

Behaviours of Law Enforcement Agencies That Affect the Life Style of Street Children

Mugove Kudenga

Lecturer; Department of Psychology, Zimbabwe Open

Abstract- This is part of a broad research that sought to find out the perceptions of street children on law enforcement agents. This study focused on behaviours of law enforcement agencies that affect the life styles of street children. Law enforcement agencies are mandated by the state to make sure every citizen abides by the law. They at times, in the course of their duty have to enforce the law by restricting the behaviours of street children that are against the law. The main research objective of this study was to identify the activities of law enforcement agents on street children that affected the life style of street children. The study used qualitative methodology. A descriptive survey research design was used. The research used semi-structured interviews and observations as instruments to collect data. The sample composed of ten street children selected by 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 were some street children who indicated that some law enforcement agents were sometimes helpful to street children. The researcher recommended that law enforcement agents be offered training on how to handle children living on the streets. There is need for Government to 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 should continue with the positive work of referring street children for rehabilitation.

Index Terms- Law enforcement agencies, perceptions, street children, rehabilitation, rights of children.

I. INTRODUCTION

Law enforcement agencies of any country are mandated by the country's constitution to enforce the various laws of the country. In pursuant of their mandated duties they come across some activities of street children that are against the laws the country. It is when they will be enforcing the law that the street children perceive the law enforcement agencies to be disturbing their way of life. The street children due to their lack of knowledge of their social expectations will be doing activities that disturb other citizens of the country. In the process of trying to make sure there are no social disturbances the law enforcement agencies try to reign in the activities of street children so that they are in compliance with social expectations. It is these activities of trying to reign in activities of street children that are contrary to societal expectations that affect the usual lifestyle of the street children. It is the purpose of this study

to find out the activities of law enforcement agencies that affect the lifestyle of street children.

RESEARCH QUESTION

Which activities of law enforcement agents affect the life style street children?

LITERATURE REVIEW

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 type 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. Ruparanga (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 as it is a source 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 to these societies as it defies the normal way of raising children in a family and it needs to be addressed, lest it continues to rack havoc in communities.

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.

Activities of law enforcement agents on street children?

Law enforcement agents are involved in various activities in the streets. Office of the High Commissioner for Human Rights Report (2004) mentioned that police officers and guards in Uganda periodically order general roundups of street children throughout the country. Smith and Wakia (2012) stated that many governments had taken extreme steps to clear the streets of the children without offering any alternative option. These roundups usually occur ahead of special events, official visits, international conferences, or are a way for the ministry to be seen to be tackling the perceived "problem" of street children.

Office of the High Commissioner for Human Rights (2004) further stated that at various times, police around the country have detained large groups of up to 100 children without charge in police stations with adults. These roundups often occur at the behest of the ministry of gender and other officials. Many children are released back to the streets after several days, or in some cases weeks, often only after paying a bribe or being forced to work for the police while in custody, including cleaning. A Police Unit tasked to address child abuse and neglect in Uganda told Human Rights Watch in July 2014 that in Kampala police are asked to provide security during round up operations.

A report by Human Rights Watch Children's Rights Project (1996) stated that Indian street children are routinely detained illegally, beaten and tortured and sometimes killed by police. Benitez (2007) stated that police conducted periodic roundups of children, extortion, threats, physical abuse, victimization, rape and murder by police officers has been documented time and again. Several factors contribute to this phenomenon. The same report mentioned the following: police perceptions of street children, widespread corruption, a culture of police violence, the inadequacy and non-implementation of legal safeguards, and the level of impunity that law enforcement officials enjoy. The police generally view street children as vagrants and criminals. While it is true that street children are sometimes involved in petty theft, drug trafficking, prostitution and other criminal activities, the police tend to assume that whenever a crime is committed on the street, street children are either involved themselves or know the culprit. Their proximity to a crime is considered reason enough to detain them. This abuse violates both Indian domestic law and international human rights

standards. (Human Rights Watch Children's Rights Project 1996). In Zimbabwe the ZRP have also done similar operations to remove children in the streets ahead of some important official visits and at times to curb the increase in crimes of violence such as robbery and theft.

II. 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.

III. RESULTS

Activities of law enforcement agents on the street children

The study investigated the activities of law enforcement agents on street children. The study revealed that seventy percent of the respondents said law enforcement agents carry out round ups on street children. One of the respondents said,

Excerpt 1

"Sometimes they take all street children off the streets and dump them far away. At one time I was taken with my friend to Harare Central Police Station where we ended up being transported in a lorry to Masvingo".

Forty percent of the respondents mentioned that law enforcement agents arrest street children. According to this study, those arrested were arrested for theft, selling drugs, vending and assault. One of the respondents was asked whether he was ever arrested and he said,

Excerpt 2

"Yes, several times. I was arrested for selling mbanje. At one time I was arrested for theft."

The study indicated law enforcement agents were involved in raiding street children who will be vending in the streets.

Excerpt 3

"Some municipal officers raid us when vending the most painful thing is that they take away our products. They do not pay anything. If you try to follow you will be beaten."

Excerpt 4

"Police officers and municipality officers run battles with us. We really wonder what wrong we will have committed? They often patrol the streets and raid vendors. Taking their ware for free"

The study also revealed that law enforcement agents after they had rounded up street children they referred the street children for rehabilitation.

Excerpt 5

"At one time we were taken to Harare Central Police in a lorry and the police liaised with social welfare so that some of us would go to homes. The life at the homes is very boring. There is no entertainment. Most of the times children are made to work "

Excerpt 6

"Police officers remove us from the street and load us in lorries. Sometimes we are taken to Harare Central Police Station where some children are referred to children's homes. I was once referred to a home for rehabilitation but I ran away. The place was unpleasant and we were made to work for nothing "

The following table shows the activities of law enforcement agents.

Table 1 Activities of law enforcement agents N=10

Activity	Frequency	Percentage
Round ups	7	70
Arrests	4	40
Raids	4	40
Refer children for rehabilitation	3	30

Seventy percent of the respondents said law enforcement agents rounded up street children from the street. Forty percent said they arrest and raid street children and only thirty percent said they rehabilitate street children.

IV. DISCUSSION

Findings from the study revealed that law enforcement agents were involved in rounding up street children from the streets of Harare. Seventy percent of the children interviewed said police officers and municipality police rounded up children from the streets and took them to Harare Central Police Station. The children were loaded in lorries and then off loaded at the police station. This finding concurs with results of a study by Human Rights Watch in Uganda in 2013 in which it documented that the police rounded-up street children during which street children were arrested, taken to police posts, central police stations, or taken to either remand homes or to Kampiringisa National Rehabilitation Centre. The children were then either detained, released, or attempts made to resettle them. Rurevo and Bourdillion (2003) found out that trying to solve the problem of street children by forcibly removing street children from the streets and putting them in rehabilitation centers had not yielded the required results. The street children in most instances would escape from the rehabilitation centres and find their way back into the streets. This study found out that the street children resented being made to work and being compelled to follow routines. The findings were similar because though they were from different geographical locations which are in the central business districts of Harare and Kampala the street children enjoyed almost similar environments of being in an urban setting.

The street children resented being arrested when they had not committed any crime. The law enforcement agencies said the street children had committed a crime of loitering which they did not understand. The street children did not understand what was meant by loitering. They thought it was unfair to arrest them when they had stolen or beaten some one. This means there is need to educate the street children on aspects of the law that affected them so that they make informed decisions.

The street children were in most cases treated roughly by law enforcement agencies. At the police station the street children were in most instances inhumanly treated or treated like hardcore criminals. They were put in the same cells with people who had committed crimes like robbery, theft or rape. They considered it unfair especially taking into consideration their age. Such

treatment in most instances led the street children to put the law enforcement agencies in bad light.

The study revealed that forty percent of the children said they had been arrested by law enforcement agents at one time or the other. Police arrested street children who were involved in petty crimes like thefts, shoplifting, assaults and selling or abuse of drugs. Law enforcement agents clamped down hard on street children if something was stolen and was not recovered. This was also found by Human Rights Watch Children's Rights Project (1996) when it reported that the police generally viewed street children as vagrants and criminals. It mentioned that the police tended to assume that whenever a crime was committed on the street, street children were either involved themselves or knew the culprit. Their proximity to the scene of a crime was considered reason enough to detain them. The findings were similar because the background and circumstances that the street children were in was the same. The street children are found almost everywhere in the city involved in vending, begging, doing menial jobs or just moving around.

This study also revealed that law enforcement agents were involved in raiding vendors in the streets. Among these vendors there were street children. Forty percent revealed that they were raided in the streets whereby police officers took away their products which they will be selling in the streets. This annoyed the street children especially when they considered that by vending they will be making efforts to earn an honest living instead of shoplifting or stealing. Another study by Mhizha in 2010 reported that the street-working children who engaged in vending appeared no different from their non-street living peers as they were always on the lookout for the municipal and national police. These street children were usually arrested for vending and made to pay fines though the fine was very low. The embarrassment which street children suffered was very frustrating.

V. CONCLUSIONS

The study made the following conclusions:

- The results have shown that law enforcement agents carried out round ups on street children. The round ups are done indiscriminately.
- Police officers arrested some of the street children charging them criminal offences like theft, vending abusing drugs and loitering.
- The street children did not understand some of the crimes they were being arrested for. This was so especially in the crimes of loitering and vending.
- Results have shown that law enforcement agents assist the street children by referring them to the department of social welfare where they are taken to safe houses and rehabilitation centres.
- The street children did not enjoy the life at rehabilitation centres. They detested the aspect of being made to work.

VI. RECOMMENDATIONS

The study made the following recommendations after considering the results:

- The researcher recommends that law enforcement agents be offered training on how to handle children living on the streets. This will assist in reduction of abuses perpetrated by law enforcement agents on street children and improve their appreciation of the culture of poverty and the need to address its symptoms within the family and thereby promoting family-based treatment.
- Rehabilitation centres have to have facilities that enticing to the street children so that they do not appear to be like prisons. It is important for the staff at rehabilitation centres to explain to the street children why they are made to perform some tasks.
- There is need for campaigns to be made among street children making them aware of possible crimes they will liable to commit by merely staying in the streets.
- There is need for law enforcement agencies to devise more human ways of getting information from from street children besides rounding them up indiscriminately when a crime has been committed where they will be operating.
- Street children need to be made aware of legal ways of earning a living so that they do not have problems with law enforcement agencies.

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AUTHORS

First Author – Mugove Kudenga; Lecturer; Department Of Psychology, Zimbabwe Open

