



## Child protection in Tanzania: A dream or nightmare

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### ABSTRACT

Tanzania has been, especially in the past decade, crucially involved in the mission for child protection through various legislations and institutional arrangements, for instance the Law of the Child Act of 2009. This study examined how effective child protection measures have been in alleviating all forms of violations against children. The current study employed a cross sectional descriptive design to compare the prevalence of violations such as sexual, physical, and emotional violence experienced by the children between 2010/2011 and 2012/2013. Findings of the study show that violations against the children have increased almost 3 times between 2011/12 ( $n = 54$ ) and 2012/2013 ( $n = 150$ ). The majority of the victims of violence in both years were female children. In addition, most of the victims had both parents alive, but this increased from 56% in year 2011/2012 to 91% in 2012/2013. The study also identified poverty as a major contributing factor for violations in both years of the study (48% in 2011/12 and 36% in 2012/13). Most of the incidences of violations were a long term and an ongoing problem, and they frequently took place at home in both years. Despite the limitations, the findings suggest important implications for policy and practice.

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### 1. Introduction

The child protection mission in Tanzania, as in many parts of the world, is ingrained in the dream of becoming a society that treats its children with a high level of respect for their dignity and worth for living, social justice, and freedom from harm and exploitation. Testimony to this commitment is evidenced by the conception and execution of various legislative, policy, and practice interventions. For instance, the Law of the Child Act of 2009 is inherently designed to punish and deter the public from even contemplating abusing children. From this point forward, this article uses the term “interventions” to refer to a combination of measures taken in the country for prevention and protection of child violence, unless otherwise indicated when a different meaning is sought.

Despite child protection interventions, the recent nationally representative Violence Against Children study in Tanzania demonstrates that violence against children is still a serious problem with dire consequences to the nation's health and well-being (United Republic of Tanzania & UNICEF, 2011a). For instance, the study revealed that nearly 3 in 10 females and approximately 1 in 7 males had experienced sexual violence prior to the age of 18. The study further indicates that physical violence rates are profoundly high with a prevalence of nearly three quarters of all children (72% of girls and 71% of boys).

Acts of child violence appear to be outcomes of multiple interacting factors in various system levels. The ecological intervention model (Bronfenbrenner, 1999) posits that effective eradication efforts could

be achieved if responses to violence against children adopted a holistic, integrated framework. That is, Tanzania might mitigate child violence when individual, familial, neighborhood, wider community, and national strategies are mobilized, combined, and balanced.

The main purpose of this study was to determine whether child protection interventions have been successful in alleviating all forms of violence against children. Using district-level data from the Department of Social Welfare in Temeke, the current study sought to understand the socio-demographic characteristics of the abused children, the source and magnitude of various forms of violence against children, and provide a comparative analysis of the trend of violence against children across a 2-year period. Ultimately, this study sought to identify and bring to the attention of policy makers and professionals potential risk and protective factors with regard to developing evidence-based interventions that could effectively contribute to alleviating violence against children in Tanzania.

#### 1.1. Background information

This article adopts a definition of a child as defined in the Ministry of Health and Social Welfare and Ministry of Home Affairs (2013), as a “person below 18 years of age” as stated in the Law of the Child Act of 2009. This definition is also in line with most definitions in international human right instruments such as the Convention of the Right of the Child (CRC) of the 1989 article 1 (United Nations, 1989), which Tanzania ratified in 1991.

According to the most recent 2012 population census in Tanzania, the child population between 0 and 17 years of age constitutes 50.1% of the total population (National Bureau of Statistics, 2013). Further

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disaggregation of the census data demonstrates that 43.9% of the country's population constitutes children in the 0–14 year age group. It is, therefore, clear from these statistics that children are an important segment of the Tanzanian populace (Ministry of Community Development, Women Affairs & Children, 1996), who are entitled to the rights of protection in order for them to grow well. While the child population basically halves the country population, a significant proportion of them have been reported to experience various forms of violence, which in most cases is perpetrated by adults (UNICEF, 2009; United Republic of Tanzania & UNICEF, 2011a). To address the child abuse problem in Tanzania, child protection involves a range of activities geared at prevention and response to violence, exploitation, and abuse (Ministry of Health & Social Welfare, 2013).

### 1.2. Policy, legal, and institutional framework

Similar to many other countries, child protection issues in Tanzania have gained much attention. Even though Tanzania's commitment to promote and protect the rights of children has a long history, national commitment to the dream of alleviating all forms of abuse and neglect among children has increased. Tanzania is one of the sub-Saharan African countries that joined global efforts for child protection. In 1990, Tanzania ratified the CRC of the United Nations General Assembly, and a decade later (2003) ratified the African Charter on the Rights and Welfare of Children (ACRWC). The national child protection commitment is further demonstrated by formulation of the Child Development Policy (Ministry of Community Development, Women's Affairs and Children, 1996).

In 2009, Tanzania enacted the Law of the Child Act 2009. This act integrates child specific provisions from a range of national laws into one document, and accommodates fundamental rights of children as provided by international and regional conventions. The law further establishes a legislative and institutional framework for protection and care of children from abuse, violence, and neglect. Other legislative provisions for child protection include the Affiliation Ordinance, Children and Young Persons Act 1937, Children's Home Act 4–1968, Adoption of Children Act, Chapter 335, Law of Marriage Act No. 5 of 1971, Sexual Offences (Special Provisions) Act No. 4 of 1998, and National Education Act No. 25 of 1978 (cited in *Minzava, 2012*).

The National Costed Action Plan phase II of 2013–2017 provides for protection responses, such as alternative care for the victims, particularly when abuse happens in the family home (NCAP II) (United Republic of Tanzania, 2012). In 2011, Tanzania became the first African country to undertake a nationwide comprehensive study on all forms of violence (sexual, physical, and emotional) against both female and male children (United Republic of Tanzania & UNICEF, 2011a). Most recently, a joint project aimed at alleviating violence against children has been put in place by the Government of Tanzania, UNICEF, Save the Children International (SCI), and Plan International (UNICEF, 2014). The joint project is reported to target Kisarawe, Kibaha, and Shinyanga rural districts on the mainland Tanzania and the West District of Zanzibar. The project also forms a response to the 2013–2016 National Plan of Action for Prevention and Response to Violence Against Children (Ministry of Health & Social Welfare & Ministry of Home Affairs, 2013). The plan is projected to expand child protection systems to 30 districts by 2016.

Despite the existence of the aforementioned legislation, policies, and programs, the current study investigates whether Tanzania has been effectively intervening to resolve the child abuse problem. Resolving this problem would allow the country's dream of providing a safe home and community to all of its children to be realized.

### 1.3. Statement of the problem

As indicated previously, many efforts in terms of legislation, policies, and institutional interventions have been undertaken in Tanzania to

prevent child abuse and to intervene when it occurs. For instance, the 1998 Sexual Offences Special Provision Act in short SOSPA (United Republic of Tanzania, 1998), the Law of the Child Act in 2009, followed by policies and strategic initiatives in health, social welfare, policing, and other child committed sectors, presented an historic hallmark of a society beginning to become more responsible in treating children with proper and sufficient care and protection. For example, SOSPA provides stern punitive sentences (also adopted in the 2009 Law of the Child Act), including imprisonment for life, or in any case, imprisonment at least 30 years with corporal punishment for convicted offenders of sexual violence against children. One plausible explanation for the continuing sexual violence against children might lie in the entrenched beliefs that the perpetrators hold. These include the hard to resist superstitious expectations of gains in wealth and status. How one can gain wealth and status from sexual abuse with children is unclear; however, it is believed that the perpetrators are usually required by witchdoctors to sexually assault children as a ritual condition for making wealth generating magical charms (BBC News, 2008). Alternatively, practice wisdom suggests that perpetrators perceive that the institutional structures charged with the duty of bringing them to justice are porous in such a way that they will escape the law.

Anecdotal and credible evidences to date continue to demonstrate that violence against children is still a pervasive social problem with potential serious health and socio-economic consequences (Ministry of Health & Social Welfare & Ministry of Home Affairs, 2013). Local media reports have consistently informed the public that abuse and exploitation of children are still deeply entrenched within in the country. For instance, "Nipashe" Newspaper (ISSN 0856-5414 No. 058055) of March 15 (2014), covered an attack of a two and one-half year-old child whose private parts were chopped off. The same local newspaper dated "Nipashe" News paper with ISSN 0856-5414 No. 058056 of Sunday March 16, 2014 (ISSN 0856-5414 No. 058056) reported serious incidences of male child sexual abuse among primary school students in the Kibaha District in the Coast Region that took place in sand quarries and isolated bush areas. Most perpetrators of this sexual abuse were fellow male primary school students at higher study levels than the victims, who primarily came from 3rd and 4th grades. One 3rd grade teacher reported that in his class of 98 students, half of them were spending most of their day time in the sand quarries and bushes and thus not attending classes as required.

Moreover, the *The Voice of America* (VOA & <http://www.voanews.com/content/attacks-on-albinos-surge-in-tanzania/1619907.html> accessed March 14, 2014) covered attacks on children with albinism (children born without skin pigmentation) in the country. The VOA reported that in the Tabora central region of Tanzania, a group of men mutilated the arm of a 7-year-old boy with albinism, ultimately killing him and his 95-year-old grandfather who fought for his grandson's life. Similar incidences of violence against children with albinism were reported on February 5, in the same year (2014), in the northern Simiyu region, where another 7-month-old boy with albinism was attacked in his home by armed men. The boy survived because villagers learned of the attack early and was able to protect him. In the same region only four days later, a group of men chopped off the arm of another 10-year-old boy with albinism as he was headed home from school. Given such atrocities, it is unclear why coverage of attacks on children with albinism has found no entrance into major recent studies on violence against children. A systematic surveillance of the country's newspapers in March 2014 also demonstrates that on most days of a month, there is media coverage in at least one Tanzanian newspaper on child sexual abuse acts that are attributed to various reasons.

Based on these reports, there appears to be either a disconnect between legal enforcement and an assumed informed knowledge of the community, particularly potential perpetrators, or these are insufficient interventions to prevent offensive behaviors to children.

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