

OUR SHARED DUTY TO PROTECT NAMIBIA'S CHILDREN: Reporting child abuse and neglect

Good morning, doctor. My son Peter has a fever and is feeling unwell. He has a speech disability so if you need any details you will have to ask me.

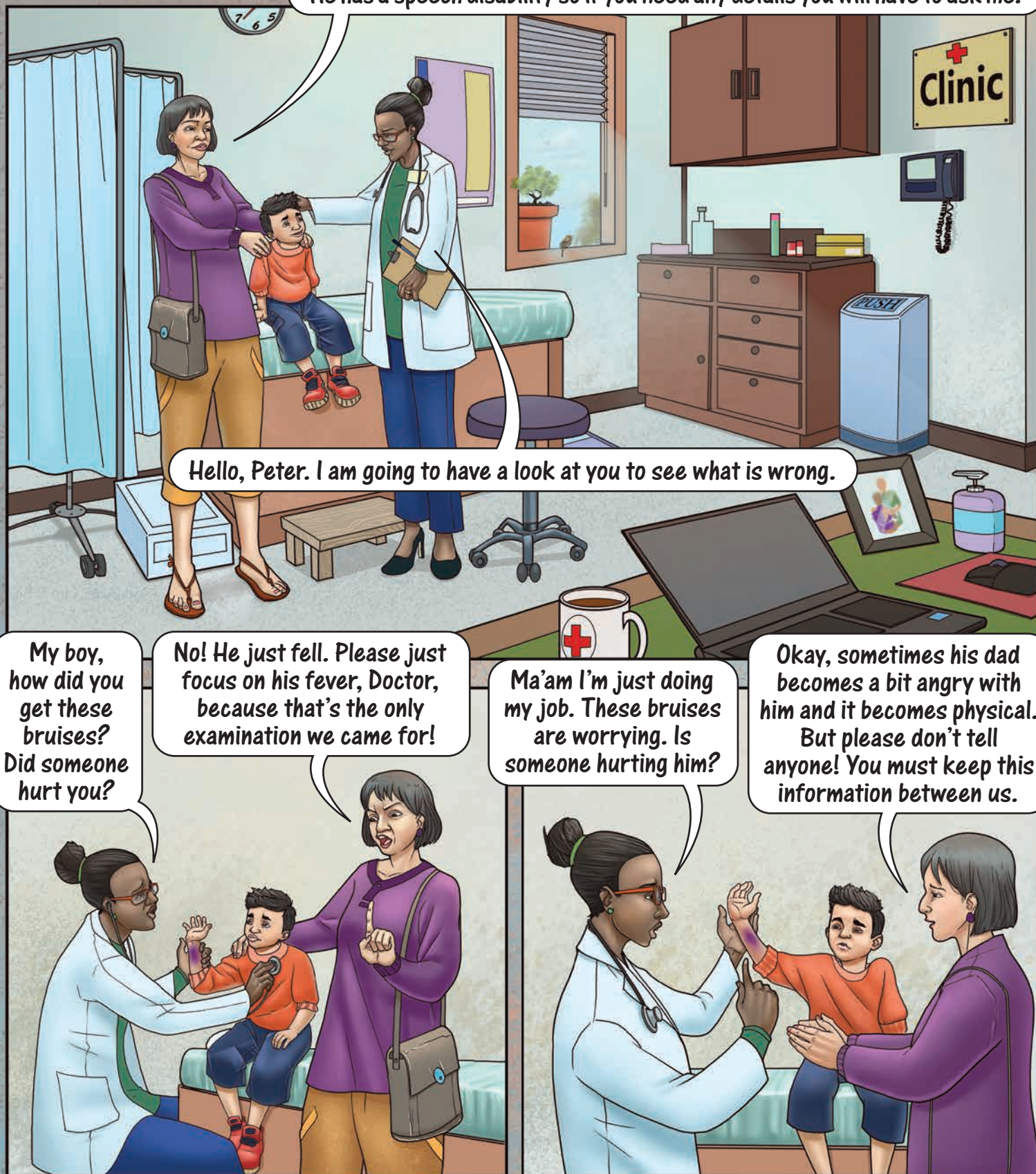
Hello, Peter. I am going to have a look at you to see what is wrong.

My boy, how did you get these bruises? Did someone hurt you?

No! He just fell. Please just focus on his fever, Doctor, because that's the only examination we came for!

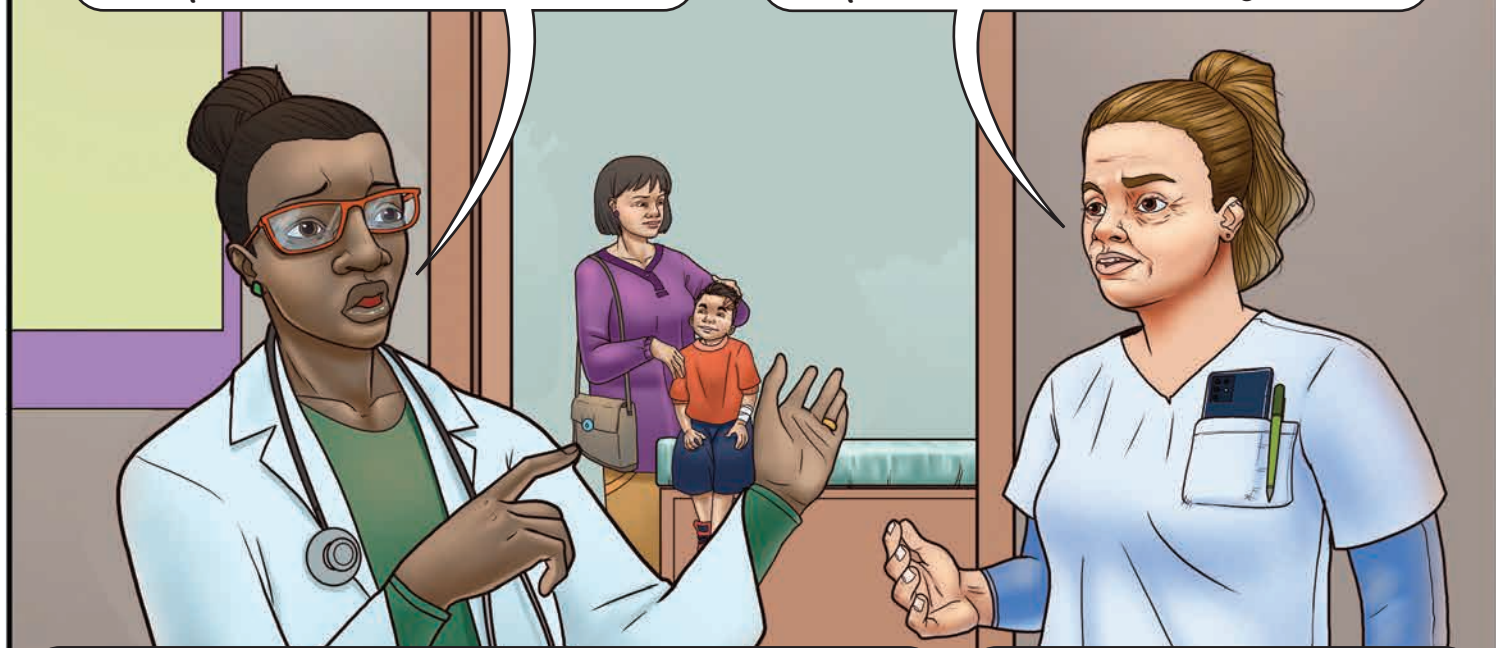
Ma'am I'm just doing my job. These bruises are worrying. Is someone hurting him?

Okay, sometimes his dad becomes a bit angry with him and it becomes physical. But please don't tell anyone! You must keep this information between us.



Sister, I noticed bruises on that little boy that look like signs of abuse. The boy has a speech disability so he couldn't speak up for himself. His mother confirmed that the father sometimes hurts the boy, but she asked me to keep that information between us.

Well then I suppose that we can't do anything because of doctor-patient confidentiality. It is a well-established rule that doctors must not share any information about their patients without the permission of the patient – or the permission of a parent in the case of a young child.



The new children's law, the Child Care and Protection Act, requires doctors to report any suspicion that a child is at risk of harm. This legal duty to report is more important than the rules about confidentiality between doctor and patient.

I'm happy to hear that, Doctor. I'll contact a social worker right away to report these concerns.



Persons who provide professional or official duties to children have a legal duty to make a report to police or a social worker if they suspect that a child may need protective services. Failure to report is a crime that can result in a fine of up to N\$20 000 or prison for up to 5 years, or both.

When the doctor was examining a five-year-old boy today, she noticed some bruises that look like a sign of child abuse. The boy's mother confirmed that the father beats the child.

I am so glad that you and the doctor know about the duty of medical professionals to report suspected child abuse. We also encourage all members of the public to report any signs of child abuse or neglect voluntarily. Reporting is important since children may not be able to ask for help on their own. I will send you a form to complete, and I will begin an investigation right away.



Ma'am please do not be afraid. I only want to help you and your son. I can see that you are a good mother who cares for her family but we have to consider the best interests of your child.

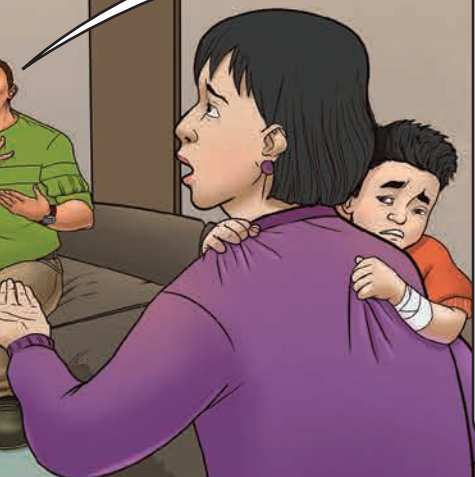
Yes I know. My boy is quiet and that annoys my husband. He thinks our son is being disrespectful towards him. My husband doesn't understand our child's problems with speaking, and he gets so frustrated that he becomes violent sometimes. I don't know what to do anymore.

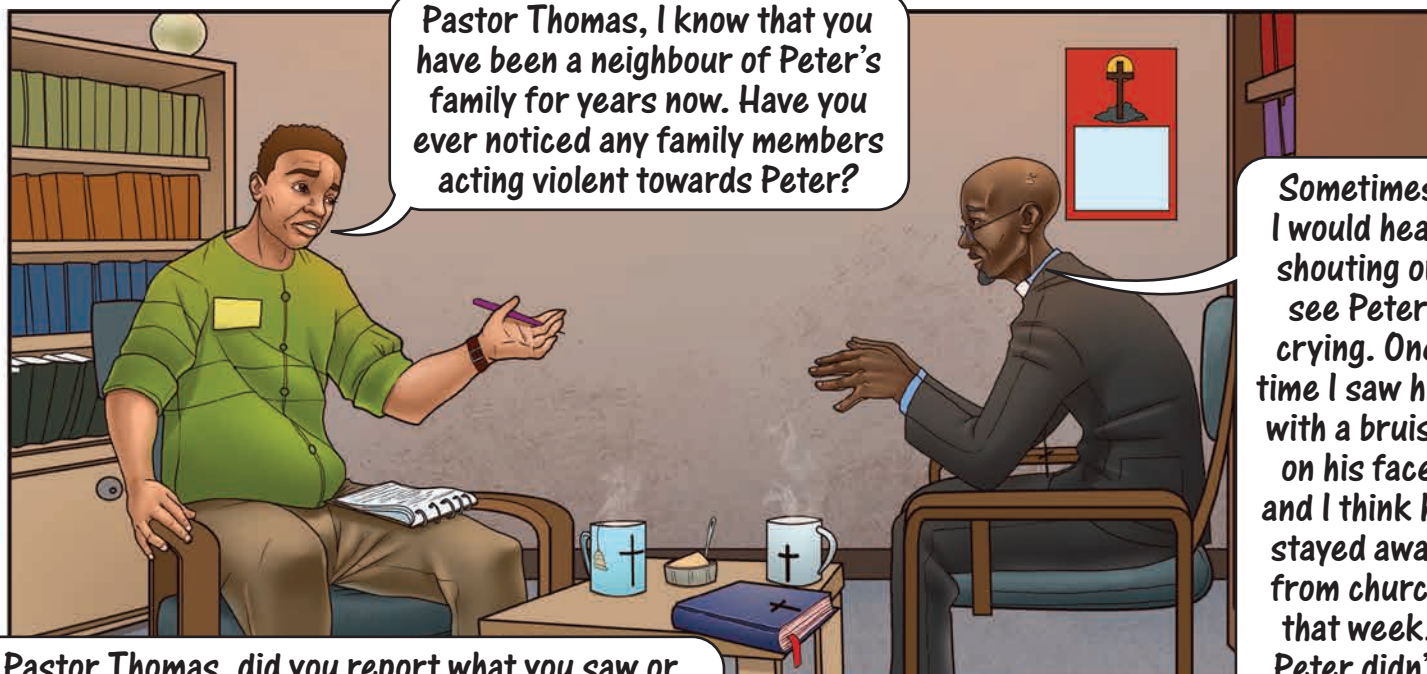


Who are you and why are you in my house asking questions about how I raise my son? You have no right to be here!



Sir, according to the Child Care and Protection Act I may question any person about a child who may be at risk of harm during an investigation. So please, sir, let me do my job and see how I can help Peter.





Pastor Thomas, I know that you have been a neighbour of Peter's family for years now. Have you ever noticed any family members acting violent towards Peter?

Sometimes I would hear shouting or see Peter crying. One time I saw him with a bruise on his face and I think he stayed away from church that week. Peter didn't say anything when I tried to speak to him because he is very shy and quiet.

Pastor Thomas, did you report what you saw or suspected to the police or another social worker?



No, I didn't have any proof. Peter's mom always told me that Peter had fallen or hurt himself while playing. I didn't take the matter further after she said that everything was fine - I don't like to mess in people's family matters.

Pastor Thomas, the new law protecting children says that religious leaders and other professionals have a legal duty to report suspicions about children in need of protective services to police or a social worker. Failure to report is a crime. Here is a list of the professionals who are covered by that duty.

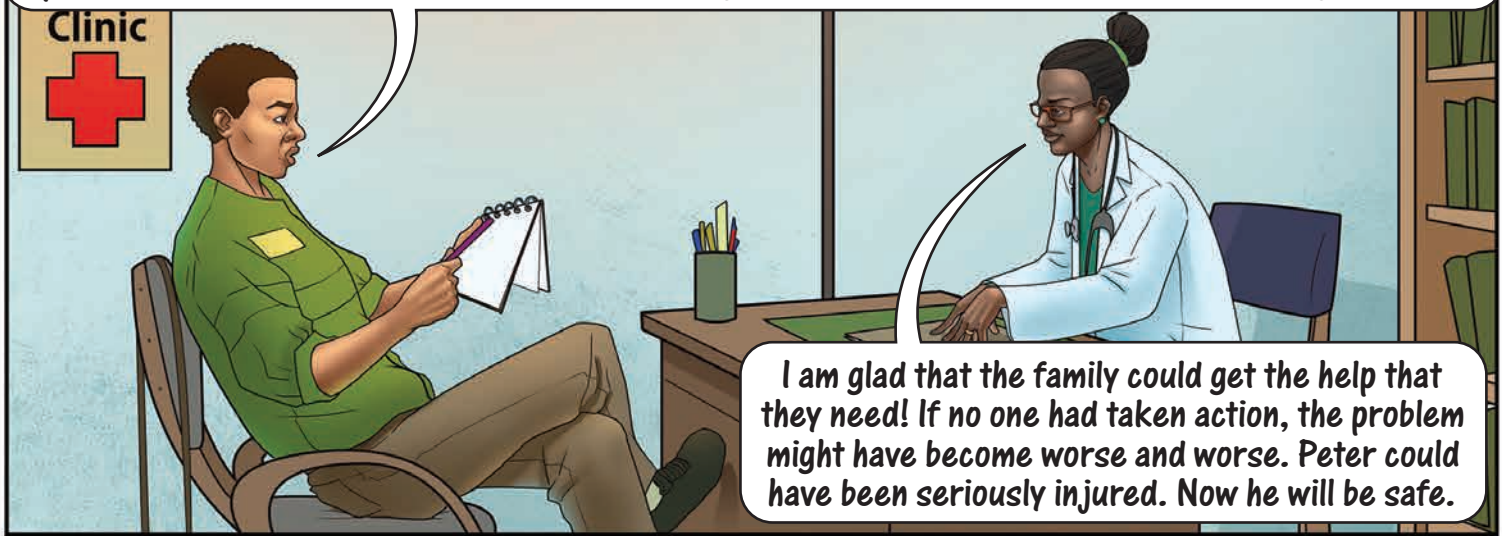
Professionals with a legal duty to report suspicions

- school principals, teachers, school counsellors
- doctors, nurses, dentists, pharmacists
- psychologists, psychological counsellors
- physiotherapists, speech/occupational therapists
- traditional leaders, traditional health practitioners
- lawyers (except for privileged communications)
- religious leaders
- labour inspectors
- staff members at registered child care facilities
- private social workers, child protection organisations
- any other person who performs professional/official duties for children.



Oh, I didn't know about that! Now that I know about my duty, I will be sure to report any concerns about child abuse in the future.

Doctor, I thought you would like to know what happened in Peter's case. My investigation confirmed that Peter's father has beaten Peter very violently several times. Social workers and police have the power to remove an offender from the home if a child is in danger. In this case, Peter's dad agreed to move out of the house and stay with his brother for a while. He is getting counselling to help him understand Peter's speech disability and to learn ways to control his anger. I will monitor the family situation as we go forward.



I am glad that the family could get the help that they need! If no one had taken action, the problem might have become worse and worse. Peter could have been seriously injured. Now he will be safe.

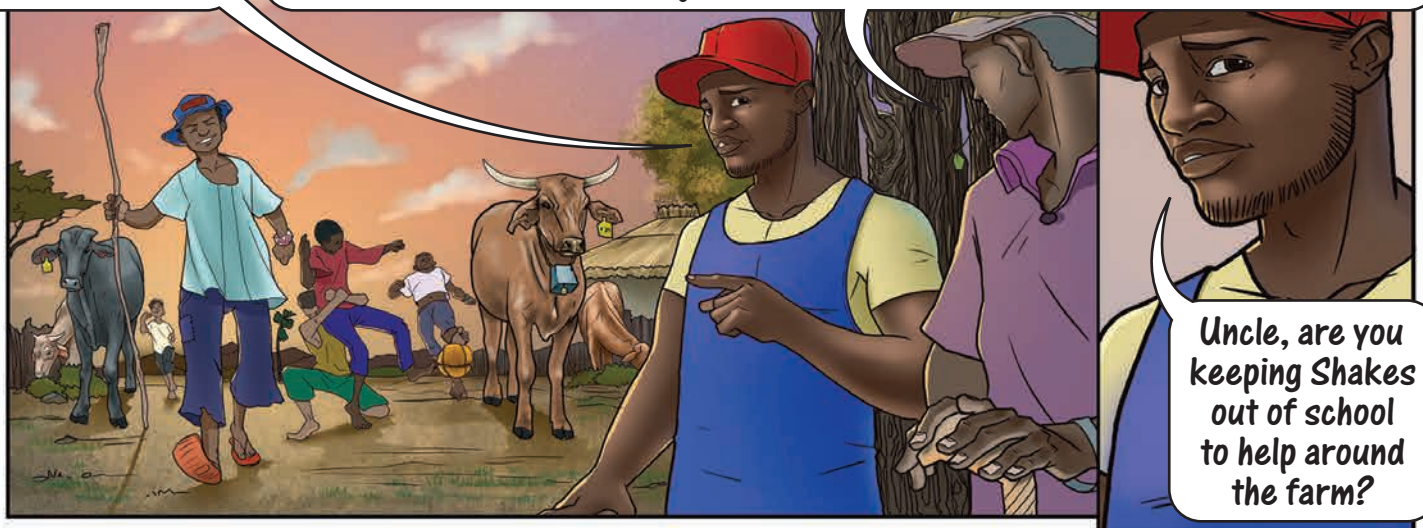
Meanwhile, another child protection issue came to light in a village ...

Good morning Uncle! It is nice to be home. My work as a labour inspector keeps me so busy that I have not been able to visit for a while.

Good morning, my dear nephew. I am glad that you could take some time off to visit us. Come sit with me and have some coffee.

I didn't know Shakes was also here! I thought he was back at the school hostel now that the school term has started. What is he doing here, Uncle?

I brought him here to help me. There are not enough boys at the village now. I am old and can no longer walk long distances to herd the cattle. The young men must now take over those hard jobs. Shakes is 13 now, so why shouldn't he work?



Uncle, are you keeping Shakes out of school to help around the farm?

Yes, I had no other choice. Besides, this keeps him busy all day and out of trouble! The kids in town are exposed to bad things after school hours. And I give Shakes N\$10 every day for the work he is doing.



Uncle, I respect you and I care about your health. But you know that I work as a labour inspector for the Government. Namibia's labour laws make it illegal to employ a child under age 14, and no child under age 16 is allowed to do work that interferes with their schooling. And Namibia's laws on education say that every child must go to school until age 16, or until they have completed primary school.



The work on the farm is what provides for my family. The boys have always helped out with the herding, you know that! It is our tradition. Do not disrespect your culture!



I mean no disrespect, my dear Uncle, but the old ways sometimes have to change. The Child Care and Protection Act says that children must be protected from any harmful social, cultural or religious practices. Shakes is being disadvantaged by not getting the education he needs for the future. And what you are doing is also against the law. If Shakes does not go back to school, I would have a duty to report it!

My dear nephew, I am sorry. I did not realise that keeping Shakes out of school to herd the cattle is against the law. Will you help me to get Shakes back to school? Maybe he can come and help with some family chores during the holiday so that he can learn about our village life.



You have really opened my eyes, Daniel. Since I am a community leader, I am going to call a meeting and inform the community members that we should stop any harmful practices affecting children. Our children need our support and protection so they can become strong citizens and future leaders.

I know you meant no harm Uncle. These new laws are there to protect our children. We all have a duty to see that they work in practice to give our children a good start in life. If we do not protect our own kids, nobody will!

I understand. I am sorry that I did not know about the laws on children. As a leader, I should keep myself informed about the different laws in Namibia, especially the ones dealing with our children.

I am glad that you understand. I would not ever want to have to make a report about my favourite uncle! Some people think that children have too many rights these days, but we have to remember that the world is changing.

Thank you for teaching me this, Daniel. The elders can sometimes learn from the younger people like yourself. Now you can come with me and learn a thing or two about cattle!





Everyone in Namibia has a duty to do their part to protect Namibia's children from harm!

Mandatory reporting: The law requires professionals who work with children to make a report if they suspect that a child needs help. Failure to report is a crime.

Voluntary reporting: The law encourages the general public to make good faith reports if they suspect that a child needs help.

A person who subjects a child to **social, religious or cultural practices that are harmful to the child's well-being** commits a crime. The penalty is a fine of up to N\$50 000 or imprisonment for up to 10 years, or both.

Child labour: No one may employ a child under age 14. No one may employ a child under age 16 in work that interferes with their education or work that could harm their health or development.

For more information about reporting child abuse and neglect, contact the Legal Assistance Centre:
SMS: 081 600 0098

We would like to hear your **FEEDBACK** about this comic.

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Text: Celine Engelbrecht and Elaine Konjore

Illustrations, design and layout: Taty Tang Arts and Perri Caplan

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