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FACULTY OF ARTS

DEPARTMENT OF DEVELOPMENT STUDIES

**AN ASSESMENT OF THE ROLE PLAYED BY LAW ENFORCEMENT AGENCIES
IN THE PROTECTION OF CHILDRENS RIGHTS, A CASE STUDY OF
BULAWAYO METROPOLITAN, 2014 TO 2015**

BY

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Table of Contents

Table of Contents	ii
RELEASE FORM.....	v
.....	v
APPROVAL FORM	vi
.....	vi
Declaration.....	vii
Dedication.....	viii
Acknowledgements	ix
Abstract	x
List of Acronyms	xi
INTRODUCTION	1
1.0 Background to the Study	1
1.1 Statement of the Problem	2
1.1.2 Research Objectives	3
1.1.3 Research Questions	3
1.1.4 Significance of the Study.....	3
1.1.5 Theoretical Framework.....	5
1.1.6 Conceptual Framework.....	7
(i) The number of cases reaching prosecution stage.....	8
(ii) Working in partnership with Child centered Organizations	8
(iii) Community sensitization on children’s rights	9
(iv)The presence of a vibrant Victims Friendly Unit.....	9
(v) The presence of active Child Protection Committees	10
1.1.7 Research Methodology	11
(i)Research Design.....	11
(ii)Population and Sampling	11
1.1.8 Data Collection	12
1.1.9 Data Analysis	13
1.2 Ethical Considerations.....	13

1.2.1 Literature Review	15
Chapter One	21
AN OVERVIEW OF CHILD ABUSE IN BULAWAYO METROPOLITAN	21
2.0 Introduction.....	21
2.1 Neglect and Abandonment	21
2.1.1 Neglect.....	21
2.1.2 Abandonment.....	22
2.1.3 Right to life or survival.....	23
2.2 Emotional or Psychological Abuse	24
2.2.1 Psychological Abuse	24
2.3 Physical Abuse.....	24
2.3.1 Child Labor	24
2.3.2 Chastisement or Corporal Punishment	25
2.4 Drug and Alcohol Abuse	26
2.5 Sexual Abuse	27
2.5.1 Aggravated Indecent Assault	27
2.5.2 Indecent Assault	27
2.5.3 Attempted Rape.....	28
2.5.4 Rape.....	28
2.6 Child Marriages.....	29
2.7 Factors Contributing to Child Abuse	30
2.7.1 Poverty and Economic Strain.....	30
2.7.2 Religion	34
2.7.4 Cultural and Social practices	35
Conclusion.....	37
Chapter Two	38
ROLES PLAYED BY LAW ENFORCEMENT AGENCIES.....	38
3.0 Introduction.....	38
3.1 Cases Reaching Prosecution Stage.....	39
3.1.1 Rape.....	39
3.1.2 Sexual intercourse with a minor.....	41
3.1.4 Aggravated Indecent Assault and Indecent Assault	43
3.2 Working with Child centered Stakeholders	43

3.3 Community Sensitization on Children’s Rights	47
3.4 The Existence of a Vibrant Victims Friendly Unit	49
3.5 The Existence of Child Protection Committees.....	51
Conclusion.....	53
Chapter 3	54
SUGGESTIONS TO STRENGTHEN LAW ENFORCEMENT AGENCIES	54
4.0 Introduction.....	54
4.1 Build VFU stalls at all police stations	55
4.2 Absence of Transport for Victims.....	57
4.3 Absence of Telecommunication Reporting Mechanisms	59
Conclusion.....	60
Chapter 4	62
Conclusions	62
REFERENCE LIST	66
Appendix 1	68
Appendix 2	70

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APPROVAL FORM

The undersigned certify that they have supervised the student Mhora Tawanda on the dissertation entitled:

An assessment of the role played by law enforcement agencies in the protection of children's rights: submitted in partial fulfilment of the requirements of the Bachelor of Arts in Development Studies Honours Degree.

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Declaration

I Tawanda Mhora, hereby declare that this dissertation research for Degree in Development Studies at Midlands State University is my own work and it has not previously been submitted for assessment or completion of any Post Graduate qualification to another university or another qualification

Student Name.....

Signature.....

Date.....

Dedication

This dissertation is dedicated to my loving family that has full belief in my abilities, with outmost thanks to my mother Patience Zanele Mhora and late Grandmother Elizabeth Ncube for their undying support.

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I would love to express my outmost gratitude to the Almighty Jehovah for allowing me and granting me this opportunity to be able to reach this far in my studies.

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Abstract

The focus of this research was to explore the role of law enforcement agencies towards the protection of children's rights in Bulawayo Metropolitan, from 2014-15. This research was inspired by the high rate of child abuse cases recorded in the province, hence the need to understand the trend, as local media would report a case of child abuse with each edition. The descriptive research design used on the qualitative data obtained from the law enforcement agencies, so as to obtain a deeper understanding of the role played by law enforcement towards child protection. An explanatory design was also employed in order to elaborate further the phenomenon of child abuse and all the forms of abuse suffered by the victims. Therefore this study makes use of 4 participants, with two participants from the law enforcement agencies and the other two from the child protection committees aimed at protecting children. The researcher subscribed into the research by the use of interviews with the participants on the efficiency of the law enforcement towards the protection of the rights of the children in Bulawayo Metropolitan. This study shows the vulnerability of children in society and shows the various forms of abuse that children are mainly prone to. Therefore the researcher clearly shows the line of thinking and suggestions of the key respondents towards understanding the role played by the law enforcement agencies towards the protection of the rights of children.

List of Acronyms

ZRP	Zimbabwe Republic Police
VFU	Victims Friendly Unit
SOS	Save our Souls Children's Home
ACRWC	African Charter for the Rights and Welfare of Children
UNCRC	United Nations Convention on the rights of Children
NGO	Non-Governmental Organisation
CBD	Central Business District
HIV	Human Immune Virus
NAC	National Aids Council

INTRODUCTION

1.0 Background to the Study

The Zimbabwean Government being ratified in both The African Charter for children's rights of 1999 and the United Nations Convention on the Rights of the Child in 1990 , providing the country with a benchmark towards the protection of children and their rights and welfare in Zimbabwe. Due to constitutional reforms in Zimbabwe in 2013 , children's rights have been highly promoted also through the Children's Act of 2001. However it is safe to say that despite all efforts, children's rights are still being widely violated throughout Zimbabwe. According to the Zimbabwe Republic Police 3297 cases of rape alone were reported in the calendar year of 2013 countrywide. Therefore giving reference on child sexual abuse alone it shows that the rights of children are being heavily undermined hence showing the severity of child abuse in the country. According to Childline (2010) Zimbabwe, it is noted that 90% of the calls received on abuse have a sexual nature hence showing that child sexual abuse is the most rampant form of abuse children are suffering. Due to loopholes in the African charter, these laws meant to protect the African child have turned against them and now are coming to oppress them . Laws on child sexual abuse have given birth to stricter penalties and longer jail terms for perpetrators since the formation of the new constitution . Although due to a various array of cultural religious and social constructs children continue to suffer abuse and it is of paramount importance to ensure that these are identified and stopped to guarantee that the rights of children are not abused but embraced.

With law enforcement agencies being the key profession aimed at protecting the rights of children, with each force maintaining its own purpose authority and mandate towards this cause. Therefore in Zimbabwe in 1999 victims of abuse who are mainly children were given a boost towards this new phenomenon of child protection as a new division in the

force was started, which is the Victims Friendly System. This is the culmination of a number of initiatives aimed at providing essential support services to boys and girls affected by abuse. Coordinated by the Ministry of Justice and Legal Affairs, in collaboration with the Ministry of Labour and Social Services, Zimbabwe Republic Police, Ministry of Education and various non-government organisations, the system seeks to deliver comprehensive, specialised psychosocial care, medical, legal and referral services to boys and girls who have witnessed, experienced or perpetrated abuse. With the law enforcement agencies being in the forefront in the protection of the children, this study will therefore assess the efforts made by law enforcement agencies towards the protection of children's rights in Bulawayo Metropolitan.

1.1 Statement of the Problem

This research is inspired by the rates of child abuse in Africa as shown by the high rates of child sexual abuse as noted by the Zimbabwe Republic police the main protector of children's rights as well as various organizations like childline that report more than 90% of calls made at the organization reporting abuse, are of a sexual nature. The Zimbabwe Republic Police through the Victims Friendly unit also reported 3297 cases of rape to minors in the 2013 calendar year nationwide. This has also been made worse as H. Mauto says that more than 87% of disabled children have abused in Zimbabwe. Therefore it is also documented by UNICEF (2013) that at least one in 5 children in Africa has been abused. Therefore due to these appalling statistics it therefore is of paramount importance to assess the role played by law enforcement agencies towards the protection of children's rights as children remain vulnerable in society.

1.1.2 Research Objectives

1. To assess the effectiveness of the law enforcement agencies towards responding to child abuse in Bulawayo from 2013 to 2015.
2. To give an overview of the case of abuse against children in Bulawayo from 2014 to 2015.
3. To give suggestions to enhance the role of law enforcement agencies in Bulawayo in response to child abuse.

1.1.3 Research Questions

1. Community response on the sensitization of children's rights.
2. The response made by children towards the realization of their rights.
3. What can be done to improve the efficiency of law enforcement agencies on child protection?
4. Response by law enforcement agencies towards the report of a case of abuse.

1.1.4 Significance of the Study

The study is significant to Government authorities like the ministry of social services and ministry of Education and Child Welfare . This study will show the laws made up by the government in alignment to the benchmark given by the African Charter . Its relevance will be to show how the laws passed by the Government have been a success towards the realization of the rights of children. This will assist the

Government through its line ministries to also formulate new laws and regulations in the bid to protect the rights of the children, as the study will show which rights are being highly abused and the problems faced by the law enforcement agencies towards the realization of these.

Child based organizations like Child line and SOS will find this study significant. The study will show which rights are being violated more and less. The areas of higher abuse will also be shown in the study. Hence this will assist organizations as they will be able to shift their programming to areas that are widely being affected in Bulawayo Metropolitan. This study will also assist organizations as they will be able to target the certain groups affected and perpetrating the violation of the rights.

The study will also be significant to the City of Bulawayo and city fathers. This study will be a measure on the protection on the rights of the children in the area. This will assist in the formulation of programmes, for instance the council has been largely involved in the organization of campaigns towards the realization of children's rights in the city as well as funding of activities like the day of the African child, with the help of various stakeholders. This study will aid in the targeting of the rights that are being highly violated and this will prevent poor targeting and increase the efficiency of the council.

This study will be significant to academic use. This is so as scholars may use the information researched on for academic writings. The findings to this research are rich in information on the roles carried out by law enforcement agencies on how they protect the rights of children through the victims' friendly unit. This will assist on academic writings as there is detailed information from the Zimbabwe Republic Police (ZRP) and Victims Friendly Unit (VFU) as well as information gathered from Child protection committees and various organisations working towards protecting the rights of children. Moreover this is detailed information based on experiences hence making the findings of this research important to academics and their writing. This research is based on four major components of research that look to provide academics with a proper view on the role that has been played by the law enforcement agencies towards child protection hence the variety of sources will provide academic researchers with information that could be useful for their own research.

1.1.5 Theoretical Framework

The Defensible Space Theory propounded by Oscar Newman (1999) affirmatively states that law enforcement agencies play a crucial role towards ensuring that crime is prevented and also reducing the prevalence of crime in society. However this theory later states that the law enforcement agencies are not enough to ensure that crime is reduced within society. Therefore this is the same with child abuse as within Bulawayo Metropolitan where the law enforcement agencies work hand in hand with various stakeholders including child protection committees and various NGO's in ensuring that the rights of children are protected within society. The researcher will make use of this theory taking notice of the roles played by law enforcement agencies towards the protection of children's rights.

Moreover this research will look precisely at the roles played by law enforcement agencies towards the protection and realization of children's rights in Bulawayo Metropolitan. Law enforcement agencies play various roles towards the protection of the rights of children in Bulawayo Metropolitan. Law enforcement agencies under the theory by Newman (1999) have also resulted in the formation of child centred units with law enforcement agencies that are meant to protect children, in this instance The Victims Friendly Unit (VFU) was established in Zimbabwe in 1996 to deal primarily with victims of sexual abuse and domestic violence who are mainly children and women, that are viewed as the most vulnerable in society. Therefore this theory is of great importance to the research as it gives law enforcement agencies an important role towards the protection of children's rights. Moreover this theory also provides concrete backing to the functions of the VFU towards the protection of the rights of children as it views law enforcement agencies as the sole legal protector and enforcer of children's rights.

Moreover in Harmony with this theory it is fair to consider the main two roles played by law enforcement agencies under the Victims Friendly Unit (VFU), that include sensitizing the community that is meant to also deal with such criminal offences as propounded by the theory by Newman. This theory is also supported by the Broken Windows Theory promulgated by Wilson and Keller (1982) that also gives the community full responsibility of ensuring that their own place of residence is safe for the vulnerable victims of abuse and in this instance children are the vulnerable victims of various forms of abuse. It is therefore important to ensure that people within the communities are taught and conscientised on children's rights and what qualifies as child abuse and this is where the law enforcement agencies come into play the role of educating people in the community on the rights of children and ensuring that communities are educated and enforcing the law . This is an

important role towards child protection so as to ensure that people are aware on the rights of children and that people aware of the consequences on the violation of these rights; examples of roles played towards the fulfilment of this role include awareness campaigns as well as teaching children and community members.

The other role played by law enforcement agencies is the prosecution and providing of legal action and enforcing the law for the victims of child abuse. The undertaking of this role is in harmony with the Deterrence Theory by C. Beccaria (1764) that states that law enforcement enforces the law and ensures that the judicial system gives out punishments that are in accordance to the crime committed. Henceforth this role is similar to the current role played by law enforcement agencies under the Victims Friendly Unit (VFU) in ensuring that the rights of children are protected. This theory functions in harmony with the law enforcement agencies as the functions played by the judicial system are of paramount importance and work hand in glove with law enforcement towards the attainment of justice. Therefore the defensible space theory will be used in explaining the role played by law enforcement agencies towards child abuse. The roles will be further elaborated in chapter 2 of this research and will show how law enforcement agencies have worked in harmony with the theory propounded by Newman (1999).

1.1.6 Conceptual Framework

It is important to note the role that law enforcement have played towards the protection of the rights of children in Bulawayo Metropolitan and by these roles it is imperative to see how they perform their duties under the Victims Friendly unit in ensuring that children's rights are protected. Working with various stakeholders and performing functions like counselling is

one of the many rules that can be used as indicators to note the efficiency of this agency towards protection of children's rights.

(i) The number of cases reaching prosecution stage.

This will be used as an indication on how well the law enforcement agencies under the Victim Friendly Unit has done in terms the protection of the rights of children in Bulawayo from 2014 to 2015. This will be an important indicator as it will show the perpetrators of abuse that are actually prosecuted. Therefore various factors can prevent cases reaching prosecution stage when dealing with cases of child abuse hence this indicator will show how effective law enforcement agencies are towards ensuring that the perpetrators of child abuse are being prosecuted. This indicator will also show the reasons why some cases do not reach prosecution stage and how law enforcement can strengthen to ensure that perpetrators of child abuse are prosecuted and are not left out in the community as they could cause more physical and psychological harm to the victim in the future.

(ii) Working in partnership with Child centered Organizations

In order to be more effective the law enforcement agency has to work together with the various organizations that promote the rights of children. Working in partnership with various Non-Governmental Organizations like Childline, Contact, Plan allow the law enforcement agencies to be able to be able to carry out campaigns as well as attain crucial services like counselling that are required in ensuring that children are able to deal with the abuse they would have suffered after the case has been dealt with. The law enforcement agencies also work with various Government institutions like the Ministry of Health that assist in providing medical reports for the victims as well as the Judicial system that deal with the prosecution of the perpetrators and directly works with the law enforcement agencies to ensure that the trial dates are set. Therefore this is an important function as the aid of stakeholders increases the

effectiveness of the influence of law enforcement agencies towards the delivering of efficient services to victims of abuse.

(iii) Community sensitization on children's rights

Children suffer various forms of abuse as to be shown in chapter one of this research and this is not because the perpetrators are abusive but at times the people in the community do not know the rights of the children due to cultural and religious beliefs that undermine the rights of children. This is an important indicator affecting the efficiency of the law enforcement agency. Community sensitization becomes a very important indicator as children suffer from various forms of abuse as to be shown in the following chapter. This indicator therefore is a major role played by the Victims Friendly Unit (VFU) in ensuring that the rights of children are protected in Bulawayo Metropolitan. Community sensitization may be done in various forms although law enforcement agencies in Bulawayo Metropolitan widely use mass campaigns and edutainment aimed at ensuring that the people within the province learn about the rights of children.

(iv) The presence of a vibrant Victims Friendly Unit

According to the Anti-defamation league (2001), states that people with extreme ideologies also view police as a symbolic enemy, as representatives of a government or a society they oppose. Lastly, a number of rebels, particularly those who adhere to various theories may believe that the police are deliberately targeting them because of their beliefs. This is relevant as some victims of abuse may be afraid to report a case of abuse cause of this belief. In most cases victims do not report cases of abuse because of them having a close intimate relationship and or the belief of the police force being cohesive in enforcing the law hence the

need for a vibrant Victims Friendly Unit that has specially trained officers that ensure that children are able to open up to cases of abuse without fear of prosecution and or fear of antagonism from family. The Victims friendly Unit (VFU) therefore is a specialised unit of the police force that has specially trained to deal with victims of abuse, particularly sexual abuse. Therefore the presence of such a unit within the police force aimed at promoting and protecting the rights of children therefore indicates clearly that the rights of children and the enforcing of the law against perpetrators of child abuse is of great importance and is a good indicator of good law enforcement.

(v) The presence of active Child Protection Committees

This is important to have and a good indicator if these structures are present in schools and communities all coordinated by the law enforcement agencies. These committees are of great importance and are a good indicator towards the effectiveness of the law enforcement agencies towards the protection of the rights of children. The decentralization of the police services into the community to regular community members or regular teachers in schools where children are found allows for the effective protection and educating of children as well as community members on the rights of children therefore allowing for the better protection of these rights. As shown by the defensible space theory, the community is equally important in ensuring that it provides a safer place for its residents. In this instance it of great relevance to see the contribution made by the community in ensuring that the rights of children are protected, as also mentioned in the broken windows theory by Wilson and Keller (1982) that the community plays a big role in ensuring that crime is reduced its in own area. Child protection committees are therefore a reflection of this towards child protection as they are child centred committees that are headed and run by the local community in ensuring that the rights of the children in that community are being respected as well as having local people

sensitized on this issue. Therefore the importance of these committees and their roles will be explained in chapter 2 of this research.

1.1.7 Research Methodology

This research will be classified under both qualitative and quantitative research. This is because the researcher intends on collecting quantitative data on the statistics of child abuse in Bulawayo Metropolitan. This data will be collected from the Victim's Friendly Unit (VFU) the law enforcement agency aimed at protecting the rights of children.

Qualitative research will also be carried out through a process called phenomenology that is elaborated by Creswell (2009) which states that phenomenology is a process of qualitative research that looks to collect information from participants aimed at considering the practises of a certain occurrence. Henceforth this type of research will be used on police officers assigned with the Victims Friendly Unit (VFU) and Child Protection Committees (CPCs).

(i) Research Design

The design used is a descriptive research design. This design was selected as it provides a description towards a certain phenomenon and in this case child abuse. Kumar (2005) says that this research design looks to explain a certain trend or the way people respond towards the tendency. Therefore this is of importance towards understanding the response of law enforcement agencies and Child Protection Committees (CPCs) towards child abuse.

(ii) Population and Sampling

Respondents of the research and key informants are to be based at King George VI School and the Victims Friendly Unit (VFU) Bulawayo province head office. The study population includes law enforcement officers working with the VFU in Bulawayo Metropolitan as well

as CPC representatives from the school. The size sample comprised of 2 officers from the VFU and 2 CPC participants from the school. The form of sampling to be used will be convenience sampling as this form of sampling allows the researcher to access the respondents that are relevant to the study that are closer and accessible to the researcher. This sampling method will also be time saving as the respondents will be located close to each other and part of the same institution.

1.1.8 Data Collection

Interviews will be used as a form of data collection when talking to the law enforcement agent and a person from the child protection committee so as to know the role played by the law enforcement agencies in order to report abuse. This method was chosen so as to be able to talk to the participants face to face and see the emotion in and sincerity in their faces and possible gratitude to the law enforcement agencies for being able to handle their case. This method is beneficiary as it allows face to face interaction as mentioned above and this prevents biased information as the researcher will be able to see gestures and body language of the participant. Interviews provide direct feedback from the respondent hence this opens a way to probing, which will allow the researcher to encourage better and more complete responses. However the use of interviews is time consuming, as scheduling, conducting and imputing the data will take a lot of time. Analysis of data will also be difficult as interviews produce a lot of data in a short space of time hence it is critical to have an analysis plan before carrying it out. Interviews are also expensive to carry out as they in this instance will require money to schedule and to conduct the interview as it should be done in area convenient with the victim.

Collection of previous reports at the law enforcement agencies offices as a form of data collection will be beneficial to the researcher as the data is readily available and sorted out. This form of data collection will be time saving and will be accurate as it will be based on the reports made and the perpetrators prosecuted. This is beneficial as the information is valid for Bulawayo metropolitan hence the area is too big with the time available the research will not be completed. The information also dates back to 2014 hence collection of such information is made easier. However this information does not give a full reflection on the abuses suffered as some abuses are not reported to law enforcement agencies and are settled within institutions like schools, communities and even homes.

1.1.9 Data Analysis

Quantitative data collected from the CPCs will be represented in an expressive manner. This form of data analysis will be used so as to clearly show how children have been stimulated by law enforcement agencies and CPCs towards reporting abuse as well as teaching them on their rights.

The Quantitative data obtained from the law enforcement agent from the Victims Friendly Unit will be represented in the form of a transcription. This form of data analysis has been chosen so as to see the actual steps that are taken by the force when dealing with a case of child abuse from the stage of reporting right up to the stage of prosecuting the perpetrator.

1.2 Ethical Considerations

Children have been traditionally viewed as a source of labour in all parts of Africa. Due high levels of poverty children are used as labour to work in subsistent agriculture and or are used as tools for begging in the CBD. Hence due to such

ethical considerations that children are supposed to work and should be trained to work , must be considered in the carrying out of this research , as in the African community there is a thin line between child labour and training .

Children being susceptible to corporal punishment as stated by the bible in Proverbs 29 versus 15 which says “The rod and reproof impart wisdom . But a child left unrestrained brings shame on his mother” and the famous “spare the rod and spoil the child” . As the Government has banned corporal punishment , it has become difficult for parents to discipline their children as well as teachers in schools . However due to ethical considerations a blind eye has been turned onto that law and parents as well as teachers still using corporal punishment as a form of discipline although it is encouraged for it to be used minimally , hence this can affect the study and implementation of child protection .

Due to the ethical beliefs children are not given a chance to participate in decision making . It is culture that children are not meant to speak where there are elders and or participate on the making of decisions at household and community level as it is viewed taboo . Therefore this ethical issue has to be considered when carrying out the research . Children being inferior in society will also be an ethical view that has to be considered . Children having the undermined voice in families and due to wanting to preserve ethical values and beliefs . Children are deprived of various rights that include the right to privacy , freedom of expression , association and religion thought and conscience . Children are given not only by the African Charter restriction towards the

realisation of these rights but in family and community level these rights are also undermined. Due to this ethical belief and practise, rights of the child in alignment to this will be hard to realise and protect for law enforcement agencies and to collect data.

1.2.1 Literature Review

Tuckman (1994) defines literature review as a broad examination or significant study on a particular topic. The review of related literature is a way of gathering information on a certain area of research which may assist in achieving or attaining the objectives of the problem under study. The researcher has therefore analysed the work of other researchers on the role played by law enforcement agencies towards the protection of children's rights.

The realisation of children's rights has been a big issue hence the law enforcement agencies being given responsibility to ensure the protection of these rights. According to an article by Pence and Wilson (1992) entitled the role of law enforcement in response to child abuse and neglect. This article looks at the child abuse and neglect not as a social problem but rather in a context of criminal law. This article looks at the roles played by law enforcement agencies towards the prevention of child abuse and neglect. This article is therefore similar to my research as it looks at the roles played by law enforcement agencies towards child protection while looking at the Child Protection services which is a part of the law enforcement force that deals with children who have been abused or neglected. This article is also very similar as it looks at the capabilities of the law enforcement personnel and looks at their specialized skill and ability to be able to communicate with children which is a

very important attribute that is also used as an indicator in this research that notes the efficiency of the agency.

However my research will likewise show the roles of the law enforcement agencies towards the cause which is child protection and also have detailed experiences from four sources that are the police, victims, members of a community and members of a vibrant child protection committee. This research has also been done in 2016 therefore it makes use of recent trends of abuse that children face in the 21st century hence making this research more recent and relevant to academic researchers. The research areas are also different and the research done by Pence and C Wilson was carried out in the United States, this however makes my research different as this research is being carried out in Bulawayo therefore there are different forms of abuse and drivers that affect and cause child abuse hence making the two contributions towards the articles different.

K.L Yangian (2016) wrote an article on the role of law enforcement agencies on child protection in Liberia . This researcher looks at how children are not tried in child friendly courts and looks at how children who have been involved in conflict have not been rehabilitated back into the society . This researcher blames the lack of knowledge on citizens of Liberia and lack of budgetary means in order to launch the child protection law . This writer blames the 14 year conflict that exposed children to various types of abuse that include physical sexual and being used as soldiers . This researcher was looking at the importance of training law enforcement agencies to be able to protect the rights of the children in Liberia. Therefore these studies are similar to some effect as this writer blames the lack of knowledge on children's rights as a cause of

child abuse. These sentiments are echoed as a part of this research and are considered to be affecting and perpetrating abuse of children in Zimbabwe as well hence the need for the sensitization of the communities on children's rights. This research done in the case study of Liberia looks at law enforcement agencies as the pioneers to drive children's rights in the country hence in a similar sense to this research law enforcement agencies are pivotal towards the protection of the rights of children. Liberia also being located in the African continent certain ideologies are shared on culture and tradition therefore this can also result to the forms of abuse suffered by children to be almost similar in a sense hence this research being similar.

However in Zimbabwe there is no conflict that requires children to take part and be used as soldiers therefore this makes the research different. The research was carried out focusing on various types of abuses that have been inflicted on the children hence writing the article and calling up law enforcement agencies to enforce these child protection policies in Liberia whereas here in Zimbabwe such institutions have been already put in place in child protection and are not motivated by any form of abuse so as to push for law enforcement agencies to protect the children. The study was carried out in Liberia and this is different from Zimbabwe as the country has different laws that govern child protection. The study was also carried out in 2016 and therefore it also looks at the recent trends of abuse that may be affecting children.

Tjaden and Anhalt (1994) put together an article that looks at how law enforcement agencies have done well towards the protection of children's rights in Arkansas. They considered how well these agencies have done in the enforcing of the law in the area and how well they have

provided psychotherapy for the victims as well as ensuring that the victims are well rehabilitated back into society. These researches have also considered how the law enforcement agencies partnered with various institutions like the community as well as how these agencies also training the community on various ways of identifying abuse and reporting it. These researchers were focusing on the successes of the law enforcement agencies on the implementing of child protection in Arkansas. This research therefore has a similarity with this research as the research done by Tjaden and Anhalt (1994) has partnered with various organizations in order to ensure that the rights of the children are being protected and that has been reflected as a good indicator towards the positive contribution of the law enforcement agencies towards the protection of children's rights. This study is also similar in that it gives law enforcement agencies the responsibility and become the leaders of child protection while making use of various organizations that also assist towards the cause.

The study was carried out in Arkansas America where there are more resources put in place in order to promote the efficiency of child protection. The law enforcement agencies when it comes to children protection is divided into various sub sections, for example the force has a Drug Endangered Children section that deals with children that are exposed to drugs and have been also using drugs, hence this is a strength to the other researchers work as they are able to get detailed information from each department as the departments are specialised to cater for a certain cause. This makes the study different to mine as Zimbabwe has the Victim Friendly unit that deals with all parts of child abuse which are divided into 4 as articulated by Wolfe (2011). This therefore makes it different to my research. This research will be carried out over a period of 3 years hence it makes it different to that of the researcher. America not being a ratified member of the United Nations Convention on the Rights of the Child and also not part of the African Charter for children's rights also makes the research different as they

do not have a similar benchmark towards child protection policies. The year of the study also largely makes the research different as this research covers 2016 which makes the study more recent as compared to the latter. The study is also different as the two studies are carried out in two different continents hence this results in the difference in culture tradition and religion that drive child abuse.

David Wilkins (2014) contributed to the topic of child protection using theory and research knowledge. This article mainly focuses on the role that is played by social workers towards the protection of children who are being abused and have been formerly abused using theory as well as research knowledge. This academic writing however looks at child protection from a different angle and gives social workers more responsibility in the protection of children's rights. This research also made use of interviews that were also used in my research as the researcher was aware that the research being made involves and includes personal experiences for both the children and the social workers where the data was collected from. Therefore these are two similarities that these two researchers have towards contributing to child protection and the use of another party in order to ensure the realisation of children's rights. This researcher made use of the attachment theory as the theory that drives child abuse and the theory that can be used by social workers in a bid to protect children and their rights. This researcher also made use of previous research made by other scholars on the importance of social workers on child protection like Parrish (2009).

However this research is different to my research as this research focuses on the importance of social workers and their role towards the protection of the rights of children whereas my research looks at law enforcement agencies and in particular the Victims Friendly Unit. This

makes the research different as in Bulawayo Metropolitan where the research is being done law enforcement agencies have been given the obligation to ensure that's the rights of children are protected and this is different from the research that was done in Canterbury England that gives social workers a larger role towards protecting the rights of the children. This research is relatively different due to the location of the research, this research will be carried out in Bulawayo and the research will be based on four major contributors which will be the law enforcement agencies, the community, the child protection committees within schools and finally the children who have been formerly abused. This research has also been carried out in Zimbabwe making it different from that of the researcher as children suffer from different forms of abuse that may be exacerbated by cultural, religious and social constructs that make up the African values.

Chapter One

AN OVERVIEW OF CHILD ABUSE IN BULAWAYO METROPOLITAN

2.0 Introduction

Zimbabwe being one of the many countries in Africa that ratified the African Charter for the Rights and Welfare of Children (ACRWC) and in the world to have ratified to the United Nations Convention on the rights of Children (UNCRC) did this to show devotion towards the protection of the rights of children in Zimbabwe. Therein the country alone there have been various measures taken in order to ensure that the rights of children are protected, this is through the Children Act of 2001. The formation of the Victims Friendly Unit in 1996 which is a unit aimed at dealing with victims of sexual abuse against women and children. This unit aims to be supportive to victims and create an environment that is friendly, conducive and private. This unit of the police force consists of police officers who are specially trained to be able to deal with victims of various cases as well be able to carry out important tasks like counselling the victims of abuse. However child abuse is defined as the mistreatment of a person below the age of 18 years that results in harm, potential harm, or the threat of harm to a child. Therefore child abuse is classified into 4 main categories which are namely Neglect and Abandonment, Physical abuse, Psychological or Emotional abuse and Sexual abuse. Hence this chapter will give a general overview of the types of abuse and suggested reasons that could cause that type of abuse to be more prevalent.

2.1 Neglect and Abandonment

2.1.1 Neglect

Neglect is a form of child abuse where a parent may fail to adequately provide the various needs of the child, including failure to provide food, clothing or hygiene, failure to provide

nurturing or affection or failure to enrol a child into school. Therefore the failure to provide all these basic needs by a parent for a child is therefore viewed as neglect. Therefore in 2014 27 cases of neglect were reported and in 2015 32 cases were reported. This can be attributed to the declining economic conditions in the country as well as the labour act to a certain extent that saw the retrenchment of a large number of the countries workforce. Therefore it can be said that more cases remain concealed as children are plunged into more abuse

2.1.2 Abandonment

Abandonment refers to actions as “baby dumping”. This is leaving a child under the age of 7 years in the care of another person for more a year without showing adequate interest and or providing adequate communication and visitation for the child. Abandonment also includes the chasing away of a pregnant girl from home and or the chasing away of a pregnant wife and or partner from the home; this is a prime form of child abuse. This is mainly common in Bulawayo Metropolitan and is especially predominant in teenage pregnancies where children are chased away from home by their parents after realising that they are pregnant. This affects children both born and unborn as they are sometimes born into an impoverished world that may at times not be able to provide the basic needs that it best require. In most cases these children become street children and in the province 201 street children were recorded in 2014 and in 2015, an increase to 223 children living in the streets as a result of being abandoned. Therefore in these two years this also saw a percentage increase of abandoned children in Zimbabwe increasing by 3% in Southern Africa.

2.1.3 Right to life or survival

This is a right of children that is in most cases not respected and or observed due to various religious and cultural beliefs encompassing it. The right to life and or survival is a right of children that requires guardians and parents to guarantee them with basic nutrition, shelter and health care. This right also involves the role of the Government towards the achievement of this as they should provide measures to reduce the deaths of children and educate parents on how to fight diseases and malnutrition. This right also looks at the illegal termination of pregnancies, as abortion in Zimbabwe is illegal although the law permits the procedure when "the life of the woman is endangered, the child may suffer a permanent physical or mental defect, or the foetus was conceived as a result of rape or incest and henceforth carrying out this practise without the permitted instances is therefore undermining the right life of life for children. Moreover the VFU recorded 9 cases of illegal termination of pregnancy in the year 2014 and 15 in 2015 by juveniles only. Moreover the statistics are higher with adults as 20 cases were recorded in 2014 and only 15 in 2015. Therefore these figures could be higher than that recorded as according to inspector J. Mwiriri of the Victims friendly unit who echoes the sentiments that about 80% of abortion cases are not recorded, hence these recorded cases only resulted from the unsuccessful terminations that caused complicated medical conditions. Thus when considering these statistics it is notable to contemplate on the other successful terminations that cannot be recorded as the perpetrators remain anonymous, hence P. Mbanje wrote that statistics indicate that there are about 80000 terminated pregnancies in Zimbabwe every year with 5% of them being lawful. Moreover as according to Bulawayo 24 news, it estimates that at least 50 women in the province go through abortion every month.

2.2 Emotional or Psychological Abuse

2.2.1 Psychological Abuse

Psychological abuse takes many forms. A child may be frequently scolded and or shouted at, insulted, shamed or belittled and given names that ridicule them so that their self-esteem is undermined. This form of abuse is also looked at as Discrimination which could be by race ethnicity and or religion. In most cases children who suffer this form of abuse suffer extreme and or inappropriate forms of punishment that leaves them psychologically harmed. Examples of scenarios of psychological abuse could include how step children and children from extended family are forced to wait until others have eaten before they can eat and or a scenario where one child is tasked to do more chores than the rest of the children in the house. Failure to display affection to a child is also another form of psychological abuse and in most cases, due to the African culture, children are not expressly shown affection hence this can cause emotional harm as well. Therefore this form of abuse is hard to report due to cultural norms and values that encompass it. Moreover this has resulted to lower cases being reported and in 2014 no cases were reported though in 2015, 3 cases were reported.

2.3 Physical Abuse

2.3.1 Child Labor

Due to ethical considerations this form of abuse had to be reviewed and this was also part of the Children's Act of 2001. The Government states that children under the age of 18 and above the age of 16 may be employed but with the consent of the parents, with the form of employment not being hazardous to their health, safety and morals. Therefore it is classified as child work and child labour and the forms of child labour are those that are hazardous. Most societies however expect children to work and to do some tasks as a part of their socialization and this is the case in developing countries like Zimbabwe hence the need to

define the types of work tasks that are not good for children. Therefore some tasks are traditionally for children, for example herding cattle and gathering firewood just to mention a few. Thus it must be noted that child work involves activities that do not harm the child and not interfere with the child's development. Therefore cases of child labour reported were mainly of street children abducted by farm owners and made to work at the farms harvesting crops and or doing agricultural work with little or no reward. Therefore in 2014, 31 children were assisted on this and in 2015, 47 children were also assisted to get their fair reward for the work done.

2.3.2 Chastisement or Corporal Punishment

This is the most common form of child abuse that involves the physical aggression directed at a child. This aggression may cause long-term damage and harm to a child and these may include burning, choking, or shaking a child. According to the Constitution of Zimbabwe, corporal punishment or chastisement of children below the age of 18 by parents and guardians is not considered to be cruel and inhuman as long as it is reasonable. Therefore parents and guardians are obliged to discipline their children and keep them from breaking the laws of the country and attending school. Therefore there is a small difference between discipline and abuse and in most occurrences some children suffer this form of abuse and parents or guardians clarify it as discipline. With the Victims Friendly Unit, this form of abuse is encompassed within the boundaries of domestic violence towards juveniles and in 2014, 16 children suffered this form of abuse and in 2015, 21 children suffered showing an increase towards the form of abuse suffered by juveniles. Therefore abuse in this instance is therefore defined as the severe and frequent beating of a child. Such beating in most cases causes harm hence classifying it as abuse. Therefore it is advised by the Victims Friendly Unit that

any parent or guardian who is disciplining their child and using corporal punishment should not become angry and lose control of their emotions so as to be able to control themselves and know when to stop. This form of abuse in most cases causes a change in the behaviour of children and has a permanent effect on a child's personality and even in most cases ability to converse with other people. Therefore this form of abuse accrues a jail term that varies with the severity of the injury of the victim and is also deliberated and regarded to be a very serious crime. As shown by the statistics there was a rise in the abuse in Bulawayo Metropolitan, this form of abuse may be aligned to stress on parents or guardians emanating from the deteriorating economic conditions affecting people in the country.

2.4 Drug and Alcohol Abuse

This form of abuse involves the exposing of a child to drugs of any kind that include marijuana, alcohol, hard drugs and or glue just to mention a few. This form also condemns the use of children for drug trafficking. Recently in Bulawayo in 2015 there was the escalation and upsurge of the commonly known "Vuzu" parties that are attended by children who are of the school going age. It is said that the people who attend these parties are under the age of 18 and are collected from a central point and are taken to a house where they abuse drugs like marijuana and alcohol. In 2014, 20 children were reported and in 2015 due to the rising trend of drug and alcohol abuse 54 children were caught in the act and counselled. This has also resulted in the children engaging in sex marathons after the abuse of the mentioned and more substances. This has resulted in the rising of the HIV prevalence rate amongst the youth in the province as according to (NAC).

2.5 Sexual Abuse

2.5.1 Aggravated Indecent Assault

According to section 66 and 67 of the criminal law codification and reform Act (Chapter 9:23) this form of child abuse is viewed as a crime and is liable to imprisonment. This crime can be committed by both either male or female persons. This crime involves the indecent forced penetration of any part of the body, it may be forced anal sex by a male to another male forced oral sex and forced penetration with an object. Therefore the Victims Friendly Unit statistics of 2014 have 20 cases reported and in 2015, 35 juveniles suffering to this form of abuse therefore showing an increase in the reports of this form of abuse by 15. Relatives and neighbours contribute greatly to this form of abuse as in 2014 7 neighbours contributed to the 20 cases and in 2015 12 were perpetrators to this abuse. Relatives also are perpetrators as in 2015 they amounted to 6 perpetrators to the 35 cases suffered, with this abuse averaging between 8pm to 10pm with the most cases being reported at that time frame with 80% of the crimes happening at home, hence showing that the home is the place where children are being highly abused.

2.5.2 Indecent Assault

This form of abuse towards children is less serious and is viewed with less severity as this is the enforcing of sexual activities with a child. Therefore indecent assault as stated above is not viewed with such severity as it may include activities such as forced kissing fondling private parts of the victim and the forced removing of clothing. In this type of sexual abuse there is no penetration and of the victim's body and as stated above the severity is not intense and the perpetrators may be given a fine or at times a prison sentence depending on the trauma that was suffered by the victim and or if it is a repetitive offense. Therefore VFU

statistics show that in 2014, 44 juveniles suffered this form of abuse and in 2015 the same numbers of cases as in 2014 were also reported to the VFU. This report also shows that neighbours contributed 60% as the perpetrators to the form of abuse with relatives contributing 20% and the rest being strangers or classified as others.

2.5.3 Attempted Rape

This is a form of child abuse that is defined as trying or forcibly trying to have sexual intercourse with a minor without his or her consent with the perpetrator fully knowing that the victim has not fully consented to it. In this instance the victim will be under the age of 16 years. According to statistics from the Victims Friendly Unit (VFU) from Bulawayo Metropolitan, it shows that in 2014, 5 juveniles reported cases of attempted rape and in 2015, 3 victims reporting the offense, showing a reduction of cases of that manner. These cases all appeared to occur between 10pm and 4am when the victims are asleep and also show that 80% of the victims are relatives and the rest being neighbours.

2.5.4 Rape

In accordance to section 65(1) and (b) of the (criminal codification and reform) Act Chapter 9:23 defines rape as when a male person knowingly has sexual intercourse or anal sexual intercourse with a female person and at the same time of the intercourse the female person has no consent to it and he (perpetrator) knows that she has not consented to it or realises that there is a real risk that she has not consented to it. This is when the female is under the age of 16 years. According to Betty Makoni (2011), in most cases rape is perpetrated by a masculine belief that when a girl says 'no' she means 'yes' to consent to sexual intercourse. In 2014,

173 juveniles were raped and in 2015, 151 were raped in Bulawayo metropolitan according to statistics by the Zimbabwe Republic Police (ZRP) Victims Friendly unit (VFU). Therefore referring to the statistics it shows that there was a decrease in the reported cases of rape towards juveniles. Therefore these statistics show that in 2014 Neighbours contributed the most towards the rape of juveniles, as in 2014, out of all the 173 cases reported neighbours contributed to 62 of those perpetrators, with relatives contributing 45 from the figure. An analysis of report shows that children are raped by people they know as the rest are strangers or other people. In 2015 Relatives contributed the most to rape with 59 perpetrators out of the 151 cases and neighbours also second with 51 perpetrators, henceforth this is also the main cause of HIV as the National Aids Council (NAC) 2015 report states that Bulawayo Metropolitan has the largest HIV prevalence rate in Zimbabwe amongst the youth and juveniles. It also shows that 80% of all the cases of rape reported were done at home and the rest distributed in schools, churches, bushy areas and bars. The rape of the juveniles was more predominant from 6pm to 10pm mainly by relatives and at 2pm till 6pm mainly by neighbours. This may be attributed by the fact that children would finish school and head home where they are later abused by the neighbours and or abused at night by relatives most probably when everyone is now asleep.

2.6 Child Marriages

According to the constitution of Zimbabwe a child is a boy or a girl under the age of 18 and therefore this means that anyone under this age is a child. Therefore according to the Plan Zimbabwe (2014) Zimbabwe has the 39th highest prevalence of child marriages globally. Therefore Bulawayo has the lowest prevalence in all provinces within the country on child marriages, at a rate of 16%. Therefore this violation of children rights is highly condemned in

all senses as it limits the capabilities of the child who has been married to attain economic social and political independence and opportunities. Therefore in most cases children who are married usually suffer sexual abuse as they are not at an age to be able to consent as according to the Children's Act and the constitution of Zimbabwe. Therefore as according to statistics from the Victims friendly unit in most cases the perpetrators are charged with having sexual intercourse with a child and in 2014, 121 cases were reported and in 2015, 110 cases were reported showing a reduction in the trend of having sexual intercourse with a minor. This right of children is in most cases violated due to cultural practises like child pledging that in most instances force the child to be married at a very young age. Therefore according to a report by Heiberg (2001), notes that 39% of marriages in Zimbabwe involve girls between 15 and 17, whilst 11% consist of girls who are less than 15 years of age.

2.7 Factors Contributing to Child Abuse

2.7.1 Poverty and Economic Strain

Due to high levels of unemployment and economic quagmire in the country, this has greatly affected children in the realization and the protection of their rights. Due to high levels of unemployment most people have gone to look for greener pastures in neighbouring countries and most cases overseas and therefore leaving children alone and or in custody of relatives as their guardians. Such conditions leave children susceptible to many forms of abuse. As noted by Childline (2010) most cases of sexual abuse reported are perpetrated by relatives that include uncles and cousin brothers hence showing that the absence of the parents in this instance has left the children vulnerable to sexual abuse from their guardians who are in most cases go unreported because at times the children may be threatened and or are attached to these people and wouldn't want them to suffer as according to Hamilton's Rule theory

propounded by that explains that children have a close bond with people they are biologically related to hence if they suffer abuse from them they may favour them and not report.

These children suffer various forms of abuse that can include aggravated indecent assault, indecent assault, rape as well as drug and substance abuse as noted in Bulawayo by the recent Vuzu parties where children would engage in the abuse of drugs as they would abuse marijuana and alcohol. In most cases these children would be under the age of 18 which is the legal age for the consumption of alcohol. After the arrest and counselling of some of the children it was noted that the majority these children were staying alone and did not have the protection and guidance of parents as they would have gone in search of greener pastures. According to Active Youth Zimbabwe children who attend these parties are therefore involved in sex parties where all the children involved engage in sexual intercourse and it is speculated that these acts were and in most instances recorded and sold as pornography henceforth 310 students have been nabbed during the period 2014-2015 as according to the Ministry of Primary and Secondary Education.

Poverty has also therefore caused stress in most of the perpetrators who are parents and guardians and is the cause that children are abused in most cases. As according to the Constitution of Zimbabwe (2013), it stipulates that corporal punishment or chastisement is legal although should be reasonable. Therefore due to high levels of poverty caused by economic struggles many parents or guardians may tend to take out their stress on their children and not discipline them but end up abusing them hence showing that poverty and economic strain are large contributor towards child abuse in Bulawayo Metropolitan, as

alluded by The Ministry of Labour and Social Services (2011). This form of abuse caused by poverty and economic strain in most causes children injury and trauma that could lead to children becoming anti-social and this affects the development of the child.

Poverty has also resulted in child marriages within the province. As per custom, a man who wants to marry should pay bride price which is a stipulated amount of wealth that is paid in return for the girl who is intended to being married. Therefore due to this problem of poverty is has resulted in child marriages, whereby the family of the girl forces the child into marriage for the attainment of wealth which may be in the form of money and or cattle that are viewed as a sign of wealth in the Ndebele culture. Moreover according to the VU report, 30 cases of child marriages were reported in 2014 and a slight decrease in 2015 as 28 cases were reported. Therefore this giving away of the child in marriage in most cases provides temporary relief from poverty but this would be depriving the child from attaining their social, economic and political goals that are entitled to every child as alluded by Chitereka (2010). In most cases these children that enter into this marriage enter this marriage by customary law and it makes it difficult to use the law against this form of abuse as these marriages are not recorded and or registered. However children that enter these marriages sufferer various forms of abuse that may include child labour as they are working to provide for the family and or are now exposed to sexual activities that are not in accordance to their ages of consent as they are juveniles as according to the Constitution of Zimbabwe and the Children's Act.

Poverty and economic strain also effect neglect and child abandonment. As defined child neglect and abandonment has become a resultant of poverty and economic difficulty that causes parents to abandon the children. Due to the anxiety on how to provide for the child most parents have tended to abandon their children and in most cases some children join their parents in the street and become street beggars and in most cases depriving these children to their basic rights of a basic education food and medication. Children due to economic difficulties in Zimbabwe have suffered from abandonment where these children are left with relatives and or friends in most cases with minimal communication and visitation by the parents and this therefore is a form of abuse that may affect the child's development.

High levels of poverty and economic difficulty in the country has resulted in much more cases of child abuse. Due to this, children have resorted in most cases to become joint breadwinners with parents and this is evident by the number of street children that are seen begging with their parents in the streets of Bulawayo Metropolitan. Children have also been introduced and been used as prostitutes as a means of trying to amass income that is enough for the home. Moreover street children are seen in large numbers scavenging for food and in most cases disabled children being used to beg and this are against the rights of the children who are meant to be provided with adequate food, a shelter and a basic education. These two forms of child abuse emanating from economic struggles and poverty due to high levels of unemployment has resulted in children experiencing these forms of abuse that highly undermine their potential, economic, social and political rights.

2.7.2 Religion

Religion has been widely used in the suppression and abuse of the rights of children in Zimbabwe and particularly Bulawayo Metropolitan. With the country being a Christian country and having a wide variety of Christian denominations with it have some denominations that have perpetrated child abuse. Children are therefore deprived of various rights like the right to life. The right to life is a children's right that ensures that children acquire basic healthcare which in most cases is provided by the Government. The Government under the Ministry of health provide free vaccination to the 6 child killer diseases. Therefore this right is therefore in most cases under certain types of religion that include the Johanne Masowe and some Apostolic Faith denominations. These denominations however do not believe in the vaccination of children due to their faith and this therefore results to children who are in this faith to be prone to being affected by the 6 child killer diseases hence undermining their right to life and their rights as children.

Religious leaders have also used their influence to become perpetrators of sexual abuse to juveniles. The forms of abuse the victims suffer include molestation, rape as well as attempted rape. Some of these religious leaders are said to be removing evil spirits and rape or molest juveniles in the process. This has been a controversial issue that has seen pastors being prosecuted with a variety of sexual abuse cases. This is the undermining of children as they are mainly found within those social spheres and these spheres being very influential towards the development of a child.

2.7.4 Cultural and Social practices

Culture has been greatly used in the undermining of the rights of children in Bulawayo Metropolitan. Child pledging is one culture that has greatly undermined the rights of children in Bulawayo due to this cultural construct. The girl child is the most affected by this cultural practise as children are exchanged or pledged to marry people that are very much older than them and this also contributes to child marriages. Children are in most cases pledged to appease a past error that was done by the parents or guardians of the child. This therefore is highly undermining the rights of children as children are entitled to be raised by their parents and when the parents are not able to take care of the child the child has an option to recommend the guardians he or she would want to stay with. In this case some children are pledged off into marriage and suffer various forms of abuse that may include psychological abuse as these children are not going to be accepted into the new society they are going to enter, they may also suffer sexual abuse as they would be given off into marriage or may suffer from child labour as they will be given away to go work for the family that they erred in the past. This therefore makes the children accountable for errors or conflicts that they did not create and or cause.

The right of children to participate in decision making has also been greatly undermined, driven by a cultural belief that children must be in subjection to their parents and must follow what they are told to do without enquiring. This has however undermined the rights of children and the goal of attaining the rights of children as such a cultural belief has resulted in the abuse of children without them being able to speak out as they themselves have been indoctrinated that speaking or having discussions with elders is taboo. This however shows

that cultural practises has therefore also contributed to the abuse of children and fuelled perpetrators towards abuse of children.

Disabled children have however been greatly affected and have received the shorter end of the stick when it comes to abuse. Cultural beliefs derive a belief that disabled children are a product of incest and or a curse. Therefore this has resulted in the abuse of disabled children as these children are deprived of various rights, as they are in most cases left in the private sphere as they are viewed as an embarrassment to the family. Therefore doing so has resulted in the abuse of these children as they are prone to various forms of abuse from physical and sexual types of abuse. These children are not given an opportunity to participate as well as they are always left in the private sphere. Socially these children also are stigmatised and are not treated as other children and this already is a violation to their rights as children as according to the African Charter of the Rights and Welfare of children on Article 3 states that children should and must not be discriminated. According to the United Nations Children's Fund (UNICEF) 2015 report, Statistics have revealed that at least 87% of girls living with disabilities in Zimbabwe have been abused, with approximately 48% being mentally challenged, 15.7% with hearing impairments and 23.3% with physical disabilities.

Socially the girl child has been viewed as a child who is destined to be married and must not acquire social, economic and political freedom due to stereotypical beliefs in society that women should play a reproductive role in society this has resulted in the undermining of the rights of the girl child. In most cases the girl child is assigned to carry out more tasks and chores that the boy child as the society still assigns gender roles and this is already a form of

psychological abuse to the girl child. In worst cases the girl child is not given an equal opportunity to attain an education hence in most cases these children do not grow up to have economic independence as compared to the latter. This form of abuse is driven by social and cultural beliefs therefore contributing to the abuse of children

Conclusion

With the aid of statistics obtained from the Victims Friendly Unit (VFU) this chapter clearly shows the forms of abuse that children suffer in Bulawayo Metropolitan. Therefore with the aid of this chapter it clearly reflects that children are the most vulnerable people in society with the girl child being the most vulnerable as they are the most susceptible to various forms of sexual abuse. Moreover it would be practical to consider the factors contributing to the various forms of abuse being suffered by the victims which are children. Henceforth the research indicates that economic factors, poverty, social and cultural values often tend to cause the abuse of children. Therefore it is also important to consider the perpetrators of the various forms of abuse suffered by the children and with evidence of the chapter above family members and neighbours who will be classified as people with a close emotional bond to the children were the main perpetrators of abuse as the largest number of abuse occurred between the time frame of 8pm and 2am hence showing that these perpetrators are trusted individuals with these children.

Chapter Two

ROLES PLAYED BY LAW ENFORCEMENT AGENCIES

3.0 Introduction

As shown in the previous chapter, the definitions and various forms of abuse that children suffer, therefore it is of paramount importance that law enforcement agencies protect children from those forms of abuses. As is going to be mentioned in this chapter, the law enforcement agencies, under the Victims Friendly Unit (VFU) work with various stakeholders like the Judicial System as well as Government Institutions that have a responsibility of crafting laws and regulations like the Children's Act as well as ratifying International and Regional conventions for children's rights like the African Charter for the Rights and Welfare of Children, as well as the United Nations Convention for the Rights and Welfare of Children. Therefore these benchmarks set by these international organizations give way to local law enforcement agencies to ensure that they enforce the law against perpetrators of child abuse. This is a key duty of the Victims Friendly Unit (VFU) to ensure that vulnerable people that are potentially victims of abuse are protected and to sensitize communities on child abuse. Therefore this chapter will look deeper into the roles played by the Victims Friendly Unit as a form of a law enforcement agency in Bulawayo Metropolitan to ensure that the rights of children are met. This chapter will with the use of statistics provided by the Victims friendly unit depict the degree to which children's rights are being protected in the Province

3.1 Cases Reaching Prosecution Stage

This as a measure to see how well the Victims Friendly unit is enforcing the law under one of its roles that is to provide the victim with case reference as well as prepare the victim for the court date as well as the court hearing. This is a very important function as it can measure the role or the contribution made by the law enforcement agencies towards the protection of the rights of the children. Therefore this indication bears all forms of abuse and how the response to deal with the perpetrators has been done, forms of abuse like rape, indecent assault and sexual intercourse with a minor will be considered below

3.1.1 Rape

As shown in the chapter, children have suffered a lot to rape and as according to the report made by the Victims Friendly Unit in Bulawayo Metropolitan, 136 juveniles fell as victims of rape mainly by known people who are neighbours and relatives out of a total of 173 cases reported in the annual year. Therefore the report shows that out of the two years, 2014 and 2015 combined there were 324 cases of rape reported in the province alone. Therefore the cases that reached prosecution stage only amounted to 34, with cases withdrawn reaching 18, acquitted cases 10. This shows a prosecution percentage of 13%. This indication shows that fewer cases reached the prosecution stage in comparison to the number of cases suffered by the victims. This may be attributed to the fact that most of the perpetrators to this form of abuse are relatives and or neighbours which all fall under the category of people that the victims know and are familiar to. A research carried out King George VI memorial school for the handicapped showed that most children that were abused withdrew their cases and or stopped attending counselling sessions if they were abused by their relatives or neighbours. Mutandwa (2012) echoes similar sentiments that child sexual abuse in Zimbabwe has been

very difficult to curtail because children are abused by people whom they know and this perpetuates the custom of silence because the crimes are rarely reported. In some cases children are coerced by other members of the family to withdraw the cases they would have reported to the police in order to protect family members who might have perpetrated the abuse.

This may be so as the victims may be antagonised in the community and in most cases victims of rape are viewed as the main cause of abuse they suffer as they are sometimes said to wear revealing clothes that attract the opposite sex and in most cases therefore leading to the rape.

In the African culture it is said that when a person rapes he is meant to pay damages in the form of cattle and or take the victim of the rape as his wife. Therefore these cultural practises have also caused the withdrawal of some cases and the premature ending of most of the cases of rape on juveniles as other parents and or guardians to the victim may demand compensation for the damages caused on their child and opt not to see a person they know either a relative or neighbour as shown by the statistics as the most perpetrators being convicted and having a criminal record against them. In most cases due to high levels of poverty in the country, the acceptance of material or financial compensations towards the abuse are accepted by families in order to ease economic burden and after the acceptance of these reparations, the continual trialling of the case would have to stop in accordance to customary law as the accepting of the monetary of material goods would result in the termination of the crime. However this is not a positive development towards the protection of the rights of children as perpetrators may in most cases walk without justice prevailing and this also leads to the continual abuse of the rights of children. Therefore the report also shows that all of the perpetrators convicted, the average sentencing was at 15 years.

Attempted rape also had a prosecution stage percentage of 33%. This form of abuse was also mainly perpetrated by neighbours and due to the factors stated above this could have also caused the reduction in the reporting of the cases. The researcher also reached a conclusion that the cases of attempted rape reached a prosecution stage more as compared to that of rape as in the African Culture when a child is almost raped or rape is attempted on the child no compensation is paid to the victim or the family of the victim as people are still living in a patriarchal society. It is also believed that the cases are reported more so as to stop the perpetrator from actually raping a juvenile in the near future and also want the victim to pay for the traumatic experience that it would have caused the child. Furthermore, Masuka (2012) cited poverty as a major cause for child sexual abuse within a family setting. Guvamombe in Masuka (2012) highlights that in a certain areas a family of up to seven people can sleep in a single room and this exposes children and the girl child in particular, to sexual abuse as shown the perpetrators being relatives and the cases being predominant at night.

3.1.2 Sexual intercourse with a minor

Sexual Intercourse with a minor was also largely reported within the Victims friendly unit Bulawayo Metropolitan as in 2015, the 110 cases reported had 47 reaching prosecution stages, 20 being withdrawn and 5 being acquitted with the rest having a premature end. This form of abuse therefore had a prosecution percentage of 43% which is an improvement towards the protection of the rights of children. As shown by the statistics provided by The VFU Bulawayo metropolitan it clearly shows that all the perpetrators of this form of abuse are other people who are not in relation to the child. Therefore the people that have been classified as “others” in this report include friends, former schoolmates and or church mates.

The reaching of prosecution stage for these crimes is at a better rate as this crime is committed by a person that is in no relation to the child hence when the victims report the form of abuse they may not be liable to antagonism from the people in the community or a social setting to where they belong. This can also be credited to the work done by law enforcement agencies under the Victims Friendly Unit, working together with various stakeholders that educate children on abuse and also give them report structures and mechanism that they can use in order to ensure that justice is served as according to the roles that they play towards the protection of the rights of children. In most cases these violations of the rights of children occur when children enter into relationships with older people where they enter into a sexual relation with the child and in most cases the parents to the children are the ones that report the cases to the police leading to the arrest of the perpetrator.

High levels of poverty have also contributed to this form of abuse as also shown in the previous chapter, as children may be offered gifts and or monetary favours in return for sexual favours. As also shown most of the cases have a time frame of 2pm right up to 6pm, where it has already been deliberated in this research that most children will be alone at their homes as out of all the 110 cases, 88 were at home. As also carefully considered in the previous chapter, the causes of sexual intercourse with a minor have also emanated from the high levels of brain drain that have resulted in some children staying alone without the guidance of their parents and or guardians and this has also resulted in the coming of “Vuzu” parties where these juveniles would also participate in sexual activities.

3.1.4 Aggravated Indecent Assault and Indecent Assault

These forms of abuse combined have cases that have reached prosecution stage that are at 33% in the year 2015. Therefore in accordance to the statistics provided in the previous chapter, it shows that 60% of the perpetrators of this form of abuse are neighbours to the victim's area of residence, with the rest of the percentage being relatives of the victim. The report also shows that this form of abuse is suffered at times when the victims are from school at around the time frame of 2pm right up to 6pm, with 75% of the victims suffered this abuse at home. It is also notable that at that time children can be abused by relatives who may be in their company as they return home from school during that time period.

As shown by this indicator, cases reaching prosecution stages altogether are under half the cases being reported showing that children are not reporting cases as the perpetrators tend to be people that are close to the family of the victim and or the victims themselves. Therefore Due to various reasons highlighted in in the research, it showed that social antagonism, poverty and cultural practises also lead to the premature end of cases as well as the withdrawal of most cases therefore resulting in less perpetrators of the offenses being prosecuted.

3.2 Working with Child centered Stakeholders

The victim's friendly unit takes advantage of various stakeholders to ensure that children's rights are protected and justice prevails in issues of child abuse in Bulawayo Metropolitan. The Victims Friendly Unit (VFU) works in partnership with various organizations and entities that include the Ministry of Women Affairs Gender and Community Development, The Judicial system, Social Welfare, Ministry of Health, Ministry of Education and various

Non-Governmental Organizations (NGOs) like Msasa, Childline and Contact just to mention a few. All these various organizations and line ministries provide the foundation of the work done by the Victims friendly unit (VFU). Therefore this indicator will give a view on the organizations working together with the law enforcement agencies and how they assist in ensuring that the rights of children are protected in Bulawayo metropolitan.

Childline is an internationally based non –governmental organization that deals with the protection of children from abuse. In Zimbabwe it plays a similar role in ensuring that the rights of children are protected. This organization works hand in glove with the Victims friendly unit (VFU) as they are the reporting mechanism in most cases for child abuse. This is so as this organization has a toll-free number that is easily memorable and highly advertised in areas where children are mostly found and these places include schools and churches. This organization therefore directly links the victims of abuse to the law enforcement agencies and ensures that the law takes its course. This organization also provides counselling and rehabilitation to children and families that have a child that has been affected by any form of abuse, this organization also works closely with other organizations like Contact and Msasa. This of great importance as working together with various organizations to fight a certain cause will ensure that there is better success in looking to combat a worldwide problem which is child abuse.

The Victims Friendly Unit (VFU) also works in partnership with the judicial system of Zimbabwe. These are known as victim friendly courts that handle cases of abuse on juveniles; this is an important stakeholder as they ensure that justice prevails for the victims of abuse and the family of the victim. The law enforcement agencies work with the judicial system in ensuring that trial dates are set as well as providing legal advice to the victims of abuse in which in this research in a child. The judicial system which is the Victims friendly

court obtain information about the abuse suffered by the victim from the law enforcement officers also accompanied by the medical report that was acquired by the victim through the assistance of a Victims friendly officer. The Judicial system also takes over the victim from the law enforcement agencies and ensures that the victims is familiar with the court environment and also provide a lawyer for the victim if the victim is not able to afford one. The judicial system also protects children with various laws like the Children's Act, The Criminal Law (Codification and Reform Act) and the Maintenance Act. This organization acts in complementarity with the law enforcement agencies in ensuring that the rights of children are protected.

Working hand in hand with the Ministry of Health is also another important function by the victim's friendly unit (VFU). The ministry of health provides the children with healthcare that is relevant to the form of abuse that has been suffered. The VFU escorts all victims of abuse a hospital and if rape is the type of abuse suffered by the victim, the law enforcement agencies will provide the doctor with a rape kit, which is if the rape case is reported within 72 hours. The law enforcement agencies therefore take the victim to the hospital and ensure that they obtain a medical record that will be used in the court case and in this instance as the victim is a child there will be need for a parent or guardian to escort the law VFU officers to get the treatment done. The VFU also works together with the ministry of health as it provides free healthcare to children who have been deprived of this right. The VFU identifies children that are deprived this basic right to healthcare and refer these children to any Government hospital's in the country where they are given Assistance Medical Treatment Orders. These children are usually disabled who are given these orders as they are the most vulnerable in the African society and in most cases left in the private sphere.

Law enforcement agencies also work together with schools and various institutions where children are found like churches. The Victims Friendly unit here decentralize their power and influence towards the protection of children's rights to people within those institutions. In this instance the law enforcement agencies work with the ministry of education so as to be able to be in direct contact with the most vulnerable victims of abuse which are children. Here these law enforcement agencies work together with Child protection committees that are founded within all government and most private institutions. The law enforcement agencies influence the formation of peer groups which are trained by the child protection committees that are also trained by organizations like the Social Services or Childline. These peer groups are made up of children that educate and empower each other about their rights and how to report cases of child abuse with the help of these child protection committees that decentralize the power of law enforcement and deal with issues of abuse and refer them directly to the Victims Friendly Unit (VFU) and also provide counselling and education to the children who are potential victims of abuse as they are viewed as the most vulnerable groups of people in society.

Other Non-Governmental organizations like Msasa, Family Planning and Contact, as stakeholders or organizations that work in partnership with the law enforcement agencies also provide the victims of abuse with counselling of victims as well as a safe house for children that have been and face antagonism for reporting their case of abuse. These organizations also educate children on their rights and sensitize communities in their influence on the rights of children and offer many methods of educating children and society on children's rights through ways that include awareness campaigns, use of pamphlets fliers or posters as well as using edutainment through the use of poems plays and or dramas. These organizations are important towards the protection of the rights of children as well as assisting the law

enforcement agencies in ensuring that this problem is addressed hence all these stakeholders play an important complimentary role towards the work done by law enforcement agencies through the Victims Friendly Unit in Bulawayo Metropolitan.

3.3 Community Sensitization on Children's Rights

This is an important function played by law enforcement agencies in ensuring children's rights are protected and respected. Due to the factors contributing to child abuse mentioned in the previous chapter, community has to be sensitized as well as children being educated on their rights as cultural values and norms deprive children of various rights. Therefore it is important to have these community sensitization programmes that sensitize children and the communities where they belong on their rights. The law enforcement agencies play various roles in ensuring that children and communities. All this was done through awareness campaigns as in 2015 alone the Victim Friendly Unit (VFU) was able to participate in 2766 awareness campaigns in the calendar year, with all these campaigns looking to sensitize the community on children's rights. These campaigns as according to the report from the Victims Friendly Unit covered a population of 329 710 citizens of Bulawayo Metropolitan therefore showing that this is an important role and measure of success towards the protection of children's rights in the province.

Most of the events where these rights were being taught to the community include the Zimbabwe International Trade Fair where the Victims Friendly Unit (VFU) had a stand and was educating people who were in attendance to the event as well as children on their rights. During this event, the VFU used informative tools like booklets, pamphlets, fliers as well as posters all aimed at ensuring that the community is sensitized on the rights of children and the

victims themselves are able to discern on the types of abuse that they may face. This event was carried out on the 28th of April right up to the 2nd of May 2015, hence this week long event was estimated to have reached and sensitized at least 50 000 people in attendance of the event. The day of the African child is also one of the many events where the Victims Friendly unit is able to educate people and children's of their rights. This event is held every year on the 16th of June each year. This event is commemorated with various stakeholders and last year was characterised by a march in the city centre and speeches from various representatives from organizations that work inline to protect the rights of children. This event also made use of edutainment in the form of dramas poems and plays that depict child abuse and how it can be reported as well as how parents and guardians are to respect the rights of their children. The occasion is also graced by Child representatives in the Council of Bulawayo, a stakeholder of the Victims Friendly Unit (VFU) which ensures that children participate in decision making.

Other events that are used so as to ensure that the rights of children are made known to communities include the day of the Girl Child that's commemorated on the 30th of November, looks to address the forms of abuse that are suffered by the girl child and ensuring that the girl child is less vulnerable and has equal opportunities as the boy child. This day is commemorated as due to social and cultural constructs the girl child is more vulnerable to abuse that a boy hence using such days to carry out campaigns for the girl child's rights to be respected is important as through such campaigns people are sensitized and the girl child is alerted of her rights. The commemorating of the day sensitizes communities through marches, speeches as well as the use of poems, dramas, fliers and posters. Other days used to advocate for the rights of children include the 16 days of activism against gender based

violence which is an event held in December on the 16. This day has been also taken advantage of and used to advocate against the abuse of children in families.

Therefore the mentioned commemorations and the remaining 2762 campaigns were all aimed to sensitize the community on children's rights. These campaigns were all carried out in either in schools, churches, work places, business areas as well as the city centre of the Province. These awareness campaigns assist as they educate people that whatever cultural or social practises they perform, for example child marriages are harmful to children and a march to stop that was also done in 2015. Children are abused by parents and guardians in some cases not because the parents are cruel but in some cases it is due to lack of knowledge and these forms of abuse are usually passed on from one generation to another as it is viewed as normal to treat a child in that manner, hence these campaigns are aimed at bringing about a paradigm shift or change that is beneficial for children and that allows them to grow and thrive in a society that is free from abuse.

3.4 The Existence of a Vibrant Victims Friendly Unit

The existence of a victim's friendly unit itself shows that the law enforcement agencies are thorough towards responding to cases of child abuse. The victim's friendly unit (VFU) was formed in 1996 solely to deal with victims of sexual abuse, which constitute women and children, who are considered to be the most vulnerable people in any given society. The unit has two major roles that are:-

➤ Pro-active- This is the preventive measures on child sexual abuse cases. The Victims Friendly Unit (VFU) members prevent cases of child sexual abuse through awareness campaigns. The public has to be conscientised on how best they can prevent children from being abused in their communities and societies.

➤ Reactive- This is when a child has been sexually abused and the VFU members are supposed to attend to the scene and ensure that the perpetrator is arrested and brought before the court.

Therefore this division of the law enforcement agencies is specially trained to deal with victims of abuse and mainly sexual abuse. These officers are trained to be able to be empathetic and be able to handle victims of sexual abuse with respect empathy and confidentiality. Therefore it is also an important feature to note that in all 14 police main stations in Bulawayo Metropolitan, all stations have vibrant Victims Friendly Officer. Therefore this is an important factor as victims of abuse that are mainly children do not have to travel long distances to be able to access a police station with Victim Friendly Officers. Having such facilities at their disposal ensures that cases of child abuse can be reported and be responded to more efficiently without having to refer the victim to another station or to another officer who is qualified enough to handle the case, especially if the victim has been injured from the type of abuse suffered.

The Victims Friendly Unit members are also specially trained to be able to ensure that the victims privacy and dignity is protected after disclosing the form of abuse, these members also ensure that the correct procedure is carried out towards the arrest of the perpetrator of abuse, which include medical reports and ensuring that the victim is aware of the court trial dates as well as linking the victim to relevant organizations that counsel the victim even after the abuse and ensure that the victim is able to deal with his or her experience in life.

Therefore the existence of these enforcement agencies shows the degree to which children's rights are being protected, as this Victims Friendly Unit provides services that are important

to ensuring that victims of abuse receive adequate attention in relation with dealing to their cases and making sure that the cases are tried and the perpetrators are prosecuted. The existence of this police unit also reflects the importance of children's rights as this unit deals with victims of abuse hence making this force unique towards dealing with issues that are sensitive and delicate to both the victims and the members of the unit dealing with the case. Teaching the communities and sensitizing them is also equally important and the undertaking of these roles reflects the importance of protecting the rights of the children within the Province. Therefore the existence of a vibrant Victims Friendly Unit (VFU) in Bulawayo Metropolitan has clearly indicated that children's rights are of great significance and protecting them is of even greater importance.

3.5 The Existence of Child Protection Committees

Child protection committees are committees that are aimed at decentralizing the power of law enforcement agencies aimed at the protection of the rights of children. Such committees should exist in places or institutions where children are found and in this instance these mechanisms of child protection should be found in schools where children spent 65% of their time, the community where 30% of their time is consumed and other social places like churches that take up the rest. Therefore it is of great importance that the institutions must have these instruments to ensure that children are protected. In Bulawayo Metropolitan, the province has child protection committees that function in the communities as well as in the school. These Child protection committees in schools are headed by stakeholders of the Victims Friendly Unit that include peer educators that are funded by Plan International, Ministry of women affairs and Childline.

These organizations go educating teachers who highly influence the behaviour of children and educate them on their rights and encourage them to be confident enough to be able to

report any form of abuse they suffer as well as report abuse that they see their mates suffering either in the home community or school. This decentralization assists the law enforcement agencies as they are able to reach out to an audience that they could never have been able to reach out to and sensitize it on children's rights. Therefore as according the broken windows theory by Wilson and Keller (1982) crimes are committed in the community hence the community should play an important role towards ensuring that crime and vandalism are stopped as law enforcement agencies themselves cannot stop crime without the aid of the community as that is where the problem lies. Newman (1999) also support this theory with his Defensible Space Theory that also states that the community also has to work hard towards apprehending and assisting law enforcement agencies with the arrest of perpetrators of violence or abuse.

Therefore in this instance all these theories are relevant as the formation of child protection committees in and around Bulawayo Metropolitan as well as in schools show that the law enforcement agencies are making use of these theories and working in harmony with them in enforcing child protection instruments within societies. This child protection committee becomes stakeholders of the law enforcement agencies and work together to report any cases of abuse. These Child protection committees are meant to work together to ensure that child abuse is non-existent within the community as well as reporting any cases of abuse and ensuring that the perpetrators of child abuse are being prosecuted. The withdrawal of cases as propounded by the researcher in this chapter due to the perpetrator being well-known by the victim or the family of the victim hence the case being dropped, should also be a core function of the community to ensure that customary law does not take place with the perpetrator having to pay for the damages caused to the victim and the victims' family. Thus

these committees are very important as stated by the theories towards ensuring that children's rights are protected in Bulawayo Metropolitan.

Conclusion

This chapter, making use of the conceptual framework therefore looks to appreciate the roles played by law enforcement agencies towards the protection of the rights of children. Therefore such indicators used to conceptualize their roles towards child protection were considered, such indicators include the number of cases reaching prosecution stage, which is an indicator meant to reflect the efficiency of law enforcement agencies towards prosecuting perpetrators of child abuse. Working with child centred stakeholders like childline was also considered as the devolution of responsibility by law enforcement also makes the agency as effective towards their goal of child protection. Community sensitization on children's rights also viewed as a key indicator and key role by law enforcement was considered as this includes awareness campaigns that allow communities to know about child abuse and children's rights. The existence of the VFU itself was also an indicator of the prioritisation of children's rights protection by law enforcement agencies hence the goal to fully protect these rights. Lastly the final indicator which showed the role was the existence of child protection committees in schools and communities where children are found, so as to ensure that they are protected at all times.

Chapter 3

SUGGESTIONS TO STRENGTHEN LAW ENFORCEMENT AGENCIES

4.0 Introduction

As shown in the previous chapter, law enforcement agencies play a crucial role towards the protection of children's rights and with the case study of Bulawayo Metropolitan, it is safe to say that the law enforcement have contributed greatly to ensuring that children's rights are known in all communities and protected. Moreover due to certain factors like culture and challenging economic conditions in the country it was indicated that more than 70% of the cases of abuse reported on juveniles reached the prosecution stage. This however is a call for concern as this would mean that the perpetrators of abuse on children would not be prosecuted and be left in the communities where they could continue to abuse children, the lack of justice on the perpetrator could also emotionally harm the victim. This could cause the victim to not be able to deal with the form of abuse they suffered and be permanently harmed emotionally and psychologically. Therefore this chapter will look to give strengthening suggestions to the Victims friendly unit on how they can strengthen and make their services to the victims of abuse more efficient. The following suggestions will give evidence of the current challenges being faced by the law enforcement agencies with input from past victims, members of the Victims Friendly Unit as well as members of the child protection committee the researcher made use of.

4.1 Build VFU stalls at all police stations

Of all the 14 police sub stations in Bulawayo Metropolitan exists a Victims Friendly (VFU) member who deals with victims of abuse, although the existence of these members, which is good for the reporting of cases as mentioned in the previous chapter has a disadvantage that these members do not have with them a work area where they can be able to deal with victims of abuse privately. This is so as the police stations in all the neighbourhoods of Bulawayo metropolitan, for example in Kumalo, have one office that is used as a charge office and anti-stock theft units. Therefore this does not allow for victims of abuse to receive the required attention they need as the same room they are being interviewed in may have potential criminals that are being interrogated and or have other officers therefore not allowing the interview to be carried out in confidentiality. This is a weakness in the enforcement of the law by the Victims Friendly Unit as the environment that is provided by the law enforcement agencies is not friendly, conducive and private for the victim to be able to disclose their abuse. Therefore this is not in harmony with the roles the Victims Friendly Unit is meant to give victims of child abuse to and this affects their efforts and efficiency towards the delivering of their services.

The researcher's suggestion towards this cause will be definitely to ensure that the law enforcement agencies provide an area or a space in each police station in Bulawayo Metropolitan that is friendly, conducive and private and allows the victim to open up to the abuse suffered while keeping their integrity and feeling comfortable. Therefore it is of paramount importance to ensure that the children are provided with a cost effective structure that will be the Victims Friendly Unit that gives an appearance of being friendly, private and conducive to allow victims to be able to open up to any form of abuse they would have suffered. Therefore the recent Government directive to start the construction of structures

using bamboo can be a good initiative towards the construction of a victim's friendly corner in each and every station within Bulawayo Metropolitan. This suggestion is also viable for the Government of Zimbabwe that is responsible for the law enforcement agencies, as this initiative is cost effective enough for the Government to be able to construct despite the deteriorating economic conditions that are currently gripping the country.

These structures are to be made up of cheap materials like bamboo hence and wood. Therefore this comes as a Government directive to people to use cheaper materials that are environmentally friendly and cost effective, while at the same time also being very durable. Hence this initiative could be viable for the construction of victim friendly corners in schools and police stations. This suggestion could help increase cases of report as victims will know that they can report their cases of abuse in the privacy of the victim's friendly corner that is visibly friendly, private and conducive for victims to be able to disclose their experiences to the already existing Victims friendly Unit (VFU) members. This initiative can increase the number of cases on abuse being reported to the police station while potentially also simultaneously increasing the number of cases reaching prosecution stage. This also can fast track the reporting of cases as case reporting can be delayed due to the lack of a conducive area to have the interview with the victim in, thus having these structures at all police stations can also fast track the case to reaching prosecution stage as the court dates can be reserved instantly after the report is made by the victim.

This initiative will also assist as some cases that are sensitive cannot be reported where there are a lot of people as the victim may feel they could lose their dignity if they reported their case where there are a lot of officers as well as other people that may be in the office at the time, for example people that are being attended to in the charge office or anti-stock theft unit within the same office. Therefore it is important for the law enforcement to deal with these

cases as they are fresh and any delays with the court reservations may end with the victim being coerced into withdrawing charges as shown in previous chapter that the perpetrators of abuse especially rape are people that the children know and are familiar to hence withdrawing of some of the cases and the premature ending of most cases is as a result of the beaurachtratic process of reaching court. Therefore it is important as mentioned before, as this will fast track the processes and allow the case to be dealt with while it is still fresh to the victim.

4.2 Absence of Transport for Victims

The lack of transport at police stations at the victims' friendly unit (VFU) so as to be able to carry victims of abuse has also been a notable weakness that has affected the efficiency on the enforcement of child protection policies. The lack of transport has also resulted in children who are the predominant victims of abuse having to wait long periods till they are transported to the main stations and or also be taken to hospital to have medical check-ups or even be consulted by the doctors and have the rape test kit done on the victim. This process comes with delays as most of the victims may not have access to transport facilities hence after reporting their case they have to wait for the Victims Friendly Unit to provide transport which takes a while to come, thus putting the victim into more pain especially if the victim has injuries that need to be attended to.

Therefore this is not in harmony with the roles that are to be played by the Victims' Friendly Unit (VFU) member as they are meant to ensure that they accompany the victim to the nearest hospital in order to get some medical attention. Therefore this lack of transport for the victims is really important, for example rape victims are recommended to report the case

within 72 hours so as to be able to have a medical report that will be used in court against the perpetrator of abuse.

The researcher has however suggested that all Victims Friendly Units to have a fund that will be used for the purpose of transporting victims and that fund will be fixed in accordance to the need of the service as per police station. This fund the researcher will call the “floating” fund should be funds that are to be saved up and used only in the case of necessary transporting of the victim. These funds would be acquired from the Government or fund raising projects stimulates by stakeholders like childline or contact to Child protection committees that are in schools and communities. This money will be money used to transport victims from the police station to wherever they need to go, for example the hospital and or stakeholders like childline to begin counselling and or social services that provides a safe house for the victims of abuse. This money will be used to hire taxis from the police station and or to even get an ambulance for the victims that would be severely injured and requiring immediate medical attention.

This strengthening strategy will be pivotal towards the efficiency of the Victims Friendly Unit (VFU) as the on duty members will be able to transport the victims of abuse from the police station to any of the stakeholders the unit works in partnership with in order to have the case of the abuse moving forward and finally towards the prosecution stage. The raising of this “floating” fund by the child protection committees in the communities will also give the communities a sense of belonging towards ensuring that child abuse is reduced within the province. This makes the communities actively involved and affiliated in ensuring that the children are protected within their areas of residence and this is also good for the communities as they engage with various NGOs like Contact and Plan that can encourage and engage them to start income generating projects that can not only be focussed on aiding child

protection initiatives but also be an addition towards the household income. Therefore this initiative will be beneficial towards children at community and household level, this will also increase the stakeholders directly involved with the law enforcement agencies hence strengthening their function towards the protection of children's rights.

4.3 Absence of Telecommunication Reporting Mechanisms

Juveniles have access to the internet and are knowledgeable on how it operates as well as vibrantly participating in social media. Therefore due to the African culture and social constructs, disabled children for example are usually left in the private sphere and that is where most of them are abused, hence due to their disability and inability to access the nearest police station in order to report their abuse, they can only make use of social media and the internet. Therefore this results in some cases of child abuse being reported late and in most cases not being reported as the victims remain in the private sphere and are not familiar or able to access services to report their cases, sometimes fear of the perpetrator does not allow the victim to report the case and most victims do not want to report the case face to face with the Victims Friendly Unit (VFU) member. Although Childline provides a toll-free number and liaises directly with the Victims Friendly Unit (VFU) on any case that occurs of abuse, as some children do not know the toll-free number that the childline services operates on and reports cases of abuse.

Therefore it is also necessary to provide a reporting mechanism on social media or have an online platform or website where children can be able to report their cases of abuse as well as learn about their rights and the places to approach within their areas when they have been abused. This will reduce the fear of victimization of victims by the community and also fear of going to the police station or also having to keep the abuse and not reporting it due to the failure of a readily available platform where they can privately disclose their abuse while also

feeling secure, safe and respected. Thus this idea could strengthen the law enforcement agencies as this generation, generation “X” deals more with the internet and is more able to converse freely on such platforms hence making it a very suitable platform to be able to report abuse.

Law enforcement agencies also have to make use of the toll-free numbers that victims of abuse can use. Law enforcement agencies do not have a toll-free number that can be contacted free of charge, while the number is easily memorable and short for people of all vulnerable victims of abuse. This suggestion comes about as victims can only access Childline, a stakeholder of the Victims Friendly Unit (VFU) first before they are able to directly report their case of abuse to the law enforcement agencies. Therefore this could affect the process of reporting as the procedure of reporting a case of abuse for children becomes longer instead of being direct to the law enforcement agencies. This may also affect the victim of abuse especially if the case causes trauma to the victim and requires swift enforcement of the law towards the act of abuse suffered. This suggestion will therefore be beneficial to victims of abuse that are usually children as they are vulnerable, they will have an opportunity to directly report their case of abuse from wherever they are located and have law enforcement agencies deal with the case and ensure that the victim acquires all the attention needed, for example medical report that will be later used in court for the hearing against the perpetrator.

Conclusion

The chapter considers the weaknesses of the law enforcement agencies towards the protection of children’s rights in Bulawayo Metropolitan. Therefore this chapter gives suggestions and

or strengthening strategies to the law enforcement agencies on how they can best and or more effectively deliver their service to the group they aim to protect which are children who are considered the most vulnerable in society. The purpose of this chapter is to ensure that law enforcement agencies can be able to stimulate the reporting of cases for the victims as well as ensuring that the victims that do report their case of abuse actually manage to do that in a private place where they feel their dignity and respect is maintained. This article also suggests possible ways to ensure that the appalling rates of conviction of the perpetrators increases as well as the perpetrators of child abuse as shown by the statistics provided by ZRP are not facing the law and being held accountable for their crimes.

Chapter 4

Conclusions

As noted in Chapter one of this researches there are various forms of abuse that children are vulnerable to although sexual abuse is more predominant, which can also be seen by the number of cases that are reported having a sexual nature. As according to childline 2012, 90% of calls made to report abuse had a sexual nature. Henceforth this information on this report clearly shows the main form of abuse that children are susceptible to. Children do not suffer this form of abuse not only because of the perversion of the perpetrator but due to various factors that range from economic, social, political and cultural constructs that result to children being abused in Bulawayo Metropolitan. Moreover it is also equally important to note who the main perpetrator of these various forms of abuse on the children are as the various forms of abuse that were displayed in the opening chapter of this research clearly show that children are the most vulnerable people in society as they are open to abuse from various people in the community.

Chapter 2 shows that the main perpetrators of abuse were relatives and neighbours. This therefore can also account for the poor percentage in the cases reaching prosecution stage also due to victimization of the victim by family as well as community to the abuse. It was therefore concluded that children are mainly abused by people they know or are conscious of; therefore being a disadvantage towards the victims as reporting the case becomes difficult. Chapter 2 also shows an array of indicators that can be used to see the role being played by law enforcement agencies towards the protection of children in Bulawayo Metropolitan from 2014-15. Therefore there are 5 indicators that have been derived from the conceptual framework of the research, which will give users of this research a clear view of the role and effort made by law enforcement towards child protection.

The main role of law enforcement agencies is to not only enforce the law but also protect vulnerable citizens from people that may have violence or abuse perpetrated against them, henceforth chapter 2 gave an overview of how this being done by law enforcement with the assistance of a vibrant child protection committee and inspector J. Mwiriri, the co-ordinator of the Victims friendly Unit (VFU) in Bulawayo Metropolitan. These two committees aimed at child protection gave the roles and the success of the implementation of the roles they have carried out working together as community and law enforcement at looking to ensure that the rights of children are upheld within the province. Thus the 5 indicators include the availability of a vibrant law enforcement agency aimed at ensuring that the rights of children are protected and sensitized into people of the community. This indicator was well fulfilled as the existence of the Victims Friendly Unit in the law enforcement agency aimed at protecting victims of sexual abuse and domestic was started in 1996 also with the purpose of protecting children as they are the most vulnerable in society. This indicator therefore clearly shows that law enforcement agencies are protecting children as they also have specially trained officers for this unit of the force that are ideal for dealing with victims of abuse.

Cases reaching prosecution stage as another indicator was looking at how law enforcement agencies work hard to ensuring that the victims of abuse are prosecuted. This indicator can also be linked with how law enforcement agencies are ensuring that children are able to report cases and also not be afraid of being victimized even after the perpetrator has been convicted. This is an important indicator as it is enforcing the law against the perpetrators of forms of abuse against children. Working with various stakeholders as another indicator also simply looked at the number of stakeholders and the importance of these stakeholders towards ensuring that the rights of children in Bulawayo Metropolitan are protected and respected. Stakeholders like child line and contact assist in community sensitization and other

stakeholders like the judicial system that provide child friendly courts to victims of abuse that are juveniles. All these organization are of paramount importance towards ensuring that the rights of children are protected as they play various roles in assisting the enforcement agencies to protect children.

Community sensitization is also another indicator that looked at how the law enforcement agencies work to ensure that people in the community are aware of children's rights and how they are meant to protect these. Various awareness campaigns done in the city centre, schools and business areas where people are found were done, with these awareness campaigns being characterised by edutainment like dramas, poems as well as speeches from representatives from organization and Government aimed at ensuring that people in the community are stimulated to protect the rights of their children. Therefore this is an important indicator as children are abused and in most cases due to religious and cultural beliefs, for example child marriages or female genital mutilation hence the knowledge of this does allow people to know and stop the forms of abuse they are exposing their children to.

As mentioned in the research the involvement of the community towards issues of child abuse is of paramount importance as the community is where children spend most of their time and as according to statistics provided by the Victims friendly Unit, 90% of the cases of child abuse reported are perpetrated on children in the community. Henceforth the need for vibrant child protection committees in communities is important so as to work together with the law enforcement agencies in ensuring that children are protected. This is an important indicator as it decentralizes the power of law enforcement to the community and hence giving the people in the community the power to protect children, stop abuse and be responsible for sensitizing their own communities on the rights and welfare of children.

Chapter 3 of this research was propounded by the researcher while looking at weaknesses the law enforcement agencies have towards child protection also with the assistance of Inspector J. Mwiriri from the Victims Friendly Unit (VFU) and a child protection committee. These suggestions are derived from the shortcoming of the law enforcement agencies also noted by victims and children that feel they could have and also can get better service from the Victims Friendly Unit when abuse is suffered. The most important of those strengthening strategies is to have an online reporting mechanism, as children now are familiar to the internet and social media and hence providing a report mechanism for them there is ideal to ensure that most cases of abuse do not go unreported and also to reduce victimization of the victim throughout the reporting process of the abuse.

Another important suggestion was the construction of victims' friendly stalls in police stations within Bulawayo Metropolitan. Due to financial struggles, these structures should be cost effective and durable, and a the new Government policy of using Bamboo as a building material was considered as it is very cost effective and durable. This provides the victim with an area that is private and secure and allows them to have a private conversation with the Victims friendly member privately and also if necessary provide temporary shelter to the victim, henceforth the need to make the environment private, safe and comfortable.

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Appendix 1

Interview Guide

How well have law enforcement agencies protected children's rights in Bulawayo Metropolitan?

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What are the causes of child abuse in Bulawayo Metropolitan?

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What is the response of the community towards children's rights and assisting in persecution of the perpetrators?

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What are the challenges faced towards implementing strategies aimed at the protection of children's rights?

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What recommendations would you give to ensure the efficiency in service delivery towards child protection?

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Appendix 2

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DEPARTMENT OF DEVELOPMENT STUDIES

MIDLANDS STATE UNIVERSITY

24 NOVEMBER 2016

Dear Sir/Madam

Subject: UNDERGRADUTE DISSERTATION RESEARCH FOR

TAWANDA MHORA

This letter serves to inform you that the above named student is carrying out research as part of her fulfilment for undergraduate studies. The research topic reads, “An assessment of the role played by law enforcement agencies towards the protection of children’s rights, a case study of Bulawayo Metropolitan from 2014 - 2015.”

For more information feel free to contact the Department of Development Studies.

Yours sincerely

Mr Munhande

Department of Development Studies