

# THE INTERNATIONAL JOURNAL OF HUMANITIES & SOCIAL STUDIES

## An Examination on the Role of Professional Counselling Services to Child Victims of Sexual Abuse in the Victim Friendly Legal System in Zimbabwe

**Webster Chihambakwe**

Lecturer, Faculty of Applied Social Sciences, Department of Counselling,  
Zimbabwe Open University, Zimbabwe

**Bornface Chenjerai Chisaka**

Professor & Acting Director, Centre for Research and Innovation, Zimbabwe Open University, Zimbabwe

### **Abstract:**

*The study sought to examine the role of professional counselling services to child victims of sexual abuse in the victim friendly legal system in Zimbabwe. A representative sample of twenty (20) participants took part in this study. These participants held positions of regional magistrates, prosecutors, intermediaries and police officers. These participants have the capacity to influence policy formulation and implementation in the various government line ministries and non-governmental organizations that operate in the child sector field. A qualitative research descriptive survey design was employed to guide the methodology. Data was collected using the interview schedule guide. Qualitative data analysis with descriptive statistics was used in the presentation, interpretation and analysis of data. The results showed that professional counselling services were required by child victims of sexual abuse as a way to empowerment, boosting self-esteem and protection against re-traumatisation. There was a finding that there was lack of coordination amongst stakeholders in the child sector as each organization tended to compete with the other organization to outdo each other in fighting to protect children from abuse by claiming that they were good counsellors. Activities of all stakeholders needed to be well coordinated to avoid issues to do with duplication of roles and competition that tends to dilute the best interest practices for children from abuse. Recommendations made include the government making it mandatory that the allocation of all professional counselling services be made to professionally trained and experienced people and there should be zero tolerance to re-traumatisation, stigmatisation and discrimination of victims.*

**Keywords:** Child abuse, sexual abuse, professional counselling, child victim

### **1. Background to the Study**

It is clear that quite a lot of research has been done on the effects on child sexual abuse (rape). The emphasis on counselling would enable child victims to recover and lead as normal a life as possible. It appears as if generally abused children face problems as noted by Chapman and Gates (2005) below:

- Although society reacts with predictable horror at what is done to children by sex offenders, it apparently does not share a similar concern for what subsequently may happen to them at the hands of our law enforcement and child protection systems. Whether a child has been sexually assaulted by a stranger, an acquaintance, or a member of her own family, when the incident is brought to the light the family is usually found to be undergoing a state of crisis as it works through feelings of anger, fear, shock and confusion. In the midst of such vulnerability, the criminal justice, health and social service systems (victim friendly legal system) may descend upon a child and family with such a devastating impact that its recipients are left with the feeling that the “cure” is far worse than the symptoms. Many authorities agree that the emotional damage resulting from the intervention of “helping agents” in our society may equal or far exceed harm caused by the abusive incident itself.

This only showed what happens when the child does not get the support that she deserves. Both Kabasa and Kudya (2006) also highlighted the continued trauma which children experience after leaving the victim friendly system court, clinic and police station. These institutions point out what ought to be done. What would be required is a properly coordinated system to ensure that the treatment does not cause more harm than what the actual abuse caused. It would be in the best interests of the child that the counselling services at the Victim Friendly System be supported in full. Chapman and Gates (2005) further note that:

- The child who is usually under a great deal of emotional stress already may be required to recount the details of the case over and over at various stages in the legal process. During the process of investigation, the child may be taken to a hospital or a private physician for a medical examination. Here again the child is expected to recount the incident leading to the report. However, a gynaecological exam, even when performed under the best of circumstances can be an upsetting experience. The situation can be

exacerbated if the medical personnel are not trained or sensitive or willing to spend time and patience required to handle these disturbing cases.

### *1.1. Purpose of the Study*

The purpose of the study was to focus and examine the role of professional counselling services to child victims of sexual abuse in Zimbabwe.

### *1.2. Objectives of the Study*

- To examine the role of professional counselling services to child victims of sexual abuse in Zimbabwe.
- To identify the impact of professional counselling service to child victims of sexual abuse in Zimbabwe.

## **2. Results and Discussion**

There was a general consensus amongst the research participants (RM, RPP, I and VFUPO) on the fact that professional counselling had a role to play in the victim friendly legal system in Zimbabwe. They (research participants) said that due to the traumatic exposure of the sexually abused child victims, there was need for professional counsellors to be engaged early so as to manage the victim's trauma. They also stated that they had seen some positive outcomes in some of their trials where victims would have been afforded the opportunity to see a professional counsellor. One of the Regional Magistrates said that professional counselling was both needed at pre-trial stage and post-trial stage. She went on to say:

- At the pre-trial stage, sexually abused victims should be taken through the procedures of the criminal justice system in as far as how a trial in court proceeds. This role would be done with an intermediary who also builds a relationship that fosters trust between them (intermediaries) and the victims. Professional counsellors from organisations such as Childline would be used in the pre-trial stage, whereupon they work hand in hand with victims. Victims would be empowered by the professional counsellors to say exactly what would have happened during the court trial to the magistrate (Nzou, a regional magistrate).

Professional counselling at the post trial stage was difficult to enforce in the victim friendly legal system in Zimbabwe. At law, the courts role end after the completion of the case trial. Victims would then be expected to look for their professional counsellors whom they would work with in managing the traumatic experiences. The fact that trauma would continue to affect the victim; this may psychologically inhibit the optimal functioning of the victim in their future life activities. The researcher also discovered that professional counselling is one of the intervention strategies that could be used to minimise the impact of psychological trauma on the sexually abused victims during the course of trials and investigations of such cases. Through professional counselling, child victims of sexual abuse are empowered to say it all without fear. Re-traumatisation of child victims of sexual abuse had contributed to their non-cooperation in court. Child victims of sexual abuse require professional counselling services. The impact of sexual abuse on children results in the development of negative behaviours and attitudes. These included suicidal behaviour tendencies, falling into depression, reduction of self-esteem and prostitution.

Regional Public Prosecutors who also took part in the study were in agreement with the fact that professional counselling was a necessity in the victim friendly legal system in Zimbabwe. They even confirmed that due to the traumatic experiences of the victims after the abuse, some of the child victims were failing to present their cases before the courts, thus resulting in the court acquitting the perpetrator. One regional public prosecutor said:

- Professional counselling though not appreciated by many people in Zimbabwe has played a pivotal role in the reduction of traumatic experiences on sexually abused victims. Counselling services provided to some sexually abused child victims by Childline who had their cases done here did assisted victims to stand up and eloquently narrate their stories in court without fear of the perpetrator. However, I bemoan the failure to provide post-trial stage counselling to victims. Something has to be done to change this situation as some victims have continuously suffered psychologically from the abuse (Mutohwe, a regional public prosecutor).

Intermediaries were also in support of the need to have professional counselling in the victim friendly legal system as a necessary intervention strategy in the reduction of further traumatisation of sexually abused child victims. They also said that counselling should be done at both pre and post-trial stages as it would assist victims to gain strength to move on in their lives. One intermediary said:

- It is unfortunate that some people do not value the role of professional counselling services. To us in the system as intermediaries, we are so proud that Childline was offered an office here at the Harare Magistrates Courts to provide counselling services on both child and adult victims. Truly speaking, I have noted a big difference on a victim who has gone through the pre-trial stage of counselling and the one who has not been afforded such an opportunity. Most of the victims would have been empowered to stand up and tell the court what would have happened to them confidently (Muonde, an intermediary).

Victim friendly unit police officers concurred that the introduction of professional counselling in the victim friendly legal system was long overdue. One of them said:

- Professional counselling would assist sexually abused child victims in the management of traumatic experiences. I feel that as a police officer, there are certain times that sexually abused child victims would not open up to us due to fear. Hence, the availability of professional counsellors in the victim friendly legal system had assisted us in our work as we can refer such children to professional counsellors. Some cultural orientation of sexually abused child victims had resulted in these child victims failing to disclose anything to police officers what would have been done to them. This would make the victim friendly unit police officer duty, difficult to accomplish due to lack of cooperation from the victims (Musawu).

Family relatives of the sexually abused child victims whom I had informal conversations with at the Harare Magistrates Court, expressed their willingness to take their child victims to professional counsellors for counselling services. They said that they would

be assisted very well in a professional manner as compared to some police officers who were rude to them. The national coordinator of the VFLSZ was fully supportive of the role professional counselling plays on the child victims of sexual abuse. He said due to the victim's traumatic experience at the hands of the perpetrator, professional counsellors were required to manage such traumatic exposure. He also stated that Childline was doing a good job at the Harare Magistrate Court by offering professional counselling services to victims of child sexual abuse at both the pre-trial and post-trial stages.

### *2.1. Conclusion*

The Victim Friendly Legal System has the counselling services in place but when children go to the court, they are still subjected to more traumatic experiences. The counselling services which are already available have not been fully utilised. The Victim Friendly System is well manned with professionals who know well how to handle child victims confidentially. Even under the present economic challenges in Zimbabwe, there are people trained to examine the children in a manner that does not worsen their situation. What has been happening as a result of the lack of coordination within the system is that the children who were referred to the Victim Friendly System seeking assistance were only partially counselled. It becomes difficult under the circumstances to say that the Victim Friendly System is functioning efficiently. However, the blame cannot be laid on any one section of the system in particular because when the VFS was initiated, all the relevant parties were trained. What needs to be done is to interrogate the system and see what went wrong and why. This would expose the weaknesses of the system and would in turn require ways of correcting the mistakes done over the time.

### **3. Recommendations**

- The government should make it mandatory that the allocation of all professional counselling services be made to professionally trained and experienced people.
- There should be zero tolerance to re-traumatisation, stigmatisation and discrimination of victims.

### **4. References**

- i. Steele, W. (1999). Trauma Debriefing for Schools and Agencies. Michigan TLC Institute.
- Steele, W., Ingle, D., Nelson, M. and Porter, P. (2000). Trauma Response Protocol Manual for Schools. Grosse Pointe Woods, Michigan. TLC Institute.
- ii. Steele, W. and Raider, M. (2001). Structured Sensory Interventions for Children, Adolescents and Parents (SITCAP). New York, Edwin Mellen Press.
- iii. Teicher, M (2000). Wounds that time won't heal: The neurobiology of child abuse. *Cerebrum: The Dana Forum on Brain Sciences*, 2, 50-68.