potential participants were obtained from the Bakenberg Tribal office. The Tribal Chief gave goodwill permission so that his community members could be interviewed. Bakenberg is on tribal land owned by the chief; therefore, it was advisable to get permission from the chief before interviewing the potential participants from his village. The researcher then contacted the gatekeeper, who was the social work supervisor at the Department of Social Development at the Bakenberg office, to request access to the research site and the participants. The gatekeeper was requested to appoint the mediator, who was a social worker from the Department of Social Development at Bakenberg office, to facilitate access to the participants. The mediator was requested to, within the data base of service users who complained about denial of 'contact-with-the-child' after breaking up, identify possible participants that met the inclusion criteria. The mediator posted or emailed the participants letters about the study describing the aim and purpose of the study and what was required from them as participants. They were also provided with a consent letter. The mediator was trained by the researcher. Participants who were interested and willing to participate were requested to inform the mediator of their willingness to participate.

After the participants, who were interested and willing to participate, had informed the mediator of their willingness to participate, they were requested to, within five working days, visit the Bakenberg Social Development office where they met the mediator who was available to the participants for any questions or concerns regarding the study. The mediator discussed the informed consent document with them. The informed consent forms included information about the fact that participation is voluntary, participation is free and members could withdraw their participation at any stage without any consequences to themselves or to the benefit of documentation of the study and the aim of the research project. However, alternative measures was put in place in case the participants decide to stop from participating from the study. Hence ending participation cold have negative consequences for the study. The participants were then requested to sign the consent form in the presence of an independent person. The independent person ensured that participants felt

protected and not exposed to harmful circumstances. She saw to it that participants willing to take part in the study sign the informed consent without undue influence. The participants were provided with a copy of the signed consent form.

In an attempt to uphold the principles of confidentiality in this study, participants' information was protected and treated with confidentiality at all times. Participants were reassured that whatever they shared with the research team (i.e. the researcher, the study leader, the mediator, the co-coder and the independent person) remained confidential. Participants remained anonymous to anyone outside the study.

Concerning **anonymity**, the personal identification of the participants was known to the research team only, and not by anyone outside the study. The researcher replaced the real names of participants with pseudonyms. None of the participants' real names appeared in the final article. The research team members (such as the mediator, the independent person, the transcriber and the co-coder) signed a confidentiality agreement before handling the information of the participants. By so doing, they were obliged to remain ethical throughout the study.

To ensure privacy for the participants, the interviews were conducted in the Bakenberg Social Development boardroom which was safe and quiet. The venue was away from the public eye. The doors and windows were in good condition which helped avoid unnecessary disturbances that could occur.

## **RESEARCH FINDINGS**

The discussion of the findings below should be viewed in terms of the limitations of the contextual nature of this study. The participants represented a specific geographic area, which might not represent all fathers who were denied contact with their children after a break-up in South Africa. Five major themes and subthemes emerged from the data analysis and are discussed below:

### **Theme 1: Factors leading to denial of father-to-child contact**

The participants identified several factors which they felt could be preventing them from making contact with their children and the following information was shared:

#### ***Subtheme 1.1: Poor income***

The participants felt that the fact that they do not have money could be a possible reason for not being allowed contact with their children. This viewpoint is reflected in the following quotes:

*“...It has been a trying time, because I have had lots of thoughts; are they denying me my child because I do not have money, or...I fail to understand where the problem comes from. I still cannot figure out the source of all this, is it the money?”*

*“...As a man you end up struggling to see your child because you do not have money.”*

### ***Subtheme 1.2: Temporary employment***

The majority of the participants agreed that they are unable to cater for all the needs of their children, because, they do not have stable jobs. This was echoed in the following statements:

*“... I am not employed. I work piece jobs.”*

*“...The work that I am in now is not permanent. Like I said, I work piece jobs.”*

### ***Subtheme 1.3: The influence of grandparents and other family members***

The participants indicated that they experienced the involvement of family members and relatives. The following excerpt is a good example of this view:

*“...They (Grandparents) have got involved in our issues.”*

*“...My ex [former partner] does not have a problem with this (contact- with- the -child) because she does not stay home. She works 45kms [kilometers] from home. And so, she shares the care and responsibilities with her mother (Grandmother to the child).”*

### ***Subtheme 1.4: Mothers' power over parenting roles***

The participants felt that children's mothers apply strict rules that are very rigid and not inclusive to them as fathers. The following comments explain this:

*“...She has more power to make decisions regarding the child, and I do not.”*

*“...I would say that with regards to this matter, it would seem that women have more power. When you ask to see you child, she has the power to deny you that opportunity. You understand? They do not understand that as you are/were a partner to her, that you have now come to see your child. This is that difficulty that I have come across in my case where the woman did not understand that as the father of the child, I also seek to support my child.”*

### ***Subtheme 1.5: Mothers making false accusations against children's fathers after a break-up***

The participants felt that the children's mothers disseminated false information about them in order to tarnish their images and reputations. The following responses were given:

*“...so, every time I wanted to see them (children), it was difficult for me to see them. She (mother) would allege that I came to the house and crossed the fence.”*

*“... I remember one day, the mother of my child went to [maintenance] court to report that I am not buying anything for the child since we broke up, and the court summoned me there to hear my side of the story. Luckily, I have been savings slips of the things I bought for the child, and the court was surprised and advised us to share responsibilities towards the child.”*

## **Theme 2: Prerequisites for formal contact with children**

The participants indicated that they felt that there are certain expectations that need to be fulfilled first before contact could be allowed to take place. The following excerpts were shared:

### ***Subtheme 2.1: Payment of Magadi or lobola***

Several participants indicated that payment of Magadi or lobola is regarded as the most important element of legalizing the contact:

*“... I was told that I should first get lobola before I can have contact with the first child.”*

*“...This thing (Magadi) came about with the child's mother, telling you that, you know my parents; they say you should pay lobola first before you can come and have direct access to this child.”*

### ***Subtheme 2.2: Getting married***

It was established that children's mothers were keen to get married; hence marriage is viewed as a passport to have contact with children and to be formally known by the womens' family. This was echoed in the following statements:

*“...Women pushing for marriage.”*

*“...I was expected to marry the mother before earning the right to see the child.”*

## **Theme 3: Factors associated with father-child distance**

The following subtheme shows the factors the participants' experience that cause a distance between them and their children:

### ***Subtheme 3.1: Impediments hindering father-to-child contact***

It is evident from the data that the majority of the participants are determined to have contact with their children, but because of the obstacles encountered after spousal disputes, they are unable to

make frequent contact and communicate with their children. This was described by the participants in the following way:

*“...when things are no longer good between us, like say we are fighting, then the mother will just hold the child back and say, “No, you are not going to be able to see this child.”*

*“...The children well, I used to see them on the weekends... I would see them from the side of the fence.”*

*“ ...I cannot even call...I was told not to call...The mother has taken the phone away.”*

### ***Subtheme 3.2: Parental alienation***

The majority of participants indicated that teaching a child to unnecessarily hate his biological father, preventing the child from knowing his genetic family without cause, or lying to a child about his history, is to prevent a child from being his whole self. The following responses show that the participants indeed regard the phenomenon of parental alienation as a cruel act perpetuated by mothers against fathers:

*“...The child has changed and become like the mother.”*

*“...The child does not want to talk to me because of the mother.”*

### ***Subtheme 3.3: Conflictual relationship***

Several participants indicated that the conflict they had with the mothers of their children, made mothers to deny them contact with the children. Participants felt that what mothers did to them was wrong, as they believed that parents' conflicts should not affect children.

*...“But at times when things are no longer good between us, like say we are fighting, then the mother will just hold the child back and say, no, you are not going to be able to see this child.”*

*“...I would like to make it clear that the two of us (father and mother) had a fight. The police got involved and made sure that I kept my distance from this woman. They also said that the woman is supposed to give me 24 hours with the child, and if she did not agree to that, then I would have to go to the police to lodge a complaint.”*

## **Theme 4: Relationship break-up**

It was established that couples separated or got divorced due to various reasons, which vary from one relationship to another, depending on the personal circumstances of the individuals or couples concerned. The following subthemes demonstrate the participants' experiences and views regarding relationship break-up:

#### ***Subtheme 4.1: Communication breakdown***

The participants felt that failure to communicate well as parents when addressing matters concerning their children resulted in them not getting along with the children's mother. This was echoed in the following statements:

*"...This is against the arrangements that we had made previously, that we would go our separate ways, but that we would arrange times to see the child."*

*"...I have negotiated with the mother of the child a few times, but I see that she has not quite understood what I was communicating to her."*

#### **DISCUSSION**

The findings of this study provided a picture of the phenomenon of "contact-with-the-child" and relationship break-up among the Sepedi-speaking people at Bakenberg, Limpopo Province. Fathers continue to face challenges of making contact with their children after breaking up with their mothers.

It became evident from the study that the fathers perceived that certain factors led to them being denied contact with their children. These factors included the fact that they do not have an adequate income and permanent employment. This view was supported by Khewu and Adu (2015:5) who alluded to the lack of employment or low income earnings causing fathers to be denied access to their children.

Fathers felt that another factor was the involvement of grandparents and other family members' influence. Kgadima (2017:109) argued that it is normal among Africans to be concerned about their children's intimate relationships as they are accountable to other family members such as uncles and aunts who play distinctive roles in, for example, negotiating Magadi in marriages and performing certain rituals during ceremonies. In a study conducted by Sekgale (2017:68) regarding Sepedi culture, men who have not married find it hard at times to be part of their children's lives. Some even try to contribute to their children's upbringing by means of money and buying their children clothes; sadly some families reject the contributions as the maternal families claim they will take care of the children (Sekgale, 2017:68). In case of separation, the wife usually returns to her own people until there is reconciliation or the cause of separation has been remedied. These separations may be prolonged, with the result that the partners concerned may find new partners and the first marriage ends in a divorce. In cases of separation and divorce in African societies, children normally go with their mother (Thabede, 2005:74).

Fathers felt that the mothers did not want to share parenting responsibilities with them, hence, mothers applied strict rules that are rigid and not inclusive to them as fathers. Sekgale (2017:77)

argues that assigning automatic parental responsibilities and rights to all mothers and not all fathers at birth is deemed discriminatory because it perpetuates harmful stereotypes and reinforces the message that the law (and society at large) still sends, namely that child care is a mother's duty and that fathers should not concern themselves with child care because it simply is not their job and/ or because they are incapable of, or unsuited to it (Sekgale, 2017:77).

Furthermore, fathers felt that the jealousy of the mother of the children after a break-up and the mothers' power over parenting roles made them (mothers) purposely apply strict rules that are very rigid and that do not include the fathers. Fusel and Stollery (2012:136) posit that romantic jealousy often manifests in an emotional and behavioural response to the perceived or threatened loss of a partner. However, Elphinston, Feeney, Noller, Connor, and Fitzgerald (2013:294) perceived jealousy as a reminder of the value of a partner as well as the relationship itself, thus leading to increased relational satisfaction and commitment.

It was apparent from the study that fathers observed that there are certain cultural beliefs which serve as prerequisites to have contact with children. According to Sepedi culture, it is only when the biological father pays damages, lobola or marries the children's mother where he could get full contact and recognition as the father (Sekgale, 2017:69). Speaking of paying lobola and damages, the following is a brief discussion of the Sepedi culture in relation to; Contact-with-the-child, separation as well as the marriage rites;

Contact with the child among the Sepedi culture is made possible only if the father has paid damages or lobola to the child's mother. The man is expected to pay damages or lobola before he could be acknowledged as the father and could be allowed to have unlimited contact with his child/ren (Thabede, 2005:74). The study of Sekgale (2017:68) found out that Sepedi culture is against the contributions made by unmarried men to their children and these men are desperate to be acknowledged and be recognised as the father (Sekgale,2017:68).

With regard to separation, Sepedi culture believes that if a woman is not satisfied or she is having disputes with her man, the woman could pack her bags and return to her family. The woman would stay there (at her parents' house) until her husband's family comes and beg for reconciliation. If the agreement is reached between the two families, that is when the woman could return to her husband (Thabede, 2005:74).

Marriage rites in the Sepedi culture is initiated even before the child is born or immediately after birth. This rites in the Sepedi culture are fully entrusted to an appointed intermediary delegated by the groom's party. Batseta (the intermediaries) conduct the necessary negotiations set forth in the process of matchmaking, while conforming to the traditional norms common to both parties. In

subsequent meetings held from time to time, there is a network of utterances and metaphorical expressions used to define and describe the various processes in the on-going social interactions (Mankga, 2013:72).

Kgadima (2017:43) alluded that among Africans, the payments of Magadi demonstrate that the groom is financially ready to take care of his new family. Speaking of payment of Magadi, Sekgale (2017:69) argues that marriage is regarded as a sign of commitment according to the Sepedi / Northern Sotho culture. It carries a lot of weight regarding the issue of father involvement in the child's life. In actual circumstances, a marriage is not only about the couple but the families and clans where the couple come from. If a man has not married or paid 'lobola' to the family that he has a child in, then chances are that he might not be recognised as the father to his children but instead the maternal grandfather then takes on the father role for the children (Thabede,2005:71). It has been observed in many accounts where children know and call their maternal grandfather their father. It is only when their biological father pays damage, 'lobola' or marries their mother that he can get full recognition as a father (Sekgale, 2017:69). This is further confirmed when one of the participants in Sekgale's study (2017:64) argues that it is only when the biological father pays damages, lobola or marries the child's mother that he receives full recognition and unlimited "contact-with-the-child". It is further reported that marriage is a very significant step in allowing a father to fully exercise his fatherhood rights (Sekgale, 2017:69). In addition, Sepedi culture encourages the woman to stay at her in-laws house with the husband until she is separated by death (Mankga, 2013:22).

The study furthermore revealed that there are certain factors that led to father-child distance which hindered father-to-child contact. These factors included the fact that children are taught to unnecessarily hate their biological fathers without a justifiable cause, after fathers had been in conflict with the children's mothers. Jaffe, Thakkar and Piron (2017:1) highlighted the fact that parental alienation is a construct which describes a campaign of disenfranchisement from children on the part of one parent against another, particularly during divorce. In addition, parental alienation occurs when one parent undermines or prejudices the contact and relationship between the child and the other parent without well-founded reasons. The phenomenon of parental alienation occurs mainly in high-conflict divorce cases and is often accompanied by care and contact disputes (Zastrow, 2010:108). It became noticeable from the study that fathers perceived that certain factors led to a relationship break-up. These factors included the fact that there were both unfaithfulness and a communication breakdown in a relationship. Separation between husband and wife are more common than divorce. They are usually caused by a number of factors such as a quarrel between spouses or between the wife and the relatives of the husband; jealousies between the "co-wives"; or

the failure of the husband to pay the full amount of the marriage gift or “bride price” (Thabede, 2005:74). According to Smith (2011:334), infidelity is not necessarily restricted to physical and sexual encounters but also leads to emotional bonds formed outside the primary relationship. Allen and Atkins (2012:148) argued that although infidelity is the strongest predictor of relationship dissolution, it is evident that relationships do in fact endure even after discovery of the transgression (Munsch, 2015:470). In addition, open communication in a romantic relationship is desirable as total lack of openness could lead to the dissolution of the romantic relationship (Thompson & Vangelisti, 2015:2).

Lastly, fathers felt that mothers put their needs first before those of their children. Sekgale (2017:44) posits that the best interests of the child are always of paramount importance.

Family systems theory originates from the term *system*, which denotes a “complex of elements or components directly or indirectly related in a casual network, such that each component is related to at least some others in a more stable way within a particular period of time” (Teater, 2014:18). Within the family context, systems theory defines a family as a group of interdependent individuals who organize themselves as a unit to achieve family functions or goals (Nomaguchi, Brown & Leyman, 2015:3; Seiffge-Krenke, 2013:499). This theory assumes that the family members should be viewed as a unit rather than as individual elements. Any change in one individual within the family is likely to influence the entire family and may even lead to family dysfunctions. For instance, if the parents separate or divorce each other, the family would not be the same. Certain functions or roles in the household would change. Therefore, the parent who is staying full time with the child/ren would be forced to execute tasks that were used to be performed by the other parent (Kelly & Ganong, 2011:108; Teater, 2014:21). As the parts of a system such as a family is interconnected (Teater, 2014:21) each person who is part of the unit have a particular role to play. It was evident from this study that parents’ roles changed dramatically after parental separation or divorce and fathers who use to have regular contact with their children, that privilege is no longer available to play such roles. This statement is also supported by the findings of the study that the fact that fathers were at times kept away from their children created a distant relationship between them (fathers) and their children. In addition, the distant relationship was found to have affected the whole functions of the systems as mothers and children could not execute the roles that were used to be done by children’s father.

## **RECOMMENDATIONS**

The following recommendations are made based on the findings of the study:

- There should be compulsory mediation courses for parents to raise awareness of the harm done to the child/ren if they are used as a weapon against the other parent.
- Workshops need to be provided to all mothers who deny fathers “contact-with-the-child” after a relationship break-up where the importance of father-involvement on children’s lives is strongly emphasized.
- Workshops should be conducted where grandparents and significant others could be trained on the importance of father-to-child contact matters in contemporary society.
- Because culture influences relationships and how conflict is dealt with, it is recommended that cultural beliefs or ideologies be incorporated with the legal system to avoid contradictions, especially when dealing with contact-with-the-child and relationship break-up matters.

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## **ARTICLE 2:**

### **FATHERS' EXPERIENCES ON DENIED CONTACT WITH THEIR CHILDREN AFTER A RELATIONAL BREAK-UP: A CASE OF BAKENBERG.**

Colly William Matjila, Lizane Wilson

#### **KEY WORDS:**

Denied contact with the child, Father-child relationship, relational break-up

#### **INTRODUCTION**

South African fathers, equal to some other fathers around the world, encounter challenges of having contact with their children subsequent to parental separation or divorce (Mabusela, 2014:22). When parents separate, children typically move into new living arrangements with each parent in a structure determined most often by one parent (Kelly & Ganong 2011:35). Physical contact is an indispensable condition for a high-quality relationship to produce and be maintained (Kruk, 2016:77). Furthermore, a deficiency of contact has implications for the close relationship of fathers to their children and vice versa (Nielson, 2017:213). For this reason, the focal point of the research that prompted this article was on exploring fathers' experiences after a relationship break-up at Bakenberg, Limpopo Province.

#### **BACKGROUND**

Studies conducted in Canada and Britain discovered that approximately 70% of a sampling of 80 non-residential fathers concurred that their ex-spouses deliberately discouraged contact by refusing access or otherwise interrupted contact arrangements (Bravin & Griffin, 2000:66; Kruk, 2016:54). Eighty percent of the participants were reported to have been denied contact with their children in Virginia and Australia respectively (Bravin & Griffin, 2000:66; Nielson, 2017:309). It was further reported that the majority of the cases worldwide on matters of fathers who have been denied contact with their children are registered by children's courts across the whole universe (Kruk, 2016:56).

In South Africa, the Justice system, in particular the Pretoria High court, has found a woman at fault after she denied access to her ex-husband to their 3 year old son while the court had made it clear that the child should have contact with his father. It is reported that the woman was convicted to one year imprisonment for violating the court ruling (Saturday Star, 2019). In another case in South Africa, a father from Gauteng alleged that he had been purposefully alienated from his son for a period of about five years. The father reported that the alienation came about as a result of the accusation made by the ex-wife against him that he had killed their elder son (Saturday Star, 2019).

The South African radio broadcast on Thobela FM in a programme called 'Hlokwa La Tsela' (News current affairs) that Leonard Ramsey reported that after he had separated from his ex-wife, he was denied contact with his son, whom he had looked after while his son was still young. Mr Ramsey further reported that the issue has affected him emotionally, especially in his work, and he indicated that only the support from his employer makes him cope.

Locally, the matters on denial of father-to-child contact have been registered at Mogalakwena Magistrate court in the Limpopo Province which mirrored an increase in the year 2016 when compared to previous years. It has been reported that since 2016 until to date matters on denial of father-to-child contact have been discussed almost everyday (Sekgobela, 2019). In addition, the tribal office of Bakenberg under the leadership of L.P. Langa acknowledges that cases of denial of father-to-child contact have recently become rife, unlike before, where family members would sit down and discuss the matter without any outsiders noticing (Maletse, 2019).

## **FAMILY AND PARENTAL PRACTICES IN SOUTH AFRICA**

Families in South Africa are currently under extreme pressure as one in every two marriages end up in divorce (Statistics South Africa, 2018) and the 2017 divorce statistics reported by Stats SA are based on 25 390 finalized divorce forms and processed by the end of 2018. The number (25 390) indicates an increase of 64 (0,3%) divorces from the 25 326 cases processed in 2016 (StatsSA, 2018). The Family and Marriage Association of South Africa (FAMSA) posits that divorce has been shown to have more negative implications for children's education, economic and overall well-being as this may limit one parent's access to the child by the residential parent (usually the mother) (Department of Social Development, 2013).

## **PARENT- CHILD CONTACT**

Parent-child contact is viewed as fundamentally permitting a parent to meet and or communicate with a child (Mahon & Moore, 2011:3). Physical contact is perceived to have a great influence on the improvement of the child's personality, sustaining connections with the extended family, and enabling extra-valuable support for the children and even prevent them from any form of abuse(s) (Mahon & Moore, 2011:3; Louw & Louw, 2014:355).

## **LEGISLATIVE FRAMEWORK REGULATING FATHER-CHILD CONTACT**

Various policies and Acts make stipulation for the parental rights and responsibilities of married and unmarried fathers and are thus specified in the amended Children's Act 38 of 2005.

*Parental responsibilities and the rights of married fathers and unmarried fathers*

The parental responsibilities and rights of fathers, both married and unmarried, are equal as enshrined in the Children's Act (38 of 2005) as amended. It is of the essence to highlight that Section 20 of the amended Children's Act 38 of 2005 allows fathers the exercising of full parental responsibilities and rights over children, while Section 21 affords unmarried fathers full parental responsibilities for and access rights to children (Children's Act 38 of 2005).

Even though it is boldly stipulated in Section 20 and 21 of the amended Children's Act (38 of 2005), it is still alleged that some fathers, both married and unmarried, continue to struggle to have contact with or fulfil their rights and responsibilities towards their children, as mothers seem to disapprove of or prevent that (Louw & Louw, 2014:355; Saturday Star, 2019).

### **DENIAL OF FATHER-CHILD CONTACT**

In a study conducted by Lesch and Kelapile (2015:503) on fatherhood experiences of unmarried men in South Africa, one of the participants pointed that the most rational motive for restricted contact, was conflict with the child's mother. Similarly, reasons for the denial of child contact after a break-up are difficult to validate. What one parent sees as a legitimate concern for the child's welfare perhaps could of little concern for the other. For instance, one parent may regard a child excessively ill to leave the home, while the other will consider him- or herself able to care for the child (Stolberg et al, 2002:4).

Although it is stipulated in Section 35 (38 of 2005) as amended that if one parent refuses contact to another parent against the terms of the court order or does not inform the other parent of a change of address, that parent is guilty of an offense; and is liable to a jail sentence of up to one year (Erna, 2016:77). It is further cautioned that fathers still have the right to have contact with their children as long as their conflict with the mothers does not harm the children (Sekgale, 2017:44).

The researcher (Social worker) has observed that, although it is made crystal clear in the Children's Act (38 of 2005) that a parent who refuses another parent contact to the child is guilty of an offense, most fathers in Mogalakwena municipality where he works continue to complain to Social Workers about denial of child contact even though an order of court has been made.

### **FACTORS CONTRIBUTING TO FATHER-CHILD CONTACT**

Certain elements have been identified to play a prominent role in father-child contact after parental separation or divorce. Factor that determine the degree of father-child contact consider geographic distance between fathers and children (King & Heard, 2000:6). It is argued that if fathers stay near the children's home, there are more chances that he could visit them, unlike fathers who stay far

from them, where the contact will diminish even more (Khewu & Adu, 2015:3). In addition, fathers with positive attitudes towards fatherhood are more likely to spend most of their time with their children. But, for fathers with negative attitudes, chances are that contact will diminish even more (King & Heard, 2000:6; Khewu & Adu, 2015:3).

### **CHILD-LEVEL FACTORS**

Four key concepts emerged to play a crucial role in child-level factors, namely: gender, age, communication and the father-child relationship (Le Bourdais & Marcil-Gratton, 2009:76). The gender of the child also plays a role in the interactions with the parent. Age, on the other hand, appears to matter most and the younger ones are in most cases attached to the mothers, unlike grown up children who are able to form their own preferences and make a choice about who they want to be with, when, and how often. Communication between children and parents plays an important role as children learn new things from their parents. And lastly, the relationship between children and fathers helps to boost children's confidence and enhances their education and personality (Brotherson, Yamamoto & Acock, 2003:195; Le Bourdais & Gratton, 2009:66; Lesch & Kelapile, 2016:504).

### **DEALING WITH THE PHENOMENON OF DENIAL FATHER-CHILD CONTACT**

#### *Constitutional rights of Children and their right to maintain contact with both parents*

In terms of Chapter 2 of the Constitution, which is the bill of rights, everyone has rights. These rights are diverse in need to be respected or valued. Children also have rights that need to be respected. For example, children have the right to life, health, education, shelter, etc. It is further highlighted that failure to respect these rights means that one has to face legal consequences as this is regarded as violation of the law (The Constitution, Act no:108 of 1996; Children's Act; 38 of 2005).

#### *Sepedi traditional courts (Kgoro) interventions regarding father-child contact matters*

Traditional matters are handled differently from how the government institutions do. Sepedi traditional courts (Kgoro) comprise of tribal executives when deliberating matters. With regard to child contact matters, the alleged mother and his ex-husband or boyfriend would be called to appear before the traditional cabinet to present their intentions about their relationship as well as the fate of their children. Two options would be given to the father, thus, he must marry the children if he does not intend to marry their mother or he could pay damages which would grant him access to the children (Malete, 2018).

## RESEARCH METHODOLOGY

### Data collection

A qualitative research approach was used to conduct this study and so a qualitative descriptive design (Rubin & Babbie, 2013:51) was applied for the purpose of this study. The qualitative descriptive design allowed the researcher to explore the experiences of the participants in depth (Dudley, 2011:106).

The population for this study consisted of fathers from the Sepedi culture living full time in the Bakenberg, Mogalakwena Municipality, Limpopo Province and who have been denied contact with their children. This population group has been chosen based on the fact that the highest number of cases reported to the social workers' offices at Bakenberg involved Sepedi speaking fathers. The specific inclusion criteria for the study were: fathers aged between 18 and 50 years who are fluent in Sepedi or English. The age group of the fathers was extended in order for a bigger group of fathers to have an opportunity to be included in the study.

Non-probability purposive sampling was used to sample participants for the semi-structured interviews. The data collection methods that were used in this current study included semi-structured individual interviews and document analysis. These two data collection methods complemented each other in this study as one method focused on collecting data from the participants themselves, while the other method focused on collecting data from the case files. The duration of the interviews was between one and two hours. There was a break of 15 minutes so that participants could stretch their legs. The researcher took field notes in order to keep track of the conversation and to stay focused on the topic at hand during the interviews (Mack *et al.*, 2014:9). All the interviews were audio-recorded for the purposes of data analysis. The recorded interviews were transcribed verbatim by a transcriber. Document analysis was also used to collect data in this study as document analysis focuses on the description of the documents consulted, identification of trends, frequencies, and interrelationships in the relevant documents consulted (Nieuwenhuis, 2007:304). Data saturation was reached with the 13th participant, that is, when the researcher realized that no new information was emerging and that there was much repetition of what previous participants had said.

The questions that were asked during the document analysis were as follows:

- 1.1. When did the break-up happen?
- 1.2. The reason(s) for the break-up?
- 1.3. How old was the child by the time the couple broke up?
- 1.4. What information is available on why the father was denied contact with his child/ren?

The researcher documented the information with the permission of the participants for the purposes of data analysis. The fathers' case files or case registers were consulted individually so as to avoid generalization of the information gathered.

### **Data analysis**

The data obtained from the interviews was analyzed using Tesch's eight step qualitative data analysis model as it is described in De Vos and Fouché (2011:343-344). These steps of Tesch provided a clear framework by which data could be coded and categorized in themes and subthemes in a logical manner. The data obtained through the document analysis was analyzed using exploratory analysis, which is one of the approaches of document analysis. Exploratory analysis enabled the researcher to search for peculiarities, characteristics, attributes and trends in the text that marked the identity of the message conveyed through the document. This involved identifying data, comparing them, weighing their relevance and significance, and recording them systematically (Sarantakos, 2013:305).

### **Trustworthiness**

The following aspects to ensure the verification of qualitative data were included: credibility was ensured through member checking and triangulation. The researcher employed the member checking method to establish the trustworthiness and credibility of the findings. Member checking refers to the method applied where applicable when the researcher reverts to the participants with the transcript to ensure that the researcher had captured their views correctly (Fouché & Schurink, 2011). Member checking was applied in the study by the researcher by going back to the participants and clarifying what they had said when there was uncertainty. Data triangulation was also used to ensure credibility in this study. This involved the simultaneous collection and analysis of data by means of different instruments so that the different findings could be compared, thus giving the researcher the opportunity to produce more complete conclusions (Delpont & Fouché, 2011). According to Kennedy (2009), triangulation facilitates validation of data through cross-verification from two or more methods of data collection. In this study semi-structured interviews and document analysis were utilized.

Dependability was facilitated through an audit trail which provided a description of the research steps that were taken from the start of the research project, as well as the reporting of the findings (Lincoln & Guba, 1985). This audit trail includes the raw data (field notes, transcribed interviews and data analysis notes). Denscombe (2010) states that confirmability addresses the issue of objectivity and focuses on the extent to which qualitative research can produce findings that are free from the influence of the researcher. The researcher achieved confirmability through the

transcribing of the audio-recordings verbatim to ensure an accurate reflection of the participants' views.

### **Ethical considerations**

Ethical approval for the research was obtained from the ethics committee of the university. Legal authorization to conduct the interviews, as well as permission to access the case files at Bakenberg Social Development offices, was requested from the Provincial Department of Social Development. The Provincial office had been given the authority to grant permission to sub-offices such as the Bakenberg Social Development office. The requisition letters to conduct the interviews and permission to access the case files were forwarded to the Provincial office for approval. The goodwill permission letters requesting access to the potential participants were obtained from the Bakenberg Tribal office. The Tribal Chief gave goodwill permission so that his community members could be interviewed. Access to participants was facilitated through gatekeepers and appointed mediators. Informed written consent was obtained from each participant and signed in the presence of an independent person.

In an attempt to uphold the principles of confidentiality in this study, participants' information was protected and treated with confidentiality at all times. Participants were reassured that whatever they shared with the research team (i.e. the researcher, the study leader, the mediator, the co-coder and the independent person) remained confidential. Participants remained anonymous to anyone outside the study.

Concerning **anonymity**, the personal identification of the participants was known to the research team only, and not by anyone outside the study. The researcher replaced the real names of participants with pseudonyms. None of the participants' real names appeared in the final article. The research team members (such as the mediator, the independent person, the transcriber and the co-coder) signed a confidentiality agreement before handling the information of the participants. By so doing, they were obliged to remain ethical throughout the study. To ensure privacy for the participants, the interviews were conducted in the Bakenberg Social Development boardroom which was safe and quiet. The venue was away from the public eye. The doors and windows were in good condition which helped avoid unnecessary disturbances that could occur.

### **RESEARCH FINDINGS AND DISCUSSION**

The discussion of the findings below should be viewed in terms of the limitations of the contextual nature of this study. The participants represented a specific geographic area, which might not

represent the experiences of all fathers who were denied contact with their children after a relationship break-up in South Africa. Five major themes and subthemes emerged from the data analysis and are discussed below:

### **Theme 1: Factors causing fathers' being denied contact with their children**

The participants identified several factors that they felt could have caused them to be denied contact with their children after the relationship break-up. The following information was shared:

#### ***Subtheme: 1.1. Obstructing fathers' visitations***

The following excerpts indicate that the participants feel that there are disruptions put in place to prevent visitations from taking place. The following comments explain this:

*"...I was having contact, but my contact was disturbed."*

*"...But at times when things are no longer good between us, like say we are fighting, then the mother will just hold the child back and say, "no, you are not going to be able to see this child."*

*"...So, every time I wanted to see them, it was difficult for me to see them."*

Fathers' socio-economic backgrounds, incomes, family dynamics and ethnic backgrounds were highlighted as contributing to denial of visitations (Le Bourdais & Marcil-Gratton, 2009).

#### ***Subtheme: 1.2. Unstable relationship***

The following excerpts indicate that participants had no stable relationship with the mother of the children and this caused the fathers not to see their children:

*"...Our relationship had ups and downs, sometimes we were fine and sometimes we fight."*

*"... The relationship between myself and the mother of my children has always not good, at times we were happy and later we fight. That is how we lived together, there was not a good relationship between us at all."*

It was highlighted that fathers who hold positive attitudes about fatherhood spend more time with their children. In addition, having a close relationship with the mother of the child is also a determinant contributor to the father's closeness and support for his children (Khewu & Adu, 2015:3).

### **Theme 2: Fathers experiences' of feeling unsafe**

The participants shared that they felt unsafe as they were not allowed to enter the premises of the children's mothers. The following information was shared:

### ***Subtheme 2.1: Situations endangering the safety of the fathers***

The participants felt that the fact that they were not allowed to enter the premises of children's mothers, threatened their as well as their children's safety. This viewpoint was reflected in the following quotes:

*"...So my fear was... if something happens and I am on the street, there is nowhere I will run to."*

*"...And so, I basically have had no opportunities to see my child, when it happens, it is on the street."*

*"...So, I was told that if I come to see the child, I must stay far. I must not come near the gate. I must be far away."*

### ***Subtheme 2.2. Measures to safeguard fathers***

As most of the participants experienced feelings of being unsafe, they had to put measures in place to protect themselves, such as protection orders. This was echoed in the following statements:

*"...At the same time, I applied for a protection order so that in case I go to her to see them, I must be safe. If ever I am attacked, I will bring the person and report it to the police."*

*"...I had a protection order and I also had a temporary child access order in case I went to see the children I am safe."*

Diamond, Lipsitz and Hoffman (2013:19) stressed that sharing concerns about safety is seen as positive response to manage roles, rather than a non-adaptive response to a specific event. These factors included the fact that some situations may endanger their safety and that there is no protection for them as fathers. Rosenbloom, Pratt and Pearlman (1999) argue that safety encompasses' self-safety - which implies that one needs to feel safe and out of harm's way and others' safety from harm.

### **Theme 3: Factors associated with mothers' wanting to control the children**

The participants felt that there are factors that are perceived to have an influence on and control over children. The participants further showed interest in taking over and emphasized the influence money has in life. The notion of the sharing of parental duties and responsibilities emerged to play a significant role in the upbringing of children. This was shared in the following excerpts:

#### ***Subtheme: 3.1 Mothers demanding to take charge***

The majority of the participants expressed the desire to care for their children, but were of the opinion that mothers will choose to stay with the children but fail to provide the necessary care and support for them:

*“...others always want to stay with their children, even if they don't take care of them properly.”*

*“...I am also able to care for the children. I take care of them, feed them in the same way that a mother can.”*

### ***Subtheme: 3.2 Mothers' only caring about money***

Several participants felt that the children's mothers only cared about money and nothing else. The following excerpts are a good example of this viewpoint:

*“...mothers want money...I was paying maintenance.”*

*“...woman are people who want money, they put that first before anything.”*

*“...they do not love you back, but they keep you around for money.”*

*“...The fact that I wanted to see the child was not important to her, but the idea of receiving payment, she liked.”*

### ***Subtheme 3.3: Mothers' power over parenting roles***

The participants felt that the children's mothers apply strict rules that are very rigid and do not include them as fathers. The following comments explain this:

*“...She has more power to make decisions regarding the child, and I do not.”*

*“...I would say that with regards to this matter, it would seem that women have more power. When you ask to see you child, she has the power to deny you that opportunity. You understand? They do not understand that as you are/were a partner to her, that you have now come to see your child. This is that difficulty that I have come across in my case where the woman did not understand that as the father of the child, I also seek to support my child.”*

A longitudinal study conducted in Canada in 2004, has acknowledged that the mother-child relationship is the most important framework for social learning and adaptation in preschoolers, and is a reliable predictor of children's internalizing and externalizing disorders (Trentacosta, Hyde, Shaw & Dshion, 2008:49). Fathers are relatively more involved in physical play interaction while mothers report more caregiving interactions; however, mothers and fathers engage in caregiving to a similar degree in observational studies when both parents are present (Darling & Steinberg, 1993:488; Mc Namara, Selig & Hawley, 2010:4). It is further indicated that children between 0-5 years, both boys and girls, usually prefer to stay with their mother after separation or divorce, while

older children are able to make choices on their own regarding who they want to stay with (Lesch & Kelapile, 2016:504).

#### **Theme 4: Factors causing distance between the fathers and their children**

The fathers experienced that although they want contact with their children and want to spend time with them there are certain factors that cause distance between them and their children:

##### ***Subtheme 4.1: Conflict between parents***

It is evident from the data that the majority of the participants are determined to have contact with their children, but conflict between the parents causes them being denied access to their children, as stated by the following quotes:

*“...when things are no longer good between us, like say we are fighting, then the mother will just hold the child back and say, “No, you are not going to be able to see this child.”*

*“ ...I cannot even call...I was told not to call...The mother has taken the phone away.”*

##### ***Subtheme 4.2: Parental alienation***

The majority of participants indicated that the mothers would try to alienate the children from them as stated by the following participants:

*“...The child has changed and become like the mother.”*

*“...The child does not want to talk to me because of the mother.”*

Parental conflict is widely identified as a negative influence on many aspects of child development (Ellis, Yasmin, Harris, Mc Williams & Converse, 2017:2). Jaffe, Thakkar and Piron (2017:1) highlighted the fact that parental alienation is a construct which describes a campaign of disenfranchisement from children on the part of one parent against another, particularly during divorce. In addition, parental alienation occurs when one parent undermines or prejudices the contact and relationship between the child and the other parent without well-founded reasons. The phenomenon of parental alienation occurs mainly in high-conflict divorce cases and is often accompanied by care and contact disputes (Zastrow, 2010:108).

#### **Theme 5: Fathers desire to have custody of their child**

Several participants indicated that they used to look after the children when they (the children) were still young and expressed the desire to care for their children. This was described by the participants in the following subthemes:

### ***Subtheme: 5.1: Factors stimulating the desire to have child custody***

The participants felt that certain factors predisposed them to have an interest in staying and taking care of the children themselves. This is reflected in the following quotes:

*"...So I felt that these people(ex-wife and her family members) are not looking direct at the interest of the children. That's why I fought so hard to make sure that I get them."*

*"...The way I see it, my child is not well taken care off, it is better for her to give me custody of the child. As the father of the child I will see to its welfare."*

*"... I do love my child and I hope that she may be able to come and live with me."*

### ***Subtheme: 5.2. Lack of proper care by the mother***

The participants felt that their children were not given good care by the mothers. The following comments explain this:

*"...The first thing that I picked up, mothers always want to stay with their children, even if they don't take care of them properly. Like in that case I picked up the fact that whenever I go there, I find my kids dirty. Even though I asked their school to check out their progress, I find them dirty, in dirty clothes, not well bathed."*

*"...I am not satisfied in a sense that I see her using that money on herself and not on the child's needs."*

### ***Subtheme: 5.3. The experience of caring for the children since birth***

The participants acknowledged that they have been taking good care of their children ever since they were born, and they have never stopped doing this. This was described in the following excerpt:

*"...From birth the child has been able to stay with me without any problems."*

*"...I used to work and buy milk, pampers and everything else that she needed."*

It is reported that certain factors predispose fathers to have full custody to the child (Dunn, 2004:17). It has been argued that fathers are relatively more involved in physical play interaction while mothers report more caregiving interactions; however, mothers and fathers engage in caregiving to a similar degree in observational studies when both parents are present (Grange, 2013:44). It is further highlighted that some fathers are good custodians as they have managed to provide for the children since birth and proved to manage finances well. Tambling and Glebova

(2013:330) find that financial management strategies such as goal setting, budgeting, saving and recording are inversely related to financial understandings.

## **CONCLUSION**

The study provided a picture of how fathers perceive denial of father-to-child contact after a break-up. It was clear from the study that fathers had similar experiences when denied contact with their children. Certain factors emerged that seemed to have played a role in the phenomenon of denial of father-to-child contact. Despite the fact that it is stipulated in the amended Children's Act (38 of 2005) fathers still continue to experience challenges in making contact with their children.

## **RECOMMENDATIONS**

The following recommendations are being made based on the findings of the study:

- It is recommended that after parental separation or divorce safety measures need to be instilled to safeguard fathers and children who intend to have contact with each other.
- Any form of disruption aimed at sabotaging the contact between fathers and children needs to be dealt with accordingly. There should be a penalty instituted against such kinds of behaviours.
- It is further recommended that policies, especially those looking after the best interests of children, need to be strengthened so that they advocate for fathers who are committed and willing to have full custody of their children after parental separation or divorce.

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## **SECTION C**

### **SUMMARY, EVALUATION, CONCLUSION AND RECOMMENDATIONS**

Parent-child contact after a relationship break-up or divorce continues to attract much public attention. Perhaps this is because it remains a source of conflict for many parents. It is noted that parent-child contact can vary along with many factors including frequency, amount, nature, quality, flexibility and stability (Mahon & Moore, 2011:116).

The previous sections of the research report described the orientation, findings and discussions of the research project. In this section, the findings are evaluated and recommendations are made based on the findings regarding fathers' experiences on denied contact with their children after a break-up at Bakenberg, Limpopo Province.

#### **1. RESEARCH SUMMARY**

The phenomenon of denial of father-to-child contact after parental separation or divorce has a devastating effect on fathers and children (Mahon & Moore, 2011:116). Despite the amended Children's Act (38 of 2005) on parental responsibilities and rights, parents still have a constant battle over children and it is suggested that if one parent refuses contact to another parent against the terms of the court order or does not inform the other parent of a change of address, that parent is guilty of an offense and is liable to jail sentence of up to one year (Erna, 2016:77; Children's Act 38 of 2005). It is further cautioned that fathers still have the right to have contact with their children as long as their conflict with the mother does not harm or affect the children (Sekgale, 2017:44).

Denial of child contact after parental separation or divorce poses a serious challenge to fathers as they find it very hard to be close to their children. It is noteworthy to be aware of the crucial roles that fathers play in children's lives (Kruk, 2016:66).

There has been an increase in the occurrence of lack of 'father-to-child contact' matters after a relationship break-up at Bakenberg, Limpopo Province amongst the Sepedi-speaking people over the recent years. As a social worker working at the Bakenberg Social Development, the researcher can also confirm this from the statistics from Mogalakwena Magistrate court, which indicate that indeed denial of child contact cases are increasing at an alarming rate among the Sepedi speaking people for unknown reasons. The disagreements between parents during divorce settlements may be one of the possible reasons contributing to the scourge of fathers being denied contact with their children (Pitsoane, 2013:9).

This study aimed to explore specifically the experiences of Sepedi fathers from Bakenberg, Limpopo Province who are denied contact with their children after a break-up. The study, therefore, aimed to not only develop knowledge but also to provide a basis for future studies.

This study was done through a qualitative descriptive approach in order to explore fathers' experiences on denied contact with their children after a break-up. A literature study was undertaken to explore family and parental practices in South Africa, the current state of families in South Africa, the relationship between the father and mother, the definition of parent-child contact, the legislative framework regulating father-child contact, the father-child contact phenomenon, denial of father-child contact, factors contributing to father-child contact, father-level factors, child-level factors, African families in South Africa with a focus on the Sepedi culture, how to deal with the phenomenon of denial of father-child contact, and to explore the theoretical perspective.

Thirteen participants were interviewed during this study due to data saturation. The study was conducted through the purposive sampling method and data were collected through semi-structured interviews and document analysis. Field notes were used as an additional data collection method. An interview schedule was used to guide the researcher during the interview sessions. Communication techniques (probing, clarifications, reflections, and paraphrasing) were utilized to encourage participants to elaborate more on statements made.

All the interviews were audio-recorded and transcribed verbatim. Thematic analysis was used to analyse and code the data. From the data, five main themes emerged from article one and another four main themes emerged from article two. The findings were presented in article format. Recommendations for further studies were made to broaden the literature with regard to the phenomenon of denial of father-to-child contact, specifically at Bakenberg.

## **2. EVALUATION OF THE RESEARCH**

### **2.1. Aim of the study**

The aim of this study was to qualitatively by means of a descriptive design explore the experiences of Sepedi fathers from Bakenberg, Limpopo Province, who were denied contact with their children after a break-up. The above mentioned research methodologies were used to achieve the following objectives (I) To conduct a literature study of previous research on the topic 'contact-with-the-child' after a break-up in order to develop a

conceptual framework for this study (ii) To explore and describe the experiences of formerly co-habiting or married Sepedi fathers on being denied “contact-with-the-child” after a break-up (iii) To analyse the data, describe the themes and present the findings in two articles.

## **2.2. Significant findings**

The participants mentioned different factors that were identified to have disadvantaged the majority of fathers by not being allowed to have contact with their children after a break-up. These included the fact that fathers had a poor income and only temporary employment. In addition, the influences of grandparents and other family members, cultural factors, conflict between the parents and the mother’s power over parenting roles contributed to the denial of father-to-child contact. It was found that mothers did not want to share parenting responsibilities with fathers after divorce or separation; hence, mothers applied strict rules that excluded the fathers. Mothers displayed jealousy after the break-up and made children turn against their fathers as well.

It also became evident from the study that certain cultural beliefs or ideologies such as payment of Magadi or lobola served as prerequisites to have contact with children. It was discovered that some of the fathers who failed to comply with the demands of the Sepedi culture, for example, were unable to provide for the children financially, for instance, pay damages and so on, and so were denied contact to the children by the children’s mothers and other maternal family members. The fact that fathers were at times kept away from their children created a distant relationship between them (fathers) and their children.

From the fathers’ experiences it became evident that mothers have put their needs before those of the children. The participants pointed out that they experienced disruptions that aimed at ensuring that visitations between them (fathers) and their children are not possible. Participants further highlighted the fact that protection orders were instituted against them. Participants indicated that they had no stable relationship with their children and the mothers, and that affected them emotionally.

Participants felt unsafe as they were not allowed to enter the premises of the children’s mothers. Additionally, mothers were perceived by the participants to have influence and control over children to the detriment of the fathers. And lastly, the participants showed enthusiasm for taking over parental duties.

### **2.3. Dissemination of information**

- Two articles have been prepared for submission to the *Journal of Social Work* and the *Journal for the Social Work Practitioner*, respectively.
- The researcher will provide feedback to the participants in the form of hard copies. The participants will be contacted through cellphones to come and collect a summary of the findings of the study.
- As for the Department of Social Development and Bakenberg Tribal office, they will receive a summary of the study through emails.

### **3. RECOMMENDATIONS FROM THE STUDY**

Based on the research process, findings and future research, the researcher's recommendations are presented below:

#### *Recommendations based on research findings*

- Due to uncertainty in "contact-with-the-child" phenomenon, social workers should assess and, where applicable, intervene appropriately to improve the living conditions of parties involved after a relationship break-up.
- In light with the ethical implications of the profession, which may impact on the professional self of service providers. Social workers should consciously reflect on their personal beliefs and assumptions about 'contact-with-the-child matters which, they may mindfully impose on the disputing parties. Keeping a policy at hand may assist them to reflect on their thoughts and feelings as they render services to such kinds of couples.

#### *Recommendations pertaining to further and future research*

- In view of the complex nature of denial of father to child contact, more social work academics and practitioners should initiate collaborative research projects with other professionals such as Psychologists to embark on a longitudinal study on the progression of "contact-with-the-child phenomenon".
- The views and experiences of children who grew up in disputing families should not be discounted. It is necessary that social workers must be trained to administer mediation processes adequately.

- Due to cultural influences and beliefs on 'contact-with-the-child' matters, social workers should collaborate with academic cultural experts to conduct a qualitative study to clarify clashing of cultural ideologies.

#### **4. LIMITATIONS OF THE STUDY**

The following are limitations of this study:

- The limited availability of recent literature studies on Sepedi culture.
- The experiences of Sepedi fathers with regard to denial of father-to-child contact were explored, therefore, findings are limited to a specific rural area.

#### **5. CONTRIBUTION OF THE STUDY**

The findings of this study contributed on a macro level to broaden literature in the field of Indigenous Knowledge Systems (IKS) and how fathers' experiences denied contact with their children in rural areas and specifically Sepedi speaking fathers. Other researchers can use findings from this study to further elaborate on what denial of father-to-child contact entails in other rural areas/cultures and compare findings.

The literature can be used as guidance by professionals working with fathers from this community to take into consideration the coping mechanisms of these fathers. Professions such as social workers and psychologists would be able to integrate the findings on denial of contact-with-the-child in their work. Therefore, it would be useful for professionals to take note of the findings and to use them in their intervention with fathers who struggle to have contact with their children.

This can empower professionals with regard to rendering services to fathers from rural areas so that they could be aware that denial of father-to-child contact may have various negative outcomes for the fathers.

#### **6. CONCLUSION**

The aim of this study was to qualitatively explore by means of a descriptive design the experiences of fathers with regard to denial of child-contact after a break-up at Bakenberg. By so doing this professionals involved in rendering services to fathers at Bakenberg could utilize these findings to take into account the unique way in which fathers in rural areas are coping.

This could also broaden the literature on contact-with-the-child after a break-up in a South African context. Fathers in this specific area were used in this study to get their views on their experiences on denied contact with their children after a break-up. It was found that fathers' experiences on denied contact with their children after a breakup are similar and that fathers were not adequately assisted in finding solutions after they were denied contact with their children.

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## SECTION D: ANNEXURES

### ANNEXURE 1 : ETHICAL APPROVAL



Private Bag X6001, Potchefstroom  
South Africa 2520

Tel: 018 299-1111/2222  
Web: <http://www.nwu.ac.za>

Health Sciences Ethics Office for Research,  
Training and Support

North-West University Health Research Ethics  
Committee (NWU-HREC)  
Tel: 018-285 2291  
Email: [Wayne.Towers@nwu.ac.za](mailto:Wayne.Towers@nwu.ac.za)

To whom it may concern

21 May 2019

### APPROVAL OF THE RESEARCH STUDY FROM THE NORTH-WEST UNIVERSITY HEALTH RESEARCH ETHICS COMMITTEE (NWU-HREC) OF THE FACULTY OF HEALTH SCIENCES

Ethics number: NWU-00018-19-S1

Kindly use the ethics reference number provided above in all future correspondence or documents submitted to the administrative assistant of the North-West University Health Research Ethics Committee (NWU-HREC).

Study title: **Fathers' experiences on denied contact with their children after a break-up: "A Case of the Limpopo Province"**

Study leader/supervisor: **Dr L Wilson**

Student: **CW Matjila-21386897**

Application type: **Single study**

Risk level: **Medium**

You are kindly informed that this application was reviewed at the meeting of the North-West University Health Research Ethics Committee (NWU-HREC), Faculty of Health Sciences, North-West University, held on 13/03/2019. Following review of the application, it has been decided that the study is approved. Approval in this letter means that **final ethics approval** was indeed granted for the **research methodology and the ethical aspects** of this study and that the NWU-HREC has **no further ethical concerns** relating to the research ethics process, except for the outstanding documentation indicated below, which must be provided to the NWU-HREC by the researcher. It is important to mention that this letter indicates that there are no further ethical concerns that exist, regarding the execution of the research. A final ethics letter will be issued upon the receipt of the following documentation:

- A copy of the approval letter from you on behalf of the Bakenberg Tribal office, indicating that the study can proceed
- A copy of the approval letter from you on behalf of the provincial Department of Social Development indicating access to the potential participants

The mentioned document, as indicated above, should be submitted to [Ethics-HRECProcess@nwu.ac.za](mailto:Ethics-HRECProcess@nwu.ac.za) by the researcher, for review before the ethics approval certificate can be provided. This approval is provided for a year, after which continuation of the study is dependent on receipt of an annual (or as otherwise stipulated) monitoring report and the concomitant issuing of a letter of continuation for another year.

If you have any questions or need further assistance, please contact the Faculty of Health Sciences Ethics Office for Research, Training and Support at [Ethics-HRECAppl@nwu.ac.za](mailto:Ethics-HRECAppl@nwu.ac.za).

Yours sincerely

Digitally signed by Wayne  
Towers  
Date: 2019.05.21  
23:29:42 +02'00'

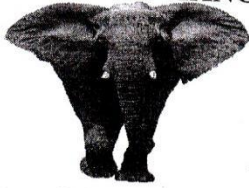
Prof Wayne Towers  
Chairperson: NWU-HREC

Digitally signed by  
Prof Minrie Greeff  
Date: 2019.05.23  
21:28:26 +02'00'

Prof Minrie Greeff  
Head of Health Sciences Ethics Office for  
Research, Training and Support

ANNEXURE 2 : GOODWILL PERMISSION

BAKENBERG TRADITIONAL COUNCIL MOSHATE WA BAKENBERG  
KGOSHI L.P LANGA



P.O. BOX 57  
BAKENBERG  
0611

TELEFAX.: 015 423 0538

EMQ: M.M Langa  
079 742 2156

Kgoshi L.P Langa 071 244 1852  
Cell: [REDACTED]

Date: 07-05-2019

RE: PERMISSION TO CONDUCT STUDY

THE BAKENBERG TRADITIONAL COUNCIL  
UNDER THE LEADERSHIP OF KGOSHI  
L.P LANGA, HEREBY GRANT PERMISSION  
TO MR MATJILA WILLIEM TO  
CONDUCT A STUDY AS REQUESTED BY  
HIM.

THE RESEARCH WILL BE CONDUCTED  
AT BAKENBERG JURISDICTION.

HOPE YOU FIND THE ABOVE IN ORDER

1. Secretary [Signature]

2. Chairperson [Signature]

3. Council Member [Signature]

DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN  
SETTLEMENTS & TRADITIONAL AFFAIRS  
KGOSHI L.P LANGA  
BAKENBERG TRADITIONAL COUNCIL  
07-05-2019  
P.O. BOX 57  
BAKENBERG, 0611  
WATERBERG DISTRICT SUPPORT CENTRE

## ANNEXURE 3: LEGAL AUTHORIZATION



**LIMPOPO**  
PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF  
**SOCIAL DEVELOPMENT**

TO: RESEARCH COMMITTEE

**APPROVAL TO USE DEPARTMENT OF SOCIAL DEVELOPMENT'S FACILITIES**

This certifies that Mr Matjila CW has presented the significance of his research study titled: **Fathers' experiences on denied contact with their children after a break-up:" A Case of the Limpopo Province" Bakenberg: Mogalakwena Municipality**

**Mr. Matjila CW research study**

**1. The findings of the study**

- The study will help understand Sepedi-speaking people in the context of indigenous knowledge.
- Secondly, the study will contribute to the field of Social work as the findings may raise awareness about this topic in the Social workers working with Bakenberg community and may promote more sensitive practices.
- Thirdly, the study hopes to contribute to theory development, by adding salient knowledge to the knowledge bank of Social service practitioners, thus improving the standards of service delivery in the country, in particular at Bakenberg, Limpopo province.
- To be specific, the study will help social workers obtain insight into the challenges facing local people and to see life through their eyes. This will enable them to

render services that are relevant, effective and meet the needs of the people as a community.

2. **Population and area of study**

The researcher is targeting 10-15 participants to be included in the study. The study will take place in the **Waterberg district**, in particular at Mogalakwena municipality.

3. In view of the above, this letter grants Mr. Matjila permission to use the Department of Social Development facilities in Mogalakwena Municipality

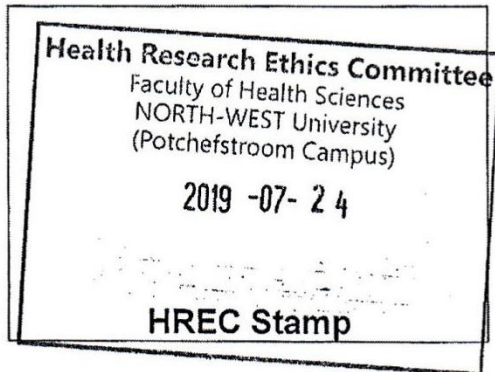
\_\_\_\_\_  
**Deputy Director: Population Development Unit**  
**Mokobane R**

\_\_\_\_\_  
**Date**

## ANNEXURE 4: CONSENT FORM FOR PARTICIPANTS



Private Bag X1290, Potchefstroom  
South Africa 2520  
Tel: +2718 299-1111/2222  
Fax: +2718 299-4910  
Web: <http://www.nwu.ac.za>



### INFORMED CONSENT DOCUMENTATION FOR SEPEDI FATHERS

**TITLE OF THE RESEARCH STUDY:** Fathers' experiences on denied contact with their children after a break-up: "A Case of the Limpopo Province"

**ETHICS REFERENCE NUMBERS:** NWU-00018-19-S1

**PRINCIPAL INVESTIGATOR:** Dr. Lizane Wilson

**POST GRADUATE STUDENT:** Mr Matjila Colly William

**ADDRESS:** Sekgakgapeng village, Mokopane, 0651

**CONTACT NUMBER:** 0737397008

You are being invited to take part in a **research study** that forms part of my Social Work Master's degree. Please take some time to read through the information presented here, which will explain the details of this study. Please ask the researcher or person explaining the research to you any questions about any part of this study that you do not fully understand. It is very important that you are fully satisfied that you clearly understand what this research is about and how you might be involved. Also, your participation is **entirely voluntary** and you are free to say no to participate. If you say no, this will not affect you negatively in any way whatsoever. You are also free to withdraw from the study at any point, even if you do agree to take part now.

This study has been approved by the Health Research Ethics Committee of the Faculty of Health Sciences of the North-West University (NWU NWU-00018-19-S1) and will be conducted according to the ethical guidelines and principles of Ethics in Health Research: Principles, Processes and Structures (DoH, 2015) and other international ethical guidelines applicable to this study. It might be necessary for the research ethics committee members or other relevant people to inspect the research records.

**What is this research study all about?**

- In this study we want to investigate how fathers experience being denied "contact-with-their-child" after a break-up.
- This study will be done at Bakenberg, Limpopo Province within the premises of Social Development and will be done by social workers who are trained in interviewing. A total number of 15 participants will be included in this study.
- You have been invited to be part of this research because you have experienced being denied contact with your children after the break-up with their mothers. You are also a parent. You also live within the area of Bakenberg and you are a Sepedi father who is fluent in Sepedi or English as a mode of communication and agree to participate voluntarily.

**What will be expected of you?**

- You will be expected to take part in an interview. You will be alone with the interviewer during this time. This interview will be between one and two hours. There will be a break in between. During this interview you will be asked questions about your experience of being denied contact with your children. These questions you will receive before the interview. You can choose to not answer a question if you don't feel you want to. The interviews will be audio recorded.
- You can ask questions during this interview where you seem to be unclear or unsure of something.
- Your permission, that the researcher may have access to your file at Social Development, Bakenberg, will also be requested.

**Will you gain anything from taking part in this research?**

- There will be no direct gain for you in the study but sharing your experiences will assist social workers to improve service delivery when working with fathers in the same position as you are. In addition, the entire community of Bakenberg will also benefit at the later stage as the cases of this magnitude would have an appropriate intervention strategy.

**Are there risks involved in you taking part in this research and what will be done to prevent them?**

- The risks in this study is minimal.
- There might be a possibility that you may get tired during the interview. In order to minimize this risk there will be a break of 15 minutes after an hour. The researcher will also break at any time when he sees that you become tired.
- You might also feel anxious during the interview as you may find it difficult to share some of the information. You will not be forced to answer any questions

and you will have the option to not answer a question if you feel not to or feel uncomfortable.

- A social worker also be available if you feel the need to talk to her after the interview.

#### **How will we protect your confidentiality and who will see your findings?**

- What you tell the social worker during the interview will be kept confidential. Only the researcher and the project leader will have access to this information.
- The information that you share will be put in a report without your name. Nobody will know that you have said that.
- The interviews will also be in a private room where only you and the researcher will be.
- All the documents with information will be safely locked in the researcher's office and only he will have access to it.

#### **What will happen with the findings or samples?**

- The information that you share will only be used for this study and no other studies.

#### **How will you know about the results of this research?**

- We will give you the results of the study when the study is completed. All the participants will each receive a summary of the research study once the study is complete. Those who have emails will receive the document via emails. If you do not have an email a copy will be hand delivered to you.
- You will be informed of any new relevant findings by vial telephone or emails.

#### **Will you be paid to take part in this study and are there any costs for you?**

- There will be no costs for you if you participate but you will also not receive any payment to participate in the study. You will, however, be given a token of appreciation in the form of a tea mug. Refreshments will be served when you arrive at the interview site at the beginning of the interview.

#### **Is there anything else that you should know or do?**

- You can contact Dr. Lizane Wilson on 0827308396 or Mr Matjila on 0737397008 if you have any further questions or have any problems.
- You can also contact the Health Research Ethics Committee via Mrs Carolien van Zyl at 018 299 1206 or [carolien.vanzyl@nwu.ac.za](mailto:carolien.vanzyl@nwu.ac.za) if you have any concerns that were not answered about the research or if you have complaints about the research.
- You will receive a copy of this information and consent form for your own purposes.

**Declaration by participant**

By signing below, I ..... agree to take part in the research study titled: Fathers' experiences on denied contact with their children after a break-up: "A Case of the Limpopo Province"

I declare that:

- I have read this information/it was explained to me by a trusted person in a language with which I am fluent and comfortable.
- The research was clearly explained to me.
- I have had a chance to ask questions to both the person getting the consent from me, as well as the researcher and all my questions have been answered.
- I understand that taking part in this study is **voluntary** and I have not been pressurised to take part.
- I may choose to leave the study at any time and will not be handled in a negative way if I do so.
- I may be asked to leave the study before it has finished, if the researcher feels it is in the best interest, or if I do not follow the study plan, as agreed to.

Signed at (*place*) ..... on (*date*) ..... 20....

.....  
**Signature of participant**

.....  
**Signature of witness**

**Declaration by person obtaining consent**

I (*name*) ..... declare that:

- I clearly and in detail explained the information in this document to  
.....
- I did/did not use an interpreter.
- I encouraged him/her to ask questions and took adequate time to answer them.
- I am satisfied that he/she adequately understands all aspects of the research, as discussed above
- I gave him/her time to discuss it with others if he/she wished to do so.

Signed at (*place*) ..... On (*date*) ..... 20....

.....  
**Signature of person obtaining consent**

**Declaration by researcher**

I (*name*) ..... declare that:

- I explained the information in this document to .....  
or I had it explained by ..... who I trained for this purpose.
- I did/did not use an interpreter
- I encouraged him/her to ask questions and took adequate time to answer them  
or I was available should he/she want to ask any further questions.
- The informed consent was obtained by an independent person.
- I am satisfied that he/she adequately understands all aspects of the research, as described above.
- I am satisfied that he/she had time to discuss it with others if he/she wished to do so.

Signed at (*place*) ..... on (*date*) ..... 20....

.....  
**Signature of researcher**

Current details: (23239522) G:\My Drive\9. Research and Postgraduate Education\9.1.6.6 Forms\HREC\9.1.6.6\_HREC\_ICF\_Template\_Apr2018.docm  
25 April 2018  
File reference: 9.1.6.6

## INTERVIEW SCHEDULE

TITLE OF STUDY: Fathers' experiences on denied contact with their children after a break-up: "A Case of the Limpopo Province"

- 1.1. Please tell me about your experiences on denied contact with your child/ren?
- 1.2. Have you always been denied contact or was there a time where you did have contact with your child/ren? Tell me more about this.
- 1.3. What do you think caused you on denied contact with your child/ren?
- 1.4. What would you say is holding you back from having contact with your child?

## ANNEXURE 6: CONSENT FORM FOR THE MEDIATOR



NORTH-WEST UNIVERSITY  
YUNIBESITHI YA BOKONE-BOPHIRIMA  
NOORDWES-UNIVERSITEIT

### CONFIDENTIALITY UNDERTAKING

entered into between:

I, the undersigned

Prof / Dr / Mr / Ms MS Letsoalo KMN

Identity Number: 8505230976086

Address: House no 12269 EXT 71 B POLOKwane 0699

hereby undertake in favor of the **NORTH-WEST UNIVERSITY**, a public higher education institution established in terms of the Higher Education Act No. 101 of 1997

Address: Office of the Institutional Registrar, Building C1, 53 Borchard Street, Potchefstroom, 2520

(hereinafter the "NWU")

#### 1 Interpretation and definitions

1.1 In this undertaking, unless inconsistent with, or otherwise indicated by the context:

1.1.1 "Confidential Information" shall include all information that is confidential in its nature or marked as confidential and shall include any existing and new information obtained by me after the Commencement Date, including but not be limited in its interpretation to, research data, information concerning research participants, all secret knowledge, technical information and specifications, manufacturing techniques, designs, diagrams, instruction manuals, blueprints, electronic artwork, samples, devices, demonstrations, formulae, know-how, intellectual property, information concerning materials, marketing and business information generally, financial information that may include remuneration detail, pay slips, information relating to human capital and employment contract, employment conditions, ledgers, income and expenditures and other materials of whatever description in which the NWU has an interest in being kept confidential; and

1.1.2 "Commencement Date" means the date of signature of this undertaking by myself.

1.2 The headings of clauses are intended for convenience only and shall not affect the interpretation of this undertaking.

## **2 Preamble**

**2.1** In performing certain duties requested by the NWU, I will have access to certain Confidential Information provided by the NWU in order to perform the said duties and I agree that it must be kept confidential.

**2.2** The NWU has agreed to disclose certain of this Confidential Information and other information to me subject to me agreeing to the terms of confidentiality set out herein.

## **3 Title to the Confidential Information**

I hereby acknowledge that all right, title and interest in and to the Confidential Information vests in the NWU and that I will have no claim of any nature in and to the Confidential Information.

## **4 Period of confidentiality**

The provisions of this undertaking shall begin on the Commencement Date and remain in force indefinitely.

## **5 Non-disclosure and undertakings**

I undertake:

**5.1** to maintain the confidentiality of any Confidential Information to which I shall be allowed access by the NWU, whether before or after the Commencement Date of this undertaking. I will not divulge or permit to be divulged to any person any aspect of such Confidential Information otherwise than may be allowed in terms of this undertaking;

**5.2** to take all such steps as may be necessary to prevent the Confidential Information falling into the hands of an unauthorised third party;

**5.3** not to make use of any of the Confidential Information in the development, manufacture, marketing and/or sale of any goods;

**5.4** not to use any research data for publication purposes;

**5.5** not to use or disclose or attempt to use or disclose the Confidential Information for any purpose other than performing research purposes only and includes questionnaires, interviews with participants, data gathering, data analysis and personal information of participants/research subjects;

**5.6** not to use or attempt to use the Confidential Information in any manner which will cause or be likely to cause injury or loss to a research participant or the NWU; and

**5.7** that all documentation furnished to me by the NWU pursuant to this undertaking will remain the property of the NWU and upon the request of the NWU will be returned to the NWU. I shall not make copies of any such documentation without the prior written consent of the NWU.

## **6 Exception**

The above undertakings by myself shall not apply to Confidential Information which I am compelled to disclose in terms of a court order.

**7 Jurisdiction**

This undertaking shall be governed by South African law be subject to the jurisdiction of South African courts in respect of any dispute flowing from this undertaking.

**8 Whole agreement**

**8.1** This document constitutes the whole of this undertaking to the exclusion of all else.

**8.2** No amendment, alteration, addition, variation or consensual cancellation of this undertaking will be valid unless in writing and signed by me and the NWU.

Dated at Potchefstroom this 15 - 08 - 2019

Witnesses:

1  .....

2  .....

*(Signatures of witnesses)*



*(Signature)*

## **ANNEXURE 7: TRANSCRIPTION INTERVIEW**

**Interviewer:** Before we begin this session, I just want to thank everybody for coming and to declare that all that will be spoken of here will remain confidential. This information will not be shared with others without your permission. You will be consulted prior to any publishing of the details in this compilation of information. Are there any questions before we begin?

**Speaker:** Um, no, I do not have a question as such; I just wanted to say that I personally do not have a problem with the liberal sharing of this information.

**Interviewer:** Alright, thank you very much! The questions are as follows: I would like to hear your thoughts on the prohibition to see your child.

**Speaker:** Personally, I struggle to understand this whole thing because the child that I have is not only mine, but it is also the mother's. What I do not understand is why as a man I am not able to see my child. Why does the woman have more power in this regard? She has more power to make decisions regarding the child, and I do not. Why do I have to ask to see my own child? What is happening here? It seems as though women have the power to decide on matters affecting the child.

**Interviewer:** Maybe you can provide more clarity on this... Did the two of you look for help at any stage at any government institution regarding the child?

**Speaker:** Eh, yes, brother, I have sought help in this regard, and I went to court and the court referred me to the social workers. I did not get help in the sense that I could not say what is really happening in this whole situation. It seemed as though they were siding with the mother in this.

**Interviewer:** To elaborate on the first question, so, the social workers took the mother's side, but did they at least tell you why it is that you are not able to see your child?

**Speaker:** Yes, they called me to come talk about this matter there. I got there we talked, and they told me that in a situation like this when the two parents are not in agreement, the mother of the child has the right to custody, and that you cannot see the child. The child has two parents, now what do we do?

**Interviewer:** Oh, I see. Now I would like to ask you a second question. How many times were you denied the opportunity to see your child? Please elaborate.

**Speaker:** Yes, I do not know when things changed. The mother and I had no problems; I was able to care for and leave the child as per normal. From birth the child has been able to stay with me without any problems. Then came a time when I had to go see my child because they could not come to me. The child is growing, and I want to see them, but when I get there, they hide the child from me. The two parents must be able to see the child.

**Interviewer:** Who is it exactly that says that you cannot see the child? Is it the woman or the person that she now lives with?

**Speaker:** In the beginning it was the mother which said that seeing the child was not possible. It is as though in that household, one of them is denying the child the opportunity to come and stay with me. I asked the child why it is that he/she was hiding when I came for a visit, and the child said that they did not hide.

**Interviewer:** I understand. I would like to ask you a third question. Why do you think it is that they have not allowed you to see your child?

**Speaker:** In my experience, when a woman goes into a second relationship and seek marriage, they must let the child of the first marriage to see their parents and not turn their children also against the former husband. She should be dealing with the husband and not put the child in the middle of all this. And women are people who want money, they put

that first before anything. And as a man you end up struggling to see your child because you do not have money.

**Interviewer:** On this point of women pushing for marriage, did she at some point while you living together indicate that she wanted to get married at any stage and in anyway?

**Speaker:** Yes, we did sit down to talk about this, and she did say that if she were to get married then she will have to give up family, and so she said that she is not the marrying type. So that showed me that she is not interested in marriage, and that brought us to make this agreement to live together without getting married, agreeing that she would be my woman and live together with our child. At least that would show that I made some sought of commitment to her.

**Interviewer:** Ok. It is clear. I have to ask you a fourth and last question. What do you think it is that is stopping you from seeing your child?

**Speaker:** A few things, but what really hurts is to hear my child cry and say, Dad, I miss you. Why don't come visit me? The child would ask why I do not come get them from school on Friday, then I have to tell the child that the mother stops me from doing that. And so, I do not really know what it is. It seems like a lot of people who are getting in the way of me seeing my child thinks that if I do, then I will get in the way of the mother's new relationship. And what I would like her to understand is that I do not want her, but I do want to see my child.

**Interviewer:** Alright, thank you very much. Are there in last words that you would like to say before we conclude?

**Speaker 2:** Yes. As for me, I would like to say that I do not worry too much because there is recourse, there is law. Hoping that the laws that are in place to help children will come into play and help us in these situations. I also see that this same law is on the side of women only. The people that are meant to intervene in such situations will tell you that the

woman has the right to remain with the child. I am also able to care for the children. I take care of them, feed them in same way that a mother can. The question is: why does the law give so much power to the woman in such situations? I too as a man am able to care for a small child and raise them like one should. I can change nappies as a man. It no problem to live with a child.

**Interviewer:** Thank you for sharing your views on this matter.

**Speaker 2:** Thank you.

**Interviewer:** Thank you.