

“Hearing the Voice of the Child”: Participatory Practice in Statutory Child Protection in Zimbabwe

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Abstract

There has been a presumption that the idea of universal participation of children in every sphere of life is practical and achievable. Yet, applying the principle of participation in statutory child protection is a very complicated task which has resulted in varying levels of application in different countries. This paper provides a critical review of the extent to which participation rights of children in statutory child protection are instituted in Zimbabwe. It will be argued that while Zimbabwe has made significant progress in embedding child participation on paper, the reality of child protection practice shows that the full realisation of this right remains an arduous task. The paper discusses the challenges that exist and highlights the opportunities available towards the full realisation of child participatory rights during child protection processes in Zimbabwe.

Keywords: child protection, child participation, Zimbabwe, international conventions, child rights, social work, resources

1. Introduction

1.1. International Context: Scope and Level of Child Participation in Child Protection

With the ratification of the United Nations Convention on the Rights of the Child (UNCRC) in 1989, came the recognition of the status of children as subjects of rights, not only in need of protection, but with the right to be heard as well (Viviers and Lombard, 2012). In recognition of this fundamental right of children to participate in matters affecting them, many countries instituted policy and legislative frameworks towards the realisation of this right.

While the mainstreaming of child participation has become common, contemporary scholarship has raised debates around the extent and scope of child participation in statutory child protection practice given the complexities in this area of work (Healy, 1998; Holland, 2004; Healy and Darlington, 2009). However, the debates have been confined to child protection settings in the global North, with fewer or none such analyses in the global South and on the African continent, in particular. In trying to fill this gap, this paper attempts to ascertain the extent to which child participation is safeguarded in statutory child protection in Zimbabwe. Informed by secondary data, the study finds that while a fairly adequate legislative and policy framework regarding the participation of children is in place in Zimbabwe, this is not matched by the organisational context in which child protection services are delivered on the ground. While legislation and policies appear to enunciate the principle of participation in all matters affecting children, a combination of resource constraints and the manner under which case processing systems are organised presents difficulties for the statutory child protection service to carry out its mandate to protect and care for children in need through participatory processes. This paper begins with an overview of the scope and level of child participation and the tensions that have been shown to exist elsewhere and that prevent the full development of child participation in statutory child protection. The global context shaping the way child participation is safeguarded as a fundamental right in international and regional conventions to which Zimbabwe acceded to, is explored as a prelude to the analysis of how the concept of participation is transposed into the statutory child protection context in Zimbabwe.

While there is no data in relation to the views of children and adults on the child protection system in Zimbabwe, many studies in Europe and elsewhere have highlighted the significance of participatory practices in child protection interventions. In their study of 13 young people involved in the Irish child protection system, Buckley et al (2008) found that children viewed clinical processes in a more positive manner if they felt they participated in the process. Some of the reasons for involving children in clinical decision-making can be summarized as; upholding children's rights; fulfilling legal responsibilities; improving services; improving decision making; enhancing the democratic process; and promoting children's protection (Franklin and Sloper, 2006). It is important to highlight that participation is not necessarily a novel concept. Listening to clients has been the hallmark of traditional social work practice of building mutually-beneficial relationships (Beresford and Croft, 2001).

As a result of these demonstrated benefits, legislation and policy directives in many countries has emphasized the participation rights of children in matters affecting them, including child protection and welfare proceedings. For instance, New Zealand introduced the concept of participatory decision-making in its child welfare system in 1989 based on the Maori traditional family values. The United Kingdom's Children's Act of 1989 enshrined the principle in child care assessments and planning as well as Australia in some of its states and territories (Darlington et al, 2010). In Finland, as provided for under the Child Welfare Act 417 of 2007, child participation is enshrined as a legal right, and it is therefore mandatory for social workers to ascertain the wishes and feelings of children in child-protection assessments, care planning and in foster care (Polkki et al, 2012). While the benefits of participation cannot be doubted, contemporary scholarship has raised debates with how this concept fits in within statutory child protection given the ambiguities and sensitivities within this area of practice (Calder, 1995; Healy, 1998; Holland, 2004).

Notwithstanding the mainstreaming of participation a lot of scholarship has demonstrated that a huge disparity continues to exist between the ideal of participation and the reality of child protection practices. Holland (2004) conducted research on child protection assessments in the United Kingdom and discovered that the child's narrative was not visible in most of the assessment reports. In reference to a UK report produced by the Commission for Social Care Inspection in 2005, Woolfson et al (2010) argued that children went through child protection processes without being given opportunities to express their wishes and feelings and this was attributed to undeveloped participatory guidelines. In Norway, Vis et al (2012) also found out that social workers did not fully engage children in care planning despite the fact that child participation was mandatory as per the provisions of the Norwegian Child Welfare Act. It is clear that translating the ideal of child participation into reality in many countries has not been fully realised and questions have been asked on how compatible this principle is with child protection.

A growing body of literature has pointed to tensions inherent in the participatory process itself and to systemic factors around the child protection frameworks as causes for the lacuna that exists (Healy, 1998; Holland, 2004; McLaughlin, 2009; Vis et al, 2011). As social workers have a role to play as agents of social control, their use of statutory power impacts upon participation in two ways. First, as Healy (1998: 906) pointed out child protection is complicated because of its use of statutory power, and yet, "participatory practice is identified with the diminution of power differences and ultimately the absence of coercive power relations altogether". Second, while not necessarily disregarding the voice of the child, some circumstances around the case might compel social workers to use their statutory power to make decisions contrary to the wishes of the client as McLaughlin (2009: 1109) succinctly put it thus, "there is a point in social work practice whereby the social worker is expected to act on their own professional assessment of the situation, informed by agency policy, legal mandates and research, irrespective of what the service user's choices or views are". Vis et al (2011) argued that the ambiguity of participation in child protection is as a result of the concept of participation being at the centre of contested discourses about the nature and meaning of childhood. They argued that the lack of consensus on the meaning of childhood is manifested in social workers ending up having differing priorities and attitudes towards children's participation. To buttress this argument, Holland (2004) gave the example of a dilemma a social worker might have in relation to children expressing their views and being involved in making decisions, while from a welfare perspective, they may need protection from harm and the burden of decision-making. It is also quite apparent that the global rhetoric around child participation has not been reflected by the organisational context under which child protection occurs on the ground. Healy (1998) drew attention to high caseloads and limited resources as particular features of many statutory child protection services in Europe and elsewhere.

There is no doubt that limited resources in child protection have detracted social workers from offering quality services to children. Furthermore, doubts have been raised around the abilities of social workers to work with children in a participatory manner and the appropriateness of social work education towards this goal. Handley and Doyle (2012) argued that social workers lack the practical skills and competencies that enable them to construct relationships with children in an equitable manner. Handley and Doyle (2012) referred to review reports from the UK's child protection system which raised concerns about the ability of social workers to communicate with children and the extent to which social work training enabled them to work effectively with children. In addition, Clare and Mevik (2008) highlighted the absence of published curricula on communication with children and participatory social work practice in social work education in Australia and Norway. While the scope and level of child participation is documented in other countries, this is so less clear in the Zimbabwean child protection services. Although there have been studies on participation in community-based child protection programmes in Zimbabwe (Fanelli et al, 2007; Mushunje, 2007) and reviews on statutory child protection (Wyatt et al, 2010), the statutory framework around the participation of children in child protection has never been subjected to such scrutiny. However, as Zimbabwe acceded to various international and regional conventions giving children the right to participate in matters affecting them, this affords an opportunity to measure the extent to which Zimbabwe has fared in aspiring to meet this ideal.

1.2. Safeguarding Child Participation in International and Regional Conventions

The participation of children is safeguarded in a number of articles of the UNCRC of which Zimbabwe is a signatory (Hodgkin and Newell, 2007; Wyatt, 2010). According to Lansdown (2001:1), the UNCRC acknowledges this right in Article 12 (1) which states that, "States parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child". Furthermore, Article 12(2) of the UNCRC added a specific provision for children to be heard and represented in judicial and administrative processes affecting them; "for this purpose the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or appropriate body, in a manner consistent with the procedural rules of national law" (Lansdown, 2001: 1). By ratifying this Convention, Zimbabwe committed itself to promote, protect and fulfil the rights of children as outlined in the articles of the Convention. In addition, Zimbabwe endorsed the Universal Declaration of Human Rights which provides for participation rights for all people, including children in Articles 19 and 20 (Chinyangara et al, 1997; Viviers and Lombard, 2012). Furthermore, Zimbabwe committed to the United Nations' Millennium Declaration in 2001 which reiterated the commitment made under other international conventions and also undertook to ensure the effective participation for all people, including children, in order to achieve the Millennium Development Goals (Dzirikure and Allen, 2014; Viviers and Lombard, 2012).

On the regional front, Zimbabwe, as a member of the Africa Union, ratified the African Charter on the Rights and Welfare of the Child (Mushunje, 2007) which under Article 4 requests member states to recognise the evolving capacities of children and to provide them with an opportunity to be heard and to have such views taken into consideration "by the relevant authorities in accordance with the provisions of appropriate law" (African Union, 1990). According to Chinyangara et al (1997), the African Charter was born out of the feeling by African member states to the United Nations that the drafting of the UNCRC missed important socio-cultural and economic realities of the African experience. However, Chinyangara et al (1997) made the point that the African Charter is not opposed to the UNCRC but that it puts emphasis on African cultural values and experience pertaining to the rights of the children in Africa. There is no doubt the above-mentioned international and regional conventions have built a solid foundation for children's participation as a right (Viviers and Lombard, 2012), and that they set the standards to which the government of Zimbabwe aspires to achieve in its policy-making with regard to child protection and welfare. As Powell et al (2004) pointed out, the government of Zimbabwe ratified both the UNCRC and the African Charter, in so doing, Zimbabwe acknowledged its obligation and committed itself to upholding the rights of its children. However, questions remain around the extent to which the right to child participation has been transposed and reflected in the national legal and child protection practice framework.

2. Child Protection Legislative Framework in Zimbabwe

The Constitution of Zimbabwe is the supreme law of the country and provides for the protection and promotion of a wide array of human rights.

Zimbabwe gazetted a new Constitution into law in 2013 to replace the previous Constitution which had been in existence since the country gained independence from British colonial rule in 1980 (Chikuhwa, 2013). The participation of children in the new Constitution-making process was a key feature in line with “the agreed framework of inclusion, democracy and participation in the drafting of the constitution” (Mutseyekwa, 2010). However, Mutseyekwa (2010) noted that the participation of children in the outreach processes conducted throughout Zimbabwe as part of the Constitution-making process was quite limited and he attributes this mainly to the tradition of excluding children in formal processes. Although the policy-making processes are outside the scope of this paper, this episode highlights the status of children in relation to their participation in matters affecting them in Zimbabwe.

However, the new Constitution is now in use and as the supreme law this means that any law or conduct inconsistent with the provisions of the Constitution will be invalid. Children are afforded a place in the constitution with an array of natural rights under Section 19 and elaborated in Part three to “ensure greater certainty as to the application of these rights and freedoms to particular classes of people” (Government of Zimbabwe, 2013: 47). While Section 19 lays out a gamut of child-specific rights, it provides in section 19 (1) that, “the State must adopt policies and measures to ensure that in matters in relation to children, the best interests of the children concerned are paramount” (Government of Zimbabwe, 2013: 26). This is also repeated in Section 81 (2) which states that, “A child’s best interests are paramount in every matter concerning the child” (Government of Zimbabwe, 2013: 48). The principle of ‘best interests’ of the child is a tool to guide decision-making in cases involving children. While the principle involves considering a holistic view of what is best for children (Children’s Rights Alliance, 2012), the process of deciding the best interest of the child is fraught with difficulties. Dausab (2009) attributed this difficulty to the fact that it is an “over-aching common law principle” and Imoh and Ansell (2014: 241) described it as “fundamentally paternalistic”.

Nevertheless, it is fair to say that in any assessment of the best interest of the child, it is essential that the children are given opportunities to express their wishes and opinions and that their views are given serious consideration (Hammabeg, 2008). The Zimbabwean Constitution clearly enshrines this right in Section 81 (1) which states that (Government of Zimbabwe, 2013: 47), “Every child, that is to say, every boy and girl under the age of eighteen years, has the right.....to equal treatment before the law, including the right to be heard”. However, while the Constitution clearly laid out the right to be heard in matters before the law as an absolute right, it did not extend this to administrative proceedings as well. Notwithstanding this omission, it is noteworthy that the Constitution enshrines both the right to be heard and the principle of the best interests of the child. In reference to the Irish referendum on children, an Irish child rights advocacy organisation, the Children’s Rights Alliance (2012) recognised that when the best interest of the child principle is placed in the same breadth with child participation this provides momentum for the implementation of legislative, policy and administrative practices to facilitate children’s participation (Children’s Rights Alliance, 2012). It is therefore suffice to say that the current constitutional provisions in Zimbabwe lays a solid ground for the participation of children in matters affecting them in the country. The hope is that the spirit of involving children in decision-making as enshrined in the supreme law, crystallize into legislation, policy and child protection practice. Although, it is apparent that the participation rights of children are visible in the Constitution, the jury is yet out on the extent to which this has been articulated on the ground. At the level of legislation, the key statute relevant to the protection and welfare of children in Zimbabwe is the Children’s Act, (Chapter 5:06) of 1972, last amended in 2001, whose responsibility is the Department of Social Services (Government of Zimbabwe, 2005; Wyatt, 2010). Although the Department of Social Services is mandated to administer over other social protection schemes, child protection and welfare is central to its functions (Government of Zimbabwe, 2005).

The Department of Social Services employ social workers who according to the Children’s Act operate as probation officers whenever there are reasons to suspect that a child is at serious risk of harm or is in need of care (Government of Zimbabwe, 1972). The Act places a duty on such probation officers to intervene and place such children in a place of safety, but on condition that the child is brought before the Children’s Court within a period of seven days (Kaseke, 1991). If the Children’s Court makes a determination that the child is indeed at serious risk of harm, it makes a recommendation that either the child be placed in a place of safety, or it can order that the child remain in the custody of parents or a guardian (Government of Zimbabwe, 1972; Kaseke, 1991).

The Children's Act also requires that young people who are alleged to have committed criminal offences be referred to probation officers for them to undertake assessments into the socio-economic circumstances of the children and provide reports to assist the court to make an appropriate judgement. The Probation Officer can make recommendations to court that charges be withdrawn and the child dealt with outside the criminal court as a child in need of care, rather than as a criminal, or he or she can recommend that children be committed to a training institute, for rehabilitation purposes (Government of Zimbabwe, 1972; Kaseke, 1991). As discussed above, the Constitution of Zimbabwe clearly stipulates that the voice of the child should be heard in all matters before the law and the Children's Act has particular relevance in the exercise of this right.

The Children's Act places a duty on the courts to ascertain the child's wishes and feelings and take them into consideration when making decisions during child protection proceedings, where it is practicable to do so. Section 5 (2) of the Act gives discretion to the officer presiding over a children's court to "permit the child or young person to express his views or opinion on the matter before the children's court" (Government of Zimbabwe, 1972). Furthermore, the Children's Court holding an inquiry in respect of a child, under section 19(2)(d), "shall, wherever it is possible and appropriate to do so, seek the opinion of the child or young person on the matter under inquiry" (Government of Zimbabwe, 1972). The use of "shall" is quite significant as it places a mandatory legal obligation on the presiding officer of the Children's Court to provide for the opportunity for the child to be heard in court proceedings. This appears to give effect to the constitutional obligations as provided for under section 81(1) of the constitution. However, in practice children do not attend court unless asked to do so in special circumstances. It is then assumed that their views would somehow have been taken onboard and brought to court by a legal representative, probation officer or by a legal guardian.

The issue of representation is dealt with in sections 5 and 6 of the Children's Act which provide that a child may have legal representation in court and Section 46 which mandates that the court appoints a probation officer to act as guardian of the concerned minor, with the duty of safeguarding the interests of the minor before the court (Government of Zimbabwe, 1972). While the Legal Aid Act of 1996 provided for the establishment of the Legal Aid Bureau to provide legal services to people who have no financial resources to hire legal practitioners of their choice, there is no statutory guidance on the role and functions of a legal representative in the Children's Court. Furthermore, Kaseke (1993) argued that the Legal Aid Bureau is hamstrung by a critical lack of resources to cater for those in need, including children. This is despite the fact that Section 31 of the Constitution entails the State to provide opportunities for access to legal aid to people who cannot afford legal representatives of their choice. In the absence of legal representation, the duty to represent the interests of children in court naturally falls on the shoulders of probation officers working for the Department of Social Services.

3. Policy Framework and Social Work Practices

It is instructive to note that the Government of Zimbabwe and UNICEF developed the National Child Participation and Protection Guidelines in 2010 to assist individuals and organisations working with children (Government of Zimbabwe and UNICEF, 2010). They were developed during 2009 through an outreach programme involving organisations and individuals in order to have a better "conceptual clarity and shared understanding of child participation" and to "define child participation and understand what it means in practical terms for all stakeholders, including the children themselves" (Government of Zimbabwe and UNICEF, 2010: v). However, the standards on participation are very general in scope and evidently appear to have been made primarily for non-statutory child protection organisations. The suggested toolkits for child participation appear to have not been designed to address the specific demands and sensitivities of statutory child protection as argued elsewhere in this paper.

However, notwithstanding the above, there is concern as to whether social workers in the Department of Social Services have access to these new policy documents and guidelines. In a study by Wyatt et al (2010), sixty-six percent (66%) of social workers interviewed did not have access to up-to-date versions of child protection legislation and policy documents. As most of the policy documents discussed above have been developed quite recently, this finding certainly raises concerns around the ability of social workers at the Department of Social Services to fully uphold the rights of children. When a child comes to the attention of the Department of Social Services for any of the prescribed reasons, the Probation Officer is required by law to undertake a risk assessment on the child's circumstances and to present a report to the Juvenile Court proving that the child is in need of care and recommending some form of social work intervention (Chinyangara et al, 1997).

However, it is increasingly found that the risk assessment is only limited to the initial interview with the child and their parents or guardians at the offices of the Department of Social Services. The Probation Officer duly completes an initial case record called the Record of Information form (Chinyangara et al, 1997). It is from the information gathered during this interview that a clinical social work intervention is made and completed. There are no other contacts made with the child or with his family to undertake core assessments or facilitate care planning. In their study of the operations of the Department of Social Services, Wyatt et al (2010) found out that the critical lack of material resources, such as vehicles, made it virtually impossible for social workers to make regular home visits to their clients.

While intervention based on initial assessments might be necessary in emergency situations where a child is exposed to harm, if the concern is not resolved it is imperative to undertake a comprehensive analysis in the form of a core assessment. In the absence of subsequent contacts and visits to the child, there is a danger for the assessment practice at the Department of Social Services to rely on what Broadhurst (2010: 8) referred to as “early evidence bias” which she further described as a potential bias in human beings to “simply search for evidence that confirms a first hypothesis”. A lot of scholarship has, in fact, confirmed the significance of establishing trustful relationships with children for them to effectively participate in child protection processes (Smith et al, 2003; Broadhurst, 2010; Vis et al, 2010). It is inconceivable to imagine that a single meeting with a child at the Department of Social Services' office is enough to create such relationships and an environment in which the child feels free to engage in a meaningful manner. While Probation Officers are also required to look after the best interests of juvenile offenders, Kaseke (1993) found the juvenile justice system in Zimbabwe to be incompatible with the promotion of the well-being of the young offender and the notion of participation. He argued that while the juvenile justice system tries to strike a balance between protecting society against criminality and the need to protect the young person, the disposition is always in favour of the former. The probation officer's role in the juvenile justice system then is often centred around providing support to the juvenile offender to adjust to their environment, “with little attention paid to the social, political and economic factors that work against the welfare of young people” (Kaseke, 1993: 13). When social work becomes much of an instrument of social control as is the case with working with juvenile offenders at the Department of Social Services, enhancing the principle of participation in such a process becomes problematic.

The right of children to contribute in decision-making in matters affecting them as enshrined under Article 12 of the UNCRC has particular application for children in institutional care. The Department of Social Services has responsibilities over the registration, maintenance and monitoring of residential child care institutions as provided under Section 28 of the Children's Act (Government of Zimbabwe, 1972). In order to regulate the quality of care in all residential institutions, the Department of Social Services developed the National Residential Child Care Standards (Government of Zimbabwe, 2010). The National Standards have a clear emphasis on a participatory practice (Government of Zimbabwe, 2010:19), “child participation is critical to successful rehabilitation and therefore all institutions shall be encouraged to allow children space to express their views and opinions, and that these be considered in decision-making as far as is practical”. In order to facilitate the protection and care of children, the Standards stipulate that once a child is admitted into residential care, a care plan for each child is drawn up on the basis of each child's circumstances, needs and life situation (Government of Zimbabwe, 2010; Wyatt et al, 2010). According to Wyatt et al (2010), the care plan is developed in consultation with the child, the social worker, care staff from the residential institution and where appropriate, his/her family. Ideally, the development of care plans is meant to provide children in care an opportunity for them to participate in their care planning. However, Powell et al (2004) argued that once a child is placed in residential institutions, no further assessments and statutory care reviews take place and the probation officer only deals with the case when requested to do so by the institution as government funding to the institutions is dependent on the duration of the court order for each particular child. The quality of services offered to children in residential care by the Department of Social Services is reflected in the long periods of time taken to renew court orders (Powell et al, 2004). Vis et al (2012) pointed out that decision-making in child protection is an ongoing process, and the lack of social workers' visits and failure to regularly convene statutory care plan reviews deprives children of an opportunity to participate in decisions affecting their lives. A reflection of this poor quality of care is revealed in a study by Powell et al (2004) which observed that many institutions in Zimbabwe focussed only on meeting children's physical needs while ignoring their psychological and social needs. The Government of Zimbabwe further acknowledged that children in institutional care did not have any choice about their routines, about what they eat or who they socialise with, since this is controlled by the staff (Government of Zimbabwe, 2010).

The lack of social work visits and contacts is, without doubt, a consequence of the lack of resources available to the Department of Social Services which prevents it in undertaking its statutory responsibilities resulting in a poor quality of care provided to children in residential services (Powell et al, 2004). Although, concerted efforts appear to have been made to train many social workers, the ratio of social workers to the population of children in Zimbabwe shows that the country is in a crisis situation. An institutional capacity assessment of the Department of Social Services conducted in 2010 found that less than 100 social workers were available at district level to respond to cases, a ratio of 49, 587:1 children to social workers (Wyatt et al, 2010). The situation appears even dire in comparison with the neighbouring countries; 1,867:1 in Botswana and 4,300:1 in Namibia (Wyatt et al, 2010). Furthermore, the Department of Social Services and its partners are responsible for the management and supervision of the National Action Plan (NAP) for Orphans and other Vulnerable Children (OVC). The National Action Plan initiated in 1999 and further developed in 2003 by the government and its partners recognises that communities are best placed to identify vulnerable children and plan for interventions that meet their basic rights (Government of Zimbabwe, 2012). However, the Department is severely under-resourced to meet the demands of a huge number of potential clients, believed to be in the region of over 1.3m orphans (Government of Zimbabwe, 2005; Wyatt et al, 2010).

Effective child participation works if there are choices around. However, in the Zimbabwean statutory context, the options available to those responsible for children in need of care are limited. Powell et al (2004) gives an example of when a child is moved to a place of safety under Section 14, the social worker is required to investigate the child's circumstances and present a report to the Children's Court. Even if a child were to participate in the assessment and care planning processes, unfortunately, the recommendation is for institutionalisation. Furthermore, participation becomes ineffectual if children are unaware of their basic rights. While the situation in Zimbabwe is unknown, a study on child poverty conducted in Ethiopia by the United Nations Development Programme in 2004 found that children were very often not aware when some of their basic rights were met or were denied (Dzirikure and Allen, 2014). Notwithstanding the above, it might still be prudent to question whether social work training in Zimbabwe sufficiently prepares students for practice in terms of their communication skills and if training takes adequate account of today's practice environment. Chogugudza (2009) acknowledges that in view of the structural economic and social challenges facing Zimbabwe, the emphasis in social work education and training has fundamentally shifted to a social development approach which places greater significance on macro-intervention to reach individuals or groups. While O' Reilly (2012) reminds us that social work training introduce students to theoretical areas such as developmental psychology and attachment theory that have a specific focus on the importance of positive relationships in a child's life, it is often the case that social work training places less attention and less priority on the social worker's relationship with the child in question.

4. Conclusion

The article has provided an analysis of how child participation as a guiding principle and an implementation strategy is translated into the Zimbabwean statutory child protection context. While the legal and policy framework underpinning child protection clearly enunciate the participatory principles, available evidence shows a disjuncture between this ideal and the reality of child protection practice in Zimbabwe. The article finds that a range of systemic challenges facing the Department of Social Services leads to a procedure-driven and child unfriendly environment where the child's voice is often not heard and effectively unrepresented in child protection cases. Given these challenges, the opportunity for the participation of children in clinical social work processes is diminished and is less of a priority thereby detracting from the quality of services offered at the Department of Social Services. Although the situation in the Zimbabwean child protection system appears dire, in general, the findings are consistent with the current narrative on child protection that highlights the disparity between the notion of child participation and the reality of statutory child protection. Nevertheless, Zimbabwe still has a progressive and solid legal and policy foundation on which the participation rights of children in child protection processes could be fully realised. Building upon the extensive legislation and policy directives available to the Department of Social Services there is a need for a shift from an approach that only focuses on reaching a certain number of children but to one that puts an emphasis on the quality of the standard of the child protection services provided through participatory processes.

If Zimbabwe is to meet the basic tenets of a child rights approach it is imperative that more resources need to be channelled to the Department of Social Services in order for social workers to undertake participatory case management processes that enhance the long term well-being of children. There is also need for the Department of Social Services to develop a set of child participation guidelines that meets the demands and specificities of statutory child protection and for social workers to have access to this and other necessary policy and practice documents. Child participation remains mere empty rhetoric if it is only seen on paper, real commitment is only seen when this is practised in reality and efforts are made to ensure that children are provided with appropriate participatory opportunities at the level of frontline child protection services.

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