

BINDURA UNIVERSITY OF SCIENCE EDUCATION

FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF SOCIAL WORK



**investigating the effectiveness of child justice procedures in enhancing protection of
children in conflict with the law. case study at mutare dsd.**

**This is a dissertation submitted to the Bindura University of Science Education, Faculty of
Social Sciences and Humanities, Department of Social Work, in partial fulfilment of the
requirements for the Bachelor of Science Honors Degree in Social Work.**

BY

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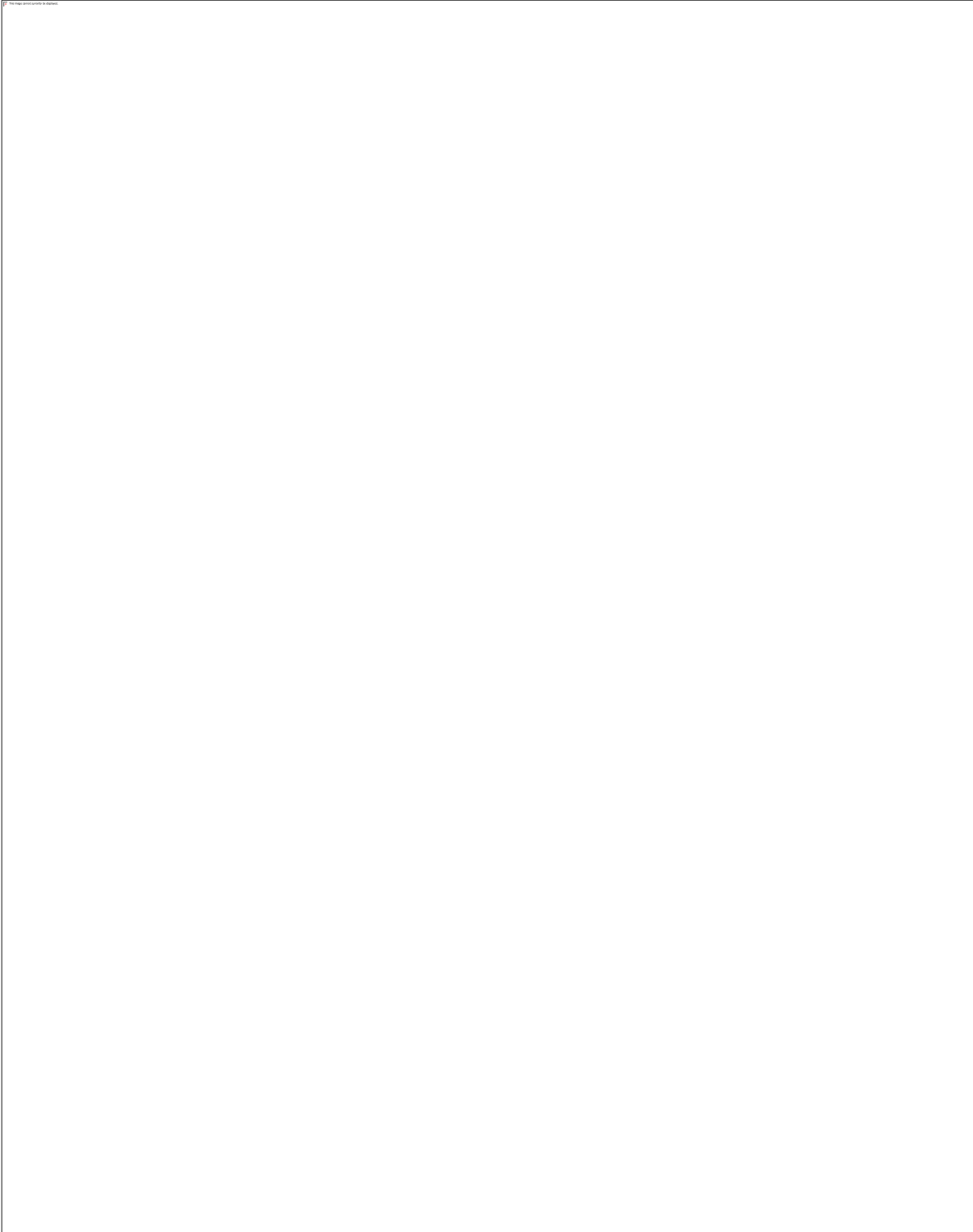


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DECLARATION

I, Yvonne Mazumba, declare this is my original work for the Bachelor of Social Work Honours Degree. I understand that plagiarism and falsifying information are severe academic offences and breaches of ethics, and I confirm that I have not done either of these.

Student Name: **Yvonne Mazumba** Signature.....

Date.....

ABSTRACT

Using the Mutare DSD case as a backdrop, this study scrutinizes the effectiveness of child justice procedures in bolstering the protection of children in conflict with the law. The research aims to identify the efficacy of these procedures and explore ways to enhance their safety. The study is driven by the distressing number of children in conflict with the law reported daily at Mutare DSD. To comprehend the factors driving children to commit crimes and guide strategies for reducing the number of children in conflict with the law, the study relies on the well-established Social Bond theory by Travis Hirschi. The study adopts a qualitative exploratory research design, employing critical informant interviews and thematic content analysis to present the findings. The results bring to light significant challenges hampering the effectiveness of child justice procedures, including resource constraints, poor coordination between government and stakeholders, and limited access to rehabilitative programs. Recommendations include augmenting resource availability, enhancing interagency coordination, and enlisting trained personnel in rehabilitation programs to safeguard children in conflict with the law.

DEDICATION

I dedicate this work to my loving mother, who has given me the precious gifts of life, family, and unwavering support. Thank you, Mom, for your unrelenting love, encouragement, and belief in me. This achievement would not have been possible without your guidance and inspiration. I also extend my gratitude to my siblings, whose love and camaraderie have been a constant source of strength. Most importantly, I dedicate this project to God Almighty, who has protected and guided me throughout my journey. May this work be a testament to His grace and wisdom.

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CHAPTER ONE: INTRODUCTION AND BACKGROUND OF THE STUDY

1.0 Introduction

Child protection is one of the critical responsibilities of any government, including that of Zimbabwe, through the Department of Social Development, which administers several legislative provisions to protect and provide a service to children (Mwapura et al., 2012). While the age of criminal responsibility varies from country to country, most jurisdictions have a separate system for dealing with young offenders. The system seeks to rehabilitate and reintegrate young offenders into the society, reducing the likelihood of repeat offenses. Juvenile courts typically have several options for dealing with young offenders, including probation, community service, and placement in a youth correctional facility. In some cases, young offenders may also be allowed to participate in diversion programs (Wylie, 2019). There are more cases of young offenders in Mutare, which is a problem at the Mutare Department of Social Development as it is the motherboard for dealing with young offenders. It is essential to address issues that drive children into conflict with the law, such as poverty, family dysfunction, vulnerability to violence, and some environmental factors (Muridzo et al., 2022). In addition, the MPSL&SW is responsible for drafting and implementing legislation relevant to its mandate. Counseling, preparation of probation officer reports, follow-ups and pre-trial diversion are among the child justice procedures in protecting children in conflict with the law by the Department of Social Development that have to do with reducing juvenile delinquency. Department of Social Development works hand in hand with other stakeholders, such as the police under the victim-friendly unit (vfu), nurses at the one-stop center, and other non-governmental organizations that protect children from violations. Although the Department of

Social Development is trying to protect children in conflict with the law, these Probation officers face challenges affecting child justice procedures in protecting children in conflict with the law.

1.1 Background of the study

The modern concept of child justice had its roots in the 19th century, when children were increasingly seen as distinct from adults and deserving of special protections (Mangwiro et al., 2021). The 19th century also saw the development of the concept of childhood as a period of innocence, vulnerability, and dependency. These ideas led to the establishment of the first juvenile courts in the late 1800s, which were intended to be more lenient and rehabilitative than the adult criminal justice system (Thompson et al., 2016). In the 20th century, child justice systems began to focus more on children's rights, and international treaties such as the UN Convention on the Rights of the Child set out specific rights and protection (Mustaffa, 2017). Over the past few decades, several significant developments in child justice systems worldwide have occurred. These include increased use of diversion programs, which allow children to avoid formal court proceedings, greater focus on the Rehabilitation and reintegration of children rather than punishment, The use of restorative justice practices, such as victim-offender mediation, Greater attention to the rights of children, including the right to have their best interests taken into account in legal proceedings, increased recognition of the unique needs of indigenous, minority, and other marginalized children (Mangwiro et, al 2021). The Pre-trial Diversion Programme came into existence in 2009 and the government of Zimbabwe built upon a pilot initiative started by UNICEF and Save the Children, making it a core a part of their efforts in 2016. This program seeks to itkeep children away from the negative consequences of the formal legal system and penal processes, address the reasons behind their offenses, and provide victims

of crime with re-dress and rehabilitative interventions that allow them to reintegrate into society. The Pre-trial Diversion Programme is still being applied today.

1.2 Statement of the problem

This research investigates the child justice procedures to protect children in conflict with the law, specifically in the Mutare district. However, the Department of Social Development (DSD) in Mutare has observed a rising trend of juvenile delinquency, with police officers handling an increasing number of cases involving children. Parents of these young offenders face numerous challenges, particularly from the judiciary side. Despite receiving counseling from probation officers, the young offenders often return home without adequate support, leading to a range of problems.

The judiciary's frequent postponement of court dates exacerbates the issue, contributing to increased substance abuse, recidivism, and school dropout rates among young offenders. Some even become more violent or run away from home due to stigma and discrimination. Moreover, the lack of effective rehabilitation programs enables young offenders to influence others in their communities to engage in similar behavior, perpetuating a cycle of delinquency.

To address these challenges, solutions such as vocational training for young offenders and establishing more foster homes for juvenile offenders are proposed. These foster homes can provide education and support, preventing further harm to individuals and society. By implementing these solutions, the number of juvenile offenders in the Mutare district can be significantly reduced.

1.3 Aim of the study

The main aim of this study is to explore the effectiveness of child justice procedures in enhancing the protection of children in conflict with the law at Mutare Department of Social

Development in reducing juvenile delinquency and to provide strategies or recommendations for improving these child justice procedures in enhancing the protection of children in conflict with the law.

Research objectives

- To identify the child justice procedures that enhance the protection of children in conflict with the law.
- To assess the effectiveness of child justice procedures in helping children in conflict with the law.
- To investigate challenges of the effectiveness of the child justice procedures in helping children in conflict with the law.
- To provide strategies for enhancing the protection of children in conflict with the law.

Research questions

1. What are the child justice procedures for protecting children in conflict with the law at Mutare DSD?
2. What is the effectiveness of child justice procedures in protecting children in conflict with the law?
3. What are the challenges to the effectiveness of child justice procedures in protecting children in conflict with the law?
4. What are the strategies for protecting children in conflict with the law?

1.6 Assumption of the Study

The social learning theory brought the assumption that these behaviors of young offenders are influenced by the community that they are living in. The community is responsible for shaping children's behavior when they grow up. According to Albert Bandura (1957), Children copy others to conform to a specific group. This then sees the rise of deviant behavior among juveniles. Apart from counseling services offered at DSD, some juveniles tend to re-offend crimes; hence, a tighter sentence should be given to such juveniles. This research is surrounded by many assumptions, which justify the need to examine and test them carefully against the data.

1.7 Significance of the study

The research is fundamental as it provides an understanding of the effectiveness of child justice procedures in protecting children in conflict with the law. This is important as it can potentially improve the counseling services, Rehabilitation, and programs for those children who conflict with the law. The study will also trace the root causes of juvenile delinquency and how to reduce the number of young offenders in Mutare District and Zimbabwe. In a community, the study will help reduce the reoffending of crimes to young offenders and identify the livelihoods they can do to protect the children in conflict with the law. The study will also be helpful to the Mutare Department of Social Development as it will identify the challenges that are being faced and the programs that can be implemented to protect children in conflict with the law.

1.8 Limitations of the Study

The researcher expects to encounter some limitations when conducting research. This is because Mutare DSD has never received a similar research study. This means it will be challenging to relate literature on this topic of interest, as some of the literature that may help to provide the study will need to be included.

1.9 Delimitation of the study

The study area will be highly restricted to Mutare DSD and will investigate the effectiveness of child justice procedures in protecting children in conflict with the law only. The study population will be the Mutare Department of Social Development probation officers only. The study will mainly use a qualitative research approach, using critical informant interview guides as data collection tools.

1.10 Definition of Key Concepts.

1.10.1 Child justice

This term refers to a unique set of laws, policies, and procedures designed to address children accused of or convicted of criminal offenses.

1.10.2 Procedure

This term refers to a specific step or set of steps that must be followed.

1.10.3 Children in conflict with the law

This term refers to young offenders accused of, charged with, or convicted of criminal offenses.

1.10.3 Effectiveness

It is a term that describes the extent to which a policy or intervention achieves its intended goals.

1.10.4 Social welfare

Social welfare encompasses initiatives and services at enhancing the quality of life for individuals and communities.

1.10.5 Juvenile delinquency

This term refers to criminal behavior that is committed by youth under the age of 18.

1.10.6 DSD

The Department of Social Development.

1.10.7 MP&SW

The Ministry of Public Service Labor and Social Welfare

1.11 CHAPTER SUMMARY

This chapter outlined the introduction and background section, which provides an overview of the study's purpose and goals, significance, and limitations. It also discussed the problem that prompted the study and the research questions that will be addressed. Finally, it defined vital terms that will be used throughout the study.

CHAPTER 2: LITERATURE REVIEW

2.1 Introduction

This chapter provides an overview of existing topics on investigating the effectiveness of child justice procedures in protecting children in conflict with the law. It introduces a theoretical framework that comprises the main focus of this research and discusses the dominant trends and themes in the available literature.

The review will focus on the objectives of the study. These include identifying the child justice procedures in enhancing the protection of children in conflict with the law, assessing the effectiveness of child justice procedures in helping children in conflict with the law, investigating challenges of the efficacy of child justice procedures in helping children in conflict with the law and to provide strategies of enhancing the protection of children in conflict with the law.

2.2 Theoretical framework

The researcher used Travis Hirschi's social bond control theory, published in 1969, and remains the central paradigm in criminology. The theory is critical to the study because it says delinquency is more likely to occur when a child has a weak social bond (Kight et al., 1996). These bonds include an attachment to family and friends, commitment to education and work, involvement in conventional activities, and beliefs in the value of society (Massey et al., 1986). The social bond theory is essential to the government in implementing policies that improve child justice procedures and protect children in conflict with the law.

According to Hirschi (1996), the first bond is attachment (Cam, 2010). Attachment refers to the psychological attention one has for prosocial others and institutions (Yukse, 2016). This means

that if the child is attached to friends and family, they are less likely to commit a crime. A child will have social control because family and friends are there to provide counseling on what is good and evil (Criss, 2020). Through this, a child will grow up knowing what is expected in a community. In institutions like schools, a child will learn through friends, and in churches, they also teach the Ten Commandments.

This bond is essential to the research as it gives the Department of Social Development the strength to implement several policies and programs. These programs could be parenting education programs. These programs can help parents learn effective parenting strategies, such as positive discipline and essential communication with their children.

Secondly, social bond theory is a second bond type called commitment. Hirchi altered the importance of social relationships that people value (Kanazawa et al., 2009). Hirchi noted that children are less likely to commit an offense because they have something to lose. To juveniles, this could mean that there is need to maintain a positive image of reputation in the eyes of others (Criss, 2020). Due to that fear, the juveniles will lessly commit a crime. The government needs to form programs that help children in need, especially by promoting children's commitment to school and work, which reduces the number of young offenders. In child justice procedures, this bond will help probation officers enrol all children in conflict with specific courses they want to do so they will be committed to their work rather than commit offenses.

The third type of bond is involvement (Khoury-Kassabri et al., 2023). Involvement refers to the child's engagement in positive prosocial activity. These activities include sports, clubs, and community service. Hirschis tapped into the philosophy that "idle hands are devil's workshop" (Negrete, 2022). This means that if children have something to do, they will not be involved in

anti-social activity (Patterson et al., 2017). If the children spend most of their time playing, they steal and destroy. This bond will help the government provide funds to different departments of social development so that probation officers can enrol those children in conflict with the law in vocational training centres so they will be occupied and will not have time to commit offenses.

The final bond of social bond theory by Hirchi is belief, which refers to the extent to which one's align with legal standards and principles. For example, faith in police, courts, and the justice system makes children less likely to commit a crime because they believe they will be caught and face consequences. This bond is essential in this study as it guides that children in conflict with the law must be given strict measures in the child Justice procedures so that some would have strong beliefs on the consequences. Children are told not to go to prison after committing an offense. This leads them to re-offend the offense as they know there are no strict measures. This theory provides what the Department of Social Development has to improve, such as the strict measures that will make the children fear the consequences.

2.3 Procedures taken to enhance the protection of children in conflict with the law

2.3.1 Involvement of trained personal

In Zimbabwe, the involvement of trained personnel is the crucial first step when dealing with children in conflict with the law. Trained personnel include police officers, social workers, psychologists, and other professionals with the expertise and training to assess the needs of these children and recommend appropriate interventions. The goal is to ensure that children obtain the necessary support to understand and resolve the underlying issues of their offending behavior and to help them integrate into society. According to research by Ann Skelton and Boyane Tshela (2008), in South Africa, there are trained personnel who deal with children in conflict with the law, and these proceedings must aim to serve the child's best interest and be conducted

in an atmosphere of understanding. In Hong Kong, the police usually issue warnings to such juvenile offenders who are illegally required to attend supervision follow-ups programs (Wing Lo et al, 2006).

2.3.2 Assessment

Police are the ones who come to the Department of Social Welfare with young offenders in Zimbabwe, according to the research conducted by Gomera (2021) in his research Experiences and Challenges of the Pre-Trial Diversion Programme in Chitungwiza. He stated that once a young person has been referred by the police to the pre-trial officer, the authorities ensure that parents, guardians, probation officers, or other suitable adults are informed about the arrest in a timely manner and organized the date and time of the assessment of the child. The guidelines (PTD Consolidated Guidelines 2017: 24) stipulated that the child must be evaluated, and the parents are tasked with ensuring the juvenile's attendance. The PTD Officers will prepare a report containing his/her recommendation and submit it to the prosecutor for consideration by the PTD Committee.

2.3.3 Rehabilitation

This is when the probation officers provide recommendations on the young offender's case. According to Rumbidzai Nyakatawa (2018) in her study of the effectiveness of juvenile delinquent rehabilitation programs in Zimbabwe. Her research states that Rehabilitation for children in conflict with the law is based on restorative justice, which aims to correct the wrongs committed and help offenders reintegrate into society. The main objectives of Rehabilitation are to reduce recidivism and reoffending, develop prosocial skills, and contribute positively to society (Loeber & Ferrington, 2012). The main components of Rehabilitation include counseling, family support, education, and vocational training. This procedure also considers reconciliation between the offender, the victim, and the community and finding alternatives to formal

prosecution and punishment, such as diversion, mediation, or community service. Another study on the rehabilitation process in the United States by Wiese and Esbensen (2003) also defines Rehabilitation as a process designed to promote positive behavioral change in a child to prevent further delinquency and crime. They also examine the various approaches to Rehabilitation, including individualized treatment, group-based treatment, and community-based treatment.

2.3.4 Case follow-ups

In past research in Zimbabwe, case follow-ups are one of the leading child justice procedures used to promote behavior change (Moyo, 2023). Case follow-ups involve regularly checking in with a child in the criminal justice system and providing direction and assistance to keep them on the right path. Case follow-ups are typically done by social workers, probation officers, or other professionals who work with children. Case follow-ups can effectively reduce recidivism and promote positive behavior change, especially when combined with other interventions such as counseling and family support (Travers et al., 2021). Case follow-ups are used in several African countries as a child justice procedure. In addition to Zimbabwe, countries such as South Africa, Kenya, and Uganda have implemented case follow-up programs (Sarkin, 2014). In South Africa, case follow-ups are called case conferencing and are usually done by social workers. In Kenya, case follow-ups are called reintegration committees and involve meetings with the child, their family, and other key figures in the child's life (Musiega, 2021). In Uganda, case follow-ups are called family tracing and reunification and are done by probation officers (Skelton & Batley, 2021). In the United States, various organizations offer aftercare programs, including juvenile justice agencies, non-profits, and faith-based organizations. In Europe, aftercare programs are typically run by social services agencies or the probation service (Goldson et al., 2020). In

Australia, case follow-ups are known as reintegration programs and are usually provided by child protection agencies (Omaji, 2000)

2.4 EFFECTIVENESS OF CHILD JUSTICE PROCEDURE IN PROTECTING CHILDREN IN CONFLICT WITH THE LAW

2.4.1 Gives another chance

Child justice procedures allow young offenders another time to correct their mistakes (Dzadya, 2016). The probation officers do this by counseling young juveniles to realize their mistakes. Different research supports the idea that child justice procedures can lead to improved outcomes for children. One such study, published in the journal *Criminal Justice and Behavior* in 2012, found that intensive aftercare programs in the United States were associated with reduced recidivism rates, improved employment outcomes, and better educational attainment (Piquero et al., 2012). Some research has been conducted in countries like South Africa and Uganda. For example, a study published in the *International Journal of Law, Crime and Justice* in 2014 found that reintegration programs in South Africa effectively reduced recidivism among children. Still, more research is needed to evaluate the long-term impact of these programs (Chipangura, 2010). Similarly, a study published in the *Journal of Social Welfare and Family Law* in 2010 found that aftercare programs in Uganda effectively reduced reoffending. Still, more research was needed to determine their cost-effectiveness (Chipangura, 2010).

2.4.2 Promotes Behavior Change.

The University of Zimbabwe and Legal Resources Foundation studies found that child justice procedures effectively reduced recidivism and promoted behavior change (Mazunda, 2017). The University of Zimbabwe study found that youth who participated in the Bulawayo Diversion Programme were more likely to report positive changes in their behavior, including an increased sense of responsibility, improved interpersonal relationships, and enhanced compliance with the

law (Rogers & Muchena, 2001). The Legal Resources Foundation study found similar results and noted that participants reported feeling less angry, less fearful, and more optimistic after participating in the restorative justice program (Dziva & Hanakom, 2005). The United Nations has conducted several studies on child justice procedures and their impact on behavior change. One notable study is the Global Study on Children Deprived of Liberty, conducted by the UN Office of the High Commissioner for Human Rights in 2019 (UN, 2019). This study looked at a variety of child justice procedures around the world and found that diversion programs and restorative justice approaches were associated with lower rates of recidivism and improved outcomes for children. The study also noted that countries with more comprehensive child justice systems had lower rates of violence and better outcomes for children overall. South Africa has a well-developed child justice system, and there have been several studies on the effectiveness of child justice procedures. One notable study was conducted by the Institute for Security Studies in 2014 and found that diversion programs in South Africa were generally effective in reducing recidivism and promoting behavior change (Leoschut et al., 2014). However, the study also noted that the quality of the programs varied greatly, and some programs were less effective than others. In general, the study found that child justice procedures in South Africa were most effective when tailored to the child's and the community's specific needs.

2.4.3 They Reduce Recidivism

Different past researches showed that the child Justice procedures aim to rehabilitate and support young offenders, reducing recidivism and crime rates. In Zimbabwe, this is evidenced by the research conducted by Nyakatawa (2018). The study found that rehabilitation programs focusing on education, counseling, and skills training significantly reduced recidivism rates among juvenile offenders. Dr. Lucinda van Huyssteen (2017) conducted research in South Africa on the

effectiveness of diversion in South Africa's child Justice system. The study found that there is a need for followup services and tracking to support young people's reintegration into their communities and prevent recidivism. Another study by the National Institute (2018) in the United States found that restorative justice programs reduced recidivism by 32% compared to traditional justice approaches (Mayfield et al., 2020). The study findings suggest that restorative justice programs can effectively reduce recidivism and promote community safety.

2.5 CHALLENGES FACED IN CHILD JUSTICE PROCEDURES IN PROTECTING CHILDREN IN CONFLICT WITH THE LAW.

2.5.1 Lack of Resources

Mutare Department of Social Development is facing the challenge of needing more resources to protect children in conflict with the law. These resources include the department needing more staff, lacking financial resources, and requiring more infrastructure. This is supported by the research of Ruparanganda (2016:12), who points out that inadequate funding of Zimbabwe's juvenile justice system undermines its capacity to deliver essential services and ensure positive outcomes. In the study conducted by Gamuchirai Jim (2021) at the Chitungwiza Department of Social Development, the challenge of scarcity of resources limit for pre-trial diversion options constrains the delivery of effective interventions, resulting in inadequate service provision. Another past study conducted by UNICEF on Children's Justice in Malawi (2008) found many challenges, including financial difficulties, a lack of skilled staff, and a lack of infrastructure. Keer et al. (2012) state that the Australian government faces challenges in the child justice system in protecting children in conflict with the law, including a lack of funding and expertise. This shows that different researchers found that the lack of resources is a challenge that is being faced by other governments globally.

2.5.2 Lack of Coordination between government and stakeholders.

Past researchers have shown that a lack of coordination between the government and stakeholders is a significant challenge in protecting children from conflict with the law. The government should coordinate with different stakeholders to help children who are in conflict with the law. These stakeholders include the police, the court, non-governmental organizations, and the community. Gamuchirai (2013), in his topic on "Protecting Children in Conflict with the Law in Africa," highlights the importance of collaboration between different actors in protecting children's rights. One study from the United Nations Office on Drugs and Crime found that lack of government commitment to child justice is a major "stumbling block" in many countries (UN, 2016). It states that this lack of coordination can lead to gaps in service provision and a lack of access to services for children

2.5.3 Limited Access to Rehabilitation Programs.

Department of Social Development faces challenges in providing rehabilitative programs for young offenders in the child justice system. These include high caseloads, inadequate training, and long waiting lists, as described in the study by Dr Patricia et al. (2018). The research found that there is Insufficient access to mental health treatment and substance abuse services, education, vocational training, long waiting lists, and limited availability of programs that affect the effectiveness of the child Justice procedures. In Zimbabwe, this is evidenced by the research conducted by Sloth-Nielsen et al. (2020). The study found that many children in conflict with the law did not have access to rehabilitation services such as counseling, education, and vocational training. Overall, the study emphasized that limited access to rehabilitative programs is a critical issue in the juvenile justice system in Zimbabwe, blocking the rehabilitative process and reintegration efforts for youth involved in criminal behavior. The study conducted in South

Africa by Dr. Louise M Theron et al. (2018) found that inadequate trained personnel and resources affect rehabilitation programs that protect children in conflict with the law.

2.6 STRATEGIES TO IMPROVE CHILD JUSTICE PROCEDURES IN PROTECTING CHILDREN PROTECTION IN CONFLICT WITH THE LAW.

2.6.1 Sufficient Allocation of Resources

Sufficient resource allocation is a strategy mentioned by different past researchers in child justice procedures to help children in conflict with the law. The government must do this by coordinating with other stakeholders. Gamuchirai Gomera (2013) found that one of the significant challenges children face in conflict with the law in Africa is the lack of resources. He noted that to address this challenge, he emphasized the need for greater collaboration between actors, including the state, non-governmental organizations, and the private sector. He also mentioned increasing funding programs that support children in conflict with the law and enhancing the abilities of child care workers through training and development programs. "Report of the (2015) Day of General Discussion on Children's Rights and Alternative Care, Ensuring the Rights of Children without Parental Care" was published by the UN Committee on the Rights of the Child. This report included a section on the availability of resources for children, including children in conflict with the law. The report highlighted that insufficient funding and limited capacity are hindering the ability of my states to offer alternative services to youth in the criminal Justice system (UN, 2015). The report called for increased investment in services and infrastructure and better coordination between different actors.

2.6.2 Government Actions

In the study conducted by Gomera (2021) in South Africa, pre-trial diversion is a relatively new concept that non-governmental organizations have tried to assist the government in

implementing. He stated that the same NGOs should support the programs through preventive measures for young offenders by providing juvenile offenders, dealing with psychosocial issues of offenders, and assisting in bridging the resources gap that the government faces. In Africa, there is some evidence that government collaboration with stakeholders can improve outcomes for children in conflict with the law. For example, a study published in the *Journal of Social Development in Africa* in 2016 found that community-based interventions in Uganda, including government collaboration with local community members, effectively reduced reoffending and improved reintegration outcomes for children (Okware & Nyoni, 2016). In South Africa, a study published in the journal *International Journal of Children's Rights* in 2017 found that collaborative efforts between the government, civil society, and other stakeholders were essential to improving the situation of children in conflict with the law. Several studies in Australia have highlighted the importance of government collaboration with stakeholders to protect children in conflict with the law. For example, a study published in the *Australian Journal of Social Work* 2013 found that child justice procedures in Australia effectively reduced reoffending. Still, these outcomes depended on government support for these programs.

2.6.3 Trained Personnel in Rehabilitation Programs

More trained personnel and resources are needed to support rehabilitation programs in Zimbabwe. Probation officers are having caseloads because they are understaffed. In Zimbabwe, Moyo (2023) conducted a research study that found that trained personnel in rehabilitation programs help to ensure adequate Rehabilitation and reintegration of children in conflict with the law in Zimbabwe. UNICEF (2017) researched the topic of child Justice in Africa (Biol et al., 2018). The study found that there is a need for trained personnel in rehabilitation programs to address the root causes of crime and support the Rehabilitation and reintegration of children in

conflict with the law in Africa. Huger et al. (2010) conducted research on Juvenile Justice in the USA, and the study found that trained personnel is vital in rehabilitation programs as they lower the rates of repeated offenses and enhance the prospects for young people in juvenile justice system.

2.6.3 Chapter Summary

The section above provided a comprehensive review of existing literature regarding the effectiveness of child Justice Procedures in protecting children in conflict with the law. The literature was presented in alignment with the study's key objectives, aiming to showcase the insights of scholars on this topic from around the world. It commenced with an overview of the local, regional, and global perspectives on the effectiveness of child justice procedures, followed by a review of empirical literature and previous studies. Additionally, the chapter delved into the use of Social bond theory, which will guide the Department of Social Development.

CHAPTER 3

3.0 Introduction

This chapter looked at the research philosophy, strategy, Design, Population, sampling, data collection, analysis framework and ethical considerations.

3.1 Study Design

The study, in line with its focus, the researcher uses indepth research approach to assess the impact of the child justice procedures offered by the Department of Social Development in protecting children in conflict with the law because it allows the researcher to achieve greater insight about the issue and how it affects individuals and communities (Tracy, 2019). In-depth research methods, such as One-on-one conversations and small groups discussions, can provide rich data to help the writer understand the complex factors contributing to delinquency (Clark et al., 2021). This can inform the development of more effective policies and programs to address the problem.

3.2 Location of the study

The study was conducted at the Mutare Department of Social Development in Mutare town. The Department of Social Development advocates for children's rights as it offers child protection services, which include dealing with juveniles, linking orphans with resources, protecting children, and ensuring their safety. The Department of Social Development is also responsible for the amendment of statutory instruments for child protection. The location was very conducive as the department has probation officers who help children in conflict with the law and provide the information that would help the researcher.

3.3 Target Population

The study targeted six Probation officers at the Mutare Department of Social Development. Six participants were chosen because they held important positions, hence being "key informants" (Morse, 1994). Despite the limited number of participants, the researcher managed to collect data and reach a point of saturation. According to Faulker and Trotter (2017), data saturation refers to an end in the research process when there is no discovery of new data collection and when

researchers reach this point. Again, the Mutare Department of Social Development is understaffed, so the researcher interviewed six participants.

3.4 Sampling

In the context of research, it involves selecting a representative group from the population of interest to be studied (Onwuegbuzie et al., 2007). Sampling is an integral part of the research process because it allows researchers to collect data from a representative group of individuals rather than attempting to study the entire population. There are several sampling methods, including random, purposive, and systematic. In the study, the researcher used a purposive sampling technique.

3.4.1 Purposive sampling

The researcher managed to use the purposive sampling technique. An objective or judgmental sampling method is one in which individuals or events are chosen deliberately to provide valuable information that cannot be obtained from other choices (Tongco, 2007). Purposive sampling is also known as purposeful or judgmental sampling, and it simply refers to the deliberate selection of individuals or situations that are likely to lead to a greater appreciation of the phenomenon of interest (Morse, 2007). As a qualitative technique, purposive sampling is highly beneficial because of its focus on specific characteristics of a population that is of interest; in this context, experts from the Department of Social Development probation officers know about protecting children in conflict with the law. Purposive has been used similarly in studies related to child protection by (Chikoko et al., 2021).

3.5 Data Collection Methods

Data collection is the art of gathering and analyzing data on variables of concern in a systematic manner that allows one to answer identified research questions, test assumptions, and evaluate

results (Benard et al., 2016). The researcher used in-depth interviews to determine the effectiveness of the child justice procedures in protecting children in conflict with the law. Key informant interviews will be conducted to gather the DSD's features and flaws in greater detail.

3.5.1 In-depth interviews (key informants)

The researcher used primary informant interviews to gather data on the effectiveness of child justice procedures in enhancing the protection of children in conflict with the law. The Department of Social Development is implementing procedures to protect children in conflict with the law in the Mutare district. A key informant is a place where a researcher can get information about the subject of the study. Key informants are individuals or groups with significant expertise in a particular subject of study (David et al., 2013). They are people who are aware of what is happening in the community and can provide insight into the issues happening in the community, which is why they are so important in this study.

During the interviews, the person interviewed is considered the expert, and the interviewer is the student. The researcher used social work skills like listening attentively, recording all information actively in response to participants' reactions, and asking follow-up questions. In-depth interviews allow researchers to understand a topic better by hearing directly from participants.

3.6 Data Collection Tools

Data collection tools are the instruments or methods used to collect data for a research study (Moyo T., 2017). The most common data collection tools are surveys, interviews, focus groups, and observations (Korstjens & Albine, 2018).

3.6.1 Interview Guides

The researcher used the critical informant's in-depth interview guide to collect qualitative data at the Mutare Department of Social Development. Ritchie and Lewis (2003: 115) describe a guide as a tool that lists vital issues or key areas to be discussed during the interview.

3.7 Data Analysis and Presentation

The researcher used thematic content analysis and testimonies collected during the data collection. According to Burnard et al. (2008), thematic content analysis involves analyzing transcripts, identifying themes within the data, and gathering examples from the text. It should be noted, however, that interview transcripts and field notes do not explain; hence, the researcher has to make sense of the data they would have collected by explaining and interpreting the raw data.

3.8 limitations of the study.

The study was only limited to the Mutare Department of Social Development, and it focused mainly on qualified social workers who are probation officers. The researcher had limitations as it was difficult to interview the probation officers one day. The researcher had to go on different days as some probation officers were not at work. They attended a workshop, and some visited various locations for case follow-ups. Lastly, due to the use of qualitative study design, the findings cannot be generalized to other professionals, especially social workers in different fields.

3.9 Ethical Considerations

3.9.1 Informed Consent

The researcher used the three ethical considerations at the Mutare Department of Social Development during the study. Firstly, before the beginning of the study, the researcher obtained

informed consent from all participants. Participants should be fully informed about the study, the risks and benefits of participation, and their ability to withdraw at any time.

3.9.2 Confidentiality.

Secondly, the researcher considers the Confidentiality of the primary informants' information to be a crucial ethical consideration. The researcher takes steps to safeguard the confidential information of the key informants, such as using pseudonyms and storing the data securely.

3.9.3 Voluntary Participation.

The researcher also informed the participants that they should participate freely, not feel pressured to take part in research, and must be able to withdraw from the study at any time without penalty. Voluntary participation is essential because it ensures the research is conducted ethically and the participants' rights are respected.

3.10 Chapter Summary

In this research, the researcher justified using a qualitative methodology. They explained how informant interviews were used as the research instruments. The participants were intentionally selected and were six critical informants at the Mutare Department of Social Development. The researcher considered ethical concerns. The chapter concluded with a reflection on the limitations of the study. The research was easy as the student was also on attachment last year.

CHAPTER 4: DATA PRESENTATION, ANALYSIS AND DISCUSSION

4.1 Introduction

This chapter presents and interprets the study findings collected using an in-depth informant interview guide. The results were analysed based on the study objectives and questions. The researcher used the study objectives to present the findings on the effectiveness of child justice procedures in enhancing the protection of children in conflict with the law.

4.2 DEMOGRAPHICAL DATA AND RESEARCH FINDINGS OF THE PROBATION OFFICERS AT MUTARE DSD

In this section, the researcher discussed insights into the demographic data of the probation officers who participated in the study. After that, the research findings were shared, and the literature was used to confirm or contradict such findings.

4.2.1 Demographical data.

Table 1: Biographical profile of the participants: Probation officers.

Participants	Gender	Age	Ethnic	Employment experience as a probation officer.
Informant 1	F	39	African	3 years
Informant 2	F	40	African	Six years
Informant 3	F	45	African	Seven years
Informant 4	M	37	African	4 years
Informant 5	M	50	African	Ten years
Informant 6	F	23	African	One year

Age of participants.

The ages of probation officers ranged from 23 years to 50 years of age. The age of participants would enable them to look at the research subject more maturely than if they were younger. Their age means they have rich experience in social work and the effectiveness of child justice procedures in protecting children in conflict with the law.

Gender of the participants.

Most participants were female, meaning that more women are employed in social work than men. The difference in the number of the sexes in this study was coincidental.

Ethnic Group

All participants that were interviewed were of black ethnic groups. The area of Mutare is predominantly Shona Shona-speaking, thus explaining the high number of such an ethnic group over other parts of the country. The probation officers spoke in English, although the dominant language was Shona.

4.3 RESEARCH FINDINGS

4.3.1 Procedures taken to enhance the protection of children in conflict with the law.

Participants were asked to outline the child justice procedures for protecting children in conflict with the law. Four processes that were outlined include the involvement of trained personnel, assessment, rehabilitation, and case follow-ups, which are presented below:

4.3.2 Involvement of trained personnel

The participants mentioned that the involvement of trained personnel in child justice procedures is crucial for ensuring the protection and well-being of the children involved in the criminal justice system. Trained personnel include police officers, lawyers, judges, probation officers, and other court personnel. They play a significant role in ensuring that children's rights are upheld and that they receive the necessary support and protection throughout legal proceedings.

Participants agreed that the involvement of trained personnel is the first procedure to be followed when a child commits a crime. Most of the participants added that the police officers are the first to handle the case and refer it to the probation officers at the Department of Social Development.

This is supported by the following statements:

“There is a community level, for example, in rural areas or different locations, if a child commits a crime, the Community Care Workers (CCWs), village health workers, and traditional leadership inform the police officers first, which is the Department of Home his or her parents the DSD is the custodian of all children's issues, and they know how to deal with children and avoid harsh terms them according to the children's act (05 .06)”.

(Key informant 1)

“The first Procedure is the involvement of trained personnel such as police officers, prosecutors, magistrates and probation officers who handle cases involving children with care and sensitivity (key informant 2)

“The first child justice procedure is that the case is reported first to the police officers, and the police will do their investigations and interviews between the offender and the victim if it is a case of rape. If it is a case of rape, the victim-friendly unity will first refer the victim to the hospital so that the child will be tested”. (Key informant 3)

Confirming the above, according to the research conducted by Ann Skelton and Boyane Tshela (2008), in South Africa, there are trained personnel who deal with children in conflict with the law, and these proceedings must aim to serve the best interest of the child and be conducted in an atmosphere of understanding. Wing lo et al., 2006 outline that in Hong Kong, the police usually issue warnings to such juvenile offenders and are often mandated with little supervision. The

social bond theory also supports this. Kanazawa et al., 2009 outline that children are less likely to commit crimes because they have something to lose. This could mean juveniles do not want to look bad in front of their teachers. With this Procedure, some juveniles will not commit any crimes again.

4.3.3 Assessment

Participants viewed that assessment as the second stage, which probation officers do in the child justice system. It involves conducting assessments, informing guardians, reviewing cases, and working together with other organizations to ensure the protection and well-being of a child in conflict with the law. Most participants mentioned that if the police officers came with children in conflict cases, they assessed the case through interviews with the offender and his or her guardians, counseling, and compiling the probation officer report, which will be submitted to the Magistrate court. The following quotes support this:

"Probation officers here provide counseling to the juveniles, and they also interview the child and the guardians so that they can trace the root causes of the case. These parents will provide the exact solution to the child to avoid harsh terms." (Key Informant 5)

"The child will be interviewed by probation officers with their parents differently, the accused and the victim. Counseling will be provided again to the victim and the accused, and all the information will be recorded. All the information will be attached to these files. Then there will be the compilation of the probation officer's report, which will be submitted to the prosecutor general or Magistrate court, and this is a way of not interrogating a child because it will offend the child". (Key Informant 6)

"After that, we interview the victim and their parents again. Counseling will also be provided, and then we compile a probation officer's report, which will be submitted to the Magistrate court to make the final decision." (Key Informant 7).

This is evidenced by the research conducted by Gomera (2021). According to Gomera (2021), in his research Experiences and Challenges of the Pre-trial Diversion Program in Chitungwiza, he stated that once a young person has been referred by the police to the pre-trial diversion officer, they the authorities ensure that parents, guardians, probation officers, or other suitable adults are informed about the arrest in a timely manner and organized the date and time for assessment of the child (PTD) Consolidated guidelines, 2017:24), the parents then must take the child for the evaluation.

4.3.4 Rehabilitation.

Participants viewed that in the context of protecting children in conflict with the law, rehabilitation is a crucial aspect of the child justice procedures. It involves various measures and programs aimed at addressing the needs of the children in conflict with the law and facilitating their positive development. Rehabilitation has different activities, which include counseling and vocational courses. They would be enrolled in schools, which is a way of helping juveniles earn an income. Direct quotes support this:

"Another procedure is that some children who are detained are separated from the adults, have access to education, health, and psychosocial services, and are regularly monitored and reviewed (those children who are exposed to drugs would be changed environment so that they would not be exposed)." (Key Informant 3).

"After the assessment stage, we have the rehabilitation stage, which is a process that helps children who have committed a crime change their behavior and reintegrate into society. The child may be placed in a community-based rehabilitation program or sent to a child justice Centre for treatment." (Key Informant 5).

The information given above by the participants is supported by the research conducted by (Nyakatawa, 2018) on her study of the effectiveness of juvenile delinquency rehabilitation programs in Zimbabwe. In her research, she states that rehabilitation for children in conflict with the law is based on the principle of restorative justice, which aims to correct the wrongs committed and help offenders reintegrate into society. Another study in the United States by Wiese and Esbensen (2003) outlines that rehabilitation is a process designed to promote positive behavior change in a child to prevent further delinquency and crime. The social bond theory also supports the idea that children have to be involved in pro-social activities, including sports, clubs, and community service, so that they will be occupied (Negrete, 2022).

4.3.5 Case Follow-ups

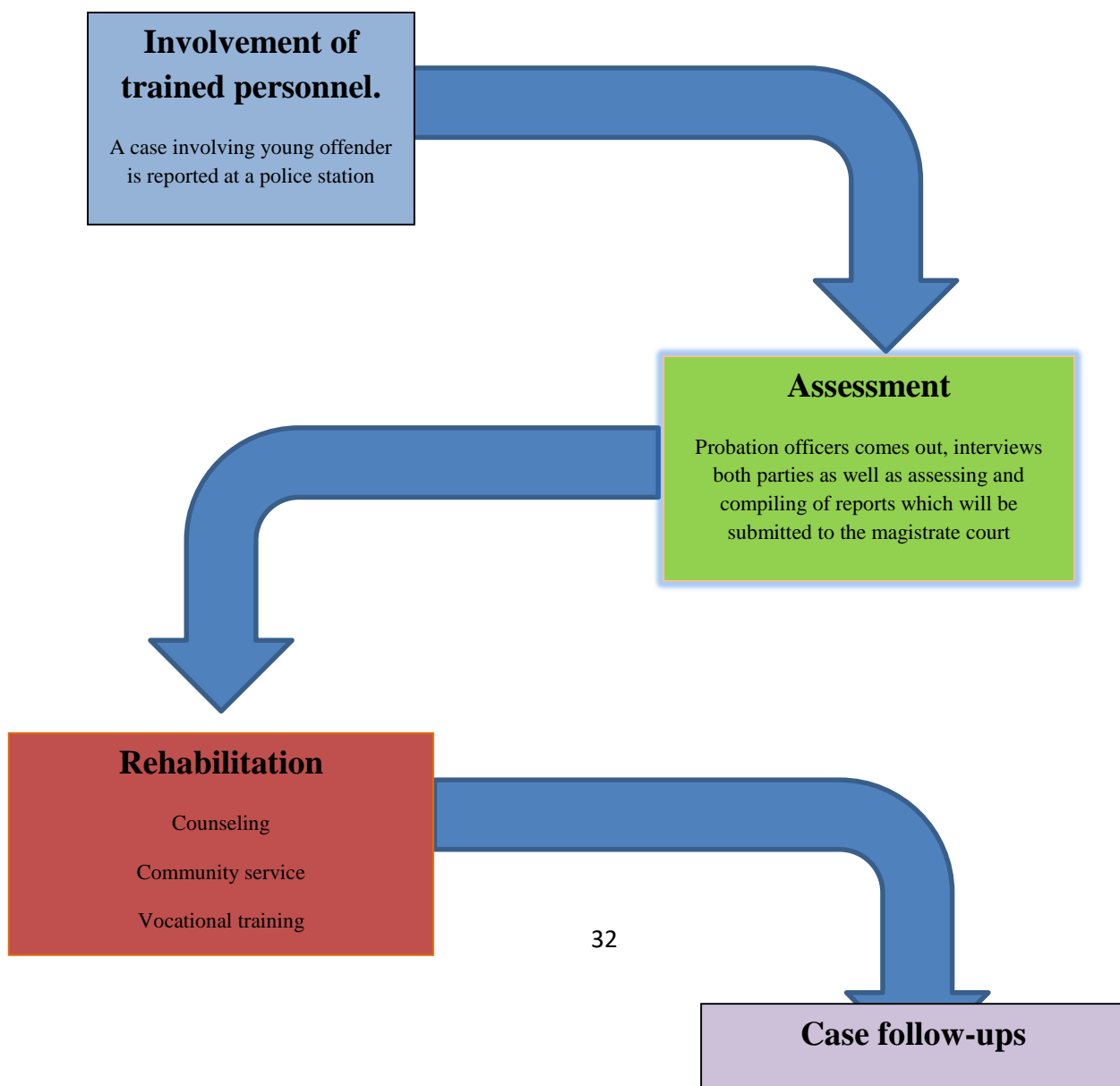
The participants mentioned that case follow-ups are a stage where probation officers track the progress of children who have been through child justice and ensure that they are not reoffending and are receiving the support they need. This Procedure will help to see if an offender's behavior is changing. Some young offenders will be given some materials to do what they wish to do as a way of helping the child not to reoffend. This is supported by the following quotes:

"There is also another procedure of monitoring a child if the child is changing or if he or she is becoming worse. For example, in 2023, an NGO indulged all the children who committed crimes in 2022 to do courses so that they could do something which would keep them busy". (Key Informant 1).

"After that, monitoring and evaluation will be done again to see if the child changes the behavior." **(Key Informant 2).**

Research in various countries confirms the importance of aftercare services for children in conflict with the law. In Uganda, probation officers conduct family tracing and reunification, known as case follow-ups (Skelton & Batley, 2021). In the United States, many organizations, including juvenile justice agencies, non-profits, and faith-based organizations, offer aftercare programs (Hoge et al., 2018). Similarly, in Europe, social services agencies or probation services typically run aftercare programs (Goldson et al., 2020). In Australia, child protection agencies provide reintegration programs involving case follow-ups (Omaji, 2000). Additionally, studies have shown that effective aftercare services have a profound impact on reducing recidivism and improving outcomes for youth (Lundstrom & Sharrock, 2017). Therefore, it is essential to prioritize aftercare services in the child justice system to ensure the successful reintegration of children into their communities.

Fig 1: Child Justice Procedures



4.4.1 Effectiveness of child justice procedures in protecting children in conflict with the law.

Participants were asked to discuss the impact or effectiveness of child justice procedures in protecting children in conflict with the law. The three sub-themes that emerged were being given a second chance, promoting behavior change, and reducing recidivism.

4.4.2 They give another chance.

Most participants agreed that child justice procedures effectively protect children in conflict with the law as they give young offenders another chance to realize their mistakes. This is because some juveniles could be rehabilitated, counseling would be provided, and some could do community service to reintegrate the child into society. They also emphasized that the juvenile justice process allowed these offenders to pause their lives and focus on positive endeavors. The following quotes support this:

"These child justice procedures gave another chance to correct his or her behavior through counseling." (Key Informant 2)

"They promote their rehabilitation and reintegration into society, reducing the risk of recidivism and negative outcomes in the future." (Key informant 6)

"(Yes) the child justice procedures here are helping children in conflict with the law in several ways. First, they are helping to ensure that children are treated fairly by the justice system. The procedures emphasize rehabilitation and reintegration, rather than punishment, and they provide specialized services tailored to children's needs". (Key informant 5)

These statements mean that the justice process gives life opportunities to young offenders so that their future will not be disturbed. Additionally, child justice procedures aim to protect children's rights and promote fair handling and sensitively to their age and maturity. This is confirmed by the research conducted by Piquero et al., 2012 who published a journal, *Criminal Justice and Behavior*, in 2012, which found that intensive aftercare programs in the United States were associated with reduced recidivism rates, improved employment outcomes, and better educational attainment. Another study (Dzadya, 2016) had similar results as he states that child justice allows young offenders to correct their mistakes another time. The Social Bond Theory also supports the idea that children who have something to do will not be involved in antisocial activity. Hirschi 1969 tapped into a philosophy that "idle hands are devils' workshop."

4.4.3 Promotes Behavior change

The participants observed that young offenders who underwent child justice procedures often experienced positive behavior change. These changes included increased school attendance, healthier peer groups, improved family relationships, and a more positive outlook on personal hygiene. This is highlighted by the following quotes:

"Last year, we visited those children who were in child justice in 2022 in their homes, and we had testimonies of behavior change such as going to school every day and helping their parent's household chores." (Key informant 4)

"Some offenders would even stop acting in the deceitful and cunning ways they had at the beginning of the program. Additionally, the relationships between the young offenders and their parents and relatives improve" (key informant 2)

"Certain young criminals exhibit altered behaviors, including attending school and church regularly and assisting with household tasks. Finally, the characteristics of offenders vary; better characteristics include maturity, understanding, and respect, as opposed to rudeness, obstinacy, and rage". (Key informant 6)

The University of Zimbabwe study also found similar results that youth who participated in the Bulawayo Diversion Program were more likely to report a positive change in their behavior, including an increased sense of responsibility, improved interpersonal relationships, and improved compliance with the law (Rogers and Muchena). The legal resource foundation study also found similar results and noted that participants reported feeling less angry, less fearful, and more optimistic after participating in the restorative program (Dziva & Hanakom, 2005). Leoschut et al., 2014) found that programs in South Africa were generally effective in reducing recidivism and promoting behavior change. However, the study noted that the quality of the programs varied greatly, and some programs were less effective than others.

4.4.4 They reduce recidivism.

Participants expressed diverse perspectives but shared a common understanding that child justice procedures prioritize reducing recidivism. These procedures achieve this by conducting thorough assessments to determine the underlying factors driving criminal conduct, providing educational programs to address specific needs, and offering rehabilitation services that equip children with new skills and positive alternatives to offending behavior. This is evidenced by the following quotes:

"They protect a child as we focus on rehabilitation rather than punishment, recognizing that children can change and grow. Through child Justice Procedures, we can make a positive impact in a child's life and help them build a brighter future". (Key informant 2)

"Child Justice Procedures are important as we conduct assessments and evaluations which help to identify root causes of criminal behavior, such as trauma, mental health issues or substance abuse, and we find the better solution to a child." (Key informant 5)

Extensive research has consistently shown that child justice procedures aim to rehabilitate and support young offenders, thereby reducing recidivism and crime rates. In Zimbabwe, Nyakatawa's (2018) study found that rehabilitation programs focusing on education, counseling, and skills training significantly reduced recidivism rates among juvenile offenders. Similarly, Dr. Lucinda van Huyssteen's (2017) research in South Africa highlighted the importance of follow-up services and tracking to support young people's reintegration into their communities and prevent recidivism. Furthermore, a study conducted by the National Institute (2018) in the United States found that restorative justice programs reduced recidivism by 32% compared to traditional justice approaches (Mayfield et al., 2020). These findings suggest that restorative justice programs reduce recidivism and promote community safety.

4.5. CHALLENGES FACED IN CHILD JUSTICE PROCEDURES.

The participants were asked to list their difficulties within the child justice system. These issues were divided into three more minor themes: lack of resources, poor coordination between the government and its constituents, and limited access to rehabilitative programs.

4.5.1 Lack of resources

In the study, participants mentioned that lack of resources is the major challenge affecting the effectiveness of child justice procedures in protecting children in conflict with the law. Some participants noted that there are no vehicles for case follow-ups to see the children's progress in the child justice system and to check if there is a positive or negative change. Some say that the department needs to be more staff, and there are no rooms for counseling, which could make the

young juveniles feel uncomfortable during interviews. This is highlighted by the following quotes:

PO says:

"Yeah, the major challenge that we are facing here is that we have inadequate resources or lack of funding for necessities of child justice procedures. For example, Mutare DSD has no transport for case follow-ups or emergencies. We hire vehicles, which will take time, especially in times of emergency. The process of rehabilitation also needs more funding for technical personnel". (Key informant 1)

This shows that transport is critical in the progress of young offenders' cases. Vehicles should be used for case follow-ups, which could make the child justice procedure effective. Vehicles can also be used for emergencies, but some cases will not be attended to due to a shortage of vehicles. This is also supported by the research conducted by (Ruparanganda & Ruparanganda, 2016), who point out that juvenile justice in Zimbabwe is inadequately funded, thus often leading to poor service delivery.

Another PO says:

"The principle of confidentiality is not being upheld due to a shortage of offices to interview and counsel young offenders. Sometimes, the interviews with the young offenders are done outside, and they will not provide as much information as they think they are being heard." (Key informant 4).

Social workers must maintain the principle of confidentiality, as Biestek stated, that interviews with children in conflict with the law should be private so that young offenders will be

comfortable providing all the relevant details and information to the probation officers. This is confirmed by the research conducted by UNICEF on Children's Justice in Malawi (2008), which found many challenges, including a lack of financial resources, a lack of skilled staff, and a lack of infrastructure.

Another PO mentioned that:

"We are understaffed here at Mutare DSD, and we end up not attending some cases because of pressure. For example, sometimes we do not do case follow-ups because we are few and cannot attend some cases, leading some juveniles to reoffend crimes". (Key informant 5)

The participant tried to explore the fact that there needs to be more employees at Mutare DSD to meet the demands of the work, which include case follow-ups, assessments, and other child justice procedures. Some cases are left pending, leading young offenders to reoffend crimes, hence affecting the effectiveness of child justice procedures. Keer et al. (2012) state that the Australian government faces challenges in the child justice system in protecting children in conflict with the law, including a need for more funding and expertise. This shows that different researchers found similar results, stating that a lack of resources is a challenge other governments face globally (Malvaso, Delfabbro, & Day, 2017).

4.5.2 Lack of coordination between the government and stakeholders.

The participants voiced that lack of coordination between the government and stakeholders is another challenge affecting the effectiveness of child justice procedures. These child justice stakeholders include the police, protectors, lawyers, judges, and other non-governmental organizations, the parents, and the community. They mentioned that the government is not

coordinating with stakeholders, evidenced by the fact that courts are accessible to young offenders; there are no facilities for young offenders. This is highlighted in the following quotes:

"Courts are not easily accessible, so there is a need for children's courts that are accessible to children. Some children will end up being disturbed as they want to go to the court, and most times, the court postpones the dates, which will violate the child's right to go to school." **(Key Informant 1).**

"There are no more options for child justice facilities. For example, the lawyers who help the DSD cases are from other NGOs. There are no lawyers for the government". **(Key Informant 2).**

The past research of Gamuchirai confirms this (2013) in his topic "Protecting Children in Conflict with the Law in Africa," which highlights the importance of collaboration between different actors in protecting children's rights. Another study from the United Nations Office on Drugs and Crime found that a lack of government commitment to child justice is a major "stumbling block" in many countries (UN, 2016). It states that this lack of coordination can lead to gaps in service provision and a lack of access to services for children.

4.5.3 Limited access to rehabilitative programs

Most participants mentioned that limited access to rehabilitation programs significantly impacts the effectiveness of child Justice Procedures in helping children in conflict with the law. Rehabilitation programs often provide education and job training, which is crucial for future success. Without these programs, children will repeat crimes in communities. Some mentioned that rehabilitation programs also help to address underlying causes of criminal behavior, such as

trauma, mental health issues, and substance abuse. Without these programs, the issues may go unaddressed. This is highlighted by the following quotes:

"We mostly face the challenge of limited access to rehabilitative programs or pre-trial diversions for children in conflict with the law, especially in rural and remote areas, and this is leading some children to reoffend crimes." (Key informant 1)

"Most of our clients here who have children who committed crimes may have to wait for months and even years to access programs; delaying their rehabilitation will increase recidivism." (Key Informant 4)

"Here at Mutare DSD, clients with specific needs (e.g., mental health or substance issues) may not have access to specialized programs tailored to their requirements due to a lack of funding and a shortage of trained personnel in rehabilitative programs."(Key informant 6)

Previous research has consistently identified challenges faced by the Department of Social Development in providing rehabilitative programs for young offenders in the child justice system. These challenges include high caseloads, inadequate training, and long waiting lists (Dr. Patricia et al., 2018). The limited access to essential services such as mental health support, substance abuse treatment, education, and vocational training hinders the effectiveness of child justice procedures. In Zimbabwe, Sloth-Nielsen et al.'s (2020) study found that many children in conflict with the law lacked access to rehabilitation services like counseling, education, and vocational training. The study highlighted limited access to rehabilitative programs as a critical issue in Zimbabwe's juvenile justice system, impeding the effective rehabilitation and reintegration of children in conflict with the law. This is further supported by the Social Bond

theory, which suggests that engaging children in prosocial activities like sports and clubs can prevent criminal behavior.

4.6 STRATEGIES TO IMPROVE CHILD JUSTICE PROCEDURES IN ENSURING THE PROTECTION OF CHILDREN IN CONFLICT WITH THE LAW.

In the study, the participants advocate for the sufficient allocation of resources and the government to take action by coordinating with other stakeholders to ensure that children in conflict with the law receive the necessary support and services they require. This includes the need for high-quality health systems, fair student discipline approaches, and the involvement of various stakeholders in the criminal justice process, such as policymakers, legislators, and law enforcement officials. Lastly, the participants also raised another issue of trained personnel in rehabilitation programs.

4.6.1 Sufficient Allocation of Resources

The participants mentioned that lack of resources is the major challenge affecting the effectiveness of child justice procedures in protecting children in conflict with the law. The participants emphasize the need for a strategy to ensure sufficient resource allocation to improve the services for these children. Participants advocate for the government to seek funding to enhance resources such as computers, infrastructure, motor vehicles, and toys used during court sessions. Resources are believed to significantly improve the effectiveness of child justice procedures at Mutare DSD and throughout Zimbabwe. This is evidenced by the following quotes:

"Resources that are needed are in terms of vehicles for case follow-ups. There should be offices for counseling sessions, especially whilst violating the principle of confidentiality. Some children will not feel free to expose the information". (Key Informant 1)

"There is a need for child-friendly facilities and equipment for the police, the courts, and the social services, such as separate cells, interview rooms, toys, and stationery." (Key Informant 2)

"Another essential resource is information and communication technology (ICT). ICT can improve coordination and communication between agencies and departments involved in child justice. This can help ensure that information is shared quickly and efficiently and that cases are processed promptly". (Key Informant 3)

This is evidenced by the past research conducted by Gamuchirai Gomera (2013), who found that one of the significant challenges children face in conflict with the law in Africa is a lack of resources (Gomera, 2021). He noted that to address this challenge; he emphasized the need for greater collaboration between actors, including the state, non-governmental organizations, and the private sector. He also mentioned increasing funding programs that support children in conflict with the law and providing training and enhancing the abilities of child care workers through training and development programs. UN (2015) provided a report that had similar results, stating that the lack of resources is an important factor in the failure to succeed for many states to offer alternative care for children in conflict with the law. The report called for increased services, infrastructure, and coordination between different actors.

4.6.2 Government Actions.

In the study, most participants advocated for the government to improve the child justice process and protect children in conflict with the law. They also highlighted the need for a national child justice board and the government to train child justice system professionals such as police officers and magistrates. This is supported by the following statements:

"It is also important to improve coordination between the different agencies and departments involved in child justice. This can be done by creating a national coordinating body". (Key Informant 4)

"The government needs to employ more social workers so that child protection issues will be handled effectively and there will be no delays. Children in conflict with the law need extra supervision. The government should also coordinate with other stakeholders to build other offices at Mutare DSD so that the young offenders will be interviewed secretly". (Key Informant 6)

"Another strategy is to train justice system professionals, such as police officers, magistrates, and prosecutors, on child rights and child justice procedures. This will help to ensure that children are treated fairly and their rights are respected." (Key Informant 5)

This is confirmed by different research around the globe. In the study conducted by Gomera (2021) in South Africa, pre-trial diversion is a relatively new concept that non-governmental organizations have tried to assist the government in implementing. He stated that the same NGOs should support the programs through preventive measures for young offenders by providing juvenile offenders, dealing with psychosocial issues of offenders, and assisting in bridging the resources gap that the government faces. In Africa, there is some evidence that government collaboration with stakeholders can improve outcomes for children in conflict with the law. For example, a study published in the Journal of Social Development in Africa in 2016 found that community-based interventions in Uganda, including government collaboration with local community members, effectively reduced reoffending and improved reintegration outcomes for

children (Okware & Nyoni, 2016). In South Africa, a study published in the journal *International Journal of Children's Rights* in 2017 found that collaborative efforts between the government, civil society, and other stakeholders were essential to improving the situation of children in conflict with the law. Several studies in Australia have highlighted the importance of government collaboration with stakeholders to protect children in conflict with the law. For example, a study published in the *Australian Journal of Social Work* in 2013 found that child justice procedures in Australia effectively reduced reoffending but that these outcomes depended on government support for these programs.

The social bond theory supports the idea that the government should collaborate through the social bond of attachment. This bond is essential to the research study as it gives the Department of Social Development the strength to implement several policies and programs. These programs could be parenting education programs. These programs can help parents learn effective parenting strategies, such as positive discipline and communication with their children.

4.6.3 Trained personnel in rehabilitation programs

Most interview participants emphasized the need for more trained personnel in rehabilitation programs, highlighting the importance of providing adequate services to children in conflict with the law. They believed that this would significantly improve the effectiveness of child justice procedures in protecting these vulnerable children and ensuring their successful rehabilitation.

This is highlighted by the following quotes:

"As a probation, I can suggest having trained personnel in rehabilitation programs. This could lead to better client outcomes, reduced recidivism, improved community safety, and protection of children in conflict with the law". (Key informant 3)

"We have a challenge of higher caseloads, which is affecting the rehabilitation program and resulting in reduced frequency of client meetings, comprising progress monitoring and support, so there is a need for more trained personnel so that the rehabilitation process could be effective in protecting children in conflict with the law and reduces crimes among the children."(Key informant 4)

Different research confirmed that there is a need for more trained personnel and resources to support rehabilitation programs in Zimbabwe. Probation officers are having caseloads because they are understaffed. In Zimbabwe, Moyo (2023) conducted a research study that found that trained personnel in rehabilitation programs help to ensure adequate rehabilitation and reintegration of children in conflict with the law in Zimbabwe. UNICEF (2017) researched the topic of child Justice in Africa (Biol et al., 2018). The study found that there is a need for trained personnel in rehabilitation programs to address the root causes of crime and support the rehabilitation and reintegration of children in conflict with the law in Africa. Hoge et al. (2010) researched Juvenile Justice in the USA, and the study found that trained personnel is vital in rehabilitation programs as they lower the rates of repeated offenses and enhance the prospects for young people in juvenile justice system.

2.6.3 Chapter Summary

4.7 CHAPTER SUMMARY

The chapter aimed to address the four objectives outlined in the initial chapter of the study. The study findings revealed that probation officers encounter challenges that significantly impact their ability to deliver effective services. These challenges include a need for more resources, such as a shortage of transport to do case follow-ups, the department needing more infrastructure, and limited computers. Additionally, there needs to be coordination between the government and

stakeholders, a prevalent challenge in juvenile justice, hindering probation officers from fulfilling their statutory duties within the justice system. Probation officers advocate for collaboration among professionals and allocating sufficient resources to ensure quality and integrated service delivery.

CHAPTER 5 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.0 Introduction

This chapter summarizes the study's findings presented in the previous chapter, drawing conclusions and providing recommendations for enhancing the effectiveness of child justice procedures in protecting children in conflict with the law.

5.1 Summary

The study aimed to investigate the effectiveness of child justice procedures in protecting children in conflict with the law. The increasing rate of child crime at Mutare DSD motivated the study. The researcher sought to identify the loopholes in the child justice procedures. The researcher's first objective was to identify the child justice procedures to protect children in conflict with the law. The study found that these procedures include the involvement of trained personnel, assessment, rehabilitation, and case follow-ups. Secondly, the study assessed the effectiveness of child justice procedures in protecting children in conflict with the law and found that these procedures provide a second chance, promote behavioral change, and reduce recidivism. Thirdly, the study revealed that probation officers face challenges in implementing child justice procedures, including a lack of resources, inadequate coordination between the government and stakeholders, and limited access to rehabilitation programs. Finally, the study recommended sufficient allocation of resources, government action, and the recruitment of trained personnel in rehabilitation programs.

Objective 1: The study findings show that the involvement of trained personnel is the first child justice procedure upheld in ensuring the protection and well-being of a child in the criminal justice system. These trained personnel, including police officers, lawyers, judges, probation officers, and other court personnel, play a crucial role in ensuring that child justice is upheld. The

study shows that assessment is the second stage, where probation officers conduct interviews with the offender and their parents, and counseling and the compilation of reports also occur. The third child justice procedure is rehabilitation, which involves measures and programs aimed at addressing the needs of children in conflict with the law and facilitating their positive development. Finally, research findings indicated that case follow-ups are the final stage of the child justice procedures in protecting children in conflict with the law, where probation officers track the progress of children who have gone through the child justice system and ensure that they do not reoffend again.

Objective 2: The research findings revealed that child Justice procedures effectively protect children in conflict with the law, providing young offenders a second chance to correct their mistakes. Through rehabilitation, counseling, and community service, young offenders can integrate into their communities and make amends. This approach ensures that the future of young offenders is not ruined by a single mistake. The researcher's findings also showed that child Justice procedures promote behavior change, leading to improved obedience, regular school attendance, better relationships with guardians, and a more positive outlook on personal hygiene. Furthermore, the findings indicated that these procedures reduce recidivism among young juveniles, as probation officers conduct assessments to identify the root causes of crime and provide targeted counseling to guide young offenders towards a more positive path.

Objective 3 The study findings revealed that a lack of resources is a significant challenge affecting the effectiveness of child Justice procedures in protecting children in conflict with the law. Specifically, the lack of resources includes inadequate vehicles for case follow-ups, understaffing in the Department of Social Development, and insufficient counseling rooms and computer facilities. Additionally, the research findings highlighted a lack of coordination

between the government and stakeholders as a significant challenge. The government's poor coordination with stakeholders, such as the court section and non-governmental organizations, hinders effective service delivery for children in conflict with the law. Furthermore, the study results showed that limited access to rehabilitation programs is another significant challenge impeding the effectiveness of child Justice Procedures. Rehabilitation plays a crucial role in providing education and job training, and without these programs, children are likely to reoffend repeatedly.

Objective 4: The findings emphasized the need for sufficient resource allocation at Mutare DSD to enhance the effectiveness of child Justice procedures in protecting children in conflict with the law. To achieve this, the department should seek funding to upgrade resources such as computers and digital infrastructure, motor vehicles for case follow-ups and transportation, children's courts, and counseling facilities. The results also stressed the importance of government action and coordination with stakeholders to improve the effectiveness of child Justice procedures. Furthermore, the research findings highlighted the need to recruit trained personnel for rehabilitation programs, which is crucial given the high caseloads at Mutare DSD. This would ensure that children receive the necessary support and guidance to reform and reintegrate into society.

5.3 Conclusion

The effectiveness of child justice procedures in protecting children in conflict with the law is a complex and multifaceted issue. While some progress has been made in recognizing the rights and needs of children, the findings of this investigation reveal that there are still significant challenges and gaps in the system. These challenges include inadequate resource allocation, poor coordination and collaboration among stakeholders, and limited access to rehabilitation programs.

To address these challenges and ensure that children in conflict with the law receive the protection and support they need, it is essential to implement a comprehensive and integrated approach that prioritizes their rights, safety, and well-being. This includes allocating sufficient resources to support child justice services and programs, improving coordination and collaboration among government agencies, NGOs, and community organizations, and providing access to rehabilitation programs and services that address the root causes of offending behavior. By working together and adopting a child-centered approach, the government should create a justice system that genuinely serves children's best interests and helps them build a brighter future. This is not only a moral imperative but also a critical investment in the well-being and prosperity of our society.

5.4 Recommendations

5.4.1 Community Engagement and Awareness

The DSD should educate the community about child justice issues, procedures, and services. This includes public awareness campaigns, organizing events, workshops, and media campaigns to raise awareness about child justice, child rights, and the importance of protecting children from abuse, neglect, and exploitation.

5.4.2 Monitoring and Evaluation

The Department of Social Development must establish a thorough and integrated assessment and tracking system to assess the efficacy of child justice procedures. This framework must include regular assessments and research initiatives aimed at identifying areas for enhancement. The resulting data will inform policy decisions to drive continuous improvement.

5.4.3 Policy Review and Development

The government must thoroughly review and update existing policies and legislation about child justice. This endeavor should result in formulating policies and guidelines that effectively

address emerging issues and align with international best practices and conventions, ensuring a robust and effective child justice system.

5.4.4 Public-Private Partnerships

Government agencies (public sector) and private organizations (private sector) should collaborate to achieve common goals and deliver services more effectively. Private sector organizations can bring innovative solutions and efficient processes to improve the delivery of child justice services. They can also help expand access to child justice services by establishing new programs and services, particularly in underserved areas. Additionally, they promote the sustainability of child justice initiatives by sharing risks, costs, and responsibilities. By encouraging private-public partnerships, the government can leverage the strengths of both sectors to improve the child justice system and better serve vulnerable children.

5.5 Chapter Summary

This chapter distils the study's key findings and interprets their significance. The chapter also provides recommendations for enhancing service delivery, thereby improving child justice procedures. The findings of this study highlight the need for a multidimensional approach to address the complex issues surrounding child justice. The recommendations offered aim to enhance the effectiveness of child justice services, ensuring that the rights and well-being of children in conflict with the law are prioritized. By implementing these recommendations, stakeholders can work towards creating a more comprehensive and child-centered child justice system.

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APPENDIX 1: Participant Consent Form

I am Yvonne Mazumba, a social work student at Bindura University of Science Education. I'm conducting a crucial study that investigates the effectiveness of child Justice Procedures in enhancing the protection of children in conflict with the law. This study is of utmost importance as it aims to improve the current child justice procedures. At Mutare DSD

I invite you to play a crucial role in this study. Your participation is voluntary, and your decision will be respected regardless of your choice. The interview, which will last approximately thirty minutes, will be scheduled at a time that is convenient for you. Your identity and responses will be kept confidential and treated with the utmost respect.

By signing below, you acknowledge that you understand the study's purpose and requirements and agree to participate freely.

Participant's Signature: _____

Interviewer's Signature: _____

APPENDIX 2: Key Informant Guide

Personal Information

Name.....

Age.....

Marital Status.....

1. Could you share your insights on the child justice procedures that are currently in place to enhance the protection of children in conflict with the law?
2. How are these child justice procedures helping children in conflict with the law?
3. What challenges are faced in child justice procedures in helping children in conflict with the law?
4. What strategies can be taken to overcome the challenges of protecting children in conflict with the law?
5. Are any resources needed to improve the child justice procedures in protecting children in conflict with the law?

APPENDIX: 3 Approval letter for data collection.

