

Free State educators' perceptions of the scope of learner crime

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Statements by academics and others in the media may prompt the average person to hold the perception that schools and neighbourhoods are danger zones where learner crime is rampant. However, is the situation out of control? In pursuing an answer to this problem, firstly an overview, on the basis of a crime typology, of the most important types of crime in which learners become involved is presented. Secondly, the findings of an empirical investigation of a group of Free State educators' perceptions of the scope of learner crime and crime-related behaviour are reported. It was clear from the investigation that learners were involved, in particular, in victim-less crimes such as the use of alcohol and smoking marijuana; conventional crimes such as vandalising school property, theft and less serious learner-on-learner attacks; abuse of the dignity and good name of fellow learners, in particular by swearing and making obscene signs at them; and youth-status offences.

Introduction

Bloemhof (2002:146) expresses the following view in a women's magazine:

If your home is burgled today, the chances are good that the criminals will wear T-shirts and jeans, exhibiting highly sought-after trademarks; moreover, it is likely that their caps will be on their heads back to front, slanting at exactly the right angle, and they are bound to wear shoes that have airpockets and neon shoe laces. And these fashion-conscious criminals will most probably be younger than 20 years of age.

This view, that juvenile crime is rampant, is reinforced by newspaper reports (Cornelissen, 2001:7; Smith, 2001:2; Dlamini, 2000:4; Van der Westhuizen, 1999:4; Van Niekerk, 1999:2; Mkhwanazi, 1997:4).

From the above newspaper reports, it appears that learners are violent, heartless and immoral, typically without conscience or feelings. In the same vein, Pillay (2000:72) writes that if learner crime is not brought under control in South Africa, this will have far-reaching consequences:

The young people of South Africa will end up as drug addicts, violent criminals and anti-social individuals, rather than being an asset to the nation and the country's economy.

Ayers (1997:49) warns that media reports and statements such as the preceding may prompt the community to label children who break the law as "superpredators — children without motive or conscience or mind or soul". Dohrn (1997:45) contends that adults are convinced that "most adolescents are different from the teens we once were, that they are no longer children, ... they are bad". The result is that the average person holds the view that juvenile crime is out of control:

Youth crime is a runaway train — reckless, out of control, unpredictably dangerous, picking up speed as it careers down the track towards our town or neighbourhood (Ayers, 1997:48).

However, are schools and adjacent neighbourhoods "danger zones" (Eastern Province Herald, 2001:2) where juvenile crime is rampant? In an attempt to obtain an answer to this question, an empirical investigation was conducted on educators' perceptions of learner crime and crime-related behaviour. The decision to look at educator perceptions rather than crime statistics was influenced by the view that educators, who know their learners, are probably the persons that have an intimate knowledge of the scope of learner crime and crime-related behaviour during and after school hours (Klonsky, 2002:67; Pillay, 2000:72; Fletcher, 1991:113). Pillay (2000:72) writes:

Schools provide regular access to learners throughout the developmental years, perhaps the only consistent access to large numbers of crime-prone healthy young children.

Although perceptions do not qualify as hard data, the most general type of data used in determining the scope of crime, namely police statistics, is limited in its usefulness because of the non-reporting of crimes. For example, Elliot, Hamburg and Williams (1998:6) found that only approximately 20% of children report that they have been victimised. Shakeshaft, Mandel Johnson, Sawyer, Hergenrother and Barber (1997:24) mention that only 6% of learners who are exposed

to sexual harassment report the crime. In South Africa, less than half of all crimes that have been committed are reported to the police (Peltzer, 1999:10). See Peltzer (1999:13) for the reasons for non-reporting of crimes in South Africa.

In pursuit of an answer to the research question, namely whether learner crime is out of control, an overview, based on a crime typology of the most important types of crimes that are typically committed by learners, will firstly be analysed. Secondly, an account will be given of an empirical investigation conducted on a group of Free State educators' perceptions of the scope of crime and crime-related behaviour of learners attached to their respective schools.

Theoretical foundation

Introduction

Not only schools but also structures having a stake in education, such as the family, the church and the state, determine the kind of behaviour that is acceptable and what is not. These behavioural rules may rest on moral or juridical grounds. The list of unacceptable behaviour is comprehensive. According to Bortner (1988:6), some types of behaviour are prohibited because they are unhealthy, others because they are immoral, in poor taste, or illegal. The list of unacceptable behaviours exhibited by learners is almost unlimited, and includes, for example, truancy, smoking, fighting, theft, burglary and murder. The law distinguishes between *mala in se*¹ and *mala prohibita*², as well as between felonies and less serious crimes. To be regarded as a crime, the act or behaviour must be prohibited or compelled by the law. The deed must have been committed voluntarily. The person who commits the deed must be culpable. Moreover, punishment must be prescribed by the law (Allen, 1997:1; Beirne & Messerschmidt, 1991:26).

In South Africa, the Criminal Procedure Act and the Law of Evidence, which apply to children who become involved in crimes, are in principle the same as those that apply to adult offenders. There is no separate Criminal Procedure Act or Law of Evidence for children (De Villiers, 1988:528; 531-532). Age is of significant importance in determining a person's competence to commit a crime. Section 290 of the Criminal Procedure Act, Act 51 of 1977, places our youth in age groups. In the South African legal system, the infant or "small child" (below seven years of age) is indisputably without any culpability before the law, as the infant does not have the capacity to distinguish between right and wrong. For this reason, the infant is not culpable for an offence that is punishable under the law. In the case of the minor who is between 7 and 14 years of age, there is a refutable suspicion (a suspicion that can be refuted through the necessary presentation of evidence) that the person is not culpable under the law for his/her

1 *Mala in se* crimes entail actions that are immoral in themselves or are wrong, for example, burglary, theft, rape and murder (Black, 1979:334).

2 *Mala prohibita* crimes entail actions or lack of actions that are either prohibited or compelled by the law, albeit that all persons do not regard these actions or lack of action as crimes. To drive at 80 km/h in a 60 km/h zone, or to own a television set, without a television licence, represent crimes because the law says so (*cf.* Black, 1979:335).

deeds. However, there is a suspicion that a minor boy between 14 and 21 years is indeed liable (i.e. possesses "judgement that allows him to discriminate") for his deeds (Oosthuizen, 1994:57-58; Snyman, 1999: 175-176; De Villiers, 1988:440-449, 536; Visser & Vorster, 1987:420, 246-248, 252).

Murrell and Lester (1981:9-10), as well as Sanders (1981:3), make a distinction among three types of offences by juveniles. Serious criminal-law offences or felonies include violent crimes such as murder, rape, burglary and assault. General forms of juvenile crime have bearing on juvenile acts that constitute less serious punishable acts. These include offences such as smoking marijuana, shoplifting and vandalism. Youth-status offences refer to offences that can only be committed by juvenile delinquents.

There are various crime typologies (Tshwete, 2001:2-3; Allen, 1997:12-13; Beirne & Messerschmidt, 1991:130-143; Gottfredson & Hirschi, 1991:25-44; Conklin, 1989:35). None of these typologies is comprehensive or suitable for all crime analyses, as a result of the large variety of crimes and the continuous change on the crime scene because of, among other things, technological development and technological changes. For purposes of this article, a combination and adjustment of the above typologies that accommodates the unique nature of the South African educational scene is used. The typology distinguishes among the following groups of crimes:

- conventional crimes: violent crimes (murder, rape, robbery and assault), as well as property-related crimes (house-breaking with the intent to commit a crime, theft, theft of items from vehicles, arson, vandalism),
- crimes without victims: drugs, alcohol, prostitution,
- crimes that compromise the dignity and good name of the person, and
- youth-status and other less serious offences, including ignoring age restriction, misconduct, truancy.

No typology is without problems. Even the basic categorisation of conventional crimes as violent and property-related crimes poses problems. For example, house-breaking could refer to the theft of property perpetrated by a person who uses violence, or the threat of violence — therefore it is a property-related and violent crime. Moreover, a single crime may constitute offences of various laws. After a rape, for example, the victim's vehicle may be stolen.

Conventional crimes

Violent crimes

Serious criminal offences or felonies, involving juveniles, include crimes against life and against the physical integrity of the individual. Murder may be defined as an unlawful and intentional act that causes the death of another person (Snyman, 1999:435; Conklin, 1989:36). Culpable homicide refers to an unlawful and negligent act that causes someone else's death (Snyman, 1999:438; Glick, 1995:225). Snyman (1999:447) defines assault as an unlawful and intentional act of violence perpetrated against the body of another person by direct or indirect means, or as a threat of immediate personal violence directed at another person in circumstances where the threatened person is led to believe that the person who has made the threat has the intention and the capacity to execute his/her threat.

Curcio and First (1993:8-9) mention the following as examples of serious learner-on-learner acts: rape, murder, drive-by shootings, firing arms in the school building or terrain, carrying a fire-arm on the school premises, and wounding or killing (knifing) a fellow learner. According to Loeber and Stouthamer-Loeber (1998:96), most learner-on-learner acts of aggression are committed by boys, and the aggression is generally directed at other boys. However, girls are beginning to become increasingly more aggressive, and some even attend school armed. According to Loeber and Stouthamer-Loeber (1998:96), there are indications that educators are increasingly becoming the target of learner aggression. Research findings (Biersteker & Erlank, 2000: 9-10; Van den Aardweg, 1987:229) and newspaper reports (Somniso, 2001:3; Pelsler, 2000:15; Van der Westhuizen, 1999:4) suggest that

violent crimes such as murder and serious assault are a given in South African schools. To Mokutu (2000:12), violence in schools is a reflection of the society in which juveniles grow up: "What they [the youth] are living is violence and more violence!" According to Van den Aardweg (1987:229), perpetrators of violence are becoming increasingly younger because older learners intimidate the younger ones to rebel against authority. It appears that violence is often a survival mechanism (Mokutu, 2000:12). Van den Aardweg (1987:224) states that many educators experience their place of work as dangerous. Thus, their first priority is not to teach, but to survive.

Rape, which must be regarded as a violent crime, refers to unlawful and intentional sexual intercourse with a person, without that person's consent (Snyman, 1999:459; Glick, 1995:204). The Sexual Offences Act, Act 23 of 1957, defines several crimes that deal with sexual intercourse or sexually indecent acts (Snyman, 1999:463). From a Human Rights Watch investigation, it appears that "girls are learning that sexual violence and abuse are an inescapable part of going to school every day" (Bhengu, 2001:4).

The incidence of violent crimes in schools is often ascribed to easy access to and the carrying of arms (Proudlock, 2000:3; Ayers, 1997:49). The Minister of Education therefore declared schools as arms-free areas in 1999. The Firearms Control Act implies that any person who enters school premises, and has a fire-arm in his possession, is guilty of a criminal offence (Erasmus, 2000:2.).

In the same sense that membership of a gang is not a crime in South Africa (Snyman, 1999:305-306), bullying as such is not a violation of the law (Snyman, 1999:305-306). Jones (1991:16) defines the relationship between the bully and his/her victim as follows:

The bully is someone who is responsible for premeditated, continuous, malicious and belittling tyranny. The victim is on the receiving end, repeatedly, defenselessly and typically without a champion.

Such a dysfunctional relationship, in its extreme forms, may lead to the following crimes: murder or manslaughter, suicide, serious assault, theft, kidnapping, sexual crimes and theft. The sustained intimidation of victims may even result in victims committing crimes (Benn, 1991:128). Membership of gangs and bullying therefore lead to violent and property-related crimes.

Property-related crimes

Theft refers to the illegal taking, carrying off, leading away or driving off with another person's property (Glick, 1995:34; Snyman, 1999: 483; Conklin, 1989:43). Conklin (1989:43) mentions the following general forms of theft: shoplifting, theft of bicycles, pickpocketing, theft from cars, purse and handbag grabbing (without any violence) and theft from buildings. Although car theft, fraud and embezzling of money are also forms of theft, the scope of these acts is so enormous that they are categorised separately (Glick, 1995:34; Conklin, 1989: 43). Theft differs from robbery in the sense that in the case of the former there is no element of violence, nor the threat of violence. Moreover, theft differs from house-breaking because the perpetrator does not gain illegal access to a building (Beirne & Messerschmidt, 1991:32; Conklin, 1989:43). Many instances of theft are perpetrated by people inside buildings or homes where they have the right of access. Thus, criminals are "willing to victimize people close to them" (Gottfredson & Hirschi, 1991:30).

Although it is an error to say that all learners engage in acts of theft, it is also true that many of these acts are perpetrated by learners (Lawrence, Steed & Young, 1984:100; Sanders, 1981:129). Educators apparently accept it as a given that they have to protect their personal and school property against learner theft (Gottfredson & Gottfredson, 1985:2-3; Lawrence *et al.*, 1984:101). Sanders (1981:129) makes the following claim:

Juveniles have been heard to say that "everyone" steals, meaning "everyone our age" or "everyone in our group".

Theft generally occurs during school hours on days and/or times when the normal routine is disrupted, for example, on sports days, at the end

of term, and when goods that have been delivered, have not yet been placed in their appropriate places. Breaking the routine does not only provide learners, but also outsiders, with the opportunity to move about on the school premises (DES, 1987:3). According to Morgan and Zedner (1992:93), schools are averse to reporting acts of theft that occur on the school premises. This unwillingness results in a situation where the scope of theft at schools cannot ever be determined. Research by Gottfredson and Gottfredson (1985:3) indicates that 79% of learner crimes, that are aimed at educators, are theft-related.

An act of theft or an attempted act of theft of a motor-car is a relatively complex crime because for such a crime to occur, a vehicle must be available which is accessible, mobile and attractive to the potential car thief. Moreover, there has to be a perpetrator of the crime who knows how to steal a car, and how to drive the vehicle (Beirne & Messerschmidt, 1991:32; Gottfredson & Hirschi, 1991:35). Car theft is generally perpetrated "for the fun" by juveniles. Most juvenile car thieves do not plan to keep or sell the vehicle (Mqadi, 1996:78; Sanders, 1981:136-137).

House-breaking with the intent to commit a crime occurs when a person breaks into or enters a building or structure, with the intent and wilfully to commit a crime on the inside (Snyman, 1999:555). An act of house-breaking may change into robbery, for example, when the perpetrator is confronted by the owner of the house or by a security guard (Conklin, 1989:42).

Robbery refers to the illegal, intentional, violent removal and appropriation of another person's property. In short, robbery may be defined as theft accompanied by violence, or the threat of violence (Snyman, 1999:519; Beirne & Messerschmidt, 1991:32; Gottfredson & Hirschi, 1991:28). The unpredictability of the circumstances under which robbery occurs, and the associated threats of violence, have led to a situation where robbery is one of the most feared crimes. Robbery often earns respect for the juvenile perpetrator and the stolen goods have symbolic rather than material value: "They symbolize the robber's ability to dominate another person, to control a victim, and to gain deference from others" (Fagan & Wilkinson, 1998:60). And this increases the juvenile robber's self-image and self-confidence. Acts of robbery are often unplanned and ill-considered — if the circumstances are right, the crime is committed (Fagan & Wilkinson, 1998:60-61). Sanders (1981:138) defines juvenile vandalism as the intentional damage, spoiling, ruin or destruction of public or private property by juvenile delinquents who are not the direct owners of the property. The fact that the behaviour holds no advantage to the vandal signifies that such acts are illogical, unreasonable and even pathological (Theron, 1991:47). Various types of vandalism may be distinguished. Incidental vandalism may result from a criminal act. For example, a building is vandalized during an act of house-breaking. Juvenile delinquents often perpetrate wilful or revenge-driven vandalism. School buildings are targets as a result of learners' negative associations with these buildings. For example, the gradual deterioration of a suburb as a result of rubbish is a typical example of erosive vandalism. The scratching out of names on school desks may also be seen as erosive vandalism. Ideological vandalism is aimed at communicating certain ideological views. Political slogans are written on walls or monuments, and other historical sites are ruined to express a group's rejection of a system or a culture. Sometimes, the pleasure derived from these acts is the only objective in the case of youth vandalism in particular: a street light is broken "for the fun" (Theron, 1991:51-52; Sanders, 1981:140-145). According to Lawrence *et al.* (1984:101), graffiti occurs so regularly in some schools that the seriousness of this kind of erosive vandalism is not realized. Vandalism is a serious and general problem in South African schools. More than a quarter of the schools in the Western Cape are regularly the target of vandals (Kahn, Tamalele, Solomon & Zuma, 2002:2).

Juvenile crime, related to the damage of goods, may also take on the form of arson. Arson refers to the unlawful and intentional setting on fire of immovable property that belongs to someone else, or immovable property that belongs to the arsonist so that, in the latter case,

where the property is insured, the value of such property may be claimed from the insurer (Snyman, 1999:553).

From the research (Biersteker & Erlank, 2000:10; Sanders, 1981:12128-147), it seems that shoplifting, the theft of small items, car theft and vandalism are the most general property-related crimes committed by juvenile delinquents. In comparison with the scope of property-related crimes committed by adults (e.g. fraud and forgery), the amounts and value of property stolen by juvenile delinquents are negligible (Sanders, 1981:127).

Victim-less crimes

Crimes such as murder, rape and violent attacks are generally denounced by the community as a whole. However, there are certain crimes which, according to some, should be tolerated, ignored or even approved. These include prostitution, pornography, as well as the use of drugs and alcohol. These types of crimes are often referred to as "victim-less crimes" (Glick, 1995:400). Victim-less crimes are consensual offences in which there are no complainants (Conklin, 1989:50). Conklin (1989:50) argues that the term "crimes without complainants" is possibly more descriptive because generally victims are indeed present in so-called victim-less crimes.

Drug and alcohol abuse

Worldwide there are laws that prohibit the possession, trade in, use, growing, or manufacturing, of certain drugs (Glick, 1995:35). The relationship between the use of drugs and crime is a multidimensional, well-documented given (Tshwete, 2001:3; Glick, 1995:350-369; Gottfredson & Hirschi, 1991:40). Drugs serve as a catalyst for a large number of violent crimes, which have an organised dimension, and are often committed by drug addicts for the sake of satisfying their expensive dependency (Tshwete, 2001:3). Alkers (1984:4) writes that compared to the abstaining teenager, the drinking, smoking, and drug-taking teen is much more likely to be getting into fights, stealing, hurting other people, and committing other delinquencies.

Joubert (1999:1) points out, for example, that several school girls in Pretoria have turned to prostitution due to drug-related debts. Although there is a relationship between juvenile crime, as well as other forms of unacceptable and destructive behaviour and drug abuse, the largest percentage of drug users are not necessarily involved in other forms of crime. Juveniles may be regarded as criminals merely on the grounds that they use illegal drugs (Bortner, 1988:166-168; Sanders, 1981:176-180). The use of alcohol in public places, as well as the sale of alcohol, is regulated by legislation (Glick, 1995:35). In South Africa, the sale of alcohol to persons under the age of eighteen years as well as the use of alcohol by a minor in a public place is illegal (Mqadi, 1996:81). The scope of drug and alcohol use by learners is illustrated by the following newspaper headlines: "Drink and drugs rife in schools" (Van Breda, 1997:10); "Thugs, drugs and alcohol plague KZN schools" (Bisetty, 2001:1); "Increase in drugs" (Van Wyk, 2002:1); "Pupils desert classroom for pleasures of the pub" (Tabane, 1999:9) and "Drugs force school girls into prostitution" (Joubert, 1999:1). The latter newspaper headline refers to another so-called victimless crime, namely, prostitution.

Prostitution

Prior to 1988, South Africa had a regulatory approach to prostitution; in other words, prostitution was tolerated; however, the time, place and work procedure were regulated by penal prohibitions. In 1988, the stipulations in South African Criminal Law that pertained to prostitution were changed to such an extent that the regulatory approach was replaced by a comprehensive prohibition. Section 20(1)(aA) of the Criminal Procedure Act, Act 51 of 1977, was amended to such an extent that anyone who commits an immoral act with someone else for payment, has committed a crime (Snyman, 1999:308). It is clear from an investigation by Sithole (1996:27) that school girls, with the support of their parents, sometimes attempt to enter into sexual rela-

tionships with their educators. It also happens that male learners act as intermediaries between girls and educators in exchange, for example, for alcohol. Thus, there are learners who, by implication, are guilty of prostitution.

Crimes against the dignity and good name of a person

Act 4 of 2000, the Promotion of Equality and Prevention of Unfair Discrimination Act (RSA 2000, Act No. 4: Articles 7, 8, 9, 10) prohibits discrimination on the grounds of race, gender and disability. Moreover, this Act criminalises hate speech. Louw (1996:15) defines hate speech as:

Speech which insults, abuses and demeans, or incites to violence, hostility, discrimination or expresses hatred, ill-will, venom and similar evily-tainted emotions generally based on national or ethnic origin, race, colour, descent and religion.

Vulgar and abusive language, which can be regarded as *crimen injuria*, as well as written and oral defamation can only be punishable crimes, according to Snyman (1999:470, 474), if the circumstances are serious. Snyman (1999:475) holds the view that the Attorney-General does not "waste" his/her time with "trivial cases", bearing in mind that the plaintiff may always resort to a civil claim to recover legal aid. Learners who swear at the educator or fellow learners, or who make obscene signs at them, will therefore not be exposed to prosecution very easily in spite of the fact that educators and learners dignity is regularly abused in this way, according to research (Curio & First, 1993:13; Gottfredson & Gottfredson, 1985:2).

To spy on, pinch or grab someone, or to make crude verbal comments, to exert pressure on a person to have sex with you, to spread slanderous rumours with a sexual connotation, to make sexual and sexist jokes; to pull, in a crude manner, on another person's clothes; to rub crudely against someone else; to comment, in crude terms, on another person's sexual orientation; to write sexual graffiti on surfaces that pertain to another person; or any other sexual act that may create a hostile milieu can be regarded as sexual harassment (Woods, 2002: 20; Hyman & Snook, 1999:144; Johnson & Lennon, 1997:20-21). Section 11 of Act no. 4 of 2000 (RSA 2000, Act no. 4) prohibits any form of harassment, including sexual harassment. An investigation in 1993 in the USA on the sexual harassment of learners (as cited by Hyman & Snook, 1999:144 and Johnson & Lennon, 1997:21) found that 80% of the perpetrators were learners, whilst the remaining 20% of offences were committed by educators, supervisors and coaches. Furthermore, the investigation found that almost as many boys as girls had been harassed. The unwillingness of learners to report sexual harassment, according to Shakeshaft *et al.* (1997:24), has led to the misperception among adults that harassment is not a significant problem in schools. A factor contributing to the unwillingness to report cases of sexual harassment is evident in a comment such as the following: "You are overreacting," "That's the way life is," or "What do you expect when you wear clothes like that?" (Shakeshaft *et al.*, 1997:24). This type of remark may lead to a situation that learners regard sexual aggression as an integral part of school life (Hyman & Snook, 1999: 145).

Youth-status offences

Youth-status offences are those that can only be committed by juveniles, for example, to play truant; run away from home; buy alcohol and/or cigarettes; or visit entertainment spots that prohibit access to persons under a certain age (Mqadi, 1996:80-83; Murrell & Lester, 1981:9-10; Sanders, 1981:3). Many of these less serious offences are reported rarely, if ever (Peltzer, 1999:10; Dohrn, 1997:47). It also appears that what are apparently youth-status offences, for example, to play truant and run away from home, are often attempts of traumatized victims of violence to escape from their circumstances (Woods, 2002:21; Bhengu, 2001:4; Lawrence *et al.*, 1984:152).

From the review of the literature, it appears that juveniles can become involved in a large variety of serious and less serious crimes. However, to what extent are Free State learners involved in crime?

Empirical investigation

An empirical investigation was conducted to establish a group of Free State educators' perceptions of the scope of crime and crime-related behaviour of learners at their respective schools.

Research instrument

The research instrument, namely a structured questionnaire, was designed after a comprehensive literature study of relevant sources.

Validity

The content validity of the questionnaire was determined by a pilot study and a literature study. After 15 educators had completed the questionnaire, some changes were made to the content and structure of the questionnaire.

The sample

The universe of subjects consisted of educators who were employed at secondary schools in the Free State. A stratified random sample of 40 schools was selected on the basis of an address list provided by the Free State Education Department. Four hundred questionnaires, 10 per school, were sent out by post. Principals were requested to ask any ten educators from their respective schools to complete the questionnaires. Of the questionnaires that were returned, 238 (59.5%) were suitable for processing.

The average age of respondents, of whom 126 (52.94%) were male and 112 (47.06%) female, was 37 years and 3 months. Their average teaching experience was 13 years and 9 months. The educators had been attached to their current schools, on average, for 9 years and 7 months. Of these respondents, 109 (45.8%) were attached to urban and 129 (54.2%) to rural schools.

Procedures

The aim of Section B of the questionnaire was to determine the respondents' perceptions on the scope of learners from their respective schools' involvement in certain types of crime and crime-related behaviour. They were required to use a Likert scale in selecting a response: 1 = very regularly, 2 = regularly; 3 = seldom; and 4 = never. The average grading of each item was determined for each item and the rank order was determined.

Results

Table 1 provides a summary of respondents' perceptions of the scope of learner involvement in certain crimes and crime-related behaviour, in rank order from the most general to the least general crime or crime-related behaviour. One, or more, of the items in the table has bearing on a specific crime.

Discussion of the results will be done on the basis of the crime typology.

Conventional crime

Items 12, 14, 16, 18, 19, 23, 40, 41 and 45 of the questionnaire were aimed at identifying educators' perceptions of learner involvement in violent crimes. From the responses, it appeared that learner-on-learner violence was the most common violent crime that learners tend to commit. Learner-on-learner violence was the third most common form of learner crime as 51.26% of respondents indicated that learners at their schools either assault or threaten to assault fellow learners on a very regular or regular basis (see item 19). Carrying a fire-arm to school, which is regarded as an important factor contributing to criminal acts, 36.45% of the respondents claimed, occurred either on a very regular or regular basis at their respective schools (see item 12). In rank order, item 12 was the 14th most important learner crime or crime-related behaviour. Two inter-dependent factors that contributed to violence, namely, learner involvement in violent gangs (see item 40) and their participation in gang fights (see item 45), were viewed by 30 (12.61%) and 25 (10.50%) of respondents as most common behaviour by learners from their schools. Both these items are in 17th

Table 1 Educator perceptions of the scope of learner crime and crime-related behaviour in rank order from the most to the least common problem

RO	AR	Item	1		2		3		4		
			N	%	N	%	N	%	N	%	
1	2.24	37	Learners use alcohol (beer, wine and strong drink).	50	21.00	97	40.77	76	31.93	15	6.30
2	2.32	1	Learners wilfully damage or destroy property that belongs to their own school.	57	23.95	57	23.95	114	47.90	10	4.20
3	2.35	19	Learners assault or threaten to assault other learners.	47	19.75	75	31.51	103	43.28	13	5.46
4	2.40	13	Learners engage in acts of theft, or try to steal goods to the value of R5 or less.	45	18.91	74	31.09	98	41.18	21	8.82
5	2.43	11	Learners lie about their age to gain access to entertainment spots or to purchase cigarettes and alcohol.	46	19.33	64	26.89	107	44.96	21	8.82
6	2.49	28	Learners are under the influence of alcohol in public places.	39	16.39	58	24.37	126	52.94	15	6.30
6	2.49	20	Learners were / are noisy, uncontrollable and rowdy in public places (misconduct).	38	15.97	77	32.35	91	38.24	32	13.45
8	2.56	42	Learners swear and make obscene signs to fellow learners.	28	11.77	77	32.35	105	44.12	28	11.77
9	2.59	4	Learners engage in acts of theft or attempt to steal goods to the value of R50 or more from fellow learners.	30	12.61	61	25.63	123	51.68	24	10.08
10	2.69	5	Learners engage in acts of theft or attempt to steal goods to the value of R50 or more from their educators.	31	13.03	46	19.33	127	53.36	34	14.29
10	2.69	29	Learners engage in acts of theft or attempt to steal goods to the value of R5 or more.	30	12.61	45	18.91	131	55.04	32	13.45
12	2.76	38	Learners smoke hashish (marijuana, pot, grass).	32	13.45	48	20.17	104	43.70	54	22.69
13	2.77	6	Learners attempt to steal goods to the value of R50 or more from persons and/or institutions that are not directly involved in the school (e.g. a shop).	18	7.56	55	23.11	128	53.78	37	15.55
14	2.78	12	Learners carry (concealed) arms to school.	27	13.34	55	23.11	99	41.60	57	23.95
15	2.80	7	Learners purchase, hide or sell stolen goods, while they are aware that these are indeed stolen goods (or they attempt to commit some of the stated offences).	24	10.08	46	19.33	122	51.26	46	19.33
16	2.97	2	Learners wilfully damage or destroy property that belongs to other schools.	13	5.46	35	14.71	137	57.56	53	22.27
17	2.99	40	Learners are members of violent gangs.	30	12.61	23	9.66	104	43.70	81	34.04
17	2.99	45	Learners are involved in gang fights.	25	10.50	39	13.39	86	36.13	88	36.98
19	3.00	30	Learners break into the school after hours to commit acts of theft.	15	6.30	34	14.29	124	52.10	65	27.31
20	3.01	10	Learners run away from home.	13	5.46	30	12.61	137	57.56	58	24.37
21	3.03	31	Learners break into the school after hours to commit acts of vandalism.	9	3.78	39	16.39	126	52.94	64	26.89
22	3.04	33	Learners beg for money and goods from strangers.	21	8.82	36	15.13	93	39.08	88	36.98
23	3.06	17	Learners sell marijuana or hashish (dagga, pot, grass).	16	6.72	37	15.55	102	42.86	83	34.87
24	3.10	43	Learners swear and make obscene signs at their educators.	11	4.62	23	9.66	136	57.15	68	28.57
25	3.12	41	Learners do not attend school because they are scared of one (or more) of their fellow learners.	7	2.94	36	15.13	117	49.16	78	32.77
25	3.12	32	Learners break into buildings (not the school).	7	2.94	34	14.29	120	50.42	77	32.35
27	3.18	35	Learners are subject to sexual harassment from fellow learners.	8	3.36	28	11.77	114	47.90	88	36.97
28	3.27	44	Learners make racist observations about fellow learners who are not of the same race as themselves.	7	2.94	14	5.88	124	52.10	93	39.08
29	3.35	27	Learners try to sidestep paying for movies, taxi travel, food, etc.	3	1.26	22	9.24	101	42.44	112	47.06
30	3.37	36	Learners make obscene telephone calls.	3	1.26	19	7.98	104	43.70	112	47.06
30	3.37	23	Learners did or attempted to have sexual intercourse with persons against their will.	2	0.84	25	10.50	94	39.50	117	49.16
30	3.37	14	Learners attack people with the intention to inflict serious injury or to kill them.	5	2.10	21	8.82	89	37.40	123	51.68
33	3.44	18	Learners assault, or threaten to assault educators or other adults at school.	7	2.94	23	9.67	67	28.15	141	59.24
34	3.45	46	Learners do not attend school because they are scared of one (or more) of their educators.	4	1.68	14	5.88	92	38.66	128	53.78
34	3.45	24	Learners use violence (violent methods) to obtain money or goods from fellow learners.	4	1.68	10	4.20	100	42.02	124	52.10
36	3.47	8	Learners throw objects (such as stones or bottles) at people or cars.	3	1.26	19	7.98	79	33.10	137	57.57
37	3.49	15	Learners are paid to have sex with other people.	4	1.68	22	9.24	66	27.74	146	61.34
38	3.52	22	Learners drive cars without the owners' permission.	4	1.68	7	2.94	88	36.98	139	58.40
39	3.53	3	Learners steal or attempt to steal vehicles, such as cars and motorbikes.	-	-	15	6.30	83	34.88	140	58.82
40	3.57	26	Learners use violence (violent methods) to obtain money from persons who are not involved in the school.	2	0.84	10	4.20	77	32.35	149	62.61
40	3.57	39	Learners use hard drugs (e.g. heroin, cocaine).	6	2.52	4	1.68	76	31.93	152	63.87
42	3.57	21	Learners sell hard drugs such as heroin and cocaine.	2	0.84	2	0.84	53	22.27	181	76.05
43	3.57	34	Educators are subjected to sexual harassment by learners.	-	-	4	1.68	34	14.29	200	84.03
44	3.74	9	Learners attempt intentionally to set fire to the school (arson).	-	-	5	2.10	21	8.82	212	89.08
45	3.82	25	Learners use violence (violent methods) to obtain money or goods from educators or other adults who are involved in the school.	2	0.84	3	1.26	17	7.14	216	90.76
46	3.87	16	Learners commit murder or engage in acts of attempted murder.	-	-	-	-	3	1.26	235	98.74

RO = Rank order; AR = Average Ranking. Key to columns: 1 = very regular, 2 = regular, 3 = seldom, 4 = never

place in the rank order. From the responses, it appeared that learners rarely, if ever, commit serious violent crimes against adults (see item 18), nor are they guilty of attempted murder or murder (see items 14 and 16). Only 1.26% of the respondents have indicated that murder or attempted murder had occurred among learners of their respective schools. The rest of the respondents indicated that attempted murder or murder had never occurred among learners at their schools (see item 16). Nonetheless, 10.92% of the respondents indicated that learners at their schools attack people with intent to do serious bodily harm or to kill them on a very regular or regular basis (see item 14). Furthermore, 39.50% and 49.16% of respondents indicated that learners at their schools had "rarely" or "ever" been guilty of rape or attempted rape (see item 23). From the preceding, it appears that, with the exception of learner-on-learner violence, Free State learners are not perpetrators of violent crimes. Next, the focus shifts to learner involvement in property-related crimes.

Items 4, 5, 6, 7, 13, 27 and 29 of the questionnaire were intended to determine perceptions of learner involvement in theft. Half of the respondents indicated that theft of small items (see item 13) occurs either "very regularly" or "regularly" at their respective schools. The theft of small items was the fourth most important type of crime committed by learners. Behaviours related to the illegal appropriation of goods to the value of R50 or more from fellow learners, educators, as well as persons and/or institutions who are not directly involved in the school, are also relatively common learner crimes (9th, 10th and 13th in rank order out of 46 items). Furthermore, it appeared that 10.08% and 19.33% of learners are either "very regularly" or "regularly" involved in purchasing, storing or selling stolen goods (see item 7).

Items 30 and 32 were intended to determine the perceptions of learner involvement in burglaries at the school and other buildings. From the responses, it appeared that 52.10% of educators hold the view that learners rarely commit this crime, whilst 27.31% claimed that learners have never broken into their schools with the intent to commit acts of theft.

From the respondents' responses to questions that have bearing on learner involvement in car theft (see items 3 and 22), it was clear that this type of crime does not commonly occur among learners.

Acts of robbery aimed at fellow learners (see item 24), educators and other adults involved in their schools (see item 25), and other persons who are not involved in the learners' schools (see item 26) were 34th, 40th and 45th in the ranked list of 46 items on learner crime and crime-related behaviour. From this, it may be deduced that respondents hold the perception that learners engage in robbery seldom, if ever.

Items 1 and 2 of the questionnaire were intended to determine educator perceptions of learner involvement in vandalism. From the rank order, it appeared that vandalism deeds aimed at the learners' own school (see item 1) are the second most common crime that learners commit, according to respondents. Only 4.20% of respondents indicated that learners at their schools have ever vandalised school property. However, vandalism aimed at other schools (see item 2) is not a common problem, because only 5.46% and 14.71% of respondents indicated that learners were guilty of this transgression on a "very regular" or "regular" basis.

Learner involvement in arson at schools was apparently minimal (compare item 9), as 89.08% of respondents indicated that learners at their schools had "never" been involved in this type of crime.

From these educator perceptions, it therefore appeared that theft of small items in particular and vandalism are the most common property-related crimes that Free State secondary school learners commit.

Victim-less crimes

The most common crime that learners commit, according to respondents, was the use of alcohol (see item 37). Only 6.30% of respondents indicated that learners from their schools had "never" abused alcohol. On the other hand, 61.77% of respondents indicated that learners used alcohol either on a "very regular" or "regular" basis. This perception

was confirmed, by implication, by the high rank order of item 28 ("Learners are under the influence of alcohol in public places"). Smoking marijuana (see item 38) occurs either "very regularly" or "regularly" among learners of their schools, according to 13.45% and 20.17% of respondents respectively (12th in the rank order). On the other hand, it may be deduced from the educators' responses to the question on hard drugs (see item 39) that the use of these types of drugs is not a serious problem among learners in Free State schools. The distinction that respondents make with regard to learners' use of marijuana and hard drugs was also reflected by their perceptions of learner involvement in the sale of marijuana and hard drugs. Whilst 6.72% and 15.55% of respondents indicated that learners were involved on a "very regular" and a "regular" basis in the sale of marijuana, only 0.84% and 0.8% indicated that learners were involved on a "highly regular" or "regular" basis in the sale of hard drugs (see items 17 and 21).

The perception that learners are involved rather in less serious than serious victim-less crimes was also evident from respondents' perceptions of learner involvement in prostitution. The majority of respondents (61.34%) indicated that learners of their schools are never paid to have sex with other people. Only four (1.68%) of respondents indicated that prostitution was practised "regularly" by learners of their schools (see item 15).

Crime aimed at the dignity and good name of a person

From the educators' responses to item 42 ("swear and make obscene signs at fellow learners"), it appeared that 32.35% of respondents hold the view that this type of less serious crime is committed regularly by learners of their schools. It must be noted that significantly more learners swear or make obscene signs at fellow learners than at educators (compare items 42 and 43). Learners who make obscene telephone calls (see item 36) do so rarely, if ever, according to respondents. It appeared as if the making of racist remarks is not a problem in Free State schools because only 2.94% and 5.88% of respondents indicated that this type of hate speech (see item 44) occurs on a "highly regular" or "regular" basis at their schools.

Although it appeared from these responses that learner-on-learner sexual harassment is not common, this behaviour nonetheless occurs to a greater or lesser extent in schools (see item 35). Only 36.79% of respondents indicated that learner-on-learner sexual harassment had never occurred at their schools. Learner-on-educator sexual harassment occur almost never (see item 34).

Youth-status offences

The relatively high rank order of item 11, which dealt with learners' dishonesty about their age to gain access to entertainment spots or to purchase cigarettes and alcohol, confirmed the perception that the illegal use of alcohol occurs among learners. Other youth-status offences (see items 10 and 33) are not common problems according to respondents. However, some of these problems, as was clear from the literature study, as well from items 41 and 46, may be symptomatic of other problems.

Discussion

None of the 238 respondents indicated that all 46 items had "never" been a problem amongst learners at their schools. However, the opposite was also true, namely, that not a single respondent indicated that the behaviours tested by all the identified items has been manifested on a "very regular" basis by learners from his/her school. Thus, there is not a school or adjacent neighbourhood that is entirely free from learner crime, nor is there a school or adjacent neighbourhood where learner crime is entirely out of control. From the investigation, it appeared that Free State learners are involved, in a highly limited sense, in serious criminal acts or felonies such as rape, burglary and serious assault. Common forms of juvenile crime that have bearing on committing less serious acts such as the use of alcohol, the smoking of marijuana, theft and vandalism are relatively common according to

respondents. Youth-status offences are also relatively common. With the exception of items 37 ("Learners use alcohol"), 19 ("Learners assault or threaten to assault other learners) and 13 ("Learners commit acts of theft or try to steal goods to the value of R5 or less"), the majority of respondents agreed that learners involved in their schools were guilty of the listed crimes or related problems either "seldom" or "never". The preceding items, with the possible exception of item 19, signify less serious juvenile offences. To say that learner crime is rampant is therefore an over-reaction based on isolated incidents of crime.

It appeared from the investigation that, with the exception of murder and attempted murder, learners are indeed guilty, to a greater or lesser extent, of the listed crimes. However, this does not mean that Free State learners do not commit murder. The murder-to-attempted-murder ratio for 2001 was, according to the South African Police Services (SAPS 2002:1), 33.3 and 47.0, respectively, per 100 000 for the population. In this investigation, only 400 educators involved in 40 schools were involved; furthermore, only 238 of the questionnaires that were returned, were suitable for processing. The population of respondents is therefore too small to make deductions about rare types of crimes in particular.

From the investigation, it appeared that learners in particular are the victims of learner crimes. The most common violent crime was learner-on-learner crime. Apart from the theft of small items (which probably includes learner property), learner thieves focus their attention in particular on fellow learners' property. Learners swear, make obscene signs and harass fellow learners rather than educators and other adults. Furthermore, it appears that learners vandalise their own schools rather than other schools. The most common forms of learner crime, with the possible exception of alcohol and drug use, therefore occur in the context of the school. The preceding confirmed the view expressed by Gottfredson and Hirschi (1991:30) that criminals victimise those closest to them. The fact that learner crime occurs primarily in the context of the school has the advantage, as is evident from the next section, that less serious offences can be dealt with internally. From the investigation, it appeared that, with the possible exception of learner-on-learner violence (see item 19), learners are not guilty of large-scale violence. In the light of statements on the influence of the violence in society on the incidence of learner violence, it appears that an investigation of learner violence in violence-racked communities should be conducted.

Although, according to 32.35% of respondents, crimes against the dignity and good name of a person, especially the use of obscene signs and directing abusive language at fellow learners, are relatively common, the chances are slim that this type of crime will lead to criminal prosecution of learners. Hate speech, in particular racist remarks, which have been criminalised since 2000, rarely occur. From the literature study, it appeared that it is problematic to determine the scope of sexual harassment among learners on the basis of educator perceptions as learners are unwilling to report this kind of crime. Nonetheless, it appeared that 3.36% and 11.77% of respondents indicated that learner-on-learner sexual harassment occurred on a "very regular" or a "regular" basis at schools. Against the background of research findings in the USA, it is necessary to investigate the scope of sexual harassment in Free State schools and to establish guide-lines for curbing this type of crime.

In terms of educator perceptions, theft and vandalism are the most important property-related crimes that Free State learners become involved in. However, Free State learners, contrary to the research findings reported by Biersteker and Erlank (2000:10), as well as Sanders (1981:128-147), are not regularly involved in car theft.

The use of alcohol, according to the participants in the research project, is the most common learner crime. Moreover, it seems that only 22.69% of respondents held the view that learners of their schools had never smoked marijuana. Although the smoking of marijuana and the use of alcohol are seen as less serious "victim-less" crime, it seems from the literature study that use of dependency-forming and into-

xicating substances lead to other crimes and misconduct (see item 20). There is no learner crime or level of crime that may be regarded as acceptable, especially if it is considered that crime costs the national department of education R150 million annually (Rademeyer, 2001:2).

Some concluding thoughts

Free State schools and adjacent neighbourhoods are not "danger zones" where learner crime is rampant. However, this does not mean that learner crime and crime-related behaviour which occurs in schools should be viewed as normal, nor should it be viewed as a mere reflection of the South African culture of violence/crime. Crime has a negative influence on the morale of both educators and learners, as well as the culture of learning. Each educator and learner has the right to work and play in a secure and safe school environment and neighbourhood. Therefore, it is important to do everything possible to remove crime from our schools and neighbourhoods. Ayers (1997:50) warns, however, that overly stern action against once-off offenders, in particular, may lead to stigmatisation, criminalisation and stereotyping of these youngsters. His plea is that each child should be seen as an individual. The fact that most learner crimes occur in the context of the school offers educators the opportunity to rather rehabilitate learners guilty of less serious crimes, where the process takes place in co-operation with fellow learners, parents, the community, the police, therapists and the department of education, than to criminalize them.

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