

PERCEPTIONS OF STREET CHILDREN ON LAW ENFORCEMENT AGENCIES IN HARARE, ZIMBABWE.

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ABSTRACT

This is part of a broad study that sought to investigate the perceptions of street of street children on activities of law enforcement agencies in Zimbabwe. The law enforcement agencies are mandated by the country's constitution to enforce the laws of the country. This study investigated the perceptions of street children on the behaviour of law enforcement agents. The main research objective was to identify the perceptions of street children on law enforcement agencies. The study used qualitative methodology. A descriptive survey research design was used in the study. The research used interviews and observations as instruments to collect data. The sample composed of ten street children selected by use purposive sampling in the streets of Harare. The study revealed that law enforcement agents were very cruel, heartless and corrupt towards street children though there are a few street children who thought that law enforcement agents are sometimes helpful to street children. The research found out that the law enforcement agencies indiscriminately rounded up street children, treated them inhumanly at police station and solicited for money for release. The researcher recommended that law enforcement agents be offered training on how to handle children living on the streets. The Government should put in place programmes which look at and promote the welfare of children living in the streets. The researcher also recommended that any violation of the rights of children living in the streets be brought to book and perpetrators prosecuted. The law enforcement agents were urged to continue with the positive work of referring street children for rehabilitation.

Key words; Street children, law enforcement agents, perceptions, children's rights, rehabilitation.

INTRODUCTION

Children who live in the street are in constant contact with the law enforcement agencies. The perceptions the street children have on the law enforcement agencies has a bearing on they interact with them. These perceptions are shaped by what the law enforcement agencies do on the street children. They shape how the street children behave when they see or are in contact with the law enforcement agencies. The law enforcement agencies as they enforce the law come across the street children who will be trying to earn a living through means they see to be feasible. These perceptions will shape whether they will cooperate with law enforcement agencies or not.

RESEARCH QUESTION

What do street children think about the behaviour of law enforcement agents?

REVIEW OF RELATED LITERATURE

Definition of street children

In Zimbabwe The Child Protection and Adoption Act (1996) considers children to be anyone below the age of eighteen. It puts them in two categories which are „a child“ and „a young person“. A child is considered to be any person under the age of sixteen years and includes an infant. A young person is considered to be any person who has attained the age of sixteen but has not yet attained the age of eighteen years. In this study the term child is going to be considered as any person who has not yet reached the age of eighteen. This will include a yIn this study the term child is going to be considered as any person who has not yet reached the age of eighteen. This will include a young person.

The concept of „street children“ and/or „street kid“ according to Michaleon (2006) encompasses any child or adolescent under the age of eighteen who works and/or lives in the street alone or with his or her family or asylum seekers who are technically homeless and without support. In Zimbabwe the concept of asylum seekers who come in large numbers are rare. They were last experienced during the 1980“s during the times when there was political instability in Mozambique. This group is not included in the present study.

According to the Inter-Non Governmental organisation report cited in a United nations Journal (UNCHS 2000:73) street children are defined as :-

“Any girl or boy...for whom the street has become his or her habitual abode and or a source of livelihood, and who is inadequately protected, supervised or directed by responsible adults”.

The United Nations (2008) further defined street children as children on the streets who are engaged in some kind of economic activity during the day but return to their family home at night (UNICEF 2008). United Nations (2008) describes children of the street as those children who mostly survive on the street or outside the normal family environment. Glasser, (1994) states that street children include any girl or boy for whom the street has become his or her habitual abode and or source of livelihood, and who is inadequately protected, supervised or directed by responsible adults. Rede Rio Crianca (2007) preferred to refer street children as children for whom the street is a reference point and has a central role in their lives. In most instances these children have left their homes due to various reasons that include fleeing from abuse or having no one to take after both parents have died. They then spend most of their lives in the street. In the streets they do not have adult figures to look up for guidance and nurturance.

In the present study the concepts of „street children“ or „street kids“ are used to mean the same as was adopted by Rialp (1991) at The Inter-Non Governmental Organisation Conference in Switzerland which regarded them as boys and girls who have not yet reached adulthood for whom the street has become their habitual abode and or source of livelihood and who are inadequately protected, supervised or directed by responsible adults. The concept and definition will apply to both categories of children discussed above. In the context of this study, boys and girls who have

not yet reached adulthood, mean those children who have not yet attained the age of eighteen, which is the legal age of majority in Zimbabwe. Those under the age of eighteen are legally considered to be minors and should be dependent on adults for most of their needs. These adults could be parents, relatives or other people who can be legally responsible for the needs of such children

Types of street children

Street children are categorised into two groups according to the United Nations definitions. The first type is of children who are homeless, resides in the streets in the urban areas and their source of livelihood are the streets on which they sleep and live in. The second type is those who work and live in the street during daytime but return back home at night where they sleep. The second occasionally sleep in the streets and has some contact with their families (UNCHS 2000). The congruency between the two definitions from the United Nations is that the children obtain their source of livelihoods from the streets. They earn money and food from activities they do in the streets. Ruparanganda (2008) alluded that the street is a source of street children's livelihood. Beazley (2003) cited that street childhood has invariably been seen as a career for the children's survival. These children would be inexperienced from how to run their lives and in turn resort to criminal activities and run cat and mouse games with law enforcement agencies.

Perception of Street Children in Zimbabwe

In both developing and developed countries worldwide the problematic phenomenon being faced by these countries is that of street children. It is threatening these societies and it needs to be addressed, lest it continue to havoc them.

In Zimbabwe children living in the street have threatened the lives of many city dwellers. This is evidenced by a story carried out in one of the local papers, Herald of 8th May 2013 which carried out a story titled „Hell on Harare's streets. The paper stated that more and more street children continue to pour in the streets of Harare. The paper also indicated that children have turned nasty as they targeted hopeless women, grabbing food and many have been arrested for shoplifting in supermarkets. Some street kids are reported to have targeted women's handbags, phones, jewellery and other personal belongings. The Herald reported that the police were forced to come hard on these street kids as they tried to deal decisively with the problem.

Childline Zimbabwe spokesperson Mrs Patience Chiyangwa called for authorities to address the problem. She encouraged people to desist from giving the street children money. (The Herald, 8th May 2013.) She was quoted saying,

“It is important that members of the public desist from giving cash as this encourages them to stay on the streets. Preferably, if they can have more sustainable solutions to the problem that would be welcome. The more there is a feeling of begging as a lucrative exercise, the more we prolong the problem”. (The Herald 8th May 2013)

The phenomenon of street children is widespread in Harare just like in many cities around the world. The law enforcement agents are at task to maintain law and order in the streets, rounding up these children and handing them over for rehabilitation.

What street children think about the behaviour of law enforcement agents.

By far the most common experiences of street children with the police are overwhelmingly negative, characterized by psychological, physical and sexual violence and arbitrary abuse of power, whether on the streets in the context of harassment, or in police stations following arrest. (Hazizaj and Barkley 2000).

Sexual abuse of street boys and girls, both on the streets and in detention, features strongly in the repertoire of abuse of police power, ranging from use of derogatory language to rape. Sexual activities are often forced through violence or coerced through threats and exploitation, for example in exchange for freedom from arrest or detention, or for police protection from others. Once again this represents the limited or non-choices which street children face on a daily basis. (Human Rights Watch, 2003)

According to Egypt Human Rights Watch Report in 2003, three children were interviewed on their perceptions of police officers and they revealed that the law enforcement agents accuse them of earning money through illegal sex activities, and demand their share. The street children revealed that the law enforcement agents sexually abuse them too. The law enforcements agents call the street children names such as drug addicts, prostitutes and thieves. Police officers have a tendency of taking any valuables they find with the children.

However, despite the much larger number of boys in the criminal justice system, the plight of girls tends to attract more attention due to their minority status and perceived additional vulnerability. For example, in Egypt, Human Rights Watch (2004) reports that:

“Both girls and boys are at risk for sexual abuse and violence in police custody, but girls and women living on the street face additional pressures to enter into sexual relationships with police even when not in custody. Several girls and women who were interviewed reported that they had entered into relationships with police guarding parks and other public places, because they depended on the police to protect them from sexual violence by other men and boys.”

From this report children in the streets view the law enforcement agents as their umbrellas or protectors against other males not as abusers.

The Indian Human Rights Watch (2004) spoke with more than one hundred street children, and stakeholders who work with street children in Bangalore, Bombay, Delhi, and Madras. And sixty percent of the children interviewed complained of police abuse in the form of detentions, beatings, extortion, or verbal abuse. The children interviewed reported a fear of the police abuse hence hatred toward them.

Street children view law enforcement agents as people who are cruel, brutal who do not view them as human beings. This was supported by a report released by an Non Governmental Organisation in

Bangalore, Human Rights Watch which revealed that the police use street children as scapegoat for all sorts of things. They are corrupt and cannot arrest real criminals. The law enforcement agents and the public at large viewed children from the streets as criminals or criminals-in-waiting. This irritates the children hence a negative attitude towards them. The view of children as criminals, a culture of policing that includes brutal treatment and other abuses and an increasing population of street children have led to consistent abuses against children by the police, leading most observers to believe that the police pose the greatest threat to the welfare of street children. They physically abuse them, they take money from them, and they torture them into confessing to crimes or to name who committed them. (West 2003)

It was also realised that there were some positive things that the law enforcement agents had on street children. Amnesty International (2003) reported that there are some positive experiences of street children in relation to the police. For example, children in the Philippines said they were given the privacy and opportunity to talk to their parents. Another child said, "a policeman gave me food when I got arrested", and some of them said police advised them to apologise so that the complainants would not file cases against them.

According to a research carried out in the Philippines some of the children indicated that good practice guidelines had been followed by law enforcement agents of calling their parents during interviews, giving them food and advice by the police and being referred to social workers and centres. Some school of thought based in Nigeria reported some police helped to settle disputes and care for children living in the streets. However, examples of negative experiences of the police during arrest unfortunately far outweigh the positive ones. (Amnesty International 2003).

According to a research carried out in 2002 in Kenya positive experiences of the police cited by street children in Kenya revealed that some children voluntarily went to police stations to seek shelter when they had nowhere to go. Some police officers are child friendly and treat children well. Some of the street children interviewed in the research in Kenya in 2002 revealed that in police cells food is guaranteed and there is a possibility of accessing medical attention while at police station, particularly for those who are hurt during „mob justice“ or through an accident. The street children who were interviewed alluded the law enforcement agents“ efforts of providing legal service to them when they are in police custody. Besides providing legal service the law enforcement agents facilitate for them to obtain accommodation from homes and other Good Samaritans or probation officers who can sometimes facilitate training for the children. SNV Kenya and GTZ (2002) reveal that police officers also facilitate children to be taken to approved schools where they are trained in various self helping jobs. Homeless children are placed in a rehabilitation centre for counselling and resettlement by law enforcement agents.

Although positive experiences tend to be the exception rather than the norm, the fact that some individual police officers offer a supportive rather than punitive point of contact for street children, in spite of similar conditioning and circumstances to their more abusive colleagues, has interesting implications for police training programmes.

Although street children have mixed feelings about the behaviour of law enforcement agents most of them say they have been treated with cruelty hence the need for some mechanisms to be put in place to improve their perception.

METHODOLOGY

This study used qualitative methodology. It employed the descriptive research design. This method was used as the researcher felt it was the most ideal for the study. The descriptive survey research designs are defined by their methodical collection of standardised information from any representative sample of the population (Christensen, 1994). In addition, this research design suits the context under which the present study was taken as the descriptive survey represents a probe into a given state of affairs that exists at a given time. It therefore means that direct contact was made with the individuals whose characteristics, behaviours and issues were relevant to the investigation under study. In this case the researchers had direct contact with the street children. It allowed the researcher to choose from a wide variety of instruments and in this research it was the interview schedule.

This research design has the advantage of the researcher being in direct contact with the research participants who were children living in the streets. The direct contact affords the researcher to be able to observe other information like non-verbal cues in the form of voice tone and facial expressions that quantitative techniques cannot capture. Data collected using descriptive survey method can be easily summarised and analysed.

This research design has the disadvantage of the researcher becoming carried away when carrying interviews. This occurs when a researcher encounters a case which touches ones heart a case likely to occur when working with street children. This problem was overcome by formulating questions in the interview schedule that were clear to the respondents so that answers required needed no much explanation.

Sampling involves selecting people from the population to represent the entire population, (Polit 2001). Purposive sampling was utilized in this study and the best available people provided rich data on the research questions. Polit (2001) describes purposive sampling as selecting participants with a broad general knowledge on the topic or those who have undergone the experience. The researcher selected ten (10) street children who resided or operated from the streets of Harare Central Business District. The participants were selected on the basis that they had had contact with law enforcement agencies in one way or another. This could have been by having been rounded up or having been arrested.

The data was collected through the use of a semi-structured interview. McNamara (1999) states that in an interview the interviewer can control the response situation scheduling with the participation of the respondents to be mutually agreeable in time, place and the controlling of the question pace and sequence to suit the circumstances of the situation. Interviews are adaptable and help in creating trust and good rapport with the respondents. Interviews also allow the researcher to probe further there is feeling that the respondent has not given an adequate answer or there is need

to explore an issue more deeply. In order not to disturb the flow of questions the data was recorded electronically. Few notes were taken to keep track of the interview.

RESULTS

What the respondents think about law enforcement agents.

The study sought insight on what the respondents think about the behaviour of law enforcement agents. Eight percent of the respondents said law enforcement agents are cruel. Respondent number 1 said,

Excerpt 1

“I think police officers are very cruel. Especially when they arrest you they beat you until you can no longer cry. They do not even listen to what you will be saying. All they want is for you to accept that you are wrong even when you are right.”

Excerpt 2

“Police officers are inhumane. I wonder if they have hearts at all. They treat us as if we are animals. They are cruel. They are insensitive to what you will be saying. Once they suspect you there is no way out. They do not want to reason with you.”

Excerpt 3

“Once arrested you will be treated harshly. They let you sleep in smelly cells at times with no blankets. They do not listen to what you will be saying. They just want you to admit even things that you did not do.”

Eighty percent of the respondents said police officers are corrupt. Respondent number 7 said,

Excerpt 4

“Police officers are very corrupt. When they arrested me for being in possession of mbanje they said I should buy myself freedom. They released me after I gave them the \$6 that I had on me.”

Excerpt 5

“Police officers are corrupt. They raided me and took away all the chargers I was selling. They selected things they knew they could use and took without giving me any money. They are very cruel.”

Excerpt 6

“Some of the officers come asking for sex in order for us to continue with our activities without being arrested. They are not good these officers”

The study revealed that law enforcement agents are sometimes helpful.

Excerpt 7

“Police officers are helpful at times. They helped me when I was assaulted by one of my boyfriends who had refused to give me money. A police officer took me to Harare central police so that I could make a report.”

Excerpt 8

“The police officers are very helpful. They helped me to get assistance in the form of clothing from the social welfare.”

Excerpt 9

“The officers helped me with shelter and food at Harare Central Police Station when they found me lying in the street. That day I had failed to get food as all my efforts had yielded nothing.”

.DISCUSSION

The study revealed that law enforcement agents are viewed negatively by most children in the streets as they confirmed that they are cruel and very corrupt. The police officers treat street children cruelly when arresting them. They actually treat them in the same way they treat hard core criminals. The street children find it unfair for the police to confiscate their wares as those involved in vending will be trying to earn an honest living. Selling items like chargers, eggs and sweets is socially acceptable as opposed to selling drugs. This was alluded to by a Non Governmental Organisation in Bangalore, a Human Rights Watch (2003) which also stated that street children in Bangalore view the law enforcement agents as people who are cruel, brutal who do not view them as human beings.

West (2003) also confirms that law enforcement agents physically abuse or torture children in the streets after arresting them. At times they arrested for petty crimes like selling eggs in front of popular shops. They will be carrying out business operations without a relevant license. The acquiring of the license is very difficult as some of the items that are required are out of reach of the street children. It requires one to have proof of residence, birth certificate and some money as fees. When arrested the treatment they get is very cruel. They are viewed as criminals in waiting and they are forced into confessing to crimes they did not commit. All this reveals that law enforcement agents are cruel and heartless towards the children in the streets.

The study revealed that some of the law enforcement agencies were corrupt. After arresting the street children they demanded some money for the street children to be released. Some officers confiscated the ware the street children were selling. Girl street children exchanged their freedom with sex if they did not have the required money. These findings are similar to those found in Egypt, by Human Rights Watch (2004) which reported that girls and women

were forced into sexual relationships with police officers even when not in police cells. These relationships are entered into as a way of buying freedom to do certain activities that are illegal like prostitution and selling drugs.

The study also reveals the positive side of the law enforcement agents as a handful of the respondents revealed that they are helpful. When a crime has been committed against them they are afforded platform to report and have the perpetrator arrested and prosecuted. The respondents stated that law enforcement agents carry some round ups of the children in the streets in a bid to reconcile the children with their relatives or to take them to rehabilitation centres for accommodation, food and later arrange for them to go to school. A research carried out in Kenya also revealed that law enforcement agents facilitates for the street children to obtain accommodation from homes, good Samaritans or probation officers (SNZ Kenya & GTZ 2002). In situations like this law enforcement agencies understand the plight of street children and actually help ease the harshness of the street life. The law enforcement agencies need to appreciate the circumstances that lead some children to take the streets as their places of abode for them to be able to properly and effectively deal with them.

CONCLUSION

The results of the study have shown that street children think police officers are cruel and heartless. The study also indicated that law enforcement agents are very harsh and have no respect to the rights of children. It was revealed that law enforcement agents are corrupt as they demand cash from street children in order to gain release. In some cases where girl street children are involved male officers demand sexual favours in order to gain release. The study highlighted that sometimes police officers are kind and helpful. This was when the officers facilitated for street children to get assistance from social workers and some voluntary organisations and get other people who had committed crimes against them prosecuted.

RECOMMENDATION

The study recommends the following:

- Any violation of the rights of children living in the streets be brought to book and perpetrators prosecuted.
- Law enforcement agencies be trained on rights of children so that they give street children relevant assistance.
- Street children need to be inducted on their rights and how to get redress from the relevant authorities.
- Street children need to be incorporated in the national fight against corruption.

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