



Module 7

CHILDREN'S RIGHTS AND THE ROLE OF THE LAW IN CHILD PROTECTION

Overall aim: To provide a meaningful response to the phenomenon of accusations of witchcraft made against children with a view to bringing about changes in culture and behaviour in local communities.

Objective of this module: By the end of the module, the participants will have a better understanding of the legal context of children's rights, and the importance of acting to protect children, notably:

- the principles of the African Charter on the Rights and Welfare of the Child (ACRWC), the United Nations Convention on the Rights of the Child (UNCRC), and national laws which govern child protection; and
- how to promote child protection in our churches and our communities.

Before the Workshop

- Materials — flip-chart, marker pens, paper, scotch tape.
 - Prepare the group questions in Activity 2.
 - Prepare the Bible verses for Activity 4, written onto sheets of paper.
 - Write out copies of the scenario and questions (but not the answers!) for Activity 5. You will need one copy for each small group.
 - Copies of the questions for group discussion (to give to each group at the start of the appropriate activity).
 - Make photocopies or electronic copies of the Appendices for each participant.
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Opening (10 minutes)

Prayer and Worship

Review (20 minutes)

Goal – Revision of the first six modules.

The facilitator asks the participants to summarise the key learning points from the **earlier modules**. These notes will help guide the dialogue and the facilitator can indicate the diagrams and key points on the wall at each stage.

In the **first module**, we learnt that children are a gift from God, created in his image and for whom he has a clear plan and purpose.

We also looked at God's heart for children. We noted that Jesus respected them, listened to them, loved them, prioritised them, but the disciples wanted to drive them away. Often, our own behaviour and attitudes towards children do not reflect the example of Jesus but rather that of the disciples.

In the **second module** we have learned that accusations of witchcraft against children are not in conformity with the Word of God. The so-called 'signs' of witchcraft are unreliable and have several other possible explanations. So, we cannot trust these 'signs' or cite them to justify accusations of witchcraft against children.

The Bible shows clearly that we need to accept responsibility for the consequences of our own actions, and that we are not to seek to put the blame on others, who would suffer as a result.

In the **third module** we learnt that the presence of a physical handicap, or of difficult behaviours are also false 'signs', and not an indication of witchcraft.

We explored further the basic needs of the child, be they physical, spiritual, social, mental or emotional, to ensure their healthy development and enable them to flourish and fulfil their potential. Failure to meet these needs inhibits children's growth and development.

And we considered the effects of trauma on the child due to conflict, abuse, rejection, or severe deprivations. We have seen the negative coping strategies that the child may develop, emotional or physical problems, or regressive behaviour.

These behaviours are often falsely interpreted to be 'signs' that the child is a 'witch' when in fact these behaviours are normal responses to abuse, lack of care, to trauma or to a difficult family situation.

We also examined Bible verses regarding appropriate attitudes and behaviours towards people with disabilities. The Bible teaches us that every child is a gift and creation of God, including children who have disabilities or who are twins.

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In the **fourth module**, we talked about spiritual powers, the omnipotent power of God, and the victory of Jesus Christ on the cross, meaning his victory of good over evil. Accusations of witchcraft against children often have their roots in fear while Christians should live a life rooted in faith in Jesus Christ and in all that he has accomplished on the cross. And we looked at what the Bible teaches concerning 'witchcraft'.

In the **fifth module**, we considered the role of pastors as 'good shepherds'. And also we looked at some practical recommendations as to how to respond to an accusation of witchcraft made against a child.

Then in the **sixth module**, we examined the role of the community, and particularly the church, in child protection and in the prevention of accusations of witchcraft.

We learned that the Bible clearly teaches that the community, and above all the Church, is responsible for every child, especially those who are marginalised, and that we should meet their needs, and uphold their protection and defence so that they can flourish.

Today (in this final **seventh module**) we will explore children's rights in the context of national law and international law, and the importance to act for the protection of children.

Activity 1 (30 minutes)

Goal – To introduce the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC).

Explain

The facilitator explains that nearly every country in the world, and **all the African nations**, have ratified **the United Nations Convention on the Rights of the Child (UNCRC)** as a commitment to improve the lives of children. First conceived at the beginning of the twentieth century by a Christian visionary named Eglantyne Jebb, the document was the subject of many revisions before being finally adopted by the United Nations in 1989. This document has become the most influential legal instrument in the world to ensure that children are protected and that they have all they need to grow and flourish, and to realise their God-given potential.

The facilitator explains that the **African Charter on the Rights and Welfare of the Child (ACRWC)** was adopted in Addis-Ababa in Ethiopia in July 1990 and consists of articles which for the greater part reflect those of UNCRC. It has been signed and ratified by all African nations with the exception of the Democratic Republic of the Congo, Sao Tome and Principe, the Sudan, and South Sudan.

The facilitator gives a copy of the table (Appendix 2 printed on both sides of the sheet) to each participant.

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Then he explains that the table contains the most pertinent articles for our discussions, but most of the other articles also have parallels in both documents. He underlines that these are universal principles, not Western or European ones, and that the African continent has declared its agreement with them. He also explains that these principles have their roots in the Bible and are consistent with the Word of God. He invites the participants to spend 10 minutes reading them.

The facilitator stresses that UNCRC and ACRWC apply to children's daily lives and the difficulties that they have to face, and that they give us the major principles to apply in every situation, to ensure that:

- The **best** interests of the child is the **primary** consideration;
- The child is protected from **any form** of violence, suffering or brutality, whether physical or mental, from abandonment or neglect, from abuse or exploitation.

Activity 2 (45 minutes)

Goal – To introduce the role of the national law in protecting children from accusations of witchcraft and related harm.

The first part of this Activity is best done in plenary, with the facilitator addressing everyone and answers being invited from the group as a whole. **It is important that the facilitator clearly brings out the points listed under each of the questions.**

The key aim is to ensure that the participants:

- understand that there are national laws that are relevant to the issue of witchcraft accusations; and
- are aware that they are not well understood or implemented; and
- are encouraged to consider how they can act to improve this situation as a way of protecting children (and others) from accusations and the resulting harm.

The facilitator hands round copies of the laws in Appendix 3.

Explain

What is the relevant law?

— **Sections 207 to 212 of the Criminal Code.**

The facilitator explains that national and state laws of Nigeria are also relevant to the protection of children against accusations of witchcraft. He draws the attention of the participants to the handouts from Appendix 3 and explains that the Criminal Code applies to all of Southern Nigeria, including Cross River and Akwa Ibom States. The Northern States are covered by the Penal Code, which is very similar. He says that the Criminal

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Code has many provisions relating to witchcraft, to juju, and to practices which claim to identify 'witches', particularly by the use of 'trial by ordeal'.

The facilitator invites participants to look at **Sections 207 to 212 of the Criminal Code**.

Questions

The facilitator asks:

- **What does Section 210 (b) say?**
 - Answer: Any person who accuses or threatens to accuse any person with being a witch or with having the power of witchcraft is guilty of misdemeanour and is liable to imprisonment for two years.
- **What does this mean?**
 - It is a criminal offence to accuse or threaten to accuse a person (including a child) with being a witch
 - If someone makes an accusation, they could go to prison for two years.
- **What other protection against accusations and resulting harm is given under the Criminal Code in sections 207 to 212?**
 - Using juju or trial by ordeal (including 'any ordeal which is likely to result in the death of or bodily injury to any party to the proceedings') to confirm or justify an accusation of witchcraft is a criminal offence. No one can subject another person to trial by ordeal. If they do, there are many penalties for those who are carrying out the trial by ordeal, including the death sentence if the victim dies, and ten years' imprisonment in every other case.
 - It is against the law to direct or be present at or make poison for an unlawful trial by ordeal, punishable with a potential prison sentence of a year.
 - There is a particular penalty (of up to three years' imprisonment) for Chiefs who permit unlawful trial by ordeal, although unfortunately, the Chief cannot be arrested without a warrant.
 - Any 'house, grove, or place' which is used for an unlawful trial by ordeal can be destroyed, together with everything inside it, by court order.
- **What do these laws mean?**
 - There are laws which forbid anyone to organise, allow, carry out, or attend any form of trial by ordeal (ceremony or ritual to confirm whether an accused person is a witch, where that ceremony or ritual uses juju or any other 'test' that is likely to kill or physically harm them).
 - There are different punishments for Chiefs, people who direct, control or preside at the event, attend the event, or prepare poisons for the event, ranging from one year in prison to the death penalty if the victim dies. The place where the event or 'trial by ordeal' is carried out can also be ordered to be destroyed.

Explain

The facilitator explains that there are therefore national laws in place to forbid accusations of witchcraft (against anyone, including children) and the kinds of torture and other harm that can follow when someone has been accused.

BUT:

- These laws are not well understood and are rarely enforced to protect victims of accusations, who are mainly children and elderly, poor women in our context.
- The laws also cover offences relating to the practice of witchcraft, and they are often misapplied to further punish victims of accusations, rather than protecting them.
- Because some of these laws require warrants and court orders before they can address offences, they are not well used.
- The laws date back to 1916 and Colonial times and were drawn up mainly to address criminal excesses by some traditional healers who were defrauding communities by promoting the belief that they possessed special spiritual powers to discover witches and who targeted the most vulnerable people to accuse. They are less readily applied to the current trends in our nation involving self-proclaimed prophets and other spiritual leaders who promote accusations and violent exorcisms and other so-called deliverance practices, usually for personal gain in terms of financial reward and status in the community.

Explain

What is the relevant law?

— **Sections 1, 2 (1), and 11 of the Child Rights Act, 2003.**

The facilitator explains that the Child Rights Act is a national Law and applies in all 36 States of Nigeria and in the Federal Capital Territory of Abuja. It is adopted by individual States who may expand it to cover additional areas, but it is a minimum standard which applies nationwide, and cannot be weakened or undermined by individual States.

The facilitator now asks the participants to look at **sections 1, 2 (1), and 11 of the Child Rights Act, 2003.**

Questions

The facilitator asks:

- **In summary, what do Sections 1 and 2 (1) say?**
 - Answers: Section 1 — In every action concerning a child the best interest of the child shall be the primary consideration. Section 2 (1) — A child shall be given such protection and care as is necessary for the wellbeing of the child

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- **What does this mean?**
 - The law makes the best interests of the child the priority.
 - There is a legal requirement to protect and care for children and their wellbeing.
- **What does Section 11 say?**
 - Every child is entitled to respect for the dignity of his person, and accordingly no child shall be...
 - a) Subjected to physical, mental, or emotional injury, abuse, neglect or maltreatment, including sexual abuse;
 - b) Subjected to torture, inhuman, or degrading treatment or punishment;
 - c) Subjected to attacks upon his honour or reputation.
- **In what ways do accusations of witchcraft and the resulting consequences breach this law?**

Answers may include:

- Labelling a child as a witch stigmatises him or her and 'subjects the child to mental and emotional injury or abuse'.
- It also causes lasting damage to the child's honour or reputation, making it hard for the child to reintegrate and thrive in the community.
- A child who is driven out of the home or community will inevitably suffer neglect and other forms of harm.
- Rituals to confirm the presence of the alleged witchcraft entity or to remove it are invariably abusive. They cause serious physical, mental, and emotional harm.
- Some such rituals are sexually abusive.
- These rituals are forms of 'torture, inhuman, or degrading treatment or punishment'.
- So the provisions are relevant even though no specific mention of witchcraft accusations against children is made in the national Child Rights Law.

Explain

What is the relevant law?

— **Akwa Ibom State Child Rights Law, 2008, sections 274 and 275.**

The facilitator then explains that Akwa Ibom State has adopted the Child Rights Law with additional provisions which explicitly address child witch accusations and rituals which claim to remove the alleged witch entity from the child. These additional laws apply only to children and only in Akwa Ibom State.

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The facilitator asks the participants to look at **sections 274 and 275 of the Akwa Ibom State Child Rights Law, 2008.**

Questions

The facilitator asks:

- **What does Section 274 say?**

- Answer:

1) Any person, group of persons, corporate or body, society or organization of whatever description who...

accuses, alleges or threatens to accuse a child of being a witch or wizard;

accuses a child of having the power of witchcraft;

...commits an offence and is liable to ten years' imprisonment or a fine of five hundred thousand naira or to both fine and imprisonment.

2) Where the offender under sub-section (1) is a parent or guardian (of the accused child), he shall be liable on conviction to ten years' imprisonment without the option of the fine.

3) Where the offender under sub-section (1) is a corporate or unincorporated body or an organization of whatever description, the directors, promoters or anybody promoting the ideas of the association, organization or body shall be, on conviction, be jointly and severally liable to the punishment specified in sub-section (1).

- **What does this mean?**

- In Akwa Ibom State, it is a criminal offence to accuse or threaten to accuse a child of being a witch.
- If someone makes or threatens to make an accusation, they could go to prison for ten years or be fined 500,000 naira.
- Parents and guardians who are convicted of accusing or threatening to accuse a child in their care of being a witch will get the prison sentence, not the alternative of a fine.
- The Law also targets organizations that encourage child witch accusations, which would include churches which are involved in this activity. People who run or support these churches and other organizations are also liable to be fined or imprisoned if they are convicted of accusing a child of being a witch.

The facilitator then asks:

- **What does section 275 say?**

- Answer:

1) Any person, group of persons, corporate or body, society or organization of whatever description who in the process of or purporting to cure, purge or

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exorcize a child of witchcraft, subjects the child to any form of torture, trial by ordeal or inhuman treatment, commits an offence and is liable on conviction to ten years' imprisonment without the option of a fine.

2) Where the offender under sub-section (1) is a corporate body or an organization of whatever description, its directors or promoters or trustees or persons in apparent authority shall on conviction be jointly and severally liable to the punishment specified in sub-section (1).

3) In addition to the punishment specified in sub-section (1), Akwa Ibom State may seal up the premises for a period of six months, pending an application to a Magistrate for forfeiture of the premises.

4) the State may apply to the Magistrate for an order of forfeiture of premises used for kidnapping, torture or molestation of children or other offences under the Child Rights Law of Akwa Ibom State.

- **What does this mean?**

- In addition to being illegal to accuse or threaten to accuse a child of being a witch, it is illegal to carry out the kind of harmful rituals that often follow an accusation.
- The description of this illegal behaviour is quite broad — it includes any ritual, cure or exorcism which subjects a child to torture, trial by ordeal, or inhuman treatment.
- The penalty for an individual is ten years in prison.
- The penalty can also be given to anyone who runs or has authority in an organization (such as a church) where the rituals are carried out can also be sent to prison for ten years.
- The buildings where the rituals take place can be closed down and, potentially, permanently confiscated.

Explain

So Akwa Ibom State goes much further in protecting children from accusations of witchcraft and the resulting harm — although as with the other laws we have looked at, these laws are not well known or applied in practice.

Cross River State adopted the Child Rights Law in 2009, but does not include additional provisions to cover child witch accusations. BRCI (Basic Rights Counsel Initiative) is working with the support of UNICEF Enugu Field Office to propose an amendment to the Cross River State House of Assembly to include clear provisions like the ones in Akwa Ibom State.

Questions

The facilitator comments here that the Church has a role to play in raising awareness of these laws and in insisting on their enforcement by the authorities and by citizens. He

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divides the participants into groups of 8 to 10 people, each with a spokesperson and a piece of paper to note down the group's ideas, to look at the following questions (which can be listed on a flip-chart or handed round to each group on a sheet of paper):

- **Are people in our communities generally aware of these laws and if so, do they care that they exist and believe they should be upheld and enforced to protect children from accusations of witchcraft and the resulting harm?**
- **What positive action can we take to raise awareness among our congregations and in our communities regarding children's rights and child protection?**
- **How can we make a compelling case so that people care and comply with these laws?**
- **What action could we take to urge our State to adopt specific amendments to the Child Rights Law to explicitly make child witch accusations unlawful?**
- **How can we advocate for these laws to be enforced?**

After 15 minutes, a spokesperson from each group feeds back the ideas of the group to everyone and the ideas are noted on the flip-chart.

Activity 3 (20 minutes)

Goal – Introduction to the realities of child abuse.

True or False?

A volunteer pins up a sheet with the word "True" on the right wall, and a sheet with the word "False" on the left wall.

The participants stand and clear a space for the game. The facilitator explains that he will make some statements. If you think that the statement is true, you have to run to the right side of the room, if you think that it is false, run to the left side of the room.

After each statement and after the decision (choosing the true side, or the false side) of the participants, the facilitator gives the correct answer and says that we will discuss these after the game.

Declarations

- Beating children is never right and constitutes a form of abuse. (T)
- Sexual abuse of children is not a problem in this country. (F)
- Children with disabilities are in greater danger of being mistreated than children who have no disability. (T)
- Children often invent stories in which they say that they are being abused. (F)

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- A pastor or a director of a church would never abuse a child. (F)
- Only men mistreat children; women are less to be feared. (F)
- Boys are sexually abused as often as girls. (T)
- Even an accusation of witchcraft is, of itself, abusive. (T)

Study in Groups

The participants divide into three groups to discuss the following questions:

Group A

- Why does beating children constitute a form of abuse? Are there better ways to discipline them?

Group B

- Why are children with disability more at risk of abuse? What should we do to protect them?

Group C

- Why is an accusation of witchcraft abusive?

A spokesperson from each group gives their answers in the plenary session that follows. The facilitator leads the discussion and recaps the principal points.

Activity 4 (20 minutes)

Goal – To understand the role of the church in protecting children.

The facilitator explains that our churches should be places where children are protected and where their rights are rigorously defended.

In God's Word

The facilitator sticks the verses below to the walls and explains that as churches, we have a mandate and a biblical responsibility to ensure that the law is respected, and to act when we see the law being broken.

Romans 13:1

Let everyone be subject to the governing authorities; for there is no authority except that which God has established. The authorities that exist have been established by God.

Proverbs 31:8–9

Speak out for those who cannot speak for themselves, for the rights of all who are destitute. Speak out and judge righteously, defend the rights of the poor and needy.

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God has a lot to say about child protection and He repeats these things several times in the Bible. If God tells us something, we need to pay attention to what He is saying: when He says the same things more than forty times, it means that it is something which is extremely important and that we have to listen and act on it.

He asks for volunteers from the participants to read the following verses:

Psalms 82:3-4

Defend the weak and the fatherless; uphold the cause of the poor and the oppressed. Rescue the weak and the needy; deliver them from the hand of the wicked.

Isaiah 1:17

Learn to do right, seek justice, defend the oppressed. Take up the cause of the fatherless; plead the case of the widow.

Zechariah 7:9-10

This is what the Lord Almighty said: 'Administer true justice; show mercy and compassion to one another. Do not oppress the widow or the fatherless, the foreigner or the poor. Do not plot evil against one another.'

Luke 17:2

It would be better for them to be thrown into the sea with a millstone tied round their neck than to cause one of these little ones to stumble.

The facilitator asks the participants the following questions:

- **In the light of these verses, what should our churches be like for children? What kind of place should our church be? Can you give some practical examples?**

Activity 5 (60 minutes)

Goal – Learn how to start taking action.

Explain

Then the facilitator puts up two sheets of paper on the walls. On one sheet he writes “**Child Protection Officer**” and on the other he writes “**Declaration of Commitment to Child Protection**”. He explains that there are two practical things to do to help us towards our goal:

Every church should have a **Child Protection Officer**.

- This person must be someone of great integrity, who has the wellbeing of children at heart.

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- This person is responsible for the procedures (established in advance) for responding to allegations or incidents of mistreatment.
- This person advises the leaders of the church (pastors and those who work with children) and the congregation regarding good practice for child protection.
- This person trains the congregation (with the leaders of the church) in how to put into practice the procedures (established in advance) for responding to allegations or incidents of mistreatment.

Every church should have a **Declaration of Commitment to Child Protection**.

The facilitator gives a copy of the **Declaration of Commitment to Child Protection** (Appendix 4) to each participant and explains that it is a template to help the participants to draw up their **Declaration of Commitment Child Protection** for their churches after the workshop, in discussion with the leaders from their churches. The final version should be taught to the congregation, signed by the church leaders and displayed on the wall of the church. Then it must be followed and enforced. If there is nothing to add to the template, the participants can use the template as it stands.

Principles

He states that for now, we will discuss only the main principles, which we will call the Golden Rules. The facilitator writes them, one at a time, on two sheets pinned to the wall, and discusses each with the participants (For example: What does it mean in practice? How do we do this? etc.)

The Golden Rules

When a child says that someone has abused him, or following an incident of abuse:

- a) The best interests of the child are the most important consideration.
- b) Always believe the child (children only very rarely invent stories of abuse).
- c) Do not promise confidentiality. On the contrary, explain to the child that for his or her own protection and that of other children, you will be obliged to inform others of the abuse.
- d) Make sure that the child is in a place that is totally safe.
- e) If it is a case of physical or sexual abuse, the child must be taken to hospital to receive medical care and for the doctor to be able to give evidence of the abuse in a report to the police.
- f) Record in writing precisely what the child says, without comments and without asking leading questions (for example, "What happened (next)?", NOT "What did Mr. X do to you?").

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- g) Inform the person Child Protection Officer of the incident or accusation.
- h) The Child Protection Officer and representatives of the church do NOT investigate the allegation or incident.
- i) The Child Protection Officer reports the allegation or incident to the police, referring to the national law on child protection if necessary. The police will investigate.
- j) If the allegation is against the pastor or another leader of the church, he or she must be suspended temporarily during the investigation by the police.
- k) If possible, it is better not to discuss the situation with the congregation or with other members of the community. Gossip does not help anyone and is contrary to the Word of God (1 Timothy 5:13 – *'gossips and busybodies, saying things which they ought not'*). Ideally, the Child Protection Officer and church leaders are the only people informed of the accusation.

Please note that these Golden Rules assume that the authorities will pay positive attention.

Study in Groups

The facilitator now reads out the following scenario:

Abel, a child of nine years old, has become very withdrawn. He refuses to play with the other children, pushing them away, and is rude and sullen towards adults. When you try to talk with him to ask what is wrong, he begins to cry. He eventually tells you that Mr. Paul, the Sunday School teacher, has touched him on the genitals and beat him with a stick. Mr. Paul said that if Abel told anyone, he would beat Abel's younger sister, Claudine, even harder. He begs you not to tell anyone that he has told you what Mr. Paul has done.

In small groups the participants are to answer the following four questions:

- **What do you do now?**
- **What questions *should* you ask?** – note: possible answers: “What happened?” “When did that happen?” “Where did that happen?” “What happened next?”
- **What questions *shouldn't* you ask?**
- **What should you write down?**
- **What should the Child Protection Officer do?**

In their responses, the participants should consider as many of the Golden Rules as possible.

Discuss

The facilitator now asks them the question:

- **How would you ensure that the authorities take Abel's case seriously and that they will treat the child involved sensitively?**

After discussing this question in plenary, the facilitator promotes good practice, for example:

- making sure that the child is accompanied at all times by a member from the church staff, chosen by the child, and whom he or she trusts;
- (respectfully) making it clear to the police that you are aware of the relevant local and national laws;
- asking the police for written confirmation of receipt of the file prepared by the Child Protection Officer with the details of the allegation;
- returning regularly to the police station to discuss the progress of the enquiry;
- ensuring that the child is in a safe place throughout the investigation;
- keeping in mind that the best interests of the child take precedence over all other factors.

Closing (30 minutes)

Goal – Conclusion: To measure the impact of the whole training on the attitudes of the participants. Commitment of the participants to action.

The facilitator explains that it is the end of the training. He asks each participant to write on a post-it two things he has learned during Module 7 and the three main things that he has learned during the training as a whole. A volunteer collects the answers.

Questionnaire

New copies of the Questionnaire from Activity 1 in Module 1 (see Appendix 1 of this Module) are given out and the participants are asked to fill them in to see if there have been changes in attitudes because of the training. A volunteer collects them in.

Commitment to Act

The facilitator asks the participants to raise their hand if they are committed to action:

- by raising awareness among the congregation in their church and in their community of children's rights, and the national law on child protection;
- by appointing a Child Protection Officer in their church;

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- by establishing a declaration of Commitment to Child Protection in their church (Appendix 4);
- by training the congregations in their church on how to put it into practice;
- by defending with all their strength the rights of children in their community.

Then he asks them to sign the a document of Commitment (in Appendix 5) explaining that he will keep the document and contact all the participants after three months to find out what has been done following the training.

Finally he gives each participant a Personal Action Plan (in Appendix 6) and asks them to fill it in. He explains that this is a personal document which will not be shared with the other participants and that each participant will take away his own plan to remind him of what he has learned and of what he has decided to do about it.

Explain that the facilitator and team will be in touch in three months / six months / one year's time to find out what progress the participants are making in putting their Personal Action Plans into practice and to offer further encouragement, guidance and advice, if needed.

Evaluation

The facilitator gives a copy of the Initial Evaluation Form (in Appendix 7) to each participant and asks them to complete it. The sheets are then collected in and kept ready for follow-up evaluation after three months / six months / one year.

Certificate

He thanks the participants for their attention and their contributions during the workshop. Each participant is given a certificate (in Appendix 8).

Worship

Prayers

Departure

Questionnaire — Module 7

Please look at the images below and respond to the questions at the side.



1. A child wets the bed.

a. What are the possible explanations, in your view?

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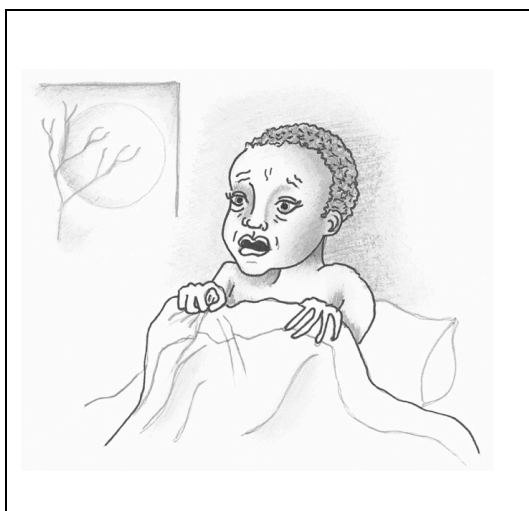
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b. What do you think should happen to the child?

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2. A child has a nightmare.

a. What are the possible explanations, in your view?

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b. What do you think should happen to the child?

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3. A parent who is very ill, and a child with a swollen stomach.

a. What are the possible explanations, in your view?

.....

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b. What do you think should happen to the child?

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Appendix 2

Similar articles in the African Charter on the Rights and Welfare of the Child and the United Nations Convention on the Rights of the Child

AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD (ACRWC)*	UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)**
<p>Preamble – the Charter of the Organization of African Unity recognizes the paramountcy of Human Rights and the African Charter on Human and People’s Rights proclaimed and agreed that everyone is entitled to all the rights and freedoms recognized and guaranteed therein, without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status,</p> <p>RECOGNIZING that the child occupies a unique and privileged position in the African society and that for the full and harmonious development of his personality, the child should grow up in a family environment in an atmosphere of happiness, love and understanding,</p> <p>RECOGNIZING that the child, due to the needs of his physical and mental development requires particular care with regard to health, physical, mental, moral and social development and requires legal protection in conditions of freedom, dignity and security,</p>	<p>Preamble – Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,</p> <p>Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,</p> <p>Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,</p> <p>Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,</p>
<p>Article 1.3 : Any custom, tradition, cultural or religious practice that is inconsistent with the rights, duties and obligations contained in the present Charter shall, to the extent of such inconsistency, be discouraged.</p>	
<p>Article 2 : For the purposes of this Charter, a child means every human being below the age of 18 years.</p>	<p>Article 1 : For the purposes of the present Convention, a child means every human being below the age of 18 years.</p>
<p>Article 3 : Every child shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in this Charter irrespective of the child’s or his / her parents’ or legal guardians’ race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.</p>	<p>Article 2 : States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status</p>

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Article 4.1: In all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration.	Article 3: In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
Article 5: Every child has an inherent right to life. This right shall be protected by law.	Article 6: States Parties recognize that every child has the inherent right to life.
Article 7: Every child who is capable of communicating his or her own views shall be assured the rights to express his opinions freely in all matters and to disseminate his opinions subject to such restrictions as are prescribed by laws.	Article 12: 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.
Article 11: Every child shall have the right to education.	Article 28: States Parties recognize the right of the child to education.
Article 12: State Parties shall recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.	Article 31: States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
Article 13: Every child who is mentally or physically disabled shall have the right to special measures of protection in keeping with his physical and moral needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the community	Article 23: States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
<p>Article 14: Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health</p> <p>for example, 14.2.c. to ensure the provision of adequate nutrition and safe drinking water;</p> <p>Article 20 (2): State Parties to the present Charter shall in accordance with their means and national conditions take all appropriate measures:</p> <p>a) to assist parents and other persons responsible for the child and in case of need, provide material assistance and support programmes particularly with regard to nutrition, health, education, clothing and housing;</p>	<p>Article 24: States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health</p> <p>for example, 24.2.c. To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water,</p> <p>Article 27:</p> <ol style="list-style-type: none"> 1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. 2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development. 3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

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<p>Article 16: State Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the a parent, guardian, school authority or any other person having care of the child.</p>	<p>Article 19 : States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.</p> <p>Article 37 : States Parties shall ensure that:</p> <p>(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.</p>
<p>Article 17 : State Parties to the present Charter shall in particular::</p> <p>2a) ensure that no child who is detained or imprisoned or otherwise deprived of his / her liberty is subjected to torture, inhuman or degrading treatment or punishment;</p> <p>Article 20 : Parents or other persons responsible for the child shall have the primary responsibility for the upbringing and development the child and shall have the duty:</p> <p>a) to ensure that the best interests of the child are paramount at all times;</p> <p>c) to ensure that domestic discipline is administered humanely and in a manner consistent with the inherent dignity of the child</p>	<p>Article 37 : States Parties shall ensure that:</p> <p>(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.</p>
<p>Article 25: Any child who is permanently or temporarily deprived of his family environment for any reason shall be entitled to special protection and assistance.</p>	<p>Article 20: A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.</p>

ACRWC * – http://www.achpr.org/files/instruments/child/achpr_instr_charterchild_eng.pdf

* ratified by every African nation except **Central African Republic**, Democratic Republic of Congo, **Djibouti**, **Guinea-Bissau**, **Liberia**, Sao Tomé et Príncipe, Sudan, South Sudan, **Swaziland**, **Sahrawie Arab Democratic Republic**, **Somalia**, **Tunisia** and **Zambia**, (of which most – in bold – have signed but not yet ratified).

UNCRC ** – <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

** ratified by every African nation.

Appendix 3

[Notes: • this legal framework is for use in Southern Nigeria, although there are similar provisions to those in the Criminal Code Act under the Penal Code in Northern Nigeria. • The Child Rights Act of 2003 applies to all 36 States of Nigeria and is a law of the National Assembly. • States can adopt additional measures to strengthen (but not undermine) the Child Rights Act. Those additions are applicable only in the State which enact them.]

Criminal Code Act of Nigeria 1916 — sections 210, 207 to 212

Sections 207 to 212 of the Criminal Code provide for...

‘Offences in relation to witchcraft and juju’.

Section 210 is most relevant to the issue of witchcraft accusations, which are prohibited.

The law states:

Any person who:

(b) accuses or threatens to accuse any person with being a witch or with having the power of witchcraft

is guilty of misdemeanour and is liable to imprisonment for two years.

Other sections are relevant to the types of ‘trial by ordeal’ frequently imposed upon those who are accused.

Section 207. Unlawful trial by ordeal: prohibited juju.

(1) The trial by the ordeal of sasswood, esere-bean, or the poison, boiling oil, fire, immersion in water or exposure to the attacks of crocodiles or other wild animals, or by any ordeal which is likely to result in the death of or bodily injury to any party to the proceeding, is unlawful.

(2) The President or, as the case may be, the Governor of a State may by order prohibit the worship or invocation of any juju which may appear to him to involve or tend towards the commission of any crime or breach of peace, or to the spread of any infectious or contagious disease.

Section 208. Directing, etc., unlawful trial by ordeal.

Any person who directs or controls or presides at any trial by ordeal which is unlawful, is guilty of a felony and is liable, when the trial which such person directs, controls or presides at results in the death of any party to the proceeding, to the punishment of death and in every other case, to imprisonment for ten years.

Section 209. Being present at, or making poison for, unlawful trial by ordeal.

Any person who...

(a) is present at or takes part in any trial by ordeal which is unlawful; or

(b) makes, sells or assists or takes part in making or selling, or has in his possession for sale or use any poison or thing which is intended to be used for the purpose of any trial by ordeal which is unlawful,

...is guilty of a misdemeanour and is liable to imprisonment for one year.

Section 211: Chiefs permitting unlawful ordeal and prohibited juju worship.

Any chief who directly or indirectly permits, promotes, encourages or facilitates any trial by ordeal which is unlawful, or the worship or invocation of any juju which has been prohibited by an order, or who knowing of

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such trial, worship or invocation, or intended trial, worship or invocation, does not forthwith report the same to an administrative officer, is guilty of a felony and is liable to imprisonment for three years.

The offender cannot be arrested without warrant.

Section 212: Destruction of place where unlawful ordeal or prohibited juju worship is held.

Any house, grove or place in which it has been customary to hold any trial by ordeal which is unlawful, or the worship or invocation of any juju which is prohibited by an order, **may**, together with all articles found therein, be destroyed or erased upon the order of any court by such persons as the court may direct.

Child Rights Act, 2003, Sections 1, 2(1) and 11

1. In every action concerning a child, whether undertaken by an individual, public or private body, institutions or service, court of law, or administrative or legislative authority, **the best interest of the child shall be the primary consideration.**
- 2 (1) **A child shall be given such protection and care as is necessary for the well-being of the child**, taking into account the rights and duties of the child's parents, legal guardians, or other individuals, institutions, services, agencies, organizations or bodies legally responsible for the child."
11. Every child is entitled to respect for the dignity of his person, and accordingly, **no child shall be...**
 - (a) subjected to physical, mental or emotional injury, abuse, neglect or maltreatment, including sexual abuse;
 - (b) subjected to torture, inhuman or degrading treatment or punishment;
 - (c) subjected to attacks upon his honour or reputation.

Awwa Ibom State Child Rights Law, 2008 — sections 274 and 275

The Akwa Ibom law explicitly prohibits accusations:

Section 274 (1) provides that:

Any person, group of persons, corporate or body, society or organization of whatever description who...

- a) accuses, alleges or threatens to accuse a child of being a witch or wizard;
- b) accuses a child of having the power of witchcraft;

...commits an offence and is liable to ten years' imprisonment or a fine of five hundred thousand naira or to both fine and imprisonment.

Section 274 (2) provides that:

where the offender under sub-section (1) is a parent or guardian, he shall be liable on conviction to ten years' imprisonment without the option of a fine.

Section 274 (3) states that:

where the offender under sub-section (1) is a corporate or unincorporated body or an organization of whatever description, the directors, promoters or anybody apparently promoting the ideals of the Association, Organization or body shall on conviction, be jointly and severally liable to the punishment specified in sub-section (1).

It also prohibits harmful exorcisms arising from witchcraft accusations:

Section 275 (1) provides that any person, group of persons, corporate body or organization of whatever description who in the process of or purporting to cure, purge or exorcise a child of witchcraft, subjects the

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child to any form of torture, trial by ordeal or inhuman treatment, commits an offence and is liable on conviction to ten years' imprisonment without the option of a fine.

Section 275 (2) states that where an offender under sub-section (1) is an organization of whatever description, its directors or promoters or trustees or persons in apparent authority shall on conviction be jointly and severally liable to the punishment specified in sub-section (1).

Section 275 (3) provides that in addition to the punishment specified in sub-section (1), the State of Akwa Ibom may seal up the premises for a period of six months, pending application to a Magistrate for forfeiture of the premises.

Section 275 (4) provides that the State may apply to the Magistrate for an order of forfeiture of premises used for kidnapping, torture or molestation of children or other offences under the Child Rights Law of Akwa Ibom State.

sources :

- <https://lawsofnigeria.placng.org/laws/C38.pdf>
- <https://www.refworld.org/pdfid/5568201f4.pdf>

Akwa Ibom State Child Rights Law, 2008 is not available online but see references to these sections in p.16 of:

- Uko, E.J., "*The Fulfillment of Key Socio-economic and Fundamental Rights in Nigeria: Akwa Ibom State as a Paragon*" in International Journal of Advanced Legal Studies and Governance, vol.4 no.1, April 2013
— digital paper accessed via: • https://www.icidr.org/ijalsg_vol4no1_content.php

Appendix 4

Template for a Declaration of Commitment to Child Protection to be signed and displayed on the wall of the church, with the congregation being taught how to understand and follow it. The template can be adapted for schools too.

DECLARATION OF OUR COMMITMENT TO CHILD PROTECTION

Name of church:

Name of Child Protection Officer:

.....

Our church places great value on children and believes that:

- All children, including children who live with disabilities, are a gift of God, and have the right to love, safety, and support to reach their God-given potential.
- The welfare of the child is of overriding importance.
- Each of us must take responsibility for helping to create a safe environment for children.
- Children teach us a lot and should be listened to.
- God uses children as part of His mission here on earth, so we encourage children to participate in every aspect of church life.

In our church, we commit to treating children in the following ways:

- We will protect children from all forms of physical, mental, spiritual, and emotional abuse.
- We will not shout at children or try to humiliate them.
- We will listen carefully to children and treat their opinions as important.
- We will not hit or discipline children in a physical or violent way.
- We will use a method of discipline that congratulates and rewards children for good behaviour, and verbal reprimands and the withdrawal of privileges if this is not effective.
- We will not allow an adult to be alone with a child, apart from the child's parent or guardian.

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- We will not touch a child in an inappropriate way on any part of the body that would normally be covered by shorts and a tee-shirt, and will not hug or tickle them in an inappropriate way.
- We will not discriminate between children, by treating them differently or favouring some over others.

If we see or suspect the abuse of a child, or if a child says that someone has abused him or her, we will take the following action, recognising that the child's best interests come before all other considerations :

- We will believe what the child has said (children rarely invent stories of abuse).
- We will not promise confidentiality, but we will explain to the child that for his / her own safety and that of other children, we will need to report the abuse.
- We will ensure that the child is in a safe place and receives the medical attention and emotional support he / she needs if necessary.
- We will take detailed notes and give them to the Child Protection.
- The Child Protection Officer will report the matter to the police. The police will investigate. We will not investigate the allegation ourselves.
- If the allegation involves the pastor or other church leader, he / she will be suspended during the police enquiry.
- If possible, we will not discuss the situation with other members of the congregation or community. Gossip helps no one and is against the Word of God.

Our church will seek to prevent child abuse in the following ways:

- We will carefully check any person who wishes to interact with children in our care, by asking for references, interviewing them, and asking them to declare any incidence of child abuse involving them, ideally by means of police checks, if possible.
- We will actively teach our church and our community about child protection.
- We will support the vulnerable families in our church.
- We will teach children their rights and responsibilities and how to protect themselves.

Signatures of Church Leaders:

.....

..... Date:

Appendix 5

COMMITMENT TO ACTION TO PROMOTE CHILD PROTECTION

We, the undersigned, commit ourselves to action to promote Child Protection in our churches and our communities in the following ways:

- a) by raising awareness among our congregations and among the members of our communities about the fundamental rights of the child and our national child protection law;
- b) by appointing a Child Protection Officer in our churches;
- c) by drawing up and displaying a Declaration of Commitment to Child Protection in our churches;
- d) by training our congregations in how to put it into practice;
- e) by wholeheartedly and vigorously defending children's rights in our communities.

Place: Date:

Signatures:

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Appendix 6

Personal Action Plan		
Things to Stop	Things to Start	Things to Continue
Things I used to do that I will no longer do in the light of this training.	Things I did not do before but which I will start to do in the light of this training.	Things I used to do and will continue to do in the light of this training.
1.	1.	1.
2.	2.	2.
3.	3.	3.
New Insights and Key Principles which will influence my work...		
a. b. c.		

Initial Evaluation Form

Questions for the facilitator to ask the participants immediately after the training:

1. What have you learnt from this training? – 3 to 5 things per person.
2. What will you do differently in the future as a result of this training? – 3 to 5 things per person.
3. How will you share what you have learnt with other people?

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Note the responses. Continue on another sheet of paper if necessary. Keep these all safe for future reference, and to compare with the responses to the **Follow-On Evaluation Questions**.

Certificate

HEART OF THE MATTER Keeping our Children Safe from Harm



This is to certify that

.....
has attended the Heart of the Matter course
for keeping children safe from harm in church and community.

hosted by:

place: date:

facilitator: *sign*
