THE UNIVERSITY OF HULL

A Case Study of Lived Experience of the Implementation of Child Rights Act 2003 in Nigeria

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Ву

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Abstract

Child rights abuses continue to occur in Nigeria despite the domestication of the global child rights treaty. Some state governments have refused to adopt the Child Rights Act (CRA 2003), which is a requirement for it to become operational. Furthermore, the situation is not much different in compliant states. The implementation of the CRA has been hindered by a lack of resources, coordination issues among multi-agency implementation frameworks, and other factors, leading to many children in Nigeria not receiving the protection and services they are entitled to.

This research aimed to explore the implementation of the CRA in Nigeria by analyzing the lived experience of different categories of participants, including parents of children accessing welfare services, welfare workers and administrators, and proprietors of children's residential homes. The study used Owerri, the capital of Imo State in Nigeria, as a case study and the sample was selected through purposive sampling method. Participants gave their responses during a semi-structured interview and the data was analyzed using the interpretative phenomenological approach of the qualitative research method.

The study answered three research questions: (1) What strategies have the Nigerian government put in place to protect children's rights? (2) How accessible are the Nigerian child welfare services to children in need? (3) Are the Nigerian child welfare decisions based on the best interest of the child?

The findings of this study indicate that child welfare programs that should translate the norms and rules of the CRA are poorly resourced, making it difficult for effective implementation. Additionally, coordination of its multi-agency implementation framework is also a challenge. These and other factors have hindered its benefits for child rights holders. The study also highlights several limitations, for example: the sample size was small, the qualitative methodology may not allow for comparisons to be made or statistical analysis performed, the study focused on only one location in Nigeria.

Recommendations made include prioritizing capacity building among professionals, strengthening compliance enforcement systems to deter potential offenders, encouraging the involvement of NGOs and strengthening regulatory machinery to prevent abuse.

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1. Introduction

A 3-year-old child is found walking on the streets, severely malnourished and emaciated, begging for scraps of food to survive. He has been accused of witchcraft by his family and abandoned. A local non-governmental organisation rescues the child into their care home which is run on philanthropic donations. There is no record of the intervention of child protection services or the Nigerian government in this case (Withnall, 2017).

1.1. Background

A trend in the protection of children's rights has followed a pattern in which almost all countries of the world accept the responsibility to rectify the United Nations Convention for the Right of the Child (UNCRC, 1989). Arising from this in Nigeria is the passage into law of the Child Rights Act (CRA) by the National Assembly in 2003. Also, to be acknowledged is the presence of the African Charter on the Rights and Welfare of the Child (ACRWC, 1990), which is a continental variant of the UNCRC. These two forebearers of the CRA are treaties of the United Nations (UN) and African Union (AU) respectively, which Nigeria had to domesticate as a member country of both international organisations for local application. An important feature of the CRA 2003 is the clear outline of the rights of children through which legal protection from abuse of any conceivable kind can be guaranteed. The best interest of the child is explicitly proclaimed to be the anchor of its mandate. It must be mentioned, also that the mandate of the CRA 2003 to guarantee legal rights derives from a background that children are right bearers. This is a perspective of child protection that can be traced to a historical trend that culminated in the adoption of the UNCRC by the General Assembly of the United Nations in 1989 (Tisdall, 2015) in the first place.

The status of the UNCRC as a global instrument for right-based child protection framework followed years of advocacy and policy work. To accept children as right bearers is largely credited to the work of Eglantyne Jebb, the founder of *Save the Children foundation*. Prior to this time, views of children as mere properties of their parents or object of charity (Rasmusson, 2016) had a long run in the history of children maltreatment. Bengtsson (2017) emphasised the experience of children during the Second World War, which made it clear that a change of perspective about childhood could not be put off any further. This may have paved the way for a change of perspective in the direction of child protection systems based on a new conviction that children are indeed right bearers. To enforce the rights of children as has been advocated, there was,

therefore, a need for a legal instrument that outlined the specific rights children can make claim to and the implementation framework with prescribed consequences for negligence.

The UN General Assembly in approving the UNCRC in 1989, after sustained efforts that lasted several years, took a lot into consideration. This would include having a team of experts representing different cultures from across the globe assembled to work together. It was thought to be a deliberate effort to factor in much of the nuances of the various cultures that are represented in the UN membership. Lundy (2007) observed that wide consultations for inputs among the culturally diverse membership and a selection approach for the UNCRC drafting committee also took its diversity of application into consideration. Taking a cue from its ideological forebearers, the CRA 2003 adopted a view of child protection that encompasses every aspect of a child's wellbeing and the initiatives taken to prevent children from suffering the violation of their rights.

The domestication of the CRA in 2003 by the Nigeria National Assembly marked a milestone in the trajectory of child protection in Nigeria. This legislation brought together the various laws that were in existence, which concerned children into one legal document. Rather than follow the narrow focus of the earlier legislations, the CRA 2003 expanded its coverage to include political and civil rights of the child. Its guiding principle is that the best interest of the child is paramount in every action concerning a child, irrespective of who undertakes it (CRA, 2003, Section 1). It also clarified that a child would be defined as anybody below the age of eighteen.

Apart from explicit reference to rights of the child that would be legally binding on the duty bearers, the CRA 2003 went further to detail an implementation framework. For example, it proposes in section 264 that a state implementation committee in all the thirty-six states of Nigeria shall be assembled. Prior to implementation as a legislative policy document in each state however, the legislative arm of government in each of the thirty-six states was expected to domesticate the legislation for adoption as law of the state. This demand derives impetus from the federal political structure of Nigeria, where the central and state governments share constitutional powers. As it were, all matters relating to child welfare constitutionally fall within the authority of the state governments, hence the need for CRA 2003 to be domesticated and implemented within the framework of the states' administrative apparatus.

A rights-based child protection system is believed to encompass all measures taken to protect children that are holistic, inclusive, sustainable, and well-coordinated, which will lead to better protection for all children (Wessels, 2015). While the child is the target of a child right protection system, the responsibility to make sure that children enjoy these rights rests on a number of stakeholders known as the duty bearers. This will include the parents, family and the government. In some other instances duty bearers might be the communities and non-governmental organisations (NGOs). Sometimes these responsibilities are borne collectively and severally by these stakeholders. For example, the CRA 2003 recognises that every child is entitled to grow up in a family setting. In the event this is not possible, the relevant authorities must ensure that the child is given the care, support, and supervision that they deserve.

The welfare and protection of children is imperative as they are vulnerable to abuse, neglect, and harm when the right measures are not in place to support their upbringing (Framework Workgroup, 2014). The question of vulnerability of the child makes it imperative that these measures are taken, which largely explains the deliberate global concern for child welfare. Children by virtue of their developmental stage, both physiological and cognitive, are unable to undertake certain tasks or withstand certain experiences. This makes them potential targets of abuse when deliberate protection measures are not in place. Hunter (2021), on the hand, justified the need for child protection by focusing on the developmental outcome for a child when a healthy, safe, and nurturing environment that is essential for building a thriving and prosperous community is absent. This view is supported by Save the Children UK (2013), which believes that rights-based child protection systems will result in inclusive, holistic, well-coordinated and sustainable ways of protecting all children.

The phrase 'children are the future', would not be a cliché in this context. Child protection involves putting in place measures and procedures to respond to and prevent child abuse and neglect. When those responsible for safeguarding children fail to carry out their obligations, especially to the most vulnerable – those at risk of neglect or abuse and those in the care of others (substitute care) – perpetrators get away with causing harm, endangerment, abuse and neglect. These children may then grow up to become perpetrators themselves, thereby continuing the vicious cycle (Hunter, 2021). Like any system, a country's child protection system should be consistently reviewed and improved in the light of new insights, lessons learnt from other countries on what works and what

does not work, development and societal changes (Munro, 2011). This requires the political will of governments to make children's rights and welfare protection a priority which is pursued with all available resources. It is the view of the author that an effective child protection and welfare system is one that recognises ultimate responsibility and human rights obligations towards children.

1.2. Statement of Problem

The report by Withnall (2017) presented in the epigraph above indicates the grim extent to which responses to child welfare cases in Nigeria can deteriorate. This is despite the existence of the CRA 2003, passed into law almost 2 decades ago, that provides legal backing and action framework for the protection of children in Nigerian from abuse. In addition to the case of Hope, the three years old that was referred in the story by Withnall (2017), Nigerians continue to wake to stories of inhuman treatment against children. Olusegun and Idowu (2016) stated that children in Nigeria suffer from various forms of abuse such as child marriages, molestation, child labour, kidnapping, and neglect, among other forms and the prevalence seems not to be mitigated by the passage of the CRA 2003. The authors advanced a number of reasons for the continuing cases of child abuse to include, poor enforcement mechanisms, poverty, corruption, lack of rehabilitation of sexual offenders, negative attitude of parents, and inefficient judicial processes.

In another study, Enemo (2022) observed that factors that impede successful implementation of the CRA are multifaceted. These include non-domestication of the CRA into law in some states of the federation; weakness of the mechanisms set out for the Act's enforcement; corruption and a lack of political will on the part of the government; failure to establish family courts, resulting in ineffective child justice administration; high rate of poverty and illiteracy; and lack of awareness of the provisions of the CRA. Adebayo (2019) found that CRA 2003 suffered a setback due to political, cultural and religious reasons. This might explain the slow pace of adoption around the country and more specifically in the northern part of Nigeria. According to Adebayo (2019), out of thirty-six states in Nigeria, five northern states have yet to adopt the CRA, these include Adamawa, Bauchi, Gombe, Kano and Zamfara states.

Although thirty-one states have domesticated the act, high prevalence of child abuses reported to still be on the increase in Nigeria are child trafficking, number of out-of-school children, child poverty and low access to functional healthcare, and reports of child sexual molestation and ritual killing. This underscores the conflict between adoption and compliance. For example, Edo state in the Midwestern part of the country still records high level of trafficking in girls for sexual exploitation. UNICEF (2017) reports a growing number of street children in both Northern and Southern Nigeria with a judgment that this cast doubt on the impact of the CRA 2003 in Nigeria. These findings and observations compel further investigation that would aim to unravel the specific experience of the professionals within the practice field of child protection systems implementation and family members of children accessing child welfare services.

It was observed that much of the studies that have tended to evaluate implementation of the CRA employed the quantitative design with its limitations in terms of restrictive response formats. A qualitative approach that would explore the lived experience of the categories of key informants mentioned above is believed to guarantee a new insight to implementation exploration of the CRA. Literature search has not revealed any other study that has explored the lived experience of similar categories of respondents in the attempt to unravel the key challenges associated with the compliance of the rules of the CRA.

1.3. Purpose of the Study

The purpose of this study was to explore how the CRA 2003 is being implemented in Nigeria. Following the conflict between adoption of the CRA in thirty-one states and the reports of unabating evidence of child abuse in the same states (Olusegun and Idowu, 2016), a critical approach was adopted as the general research orientation that aimed to understand, uncover, and illuminate the factors in this conflict (Griffiths, 2009). Using critical theory as a framework to study the implementation of Child Rights Act in Nigeria, the researcher attempted to:

1. Identify the key social structures and power relationships that shape the implementation of the Child Rights Act in Nigeria. These include the political and economic systems, as well as cultural and historical factors (See chapter 3).

- 2. Identify and examine the ways in which these social structures and power relationships contribute to the challenges and obstacles to implementing the Child Rights Act. This included review of reports on the prevalence of child rights violations (See chapter 2).
- 3. Review evidence of resistance and agency among individuals and government officials and examined the ways in which they are working to promote the implementation of the Act. This also included the work of NGOs and other advocacy groups.
- 4. Use the insights gained from the study analysis to develop recommendations for how to improve the implementation of the Child Rights Act in Nigeria. This included proposals for policy changes, as well as strategies for building support and increasing awareness among key stakeholders (See chapter 5).

The interpretive phenomenological approach (IPA) was adopted as the research method of data analysis. Specifically, the experience of state officials, welfare workers, guardians of children in children's residential care homes and the managers was explored. This was regarding how the key actors have complied with normative rules of the CRA in Imo state, Southeast Nigeria through semi-structured interviews. The aim was to uncover the challenges in implementation of the CRA and make relevant recommendations that would enable social change.

In addition, the researcher will use a reflective journal to record experiences in the field. This information will feed into her reflective practice as a researcher. Mention must be made that the CRA guarantees social, cultural, educational, health and other groups of rights. Because of the structure of public service administration, these services are delivered by different government parastatals and agencies, which puts a premium on coordination. For example, education and health systems are usually managed under different ministries by people with varied professional competencies.

1.4. The Concept of Lived Experience

People's life experience makes them unique and lived experience has a potential to drive social change. Lived experience means individual experiences of social issues or combined issues, which had direct impact on life (Sandhu, 2017). I believe that people who have experienced the

implementation of the Child Rights Act 2003 either as professionals delivering services for the protection of Child's Rights or receivers of child welfare service, have valuable insight which they can bring to this research.

1.5. Motivation for the research

1.5.1. Personal experience

I was born in Nnewi North Local Government Area of Anambra state Nigeria, a town that prides itself on its thriving automobile market and is proudly referred to as "the Japan of Africa" by Nigerians. My community was one in which everyone looked out for one another, disciplining another person's child was not frowned upon and was welcomed as appropriate for the child.

My family ran a successful business and I never wanted for anything as a child, I had a comfortable house to live in and went to one of the best private schools in the town. I was a very shy child who enjoyed reading and climbing; my friends believed I had a good life. However, beneath all that was a little girl in constant fear of being caught playing, spilling her food by mistake, staining her clothes while eating, terrified of breaking a plate while clearing up after dinner or during washing up, a girl afraid to sleep for fear of having nightmares. I was a girl who saw a happy day and week as one that went by without being locked up in a room and beaten. To many Nigerians this is common parental discipline: part of growing up, experienced by most and should not be complained about. I saw my elder sister run away from home a couple of times for fear of being beaten, only to be beaten when she returned home. My father had special sticks which he bought from the market to be used for beating. It was common for parents and teachers to buy and use them, and I always prayed we run out of them: but we never did. My community did not frown upon beating a child with a stick as a form of discipline. Parents who beat their children were often seen as strict and that was what my father was. My mother married young and, as required by culture, kept quiet when we were being disciplined (beaten) by our father. The only way she could protect us was by ensuring we all went to boarding schools away from regular beating. As a child, I witnessed this method of discipline by other parents, and they were traumatic to observe. I have observed that it was easy for Nigerians to discuss this form of discipline, but they were neither willing to admit that it was child abuse nor discuss the impact.

Due to the patriarchal nature of Nigerian society, women are the property of a man and their views were often not considered in the family (Makama, 2013a). It is a general belief in Nigeria that the place of a woman is in the kitchen, hence women are subjected to abuse, discrimination and reduced to inferior beings (Makama, 2013b). This is reflected in my family, my father and mother started a business together, my mother worked a minimum of twelve hours a day, seven days a week, for over thirty years without being paid a salary or given access to the business account. I witnessed my mother being humiliated many times for asking for money from my father for essential things, this is the money that should equally belong to her but is only seen as my father's due to the nature of the Nigerian society. Seeing my mother often humiliated and in tears made me afraid of men and marriage; I had low self-esteem and nightmares for many years.

Nigerian parents love their children, in my community parents pride themselves on their ability to provide a good education, business training and paid apprenticeships as well as being able to provide capital for their children to start up their own businesses. I have realised that in my community no parent believed that beating a child is abusing the child, it is seen as giving a child good training which will make them responsible adults. I once asked my father why he beats us so much and if he hates us, he was surprised and replied that he raised us in the way he knew best, the way he was raised, the acceptable way. My father went further to explain to me that he worked seven days a week to provide for us, to give us a comfortable life. My father did not believe he did anything wrong. This experience inspired me to advocate for children, I believe that children have the right to be free from abuse of any form. I also believe that a country must ensure that children's rights are protected and that parents are orientated on the rights of the child, child abuse and its impacts.

In 2008, I volunteered for UNICEF Nigeria as an Adolescent Reproductive Health (ARH) Peer Education Trainer. The aim of the UNICEF peer education project was to curb the spread of HIV/AIDS amongst children and young people through peer education in secondary schools. I was made the volunteer zonal coordinator for the project and was also further trained by UNICEF to counsel children and young people living with or affected by HIV/AIDS within the community. During my voluntary work, I encountered many orphans and vulnerable children in the care of extended families, young carers of terminally ill parents, children experiencing broken

relationships with family, teenage parents and the case of a seven-year-old who was in the care of his mentally ill mother.

The ARH project provided information, counselling and guidance to children in secondary schools and also referred to other services to gain as much support for the children as possible. The Southern part of Nigeria, where I was volunteering, had a high prevalence of HIV/AIDS at that time resulting in several orphans and vulnerable children (Pai, 2019). I encountered challenges during my volunteer work with UNICEF Nigeria. Firstly, the lack of systems and procedures in the local government for reporting allegations of abuse, especially sexual abuse of children who came to me for counselling in the community. I was not aware of the referral procedures in the community and no information was available on how to refer children in need of social service intervention. No awareness was created on the department responsible for welfare within the local government. Members of the community did not trust the police and were unwilling to report incidents of abuse to them. Stigma associated with sexual abuse was a major deterrent to families agreeing to report incidents to the police.

Some of the alleged perpetrators of sexual abuse were members of extended family who had taken up the responsibility of caring for the children. Families of children who were victims of sexual abuse did not trust the police and most declined reporting the incidents. The local school where I was running the project had no policy and procedure in place to deal with incidents of child abuse and the teachers were not trained on child safeguarding.

I had to seek social services support for a seven-year-old whose mentally ill mother had used a machete on his head resulting in head trauma. With no available residential care or alternative care to take him on and no free medical care available for him, I had to pay the medical bills. I also had a case of a fourteen-year-old pregnant girl who was sexually abused by an adult in the community and was left in the local church by her father to deliver her baby without medical intervention. There were no services available to support the young girl in the community and I had no choice but to care for her until it was possible to reunite her with her family. I was afraid that if more of these cases came to me, I would not be able to help the children; I felt that I had failed the children.

These cases made me question the Nigerian government's commitment to children's welfare and child protection. During the course of my voluntary work, I had the opportunity to visit children's

residential care homes in Nigeria to talk to young people about reproductive health. Although the homes were said to be complying with the Nigerian Guidance and Standard on Orphans and Vulnerable Children, which includes the CRA 2003, I was curious to see how these standards were implemented and monitored internally and externally.

1.5.2. My experience of the UK social care system and policy implementation

I came to the UK in 2010 to study International Health Management and was employed to work with vulnerable children and adults. Prior to starting work, I was trained on safeguarding children and adults, confidentiality and data protection, equality and diversity, health and safety, first aid, the Mental Capacity Act and the Deprivation of Liberty Safeguards. I went an induction and was made aware of the organisation's policies and procedures, the consequences of noncompliance. I was also made aware of how to report concerns, the way social services operate and how to use the whistleblowing policy if my organisation was not safeguarding vulnerable people in their care. I experienced Office for Standards in Education (Ofsted) and Care Quality Commission (CQC) inspections, the quality rating system, and consequences when there are failures to compliance, which could be closure of the organisation.

I learnt that all organisations providing care for vulnerable adults in the UK are registered and inspected by the CQC, and all organisations working with children in the UK are registered, regulated, and monitored by Ofsted. I can access CQC and Ofsted inspection reports online and information on why an organisation is rated outstanding and others inadequate. Information on support available to vulnerable children is accessible as well as how the members are supported, for example, I learnt that in 2016 alone, over 390,000 children received some form of support from children's services in England (NSPCC, 2017b). I saw reviews in legislation and standards on the care of children and vulnerable people in the UK over the years and how organisations requirement to adjust internal policies to suit government specifications are monitored.

From 2015 I worked as a Regulation 44 Independent Visitor in the UK. As a Regulation 44 Independent Visitor, I gained first-hand experience of how the Children's Homes (England) Regulations 2015 are enforced. This regulatory framework is aimed at improving the quality of care in children's homes through ensuring that professionals working with children in their care

practice quality standards. The Children's Homes Regulation requires professionals responsible to tailor their support to each child's individual needs and provide care that is person centered and to achieve the best possible outcomes for each child.

Regulation 44 of the Children's Homes Regulations 2015 requires registered children's care home managers to make sure that an independent person is appointed to visit the children's home monthly and prepare a report for each visit. The aim of the Regulation 44 (formally regulation 33) independent visit is to ensure that children's homes promote wellbeing and safeguard children in their care. During each visit to a children's care home, the independent visitor will interview the children in private (if the children give consent). The children's parents or relatives will be interviewed if possible as well as individuals working in the home at the time of the visit.

The independent visit may be unannounced, and the independent person must produce a report about each visit highlighting his or her opinion as to whether the children in the home are effectively safeguarded and if the conduct of the children's home promotes the children's wellbeing. The independent visitor's report may recommend various actions that the registered person may take on issues identified during the visit in relation to the home and provide timescales within which the children's home manager must consider whether to take those actions. The independent visitor can raise a safeguarding alert if he or she feels that the home's practices are putting the children at serious risk. The reports produced must be sent to Ofsted. The Children's Homes Regulation and Standards is one of the policies developed by the UK government to ensure that children in residential care are effectively protected from harm and that individual needs are appropriately met.

The United Kingdom has one of the most vigorous child protection systems in the world, however these systems have been improved over the years through enquiries and lessons learnt from mistakes. I have learnt that the child protection system of any country cannot work unless it is thoroughly monitored and reviewed regularly: an example is the infamous Victoria Climbié child abuse case in England. This case led to the creation of Every Child Matters initiative, the introduction of the Children's Act 2004 (UK) and the creation of a government database – ContactPoint – designed to hold information on all children in England (Gheera, 2011). Authorities had several opportunities to detect instances of abuse in the case of Victoria Climbié, but failed to put the welfare of the child first. In his speech on the failure of the UK's child protection system

and the need for a fresh start, the Rt. Hon. Michael Gove MP noted how society tends to put the interests of adults first over that of children. Such actions have led to several failures in the child protection system with consequences that have resulted in severe harm and abuse to children and in some cases, caused their deaths (Gove, 2012). Lack of adequate guidelines on reporting child abuse cases are in part responsible for failures in the child protection system (Uzodimma et al., 2013).

The consequences of noncompliance of the Children's Homes (England) Regulations 2015, which includes a downgrading by Ofsted and/or possible closure of a care home, has to a large extent ensured that vulnerable children in residential care homes receive quality care and the necessary support, uplifting their basic human rights and providing them with security and assurance. I have also experienced how regular Ofsted and CQC monitoring visits, and that of independent visitors, have enhanced compliance through recommendations. My experiences of working with vulnerable children in Nigeria and the UK and of having my childhood experience is the motivation behind this study on how the CRA 2003 is implemented in Nigeria.

During the writing phase of my literature review, I came across literatures relating to child abuse in Nigeria that touched me personally. Some of this literature reminded me of my experience and reading them made me feel sad and frustrated at times. Nigerian news reports on child abuse cases were particularly difficult to deal with and I found myself regularly wondering if the children in the reports got justice and if Nigerian children are safeguarded. I also found loopholes in the Nigerian Child Rights Act 2003, which I have highlighted in the literature review, conclusion, and recommendation chapter (chapter 8). Discovering the loopholes in the Child Rights Act 2003 reminded me of feeling helpless and hopeless as a child. These feelings regarding literatures of child abuse cases however did not prevent me from being open minded with my research, it rather increased my curiosity instead.

My experience of abuse as a child has shaped my life in different ways, it has made me an advocate of children's rights, which has also directed my career. Looking back, I do now realise how much worse non availability of support had made the situation. Not having any knowledge of potential support resources may have compounded my situation. This was also a strong motivational factor for carrying out this research

1.6. Significance of Study

The CRA 2003 is a legislative policy document that provides the legal mandate for the practice of child protection and delivery of child welfare services in Nigeria. By all intents and purposes, it has practice implication for professionals in the field of child protection with its proactive focus to prevent harm or abuse of any kind from befalling any Nigerian child. With consideration for the CRA's comprehensive implementation framework detailed in its contents, it protects practitioners against the pitfall of ambiguity in its interpretation regarding the structuring of its administration framework. It also brings clarity on whose responsibility it is to carry out what duty and the legal implication of negligence. Thus, criminal justice practitioners are not left in any doubt about what to do in any situation. However, much of the studies in extant literature have reported unsuccessful implementation of the legislation. An exploration of the lived experience of professionals and child welfare service recipients is expected to shed light on an important aspect of the factors that impede successful implementation.

In view of the above, it is believed that the outcome of this study will benefit primarily policy makers and legislators who may want to strengthen the CRA should there be a need for a review. Reading the narrative response of key informants that are directly involved in the implementation would expose policy makers and legislators to important information that may be needed for a better policy design. The executive, whose responsibility it is to provide the administrative structure for effective implementation of the CRA would also be hearing from the street level bureaucrats some of the obstacles that impede effective implementation that are encountered in the field. This study is also relevant to researchers as it refocuses the evaluation design from quantitative to qualitative design. The study would be significant in its theoretical exploration, as its findings will influence the background underpinnings for child rights policy designs in Nigeria.

1.7. Research Structure

1.7.1. Chapter 1

Chapter One includes an account of the researcher's interest in this project. The chapter discusses the importance of child welfare and protection, looking at the implications of failures in the child

protection system and the knock-on effect on the care of orphans and vulnerable children, particularly those in residential care. It also outlines the focus of the research on the CRA 2003 and child welfare based on the author's personal experience working with vulnerable children. This serves as the backbone and direction of the study.

1.7.2. Chapters 2 and 3

These chapters contextualise the study by critically reviewing relevant literature on the CRA 2003, focusing on child poverty, child protection, family support and substitute care. The literature review is informed by the political and economic history of Nigeria, it includes the culture, traditions and religion of Nigeria, the history of child abuse and the development of child welfare protection policies over the years. Careful consideration is also given to theories and frameworks for child rights.

1.7.3. Chapter 4

Chapter Four provides an account of the methodology and approach employed in this research involving primary data collection through in-depth interviews with child welfare programme implementers in Nigeria. Qualitative research method will be employed for this project using participant observation and one-to-one semi-structured interview for data collection. The researcher interviewed experienced care home workers and care home managers to determine how the Child Rights Act 2003 is implemented in the home. To ascertain the accessibility of child welfare services in Imo state, local families, and parents of children were interviewed to obtain information on their personal experiences. Social workers from Imo state Welfare Service Department were interviewed one-to-one. A director from the Imo state Ministry of Women Affairs – the body responsible for monitoring the implementation of the CRA – was interviewed. The researcher also interviewed two directors / managers of children's homes in Imo state to obtain their account of implementation of Child Rights Act 2003 in their organisation.

1.7.4. Chapter 5 -7

Thematic analysis was incorporated with the methodology of interpretative phenomenological analysis to conduct the data analysis. In these chapters the author presented evidence and findings obtained in the data collection method. Chapter Five scrutinises the research findings on the current state of Nigeria's Child Rights implementation strategies through the accounts of families who have accessed the welfare services in Imo state Nigeria

1.7.5. Chapter 6

This chapter contains interpretation of findings from data collected from social work professionals. In this chapter, interpretation of the accounts of professionals on the implementation of Child Rights Act 2003 will be found.

1.7.6. Chapter 7

Findings and interpretation of data obtained from children's homes' directors will be presented in Chapter Seven. In this chapter, the account of lived experience of the implementation of Child Rights Act 2003 by the directors will be interpreted.

1.7.7. Chapter 8

Discussion, conclusion and recommendations were presented in this chapter. The author discussed findings and made recommendations on how the implementation of Nigeria's Child Rights Act 2003 can be improved to ensure that children in Nigeria are safeguarded and that the welfare system can effectively meet their needs.

1.8. Conclusion

The overarching purpose of this study is to examine how the Child Rights Act 2003 is implemented in Imo State Nigeria through the lived experience of families and professionals. The researcher is

motivated to carry out this research due to life experience and the need to know the current situation of Nigeria with regards to safeguarding children and meeting their needs.

The Situation of Child Rights in Nigeria

2.1. Introduction

It has been thirty-three years since the United Nations Convention on the Rights of the Child was signed and nineteen years since Nigeria domesticated it. As stated in the CRA 2003, Child Rights Implementation Committees will be established at the national, state, and local government levels. In recognition of the country's three-tiered government structure, the National Child Rights Implementation Committee, the State Child Rights Implementation Committee, and the Local Government Child Rights Implementation Committee have been established at the three levels of government. As required by the Act, the committees are responsible for ensuring that governments are committed to implementing the CRA's provisions at all levels through research, investigation, and jurisprudence. The committees have the authority to take action to ensure compliance with the child's rights and welfare (Part XXIII of the CRA) within their jurisdiction. In accordance with this provision, the federal government has initiated a number of programmes in support of the child rights protection agenda over the years.

Several of the programmes predate the CRA, indicating that the child rights agenda was well underway in Nigeria prior to the enactment of the law. These programmes are evaluated by sectors in accordance with the system's multi-sectoral reach. The Nigerian government has not undertaken this endeavour alone; it has collaborated with international non-governmental organisations (INGOs), non-governmental organisations (NGOs), faith-based organisations, and philanthropists to create a protective environment for children that will aid in preventing and responding to violence, abuse, and exploitation. Save the Children (NGO) and UNICEF have been pioneers in providing support, initiating programmes, and developing assessment tools and frameworks for assessing progress. Unicef Nigeria explained in 2007 that this endeavour entails eight critical components of the child protection agenda: Strengthening the government's commitment and capacity to protect children; promoting the establishment and enforcement of adequate legislation; addressing harmful attitudes, customs, and practises; encouraging open discussion of child protection issues that includes the media and civil society partners; developing children's life skills, knowledge, and participation; strengthening the capacity of families and communities; and providing essential services for prevention, recognition, and intervention (Jones et al, 2012).

Additionally, various approaches have been taken to represent child protection or its absence. A landmark report on the children left behind assessed the state of children in various countries that have been deprived of certain basic needs (Unicef, 2010). This may appear to be a very succinct examination of what stakeholders are doing in Nigeria to protect children's rights. This review used a deprivation framework, emphasising children's access to nutrition, health, and education, as well as their protection from child labour and other abuses. Thus, federal government-initiated programmes aimed at preventing or responding to these deprivations will be considered. This would start with a historical trajectory that maps the path leading to the current state of affairs.

2.2. Historical Considerations

The Child Rights Act (CRA) signed into law in 2003 by the Federal Government of Nigeria defines a child as a person who is below the age of eighteen years. Its guiding principle is that the best interest of the child is paramount in every action concerning a child, irrespective of who undertakes it (Child Rights Acts 2003, Section 1). Recently, the UNICEF Nigeria wrote on its website that Kebbi State Government has signed CRA into law, becoming the 31st State to domesticate the act after nineteen years of its passage by the National Assembly in 2003 (Unicef 2022). This is clearly nineteen years after ratification by the national assembly as a follow up to the commitment to the norms of the UNCRC passed by the United Nations in 1987.

What the CRA did was, in addition to domestication of the international norms of children's rights, to bring together all the existing laws within Nigeria that pertained to children as citizens. Mama in an article in the vanguard following the death of 13 years old Elizabeth Ochanya due to sexual exploitation by her guardian and his son, wrote, "the passage of the Child Rights Law is a crucial step but not the totality of steps. What the law does, crucial as it is, is a reiteration of norms already embedded in our history, culture and religion" (Vanguard Newspaper, 2018, p12). Before delving into next step, it is important that where Nigeria is coming from in terms of child welfare is reviewed.

Prior to the passage of the CRA 2003, references relating to the rights of the child and laws guiding judicial trial of children in Nigeria were contained in different documents. Notable among them was the Children and Young Persons Act (CYPA) promulgated in 1958 by the colonial

government, which is an amended version of the 1943 Children and Young Persons' Ordinance, both fashioned alongside the British Children and Young Persons Act of 1933. What was done with the CRA 2003 is to provide legislation which incorporates all the rights and responsibilities of children, and which consolidates all laws relating to children into one single legislation, as well as specifying the duties and obligations of government, parents and other authorities, organisations and bodies.

The Act also provided for Child Justice Administration to replace the Juvenile Justice Administration, which has been in existence for several decades in Nigeria. The Child Justice Administration prohibits the subjection of any child to the criminal justice process and guarantees that due process be given to any child subjected to the child justice system, at all the stages of investigation, adjudication and disposition of any case against such a child. Also prohibited is the use of capital punishment, imprisonment or corporal punishment for persons below 18 years. Provision was made for children living under difficult circumstances like orphans, street children and those physically challenged to be catered for in substitute care.

Ekpe (1983) observed that welfare provisions, prior to the promulgation of these statutes, were undertaken by the extended family system that was active before exposure to weakening western influences. The CRA however made elaborate provisions for child welfare system in Parts IV to XIX spanning sections 41 to 203. This indicated a more serious orientation for child protection and welfare by the government and stakeholder bodies. Section 264 in Part 23 as earlier referenced, proposes a state implementation committee in all the thirty-six states of Nigeria. This is in deference to the provisions of the 1999 constitution of Nigeria as earlier pointed out.

As a validation of the need for domestication of treaties, a UNICEF report adjudged the CRA in its rights-responsibility to be culturally sensitive, relevant, compatible, and as espoused in its principle, in the best interest of the Nigerian child. Full domestication in all the thirty-six states of the country is however yet to be achieved as required by the constitution. Some authors have attempted explanations. For example, Akinwumi (2009) reports that it was a tedious and rancorous legislative process at the national assembly owing to the dust raised by Northern law makers during the debate at the federal assembly. The Supreme Council for Sharia in Nigeria dubbed the CRA an imposition that is contrary to their religious belief. Specifically, they declared that any law that seeks to give equal rights to male and female children in inheritance seeks to give an illegitimate

child the same rights as the legitimate one (Nzarga, 2016). However, more contentious is the age of who is termed a child, which impinges on eligibility for marriage.

Part III, section 21 of the CRA 2003 states that 'no person under the age of 18 years is capable of a valid marriage. And accordingly, a marriage so contracted is null and void and of no effect whatsoever'. A contravention of this section of the Act attracts a fine of NGN500,000 or imprisonment for a term of five years or both. At present Nigeria is home to the largest number of child brides in Africa with twenty-three million girls and women who were married in childhood (UNICEF, 2018). The practise is said to be most common in the Northern region where the CRA adoption is facing strong resistance. Ogunde (2016) reports that there are cultural and constitutional barriers to effective implementation of the Act. Whether the Act was domesticated to combat these barriers of effective implementation, or they are clear defects of the policy environment is still dominating debates in implementation of the CRA 2003 (e.g., Ogunde, 2003; Omeregie, 2015)

2.3. Child Right Abuses in Nigeria

2.3.1. The State of Nigerian Children

With the passage of the CRA, the country appears to have laid the groundwork for a robust child protection agenda by incorporating all children's rights and responsibilities and consolidating all laws providing for the protection and care of the Nigerian child into one piece of legislation. The CRA 2003 classified children's concerns into four broad categories: survival, development, protection, and participation. Survival requires adequate nutrition and health care systems that reduce child mortality and morbidity; development requires the provision of recreational facilities and affordable education; protection from physical, psychological, or moral injury; and the right of children to special protection during times of war or forced migration, as is the case with children in IDP camps. Finally, there is decision—making participation. Despite this, child survival remains a challenge in Nigeria, with one in every fifteen children dying before reaching the age of one and one in every eight not making it to their fifth birthday. This may be a result of inadequate nutrition and limited access to health care, particularly vaccines. Malnutrition results in stunting, wasting, and underweight children; and malnourished children who survive are more prone to illness and suffer long-term consequences of impaired development. According to records, '37%

of children under the age of five are stunted, 18% are wasted, and 29% are underweight'. (The Guardian, April 25, 2019)

In terms of child protection, media reports indicate that the 2014 Nigeria Violence Against Children Survey, conducted by the National Population Commission with support from the US Center for Disease Control and UNICEF, revealed that approximately six out of every ten children experience some form of violence. In another report, UNICEF reveals that insurgency has forced at least 135 children in north-eastern Nigeria and Cameroon to act as suicide bombers, nearly five times the number in 2016. Furthermore, children are targeted and subjected to attacks and heinous violence in their homes, schools, and playgrounds.

2.3.2. Child Labour in Nigeria

Nigeria has a long history of child labour, making it a challenging problem to address. According to UNICEF (2022), about 14 million children aged between five and fourteen years are estimated to be engaged in child labour. The CRA 2003, in section 28 provides that no child shall be subjected to any forced or exploitative labour; or employed to work in any capacity except where he is employed by a member of his family on light work of an agricultural, horticultural or domestic character; or required, in any case, to lift, carry or move anything so heavy as to be likely to adversely affect his physical, mental, spiritual, moral or social development; or employed as a domestic help outside his own home or family environment. No child shall be employed or work in an industrial undertaking. The CRA 2003 in section 30 also prohibits buying, selling, hiring or otherwise dealing in children for the purpose of hawking or begging for alms or prostitution.

The problem of child labour has however persisted despite the legal prohibition by the CRA. Nigerian children engage in child labour in a variety of locations and situations, which are categorised under the many economic activities the children are not supposed to engage in, particularly in urban areas. Street and market hawking, trading, and vending, shoe-shining, car washing and watching, mechanical workshops, vulcanising, carpentry, scavenging, begging, hairdressing, tailoring, weaving, barbing, and catering are some of these activities (United States Department of Labour (USDOL), 2006). Children are also employed as bus conductors and domestic servants. Children in Nigeria work in a variety of settings, including public and semi-

public spaces, private residences, agricultural plantations, and quarries. Children that are victims of child labour are mostly from lower income families.

However, the nation has a lengthy history of using children as labourers. Hawking (vending/trading) was found to be the most prevalent type of work that children do as child labourers, accounting for about 48.5% of the total number. This is followed by mechanics, tailors, carpenters, and house girls (domestic servant) accounting for 20.4%, 9.8%, 9.5%, and 6%, respectively, according to a similar study of child labour in Zaria, Nigeria, conducted by Aliyu (2006). A study on child trading activities on the streets and their impact on the children's educational achievements by Ashimolowo, Aromolaran, and Inegbedion (2010) found that 40.8% of the study's participants engaged in hawking or trading, which is significantly higher than the study's sample participation in other forms of trading like carrying loads for customers, which stood at 20%.

Additionally, hawking/trading was identified by Agbo (2017) as having the highest prevalence of the different forms of child labour with a 32% occurrence, compared to begging (28%), working in agricultural sites (12%), carrying loads for customers (10%), and domestic services (4%). This study examined the health and educational effects of child labour across the different states in Nigeria. Few studies have included streets, shops, and markets (Okoli, 2014; Agbo, 2017), and there has been less emphasis placed on the market environment in research on child labour in the form of child trade (Fetuga, Njokama, and Olowu, 2005; Nduka and Duru, 2014).

Many Nigerian youngsters work long hours (up to twelve hours a day), in hazardous conditions, and with more responsibility than is appropriate for their age (Aliyu, 2006; Ayodele and Olubayo-Fatiregun, 2014; Nduka and Duru, 2014). Children's rights are violated when they are made to labour in dangerous situations, when there is a lack of food, where they are paid little to nothing, where they are not provided with a proper education, and when there are no facilities for health care (Aliyu, 2006).

Although there have always been youngsters working in Nigeria, the number has significantly increased during the past three decades (UNICEF, 2006; Amao and Oni, 2012). A UNICEF report claims that despite the country's economic prosperity, millions of Nigerian children have been forced into labour as a result of the country's growing poverty. Bass (2004) and Okoli and Cree

(2012) criticised the UNCRC for failing to consider the challenging socio-economic situations that children from underdeveloped nations live in while addressing this social problem. It added that the Nigerian government was supposed to use the statistical data from the first national survey on child labour in Nigeria (the Modular Child Survey, 2000) in the planning, design, and execution of a multi-sectoral, integrated intervention. This was intended to be accomplished by tracking the implementation and evaluating the results of regulations and programmes, but it is clear that despite the numerous programmes put in place, child labour is still pervasive in Nigeria (USDOLBILA, 2013).

The characteristics that are connected to child labour, child trade, and attitudes against child labour in the community were identified by Omokhodion and Uchendu (2010) in a study of parents of school-aged children in an urban town in the south-western part of Nigeria. Findings are that 50% of their school-aged children worked, with the most common justifications being to supplement the family income, gain experience, and help with the family business. It was suggested that the measures needed to stop child labour in Nigeria should adopt a multifaceted strategy, addressing household poverty through poverty alleviation, educating the public about the negative effects of child trafficking, especially for mothers, and providing free, compulsory education up to the junior secondary school level (Omokhodion and Uchendu, 2010).

When asked about the advantages of working, children said that 36% of them saw it as a way to earn money, 23% saw it as a way to support their parents, and 17% thought it would help them mature into responsible adults (Omokhodion, Omokhodion, and Odusote, 2006). The researchers found that the youngsters believed that engaging in child labour would lead to them socialising with criminals, getting sick, and getting into car accidents. The authors came to the conclusion that child labour is a sign of deprivation, especially in terms of educational attainment. The priority for them should be school education for children even when the families' challenging economic circumstances may require their parents to send them to work (Omokhodion, Omokhodion, and Odusote, 2006). Only if the socio-cultural circumstances of parents and the social security of children are taken into account, as these are directly tied to household vulnerability, can the promotion of school education over child trading be advantageous in the face of severe economic realities (ILO, 2010; Bahar, 2014).

Reports demonstrate the significance of socio-economic factors influencing child labour. In a survey of 500 kids in three states (Lagos, Kaduna, and Port Harcourt), report revealed that the largest proportion of street kids (34.4%) sought to develop different coping mechanisms through economic activities by engaging in street trading (Oyeniyi and Agunbiade, 2009). Alms begging (16.4%), street gangs, theft, robbery, and drug pushing were among the other economic activities in the study; the poll did not specify the role of minors in any of these activities. They came to the conclusion that community-based tactics should be a part of any policies designed to address the problem. It is necessary to conduct research on the perspectives of the various community stakeholders for such initiatives to be realistic. Fetuga et al (2005) findings in a study of the prevalence, types, and demographic characteristics of child labour among school children in the southwest of Nigeria revealed that street/market trading is the most prevalent economic activity among children who work, while culture and tradition were identified as factors that contribute to the prevalence of child labour.

Child labour is a complex subject thus a thorough examination of all related issues is required to enable effective planning and the protection of school-age children. This should highlight the socially created expectations of children's economic contribution to the household in particular and the community under study as a whole. Another research of 20 nomadic girls engaged in street hawking in three northern Nigerian cities found that one of the main drivers of the economic activity was poverty (Usman, 2010). Other explanations included religious ones, where females learn to be independent through religious education (since early marriage is required by the Islamic religion), economic independence for maintaining oneself and providing for the family, and socialisation to attract prospective spouses. Usman (2010) came to the conclusion that the government needed to establish a social policy on girls' education and provide their parents the chance to enrol in adult education programmes so they could further their education.

According to Okoli and Cree's (2012) study on children's employment and experiences in street selling in Enugu, Nigeria, trading (vending) is a crucial aspect of kids' daily lives and is not distinct from other facets of family life. This suggests that societal construction of commerce is a component of childhood. While parents see trading as a necessary part of growing up for their kids, kids see it as part of their duty to support the family. Okoli and Cree (2012) came to the conclusion that attention should be given to children's opinions, on what they think and how they

might find support and protection in the workplace environment. Therefore, when regulations pertaining to them are developed, the viewpoint of children should be taken into account.

It will be seen that quite a number of suggestions however run contrary to the principles of law in a constitutional democracy. According to the UNICEF (2022) report, Nigeria has ratified all key conventions on child labour. These conventions are the ILO Convention 182 on the Worst Forms of Child Labour, ILO Convention 138 on the Minimum Age for Admission to Employment and the ILO Convention 189 on Domestic Workers. Nigeria has also developed the National Policy on Child Labour (2013), National Action Plan for the Elimination of Child Labour in Nigeria (2013–2017) and the List of Hazardous Child Labour in Nigeria (2013). The latter was developed by the National Steering Committee for the Elimination of the Worst Forms of Child Labour; however, the government has not yet determined by law or regulation the types of hazardous work prohibited for children. A conclusion that falls in line with the demands of the CRA is that which suggests the domestication by states of the CRA and creation of state steering committees on the elimination of child labour. Effective compliance and enforcement of the CRA pronouncements in states that have domesticated the act is also expected to make the difference.

2.3.3. Child Poverty

Child poverty is a major concern among Nigeria's vulnerable children. This is due, primarily, to its relational nature (Harper et al, 2010), given that the child is only as poor as the source of his or her care needs (either the family of origin or when in substitute or alternative care). Harper et al (2010) observed that the limitations of childhood caused by economic status, level of education, gender, ethnic origin, or geographic location make children reliant on the care, support, and protection of adults, whose deprivations, vulnerabilities, and risks frequently exacerbate childhood vulnerabilities. Although Nigeria experienced increased economic growth over the last decade, reaching a peak of 7% annual growth in 2014, the country also experienced extremely high and rapid increases in poverty and inequality (Connelly and Ikpahindi, 2016). Over 50% of the Nigerian population is estimated to live in poverty, subsisting on less than USD 1.25 per day. This has a direct or indirect effect on the Nigerian child's well-being.

To put child poverty into context, UNICEF (2004) defined it as a situation in which children are deprived of the material resources necessary for survival, development, and growth, rendering them unable to exercise their rights, reach their full potential, or participate fully and equally in society. Townsend (2014) defined it as a situation in which children lack the resources necessary to obtain the types of diets, participate in the activities, and live in the conditions and amenities associated with their societies. According to Ogunwale and Olalere (2016), child poverty refers to children who live in households that lack material resources. The resources mentioned previously may include money, but may also include other types of material resources. For example, access to health care, a decent home, and a free high-quality education are all associated with poverty in an indirect way. It is therefore necessary to recognise that child poverty refers to deprivations during the earliest stages of life, the consequences of which can occasionally result in significant developmental deficits and a likely maladaptive adulthood (Adeshina, 2016).

Given the vulnerability of children, particularly infancy, to a variety of risks, the effects of any form of deprivation may be noticeable throughout an adult's lifetime. According to Adeshina (2016), poverty can have a detrimental effect on children's physical, emotional, and spiritual development. These effects, it is believed, may be irreversible for the child. Children are more vulnerable to poverty than adults due to their age and dependency. Childhood poverty can result in lifelong cognitive and physical impairment, where children become permanently disadvantaged, perpetuating poverty in a cyclical manner across generations. These effects of childhood poverty stand in stark contrast to those of adult poverty. Another way to distinguish between childhood and adult poverty is to examine their causes. Ogunwole and Olanrele (2016) examined the factors that contribute to child poverty in Nigeria. After subjecting childhood characteristics, parent characteristics, household characteristics, and community characteristics to logistics regression analysis, they discovered that they were statistically significant. Among the characteristics of childhood is age, which was discovered to vary in relation to the poverty rate.

Combating child poverty in Nigeria should, by all accounts, be a daunting task for the government. According to UNICEF's most recent population estimates (2015), Nigeria's under-18 population, which corresponds to the age bracket defined as childhood in the CRA 2003, is estimated to be approximately 88 million, or 49% of the total population, while the under-five population is approximately 31 million, or about 17%. These statistics dwarf a number of social protection

initiatives undertaken by various administrations, which have only scratched the surface of an endemic situation. Although children are overrepresented in poor households, it is assumed that more than 65 percent live in poverty, with the figure reaching 80 percent in the North East, where the Boko Haram insurgency has had a negative impact on socioeconomic activities (DNS, 2013). For instance, if we consider that over half of the population that live on less than USD 1.25 per day is estimated to be in rural arrears. With a higher fertility rate among rural poor and birth rates still driven by the need to increase family size for economic and cultural reasons in rural areas, these households are likely to have more children. In terms of distribution, poverty is most severe in the northern regions, particularly in the North East, where nearly 80 percent of the population live in poverty (Connelly and Ikpahindi, 2016).

Recognising the apparent prevalence of childhood poverty and its detrimental effects on children, the CRA 2003 stipulated that governments at all levels in Nigeria shall work to reduce infant mortality, provide adequate nutrition and safe drinking water, provide healthcare, maintain hygienic and sanitised environments, combat diseases and malnutrition, and work toward the development of primary health care. When coupled with poverty reduction, these accompanying provisions resemble a vortex that creates a whirlpool of protection deficits (Ogunwale, 2016). Additionally, there are remedial efforts by families to place children in alternative care, child labour, voluntary and involuntary prostitution, and child sexual exploitation, all of which may be the result of desperate attempts to alleviate poverty. It suffices to say that both research and anecdotal evidence indicate that much more work is necessary.

Another recurring theme is the conflict inherent in the pursuit of certain child rights, which occurs when the pursuit of one right precludes the fulfilment of another (Brems, 2005). This may occur as a result of a lack of or inadequacy of provisions to address all rights demands concurrently. The illustration below (figure 1) demonstrates how the need to fulfil the right to education, which may entail travelling a distance to reach schools, can be used to jeopardise a child's safety. This means that rights will be prioritised in such a way that they are implemented in a manner other than the one foreseen. It appears prudent in this case to provide children with education through any means necessary, even if their right to safety is jeopardised. One consideration might be that you cannot have an early education in later years, which is backed by widespread religious belief that God is

responsible for safety, protection, and preservation of life. Such abuses abound in the absence of an authority structure to deter them, particularly in rural areas.

According to UNICEF (2005), child poverty refers to children who lack the material resources necessary for survival, development, and growth, rendering them unable to exercise their rights, reach their full potential, or participate in society as full and equal members. Nigeria is Africa's most populous country, with a population of approximately 170 million people. It is the world's 12th largest petroleum producer/exporter, with an annual Gross Domestic Product of USD262.6 billion in 2013 (World Bank, 2013) and an annual growth rate of approximately 6.6 percent (National Health Demographic Survey, 2014). Despite this, Nigeria has one of the highest rates of poverty and inequality in the world. According to the 2012 National Poverty Index report by the National Bureau of Statistics (NBS), approximately 112 million Nigerians (or 67.1 percent of the country's total population of 167 million) live below the poverty line, earning less than US\$1.00-US\$1.25 per day. On the 2015 Human Development Index, Nigeria was ranked 152nd out of 158 countries (HDI). Annual GDP growth in Nigeria averaged around 6% from 2005 to 2015, reaching an all-time high of nearly 9% in 2010. GDP growth slowed significantly in 2015 as a result of low oil prices, reaching a record low of slightly more than 2%. (World Bank, 2016).

As Hagen-Zanker and Tavakoli (2011) note, Nigeria spends less on social protection than many African countries, despite its relative wealth. Nigeria spent 0.9 percent of GDP in 2006-2007; Ethiopia, Kenya, Malawi, Mozambique, and Uganda spent an average of 1.4 percent. Additionally, general public services and economic affairs combined accounted for more than half of Nigeria's consolidated government expenditure in 2010, with social sectors accounting for an average of 20% of total government spending between 2005 and 2010. Education accounted for approximately 12% of total government expenditure in 2009, health for approximately 7%, and social protection for approximately 1.4 percent. With over 60% of the population under the age of 18, children are disproportionately represented in poor households (Holmes et al., 2012). Nigeria's infant and maternal mortality rates are among the highest in the world, and poverty and deprivation exacerbate child protection issues such as trafficking, sexual exploitation, and abuse. Between 2010 and 2013, the out-of-school rate for children aged six to fourteen increased from 24 to 30%, with 95% of children living in northern states and the incidence increasing more rapidly among

girls, children in the lowest two income quantiles, and children living in rural areas (World Bank, 2016).

Poverty patterns vary by geographic location and are influenced by socio-cultural and religious norms, as well as the prevalence of conflict and instability. High HIV and AIDS prevalence rates are a major source of concern, especially for particularly vulnerable groups. High unemployment rates and a scarcity of livelihood opportunities in rural and urban areas continue to limit economic opportunities for men, women, and youth, preventing them from escaping poverty (Holmes et. al., 2012). Poverty and a lack of access to basic social services, credit, and insurance make poor people more vulnerable and ill-equipped to deal with the variety of risks they face, including illnesses, injury, crop failures, drought, malnutrition, exclusion or discrimination on the basis of gender, age, or other social status, or stigmatisation of people living with disabilities or diseases such as HIV and AIDS. In addition, poor people have a higher prevalence of children who are exposed to the same risks as their families. These families' poverty precludes them from taking risks on their own.

Fundamentally, as the ILO (2015) notes, poverty has a significant impact on children. Children are affected by poverty differently compared to adults; they have unique and distinct needs. While an adult may experience temporary poverty, a child may experience poverty for the rest of their lives – children rarely receive a second chance at an education or a healthy start in life. Even brief periods of hunger can have a detrimental effect on children's long-term development. Without adequate nutrition, children fall behind their peers in terms of size and intellectual capacity, are more susceptible to life-threatening diseases, perform poorly in school, and are ultimately less likely to be productive adults. Child poverty is a threat to not only the individual child, but also to future generations, entrenching and even exacerbating social inequality.

Vleminckx and Smeeding (2001) also point out that those who grow up in low-income families are more likely to encounter unemployment, low wages, and bad health as adults. As a result, poverty has a significant impact on the protection needs of children. As indicated by high rates of child and new-born mortality, widespread malnutrition, and frequently limited educational prospects, it puts the lives of many Nigerian children in jeopardy. Poverty, as well as a range of other economic and social conditions, make Nigerian children particularly vulnerable. Urbanisation and migration; health shocks; environmental degradation; domestic violence and family breakup; societal violence and conflict; social exclusion and discrimination; damaging

cultural practises; orphanhood and family loss are among them (Holmes, et al., 2012). Because labour is frequently the poorest people's only asset, one of their key coping techniques is to increase their own or their children's labour. As a result, many children find themselves working as domestic slaves, apprentices, or beggars (Ould El Hadj and Diakhate, 2006).

Despite membership in the International Labour Organisation (ILO), the International Social Security Association (ISSA), and signing several international Conventions and Charters, Nigeria has no overarching social protection policy and no national policy on social assistance for vulnerable children in particular, most notably the girl child. Nigeria has ratified a number of critical international social equity legislation instruments that are critical components of the transformative social protection agenda, including the Covenant on Civil and Political Rights, the Covenant on Economic, Social, and Cultural Rights, the Convention on the Elimination of All Forms of Violence Against Women, and the Convention on the Rights of the Child. However, not all states have enacted them, implementation is patchy, and there is little, if any, conceptual connection between broader regulatory policies promoting equality and rights and social protection policies.

Additionally, Nigeria is a signatory to both the 1989 United Nations Convention on the Rights of the Child (CRC) and the OAU Charter on the Rights and Welfare of the Child (WSC). Following the CRC's ratification in 1991, the Nigerian government simplified and translated the document into the country's three major languages. Nigeria has also ratified the WSC Declaration and Plan of Action for Children, which were adopted in 1990 in New York. This action was followed by the development and adoption in 1992 of a National Program of Action (NPOA) for the Survival, Protection, and Development of Children. However, these laws' scope of application and enforcement remain limited (Hagen-Zanker and Holmes, 2012).

Nigeria is estimated to have enormous human and natural resources and as such, it is expected that the country will utilise its resources to generate wealth for its citizens. However, numerous reasons can be advanced for the government's inability to provide for its citizens. There are several reasons for this, including a lack of effective leadership, widespread corruption at all levels, and a lack of political will. However, there appears to be a possibility of commitment to the country's social protection agenda improvement. The World Bank (2016) reports that public spending on social protection programmes has increased in recent years. Federal spending on social protection

increased to 0.42% of GDP in 2012, up from an average of about 0.3 percent of GDP over the previous three years. Annual federal spending on social protection per capita increased from US\$3.5 in 2009 to US\$6.3 in 2012. However, existing programmes continue to have a low overall coverage and are poorly targeted. In 2016, the Government's proposed budget allocation of US\$2.5 billion (0.4% of GDP) to social protection is a significant step toward adequate and sustainable sector spending. Additionally, the Government demonstrated a renewed commitment to social protection by including a significant budget allocation of N500 billion (approximately 9% of the total 2016 budget) for social protection. Additionally, the World Bank announced in March 2016 a \$500 million (approximately N99.5 billion) support for the Federal Government's Social Protection Programs.

A draft National Social Protection Policy is currently being finalised, and the Buhari administration has established a National Social Safety Nets Coordinating Office (NASSCO) within the Vice President's Office, charged with the responsibility of coordinating all social safety net initiatives in the country. As part of its efforts to lift Nigerians out of poverty, the administration has established a six-point social protection plan that will be coordinated by the Vice President's office. Teach Nigeria Scheme (TNS) is a programme that the federal government intends to use to hire 500,000 graduates as teachers directly. The government will hire, train, and deploy graduates to assist in improving the quality of teachers in public schools throughout the country. The Youth Employment Agency (YEA) is seeking between 300,000 and 500,000 non-graduate youths to enrol in skill acquisition and vocational training programmes for which they will be compensated with stipends.

Conditional Cash Transfer is a social protection programme under which the government intends to pay N5000 per month directly to one million extremely poor Nigerians on the condition that their children are enrolled in school and immunised. Additionally, there is the Home-Grown School Feeding Program (HSF). The federal government would use this programme to provide one meal per day to primary school students in collaboration with state governments. The Free Education Scheme for Science, Technology, Engineering, and Mathematics (STEM) is intended to cover tuition costs for approximately 100,000 STEM students enrolled in tertiary institutions throughout the country. Additionally, there is the Micro Credit Scheme (MCS), which the Federal Government intends to use to loan N60 billion to one million artisans, market women, and men.

While these are positive steps, children's welfare is still not adequately addressed. According to Ogunde (2016), this is due to their population and spread, as well as the fact that the programmes are typically underfunded and poorly coordinated. The most effective child protection measures will combine approaches that increase income, improve livelihoods, and address underlying and social causes of vulnerability.

Family allowances, social pensions, and other cash transfers linked to school attendance typically have a beneficial effect on both genders (Tabor, 2002), for example, Williams (2007) asserts that social transfers have a sizable impact on the education of girls in South Africa. However, providing social protection to a household is insufficient to ensure that children's welfare is prioritised and that children are not denied access to education and other developmental opportunities. Access to social protection must be accompanied by measures that alter community norms and educate parents about their children's needs and rights. To accomplish this, a comprehensive set of interventions aimed at increasing community sensitivity and encouraging parents to invest in their children should be implemented.

2.3.4. Out of School Children

Section 15 of the CRA 2003 states that every child has the right to a free, compulsory, and universal basic education, and that it is the responsibility of the Nigerian government to provide it. Additionally, each parent or guardian is responsible for ensuring that his or her child or ward attends and successfully completes primary and junior secondary education. Thus, it is the government's responsibility and the parents' responsibility to ensure each child's right to education. The point is that in countries where cultural and religious beliefs preclude equal access to education for boys and girls, education rights are impeded (Fayokun, 2015). Sahara Reporters, an online newspaper, reported in July 2019 that Nigeria currently has sixteen million out-of-school children. A breakdown revealed that ten million were absent from primary school, while six million were absent from secondary school.

Apart from the CRA, Nigeria is bound by a plethora of international and domestic legal instruments pertaining to children's educational rights. They affirm that education is a fundamental human right that should be available to all without discrimination. According to Article XXVI of the UDHR,

'Everyone has the right to education.' Likewise, Article XVII of the African Charter on Human and People's Rights states, 'Every individual has the right to education' The CRC requires state parties to recognise the child's right to education and to 'take measures to promote regular school attendance and drop-out rates reduction.' Section 18 of the 1999 Constitution states that as one of its fundamental objectives and guiding principles of state policy, the government shall direct its policies toward ensuring equal and adequate educational opportunities at all levels.

Education is a fundamental human right that entitles an individual to receive instruction and acquire knowledge necessary for his economic and social well-being. Citizenship education requires that a country's subjects acquire a breadth of knowledge through access to schooling. It begins with the youngest member of society acquiring elementary knowledge, i.e., literacy. This is followed by a mandatory schooling stage that enables the child to continue his or her education through the integration of secondary and post-secondary instruction.

Education is necessary for a child's personality and identity development, as well as for the development of his or her physical and intellectual capabilities. It makes a significant contribution to the development of the child's individuality by fostering social and professional integration. Its ultimate goal is to improve people's quality of life. Additionally, it provides the child with an opportunity to escape poverty and harmful cultures that are detrimental to his or her health and the health of others. As such, it is a necessary component of personal and societal development.

According to UNICEF (2019), Nigeria accounts for one in every five of the world's out-of-school children. The picture is even bleaker in the North, with a net school attendance rate of 53%. As with geography and poverty, gender plays a significant role in the pattern of educational marginalisation. Female primary net attendance rates in the Northeast and Northwest are 47.7% and 47.3% respectively, indicating that more than half of girls are not in school. Northern Nigeria's education deprivation is caused by a variety of factors, including economic constraints and sociocultural norms and practices that discourage participation in formal education. As a result, a sizable number of these children are enrolled in the *Almajiri* educational system.

2.3.5. Discrimination (Osu Caste)

The right of the child to be free of discrimination is another essential element of the CRA. Caste discrimination, according to the United Nations (2015), is a long-term human rights issue that comprises widespread violations of civil, political, economic, social, and cultural rights. Discrimination on the basis of sex, circumstances of birth, membership to a particular community or ethnic group, religion, place of origin, handicap, deprivation, or political viewpoint is prohibited by the CRA. This is in addition to the requirement that the child's dignity be respected at all times. This is stated in section 10 titled Right to Freedom from Discrimination, which states that: (1) A child shall not be subjected to any form of discrimination solely because he or she belongs to a particular community or ethnic group, or because of his or her place of origin, sex, religion, or political opinion. (2) No child shall be subjected to any handicap or deprivation solely as a result of his or her birth circumstances. The Osu caste system in Eastern Nigeria was equally difficult in terms of the need for non-discrimination, much as the age of marriage in Northern Nigeria was at odds with Islamic culture's norms.

The caste system is connected with the Igbo people's social hierarchy in Southeast Nigeria, which is based on their belief in the power of deities to afflict with a curse when taboos are breached. Discriminating against an Osu is a taboo with serious implications. According to Igwe and Akolokwu (2014), the Osu status can be obtained through the ritual transformation of Diala or Nwadiala ('freeborn') as a punishment for his transgressions; by entering the shrine (whether under duress or voluntarily); by contact with an Osu, or by birth to Osu parents, intermarriage, and any other direct contact with an Osu. A Diala is also barred from spilling the blood of an Osu. As a result, anyone who breaks these laws becomes an Osu.

Igwe and Akolokwu (2014) propose that the traditional status of 'Osu' may have stemmed from their role as gods' or deities' slaves. This position demanded and had a unique way of dealing with them, as opposed to the 'freeborn,' which does not always imply lesser rank. However, the class they now belong to is unquestionably due to the arrival of Europeans and the Church. As a result of Christianity, traditional religion was reduced to second-class status, thus aggravating the Osu's predicament. The conventional gods and deities were weakened by a new god and a new kind of worship. The Osu, the slaves, the strangers, the outcasts, the untouchables, and the Nwadiala or

Diala, the master, the freeborn, are examples of this diminishing of the cherished position of the deities.

However, these emotions are decreasing, particularly in metropolitan areas, where they are no longer as strong as they once were. A UN committee recently mentioned its persistence. While the term "caste" does not appear in the Universal Declaration of Human Rights (UDHR) or any of the international human rights treaties, it was noted that subsequent practice by UN treaty and charter-based bodies have affirmed that caste-based discrimination is covered by international human rights instruments. It went on to say that in their recommendations and general comments, various treaty body committees have declared that caste discrimination fits within the phrases "descent," "social origin," "birth," and/or "other status." The UN Committee on the Elimination of Racial Discrimination (CERD) has confirmed in General Recommendation 29 that discrimination based on "caste and related systems of hereditary status" falls inside the definition of descent in the United Nations.

The Committee on Abolition Law is concerned about persistent allegations that members of the Osu and other similar communities are still subjected to social exclusion, segregation, and mistreatment, as well as discrimination in employment and marriage, despite the fact that work-and descent-based discrimination has been legally abolished. It strongly urges the State party to develop, in collaboration with non-governmental organisations and religious leaders, effective programmes to prevent, prohibit, and eliminate private and public practises that constitute segregation of any kind, including a broad-based information and public awareness campaign (The International Dalit Solidarity Network, 2015, p24).

The Osu are viewed as second-class citizens with permanent and irreversible disabilities, and they are subjected to a variety of forms of maltreatment and discrimination. They're designed to live apart from the free-born. In most cases, they live in close proximity to temples and marketplaces. They are not allowed to dance, drink, hold hands, interact with, or have sexual intercourse with Nwadiala in extreme situations. Furthermore, they are not permitted to split Kola nuts (a peace offering) during meetings. An Osu cannot pour libation or petition to the gods on behalf of a freeborn in a community assembly on the spiritual level. Such prayers are thought to bring tragedy and misfortune. In Igboland, where a Diala has expressed interest, an Osu may find it impossible to satisfy a wish to hold a political post.

2.4. Barriers to Acceptance of Child Right Norms

2.4.1. Patriarchy and Women's Rights in Nigeria

Nigerian society is patriarchal, which denotes a social system that is a major component of a traditional society (Aina, 1998). This fact emphasises the fact that Nigeria's development is a complicated blend of many stages of development. For better understanding, patriarchy is defined as a system of social interactions with a material foundation that allows men to govern women (Stacey 1993; Kramarae 1992; Lerner 1986). Makama (2013) characterised it as a sex-based system of social stratification and differentiation that provides material advantages to males while placing significant limits on female roles and activities. This system of gender relations is inextricably linked to the Nigerian people's social history and cultural tradition, with no explanation as to where it came from. With the emergence of rights and gender equality, as well as Nigeria's claim to modernity, the patriarchal system's continued existence becomes archaic.

Gender relations are a subset of social relations, referring to how men and women interact across the entire spectrum of social structure, not just in the context of intimate relationships or biological reproduction. Gender is important in determining people's behaviour and the outcome of any social interaction in all aspects of social activity, including access to resources for production, rewards or remuneration for work, distribution of consumption, income or goods, the exercise of authority and power, and participation in cultural, political, and religious activity. Gender relations describe the social meaning of being male and female, as well as what is considered appropriate behaviour or activity for men and women, in addition to institutions between individual men and women (Pearson, 2000).

The pervasiveness of patriarchy is a source of concern. Patriarchy, according to Okpe (2005), is a large network or system of hierarchical structure that spans the political, economic, social, religious, cultural, industrial, and financial domains. The vast majority of upper-level jobs in society are either occupied or controlled and dominated by men under this system. As a result, patriarchy is well marked as any system that operationalises an order that gives men an unfair advantage over women. Women are always on the receiving end of decisions about the use of societal resources generated by both men and women because their participation in formal and

informal structures and processes, where decisions about the use of these societal resources are made, is insignificant.

According to Salaam (2003), patriarchal society establishes the parameters for women's structurally unequal position in families and markets by condoning gender-differential terms in inheritance rights and legal adulthood, tacitly condoning domestic and sexual violence, and sanctioning differential wages for equal or comparable work. For millennia, men and women's relationships have been regulated by Nigerian tradition, culture, and religion, which has cemented male dominance in the framework of social organisation and institutions at all levels of leadership. Women's marginalisation in education, the economy, the labour market, politics, business, family, domestic matters, and inheritance is justified by patriarchy (Salaam, 2003).

Male domination over female members of society is the fulcrum of a patriarchal system, and as a result, men sit back in the family to maintain the family name and lineage growing while women marry out. Men are typically trained for leadership responsibilities, whilst women are relegated to household chores; roles allocated to them by culture, which have an impact later in life, causing them to lose self-confidence and esteem in their adult careers (Makama, 2013). It is important to highlight that these are examples of human rights violations as defined by relevant local and international human rights treaties that Nigeria has signed and in some cases implemented. With the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform of Action, Nigeria, along with other state parties, declared their commitment to gender equality and closing the gender gap in the official political arena. However, according to the survey, women in Nigeria are still excluded and underrepresented in political activities (UNDP Report, 2005).

The key features of patriarchy as we know it now are heterosexual marriage, female childrearing, and housework, as well as women's economic dependency on males, which is exacerbated by labour market arrangements (Hartman, 1997). Receiving personal service labour from women, not having to do housework or rear children, having access to women's bodies for sex, and feeling and being powerful are all ways males exercise control. The social condition of women in Nigerian society is influenced by male dominance. This is shown in a number of areas critical to the well-being and achievement of women and girls' rights, including their right to education.

Education is agreed (Ikoni, 2009) to be a vehicle that allows people to break free from the shackles of poverty, resulting in change, development, and advancement. Ikoni (2009) reports that the demand for gender parity in primary and secondary school enrolment already missed by both local and international rights instruments. A consequence is that women and girls' ability to empower themselves economically and socially by going to school, or by engaging in productive and civic activities, is still constrained by their responsibility for everyday tasks in the household division of labour (CEC Report 2007). Because of discrimination in educational chances, Mamdani (1996) found that poverty is more prevalent among the female gender in Africa. Nigeria was placed 123rd on the Gender-related Development Index (GDI), with females earning as little as \$614 and males earning as much as \$1,495 per year (UNDP 2005).

Women are mostly involved in small commerce, selling items in markets, and street hawking in metropolitan areas, according to Makama (2013). Available data show that the informal sector, which includes farming and petty business, employs 78 percent of women. Despite this, their financial contribution is insufficient. Unpaid labour by women is twice that of men, and it is estimated to be worth up to 30% of the country's Gross National Product. The burden of reproduction, notably in Nigeria, which has a record high birth rate, as well as the cultural tasks associated with women – childbirth, childminding, and homemaking – have hampered women's growth. Indeed, nothing in Nigeria's constitution precludes women from participating in politics, just as it ensures their rights in a variety of other areas of society. When it comes to actual practise, however, there is a great deal of discrimination. In the country's 2019 general elections, for example, only a few women were elected to various positions (INEC, 2019). For years, women have been relegated to the political periphery.

Early marriage is still common in Nigeria, particularly in the north. Sharia law, which is mostly practised in the north, clashes with Nigeria's professed secular values, particularly when it comes to women's rights. It imposes numerous limits on women's rights. Women are the primary victims of this political Sharia (Save the Children, 2015). In Nigeria, 25% of reproductive-age women (15–49 years old) married before the age of 15, and nearly 40% married before the age of 18 in 2011. In Borno, Kaduna, Kebbi, and Gombe States, one in every three women of reproductive age (WRA) married before the age of 15; in Jigawa, Kano, Yobe, Bauchi, and Sokoto States, two out

of every five marry before the age of 15; and in Katsina and Zamfara States, one out of every two marry before the age of 15. (Save the Children, 2015).

There's also a piece in the Vanguard Newspaper (2018) about 'money wives,' a ritual in one of Nigeria's 774 local governments known as money marriage. This is a tradition in which young girls were used as cash by their families to satisfy debts. The daughters are sold into slavery indirectly through marriage to an older man from whom the family had borrowed money. Some of these practises have persisted and become so ingrained in the cultural traditions of people who engage in them that they have become the norm, progressing even after the CRA of 2003 and other local and global instruments addressing underage or forced marriage.

2.5. Child Protection and Welfare Programmes of Government

The Child's Rights Act (2003) protects a child's rights by requiring birth registration, prohibiting childhood marriage, prohibiting exploitation or child labour, and prohibiting sexual abuse and other forms of abuse. Numerous Federal Government documents recognise the critical role of child protection in the nation's development. The following are the key national policies, laws, ministerial decrees, and directives in this area: Child's Rights Act (2003); Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003 (amended 2015); National Gender Policy 2006; Orphans and Vulnerable Children National Plan of Action 2006–2010; National Child Policy 2007; National Priority Agenda for Vulnerable Children in Nigeria 2013–2020; and National HIV/AIDS Strategic Plan 2010–2015.

The primary goal of legislation in this area is to bolster existing institutional mechanisms and efforts to protect children completely from child labour, child trafficking, sexual abuse, and other forms of abuse and exploitation. The Federal and State Ministries of Women Affairs (Child Development Departments), Local Government Social Welfare and Child Rights Implementation Committees at all levels, law enforcement agencies, communities, civil society organisations, religious organisations, private sector entities, and development partners are among the organisations involved in child protection.

The National Priority Agenda (NPA) for Vulnerable Children 2013-2020 aims to strengthen child protection systems at all levels in order to protect and care for children (communities, local, State

and federal). The NPA increases vulnerable children's access to essential services such as health, education, nutrition, and protection, as well as household economic strength. The services are expected to help the country respond more quickly to vulnerable children.

2.5.1. Education Policies and Programs

The following are the major national policies and key education programmes: The 1999 Constitution; the Universal Basic Education (UBE) Act of 2004; the Child's Rights Act of 2003; the National Economic Empowerment Development Strategy (NEEDS); the National Child Policy of 2007; and the National Policy for Integrated Early Childhood Development in Nigeria (2007). Nigeria's National Minimum Standard for Early Childhood Care Centers; Seven-Point Agenda; Transformation Agenda (Ogunwale, 2016).

The UBE policy ensures that every child of primary and junior secondary school age receives a free, compulsory, and universal basic education. This policy objective of free and compulsory education, including skill acquisition, fits well with the current Federal Government's employment and job creation objectives. Additionally, the proposed free mid-day meal for school children will undoubtedly have a positive effect on the overall national development strategy's health and nutrition objectives. In Nigeria, the three tiers of government (Federal, State, and Local) are primarily responsible for funding and managing basic education, with the Federal Government intervening and assisting. The Universal Basic Education Commission (UBEC), the State Universal Basic Education Board (SUBEB), the Local Government Education Authority (LGEA), the private sector, and development partners are all involved.

The UBE establishes a minimum standard of basic education for the entire country, and the UBEC is responsible for monitoring, supervising, and coordinating the implementation of specific programmes aimed at achieving compulsory, free, and universal basic education. In comparison to health and nutrition, education receives the most funding (7.4 percent on average, 4.3 percent on average for health, and 3% for agriculture from 2000 to 2011) and is critical for child development and protection. Despite this, primary education continues to be grossly underfunded, especially at the subnational level.

Funding and effective coordination of education expenditure and outcomes (including monitoring and evaluation) continue to be a major challenge in the country. Administrative data that are necessary to improve planning and budgeting for education investment at the three levels of government are generally lacking. Disparity in educational outcomes across the federation's states indicates that observed differentials may be explained by different policies, programmes, and implementation frameworks.

The federal government established the National Commission for Nomadic Education in 1989 to address the educational needs of Northern Nigeria's growing population of almajiri children. Today, the number of Almajiri on the streets of Northern Nigeria is estimated to have doubled to ten million. Between 2010 and 2015, President Jonathan's administration expanded the policy to include the Almajiri School Modernisation Programme, with the goal of integrating it into the Universal Basic Education framework. All of these efforts have been abandoned, as have the structures that cost a whopping 15 billion Naira (The Guardian, 2016).

2.5.2. Health Care Programmes

Health is a concurrent priority for government at all levels - the federal, state, and local government levels all have responsibilities for the population's health. There are numerous health policies and programmes in place at the moment, including the Revised National Health Policy (Sept. 2004); the National Health Act; the National Strategic Health Development Plan; the National Health Promotion Policy (2006); the Ward Minimum Healthcare Package (August 2007); the National Policy on Immunisation (NPI); the Integrated Child Survival and Development Strategy (ICSDS); the National Policy on HIV/AIDS; the National Policy on Rolling Back Malaria; and the National Policy on Immunisation.

The majority of policies are aimed at strengthening the National Health System in order to enable it to provide effective, efficient, high-quality, accessible, and affordable health services that improve Nigerians' health status. They seek to ensure access to health care services for all children, with a particular emphasis on the development of primary health care. Thus, the National Health Policy (2004) seeks to achieve a level of health for all Nigerians, including children.

The National Primary Health Care Development Agency (NPHCDA) is a critical agency that is close to the ground in terms of health policy and programme implementation. The agency's primary objective is to promote safe motherhood by enhancing maternal and child health care facilities. The agency's primary mechanism of operation is through preventative, curative, and promotional health care services. Health education, adequate nutrition, safe water and sanitation, reproductive health, including family planning, immunisation, and the provision of essential drugs are all included in the services.

The agency's programmes are available nationwide, though disparities in service delivery and resource availability exist between states. Other health-related programmes aimed at improving children's health outcomes include the National Immunisation Program, the National Policy on Rolling Back Malaria, and the National Health Insurance Scheme. Between 2011 and 2014, significant progress was made in terms of vaccination coverage. However, the low coverage of all essential immunisations in 2013, even in southern states such as Ogun State, warrants further investigation.

The primary objectives of the National Health Insurance Scheme (NHIS) are to ensure that every Nigerian has access to quality health care services, to protect families from financial hardship caused by large medical bills, and to ensure an equitable distribution of health care costs across income groups. The Children under-5 Social Health Insurance Programme is one of the subprogrammes directed at children (CFSHIP). The NHIS continues to have a very low coverage rate (approximately 5 million or less than 3% of the population in 2014), owing to the large segment of the population that is not employed in the public sector or organised private sector (FMWASD, 2015).

However, the implementation of this and other health-related programmes faces numerous obstacles. For example, the National Primary Health Care Program, which is close to the people, is plagued by low staffing levels, insufficient health facilities, and a lack of adequate management and accountability. These problems are largely the result of insufficient funding, low levels of access and utilisation of health care services, and a lack of adequate management and accountability. Although high oil prices and revenue, including gains from debt relief, provided resources for investment in the social sector, including health, the issue of substantial resources

going to personnel and overhead costs with little investment in health facilities and equipment to deliver quality health care persists.

For instance, the 2013 Federal budget allocated N279 billion to the health sector. That amounted to N1, 680 per capita, compared to the WHO recommendation that governments spend a minimum of N6, 908 per capita on health care services. This N5,224 per capita disparity is too large for States and Local governments to close. There is an urgent need for resource allocation efficiency in health at all levels of government in order to care for children who have been left behind in this sector.

2.5.3. Child Nutrition Programme

The government has implemented a number of policies and programmes to address the issue of child nutrition. These include micronutrient control programmes such as the National Infant and Young Child Feeding (IYCF) initiative, iodisation, vitamin A supplementation through Maternal Nutrition and Child Health Weeks (MNCHWs), community management of acute malnutrition, the Breast Milk Substitute Code (BMS), the Baby-Friendly Hospital Initiative, and the School Feeding Program. Micronutrient control measures include salt iodisation, vitamin A supplementation for infants and breastfeeding mothers during the first six weeks of life, as well as iron supplementation and deworming of schoolchildren (FMWASD, 2017). Additionally, the government has enacted legislation requiring the fortification of commonly consumed foods with Vitamin A and correlating supplementation with National Polio Eradication Days. Additionally, the government has taken measures to ensure that the high rate of salt iodisation is maintained by requiring producers of salt to package it in small quantities for household use, as exposure to salt by market women who retail it resulted in some of the iodine content being lost.

However, implementing these programmes and enforcing the legislation continue to be a challenge. This may explain the disparity in children's nutritional status between states. Additionally, the trend of malnutrition across states and between 2011 and 2014 demonstrated that, while the situation improved in some states, it deteriorated in others. This will necessitate additional research into state-level implementation as well as complementary policies/programs.

2.5.4. Family Support Programme

Government policies' imperfections contribute to unequal access to a number of basic needs that support people's fundamental rights (World bank, 2010). Given that children's vulnerabilities are inextricably linked to the level of support available within their families, governments must develop strategies to assist vulnerable families. This is one way to support child welfare and protection, whose deficiencies have already been discussed. For instance, it is widely believed that the optimal environment for child development occurs within the immediate family of birth. The UN guideline for alternative care (2010) recommends that parental care be promoted as a means of preventing the need for alternative care. In light of this, it stated that states should pursue policies that support families in meeting their child-rearing responsibilities and promote the child's right to a relationship with both parents. These policies should address the root causes of child abandonment, relinquishment, and separation from family, including ensuring access to adequate housing, basic health, education, and social welfare services, as well as promoting measures to combat poverty, discrimination, marginalisation, stigmatisation, violence, child maltreatment and sexual abuse, and substance abuse.

According to the guideline, social policies and programmes should, among other things, empower families with the attitudes, skills, capacities, and tools necessary to provide adequate protection, care, and development for their children (CRA, 2003). To this end, the State's and civil society's complementary capacities, including non-governmental and community-based organisations, religious leaders, and the media, should be mobilised. These social protection measures should include the following: family strengthening services, such as parenting classes and sessions, the promotion of positive parent-child relationships, conflict resolution skills, employment and income generation opportunities, and, where necessary, social assistance; supportive social services, such as day care, mediation and conciliation, substance abuse treatment, financial assistance, and services for parents and children with disabilities. Such services, ideally integrated and non-intrusive, should be directly accessible at the community level and actively involve families as partners, pooling their resources with those of the community and caregiver; Youth policies that aim to empower youth to positively confront the challenges of daily life, including when they leave the parental home, and to prepare future parents to make informed sexual and reproductive health decisions and to uphold their responsibilities in this area.

Apart from a few government-led poverty alleviation and economic empowerment initiatives to assist vulnerable families, all of which have failed spectacularly, other family support initiatives, where they exist, have been undertaken by non-governmental and charitable organisations without government support (Adesina, 2016). Without a national database and national identification number, the majority of government initiatives are rendered ineffective and frequently serve as a conduit for corrupt enrichment of government officials and their cronies. NEEDS (2005), one of the economic empowerment programmes described previously, stated in its programme statement that none of the previous programmes had a significant, lasting, or sustainable positive effect due to poor coordination; the absence of a comprehensive policy framework; excessive political interference; ineffective targeting of the poor, resulting in benefit leakage to unintended beneficiaries; and the unwieldy scope of the programmes, resulting in resource constraints (Anigbogu, Onwuteaka, Anyanwu and Okoli, 2014). A review of the quality of social services provided by these programmes will substantiate this claim.

As previously discussed, the National Health Insurance Scheme (NHIS), which is supposed to provide affordable and high-quality health coverage to all Nigerian citizens, is beset by scandals. Recent investigations by the Nigerian Senate into the activities of the agency in charge of the scheme revealed massive fraud and a slew of unethical practises, culminating in the suspension of the agency's head. The scheme requires immediate restructuring in order to fulfil its mandate (Punch Newspaper, 2017). Again, a national education policy was implemented that mandated free and compulsory early childhood education up to junior secondary school (Class 3). This ensures a child's right to nine years of formal education (primary and secondary). Three years of nursery and kindergarten earlier would have ensured completion of the required 12 years of formal education.

However, the commercialisation of education to the point where government officials in the ministry of education opened their own private schools ensured a sinister debasing of the public school system, rendering the free education it provides unappealing (Chukwu, 2018). Access to a high-quality education has become a matter of economic status, with poor children receiving only a very low-quality education. Indeed, no sector better exemplifies Nigeria's widespread inequality and moral crisis than the health, housing, and education sectors. Effectively operationalising the CRA or UNCRC in such a social environment appears to be a daunting task. However, it must be acknowledged that certain cultural forces with traditional institutions, as well as a number of NGOs

and charity organisations, have stepped in to prevent the child welfare and protection system from collapsing.

2.5.5. Programmes of the Current Government

Transfer of funds on a conditional basis COPE is a conditional grant-funded cash transfer programme for low-income female-headed households, HIV/AIDS patients, and individuals with disabilities. The Maternal and Child Health Care (MCH) programme, which provides free health care to pregnant women and children under the age of five, is being implemented in collaboration with the National Health Insurance Scheme by the Office of the Senior Special Assistant to the President on the Millennium Development Goals (OSSAPMDGs) (NHIS). This programme covers the cost of primary health care for children under the age of five, as well as the cost of primary and secondary health care for pregnant women and women who deliver within six weeks of giving birth. The Maternal and Child Health project (SURE-P MCH) is a four-year initiative funded by the Subsidy Reinvestment and Empowerment Programme. It aims to increase the supply of maternal and child health workers and the demand for corresponding services from vulnerable communities.

A number of states have implemented a community-based health insurance programme (Holmes, et.al., 2012). Additionally, a sizable number of non-governmental actors, including donors, international nongovernmental organisations, and civil society, are involved in financing and implementing social protection in Nigeria. For instance, the UK Department for International Development's (DFID) Girls' Education Project in Nigeria, in partnership with UNICEF, aims to enrol an additional one million girls in school by 2020. The project will place 10,500 female teachers in rural areas where parents are discouraged from enrolling their daughters in school due to the predominance of male teachers. Female newly qualified teachers agree to teach for two years in rural schools in exchange for a scholarship worth approximately £200. While these programmes and initiatives are admirable, many have not been sustained, and many states have failed to replicate them at the state level as required. Additionally, the programmes benefited a small number of people, accounting for less than 2% of the country's poor. As a result, poverty remains a significant issue in the country.

2.6. Literature Review of Child Protection Policies

The Child Rights Act is expected to inform the child protection agenda. Save the Children advised in a 2008 document that in order to provide both a framework for protection and a foundation for agency action, any state must have a clear foundation in the form of national child protection legislation (Save the Children, 2008). Additionally, such legislation will inform any accompanying policies, strategies, and guidance that support child protection implementation. In light of this mandate, the 1989 Convention on the Rights of the Child (CRC) filled the void by serving as a frequently referenced international standard for developing domestic national child protection policies. This is considered to be ahead of state parties, including Nigeria's CRA, domesticating it.

Although the extent to which the assumptions made above are true remained a point of contention, Bissel et al (2006) argued that child rights and child protection concerns complement one another, with each perspective illuminating and being illuminated by the other, and each contributing to a whole greater than the sum of its parts. Unicef's work in the global enterprise for children's rights has been quite illuminating. Unicef, as a United Nations agency, has been a global leader in championing the child protection agenda. Therefore, it makes sense to consider their definition of child protection in addition to all others. They defined child protection as the prevention and response to violence, exploitation, and abuse directed toward children – including commercial sexual exploitation, human trafficking, child labour, and harmful traditional practises such as female genital mutilation/cutting and child marriage. This definition has served as a road map for navigating the contentious field of child protection. It has also come under fire for its adequacy, given the multi-sectoral nature of its concerns.

In an online course on child protection, Jacqueline Bhabha argued that while the definition may appear precise, child protection as a subfield of child right practise straddles multiple professional fields. According to Wessells and Edgerton (2008), humanitarian agencies are increasingly viewing child protection as a means of mitigating and preventing all forms of exploitation, abuse, violence, and harm directed toward children. They continued by arguing that it has been difficult to ascribe specific meaning and an appropriate level of operational guidance to this skeletal definition. They note that numerous agencies have recognised the importance of complementing an appropriate definition with a framework that clarifies the scope and meaning of the term "child

protection." Thus, it is prudent to approach the development of a suitable definition and framework with a critical eye toward the difficulties inherent in achieving an appropriate definition (Wessels and Edgerton, 2008).

To bolster their argument, Wessels and Edgerton (2008) report that the International Committee of the Red Cross (ICRC) (1999) developed the following definition of protection through a highly consultative inter-agency process: "all activities aimed at ensuring full respect for the individual's rights in accordance with the letter and spirit of the applicable bodies of law (i.e., human rights law, international humanitarian law, and refugee law)." One of these legal approaches' strengths is that they are grounded in international legal frameworks committed to universal human rights and the consistent application of humanitarian principles. Legal approaches, on the other hand, are extremely broad and concentrated on weighty issues such as state obligations to protect civilians. When they are operationalised in actual conflict situations, the emphasis is on broader protection concerns; children are frequently rendered invisible, and child protection becomes a minor afterthought (Wessels and Edgerton, 2008).

When the definition is too narrow, it appears to be plagued by an excessive emphasis on physical protection, despite the fact that some of the greatest risks to children are emotional and social. In Sri Lanka, for example, some children have joined armed groups as a result of emotional abuse at home (Keairns, 2003). Similarly, Mckay and Mazurana (2004) argue that some of the greatest risks to a survivor of sexual violence stem from stigma and isolation. Spiritual threats are viewed as critical in some contexts. In Angola, for example, Wessels and Edgerton (2008) discovered that a boy who had been a member of an armed group was unable to return to his village because people feared him and perceived him as haunted by the spirit of a man he had killed. They wrote that the angry spirit could cause death or illness in the boy's family, as well as community problems such as drought and crop failure. In this case, protection entailed a local healer performing a cleansing ritual to cleanse the boy of the angry spirit, calm village fears, and restore harmony between the ancestors and the living community (Wessells and Monteiro, 2004).

The examples above demonstrate the critical nature of having a definition that is not only sufficiently broad, but also capable of incorporating indigenous cultural understandings of the most serious threats to children. Additionally, it demonstrates that protection can have both spiritual and physical dimensions. Indeed, child protection encompasses all aspects of a child's development—

psychological, moral, and spiritual, in addition to physical. Another factor to consider when attempting to define child protection is the question of how broad the definition should be. Wessell and Edgerton (2008) argued that overly broad definitions of child protection risk diluting the term's focus and even rendering it meaningless. Certain practitioners sought to encompass all instances of preventable death under the protection umbrella (O'Callaghan and Pantuliano, 2007). If, on the other hand, a teenage girl died as a result of reproductive health problems and this was deemed a child-protection issue, this would open the door to labelling all health problems as child-protection issues. This classification has the disadvantage of reducing all health problems to protection issues, when a more reasonable position would be that a subset of health problems—those caused specifically by exploitation or abuse through discrimination, for example—are protection problems.

Thus, one of the most difficult aspects of defining child protection is striking a balance between breadth and specificity of focus. Another significant challenge is overcoming the historical emphasis on deficits in the field of child protection in emergencies (Wessel and Edgerton 2008). Confronted with immediate child protection risks on the ground, many child protection agencies and workers have tended to view child protection as a matter of mitigating risks to vulnerable children. While this viewpoint is not without merit, it is far too narrow to be useful. For one thing, it places a low premium on prevention, which should be a top priority. Additionally, a focus on deficiencies has frequently resulted in children being classified as orphans, separated children, and child soldiers.

Apart from reducing human beings to categories and victims, these terms unintentionally stigmatise children and isolate them at a time when they most require social support and integration. The use of these labels has significantly diverted attention away from children's resilience, which anyone who has worked in a war zone can attest to. When children are viewed solely as victims, it's easy to forget that they are also actors with agency who, with the right support, have the potential to become agents of their own protection. Perhaps most importantly, protection entails not only risk elimination but also the development of positive coping skills and protective factors within the child's environment on multiple levels, including the family, peer group, school, and community. What is required is a systems framework that assists in the development of a protective environment on multiple levels (UNICEF, 2005).

Despite recent momentum toward focusing attention on children's rights and protection, violations of children's rights to protection have proven far more difficult to define, prevent, and combat than violations of most other aspects of children's rights. Failure to effectively address children's rights to protection in the past and present poses a significant obstacle to implementing the CRC and ensuring the welfare of children facing grave adversity. To begin, it has proven challenging to define "protection," the need for it, and the criteria that must be met in ways that make sense for a diverse range of children, cultures, and circumstances (Bissel et al 2006). While the CRC provides a broad framework for conceptualising, analysing, and implementing children's protection rights, it is believed to have definitional limitations with negative consequences for children's well-being (Bissel et al, 2006). For one thing, its expansive conception of protection encompasses such a diverse range of practises and circumstances within a single generic construct, ranging from major societal threats such as armed conflict to far more specific risks such as intra-familial abuse that operate at the level of the individual child (Wessels and Edgerton, 2008).

This is unsurprising given the wide range of values and objectives associated with child rearing and development, the nature of care arrangements, children's competencies and vulnerabilities, and their experiences of childhood, both within and across cultures, resulting in similarly diverse views on how to best protect children. Due to a lack of precision in conceptualising and defining child protection, arbitrary definitions based on erroneous assumptions about what constitutes a risk to children or a violation of their rights have been permitted. This has frequently resulted in rigid models and classification systems that are disconnected from reality.

The impact measurement challenge is exacerbated by the fact that little provision has been made for connecting the definition, implementation, and evaluation of rights to scientific understanding of childhood, child development, or the role of risk and loss in children's well-being and development. While some bridges between social science theory and empirical evidence and rights-based approaches to child protection have developed in recent years, it frequently appears as though there is a disconnect between rights discourse and discourse about children and their development (Bissell et al, 2006). Recent studies have addressed several of Bessell et al concerns This is precisely what others are doing, looking beyond the sole motivation of protecting children's rights.

Prior to the UNCRC's 1989 adoption, child protection was not based on rights. As Odhiambo (2016) explained, child rights have evolved and developed significantly over time, progressing from early times when children were perceived to have no 'rights' of their own to the zenith of welfare capitalism, when they were treated as objects of intervention, and finally to the late twentieth century, when children are perceived to be legal subjects with their own rights. With the 1989 adoption of the United Nations Convention on the Rights of the Child (CRC), the concept of children's rights revolutionised all issues relating to child protection.

Batty (2005) provided a historical timeline of legislation that culminated in the current right-based approach to child protection in the UK in an article. Beginning in 1889 with the passage of the first act of parliament prohibiting child cruelty, commonly referred to as the "children's charter." The text of this early legislation provides for the first time that the state may intervene in the relationship between parents and children; police may arrest anyone found abusing a child and enter a home if a child is believed to be in danger. The Act established guidelines for child employment and prohibited begging.

There is some evidence that concern for child protection developed as a result of the realisation that early investments in the child benefited the state by nurturing future responsible adults. In accordance with the social investment state (Giddens, 1994), in which children are viewed as primary investment targets for strategies aimed at enhancing nations global competitiveness, attention has shifted to those children who are expected to cost the most in terms of high levels of service provision and diminished tax returns throughout their lives (Heckman, 2006). Children who have been exposed to child abuse and/or adverse social circumstances, particularly in combination, have a significantly increased likelihood of experiencing adverse economic outcomes and are thus of interest to economists and policymakers in terms of early identification and targeted delivery of services to avoid costly life-time trajectories (Spratt, 2012).

Similarly, Funaro (2015) outlined several reasons why the government should become involved in child rearing in a blog post. Children's well-being has ramifications not only for them and their families, but also for society as a whole. Children who thrive during their early years are more likely to develop into productive citizens who contribute to a prosperous economy and democratic participation. An investment in a child's well-being pays dividends over time and has a long-term

effect on the prosperity and viability of society. Another factor that contributes to child protection concerns is epidemiological evidence regarding the prevalence and consequences of child abuse.

Initially, efforts to protect children in Europe were concentrated on street children whose basic needs were not being met, with the fear that some would develop into juvenile delinquents. Spratt et al. (2014) cited the example of Sweden, where the 1902 Children Act was based on the belief that a secure upbringing would prevent youth criminality; as a result, contemporary Swedish correctional and social services share responsibility for youth involved in criminal activity. However, it was clear from these case studies that the state's justification for interfering in family life at this early stage, as expressed in legislation and policy, was narrowly defined, with legislators reflecting concerns about meeting the needs of street children while also protecting society from them. The most frequently used service response was the establishment of residential care facilities, frequently run by churches and charities, whose size and scope mirrored the industrial institutions of the day (Spratt, et al, 2014).

From a different angle, Jones et al. (2012) discussed the subject's emphasis on addressing childhood vulnerabilities, which they described as multidimensional and changing over the course of childhood. These vulnerabilities are also thought to be relational in nature, which is exacerbated by the child's voicelessness. According to the authors, childhood vulnerabilities are multidimensional in that they are associated with threats to four broad clusters of rights enshrined in the United Nations Convention on the Rights of the Child (UNCRC): survival (including health, nutrition, water, and sanitation), development (education and psychosocial development), protection (from abuse, exploitation, violence, and neglect), and participation (in decisions affecting children's lives).

Because childhood lasts until the age of 18, these vulnerabilities tend to change over time as coping capacities improve (e.g., young infants have much lower capacity than teenagers to cope with shocks without adult care and support). Given children's reliance on adults for care, support, and protection, particularly during the early stages of childhood, their individual vulnerabilities are frequently exacerbated by the deprivations, vulnerabilities, and risks faced by their caregivers (owing to their economic position, level of education, gender, ethnicity, spatial location or other factors). Typically, children lack a voice and an opportunity to participate in society, which is reinforced by legal and cultural systems (Jones et al, 2012). In light of these vulnerabilities, today's

right-based child protection approach has a defined agenda, focusing on two types of interventions: prevention and risk response (Joynes and Plunkett, 2018). These perspectives, which summarise viewpoints on the strength and limitations of various definitions, as well as the underlying rationale for government adoption of child protection responsibilities, demonstrate the subject is receiving considerable attention.

2.7. Models of Child Welfare Service in Nigeria

2.7.1. Child Welfare Services

As mandated by the UNCRC, the CRA 2003 established a framework for the implementation and administration of a child welfare system capable of responding to child rights violations in Nigeria. Child welfare, according to Cornelly and Ikpahindi (2016), is a continuum of services aimed at ensuring the safety of children and providing families with the necessary support to care for their children successfully. On the other hand, the term "Child Welfare System" refers to a system that implements, funds, or arranges for the provision of a variety of programmes and services when child abuse or neglect is suspected or has occurred (Petersen, Joseph, and Feit, 2013). This distinction is necessary to reflect the broader structure of child welfare, which is nearly synonymous with alternative care arrangements for children at risk of abuse.

When studying the Nigerian social welfare system, one of the most striking features is the lack of clarity in terminology. Marsden and Miller (2011) noted this when they noted a lack of agreed-upon terminology for defining the scope of work in the context of social welfare work. They designated terms such as social welfare workforce, child welfare workforce, and social welfare as interchangeable, despite the fact that these terms have distinct and distinct meanings. Social work, which should be the academic field that produces professionals, has fought for legal recognition to regulate the profession in Nigeria through The Institute of Social Work of Nigeria (ISWON), with a bill passed by the national assembly but denied assent by the president.

Despite this, the CRA established a comprehensive system of welfare administration in Nigeria, with responsibilities spanning multiple professional fields, including the judiciary, the police, the relevant ministry, and non-governmental and faith-based organisations (FBO). It specifically acknowledged the role of the child development professional, who should ideally be the social

worker in charge of case management. Having previously alluded to child protection systems' dual focus on prevention and response, child welfare services, while having their feet on both sides, may be slightly more responsive to abuses. As stated in the CRA, each child in need of special protection has the right to receive protection that is appropriate to his physical, social, economic, emotional, and mental needs and is provided in conditions that promote his dignity, self-reliance, and active participation in community affairs.

The CRA continued by stating that any person, authority, body, or institution charged with the care or responsibility for the care of a child in need of special protection measures shall make every effort, within available resources, to provide the child with the assistance and facilities necessary for his education, training, preparation for employment, rehabilitation, and recreational opportunities in a manner conducive to his attaining his full potential. This establishes the framework for the responsibilities of all stakeholders in the child welfare administration enterprise. As this work's objective is to determine whether actions taken in the name of child welfare adhered to the principles of best interest, the CRA's provision clearly defined actions that could be said to meet this requirement. This does not, however, negate the allegation of vagueness.

According to Kruck (2015, p5), both the CRC and the CRA require that "the child's best interests are paramount in all actions involving children, whether taken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies." He continued by arguing that, as is the case with the majority of the Convention's articles, a precise and clear understanding of the "best interest" concept remains elusive, to the point of being open to competing interpretations. This is particularly true in the area of post-divorce parenting, where subjective and value-laden discretionary legal judgments are the norm. Expert opinions are ambiguous, and decision-makers are stumped when asked to define "best interests" precisely. And expert definitions frequently contradict what children and parents believe to be the concept's core elements (Kruck 2015)

In terms of who benefits from welfare intervention, the CRA left no doubt about the characteristics of those who should benefit. The CRA mandates the state government to provide services to children in need in Part XV, section 171. A child is considered to be in need if: the child is unlikely to achieve or maintain or have the opportunity to achieve or maintain a reasonable standard of health or development without the State providing services to the child; or the child's health and

development are likely to be significantly impaired or While Unicef (2017) commended the Nigerian federal government for its progress on child protection, it concluded that much more needs to be done.

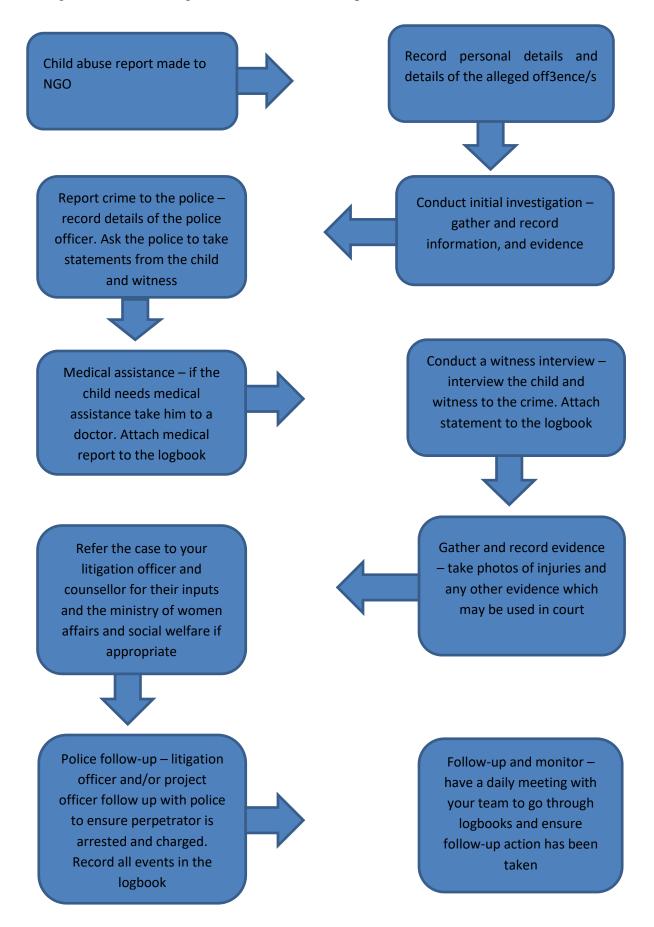
According to Olagbuji and Okojie (2015), Nigeria has one of the world's highest burdens of Orphans and Vulnerable Children (OVC), which it addressed by initiating and adopting the Child Rights Act (CRA) and the National Guideline and Standard of Practice (NGSP) for OVC. In light of this, they assessed practitioners' knowledge of pertinent documents and legislation pertaining to the protection of OVC in Nigeria, as well as the challenges associated with its implementation in Benin City. They discovered that major obstacles to implementing the policies were insufficient funding, ineffective monitoring of the OVC's activities, a lack of an adequate budget line, and a staff shortage. Training and retraining of heads of orphanages and support institutions on pertinent OVC policies, as well as increased funding and service allocation to orphanages, were also recommended.

When concern is scaled up the bureaucratic ladder, ignorance of the state government's responsibilities to vulnerable children and their families may become endemic. For instance, in 2013, Adams Oshiomhole, the then-governor of Edo State in South South Nigeria, pointedly told a lady during an inspection of compliance with the state sanitation programme, 'you are a widow, go and die' (Daily Post, 2/12/2013). Her wares were seized by the Governor's taskforce after she displayed them along the roadside, a violation of state sanitation laws. Confronted with the governor, she pleaded her widowhood and pleaded for the release of her meagre wares, but he (the governor) thundered those words out. Though he apologised after a few days and offered the woman a cash lifeline to rent a shop space, his reaction demonstrated a lack of commitment to the content of child rights law and the state's obligations under it. According to Ekpe (1989), child welfare agencies typically assist or coordinate services aimed at preventing child abuse and neglect.

When home safety cannot be assured, the state, through its child welfare agency, should provide services to families in need of assistance protecting and caring for their children; receive and investigate reports of possible child abuse and neglect; assess child and family needs, strengths, and resources; arrange for children to live with kin (i.e., relatives) or foster families when home safety cannot be assured; and support the well-being of children living with relatives or foster

families, including enlisting the help of kin (i.e., relatives) The Nigerian child right protection and welfare department uses the process indicated in Figure 1 to perform case investigations and documentation.

Figure 1: Case investigation and documentation protocol



This process flow diagram is included in the CRA training manual for NGOs in Nigeria, which explains why an NGO worker is stationed at the point of welfare intervention. Again, it emphasises the critical role of NGOs in the field of child welfare in Nigeria. As previously stated, the CRA plays a role in the child welfare system through both governmental and non-governmental agencies; however, due to the government's weakness, it may appear that the majority of the work is actually done by NGOs and FBOs. These non-governmental organisations are most likely to have representatives who are intrinsically motivated to protect children's rights. Additionally, NGOs and FBOs can raise funds privately through donations, sometimes from outside the country.

2.7.2. Alternative Child Care Services

For a number of reasons, many children in Nigeria are not able to live with their biological parents. As a result, alternative care is necessary to ensure the safety and wellbeing of these children. There are various forms of alternative care available, such as foster care, adoption, and residential care. Each of these options provides a different level of care and support, and it is important to consider which option is best suited for the child's needs. Additionally, there are various organizations in Nigeria that provide support for children in alternative care, such as child welfare organizations, non-governmental organizations, and religious organizations. The United Nations Guidelines for the Alternative Care of Children (UNGACC, 2009) provides a comprehensive framework for understanding and addressing the needs of children who are not in the care of their families.

UNGACC is a global standard for governments, civil society, and other stakeholders to ensure that all children have access to safe and supportive care. The UNGACC focuses on the rights of children, emphasizing the importance of family-based care, the need for quality alternative care, and the importance of protecting children from harm. It also outlines key elements for the development of effective alternative care systems, such as legal and policy frameworks, data collection, and monitoring and evaluation. By following the UNGACC, governments and other stakeholders can ensure that all children have access to the care they need and deserve.

In Nigeria, the UNGACC has been used to develop a number of initiatives for the alternative care of children, including the Nigerian National Plan of Action for Orphans and Vulnerable Children (NPA-OVC) in 2012. This plan was developed to improve the lives of vulnerable children in

Nigeria and to ensure that they have access to appropriate and safe care. Additionally, the UNGACC has been used to inform the development of the National Policy on Adoption and Foster Care in Nigeria, which was adopted in 2018. This policy has been instrumental in providing guidance to states and local governments on how to properly implement alternative care for children.

The UNGACC and the CRA 2003 have a number of similarities, such as the recognition of the right of children to be raised in a family environment, and the right of children to be protected from all forms of abuse, neglect and exploitation. The UN Guidelines also provide guidance on how to ensure that alternative care is provided in a manner that is in the best interests of the child, and that all necessary measures are taken to ensure the child's safety and wellbeing. The CRA 2003 provides a comprehensive set of laws and regulations that protect children's rights, and the UN Guidelines provide additional guidance on how to ensure that these rights are respected and upheld.

Research evidence regarding the state of Nigerian children in alternative care is however concerning (Connelly and Ikpahindi 2015). Reports have indicated that, due to a lack of resources and a culture of neglect, many children in Nigeria are living in substandard and inadequate care arrangements, such as orphanages and foster homes. These children are often exposed to physical and psychological abuse, as well as a lack of access to basic necessities such as food, shelter, and medical care. According to the CRA, the state government should build a communal home for children who require alternative care. It also makes it possible to register private care homes. All official alternative care systems are built on top of this framework. There are two types of care arrangements: informal care and formal care.

Informal care refers to any private arrangement made in a family environment in which the child is looked after on an ongoing or indefinite basis by relatives or friends (informal kinship care) or others acting in their individual capacity on the child's, his or her parents', or other person's initiative, without this arrangement being ordered by an administrative or judicial authority. Formal care, on the other hand, includes all care provided in a family setting that has been ordered by a competent administrative or judicial authority, as well as all care provided in a residential setting, including private facilities, regardless of whether it is as a result of administrative or judicial measures (Connelly and Ikpahindi, 2016).

The number of children living without both parents is a negligible 10% of the country's 88 million children under the age of 18. According to the DHS (2013) report, the majority of the population contributing to this percentage is between the ages of 15 and 18, with children two years and younger contributing a negligible 1%. The percentage increases with the children's age. Additionally, it is discovered that Nigeria has a relatively small proportion of children in this category in comparison to other West African countries such as Sierra Leone (17%) and Liberia (20%). One reason for this disparity is that Nigeria has a stronger economy than these two countries (Connelly and Ikpahindi, 2016), which bolsters the link between poverty and the need for alternative care.

In Nigeria, Connelly and Ikpahindi (2016) found that children often turn to alternative care when traditional methods of providing for them become too difficult. Along with poverty, they cited HIV infection, internal displacement, and human trafficking as some of the reasons why children end up in alternative care. In poor families, it can be difficult to provide for all of the children, which often leads to some of them being placed with more privileged relatives. These children are sometimes exploited for their economic benefit, either by being forced to engage in street trading instead of attending school, or by being paid to act as domestic help. Occasionally, arrangements are made in which the child serves as a domestic help for a monthly fee. At other times, the child is hired as a domestic help for a fixed price, usually through a middleman. There are a variety of options for children when it comes to obtaining an education. Some may be offered financial assistance for formal education, while others may undergo apprenticeship training in a trade. Each of these arrangements has its own set of risks and benefits, depending on the family's economic status and attitude towards child rights in the absence of state intervention.

In some states, such as Lagos State, where the CRA 2003 has been partially implemented, the department of child welfare has taken action against children hawking during school hours. Several of these children have been 'arrested' by law enforcement as 'bait' for their guardian. This awareness is rapidly spreading throughout Lagos state in particular, to the point where such abuse is now on the decline. While poverty primarily results in children being placed in informal substitute care, HIV infection, which influences substitute care placement through the death of one or both parents, has been identified as a major cause of orphan and vulnerable children (OVC) (Connelly and Ikpahindi, 2016).

Many families in Nigeria are economically dependent on one of the parents, typically the father. The death of this family breadwinner can result in a halt to the family's financial inflows. Because informal activities account for up to 60% of the Nigerian economy, end-of-work benefits such as pensions are only available to a small number of people in the formal sector, particularly the public service. Children from such families are suddenly distributed among relatives for care and support. Similarly, the death of the breadwinner, whether from HIV or another cause, resulted in similar patterns.

The Boko Haram insurgency in Northern Nigeria has had a significant impact on the care needs of children from this region. Children have migrated from the North to the South on their own, at times unaccompanied. Some have been fortunate enough to be identified and placed in homes run by non-governmental organisations and religious bodies, particularly churches. Others are less fortunate and end up on the streets, primarily as beggars, living in unfinished houses and under bridges. These children are frequently seen on the roads during periods of slow traffic. They often clean car windshields in exchange for handouts from drivers. This puts them at risk of a variety of dangers, including being found on the streets during periods of high traffic. Child welfare appears to be overwhelmed at best by the magnitude of the cases. It must be emphasized, however, that informal alternative care, as a preferred option during times of family disorganization, has made a significant contribution to protecting vulnerable children. Despite its numerous shortcomings, this approach has proved to be an effective means of protecting these children.

According to reports, family violence is another reason children enter alternative care placement. In a joint study conducted by the Nigerian Population Commission, UNICEF Nigeria, and the US Centers for Disease Control and Prevention (2016), 49.7 percent of females and 52.3 percent of males aged 18-24 reported experiencing physical violence prior to the age of 18. Additionally, 66.1 percent of females and 58.2 percent of males witnessed domestic violence during their childhood. According to Connelly and Ikpahindi (2016), exposure to violence within the family, or in informal relative or non-relative settings, was a significant factor in children being placed in care.

There is a great tension between violence and discipline in Nigerian culture, which has resulted in some very interesting parenting episodes among Nigerians living in the West. Government intervention in family lives that removes a child from the family of birth is extremely rare and far

between, and is typically the result of severe abuse that calls the parent's mental health into question. A case in point is the boy who was chained by his father because the father believed the boy was possessed by a demonic spirit. It does, however, annoy a number of Nigerians that what they refer to as "normal disciplinary procedures" are criminalized as child abuse in Western cultures. There are several factors that contribute to the low percentage of children enrolled in formal alternative care. One reason is the cultural value placed on having children in many African countries; as a result, it can be very difficult for average families to give up a child. If families are provided with the necessary support, the number of children in alternative care will continue to decline.

Abraham (2015) discovered that the most prevalent form of care in Nigeria was informal kinship care, which was arranged according to traditional practices in which children were integrated into extended family circles...usually provided by a direct family relation. Additionally, the report mentions 'informal foster care,' in which the child is placed with a family friend. This type of care is typically used in the event of the death of one or both birth parents, or in the event that the parents are unable to support the child's education, or in the event that the parents are travelling or working outside the country. There is no reliable data on the extent of informal care; instead, there are anecdotal references, some of which detail child abuse and exploitation in informal arrangements.

According to reports, the National Human Rights Commission (NHRC) receives a high volume of complaints regarding informal child care. These complaints concern the exploitation of children who are forced to work in exchange for care and education. Typically, children are relocated from rural areas to urban areas, providing domestic assistance and, in the worst-case scenario, are sent to work on the streets. Despite the Child's Rights Act's prohibition of child labour, reports indicate that the definition of employment is not always clear. For example, it appears to be permissible to enrol a child in evening classes, allowing the child to assist in the household (perhaps caring for younger children) during the day. Typically, educational rights are jeopardised. Occasionally, the living environment and/or clothing provided for these children also jeopardise their right to dignity. According to Rody (2009), children living in informal care arrangements have lower rates of school attendance than children living in parental care. The prevalence of these abuses can be attributed to the unregulated nature of informal care arrangements.

On the other hand, formal care encompasses residential care facilities, foster care, and adoption. According to Abraham (2015), residential care is the most prevalent type of formal alternative care in Nigeria. The report did not quantify care placements, but noted that many of the homes in the research sample of 30 were 'extremely overcrowded,' with one-third caring for more children than their stated capacity. As the report also notes, such overcrowding has an effect on the quality of care that can be provided. Abraham also discovered that the majority of homes lacked adequate housing for residents, resulting in overcrowding. Many of these homes were privately owned, while others are government-owned.

The report by Connelly and Ikpahindi (2016) identified several significant challenges confronting residential homes for children, including a lack of adequately supervised, safe havens for children who are discovered or rescued from abusive or harmful situations. Frequently, the authorities (e.g., police) or agencies to which children are initially taken must make the best possible care for them. Second, a lack of facilities means that children in need of care and protection can be housed in institutions run by the criminal justice system for extended periods of time. Thirdly, there is a dearth of adequately developed foster care services, which means that children may remain in institutional care when they could live with a family. Additionally, it was reported that there is a disincentive for orphanages to release children for foster care because by retaining children, they maximise their chances of receiving the necessary donations to continue operating. Finally, substandard conditions in displaced persons' camps were the norm.

The authors, Nnama-Okechukwu and Okoye (2019), argue against residential care in their report. They state that institutionalized children frequently lack individual care and are isolated from their communities and cultural identities. Additionally, these children do not receive care in a family setting, which necessitates the need for family-based alternatives. As a result, they suggest that alternatives to institutional care, such as adoption, community-based care, family strengthening, formal foster care, Islamic Kafalah, and kinship fostering, may be better for vulnerable children.

2.7.3. Child Adoption Services

Ojelabi et al. (2015) reported in their article that child adoption is increasing in Nigeria as a result of increased public awareness via media, personal testimony, social research, and other sources.

The authors note that adoption is governed by the Child's Rights Act 2003, which is yet to be ratified by 26 of Nigeria's 36 states. Second, the States that have ratified the Act have maintained state-level regulation of adoption practises. Connelly and Ikpahindi (2016) argue that this means that legal and professional processes vary significantly across the country, resulting in a lack of understanding and vulnerability to misinterpretation and abuse. According to the authors, adoption regulations are widely regarded as burdensome, which discourages prospective adoptees from adopting and allows for informal and illegal adoption.

Illegal adoption is a component of gangs' trafficking of young women into 'baby factories,' where the women are impregnated by their captors and their babies are sold in heinous black market practises. The practise is said to be most prevalent in south-eastern Nigeria. 'The infants may be sold illegally for adoption, used for child labour or prostitution, or even killed and their body parts used in rituals. The Child's Rights Act 2003 prohibits inter-country adoption except where the adoptees are Nigerian. However, Ojelabi et al. assert that a lack of clarity among Nigerian law enforcement and legal professionals regarding whether 'baby factories' constitute human trafficking or a violation of adoption laws enables perpetrators to avoid prosecution and continue their illegal activities.

One of the most significant obstacles to regulating adoption policies and other social welfare practise requirements in Nigeria is a lack of resources. The Federal Ministry of Women Affairs and Social Development is responsible for social welfare oversight, including ensuring a qualified and trained workforce. However, State governments are ultimately responsible for the deployment of professional staff in local social welfare departments, hospitals, and institutions, and there appears to be no national standard for the ratio of trained workers to clients. This increases the reliance on NGOs and volunteers for both assessment of local needs and service provision.

There are undergraduate and graduate programmes in social work, and academic research is conducted in university departments. There are professional organisations such as the Nigerian Institute of Social Work and the Nigeria Association of Social Workers, the latter of which is campaigning for the social work profession to be regulated by statute. There is also a highly plausible school of thought that asserts that the body of knowledge available to inform social work education originated primarily outside Africa. It stresses the opinion that resources should be directed toward developing context-sensitive models rather than importing them ready-made from

elsewhere. This could also pose a problem for universities worldwide that recruit students from African countries to study social work and research.

In 2008, the Federal Ministry of Women Affairs released the National Policy Guidelines for Establishing and Supervising Child Care Centres in Nigeria. The Ministry reported in 2014 that '200 social welfare officers and caregivers from childcare institutions in Nigeria received basic standard training on counselling and community reintegration of children – organised by the Federal Ministry of Women Affairs, NAPTIP, and WOTCLEF' (Federal Ministry of Women Affairs and Social Development, 2014b, p. 159). The same report contains additional details about the objectives for enhancing the quality of teaching in schools and teacher training. Additionally, the National Priority Agenda for Vulnerable Children in Nigeria, 2013-2020, does not appear to include any workforce targets or strategies, though it does recognise the importance of strengthening the technical and child-sensitive capacities of magistrates, prosecutors, police, social workers, and other justice system officials.

The Child's Rights Act 2003 incorporates the UNCRC's principles, with additional emphasis on children's responsibilities derived from the CRWC. At least among childcare professionals, the legal profession, the police, and judicial authorities, the Act appears to be well known. Connelly and Ikpahindi (2016) express concern about the CRA's implementation in the states where it has been adopted. While NGOs typically provide social welfare assistance, they rely on pro bono time donated by enthusiastic professionals and volunteers. Additionally, there is a lack of coordination of child protection policy, services, and practitioner education at the federal and state levels, and as a result, the gap is filled by individuals and groups, creating a cluttered landscape. There have been attempts to compile directories of services, but they quickly become obsolete once published.

2.8. Conclusion

As can be seen, the field of child rights protection in Nigeria has seen a flurry of activity, which was heightened following the signing of the CRC in 1989. This is demonstrated by the countless child protection programmes, which almost became riotous in their attempt to be listed. One critical point to note is that each government in power attempted, for whatever reason, to introduce a lofty array of programmes in order to compete with the previous administration.

Domestication of the CRA in 2003 also resulted in a further spread of cross-cutting child protection programmes. Although what has been accomplished at the state level has been overlooked, a number of federal government programmes are implemented at the state and local levels, with the federal government providing direction, moral suasion, and occasionally incentives for implementation.

Regardless of the variety of programmes, the state of the Nigerian child reflects a sad reality of futile efforts. One significant implication of programme crowding is a lack of continuity across governments. As regimes change, it appears as though a batch of programmes are cancelled, redesigned, or at best rebranded. The most frequent complaints are that programmes are underfunded, lack effective coordination, or are sabotaged by corrupt officials. With an ongoing insurgency in the country's northeast, the previously insufficient resources allocated to the child protection agenda have come under such severe strain that they now look like a drop in a mighty ocean. The studies theoretical framework is discussed in the next chapter.

Literature Review and Theoretical Framework

3.1. Introduction

The study explored the implementation of the Child Rights Act 2003 in Nigeria. At a general level, domestic implementation of any treaty after ratification usually follows a process that is permitted by the constitution and political system of the country. For Nigeria that is a dualist nation, treaties do not automatically become local law after ratification by the federal government. Domestic compliance by the state governments is usually required for matters that fall within the concurrent legislative list. This is however distinguished from other matters that may belong to the exclusive list and must be attended to by the federal government. The CRA as a ratified global treaty that caters to the welfare and protection of children in Nigeria is, with reference to the constitution, a state matter. Domestic compliance is therefore required of individual states to firstly, domesticate the act as state law and then to set up the implementation and compliance systems (Gray, 2022) within the states before the norms of the treaty can reflect at the societal level.

Specifically, this study explores the implementation of the CRA by assessing the experience of norm addressees and norm targets (Schapper, 2016) who have been involved with a child welfare programme at the state level. By the adoption of the act, it is legally demanded that children in Nigeria must have access to child welfare and protection services, and the operation of which must reflect the norm of best interest of the child. This norm and other rules of the CRA which are pursued with the orientation of the child as a right holder were inherited from the global child rights treaty (UNCRC 1989). Thus, implementation of the CRA, after adoption by the federal government, is known to require compliance by the states which should involve building a compliance system.

Following the conjectures made above, theories of compliance to treaty seem appropriate to unravel the implementation perspective the study hopes to explore. Gray (2022) reports that recent studies with similar focus have increasingly focused on compliance and the surrounding policy design issues. It is worth mentioning that the concept of policy implementation, compliance and norm acceptance will feature interchangeably. A conceptual elucidation and their

complementarities would be attempted in the next section of the chapter before delving into the different theories that underlie the thinking of this study.

3.2. Conceptual Background

The concepts of child rights implementation, compliance, and norm acceptance will feature prominently in this review of literature that it is deemed necessary to offer some explanations regarding within subject conceptualisations and complementarities. Different authors whose studies were focused on related objectives have offered some insight. For example, Lele (2016) described acceptance and compliance as both important aspects of policy implementation. Sowden et al (2018) in another article explained that compliance and acceptance are varieties of social influence that are distinguished based on the attitude change brought about. They added that compliance involves public, but not private conformity, while acceptance occurs when group norms are internalised, and conformity is demonstrated both in public and in private. However, it is the case that most contemporary paradigms measuring conformity conflate compliance and acceptance (Sowden et al, 2018). This is the approach adopted in the current study. Considering that the objective is to globally evaluate implementation, there is no compulsion to strictly distinguish between the two terms.

According to Raustiala (2000), compliance generally refers to a state of conformity or identity between an actor's behaviour and specified rule.' In the international context, compliance is often specified as "an actor's behaviour that conforms to a treaty's explicit rules." Raustiala further argued that compliance with international treaty commitments is in practice often inadvertent, coincidental, or an artifact of the legal rule or standard chosen, the sheer fact of compliance with a given commitment tells us little about the utility and impact of that commitment. As a result, it offers little guidance for the creation and adjustment of future commitments. This definition of compliance fits in well with the design of the current study, which tries to elicit responses from key informants on the procedures adopted by social services workers in delivering welfare services.

Similarly, Mitchell (2013) argues that compliance can be said to occur when the actual behaviour of a given subject conforms to prescribed behaviour, and noncompliance or violation occurs when

actual behaviour departs significantly from prescribed behaviour. This definition distinguishes compliance behaviour from treaty implementation. Treaty implementation is therefore referred to as the adoption of domestic rules or regulations that are meant to facilitate, but do not in themselves constitute, compliance with international agreements. Raustiala (2000) would explain implementation to refer to the process of putting international commitments into practice: the passage of domestic legislation, promulgation of regulations, creation of institutions in both domestic and international environments, and enforcement of rules. Implementation is believed to be a complex process about which few useful generalities can be made. For the purposes of the current study, it is believed that compliance to the rules of the CRA 2003 would denote an important part in effective implementation.

3.3. The Country Environment of CRA Implementation

The sensitivity of international treaties to the sociocultural, economic, and political environment of the adopting country is a reality that has dawned on implementation experts (Risse, Ropp and Sikkink 2013). In recognition of this, reputable international organisations like the World Bank (2006) have advised that social and development policy experts should pay close attention to the impacts of the social-cultural environment during policy implementation. More specific to the focus of the current study, the United Nations in outlining the implementation framework for the United Nations Convention for the Right of the Child (UNCRC, 1989), in addition to ensuring a mix of experts from different cultures when designing the treaty, also suggested that the culture of member nations be given due regard during adoption. Harper, et al (2009) conducted a review of the challenges of knowledge uptake in child rights policy formulations in the third world country environments. The study revealed that an understanding of the sociopolitical context has influence on policy implementation across these countries. Within this chapter, I hope to review the Nigerian socio-cultural context relevant to the implementation of the Child Rights Act 2003.

3.3.1. Nigeria's Socio-political Environment

Nigeria became a nation state in 1914 when the Northern and Southern protectorates, which were previously governed as separate colonies of the British government were amalgamated. The

country remained under colonial rule until 1960, when it was granted independence. Much of Nigeria's state institutions were inherited from the colonial Britain. This will include their earlier parliamentary system of government which it later dropped for the presidential system that was fashioned alongside the American system. Prior to independence, Nigeria adopted a federal political structure in 1954 with the Eastern, Western and Northern regions, each dominated by the three major ethnic groups as its constituent parts. With continual evolution of its political structure, the country currently has 36 states arising from a splitting of the regions. Omoregie (2015) observed that the major highlight of the Nigeria's claim to federation is the distribution of vertical powers between the federal government and the states. This opinion aligns with popular sentiments about the country not operating a true federalism. For example, the Nigerian constitution reserved much power for the central government. This reflects in its relationship with international organisations and commitment to treaties.

The current Nigeria's constitution that was adopted in 1999 assigned exclusive powers in 68 items to the federal government. This is in addition to 30 other items in the concurrent list, which it shares with the states (Abebe, 2013). Omoregie (2015) added that the states on their part, exercise residual powers in items which are not included in the exclusive list or the concurrent. With exclusive powers on matters pertaining to foreign affairs, the federal government is in the position to make international commitments, even when it concerns matters that are within the rights of the states to implement. In addition, Omoregie (2015) explained that Nigeria subscribes to the dualist school of thought in application of treaty in the country. This means that international conventions or treaties are not self-enforcing in Nigeria's municipal legal system even as the country is signatory to them. For international treaties to be applicable in Nigeria, therefore it is required that the treaty be enacted by parliament as part of the state laws of the country.

Ekeh (2000) would argue that footprints of the many military incursions in the democratic process is what has smeared Nigeria's federalism. This has greatly affected the capacity of the state in handling quite a number of its constitutional responsibilities. In addition to having 36 states, Nigeria is spectacularly multiethnic and multilingual in composition, having about 371 ethnic groups. As a mechanism for inclusion, a quota system that is designed to ensure distributive justice is enshrined in the constitution. But this has it drawbacks as it is in conflict with some of the rights in the CRA. For example, the quota system clause, which prioritises ethnicity over merit and has

given legal support to various forms of discrimination. Some states are adjudged to be disadvantaged by some specific social index. During contest for opportunities in federal school enrolment for example, standards are lowered for below-average performers from educationally disadvantaged states. Excellent performers from regions that are thought to have used up their quota in this contest are denied. This contradicts the CRA 2003's declaration that every Nigerian child is free from discrimination.

It may be difficult to say that a country with 371 identified tribal groups has a shared identifiable culture because they differ in various cultural variables including child-rearing traditions. Although certain patterns have emerged as a result of frequent interactions. These patterns may not be part of their deeply ingrained value priorities and conceptions of who they are, which have their roots in their history as a people and shape cultural orientation and identity. However, there are some commonalities among Africans that come to mind when we think of ourselves as Africans. Hunter (1963) explained that the social and traditional political organisations were generally based on extended family, lineage, or clan units, which were occasionally cross-cut horizontally by age-grade organisation and further complicated by people, organisations, or connections with specific religious status or functions. Hunter defined it as a "cat's cradle" of long-standing ties that might connect several villages, encompassing a slew of rights and responsibilities, taboos, and status restrictions that are inextricably linked to religious devotion. He continued, "It includes a hard structure of support, some built-in flexibilities, and frequently a system of checks and balances." This explains the environment of Nigerian traditional child protection and welfare system.

The dominance of a profound and pervasive belief in the spirit is a second characteristic of the traditional Nigerian society's social structure. A belief in an ultimate, all-powerful creator is common, and it is frequently conceptualised in very high terms. However, there were weaker and more capricious spirits, such as the spirit of ancestors, who required observance and propitiation. It can be argued that the organisation of the social field Ekeh (1975) dubbed the primordial public realm resembles Hunter's description. It's worth noting that this structure of African social relations is encoded into his cognition and meaning-making process. Although there is no direct mention of children rights, the UNCRC's four pillars of survival, development, protection, and participation are all addressed. However, creating a declaration on how they can be attained will necessitate

adherence to cultural demands, which may or may not be in agreement with the UNCRC. Harper et al. (2010) suggest that merging cultural and historical perspectives into modern understandings of childhood well-being might lead to not just suitable policy but also a better understanding of underlying and hidden elements affecting policy.

Most child rights acts, for example, appear to contain Western notions of childhood as inspired by developmental psychologists' work (e.g., Freud, Piaget, Skinner, etc.). Although these perspectives have been criticised for their universalistic assumption of children's developmental stage similarity across cultures (Boyden and Levison, 2000), a sociological perspective insists that childhood assumptions are socially constructed (James and Prout, 1990), leaving room for other but suppressed constructions through different social lenses. On the other side, the country's political circumstances can hamper the pursuit of some rights. Then there are other cultural practises that are embedded in a people's belief systems that may conflict with the UNCRC and CRA 2003 mandates. Section 21 of the CRA 2003, for example, prohibits marriage to anybody under the age of eighteen. This is in opposition to Islamic law, which allows females as young as thirteen to marry. Due to this struggle in the hands of Northern state members at the national assembly, CRA 2003 experienced a setback.

Religious beliefs and practises have shifted from those influenced by the presence of a capricious spirit to those influenced by a loving, kind, and forgiving God worshipped in the Judeo-Christian tradition, especially as a result of interactions with missionaries from the West (for Nigerian Christians) (Hunter, 1963). Some traditions that were based on previous ideas have been phased out as a result of this transformation. Practices such as the mutilation of twins, for example, have long been abandoned. This is a significant step forward in the protection of children's rights. Religious organisations have also gone above and beyond to create structures that carry out philanthropic activities and provide care for the poor. Asking for blessings on the would-be benefactor in the name of God is a sure approach to make a successful request. Beggars on the street are well aware of this and have established a pattern. Muslims believe that God selects a person to donate to, who will then give to others. It's not uncommon for a Northern Muslim to refuse to express gratitude. The belief is that the giver had only carried out a command from on high and deserved to be rewarded for it.

These religious beliefs, both Christian and Islamic, have resulted in some unusual patterns of maltreatment. It is not uncommon to see parents using their children to receive alms among the Northern Moslems. These children are forced to beg on the streets while their parents keep a careful eye on them. It is not uncommon for certain mothers in the south, but not necessarily among Christians, to rent children, occasionally twins or two children disguised as twins in order to gain sympathy and charity from passers-by. These children are exposed to inclement weather, which jeopardises their safety. Those that are monitored by their parents are normally of school age, although they are forced to walk around the streets during school hours. These families are sometimes thought to operate outside of the reach of the law, and child welfare agencies overlook them. The almajiri syndrome (Street Children) has been a serious social problem in the North, with its roots in a debased social system supported by various cultural and theological beliefs (Hochner, 2010). Because of the sensitivity of religious beliefs and practises in Nigeria, finding answers is a complex affair.

3.3.2. Nigeria's Economic Situation

Nigeria's economy has evolved in lockstep with the country's political milestones. The adoption of a federal constitution in 1954 paved the way for fiscal federalism which gave the regions full control of their revenues. Each regional government had up to 65 percent ownership over its resources and only had to pay the federal government a specific percentage in royalties and taxes (Odeyemi, 2014). Only a few sectors of the economy were on the exclusive list, and there was healthy competition among regional administrations. The move by the military adventurists that seized power in 1966 changed fiscal structure to a more unitary system (Odeyemi, 2014). This has also taken away the country's fiscal federalism which should ordinarily be expected from a federation.

Despite its relative affluence, Nigeria spends less on social protection than many African countries, according to Hagen-Zanker and Tavakoli (2011). This is in contrast to studies (e.g., Corak et al., 2005) that the impact of fiscal policy is mediated through the family by exploiting the relational character of child poverty and affecting children, particularly through transfers aimed to adults. Nigeria spent 0.9 percent of GDP in 2006-2007, while Ethiopia, Kenya, Malawi, Mozambique, and Uganda spent an average of 1.4 percent in the same year. Nigeria has no overarching policy

on social protection and no national policy on social assistance for the first 56 years of independence, according to Adeshina (2016).

Asogwa (2015) observed a tendency in government spending that shows an emphasis on growth support and macroeconomic stability rather than income redistribution, which would promote access and equality of opportunity for people of different socioeconomic levels. This pattern of support for growth and stability is seen in the 2014–2016 Medium Term Expenditure Framework and Fiscal Strategy Paper. In the face of government economic mistakes and resource mismanagement, the most vulnerable members of Nigerian society are frequently asked to make sacrifices. Government officials, on the other hand, are paid and live in ways that do not reflect the country's economic situation. For the period 1976 to 1983, Anyafo (1996) found that spending on social and community services were second to economic services in an examination of the trend of fiscal policy in Nigeria from the pre-independence era to the post-independence era to the current democratic government era.

The Gini index, a widely recognised indicator of income inequality, was low throughout this time. In comparison to other sectors like economic services, administration, and transfers, social and community services received the least amount of public annual expenditure from 2006 to 2013. Another indicator of Nigeria's economic development paradox is the poverty rate, which rose from 46.3 percent in 1985 to 69 percent in 2010, when the economy was supposed to be doing much better (Adeshina, 2016). Similarly, between 2004 and 2013, human development metrics and trends in economic disparity deteriorated (UNDP, 2009 and 2016). Despite various economic programmes aimed at poverty alleviation, these figures remain perplexing. One of these programmes is the National Program on Immunisation Against Child Killer Diseases. The Advocacy on Exclusive Breastfeeding in the Early Months of a Child's Life, the Guinea Worm Eradication Programme, the HIV/AIDS Advocacy and Sensitisation Program, the prevention of mother-to-child transmission, and free antiretroviral drug distribution are among the programmes included in this scheme.

The National Program on Immunisation Against Child Killer Diseases, the Advocacy for Exclusive Breastfeeding in the Early Months of a Child's Life, the Guinea Worm Eradication Program, the HIV/AIDS Advocacy and Sensitisation, the Prevention of Mother-to-Child

Transmission, and the Free Distribution of Antiretroviral Drugs are just a few of the programmes covered by this scheme.

The National Health Insurance Scheme was established by the government in 2006 to help the poor and make health services available to all Nigerians, regardless of their socioeconomic level. The National Health Insurance System (NHIS) is projected to minimise the number of children at danger of dropping out of school owing to the death of a parent or guardian, as well as the children's morbidity and disease. Because the NHIS is a contributing plan, it currently only applies to workers in the formal economy (Adesina, 2016). Workers in the informal economy, which is mostly made up of the poor and vulnerable, have yet to be covered 11 years after it was established. Contributors are expected to pay only a modest portion of their medical bills, with the insurance company covering the remaining 80 percent or more. It's also worth noting that mainly minor ailments like malaria and dengue fever are present.

Major illnesses that can put a strain on a person's financial resources are not covered. The Primary Health Care Program (PHCP) is a government-funded initiative that aims This Primary Health Care initiative aims to combat rising child mortality by ensuring survival and development. Its primary focus is on society's impoverished and disadvantaged children (Adesina, 2016). The National Program on Immunisation Against Child Killer Diseases, Advocacy for exclusive breastfeeding in the first six months of a child's life, Guinea Worm Eradication Program, HIV/AIDS Advocacy and Sensitisation, prevention of mother-to-child transmission, and free distribution of antiretroviral drugs are just a few of the programmes covered by this scheme. Primary health care programmes help the poor and disadvantaged survive and care for their children in a variety of ways. Despite the fact that inoculation of children against fatal diseases is free, religious beliefs in the North are a big stumbling block.

The National Poverty Eradication Programme (NAPEP) was established in 2001 by President Olusegun Obasanjo with the goal of eradicating poverty in Nigeria by 2010. Youth Empowerment Scheme (YES), Rural Infrastructural Development Scheme (RIDS), Social Welfare Services Scheme (SOWESS), and Natural Resources Development and Conservation Scheme (NRDCS) are the four sectoral schemes that make up NAPEP (NRDCS). It has state offices in all 36 states and the Federal Capital Territory, as well as all 774 local government areas in the country. The National Poverty Eradication Council (NAPEC), which is chaired by the President and is

responsible for policy formation, coordination, monitoring, and review of all poverty eradication programmes in the country, oversees its activities. The NAPEP committee is made up of thirteen ministers whose ministries are active in poverty reduction efforts. Conditional Cash Transfer (CCT), Micro-Finance Credit, Village Solution Scheme, and KEKE-NAPEP Scheme are some of NAPEP's most famous social protection operations (Adesina, 2016).

3.4. Background Theories

3.4.1. Theories of Domestic Compliance to Treaty

This theory is anchored on the understanding that global treaties have international norms that may impede compliance by member states during local implementation. This may be just one of the factors that could pose a challenge to effective implementation. In response to what appears to be a burgeoning concern, theories of commitment and compliance have been proposed by Thomas Risse and other authors (Risse, Ropp and Sikkink 1999; 2013; Acharya, 2009; Risse and Borzel 2013; Schapper, 2016). Mitchell (1996) used the compliance system to describe the different parts of the implementation mechanism, which is akin to Weaver's (2014) compliance regime. Acharya (2009) focused on the concept of localisation as important compliance process, while Risse et al (1999, 2013) advanced the spiral model which identified a number of mechanisms through which countries move from commitment to acceptance of norms of the treaty at the domestic level. These will be reviewed in turns.

3.4.2. The compliance system

In an effort to integrate compliance and the policy design process, quite a number of researchers (e.g., Houlihan 2014; Weaver 2014; Shafir 2013) have been involved in building variants of the compliance system that could provide guidance. For purposes of clarity, these efforts were based on an earlier definition by Mitchell (1996, 7) that described a compliance system as the "subset of the treaty's rules and procedures that influence the compliance level of a given rule". The idea of a compliance system can be traced back to the process of compliance to international treaties, which was recently summarised to have three stages (Coban 2020). According to this model, the first is where policy formulation at the international level occurs. The second is the interpretation

phase, where domestic actors make sense of the international standards or norms. And lastly is the stage where state compliance is determined through interactions in the domestic policy process. Implementation of the CRA 2003 is conveniently at the third stage and would form the fulcrum of the current compliance system. The three subsystems of the compliance system were identified as the primary rule system, compliance information system and non-compliance response system.

According to Mitchell (1996), the primary rule subsystem indicates the obligation of actors within the compliance system. Kilkelly (2019) while focusing attention on the child rights regime, conducted an evaluation of domestic legislation and attributed variations to the relationship between international and national law. For example, in monist states the UNCRC is automatically incorporated into national law, this is distinguished from what happens in Nigeria as a dualist state where a selection of provisions is commonly transposed into the national legal system. This distinction is thought to be useful from the current implementation perspective as evaluating domestic legislation alone does not provide sufficient insight into state compliance (Bafoil 2013).

To throw more light on the primary rule subsystem, we look to Weaver's (2014) enforcement regime which described the monitoring and enforcement of rules. Monitoring and enforcement are interlinked in practice. While identification of non-compliance is an important prerequisite for enforcing international agreements (Hollyer and Rosendorff 2011), identification of non-compliance, however, does not necessarily lead to enforcement (Weaver 2014). The enforcement regime shares similarities with Mitchell's (1996) compliance information and non-compliance response systems.

The compliance information system aims to provide clarity regarding performance and compliance. This is achieved through the collection of relevant data that is rigorously analysed and widely circulated. Gray (2022) pointed out that, the UNCRC (1989) was the first to invite specialised child rights agencies and NGOs to contribute to the compliance information system within the human rights sector. Indicating the continued importance of non-governmental actors in the compliance monitoring process, written reports submitted to the Committee by civil society organisations, national human rights institutions and children's commissioners mark the beginning of the examination process. Informed by this data, the Committee develops a public list of limited issues for examination, which the state party responds to (The Committee, 2021). Just a few research have evaluated international compliance monitoring mechanisms within the human rights

sector (Krommendijk, 2015; Kelly, 2009; Collins, 2008). Although LeBlanc (2010) considered state compliance with the reporting requirements of human rights conventions, insights into the domestic compliance information system are missing.

The non-compliance response system comprises the actors, processes and rules that govern the formal and informal responses used to encourage non-compliant actors to comply (Mitchell, 1996). This subsystem is most closely linked to theoretical debates surrounding the facilitation and enforcement of compliance. The compliance-deterrence orientation dominates the compliance discipline (Howlett, 2018). Although deterrence mechanisms only affect compliance marginally, non-compliance is considerably affected by their absence (Yan et al., 2017). Within the human rights sector, the frequent absence of traditional enforcement mechanisms (e.g., sanctions, right of action in an international tribunal), combined with low non-compliance costs, means that agreement ratification may be perceived as a relatively costless expression of support; high ratification levels may exist alongside low compliance levels (Hathaway, 2007).

Contrary to the compliance-deterrence orientation, investigating the United Nations Convention Against Torture, Hollyer and Rosendorff (2011) found that higher compliance costs can lead to a pool of signatories that is increasingly dominated by parties with no compliance intentions. Additionally, Simmons (2009) argued that rationalist theories of compliance, which imply external enforcement mechanisms, are an awkward fit for analysing compliance with human rights due to the frequent absence of traditional enforcement mechanisms, low non-compliance costs and lack of reciprocal compliance. Although limited research has focused upon the non-compliance response system within the human rights sector, Avdeyeva (2010) found that civil society plays an important role in mobilising public opinion and influencing the political agenda through indirect and direct pressure on governments. In the absence of formal enforcement mechanisms, civil society campaigning has emerged as an informal response that can contribute toward state compliance (Becker, 2012).

3.4.3. Barriers to compliance

The compliance system is a significant aspect of policy design that offers insight into state compliance (Mitchell, 1996). However, to design effective policy (including an effective domestic

compliance system), better understanding of compliance barriers is required. Weaver (2014) demonstrates the interlinking nature of the theoretical frameworks; the degree of compliance is influenced by both the compliance regime and compliance barriers. Similarly, Coban (2020) argued that the compliance process is equally as important as factors that facilitate (or hinder) compliance. Whilst compliance motivations have received a large amount of academic attention (Carter and Siddiki, 2019; Thornton, Gunningham, and Kagan, 2005; Winter and May, 2001), comparatively fewer studies have analysed compliance barriers. Weaver's (2014) study is a notable exception.

Analysing the Swedish individual account pension system and welfare reform in the United States, Weaver conducted a preliminary test of a framework to examine barriers to target compliance with government policy. The first category, perceived incentives, included problems relating to incentives / sanctions, monitoring and enforcement. The second category, willingness to comply, included peer effects, information / cognition problems and attitude / belief problems. The third category, capacity, included resource and autonomy problems. Linked to the third category, in their analysis of policy capacity, Wu et al. (2015) provided a framework comprising three levels of resources and capabilities (individual, organisational and systemic) and three sets of skills and competencies (analytical, political and operational). Whereas Weaver (2014) analysed target compliance, this research adopted a different analytical perspective by exploring the barriers to state compliance.

Whilst Weaver's (2014) research provides a comprehensive framework for analysing compliance barriers, further investigation is required (Howlett, 2018; Weaver, 2014). Additionally, compliance barriers can vary substantially across different sectors (Weaver, 2014). To date, there is limited empirical investigation into compliance barriers with human rights agreements at the systemic, state and individual level (Simmons, 2009). Therefore, the extent to which similar compliance barriers exist within the human rights sector is relatively unknown. The dearth of research to investigate this issue identified authoritarian regime design as a factor that influenced non-compliance with human rights agreements by state parties (Hollyer and Rosendorff, 2011; Simmons, 2009; Hathaway, 2007). However, looking at single or few barriers is likely to yield poor understanding; non-compliance is caused by a range of interlinking barriers (Weaver, 2014).

Contributing to the current literature, this paper offers valuable insights into an under researched area, specifically non (or weak) compliance with international human rights agreements by state parties. Non-compliant behaviour is influenced by the compliance regime and compliance barriers (Weaver, 2014). This research utilised both interrelated theories. In recognition that state compliance is determined by interactions in the domestic policy process (Coban, 2020), Mitchell's (1996) compliance system was used as an analytical framework to provide insights into the domestic compliance policy process. Throughout the analysis, non (or weak) compliance within the three components of the compliance system was identified. Additionally, Weaver's (2014) barriers to compliance framework was used to explain non (or weak) compliance. Whereas Weaver (2014) used the compliance regime and compliance barriers to explain patterns of individual and aggregate compliance, this research focused upon explaining state compliance.

3.4.4. Localisation Theory of Compliance

Acharya (2004) used the idea of localisation to attempt to explain how international treaties are implemented in the settings of member nations. In his article, he proposed a dynamic theory of norm diffusion that explains how local actors adapt foreign norms to meet their own identities and cognitive presuppositions. Building congruence so becomes essential to acceptance. The majority of normative contestation cases are resolved by localisation rather than general acceptance or rejection (Acharya, 2004). The different capacities of local agents to reconstruct the norms to ensure a better fit with prior local norms and the potential of the localised norm to increase the appeal of some of their prior beliefs and institutions could be used to explain the variation in the acceptance of the norms, indicated by the changes they produced in the goals and institutional apparatuses of the regional group.

Acharya (2004) defined localisation as the deliberate production of foreign concepts by local actors through speech, framing, grafting, and cultural selection, leading to the latter's strong congruence with local beliefs and practises. Acharya (2004) proposed that one mechanism supporting localisation was the presence of reliable local players, or "insider proponents," who had enough discursive sway to compete with or exceed entrepreneurs operating on a global scale. This largely sums up the work done by UNICEF and other NGOs in Nigeria, who have made advocating for

the implementation of CRA at the state level the purpose of their existence. This serves as a way for Acharya to accept norms.

Local agents' social standing and context affect their trustworthiness. If local norm entrepreneurs are perceived by their target audience as upholders of local values and identity rather than just "agents" of outside forces or actors and if they are a part of a local epistemic community that can boast a track record of success in prior normative debates, they are more likely to be credible (Acharya, 2004). Sadly, UNICEF in Nigeria is not likely to meet this requirement since it is an international organisation even though some of its workers may be locals. Although national and local non-profit organisations in Nigeria have led the charge in lobbying for the adoption of CRA at the state level, the north of the country appears to be lagging behind the south in this regard. As a result, the localisation model proposed by Acharya (2004) only partially matches the conceptual framework of the current investigation.

3.4.5. Mechanisms of Norms Acceptance

Risse et al. (1999) in their spiral model in particular, describes the steps nations take to go from committing to a treaty to abiding by its rules. Compliance, or what might be called rule-consistent behaviour, according to Risse and Borzel (2013), refers to a prolonged behaviour and domestic routines that adhere to the standards. According to Schapper (2016), one crucial step towards a domesticated child right treaty's effective implementation is rule targets' adherence to its regulations. According to Schapper (2016), implementing human rights includes, among other things, societal compliance. Schapper (2016) argued that following the emergence of norms at the international level, implementation typically occurs both at the national and local levels. The norm targets at the local level are the holders of societal rights, whereas the norm addressees at the national level are the state governments that ratify the norm (Schapper 2016). This entails a gatekeeping potential, over which Nigerian state governments and their legislative bodies have discretion. They decide whether CRA as a policy choice lines up with their political goals. Given that this is when the CRA becomes an active legal tool with inherent sanction authority, the compliance role performed by the state executive and legislature is crucial.

States in the Southern region are more tolerant of the legal norms, whilst the North has varyingly denied adoption of the local act, according to a pattern observed in compliance with the CRA. It should be mentioned that one notable distinction between the North and South of Nigeria is the relative prominence of Christianity and Islam. Given that the South is predominately Christian, there appears to be a cultural connection to Western countries whose Judeo-Christian norms tend to serve as the cultural foundation of international law. On the other side, the dominance of Islam in the North creates a cultural divide and, to a large extent, some mistrust of concepts that are influenced by Western values. This could account for how simple it is for States in Southern Nigeria to pass legislation in line with global standards like the CRA.

The direction-setting question in the model propagated by Risse et al, (2013) is: How do the numerous socialising mechanisms that advance the rights process go together and hang together? Researchers that investigate compliance have found four of these mechanisms. Coercion, rewards and incentives, dialogue and persuasion, and capacity building are some of these. According to the idea, these serve as the foundation for various forms of social contact (see Risse, Ropp, and Sikkink, 1999; Börzel et al, 2010; Hurd, 1999; Checkel, 2001; Tallberg, 2002; Simmons, 2009, among others). Each of these procedures have been examined to see whether it is appropriate for the CRA to be implemented throughout Nigeria.

Coercion Mechanism: The coercion mechanism is defined as the use of force and the application of the law to force the targets of a treaty to abide by its regulations. They are forced to follow the rules because they have limited options. Domestic law enforcement agencies can compel adherence to human rights standards. A means of coercion is the domestication of the treaty and its enactment by the parliament, much like the CRA 2003. Failure to follow the treaty's rules is now a crime. The CRA outlined several child rights in its various sections, along with implementation plans and consequences for those who break the law. By making violations of these rights illegal, rule targets might be forced to comply by fear of criminal prosecution and the consequences that would accompany a conviction.

Himma (2016) asserts that one of the most obvious aspects of law as it operates in human experience is that legal norms are typically supported by coercive enforcement mechanisms. Coercion, however, is not a component of law that is conceptually required, according to a large number of conceptual jurisprudence experts. However, according to Himma (2016), the

authorisation of forceful enforcement techniques is a conceptually essential element of law. Given that 27 of the 36 states and Abuja have made the CRA state law, coercion as a method of implementation cannot be said to have completely failed. The coercive mechanism may, however, have been fundamentally restricted to function inside levels while crossing level influence was called for by the multilevel implementation framework. As an illustration, the federal government cannot legally compel the states to accept domestication into state law despite having signed the international treaty. It merely implies that the multilevel implementation architecture, with its limitations on legal authority within levels of governance, limits coercion as a technique of implementation.

Rewards and Incentives Mechanism: The second mechanism, known as altering incentives, deals with the application of penalties and rewards. According to Risse and Borzel (2013), it is unquestionably acknowledged that coercion plays a part in the overall change process, whether it is used directly and against a refractory actor's will or as a part of a legal enforcement mechanism. They countered, however, that it is true that incentive structures are even more crucial in influencing state actors' behaviour from commitment to compliance. They claimed that by increasing the costs of non-compliance, utility calculations might be altered. Given that it is up to each targeted actor to determine whether to alter their behaviour in response to the altered incentives, this way of thinking is compared to the best kind of rational choice mechanism (Risse and Borzel, 2013).

Although Risse and Borzel (2013) identified this as a technique used by a global organisation like the UN to enforce conformity among its members, this is also applicable to internal country processes in nations with dual constitutional systems like Nigeria. According to Magen et al. (2009), most international organisations and individual governments have tactics and tools they employ to encourage compliance through incentives. The state government, which has not signed the treaty, is still expected to pass the act into state law in order for it to function as a legal instrument because of the constitutional restrictions placed on the federal government in subjects relating to child welfare. It was noted, however, that moral persuasion has typically been used to persuade state governments to comply by domesticating the legislation.

Mbilinyi (2020) noted that in comparison to the obligations they have under the regional human and peoples' rights treaties, the level of commitment shown by African States in implementing

treaty obligations at the regional level is not adequate. Additionally, it notes that states are unwilling to uphold their duties under treaties, which hinders African efforts to defend human rights. In order to discourage some African States from acting in this manner, Mbilinyi (2020) advises the African Union member states to adopt legislation that will establish a system of sanctions, such as the termination of AU membership. In addition, rewards should be given to States that actively uphold their treaty obligations. Given that some governments have yet to comply, this has not entirely been successful.

Persuasion and Discourse Mechanism: According to the authors, persuasion has an advantage over coercion and the manipulation of incentive structures if it is successful. This is so that actors will voluntarily comply with expensive norms (see, for instance, Risse 2000; Deitelhoff 2006; Müller 2004). Risse and Borzel contend that since changing incentive structures disregards the interests of actors, persuasion is a more long-lasting socialisation strategy. However, it is incredibly uncommon in international politics to successfully deploy pure persuasion by relying just on "superior argument" (Risse and Borzel 2013). This cannot be argued to apply to central government initiatives made within the nation. Civil society organisations' activism and public opinion helped convince state governments to adopt the CRA.

When incidents highlight the non-compliance of some states in Northern Nigeria, Nigerians almost react with indignation. This is especially true when an incident brings child rights violations to the forefront of public discussion, such as when a senator and a former governor of a state wedded a 13-year-old Moroccan girl. For instance, discourse that takes the form of naming and shaming can only be effective if the target actors or a crucial audience really believe in the social legitimacy of the standard (Risse and Borzel, 2013). Once child abuse has become a hot topic in Nigeria due to the involvement of a prominent politician or other person, this discourse may have structural influence over state actors and may prompt some reluctant states to begin the adoption of the child rights act.

Capacity Development: According to reports from the body of published literature, the current study views building capacity as a method for compliance as being of utmost importance. Lele (2018) found that there can occasionally be a gap between the official international commitments made and how they are really carried out. While the creation of international agreements is solely the duty of the central government, local governments are inevitably involved in their execution.

In a decentralised system, local governments might not have the skills or resources necessary to carry out decisions. Additionally, they might have economic and political motivations for encouraging non-compliance. According to Risse and Borzel (2013), ratification of international treaties does not automatically result in compliance, as demonstrated by a decade's worth of quantitative research on human rights (e.g., Keith, 1999; Hathaway, 2002; Hafner-Burton and Tsutsui, 2005).

However, capacity building has always been emphasised in compliance research as a path to compliance. According to the management approach to compliance, non-compliance that emerges from actors' refusal to follow costly regulations is at least as important as non-compliance that results from voluntary non-compliance (Chayes and Chayes 1991, 1993, 1995). The three additional measures mentioned will not be effective though, if human rights norms are violated in regions with limited statehood due to a lack of state power to enforce them. When central state authorities lack the institutional and administrative competence to implement decisions, including human rights standards, the reality is that commitment could not result in compliance.

Most people assume that states are more unable than unwilling to uphold human rights standards. Risse and Borzel (2013) acknowledged that they had not previously considered the fact that certain governments lacked the types of strong administrative institutions and structures that would enable them to enforce and carry out central decisions. In this case, it is assumed that consolidated statehood possesses a complete monopoly on the use of force as well as the ability to enact and enforce laws. The institutional capacity of governments should be viewed as a variable rather than a constant, according to a growing body of research on weak, fragile, and even failed states (see Rotberg, 2003 and 2004; Schneckener, 2004). According to research, fragile or failed states are not the only ones where limited statehood poses a significant barrier to compliance (Börzel and Risse, 2013; Risse, 2011a).

Nigeria is a constitutional democracy with a strong commitment to the rule of law. When laws are put into effect, it should ideally be assumed that they will be upheld and that anyone who violates them will face consequences. However, it could appear that reality and perception are at odds. In the 20 years since the federal government adopted the CRA, 11 states have not yet domesticated it, according to the observed operationalisation of the law. Although the states have the constitutional right to decide whether to adopt or not, several experts have criticised the act as

being a paper tiger that lacks the compulsion component of any law (Himma, 2016). This has already been brought up as a compliance technique earlier in this chapter.

According to Ogunbiyi (2018), domesticating treaties pertaining to children in Nigeria is not a simple task. He stated that any treaty relating to children that is domesticated at the federal level and then re-enacted at the domestic level must receive the unanimous approval of the majority of the constituent states, drawing comparisons to other treaties with different thematic foci. The country's several legal systems and the various perspectives on childhood make it challenging to come to agreement on child rights legislation in many ways.

In this regard, five of Nigeria's thirty-six constituent states have failed to re-enact the domesticating instrument despite the UN Convention on the Rights of the Child having been domesticated. Ogunbiyi (2018) elaborates on this issue before looking at various tools that are unaffected by domestication issues and may provide children with effective protection with regard to particular sectoral features, such child labour and child trafficking. A assessment of the CRA implementation results in all the states that have cooperated with domestication may offer a distinct form of barrier where any state of the federation's reluctance to domesticate the CRA 2003 can be justified as a constitutional barrier to compliance.

Accountability Mechanism: A key component of state capability is accountability and how it is upheld. Statehood can be viewed as limited when using the principle-agency paradigm, when the principal lacks the administrative ability to demand accountability from the bureaucrats on the ground level. The criminal justice system has been blamed for many reports against the successful implementation of the policy, particularly the prosecution of people believed to have violated the CRA. Starting with the police's ability to look into and prosecute offenders and the judicial system's ability to administer justice. One such pointers is the lack of family courts in Nigeria, which are required to hear all cases involving children. There are several states where the CRA is yet to be made state law and where family courts have not yet been established to serve this function.

Accountability demands crucial attention as it can negate capacity as an enabler of compliance. Effective systems of accountability create a feedback loop and a space for follow-up sanctions when noncompliance results from agency slippage rather than a lack of competence or resources,

as was previously believed. Once in place, such a mechanism will guarantee that the full potential of capacity building efforts is achieved.

3.5. Review of Related Studies

Schapper (2017) presented a well-articulated study that concentrated on how to comprehend the disparity between governmental recognition of international human rights principles and local community adherence to these norms in weak nations. Weak states are defined as those where the government has a monopoly on state authority but confronts significant obstacles to carrying out its duties related to the rule of law, legitimacy, and the provision of social services. Accordingly, weak states are characterised by their inability to carry out international agreements locally. According to Risse (2013), multilevel governance, which connects the local with the national, regional, and global levels, provides the foundation for managing these territories of restricted statehood. Another thing to keep in mind is that if nations adhere to international child rights standards, CSOs or even private persons are the rule targets and must adhere, compliance with treaty rules becomes more complicated (Brysk, 2013). Since states are legally accountable for compliance in these situations, the implementation process can be very decentralised, but private persons still need to alter their behaviour, which may entail changing long-standing cultural norms. Of course, limited statehood examples make the issue worse.

In a similar vein, Wolman (2015) investigated the domestication functions of sub-national human rights institutions, including ombudsmen, human rights commissions, and other comparable independent non-judicial governmental organisations with sub-national mandates and a mandate to uphold human rights standards. The author showed that sub-national human rights organisations around the globe are more than just local organisations carrying out local standards. Instead, through their quasi-judicial dispute resolution, promotion of governmental adherence to international norms, promotion of international norms in civil society, promotion of the use of international norms by the courts, and use of international norms as standards in human rights monitoring, they are becoming more and more involved in the domestication of international human rights law.

Toyo (2006) examined some of the difficulties in domesticating international human rights standards in a setting where attempts to address gender inequality are hampered by several legal systems and ingrained cultural practises. In the end, the case teaches us that in order for international human rights accords to have an impact on weaker populations, like children, they need to become tools for political action, which also necessitates the development of systems that hold influential individuals in society accountable.

According to Liberty and Carnevale (2021), research and practise advancements that better acknowledged children's voices have not been widely adopted, particularly in Sub-Saharan Africa. The normative statement also stressed children's responsibility to the granted privileges in the form of respect for parents/guardians, superiors, and seniors, even if Nigerian law recognises children's participation rights in healthcare and research. In Nigeria, there are laws governing children's rights.

According to Danjumaa and Joela (2020), a state is bound by international law or treaties that it has ratified, acceded to, or domesticated. In a dualist State, domestication as a requirement must have been met, whereas in a monist State, ratification alone is sufficient for the international law or treaty to become enforceable. The CRA 2003 has only been domesticated in Nigeria by the National Assembly, and only roughly 24 States have passed the law to put it into effect. This begs the question of whether the aforementioned CRC is enforceable in every State of the Federation. A worldwide agency or organisation that would be tasked with making sure that all international laws and treaties are fully complied with and enforced was suggested by Danjumaa and Joela (2020).

According to Mbuba (2022), despite the prominence of legislative systems aimed at protecting children, children's rights continue to be abused on a daily basis and essentially with impunity. Children are subjected to damaging practises such child labour and early marriage, as well as being neglected, starved to death, malnourished, and raped. To demand for adequate implementation and enforcement, the report made an emotional assessment of children's rights in Nigeria within the context of international agreements and local ordinances. The most heinous type of crime against humanity that is punishable by law is people trafficking. Human trafficking is the third most common crime in Nigeria. This study looked at the laws that govern trafficking in people, determined its causes and consequences, and offered suggestions to stop it from getting worse.

Key CRA provisions' domestication and implementation issues were explored in Enemo (2021), mostly in Northern states but also in other states where the CRA has already been domesticated but is not yet fully implemented. He questioned why children, who make up about 43% of Nigeria's population and are sometimes referred to as the priceless products of divine providence, are, sadly, victims of all kinds of cruelty and neglect. These demand severe protection in society and include child prostitution, human trafficking, and forced labour. To address this issue, the Child Rights Act of 2003 was passed more than ten years ago. Unfortunately, the majority of Nigerian children still do not receive all of the Act's benefits. He advises that every Nigerian state implement the law effectively and engage in widespread sensitisation and raising of awareness.

According to Ndana and Abdulrahaman (2020), the majority of developing countries have not yet fully implemented the provisions of the Convention on the Rights of the Child (CRC), despite the fact that it entered into force on September 2, 1990, is widely recognised as a human rights treaty worldwide, and have been ratified by 193 countries around the world. The Child Rights Act CRA of 2003 has been domesticated by roughly twenty-four (24) states in Nigeria. However, not all of the domesticated states have the necessary infrastructure in place for its full execution. The endeavour to implement and enforce a child's rights is the main topic of the essay or paper. The article advocated appropriate programmes for spreading awareness of the CRA's substance in schools and local governments across Nigeria as well as enlisting print and social media in the admirable initiative.

Gray (2022) examined UK compliance with the United Nations Convention on the Rights of the Child in a study that sought to better understand weak or noncompliance with international human rights accords by state parties. His findings offer insightful information about the domestic compliance system and compliance challenges within the understudied field of human rights through the empirical case study. In particular, Gray (2022) discovered that a variety of impediments have various degrees of impact on compliance throughout the UK and its four nations. In the state and domestic compliance systems, there are differences in the degree to which some barriers appear. The findings further advance the present, linear view by offering evidence in favour of a cyclical model of domestic compliance. Beyond implementation, compliance concerns a nation's adherence to an accord's terms and any enacted implementing measures (Jacobson and Weiss, 1995).

Despite the fact that this conceptualisation described compliance with global environmental agreements, academics have effectively extended the notion to compliance regimes across several sectors, including the human rights sector (LeBlanc, Huibregtse, and Meister 2010). Recently, the literature has established a dynamic relationship between the development of international standards and the process of domestic compliance (Coban, 2020; Quaglia, 2019; Farrell and Newman, 2016). The three stages of the compliance procedure were summarised by Coban (2020). The first step is foreign policy formulation. Second, domestic players interpret the international norms during a phase of interpretation. Third, interactions within the domestic policy-making process impact state compliance (Lele, 2019).

In comparison to the provisions of the Convention on the Rights of the Child, Okpalaobi and Ekwueme (2015) assess the broad principles of implementing children's rights in Nigeria. The standard by which one could measure and assess the effectiveness of the Convention on the Nigerian Child in these administrative and legal measures. This work's methodology is analytical and critical. Accordingly, the study concludes that Nigeria domesticated the Convention by stepping it down further in the Nigerian Child Rights Act and the Africa Charter on the Right and Welfare of the Child in order to implement these measures. Despite acknowledging some administrative practises, such as Protocols, in place, there are still significant shortcomings. The main obstacle to the successful implementation of the United Nations Convention on the Rights of the Child in Nigeria is these deficiencies. This is accurate since there is a dearth of administrative infrastructure. Overall, the paper promotes the shift of child protection from the concurrent list to the exclusive list so that the Act would apply to the entire federation.

The UNCRC implementation guideline urges governments to adopt the proper legislative, administrative, and other steps to put the rights recognised in the current agreement into practise. In a similar vein, the ACRWC reiterated the same call to member nations in their article. In view of the foregoing, the Nigerian federal government has taken some action to uphold this legal requirement. We will critically examine how far it has gone in doing that below. The Child Rights Act (CRA) was passed in 2003 in response to the legal requirement for states parties to take legislative and administrative action to ensure the implementation of the UNCRC and the ACRWC. The two international treaties have been domesticated and made into Nigerian law through the Child Rights Act after meeting all constitutional conditions. The Act provides Nigeria's

commitment to the African Union Charter on the Rights and Welfare of the Child and the UN Convention on the Rights of the Child legal force.

3.6. Conclusion

In conclusion, this chapter has provided a comprehensive literature review and theoretical framework for the study on the implementation of the Child Rights Act 2003 in Nigeria. At a more general level, the study aimed to explore the domestic implementation of the act and the challenges faced by state governments in complying with the provisions of the act. The study also assessed the experiences of norm addressees and norm targets who have been involved with a child welfare program at the state level. Theories of compliance to treaty were used to understand the implementation perspective and the surrounding policy design issues. Furthermore, the study highlighted the importance of understanding the concept of policy implementation, compliance, and norm acceptance in analyzing the implementation of the act. Overall, this literature review and theoretical framework provide a solid foundation for understanding the challenges and opportunities that arise when implementing the Child Rights Act 2003 in Nigeria. The next chapter provides a detailed description of the study methodology.

Research Methodology

4.1. Introduction

The aim of this study is to enquire into the lived experience of children, families and professionals exposed to the implementation process of the Child's Rights Act 2003 in Nigeria. The research question raised in respect of this objective is: How is the Child Rights Act 2003 incorporated into policies by the Nigerian child welfare services? In seeking response to this question, the researcher would like to know: What strategies have the Nigerian government put in place to protect children's rights? Are the Nigerian child welfare services accessible to children in need? Are the Nigerian child welfare decisions based on the best interest of the child?

To answer these questions, the researcher used semi-structured interviews and focus group discussion in a qualitative research using Imo State as a case study. Study was conducted in selected sites including the ministry responsible for child rights implementation and monitoring (The Ministry of Women Affairs) relevant NGOs, selected children's homes and within the community. This chapter is divided into the following sections: rational for methodology, research design, sample, recruitment and location of interview, and data analysis methods.

4.2. Rationale for Research Methodology

4.2.1. Rationale for Qualitative Method

Qualitative research has been defined as a research process through which a complex and holistic understanding of a phenomenon of interest could be built, usually in a natural setting (Abawi, 2010). The aim of qualitative research is to deepen the understanding of a social or human phenomenon from various perspectives. This is most apt for understanding the operationalisation of a policy document with multiple stakeholders like the Child Rights Act 2003, as it enables the exploration of the different perspectives of its multiple stakeholders for analysis. This is especially important considering that literature exploration suggests that there might still be a gap in child protection even in the states where the act has been signed into law. The process of converting policies into actions can be daunting taking into consideration the multiple social factors that can

influence operationalisation processes (Harper et al, 2011). An enquiry into the implementation of the Child Rights Act 2003 therefore requires a one-on-one engagement with those who have experienced it first hand, including government officials who are the custodians that should provide direction and facilitate implementation; child welfare service professionals, vulnerable children accessing the welfare services and their parents.

Several features of the qualitative research make it more appropriate than the quantitative approach with regards to this study. Of importance are the ontological and epistemological assumptions of the qualitative approach, which require further dwelling on for clarity. Ontology, which is about the nature of the phenomena being studied, queries the construction of its existence. Blaikie (2001) defined ontology as the study of claims and assumptions that are made about the nature of social reality, claims about what exists, what it looks like, what units make it up and how these units interact with each other. In other words, if someone studies ontology they are studying something that already exists. A study of the processes of policy implementation process which in this instance includes compliance with rules and acceptance of rule norms, being a social process should be more profitable when revealed from the experience of norm targets and can hardly be reduced to objective measurement of the natural sciences.

Epistemology, on the other hand, is about the nature of knowledge and how best to gain knowledge (Cohen et al., 2007). It addresses the question of what a researcher means when he or she is said to know about something. What does it mean to say that the CRA 2003 has been effectively implemented? Some evaluation designs focus on the situation of intervention targets before and after while some other pay attention to an assumption of what their situation would have been without the intervention programme. Making meaning from the account of the intervention targets privileges the qualitative approach over the quantitative when the subject of enquiry is taken into consideration. The different ontological and epistemological positions of the research inquiry have given rise to the positivist, interpretive and the critical research paradigms (Myers et al., 1998). Again, a clearer understanding of these building blocks of the research process is necessary for the justification of the choice of research methodology and methods.

4.2.2. Research Paradigm

The term paradigm is used to refer to a researcher's 'worldview' (Kivunja and Kuyini, 2017; Mackenzie & Knipe, 2006). Worldview, in turn, can be described as a point of perspective or way of thinking, or school of thought, or collection of shared beliefs that guides the interpretation or meaning of research data. It is the conceptual lens through which the researcher examines the methodological aspects of their research project to determine the research methods to be used and the data analysis procedures to be followed. According to Guba and Lincoln (1994), a paradigm is a fundamental set of beliefs or worldview that guides research action or investigation. Similarly, Denzin and Lincoln (2000) defined paradigms as human constructions that begin with fundamental assumptions about the researcher's motivations in order to construct meaning embedded in data. Thus, paradigms are critical because they provide beliefs and dictates that influence what should be studied, how it should be studied, and how the results of the study should be interpreted for scholars in a particular discipline.

Meyer et al. (1989) distinguished three paradigms: positivist, interpretive, and critical. Guba and Lincoln (1990) expanded their list by including pragmatic paradigm. In line with the former, the positivist paradigm assumes an independent and objective relationship between social reality and humans. A research inquiry is said to be positivist if it makes use of formal propositions, quantifiable variables, hypothesis testing, and deducing inferences about phenomena from a representative sample to a stated population (Orlikowski and Baroudi, 1991). This is a method of quantitative research. The positivist paradigm has been criticised for its treatment of social reality, which is viewed as complex and difficult to deduce statistically. Galliers (1991) expressed serious concern about the positivism paradigm's deep roots in functionalism and its excessive emphasis on causal analysis rather than on getting close to the phenomenon under study. These characteristics of positivism, for which it has been widely criticised, run counter to the researcher's objectives and the study's focus. Therefore, it was not selected for this purpose.

According to the interpretive paradigm, knowledge of reality is gained solely through social constructions such as language, shared meanings, tools, and documents (Walsham, 1993). Unlike positivist research, interpretive research does not use predefined dependent and independent variables, but rather focuses on the complexity of human reasoning as a situation emerges (Kaplan and Maxwell, 1994). According to proponents of the interpretive approach, social phenomena must

be understood within the social contexts in which they are constructed and reproduced through their activities. In other words, social action must be understood in terms of the meaning that social actors assign to their deeds (performances/actions). The interpretive approach's central tenet is that research can never be observed objectively from the outside; rather, it must be observed from the inside through the direct experience of the participants (Mack, 2010). According to Mack, the most serious criticism levelled at interpretive paradigms is their failure to acknowledge the political and ideological influences on knowledge and social reality. Despite this observed disadvantage of the interpretive approach, it reflects the overarching objective of the current study and provides critical justification for the qualitative approach's selection.

According to Myers (1997), the critical paradigm is the third variant of the research philosophical paradigms. It shares the interpretive paradigm's philosophical assumptions but deviates with the claim that social reality possesses objective properties that can sway how we perceive the world (Orlikowski and Baroudi, 1991; Myers, 1997; Oates, 2006). The critical paradigm is derived from critical theory and the belief that research should be conducted for the purpose of "individual and group emancipation in an egalitarian society" (Cohen et al, 2007, p. 26). The philosophy and school of thought inspired by numerous theorists, including Marx, Kant, Hegel, Weber, the Frankfurt School, Foucault, Habermas, Derrida, Freire, and Giroux, laid the groundwork for critical theory (Kincheloe and McLaren, 1994). Additionally, the critical social policy tradition was established on the basis of its ideological orientation toward advocacy for the liberation, emancipation, and empowerment of economically oppressed people in advanced capitalism in western countries (Popkewitz, 1990; Roberts, 1990).

Critical theorists presuppose that individuals can act consciously to alter their social and economic circumstances. Additionally, they assume that social reality is historically constructed and is produced and reproduced by individuals. The critical paradigm's ontological position is one of historical realism. Historical realism, as defined by Scotland (2012), is the belief that reality is shaped by social, political, cultural, economic, ethnic, and gender values. Reality is a socially constructed entity that is constantly influenced from within. According to available literature, the success or failure of most Nigeria's social policies appears to be influenced by the country's political economy (please see literature review chapter 2). Sometimes policies are adopted but are purposefully denied the necessary support to succeed. Canagarajah (1993) proposed that abstract

socio-political forces operating outside institutional boundaries might have an effect on the attitudes of individuals operating within institutional fields. Research with a focus on advocacy falls into what critical approach is all about. Considering the experience of the researcher and the motivation to embark on this study, critical approach comes to bear on the studies paradigm and should be seen to have been incorporated with interpretive methods.

Following a review of the philosophical assumptions underlying the three research paradigms, it appears that the interpretive and critical paradigms of qualitative research methodology more closely align with the researcher's axiological position. Axiology here refers to the researcher's personal-professional-political value system. This is the 'axis' around which the researcher's praxis revolves. These factors influenced the researcher's decision to conduct the study. As previously stated, my experience volunteering with vulnerable children for UNICEF (United Nations Children's Fund) in Nigeria, combined with my experience working with vulnerable children in residential care homes in the United Kingdom, and my own experience of abuse as a child, motivates me to advocate for children's rights and to conduct this project from a worldview of critical realism. This qualitative methodology should also be understood to be different from the preferred research method of interpretive phenomenological analysis which was chosen for generating and analysing the current research data. This approach is suggested to be acceptable practice by some researchers (e.g., Hood, 2016).

Hood (2016) observed that researchers now have a variety of interpretive frameworks from which to choose. He does, however, draw attention to the possibility of pluralist study designs, which are not widely used at the moment. In a similar vein, Alase (2017) discussed the advantages of using interpretive phenomenological analysis (IPA) as an analytical tool for the exploration of participants' lived experiences in an interpretive paradigm study. He advised that it is critical to adopt coherent paradigms that assist in comprehensively putting the concept together in order to conduct well-conceptualised IPA research. Given that the current study is examining participants' lived experiences during the implementation of a policy with international norms, it makes sense to follow these recommendations.

According to Alase (2017), a combination of Guba's (1990) critical theory paradigm and Burrell and Morgan's (1979) interpretive paradigm will be the two paradigms compatible and suitable for

critically examining and interpreting the phenomenon's impact on the research participants' 'lived experiences'. Essentially, these two paradigms will identify and emphasise the problematic issues under investigation, as well as aid in the interpretation of the problems' impact on the research participants' 'lived experiences'. If used separately and independently, these paradigms may be operationally distinct in terms of their applicability.

However, by combining interpretive and critical paradigms, an IPA research study can achieve its goal of exploring, investigating, and interpreting the research participant's lived experiences. On the one hand, Guba's (1990) critical theory paradigm can serve as a springboard for further investigation of the phenomenon encountered by research participants; on the other hand, Burrell and Morgan's (1979) interpretive paradigm can explicitly and interpretively recount how the phenomenon impacted the research participants lived experiences (Alase, 2017). Thus, while interpretive phenomenological analysis is used as an analytical tool or as a research design, the results are interpreted through the critical paradigm's perspectives for change enabling recommendations.

4.3. Research Procedure

4.3.1. Case study

Twenty-three states in Nigeria have signed the Child Rights Act into law within their jurisdiction. It therefore serves the need for parsimony to isolate a single state in a case study form for investigation of how the Child Rights Act has been implemented. According to Merriam (1988), a qualitative case study is an intensive, holistic description and analysis of a single instance, phenomenon or social unit. Thomas (2004) agrees that a case study represents a detailed examination of a single example of a class of phenomena, which strives towards a thorough examination of one or a small number of instances of the unit of research interest. As this is the case with qualitative research generally, case studies are typically used where little or nothing is known about the phenomenon of interest.

Thus, Imo State, which is one of the states in the South East of Nigeria, is used for the study. This state has in recent times witnessed a growing concern in the discovery of baby factories – illegal maternity cum motherless babies' homes where young women are recruited to produce babies that

are sold to couples in need of children. This circumvents the adoption processes while breaching some sections of the Child Rights Act and the constitution of the federation. The state provides an interesting ground for the study. In addition to selection of case study, it is important to describe how mixed stakeholders from child right protection and social welfare system in the case study were selected. Imo state is chosen as a case study as the South East region of Nigeria provided the opportunity to address the research question better concerning how the policy guiding the protection of the right of the Nigerian child is being operationalised in Nigeria. The pilot study for this thesis is discussed in the next section.

4.3.2. Pilot Study

The first two interviews conducted with the workers who are involved in the children welfare service activities were used as pilot study for this work. A pilot study is conducted to identify problems or confines which might emerge in interview questions design (Kvale, 2007) and to examine how well the questions meet the objectives of the research (Bryman and Bell, 2007; Bryman and Bell, 2015). The interviews carried out enabled the researcher to gain insight in the study area which include child welfare services and accessibility, child poverty and family support, care eligibility and availability, care and support provided for children, and support for children in and leaving care.

In addition, carrying out pilot study was helpful because it permitted a draft design of the interview plan and provided the opportunity to reflect on how the interview might be improved, but the success of initial interviews conducted which are considered as pilot study did not require any modification of the originally developed interview questions, instead the first two interviews provided better knowledge and the confidence to proceed with the rest of the interviews.

4.4. Data Collection and Sampling Method

Interviews were used in this study to learn how the Child Rights Act 2003 is implemented in Nigeria from the perspective of the welfare services professional and families. The ground for selecting this method is that the approach provides flexibility and structure to the interview process (Creswell, 2007; Bryman and Bell, 2015). Interviews are particularly useful because they provided the researcher with the opportunity to clarify statements and probe for additional information.

In addition, the basis for choosing this method is that the approach allows the researcher to concentrate on drawing from the compound personal experiences, perceptions, beliefs and behaviours of the participants by means of moderated interaction (Kitzinger, 1994; Cornwall and Jewkes, 1995; Morgan, 1996; Israel et al, 1998; Hayward et al, 2004).

The sampling technique used in this research is purposive sampling. This method enables the appropriate participants to be selected to provide answers to the research questions and to meet the research objective (Neuman, 2003). Also, purposive sampling is selected on the basis that focus group is part of the data gathering method chosen for this research, and focus group depends on the capability and measurement of the participants to give pertinent information (Morgan, 1988). In addition, purposive sampling allows the study to concentrate on a certain sub-group of sample members which are similar, that is welfare services professionals, and children and parents who have experienced the welfare services. Convenience purposive sampling technique is designated as participants are only accessible for recruitment through local network and contacts (Krueger, 1994) of the ministry of women affairs, welfare department and local churches in Owerri Municipal Local Government, Imo State, Nigeria for the research.

Participants' recruitment eligibility includes employment by the Ministry of women affairs, employment or experience of working with Imo state welfare services, experience of accessing welfare services in Imo state, employment as a senior care worker or a residential home manager. Thirteen participants were interviewed individually to obtain detailed description of their experiences with child protection and welfare services in the state. With mixed participants from different stakeholders in the child welfare system in the state, as well as the recipients, different perspectives were generated. Thirteen interviews were conducted in Nigeria. Participants consisted of four directors (director of social welfare, director of ministry of women affairs and two directors

of children's residential care home), six social workers of welfare department and three families with the experience of welfare services.

Although, Krueger and Casey (2000) are of view that six to eight respondents are required in focus group discussion, however some research mentioned that minimum of four and maximum of fifteen respondents are sufficient for a focus group (Fern, 1982; Mendes de Almeida, 1980) to gain enough perspectives for qualitative data collection. The researcher recruited six respondents for focus group discussion however one withdrew consent to participate as a result only five people participated in the focus group discussion.

Samples including their role, welfare service experience, age, gender and position are presented in Table 4.1.

S/N	Participants	Gender	Age	Child rights	Welfare	Roles in welfare
				protection &	Service	service
				welfare system	Experience	
				stakeholders		
1	Director - A	Female	53	Yes - Ministry of	Yes	Professional/Senior
				Women Affairs		
2	Director - B	Male	62	Yes – Welfare	Yes	Professional/Senior
				Department		
3	Director - C	Female	61	Yes - residential care	Yes	Professional/Senior
				home		
4	Director - D	Male	58	Yes - residential care	Yes	Professional/Senior
				home		
5	Social Worker	Female	38	Yes - Welfare	Yes	Professional
	- E			Department		
6	Social Worker	Male	49	Yes - Welfare	Yes	professional
	- F			Department		
7	Social Worker	Female	61	Yes - Welfare	Yes	Professional/senior
	- G			Department		

8	Social Worker - H	Female	42	Yes - Welfare Department	Yes	Professional
9	Social Worker - I	Female	45	Yes- Welfare Department	Yes	Professional
10	Social Worker - J	Female	56	Yes - Welfare Department	Yes	Professional
11	Social Worker - K	Female		Yes- Welfare Department	Yes	Professional
12	Family - P	Male	-	Yes – Accessed welfare service	Yes	Service user
13	Family - R	Female	-	Yes - Accessed welfare service	Yes	Service user
14	Family - S	Female	-	Yes - Accessed welfare service	Yes	Service user

Table 4.1: Child rights protection and welfare system stakeholders interview and focus group samples

Thirteen individual semi-structured interviews were carried out (face to face) in total for the Child rights protection and welfare system stakeholders from the period of January to March 2019. The duration of the interviews varied from thirty minutes to sixty minutes, all the thirteen interviews are tape recorded as all the participants consented to audio according to collect the original information from them. The standardisation of the interview questions and tape recording the response of the respondents reduce inconsistency in the interview (Bryman and Bell, 2007; Bryman and Bell, 2015).

4.5. Data analysis methods

All individual interviews transcripts were transcribed from audio/videotapes by the researcher. All data analysis was conducted exclusively by the researcher. The data analysis was conducted using Interpretative Phenomenological Analysis method which enables a researcher to organise data into categories in order to identify themes or patterns evolving as data collection proceeded

(Dudovskiy, 2018). The phenomenological method lies in interpretation, (Heidegger, 1962) as it involves examining and comprehending lived experience. IPA is chosen as appropriate for this study because it made use of case study-based which tried to make sense of individual lived experience (Smith and Eatough, 2006; Smith, 2007). A sequence of distinct steps was followed in order to secure the reliability of the data based on participant's recall.

IPA is an experiential qualitative method that focuses on unravelling what it is like to experience a phenomenon. It is based on the philosophy of hermeneutic, a theory of interpretation, which focuses on idiographic account of the individual who is believed to be an expert on the experience under exploration. Focusing on current research, the Nigerian Child Rights Act 2003 is thought to be embedded in the Nigeria welfare service as a way of its operationalisation. Thus, it is expected that those who come in contact with welfare services, one way or the other, would experience first-hand the Act or at least a large part of its content in operation. Following an interview schedule earlier designed and approved, the participants recounted their experience in a semi-structured questioning format. These were recorded, mostly in Igbo language (predominant language in Eastern Nigeria) and translated into English by a professional for analysis.

Analysis of interview data under IPA involves a flexibility that relies on the creativity of the researcher. This feature of IPA has been reiterated by most notable researchers identified within this research tradition. For example, Pietkiewicz and Smith (2012) made a strong case for flexibility in approach adopted by researchers during analysis: "in general, IPA provides a set of flexible guidelines which can be adapted by individual researchers, according to their research objectives" wrote Pietkiewicz and Smith (2012, 6). With reference to their own approach, Pietkiewicz and Smith (2012) cautioned that it was merely an illustration of one possible way of analysing the qualitative data, which should not be treated as the gold standard IPA analysis. It thus should be realised that there is no definite rule on how it must be done, but a lot lies with the skills of the researcher.

In view of above, analysis steps used in finding themes from interview transcripts proposed by different authors were distilled and combined in the current research. An approach suggested by Kleiman (2004) provided a general framework about what to do while going through the transcripts for themes. Specifically, she reiterates a method for investigating and describing the presence of any phenomenon given to consciousness, precisely as it is given or experienced, in

terms of the meaning that the phenomenon has for those experiencing it. The four-step procedure adapted from Kleiman (2003) are as follows:

- Read the interview transcript in its entirety in order to get a global sense of the whole.
- Read the interview transcripts a second time this time more slowly in order to divide the data into meaningful sections or units.
- Integrate those sections/units (themes) that you have identified as having a similar focus or content and make sense of them.
- Subject your integrated meaningful sections/units to a process that is known as free imaginative variation.

Kleiman (2003) gave this framework as steps to be used when conducting a descriptive phenomenological analysis, which she claimed has its objective in finding a structure of the phenomenon under exploration. This she argued to be however different from interpretative phenomenology whose goal is "to come to an understanding of the unique meaning and significance of the descriptions of the phenomenon given by the subject" (Kleiman, 2004, 2). And, with all said and done, the result of an interpretative phenomenological inquiry is a text or story that gives insights into the phenomenon under study and its associated meanings (Kleiman, 2004).

Notwithstanding Kleiman's (2004) arguments, which seemed to confine the above approach to descriptive phenomenology, other researchers have adopted same framework to analyse interview data in interpretative phenomenological inquiries (e.g., Benner, 1994; Parse, 2003; Paterson and Zderad, 1976; Watson, 1985). Besides, Smith (2009) argued that these techniques can lend themselves to inquiries in interpretative phenomenology as wells as the descriptive variant and even grounded theory. This will however be devoid of a last step suggested by Kleiman's (2004) in which the researcher articulates a structure based upon the essential meanings present in the descriptions by participants. Usually, this is determined by a prior analysis and the insights obtained here from is referred to as the process of free imaginative variation. This last step is however, not listed here.

Thus, while using Kleiman's (2004) suggested approach as a general framework, it made more sense to follow the steps outlined by Smith et al. (2009) for the current analysis. One commonality

among different techniques specifically suggested by Pietkiewicz and Smith (2012) is that a researcher must immerse him or herself in the interview transcript. This is achieved by reading the transcript several times, because the participant's understanding and interpretation of the phenomenon is crucial as wells as the researcher's understanding and interpretation of the participant's accounts. This bouquet of suggestions is taken into cognisance while working through the steps by Smith et al. (2009). Below is an outline of the six steps process referred to as the IPA iterative and inductive analytical cycle: reading and rereading, initial noting, developing emerging themes, searching for connections across emergent themes, moving to the next case, and looking for pattern across cases (Smith et al, 2009). The aim of these steps is to identify the themes that emerged from the participants interview scripts generally referred to as inductive themes (Ryan and Bernard, 2017). This was used in analysing interview transcripts of parents of children accessing welfare services, the interpretation of which is presented in chapter 5 of this report.

However, for the interpretations presented in chapters 6 and 7, a set of a priori themes, which are referred to as deductive themes were used. To put this theme differentiation into real perspective, Ryan and Bernard (2016) wrote that inductive themes come from the data while a priori themes are from the investigator's prior theoretical understanding of the phenomenon under study. Justification for this change to a priori themes draws from the nature implementation concept as a concrete process.

When carrying out a study, it is not unusual to focus on certain aspects of the phenomenon. The present study uses social welfare services as a proxy for understanding how the Child Rights Act 2003 is implemented in Nigeria. This naturally makes it imperative that certain aspects of the social welfare services as the phenomenon under exploration received greater attention. It is on the basis of this consideration that (1) referral to welfare services and (2) overall experience of becoming a welfare services client were identified as important a priori themes that helped when designing the interview schedule and interview transcripts analysis.

A priori themes can be derived from a variety of sources, including the qualities of the topic under investigation. Other sources included already agreed professional definitions identified in literature studies, common-sense conceptions, and researchers' beliefs, theoretical orientations, and personal experiences, according to Ryan and Bernard (2016). Another reason for employing a priori themes is that the importance of specific concerns in relation to the research topic is so well-

established that they can be confidently expected to emerge in the data. The main advantage of employing a priori themes is that they might help speed up the first coding step of research, which is generally quite lengthy.

You should also be aware of some serious risks linked with their use. To begin with, if you only look at data that fits the a priori themes, you can miss out on information that doesn't. Secondly, you can miss when an a priori theme is not proving to be the most effective approach to characterise the data. To avoid falling into these traps, it is critical to recognise a priori themes as uncertain, just like any other theme, and to treat them as such. Smith et al.'s (2009) procedures were used to develop the remaining themes. The following is a full explanation of the steps that led to the creation of emergent and superordinate themes from the interview data.

Step 1. Reading and rereading

The data generated from interviews, which were originally in recorded format were transcribed. Some part of the interview sessions where conducted in Igbo language, but where also translated into standard English a professional. Theses where read several times as required by the analysis procedure. According to Smith et al. (2009), the first step of an IPA analysis involves immersing oneself in some of the original data. It is suggested that this should be the original interview transcripts that have not been altered. Although this original transcript has been transcribed from Igbo to English language, original interview data was not discarded. In consideration of the fact that the researcher is fluent in Igbo language, what is being read is retained in its original form. This is what Smith et al (2009) recommended about the transcript being in its first original form as would be done in most in most IPA studies.

It is helpful to have audio recording which can be listened to in addition to reading the transcript as imagining the voice of the participant during subsequent readings of the transcript assists with a more complete analysis. This stage has the benefit of getting the researcher immersed in the participant's world by active engagement with the interview data. And this is mainly possible with repeated reading of the transcript.

Step 2. Initial noting

This is considered the initial level of analysis which requires apportioning of a considerable length of time and detailed attention. At this stage, the analyst is expected to maintain an open mind while noting down any aspect of the interview data that may be of interest. Practical steps were taken at this stage in form of note taking and comments while increasing familiarity with the transcript. Smith et al. (2009) observed that the activity of this stage is very much like free textual analysis, which is devoid of rules about what is commented upon. At the end of it a detailed and comprehensive set of notes and comments were generated. According to Smith et al. (2009), the extract is used to illustrate the multiple ways in which exploratory commenting can be conducted. Mostly generated are descriptive comments that are focused on describing the content of what the participant has said and the subject of the talk within the transcript.

Step 3. Developing emergent themes

Leading up to this stage are activities that produced the emergent themes listed below:

- 1. Satisfaction with welfare services
- 2. Accessibility of welfare services
- 3. Intervention to instances of child abuse
- 4. Support for children and families
- 5. Knowledge of Child Rights Act
- 6. Knowledge of welfare services

Through the notes generated in the process of exploratory commenting, which has added tremendously to the interview data, the researcher was able to develop a familiar model. For themes to emerge from this large volume of data an attempt was made to reduce considerably the amount the volume of exploratory notes by screening for patterns, connections and interrelationships within the notes. While doing this, efforts were made not to whittle down the

complexity of the transcript in its original form (Smith et al, 2009). What happens eventually is that the themes emerged from the exploratory notes

Step 4. Searching for connections across emergent themes

Having discovered the initial themes usually referred to as emergent themes, the next task was to connections among the themes. This what Smith et al (2009) and Kleiman (2003) suggested as best practice in IPA analysis. What should emerge when this is done is called the superordinate theme. By so doing, the themes will collapse based on fit. One of the approaches for finding superordinate themes is through a process called abstraction. Smith et al. (2009, 19) described abstraction as "a basic form of identifying patterns between emergent themes and developing a sense of what can be called a 'super-ordinate' theme. It involves putting like with like and developing a new name for the cluster".

Step 5. Moving to the next case

It must be recalled that there are three participants. IPA analysis process recommends that analysis be conducted separately for each participant, one at a time with their specific emergent and superordinate themes. For each participant, analysis process with proceed independently up the point where superordinate themes emerge before you move to the next. This is a reason why the qualitative research method is considered time consuming. In addition, it could explain in part why a sample size is the norm.

Some techniques are suggested while analysing individual data separately. Smith et al. (2009) advised that it is important to treat the next case on its own terms, to do justice to its own individuality. This means, as far as is possible, bracketing the ideas emerging from the analysis of the first case while working on the second. This is, of course, in keeping with IPA's idiographic commitment. During this process, you will inevitably be influenced by what you have already found (and in hermeneutic parlance therefore your 'fore-structures' have changed). However, there is an important skill in IPA in allowing new themes to emerge with each case. The rigour of

systematically following the steps outlined should ensure that there is scope for this to happen. This then continues for each subsequent case.

Step 6. Looking for pattern across cases

Following the completion of the transcript analysis for each individual participant, the next and final stage involves looking for trends across cases. According to Smith et al. (2009), laying each table of themes or figures out on a big surface and glancing across them is a good idea. What connections exist across examples, how does a theme from one case help highlight a different situation, and which themes are the most powerful? According to Smith et al. (2009), this method aids the analysis in moving to a more theoretical level by recognising, for example, that motifs or superordinate themes that are unique to each case also represent examples of higher order concepts that the cases share.

4.6. Ethical consideration

In conformity with ethical guidelines and in line with the research of this nature, an initial ethical permission was obtained from the University of Hull Research Ethics Committee. The research participants and social welfare professionals involved in the research were provided information about the research, its purpose and how the information gathered for the research would be used. Information sheets were distributed through the ministry of women affairs, welfares department and local churches. The consent form explained the research overview with its likely risks and benefits, inclusion criteria, confidentiality and anonymity, participant rights, and obtaining written consent.

Consent was obtained from all the research participants (Ritchie et al., 2013) through consent form (consent form signed by each participant and the researcher). Participants were all given the opportunity to decline to participate or withdraw from participating in the study at any stage before interviews are transcribed with no consequences and take breaks during the interview (Bryman and Bell, 2007). Prior to the interview, participants were briefed face to face about what to expect from the interview (topics to be discussed) and given the opportunity to view the interview guide

(interview questions). The research consent form had options for participants to tick to give permission to participate in the interview, to record the interview electronically, to use the response of the interviews internally and externally for the research, and consent to use the information they provided for future publication without disclosing their identity (see Appendix... for the consent form). Participants were made aware that identifiable data will be destroyed immediately after completion of thesis.

All data collected were digitalised immediately by the researcher and stored in the University of Hull secure server (G drive). After each interview, data in audio recorder were immediately uploaded in the University of Hull secure server and deleted from the recorder. Data recorded in journals were immediately digitalised after each interview and uploaded in the University of Hull secure server; hard copies will be shredded immediately.

Participants were informed that where safeguarding issues arise, the researcher will discuss these concerns with the relevant authorities. If a participant discloses a case of safeguarding nature, participants were informed that the researcher will follow the Imo State Safeguarding procedure.

4.7. Reflexivity

In order to recruit participants for this study, the researcher distributed information sheets in local churches and Imo State Welfare Department. All the individuals who volunteered to participate in this study were those who got the information from the Welfare Department. The researcher asked two ministers of the local churches where the research information sheets was distributed if they have idea why their members did not volunteer to participate, both replied that their church members do not trust outsiders. The researcher also asked some of the participants why they chose to take part in this research, and all replied that they believed the research was genuine and will respect confidentiality because the information sheet was distributed in the state welfare department and that the researcher was in contact with the department and is known. Some also said it was because my husband is from Imo State and they felt the need to support their brother's wife. Most of the participants said they felt that this is an opportunity to share their experience with the hope that it could bring about the desired change.

The researcher planned to carry out family group interviews which would include children from 12 to 17 years old whose families have accessed welfare services in Imo state Nigeria. However, this was not possible. The aim was to get the views and experience of children accessing welfare services on the implementation of the Child Rights Act 2003. The University of Hull Ethics Committee approved involving only children between the age of 12 and 17 years old, but only families with children below the age of 10 years agreed to participate in this research. Only a parent from each family participated in this research, this is because it was not possible for both parents to take part due to family issues.

Recruiting professionals for this research was not difficult. This may be because I was already in contact with Imo state Welfare Department six months before traveling to Nigeria for data collection. They were informed about the research and I had the opportunity to speak to some of the professionals through telephone to explain the research before meeting them face to face. They were helpful, however it was difficult for some of them to find time to meet me for interview due to their busy schedule and I had to reschedule interviews several times.

I travelled to Nigeria in February 2019 with my family (husband and one-year old daughter) for the purpose of this research. The weather was hot and dry, and it was almost impossible to keep cool all the time due to lack of stable electricity in Owerri Imo state. I was fortunately allowed to use an office at the welfare department to carry out interviews, most professionals and families preferred this arrangement to other locations (their home and other safe locations). This made it easier for some of the professionals to come for interviews during break time as they wished. Due to lack of stable electricity in the Welfare Department, the office used for the interviews was always hot, even with the windows opened. Some of the professionals didn't want to stay long, so probing for more information was challenging. I was pregnant at the time and was sweaty and uncomfortable most of the time. The Welfare department did not have a functional toilet for staff and members of the public, there was no public toilet anywhere. I had to take toilet breaks in a restaurant 15 minutes' drive from the welfare department. This affected the number of interviews I could do per day.

In this study culturally sensitive issues such as child rights and welfare were discussed with participants. Families participating in this research were asked questions about their experience of

accessing welfare services in Imo state Nigeria. I am aware that accounts of personal experience maybe emotionally distressing for participants, so prior to interviews, participants were informed of the topic and shown the interview questions. I was born and raised in Nigeria and from Igbo tribe and speak Igbo language fluently. Imo state is of the eastern extraction and therefore, spoke the Igbo language. I have the experience of carrying out research that involved discussions of culturally sensitive nature and well positioned to carry out this research (please find information on researcher's experience and expertise outlined in chapter 1). Participants were informed of their right to withdraw from the interview and encouraged to take breaks. I monitored the body language of each participant to ensure that they are comfortable with the interview. I also provided participants with information on local services that may be of help. The participants were given the option to be interviewed in either English or Igbo language, they were informed that they could switch between English and Igbo language if they wished and some of them did.

In Nigeria, the culture expects you not to look at elders and people in position of authority in the eye whilst talking to them. Seeking information from an older (especially an elderly) person and probing further is frowned upon in Nigeria. I was brought up this way. In fact, in Igbo culture, parents encourage their children to address their older brother or sister as "Brother or Sister" instead of calling them by name as a sign of respect irrespective of the age gap. To address cultural expectation, before each interview each participant was informed to say, "pass" or raise a green card if they don't want to answer any question and the researcher will move on or "I don't know" or raise a yellow card and I will rephrase the question. They can also say "stop" or raise a red card if they no longer wish to participate in the interview. I originally designed this to be used with children however, after discussion with some of the adult participants they wanted me to apply this during their interview as well and I obliged. This was to prevent getting participants older than me offended when asking questions or probing for information. None of the participants used the cards, however all the participants used hand gestures and shaking their head to communicate when they don't want to discuss a topic further.

I had to return to the UK after three weeks in Nigeria because my daughter became ill and was admitted to the hospital, but was deteriorating despite medical treatments. I decided to put the interest of my daughter first and this decision to return immediately to the UK was supported by my supervisors. Before my daughter became unwell, I had already interviewed thirteen

participants and carried out a focus group discussion. Returning to the UK early meant I was not able to recruit and interview more participants, however I will not change the decision I made to put my daughter's health and wellbeing first.

If I decide to carry out another research in Nigeria in the future, I will ensure to book hotel accommodation instead of staying with a relative. This will ensure that I have twenty-four hours electricity and air-conditioned room to enable me to sleep at night (I couldn't sleep most nights whilst in Nigeria due hot weather, lack of stable electricity and air conditioner). In all, I had a great experience carrying out this research in Nigeria.

4.8 Conclusion

This chapter details the methodology used in the study that aimed to investigate the lived experience of parents of children and professionals exposed to the implementation of the Child's Rights Act 2003 in Nigeria. To answer the question, the semi-structured interviews of the qualitative research was used with Imo State as a case study, studying various stakeholders including government officials, child welfare service professionals, and parents of vulnerable children. The rationale for using a qualitative methodology is that it allows for a deeper understanding of the operationalization of a policy document with multiple stakeholders and allows for the exploration of different perspectives.

The research paradigm used was an interpretive paradigm, which assumes that the researcher's understanding of the phenomenon being studied is constructed through interaction with the participants and the researcher's own perspective. The study aimed to understand the strategies put in place by the Nigerian government to protect children's rights, the accessibility of child welfare services, and if welfare decisions are based on the best interest of the child. The data analysis in this study was conducted using the Interpretative Phenomenological Analysis (IPA) method, which enables the researcher to organize data into categories and identify themes or patterns that emerge during data collection. IPA is chosen as appropriate for this study because it makes use of case study-based research and aims to make sense of individual lived experiences. The data analysis process followed a sequence of distinct steps to ensure the reliability of the data based on participant's recall.

The research adhered to ethical guidelines and obtained initial ethical permission from the University of Hull Research Ethics Committee. Information about the research was provided to the research participants and social welfare professionals, and consent was obtained through a consent form which explained the research, its risks and benefits, and participant rights. Participants had the opportunity to decline or withdraw from the study at any stage with no consequences. Data was collected and stored in a secure server at the University of Hull, and where safeguarding issues arose, the researcher followed Imo State Safeguarding procedures.

In addition, the researcher also reflected on her own potential biases and influences on the research process through reflexivity. It was acknowledged that the majority of participants were recruited through the Imo State Welfare Department, and that some participants may have felt compelled to participate because of their relationship to the researcher. The researcher also noted that the original plan to include children in the study was not possible, and that this may have impacted the overall findings of the research. Overall, the researcher took steps to ensure ethical considerations were met throughout the research process, including obtaining consent, protecting participant confidentiality, and addressing any potential biases. Interpretation to the findings of the analysis is reported in the following chapters 5, 6, and 7.

Interpretation of Parents' Lived Experience of Implementation of Child Rights Act 2003

5.1. Introduction

This chapter presents an analysis of participants' accounts of their experience of child welfare services in Nigeria. For clarity, it demands restating that different category of participants, which includes parents, welfare workers and welfare policy makers, were selected for participation in the interview sessions that produced the data. These participants were selected through a purposive sampling method. The present analysis focuses on accounts given by parents of children assessing welfare services in Owerri, Nigeria.

Three parents were interviewed in three different sessions that lasted for about an hour each. Participants' gender composition is two males and one female. These are represented as Parent One, Parent Two and Parent Three. A review of the background of each of the participants while still retaining their anonymity is important for the reader to gain some insight and make greater meaning of the interview responses recorded for analysis.

5.2. Background of Respondents

Parent One

Parent One is a father of two children, a boy and a girl. The children are believed to be very young, with the girl being probably above six years of age while the boy is below as he is yet to be enrolled in a school. In a number of Nigerian families that are experiencing economic vulnerability, school enrolment for kids are usually delayed until the children are five years old before they can be admitted into primary school. The National Education Policy (FGN, 2012) has given recognition to early childhood education, which covers the years between year 3 and 5. This aspect of the family profile cannot be succinctly accounted for because Parent One declined discussing his family situation, even after given assurance of the anonymity of his responses. This may not totally be strange, as some people strongly believe in the maxim of 'not washing their dirty linen in public'. He requested that the interview be progressed straight to the discussions on child welfare subject. It could also be guessed from physical appearance that he might be in his forties. He is

most likely to be a trader with secondary school-level education. He appears to still be struggling with his finances going by the apparent difficulty in getting an accommodation for his family. During interviewing, he had at some point revealed that:

"Once I get a place I will go and get my family back...... that is why I told you the only thing holding my case is a house"

Most families are challenged by two expenses in Nigeria: school fees and house rent. These are known to put most parents under a lot of pressure. House rents in Nigeria are paid yearly in the face of an undeveloped mortgage system. House ownership is usually personally financed. Those who live in their villages mostly live in family houses inherited from the family lineage, where they are not able to finance building construction to accommodate the nuclear family. Those who move out of their village to either the state capital or different cities in other states for economic reasons usually resort to renting until they are able to fund a family house. According to the United Nations statistics as reported by Vanguard Newspaper (October, 2021) Nigeria is said to have a housing deficit of about 22 million housing units. Although this has been refuted by the current Minister of Housing, Babatunde Fashola on the ground that the figure followed a report that was issued in 2012. He in addition argued that no such deficit exists anywhere in the world. This claim may well be political, since there has been an observed pattern of data censorship that led to the sacking of the former Director General of the Nigerian Board of Statistics (NBS).

Parent One was separated from his wife and this has been his family situation since that past one year prior to the interview session. According to him, the problem he had with one of his wife's relations is the cause of conflict. And for the duration of their time of separation, his wife had been with their children. His wife had gone to make a report at the welfare office a month after he took his children home without her consent. This resulted in the welfare officials using the police to arrest him and welfare intervention was thereafter initiated. It is important to point out that getting the police involved in a matter that is deemed to be family in nature is scoffed at in Nigeria. An approach for resolution of family issues favoured by a typical Nigerian couple is the family mediation (by elders in the family). Getting the police involved is tantamount to leaving a distasteful memory of a disagreement that lingers much longer after the matter had been resolved. The police also understand this and would, in most occasions, suggest that a complainant seeks family resolution first.

During the interview, Parent One would refer to the welfare official as 'mummy'. This might indicate that the official is elderly. In Nigeria, it is common for an elderly person or someone with a position of authority to be addressed as Mummy, Papa, Sir, Madam, Aunty or Sister as a sign of respect. It may seem that Parent One does not actually want to go the whole hog of seeking a dissolution of his marriage through divorce proceedings. Nigerian Catholics usually hardly go this route. According to him, he is a Catholic and married his wife in a Catholic church. It is known that Catholics require a papal approval to annul any marriage and it must be on grounds of impeachable allegations of adultery. To surmise from a general understanding of his statement, it can be concluded that he desired to reconcile with his wife and have his children back home. They have been staying with his wife's parents since their separation.

Parent Two

Parent Two is lady in her forties. She is separated from her husband and now lives with her parents with her mother providing support. She used to work, but from her account, her husband asked her to stop after they got married. She has two young children and has been struggling with their up keep. According to the participant, it was not until her ex-husband filed a case for child custody and access to the children at the Imo state welfare office that it was decided that he will have to be given access to his children, the Welfare department also decided that he should be providing financial support for the children.

During the interview with the participant, the nature of marital issue between the couple was not disclosed neither were moves for reconciliation mentioned. The lady also gave indication that she was educated up to secondary school level and was not employed at the time of the interview session.

Parent Three

Parent Three is a father of four children, two adults, one teenager and a tewlve-years-old. During the interview with the participant, he claimed his wife had the intention to kill him after paying her fees through the university. He also mentioned having a child that lives abroad who is probably from an earlier marriage. He said his second son from his current, but now estranged wife is twelve years old. He is separated from his wife.

His wife is from Kogi state, a different ethnic group in Nigeria whilst the participant is from Imo State. According to the participant, his wife filed for welfare intervention in her state of origin (Kogi State Nigeria). In Nigeria, inter-ethnic marital relationships are unlikely to go without tension that needs to be managed by the parties involved, both the couple and their relations. This is mostly due to mutual suspicions among ethnic groups in Nigeria in which every ethnic group holds a form of stereotype, mostly negative about other ethnic groups. Marital consecrations hardly make those stereotypical beliefs go away, but they hold a tendency to unwittingly determine perceptions and explanations about events around the relationships between husband and wife, to a lesser degree and between in-laws, to a greater degree. Therefore, when Parent Three made a report at Owerri welfare office, his state capital, his wife being from Kogi State went and instituted a counter report at the welfare office in her state capital, Lokoja. For some reason the Lokoja Welfare office following consultation with the Imo state Welfare Department, Owerri decided to deal with the case file.

Judging from accounts of Parent Three, one of the factors that may have generated disagreement in the relationship is the different educational level between them, the participant from his account believed that his wife was no longer interested in the relationship following her graduation from the college. The Parent Three also disclosed that following the loss of his family home by fire and loss of his business, his relationship with his wife became more strained. From the participant's account, he is a school dropout who at some point became successful in trading – a vocation that is usually an alternative to pursuing a college degree in the South East of Nigeria. Non educated Igbo young men usually take to this vocation to become successful businessmen due to the culture of private business mentorship practiced by the ethnic group. Parent Three believes that Lokoja Welfare Department was partial in their decision and wants Imo State Welfare Department to review the case. The perception that judgement will be in his favour if it is handled in his home state cannot be ruled out.

5.3. Development of Themes

Responses from the three parents (Parent One, Parent Two and Parent Three) have been subjected to the process of theme development following the methods suggested by Smith et al (2009). The process for the current study involved the use of a priori themes, with which the emergent themes from participants' responses were validated and eventually converted to superordinate themes. These were subjected to insightful interpretations based around the study research questions. The interpretations that follow from the themes drew justification from the advice by Smith et al, (2009) that a good IPA must strike a balance between the phenomenological descriptions with interpretations that are insightful. Table 1 and table 2 have been presented to aid in bringing clarity to the flow from a priori to emergent themes and from emergent themes to superordinate themes. Table 1 shows how a priori themes relate with emergent themes while table 2 shows the outcome of step 4 on how emergent themes were transformed into superordinate themes. Interpretations for the emergence of the initial and a priori themes have been guided by the study research questions given as follows:

- 1. What strategies have the Nigerian government put in place to protect children's rights?
- 2. Are the Nigerian child welfare services accessible to children in need?
- 3. Are the Nigerian child welfare decisions based on the best interest of the child?

5.3.1. A Priori Theme

For the purpose of clarity, the two a priori themes are listed below:

Referrals a priori theme: This theme purports to encapsulate the whole process around enlisting the services of the children's welfare agency in Nigeria. The child welfare agency in this instance refers to the agency that provides child protection investigation, family-centered services and supports, foster care, and adoption. This is an aspect of the child welfare system that generally refers to programs, social assistance, welfare benefits, and ways of intervention in a child's best interest by government or other stakeholders in a country that is regulated by that country's set of laws and/or social policies (Akintayo, 2021). By the provisions of the CRA 2003, the agencies are expected to have feedforward loop that enables a proactive intervention for children during family crisis or occurrence of abuses. The school mostly should be an important source of information as any change in the wellbeing of the child should easily be noticed by the teachers. The general

public, through enlightenment campaign should also be made to understand the role of all members of the society for protecting the wellbeing of the child and should be prompt in passing information to the agency for early intervention. It is expected of the society to seek intervention by these agencies to protect the rights of children in potentially child rights challenging situations or as a reaction to restore the right of the child after there has been a denial. Therefore, referral mechanism is thought to be a very important aspect of the structures and strategies for protecting children's rights.

For example, during family crisis, if the children are moved by one of the parents to another city and another school, the school from which they are moving should raise inquiry about their withdrawal while the new school should, as a matter of statutory responsibility make a demand to know why they are transferring to another school. This must be reported to the nearest welfare office by the schools for the social workers within the welfare offices to do a follow up on the welfare of the children. This is just one of the means through which protection should be proactive rather than reactive.

Experience of becoming a welfare client: This theme captures the incorporation of CRA 2003 law into the services of the welfare agencies. The specifics of the child rights act provide the guide that directs welfare intervention for children in need. This is expected to mark the difference between the time prior to the passage of the CRA 2003 and the current regime of right based child protection system. A major instance of the child right law is the demand that the best interest of the child should be paramount in all decisions concerning the child. This experience which should enhance the wellbeing of the child can be felt by a child's care provider (parents or guardian) who has taken the responsibility to make representation at the welfare office on a child's behalf. With the concept of best interest generally recognised as the guiding principle for all actions taken on the child's behalf, the wellbeing of the child should actually be the criterion on which all actions that claim to be in the best interest of the child is measured. Whether social welfare actions meet this criterion or not should be felt by anyone acting on the child's behalf. Experiential account of the adult representative of the child should be a valid indicator of how much welfare services reflects the content of the CRA 2003.

5.3.2. Emergent Themes

Six emergent themes were the first to emerge following the analysis procedure adapted from Smith et al (2009). As reported in Chapter Four, steps 1 and 2 of the procedure that involved reading and rereading of participant's accounts of their experience of child welfare services and the initial noting resulted in the emergence of these initial themes. The six emergent themes are:

- 1. Satisfaction with welfare services
- 2. Accessibility of welfare services
- 3. Child protection
- 4. Support for children and families
- 5. Knowledge of child rights act
- 6. Knowledge of welfare services

The two a priori themes were used as guide for validation of the emergent themes. The relationship between the a priori themes and the emergent themes are shown in Table 5.1. From the table, it can be seen that the referral a priori theme was expanded to produce *accessibility of welfare services* and *knowledge of welfare service*. The remaining four emergent themes, which includes *satisfaction with welfare service*, *support for children and families*, *knowledge of the Child Rights Act* and *child protection* aligned with the a priori theme of *experience of becoming a welfare client*.

A priori themes	Emergent themes
Referrals	Accessibility of welfare intervention
	Knowledge of welfare services
Experience of becoming a welfare client	Child protection
	Support for family and children
	Knowledge of child rights act
	Satisfaction with welfare service

Table 5.1 showing a priori and emergent themes

5.3.3. Superordinate Themes

Continuing with data analysis procedure in step 4, which was labelled *searching for connection across themes* saw the six emergent themes collapse into the two superordinate themes. The two superordinate themes are listed below:

- 1. Objective of welfare services awareness
- 2. Involvement of welfare service providers

The links are shown in Table 5.2. As listed above, the first is objective of welfare services awareness which reflects a commonality for accessibility of welfare intervention, knowledge of Child Right Act and knowledge of welfare services. The second superordinate theme, involvement of welfare service providers came about is a reflection of the pattern identified across three remaining emergent themes: satisfaction with welfare services, intervention to instances of child abuse and support for children and families.

Emergent Themes	Super-Emergent Themes
Accessibility of welfare intervention	Needs for welfare services
Knowledge of child rights act	
Knowledge of welfare services	
Intervention for instances of child abuse	Involvement of welfare service providers
Support for family and children	
Satisfaction with welfare service	

Table 5.2 showing emergent and superordinate themes

5.4. Interpretation of the Themes

5.4.1. A Priori Themes

Referral a Priori Themes

The referral a priori theme, which covers subjects that are based around deepening of the experience of child welfare systems and services among Nigerian families was discovered to align with the emergent themes of accessibility of welfare services and knowledge of welfare service. Child welfare within the context of this thesis ranged from education, health care, food security to all services that are focused on ensuring that the rights of children as contained in the CRA 2003 are protected, including the availability of child relevant judicial system.

With a review of interview transcripts, there is an indication that while Parents Two and Three initiated welfare intervention, it was the husband to Parent Two that filed a report to welfare office before she was invited. However, it could be noticed that initiation of welfare intervention was important to them. While Parent Three made allegations that the decision turned against him after his wife filed the case with a different welfare office from where he initially lodged his complaint, Parent One was happy that he was getting the right kind of attention hoped for from the welfare office he went to. Parent Two equally was satisfied with the support she received from the welfare because her estranged husband, who initiated welfare intervention with hope that decisions might be in his favour, agreed to provide financial support for the up keep of their children. Although

when the parents approach welfare offices for intervention, it is mainly for either custody or access to children after separation. As earlier pointed out, these mainly happen as a reactive measure when parents consider the need for welfare intervention. None of the parents mentioned a random visit from the social welfare office even after a long period of strife as in the case of Parent Three. This suggest a non-vibrant system that only acts when cases are brought to it by the affected parties. This is contrary to the modus of protection promised by the CRA 2003, which would have been expected to be proactive and vibrant. With a child welfare system that merely manages case that are reported to it by involved parties, it is most likely that a great deal of unreported cases go on without being noticed, leading to reports of high incidences of child abuse in Nigeria.

When we look at the example of the necessity for mediation in a marital conflict to protect the interests of children, we see that the welfare offices appear to usurp the job of the family court, which has the statutory mandate to judge in child custody cases. Part XIII of the CRA (parts 149-162) mandates the creation of a Family Court for the purpose of hearing and deciding child-related disputes. Each state of the Federation, as well as the Federal Capital Territory, will have its own court system. All cases involving the existence of a legal right, power, duty, liability, privilege, interest, obligation, or claim in relation of a child, as well as any criminal procedures involving children, are heard in family courts. The Family Courts are required by law to hear and decide any matters involving children. This encompasses both civil and criminal proceedings, as well as proceedings for both children's crimes and crimes against children (section 151). "No other court shall exercise jurisdiction in any matter relating to children," according to section 161(1).

It is strange that all participants accepted welfare decisions as binding without necessarily questioning its legality. This may indicate a knowledge level of the authority of the welfare office or a deliberate act of resignation due to a desire not to push further. It can be deduced that none of the parties wanted to push their marital issues beyond estrangement, with hope that reconciliation would happen at some point. So, the question of going to a family court to push for divorce was not contemplated. This might explain why decisions of the welfare office is accepted as legitimate even though not necessarily legal. Again, the popularity of family courts might be another factor to explore. It was reported that in 2017, only four states out of 36 had established family courts (Vanguard, 2017). Although interview questions have targeted child protection related services during family disputes, family courts are also needed when children are in conflict with the law.

Limited access to social welfare with regards to children however spreads beyond access to appropriate justice system but to a range of deprivations among Nigerian children. Popoola and Adeoti (2016) argued that Nigerian children are facing multidimensional deprivation on a large scale. By deprivation, they meant lack of the types of diet, clothing, housing, household facilities, and fuel and environmental, educational, working, and social conditions, activities, and facilities which are customary.

Accessibility of welfare services: looking are these issues from the angle of the emergent themes, participants did not reveal any difficulty in accessing welfare services. Although Parent Two reports that it was her husband who initiated welfare intervention, while Parents One and Three actually took their matter to welfare office. And when this happens, the issue at the core is the rights and privileges of the parents during separation, especially when the complaint is from the men. It may seem that on a majority of the occasions, the woman naturally takes the kids during separation while the man struggles for access.

Interviewer: Thank you very much. Can you tell me again briefly about what brought you to the child welfare... I know you were saying something about it before we turned on the record but....

Parent One:..... the next I saw is they came to embarrass me, saying that the Welfare people sent them to arrest me with the police; from police station, I bailed myself. By using the police, they got more access to my kids and that's how I found myself in the welfare office.

Although issues raised with welfare authority may border on the rights of the children, it mostly seems they appear to be so when it is in line with the immediate demands of the parent. For example, Parent Two complained about her estranged husband not meeting his responsibilities of children's upkeep and school fees. The motive one can make out from the attitude is mostly that of an attempt to get even with the partner. For example, Parent One complained that his estranged wife, in whose custody the children are placed, ignores the minutest demand of the kids, but waits for him to attend to it, despite that she works and earns salary. Where genuine need exists, the demand for welfare to compel a partner to take responsibility may seem to mean much more to the complainant than the mere need to provide for the children.

Knowledge of welfare services: Each parent interviewed reported to be familiar with welfare authority prior to their marital dispute. But they know them to be concerned about resolution of marital disputes for husband and wife as against child right protection

Interviewer: Please can you tell me what led you to coming to the Welfare office and how did you know about them?

Parent Two: I have known them right from time. Like if you have a problem between you and your husband or something you should run to them, they can be of help to you. To make sure that the children are ok by settling the case, say for instance you want to divorce your husband, they make sure that your children have good health and that they are well taken care of. So, I knew them right from time even when I was in school, I do hear about welfare

This misconception of the actual responsibilities and roles of the welfare authority may have hampered expectations and the issues taken to them for resolution. For example, narrow understanding or outright misconception of the roles and responsibilities of the welfare office will affect child protection cases that are likely to be reported to them. With the belief that welfare office is solely for intervention during marital challenges. It may be inferred that events of child rights violations are unlikely to be reported to the welfare office if the belief is that it is outside its mandate. Limited awareness of the roles and responsibilities of the welfare authority among the public can also preclude the children from approaching them in times of rights violation.

Experience of becoming a welfare client: This is the second priori theme developed inductively from the researcher's knowledge of the concept of social welfare interventions and child right protections systems. Aligning with this theme are three emergent themes: satisfaction with welfare service, intervention for instances of child abuse, and support for children and families. These three themes capture the general experience and outcomes of welfare services and how those who come in contact with the service will describe their experience. The large part of meaning arising from participants interview responses are addressed under the emergent themes that follow.

Satisfaction with Welfare Services: Parents reported to be satisfied with welfare decisions when they are in their favour. Parent Two whose husband dragged her to welfare office was so elated when her estranged husband was mandated to pay a certain amount for children's upkeep on monthly basis

Parent Two: they tried, they did try for me, their tests are ok, everything is ok, I really thank God for them.

Parent Three however felt very dissatisfied with welfare authority where the outcome was not as he had expected. It would also be noticed that his objective for approaching welfare office was to enforce his own right of access to his children even when his relationship with the children seemed abusive. For example, he had earlier reported when he had to beat the child up for bad behaviour. In this instance, one may assume the welfare authority may have acted in the best interest of the children by not awarding him custody. It is curious that he accepted this decision as binding. One would have expected that he will proceed to family court to challenge the decision by the welfare department to grant the custody of the children to his wife. This pattern played out in participants' reaction to welfare officers' decisions and will be explained in further details subsequently.

Support for children and families: The welfare office has been seen to be prompt in demanding support for the children from their fathers. It has also been agreed to be legitimate in some instances where there is a bargain for greater access to the children by the father

Parent One: One of the reasons I took the children is for her to come back, I did not chase her away neither did I tell her I don't want to marry her again. I have thought about this over and over again and made up my mind..... I went there and took my son knowing that by so doing my daughter can easily follow me. I took my daughter to go and make her hair in the presence of my wife.... She did not want to come with me initially but whilst I took her to a salon my wife called me inquiring where I took the child to. I started wandering if it now means I cannot take my children out anymore. The person that made this thing to be a bit light is "Mummy" (social worker) when she interviewed me, she asked me if I want to continue with the marriage... I told her I have to. She also interviewed my wife and she said the same thing before she now gave them ruling and that ruling then she told me ... keep on providing for the kids what I have been providing for them, I have been doing that. That my child goes to school and come back is me. Since my child started school, my wife has never taken her to or brought her back from school. So, itis my duty to pay their fees and to bring them back. By September now my son will start school, it is my duty to take him to school and bring him back.

It however stands to be ascertained what procedure was followed in arriving at how much the man is expected to contribute for the children's upkeep. It may seem that none of these parents holds a regular job with stable income. Thus, financial difficulty seems to be at the root of their marital problems. Parent One had mentioned having debt challenges that created some problems for them:

"I know I got into debts

And, making reference to his wife, he had reported:

"If you had been helping your husband out, he wouldn't have been in all these debts that resulted to these embarrassments; all these debts are as a result of you not helping out and he trying to help out the family ... Since you are working, can't you help your husband to bail all these debts?"

He is also struggling to raise money to rent accommodation to bring back his wife and children home to live with him. The wife and his children have been living with her parents since they got estranged. This is normal in Nigerian culture where it is hoped reconciliation can be negotiated. In most situations, the welfare office may not be involved but the man is expected to formally return with his kinsmen to negotiate for reconciliation with his in-laws after getting his wife's consent. Parent Three also made a note of the fact that he needed help with his finances, however the Welfare department was not able to provide him with the support.

It may seem the welfare office was not able to support the families with financial concerns. It was also noticeable that some of the welfare offices themselves are struggling with funding and may not have been adequately funded to undertake some statutory interventions of the financial nature, like providing a home for the family to protect the child as stipulated by the CRA 2003 The Act equally puts the responsibility of the provision 9 years of free and qualitative education for the child on the government. The following are the guiding principles of the Universal Basic Education Act. In Section 2 (1 to 4) of this Act: 1. Every government in Nigeria shall provide Free Compulsory and Universal Basic education for very child of primary and junior secondary school age. In view of this, the man's responsibility is to make certain that the child is brought to school to be educated.

It also needs to be mentioned that prescribed support has mostly been instrumental. The Child's Right Act 2003 listed a number of rights which marriage dissolution can put at risk. Experiential

accounts of welfare intervention from interviewed parents hardly touched any concern for these other aspects of the child rights. For example

Interviewer: Apart from helping you in your case and ensuring that your husband provides feeding money for your children, did the welfare offer any other support?

Parent Two: No, there no other support

As much as it may be possible that the children are not lacking in any other aspect of their rights, having a narrow view of the authority of the welfare office and then the rights of the children can contribute to such response.

What really plays out is a situation where the formal welfare system functions alongside the traditional mechanisms for handling family crisis. Indeed, the traditional systems are given preference especially in less urbanised settings where the two families are within easy reach. Where the woman's family do not feel challenged with upkeep of the children, the man most times is ignored. In fact, the woman's family prefers to ignore her husband as a way of proving to him that the woman will not lack support outside his house.

Again, there is another angle that underscores the socioeconomic environment of child right protection where the laws as contained in the acts seems a little unrealistic. The economic reality in Nigeria does seem to be unsupportive of effective administration and implementation of the Child Rights Act 2003. The financial and knowledge demands appear to be overwhelming, which makes imperative that the traditions systems quickly come in the gap as an alternative people quickly resort to. The truth is the welfare system is not as popular as the traditional system, which really has processes that are in alignment with the people's ingrained beliefs about how family matters should be resolved.

Knowledge of child rights act: All the parents gave their understanding of what the rights of children are. Responses however indicate a very traditional understanding of child rights before it was expanded by the 2003 Act.

Researcher: If you don't mind please can you tell me more about what you believe are your children's rights?

Parent Three: My children's right is; 1) you for example, why you are doing this is so as to get money to feed your children. Secondly, you can't climb a palm tree empty handed, it's not possible. My children's right, who is catering for feeding, school fees, house rent, clothes? A woman that has nothing doing, she just graduated 2 years ago relying totally on me. My children love me but she is the one putting obstruction between me and my children and if they want to call me, she will ask them not to.

It was not mentioned anywhere that the children were consulted as right bearers whose best interest was foremost in any decision being made by welfare. The attitude of the parents was that of those who knew what is right for the children without asking them. It was only Parent Three that reported that his children were asked whom they preferred to stay with. But also reported they chose their mum out fear of being beaten by their mother.

Researcher: Did the social workers from the welfare speak to your children separately to know how they feel about this situation.

Parent Three: The social workers ask them who they want to stay with, and they said they want to stay with their mother. I know they said this because they are afraid they will be beaten

Child protection: As pointed out earlier, the gamut of rights covered by the act makes it narrow for attention to be focused only on instrumental support like children's upkeep. The issue of protection from abuse features prominently and a major crux of the child right implementation focus. It appears that welfare intervention also did not pay due attention to this.

Parent Three: So as I was preparing to go to my shop, those children came back again calling my name and saying 'its not like before when I use to beat him', I ran after them and in the process we both stepped on a broken glass and it pierced both my feet and his.

This a report from Parent Three of an event that transpired during an encounter with one of his sons. There didn't appear to be a follow-up on this since he did not report any questioning by the welfare office. Same way there was no follow up on the man's claim that he was beaten up by his wife's relations and his children. And in all the reports by other participants, nothing was mentioned about abuse.

5.4.2. Super-emergent Themes

Need for welfare services

The emergent themes accessibility to welfare intervention, knowledge of child rights act, and knowledge of welfare services were collapsed into a super-emergent them. Awareness of this objective can be inquired both from welfare service users and providers. It goes without saying that an awareness of the objective of welfare service goes a long way to meeting cardinal focus of the child rights act 2003. Although welfare services providers have not been reported in this section, the reports of the service users can infer how they have handled the service.

Judging from the fact that each participant reported to have initiated welfare intervention out of their own volition tells a lot about the awareness of the objective of welfare service authority. Ordinarily, the welfare office should have a mechanism that should lead them to where children are at risk of exposure to rights violation vulnerability.

Again, it warrants mentioning that all three participants reported to have prior knowledge of welfare services. However, their understanding of welfare intervention points to resolution of marital disputes. The aspect that caters to children's rights mainly has to do with enforcement of maintenance payment and contact arrangement. Same applies to their account of what child right entailed. Children as right bearers did not particularly feature in the participants' accounts of their welfare motives and awareness.

Involvement of welfare service providers

Intervention for instances of child abuse, Support for family and children, and Satisfaction with welfare service all tailed into the super-emergent theme of involvement of welfare services providers. One will be circumspect in vouching for the expertise of the welfare services providers based on the experiential accounts of participants. A number of researchers have reported lack of adequate training within the sector. This adds to the fact that social work is yet to be recognised as a professional field in Nigeria. Parent One and Two, nonetheless gave tacit acknowledgement of the quality of intervention they received. It may seem going by reports that what they are satisfied with was based on a narrow understanding of service quality that is possible with child welfare offices. Tables 5.1 and 5.2 show an outline of the themes and how they emerged.

This conclusion may however be narrow considering that the participants that requested intervention by the welfare system reported to be satisfied with welfare service. Although what was offered can be said to detracted from what may have been prescribed by the Child Right Act 2003, it may seem that there is a disconnect between what may be appealing to the people, judging from the fact that expectations can be culture-mediated. Children as right bearers seem to be a new ideology that came with adaptation of the United Nations Child Rights Convention. What seems to be happening with the child welfare system is a further domestication of the CRA based on the experience of the local welfare officers experience of traditional modes of settling family conflicts.

As was earlier pointed out, a woman moves out of her matrimonial home and moves in with her parents with her children when the situation permits. This mainly considers the age of the children. It is hoped that mediation and reconciliation can be initiated between the two families. Marital conflicts of this nature may not necessarily end up attracting intervention of the welfare system. Sometimes, the husband may not be permitted to visit alone. As a grown adult man, he must understand the processes involved in getting his wife and children back to his house. This assumes the patrilineal mode of habitation and the language here underscores the dominant masculine orientation of the Nigerian society.

Where the problem becomes intractable and the man does not feel like getting the woman back immediately, but he wants to have access to his children, recourse is still made to using traditional means for resolution. The social welfare system is only activated as the last resort. With growing economic challenges that puts families in dire straits it is more the case now that the woman might initiate mechanisms that will get the man to take care of the financial needs of the children while the woman provides minding. Welfare intervention can then be initiated where the man is still denied access to the children or where he fails to provide upkeep as has been demanded by the woman. But still, nobody is considering going to court for divorce yet.

It is not uncommon for couples to separate for up to 10 or 20 years and reconcile afterwards. Because most marital issues are left at the level of separation. The children might grow up in their maternal home and relocate when they become of age. It may seem that a major barrier to the effective implementation of the Child Rights Act 2003 as has been identified is the ingrained beliefs and normative expectations of Nigerian. Thus, it is not enough for the state governments

through the state House of Assembly to domesticate the Act as has been the case in 27 of 36 of the federation.

5.5. Conclusion

This chapter showed in detail the processes involved in analysing the interview data. It employed a creative approach by combining techniques used or proposed by different authors and different methods across situations. It also revisited explanations offered in the earlier chapters to keep the reader from flipping back to previous chapters. As observed by Smith et al (2009), it revealed that IPA clearly has no definite, hard and fast rule as technique for qualitative data analysis.

With respect to conclusion arising from the above analysis and meaning interpretation, it may seem that there is a disconnect with the norm of the child as a right holder. Discussions of welfare intervention mainly centered around marital issues and demands of the parents. It does seem that these parents as the duty bearers are ignorant of the position of the children as right holders and that the whole essence of the welfare intervention is to protect that right. The right of participation of child in decisions concerning them was totally ignored, akin to what is usually reported about the conflict of traditional norms of child rearing practices with the international norms of the CRA.

When the processes of welfare involvement is evaluated against the model of compliance system discussed in chapter three, a lot gaps can be noticed in the three components. Ultimately, a lot of work still needs to be done for the child right norm of the CRA to be accepted in Nigerian society.

Analysis of Social Welfare Professional's Account of Implementation of Child Rights Act 2003

6.1. Introduction

This chapter presents an interpretation of the study interview transcripts. Four themes under which experience of social welfare interventions of the participating social work professionals coalesced identified included: poverty in families/communities, family support, child abuse/protection, and children in care. Like all enquiries into how a legislative policy is implemented, an experiential account of the frontline professionals as important stakeholders has been given prominence in this chapter. It is believed that its potential to reveal credible information might be comparable only to the accounts of the population category who are targeted by the policy intervention, which was presented in the previous chapter. Such analysis is rooted in a robust study tradition that has overtime, developed several frameworks with different foci (e.g., Berman, 1978; Sabatier and Mazmanian, 1980; etc). Interpretation of meaning as distilled from the transcripts has been guided by suggestions from extant literature.

6.2. Poverty in families/communities.

One of the major targets of rights-based conceptualisation of child protection is child poverty. This owes to the myriad consequences associated with the state of deprivation on a child's social and emotional development. In Nigeria, it is believed that nearly 83 million people are living in poverty (The Borg Project, 2021). The calculation is that with half the country's population comprising of people under the age of fifteen, poverty in Nigeria disproportionately affects children. Consequently, nearly every aspect of child development including education, nutrition, safety and hygiene has been disturbed. With the recognition for how threatening poverty could be to the children and their family (Jones et al, 2012), the Child Rights Act 2003 (CRA 2003) was used as a right-based legal instrument through which the State government is mandated to take responsibility for protection of the child against poverty and other childhood vulnerabilities.

With the rectification and adoption of the CRA in 26 states, it is expected that its content would be implemented to protect Nigerian children from childhood vulnerabilities. For example, in part 2 the need to protect certain outlined rights of the child is deemed to be a legal requirement for child protection. In section 13 for example, it is legislated as follows: (1) Every child is entitled to enjoy the best attainable state of physical, mental and spiritual health. (2) Every Government, parent, guardian, institution, service, agency, organisation or body responsible for the care of a child shall endeavour to provide for the child the best attainable state of health. (3) Every Government in Nigeria shall: (a) endeavour to reduce infant and child mortality rate; (b) ensure the provision of necessary medical assistance and health care services to all children with emphasis on the development of primary health care; ensure the provision of adequate nutrition and safe drinking water; and (d) ensure the provision of good hygiene and environmental sanitation. Subsection 3 continues: (e) combat disease and malnutrition within the framework of primary health care through the application of appropriate technology; (f) ensure appropriate health care for expectant and nursing mothers; and (g) support, through technical and financial means, the mobilisation of national and local community resources in the development of primary health care for children.

In the seventh schedule, section 1 (1) for example, also demands that every State Government shall take reasonable steps to identify the extent to which there are children in need within their area. Adding to this is section 15 (1) of the CRA, which states that "every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education". These provisions of the act are expected to mitigate the conditions exposing the child to economic vulnerability if implemented. This however may not have been the case as revealed in the interview responses of the participants. When one of the participants was asked if poverty plays a role in social welfare cases they handle? The response was as follows:

Director B: Poverty plays a major role because, you can see that most of them have financial issues. There was a particular man that came here, no, the lady came here first. She was pregnant, she was complaining that the husband is always beating her up and smoking. I asked her why would you still stay with a man that is beating you up? She said that after beating her up he pampers her.

Following this, I invited the man.... Then I asked her privately, do you still want to (marry him)? She said yes, 'just that he beats her up but shortly afterwards he apologises'. So, I called the man to find out why he is always beating her up. The man said he doesn't have anything doing, he is frustrated, and that he loves her. I told him that I heard about his weed smoking and if it was true. He said 'yes, madam I need to take something to feel a bit....' That he feels unwanted, he feels dead, he doesn't feel happy with life.... you know? So, that he was one of the people that had a shop at that place where they sell vehicle spare parts and when the shops were demolished by the government, he wasn't able to bring out anything from the shop, most of his things (goods) were stolen and he has nothing doing now. Issues like this are so much more challenging. Proffering a solution could be difficult, you don't know how or who to connect him to for a job. Because it is most likely that if he was busy with a job there would be a lot less tension at home. As confirmed by his wife, when he was gainfully employed, he was financially responsible for the home and they were a bit more peaceful. The beating wasn't much, but it got aggravated because of this (unemployment).

In this case, we counselled them and connected them with a Motherless Babies' Home that is now helping them financially and with food items for basic up keep. But, presently as we speak today, they are not living together and the kids are suffering. The wife couldn't take it again, she had to run away. She abandoned the children in the motherless babies' home and ran away. Although 'she was still arrested' (in Nigerian, children are the responsibility of their parents especially the mother, there are no family support by the government for struggling families) and brought back to take the children and so on.

Director B's response points at the critical gaps in efficient implementation of the act, which should guide management of social welfare cases in Nigeria. First, it acknowledged explicitly that poverty is playing a major role in the causal antecedent of the issues that social welfare offices had to attend. When such cases as referred arise, there is no resource provision for assistance. This is in contravention of the legally acclaimed rights of the child and responsibility of the state government to enforce them.

The statutory responsibility placed on the state government to protect the children through social assistance to vulnerable families makes assumption of viability of the fiscal space for such interventions. This should, indeed be rightly assumed considering that Nigeria has the potentials

to earn enough revenue for its social obligations. According to Hagen-Zanker and Tavakoli (2012), Nigeria experienced robust, high levels of economic growth between 2005 and 2012. Growth rates remained strong over the economic crisis, and this was attributed, in part to the buffer provided by Nigeria's large level of international reserves as well as its low debt (IMF, 2010). According to the report, the growth trajectory looked set to continue over the following four to five years, with projected growth remaining at 6-7%, albeit slowing down slightly at the end of the period. This projection however proved to be in error due to the largely unexpected slump in oil price.

While the economy experienced a boom, human development index however was slowing. It was reported that inequality and poverty increased as the growing prosperity benefitted only the elite, making them even richer while the poor were further impoverished. Hagen-Zanker and McCord (2011) report that social protection and social assistance as a proportion of government spending was on a downward trend between 2007 and 2009. This mirrored the downward trend for social expenditure more generally between 2005 and 2010. Total social protection equalled less than 1% of GDP in 2009 and is much lower than the 3.9% of GDP estimated by ILO for the provision of a basic social protection package. Today Nigeria has earned the unenviable rating as the poverty capital of the world. It is therefore important to reflect deeper on the type of poverty that Nigerians may face.

Taking a cue from the client mentioned in the interview response narrative who had his business premises destroyed by the government of Imo State, a pattern of ideological disregard for citizens welfare might be suggested. From personal experience, Governments in Nigeria, both state and federal sometimes embark on urban renewal projects. In the process, properties that are deemed to have been developed without approval by building regulatory authority are destroyed, most times without notice to the occupants. Business and private residences are usually involved leading to destruction of not only properties but livelihoods, and most times without compensation. The owners are rendered homeless and jobless, without any intervention programme to fall back on. Adekola et al (2018) reviewed some selected urban renewal projects in Nigeria and their effects on local residents. They report that urban renewal in Nigeria most times brings more harm than good to the local residents in the frst few months after its execution due to the consequence of mass demolition.

It may be possible that what the man was battling with was a realisation that his savings had been depleted with his source of income, altogether destroyed in an economy where job creation has remained a daunting task for the government. It will be however helpful not to lose sight of the fact that such government actions target people of low power status. It might take an individual with contacts around government circles to avert that destruction, or better still, attract compensation from government should they go ahead with the destruction. Coming to terms with being at the mercy of arbitrary use of political power due to his low power status can equally be frustrating.

When your source of income is destroyed by government and you are the sole income earner for the family, automatically every member of the family has fallen into economic vulnerability, including the children. To stretch this further, it may the case that his children are enrolled in a private school. On a scale of preference, parents with stable income choose not to enroll their children in public schools. Although private schools are more expensive, it is a known fact that the public school system is faced with neglect that has led to serious decay in all of its aspects – from physical infrastructure to staffing. A sudden cessation in the family income can lead to withdrawal of children from school. This is just to mention a few of the myriad social obligations that are tied to one income source without much of social assistance from the government. It should be recalled that section 15 of the act explicitly stated that the child, as of right, shall have access to compulsory, free and quality education. This is an obvious gap in implementation of the CRA 2003 as the flourishing of the private schools, it can be argued, is only possible due of the neglect of public school system. Going on with the interview responses, the researcher probed further on some of the issues raised.

Researcher: Ok. Do you have any kind of poverty alleviation... you mentioned referring them to a charity that can give them support.

Director B: Yes, because the usual thing would have been to refer the young man to a place where he can get a job, at least to keep body and soul together but... well. We used to have poverty alleviation outreach before when I was the executive secretary, but now I don't know how it is since I left. I heard that they continued but we don't feel their impact much in the society... you know that time we use to go to the air and try to create awareness of what we do and people are coming trying to help out and all these things.

Researcher: I know you have mentioned funding, if their problem is because of poverty, is there anything within your office that you will do to alleviate poverty?

Director B: Strictly speaking, yes. We are supposed to take such matters and then present them to the chief executive of the organisation. Take for example now, the Owerri Municipal council, social workers are required to present issues related to poverty to the chairman maybe through the director in general services. But somewhere along the line they (the office of the Director of General Services) will tell you that there are no funds, secondly if the chairman is kind, after approval for support for about three or four months the families will no longer receive that money because they (the office of the Director of General Services) will keep passing the 'payment voucher' from one table to the other after approval, from one audit to another audit and to the treasurer to this. By the time the voucher gets to cashier for cash payment to the client, the cashier will say "this is a biggie (lots of cash) but there is no fund now to pay this money", let us assume its 50,000 Naira. After several attempts by the social worker dealing with the case to access the funds for the client for about one or three months, the client you intended to help assuming is banking on that money to eat or access medical help may die. Sometimes to prevent such thing from happening what we the social workers do is to contribute personal money to make sure that the client feeds within that two, three to four days or even one week. The social workers themselves use their personal money/resources to prevent suffering whilst attempting to access financial support for the client.

Researcher: From their own pocket?

Director B: Yes! From their own pocket to ensure that eh... because Social Welfare office is supposed to be an established government agency that will take care of families in need and for the social workers to save their face, they sometimes ensure that they give some little relief to that person whilst trying to access funds. Except after one week you may see that same person coming back again and then you write and say 'go and meet the chairman' so he or she goes there and after staying for a long time and could not see the chairman then automatically she realises that there is no help coming out from this angle, the only help that comes is direct one that either the social worker decides to do by him or herself or the one we get through churches or from some of the NGOs. For example, there is one of the NGO that the target group is OVC (Orphans and Vulnerable Children), if the person falls under that category, you can now refer them to that NGO.

In addition, some indications of ideological aversion to funding the social sector during economic growth, the economy was badly affected by the meltdown in the global oil sector in 2015. With the oil sector contributing about 90% of its revenue earnings, the capacity of the Nigerian government to fund social intervention programmes has been badly affected. It made sense therefore to suggest poverty as an a priori theme as reflected in the interview responses of the participants. The focus of this analysis may have been on the family income without a specific reference to child poverty. This is understandable in the sense that children in the first place are not expected to have their own money. Respondents only referred to family socio economic status. This attitude might be rooted in African traditional perception of childhood as a period of total dependence in which individual identity of the child is blurred (Corradi and Desmet, 2015).

Another point to ponder on is the need for governments in Nigeria to adopt an international treaty and give scant attention to its implementation. Hathaway (2007) give reasons why countries rectify international treaties. She is of the opinion that autocratic governments participate in agreements to divert attention from unsavoury domestic behaviour by making international commitments that placate actors pressing for change. In addition is the "collateral consequences" that come in the form of linkages to aid, trade or other transnational commitments that appear to have impacts on state governments' decision-making (Hathaway, 2007)

6.3. Family support

Availability of family support structure that social welfare system can make recourse to is another issue of consideration. Although not specifically referred to as family support programme, the Child Rights Act, 2003 made provision for there to be instrumental support for families with a view to protecting the children. Support systems that can be activated in response to issues of disputes about childcare between parents. The support meant here are those that can cater to the needs of the disabled children, young pregnant girls or informal alternative care guardians.

Section 69, for example, gives the court the authority to make a custody or access order for a child. The Court may (a) make such order as it may deem fit with respect to the custody of the child and the right of access to the child of either parent, having regard to (i) the welfare of the child and the conduct of the parent; and (ii) the wishes of the mother and father of the child, (b) alter, vary, or

discharge an order made under paragraph (a) of this subsection on the application of the father or mother of the child.

In subsection (2) the CRA states that the power of the Court under subsection (1) of section 69 to make an order as to the custody of a child and the right of access to the child may be exercised notwithstanding that the mother of the child is at that time not residing with the father of the child; subsection (3): where the Court makes an order under subsection (1) of section 69 giving the custody of the child to the mother the Court may further order that the father shall pay to the mother towards the maintenance of the child such weekly or other periodical sum as the Court, may, having regard to the means of the father think reasonable.

Subsection (4) continues: Where the Court makes an order under subsection (1) or this section giving the father custody of the child, the Court may also order that the mother pay to the father a weekly or other periodic sum for the child's maintenance, as the Court deems reasonable after considering the mother's means. It adds in section (5): subject to this section, no order for custody or maintenance shall be enforceable and no liability shall accrue while the mother of the child resides with the father, and any such order shall cease to have effect if the mother of the child continues to reside with the father for a period of three months after it is made. Finally, subsection (6) specifies that an order imposed under this section may be varied or dismissed by a subsequent order on the application of the child's father or mother.

Where the father and mother of a child were not married to each other at the time of the child's birth, (a) the Family Court established under section 153 of this Act may (i) on the application of the father, order that he shall have parental responsibility for the child; or (ii) on the application of the mother, order that she shall have parental responsibility for the child. Subsection (2) goes on to say that no parental responsibility agreement would have any effect for the purposes of this Act unless it is made in the form and manner stipulated by the Chief Justice of Nigeria in rules issued under this section.

Again, interview transcripts tend to suggest that social welfare practice is in breach of these promulgations of the CRA 2003. Interview accounts reveal that government is unable to fund the statutory obligations of the welfare office, so the provision of instrumental support seemed to be lacking. This is how one of a Director of Welfare Services responded to questions about case management of 'unwanted babies':

The only solitary service or care we provide for them is to make sure that they are adopted legally by a capable family. That is the first thing that we do. I am giving example of a motherless child or a child that was abandoned by the parent, the only appropriate thing is to look at the adoption applications we have, interview one or two families and see the possibility of any of the applicants adopting that child. So that is the easiest and the best thing the social workers will do. Now the problem is if the child is abandoned and you can't find the parent, social workers can get the child adopted by a suitable family if possible. But if in a case where you find the parent, the parents may not give their consent for the social worker to give the child for adoption if they are not paid money, some parents demand money to give consent for adoption. This makes it difficult for the social workers to find a suitable home quickly for the child because the process of going through the court to get the child adopted without the consent of the parents can be lengthy. That is what has resulted to illegal adoption and baby factories in this state. Because we have found out that some parents who maybe e.g. widows, deliberately asks their grownup daughters to go and get pregnant and then after delivery, they will illegally give that child for adoption for a large sum of money, they sell the child to the highest bidder on the street. That's what has led to the 'stop illegal trading of babies' 'stop baby factory' 'sexual exploitation of children and illegal adoption' campaigns the Welfare Department and other non-governmental organisations have launched.

There has been a lot of campaign and sensitisation program on the illegal selling of babies. Coming to what has led to this discussion: poverty and family support, the greedy nature of people these days, some of the people we come across want to get things they cannot afford, however we try as much as possible to support families genuinely affected by poverty. If a young person from a poor home becomes pregnant accidentally probably out of peer pressure, we support the young person by placing her in a care home and after the baby has been delivered, what we do is that the care home will take charge of the baby from the third month until the ninth month and then the home will follow the legal process to find someone that will adopt the child. Now part of the money that their adoptive parents will pay will be used to rehabilitate that young person, making sure that the young person goes back to school. Some of them might have completed Junior Secondary School, the social workers will help them to start Senior Secondary School. Some of them will tell the social worker that they would like to study hairdressing and will be supported to do so. Unfortunately, some of them within one year will get pregnant again. I have seen such cases and

they will come back to us, I will say 'no, go back, you are now in the baby making business and this is no longer as a result of first encounter with a male counterpart.

According to the CRA, all matters of adoption have to be decided by the family court. The court is statutorily authorised to hear every adoption proceedings and grant approval based on due consideration from approval guidelines. It may seem that the social welfare workers ignore this process and conclude adoption cases without recourse to the court. Again, the respondent equally hinted at the family of the baby receiving money paid for adoption and that this money is used to put the young mother back in school or apprenticeship program. These practices run contrary to the dictates of the CRA with regards to case of these nature. All these gaps indicate a much deeper issue with monitoring by a regulatory body or a dereliction of regulation duties by the relevant authority, leading to a compromised child protection system.

Further responses gleaned in the course of a focus group with social worker indicate pervasive gaps in innumerable areas of social work practice.

Researcher: Please correct me if I get you wrong, so you send a child away if she is pregnant again when she makes request for support from welfare department.

Social worker 2: Yes

Researcher: In a situation whereby both parents are not fit to look after the child, for example due to health issues or abusive relationship and you feel that the child's safety is in danger, is there any alternative care or support that you can provide for that child?

Social worker 3: here in Nigeria? I can't really say that there is a particular place provided for such child to be kept but sometimes we call the attention of the relatives and we can equally interview the relative. So, if both parents cannot take care of that child, we look for a suitable relative to give the custody of the child. It depends on the age of the child but if the child also agrees to live with a relative, then giving custody to the relative will be considered by the welfare department.

Researcher: But what if there is no relative available, is there any other thing that you could do for the child?

Social worker 3: we can equally place the child in a care home. we advise the parents to provide everything that will be needed for proper care of that child in that care home where the child will be placed.

Nwokolu-Nte and Onyige (2020) wrote that, as a crucial unit in addressing issues around normative care, it must be acknowledged that the family is customarily responsible for the provisions of child welfare and protection services (Nwokolu-Nte and Onyige, 2020). To this end therefore, the power to intervene in family disputes is instituted as a statutory responsibility that must not be ignored. These will also include the power to intervene in the situation of the Nigerian household where the best interest of the child is threatened. This covers the need to advocate for and render assistance to children with special needs and other vulnerabilities like early pregnancy.

The arrangement for alternative childcare structure as a segment of child welfare services for children without parental or kinship care reflects the recognition and the readiness to intervene in times of disorganisation of the family unit. Prior to soliciting external guardianship for the child, the State should intervene as entrenched in the CRA 2003 by mediating in child custody fallout of family disputes. All these provisions of the child protection policy have suffered lapses in their implementation as can be deduced from interview transcript.

As related by the Social Worker, it may seem that the overarching best interest of the child was not given any consideration in the adoption process. It should be remembered that the CRA provided that the child has the right to be represented by a legal practitioner and to free legal aid in the hearing and determination of any matter concerning the child in the court. Furthermore, the proceedings in the court shall be conducive to the best interest of the child and shall be conducted in an atmosphere of understanding; allowing the child to express himself and participate in the proceedings. The Act further provided that 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 of primary consideration (Umeobika, 2018).

This neglect appears to be pervasive as indicated in interview responses that children with disability do not get the necessary special attention

Researcher: You mention children with disabilities, does the government offer any kind of support to children with disabilities?

Social worker: Special help? That is if they receive any. The government does not give support to social welfare, we the social workers are not aware of any special support the government gives to children with a disability. Because we cannot tell you now that government gives them anything, government has not provided for us that are here how much more them? So, what I am talking about is our office. I am not holding brief for them because government are not funding us as they should. We are government versus government department, our department is not government's priority, how much more children with disability. These children care homes in this state resort to going to the churches and make request for help so that those people that are spiritual and blessed by God can sometimes go to children care homes and give them something. The homes write appeals to government and agencies they know that can help and say come and help us so that we can look after these children that are here. That is the way most of the homes get help.

As much as it can be acknowledged that the government has shown obvious neglect of the institution of child welfare support, it may seem hasty to conclude that the only snag in the delivery process of social welfare services is the unavailability of adequate support from government. The skill of social work service practitioners can be called to question. Sometimes it is just a matter of doing the right thing. Whether there are institutional constraints from following practice manual or just lack of proper training is an issue to be looked into. Nwokolu-Nte and Onyige (2020) believe that skill gap does account for much of the lapses in CRA policy implementation. To buttress this point, Marsden and Guy-Miller (20011) report that within the current orphan and vulnerable children (OVC) care workforce there are limitations in terms of skills, competency levels and expertise. Additionally, they observed ill-defined minimum certification or experience requirements in place for most formal Social Welfare positions, due in most part to an inherent lack of understanding and low subsequent valuing of the Social Work field in Nigeria

In view of this, Nwokolu-Nte and Onyige (2020) recommended that human resources and capacity of family welfare institutions should be enhanced through regular recruitment of professional social workers to help the advocacy of protecting vulnerable children in Nigeria. A bill for the recognition of social work as a profession in Nigeria was recently denied assent by President

Buhari. His reason notwithstanding, this refusal further indicates a likely ideological apathy to the need to institutionalise social welfare service as a right in Nigeria.

6.4. Child abuse/protection

Child protection may seem the cardinal objective of the Child Rights Act and this is reflected by most of the sections that spelt out clearly guidelines for achieving this and also penalty for breaching relevant sections of the Act. Identifying this as a theme in the responses of participants justifies findings from extant literature about the state of Nigerian children. For example, Jones et al, (2012) summarised this when they wrote that Nigerian children are highly vulnerable to income poverty but also to a wide variety of other economic and social factors. These include urbanisation and migration; health shocks; environmental degradation; domestic violence and family fragmentation; broader societal violence and conflict; social exclusion and discrimination; harmful traditional practices based on cultural values; and orphanhood and loss of family, for a variety of reasons. In recognition of this situation, the CRA 2003 set out to address it with some legislative demands that are legally binding with attached penalties following their flouting. For example, the CRA in section 45, states that where a State Government - (a) is informed that a child who lives, or is found, in the State (i) is the subject of an emergency protection order, or (ii) has been taken into police protection; or (b) has reasonable cause to suspect that a child who lives, or is found, in the State is suffering, or is likely to suffer, significant harm, the State Government shall make, or cause to be made, such enquiries as it considers necessary to enable it to decide whether it should take any action to safeguard or promote the welfare of the child.

Section 16 made a clear demand in which it declared that the need to protect a child from abuse is a right that demands fulfilment, a responsibility that is spread among several stakeholders. This is in addition to other sections that give clear mandate on how a right of a child can be protected. These are presented below:

(1) Every child who is in need of special protection measures has the right to such measure of protection as is appropriate to his physical, social, economic, emotional and mental needs and under conditions which ensure his dignity, promote his self-reliance and active participation in the affairs of the community.

(2) Every person, authority, body or institution that has the care or the responsibility for ensuring the care of a child in need of special protection measures shall endeavour, within the available resources, to provide the child with such assistance and facilities which are necessary for his education, training, preparation for employment, rehabilitation, and recreational opportunities in a manner conducive to his achieving the fullest possible social integration and individual development and his cultural and moral development.

According to Section 59 (1) of the CRA, if it appears to the Court in a proceeding in which a question about a child's welfare arises that a care or supervision order may be appropriate for that child, the Court may direct the appropriate authority to conduct an investigation of the child's circumstances. No parental responsibility agreement shall have force for the purposes of this Act unless it is prepared in the form and manner authorised by rules established by the Chief Justice of Nigeria under this section, according to section 68, paragraph (2).

Section 171 (1) of the CRA stipulates that: A State Government shall, in general, (a) safeguard and promote the welfare of children in need within that State; and (b) promote the upbringing of those children by their families, to the extent that that duty is consistent with that duty, by providing a range and level of services appropriate to the children's needs. (2) The State Government will also encourage private organisations that seek to provide assistance to children in need to do so in accordance with the State Government's permission. (3) Any service given by the State Government in carrying out its responsibility under this section may be offered to the family of a specific child in need or a member of the child's family if the service is provided with the goal of safeguarding or promoting the child's welfare. (4) Every State Government shall have the duties and powers set out in Part I of the seventh Schedule to this Act for the purpose of assisting the fulfilment of its general obligation under this section.

From interview transcripts of social worker participants of this research, there are indications that the document as a practice framework enjoys the acceptance of the key workers. Participants showed to have a working knowledge of its content. For example, when one of the participants was asked what her understanding of the Child's Right Act 2003 was, he responded as follows:

Social Worker 1: It is a written law and given to us by the government, we work with it in our duties as social welfare. All the issues we are dealing with, we are implementing it. What concerns children's right is not joked with, we do everything we are told to do both those written or not

written even put more effort and go extra mile to see that we do both those remembered or not remember because not everything you do is written in the book. There are some that come up suddenly in the workplace. There is nothing in the Child Rights Act book that we do not do but sometimes we are faced with numerous obstacle that may come up that makes it to look like we do not get 100% of what it ought to be. We are trying, we are really trying. They are for blessing. We are trying, we are progressing. Child's Rights Act is about protecting the interest of the child. In our duty as social workers we are mandated by the law to work according to the best interest of children.

It is noticed that the issue of restricting the social workers to the dictates of the instrument is something of concern. A professional attitude usually marks the line of role expectations and the boundary with other roles. From the response above there seem to be a lack of understanding of role boundaries. This calls to question the quality of service that is accessed. This was elaborated further when the researcher rephrased the question:

Researcher: I meant how you apply the Child Rights Acts in your work as a social worker.

Social Worker 1: For instance, wherever any child is undergoing abuse and it is reported to us. Our responsibility is to rise first and investigate the matter, bring the person mentioned to the office and ascertain whether what was alleged actually happened or not. If it actually happened there is a profound action, disciplinary measure by law proscribed for that very person, we follow it very well. Above all, there are victims, those who do not want their name mentioned and the name of the child who is the victim of sexual abuse mentioned because they do not want to dent their name or that of the child due to stigma. This is some of the impediments we have in the job because you will be trying to see that this child gets the support she is supposed to get based on abuse or the type of dishonour she got. In some cases, the parents do not want it in that very way, you that is dealing with the case, you will not cry more than the bereaved, even the police at some stage in this situation will tell you that hence the parents or the guardian are not complying they want the matter to be destroyed. Then you can't force them because they themselves don't stand the chance to come and testify even if the matter comes to court. When you get to the court, if you get a lawyer, the lawyer will request for professional and administrative charge before they take on the case.

The government itself has no specified court that is set out to handle any cases of child abuse where it can be handled free of charge. Anybody you take this case to must bill you. Before a police officer can conduct any arrest for rape, they will tell you that they don't have fuel for their vehicle. They will tell you 'give us money, mobilise us'. Even if they are up to five people, they will tell you to pay for the fuel to enable them to travel for the investigation. Several factors are militating against what we are doing here. Sometimes we are using our own money, spend time in the office up to 9pm or 10pm to ensure that the matter we started is not destroyed. All these things are the problem we face here.

While some have questioned the ability of social workers to stay within the scope of their jobs, another source of concern is the government's ability to adequately resource operations. These requirements must be completed in order for the CRA to be implemented correctly and effectively (Dunn, 2011; Scholar, 2014). Building a safe environment for children, according to UNICEF (2007), includes the following core components: strengthening government commitment and capacity to fulfil children's rights to protection; promoting the establishment and enforcement of adequate legislation; addressing harmful attitudes, customs, and practises; encouraging open discussion of child protection issues with media and civil society partners; and developing children's life skills, knowledge, and an understanding of their rights.

The interview transcripts reveal that the legislative demand to protect women and children from abuse and the legal obligation of the social worker to report this was ignored in this case. Rather, the social worker arrogated himself the responsibility of the family court to adjudicate over such incidences. It also reveals a lack of coordination among institutions that are supposed to collaborate when case working an abuse of a child. The revelation that the Police would normally demand for 'mobilisation' before responding to report of an abuse mirrors the widely reported institutional decay in the Nigerian policy space. UNICEF in a 2014 report reveals that clear is missing guidance on establishment and procedures for Family Courts. Additionally, training for Assessors are lacking, coordination between actors is weak, the curriculum for the training of Social Workers are out of date and the supervising ministry have no standard procedures for costing of social work, which results in consistent underfunding that impedes its efficient functioning (Unicef, 2014). Poor staff capacity, insufficient professional social workers to promote counselling as an integral intervention measure to child abuse victims; and a weak collaborative relationship with the police

and the court to process offenders and matters of child right violations were among the challenges identified by Nwokolu-Nte and Onyige (2020) in their assessment.

6.5. Children in care

A number of circumstances can necessitate the decision to move a child into alternative care from family of birth. When this happens and irrespective of the event leading to this, it is required that care must be taken to ensure that the best interest of the child is placed at top priority. Ojelabi, et al. (2015) are of the opinion that the practice of child adoption in Nigeria is growing with improved public awareness through media, personal testimony, social research and other sources. At present and just like other child protection strategies, the legal basis for adoption in Nigeria is the CRA 2003. Some of the relevant sections of the Act relating to adoption include section 130, which concerns power to make adoption order states as follows: (1) Subject to the provisions of this Act, the Court may, on the application of a person stated in section 126 of this Act in the prescribed manner make an order under this Act referred to as an adoption order and (2), An adoption order-shall be made in the form specified in the Fifth Schedule to this Act.

In section 196, the CRA addresses issues around the welfare, etc., of children in homes and states as follows: (1) Where a child is accommodated in a children's home, the person managing the children's home shall- (a) safeguard and promote the welfare of the child; (b) make such use of the services and facilities available for children cared for by their own parents as appear to that person reasonable in the case of the child; and (c) advise, assist and befriend the child with a view to promoting his welfare when he ceases to be so accommodated.

Section 143 of the bill additionally imposes a prohibition on some adoption payments: (1) No adopter or other person shall receive or agree to receive any payment or reward in consideration for or for the facilitation of the adoption of a child under this Act unless the Court has approved it; and no person shall make or give or agree to make or give to an adopter any payment or reward that is prohibited by this subsection. (2) A person who violates paragraph (1) of this section commits an offence and is liable on conviction to a fine not exceeding thirty thousand naira or to imprisonment for a term not exceeding three years, or to both fine and imprisonment. (3) Notwithstanding the provisions of subsection (2) of this section, an adoption order affected by a prohibited payment under subsection (1) of this section may be allowed to continue or resolved at

the Court's discretion, taking into account all of the circumstances of the case, particularly the child's best interests.

As revealed in an earlier transcript, a key informant seems to be of view that young girls getting pregnant again is motivated by the payment, which contravenes the provisions of the CRA. One would be wondering at the grounds on which the adopting family is paying money. In addition, is the money to be spent on the young mother? Although the CRA never specified conditions that will make the family court judge to award a payment, this idea of awarding money to young mothers of adopted children may create profitable grounds for the thriving of baby factories. Furthermore, it was revealed that there are instances when a pregnant young girl could be moved to a care home. This is at the discretion of the social worker. It makes sense to take these decisions sometimes without going through the judicial processes of the family court as may be required by the circumstances of the child. However, aspects of the act backing such authority of the welfare workers could not be identified. A plethora of abuses levelled against the welfare workers, especially the allegation being complicit in illegal adoption rackets leaves such decisions open for proper scrutiny.

During their fieldwork, Graham and Ikpahindi (2016) identified four specific problems associated with residential facilities: a lack of properly supervised safe havens for children; a lack of facilities means that children in need of care and protection can be accommodated for long periods in institutions managed by the criminal justice system; a lack of properly developed foster care services means that children can remain in institutional care when they are no longer needed; and a lack of properly developed foster care services means that children can remain in institutional care when they Graham and Ikpahindi (2016) found that standards differ significantly between residential facilities, which they confirmed by observation.

Abraham (2013) found that there are no legally mandated procedures for a child's eventual reintegration. Arrangements for leaving care appear to be underdeveloped, added Graham and Ikpahindi (2016). They reported that children they interviewed, though with some bias towards SOS Children's Villages, which is another residential home for children in care, said they felt they could expect to be supported after they left the care. The managers of some of the institutions equally spoke about providing accommodation during the summer vacation for former residents who were students. Despite the reported expectations of the children interviewed, Graham and

Ikpahindi (2016) report that advice and mentoring may be part of the preparations for leaving care,

however financial support is lacking, with exception of SOS Children's Villages, Nigeria. The

majority also lack provisions for assisted or supervised semi-independent leaving arrangements.

But the social welfare workers would suggest that politics has infiltrated and altered most of the

things they do.

This is in such a way that the government representatives who are supposed to be the custodians

of the Act always appear to be very ignorant of the obligation that are contained in the Act, thus

no subvention is made available for the implementation of the Act. As such government financial

support to the residential homes is almost non-existent. The following excerpts capture the

experience of this participant:

Researcher: In the case of those children you place in care homes, you know they will grow and

become adults at the age of 18 years according to the Child Rights Act 2003.

Participant: Yes?

Researcher: Is there any service made available for the children when they reach the age of 18

years to support them to move on to independence?

Participant: Any child living in a care home from childhood to adulthood has automatically and

totally become a member of that very family, that is the care home. There is no way you can push

her out.

Researcher: Does the government take responsibility....?

Social Worker: Don't talk about the government, is government someone's name? The owners of

that family, that is the care home, they are the ones that carry the whole responsibilities, looks after

and train the children in school, some of the children reach university level, some of them stay

there and marry.

Researcher: Is there a time the home can tell the young person to move on to independence?

Participant: Is it when you will send them out? Send them out for what?

Researcher: I meant supporting them to move on to independence?

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Participant: The care home takes the whole responsibility of raising the children. The care home helps them till they reach a stage when he himself will talk to himself and say, now I am no more comfortable to be here. I have got something that can sustain me outside here, let me create space for another group that is coming. The government cannot wake and tell the young person, you have grown, leave. When they leave where will they go to, to who? It is where they started that's where they will maintain.

Researcher: So where they are placed is where they will remain permanently?

Participant: That place is their home till they get out of that place, they can't be forced out. You cannot force them out. If you force them out, they may go and start committing crimes. Then is the care home where they were placed that will be blamed because they will tell you that it is your inability to take appropriate care of them while they were with you made them to commit that crime. So, people will start calling the care home names, you should take care of them like your own biological children, that is why the children call the owners of the care homes "mummy and daddy" (In Nigeria. calling a person in a position of authority or an elderly person mummy or daddy is a cultural thing and is seen as a sign of respect even in professional environment)

6.6. Conclusion

With justification for the use of a priori themes provided by Brooks et al. (2019), the four themes arising from theoretical understanding of the welfare services body of knowledge have been used to analyse the interview responses of the study participants with some interpretations. It may seem, as reported by an author (Akinlami, 2013) that the CRA as an independent tool of child protection is as powerless as a paper tiger. Therefore, for the law to make sense, it must be matched with effective and efficient implementation structure and mass enlightenment. According to Nwokolu-Nte and Onyige (2020), enlightenment is superior to enforcement of the laws relating to children and their rights. The strength of enlightenment is that it leads to prevention of child abuse and in recognition of the old maxim: prevention is better than cure. With reference to the a United Nations document, they went further to add that responding to child abuse cases is four times expensive as child protection and protecting children against violence and abuse aims at saving cost of families, communities and ultimately the state.

Reviewing the reasons for the CRA's apparent inadequate implementation, Nwokolu-Nte and Onyige (2020) indicate that one of the most significant obstacles in implementing administrative decisions on child welfare policies is the issue of outright disobedience of such decisions by erring parties. They specifically cited a lack of manpower and capacity in Nigeria's family welfare agencies to effectively sustain professional social work advocacy pertinent to protecting vulnerable children. The task of professional guidance and counselling service becomes deficient in helping victims and perpetrators of child abuse in Nigeria due to a lack of routine training or the government's inability to fund and improve the staff capacity of social welfare workers to meet global demands for child protection.

There was also the observation that the Police as the enforcement body in the child protection system are yet to align their relevance in child protection for an integrated child protection network and report system. It is expected that through a framework of proper intelligence gathering structure, better strategy would have been instituted for adequate intervention against physical abuse of children in Nigeria. Nwokolu-Nte and Onyige (2020) went further to add that the social welfare institution in its collaboration with the courts have not be consistent and or functional in providing, processing and prosecuting cases involving child protection and maintenance of children with the needed urgency as corroborated by the interview participants. Again, with due consideration for the importance of the healthcare delivery system in the child protection system, the very narrow coverage of health insurance scheme in the country also came short of meeting the medical needs of child protection victims established.

With neglect and sometimes down right apathy from the state government, which continually appeared in interview accounts of several participants, attention should be properly focused on this. Reflecting on this, it calls to question government's motive for rectifying the child rights international treaty without backing its domestication in the states and effective implementation with required level of commitment. With reference to Hathaway's (2007) model of why governments sign international treaties, one would be wondering if Nigerian political leadership had other motives for domesticating the CRA 2003.

Interpretation of accounts of the Implementation of Child Rights Act in Children's Care Homes

7.1.Introduction

In chapter five, accounts of parents of children accessing social welfare services were presented and analysed. This is followed in chapter six by that of the social welfare workers regarding their experience of the implementation of the Child Rights Act 2003 (CRA) in the social welfare offices. The current chapter presents and analyses the interview transcripts of two directors (Director A and Director B) working in children's care homes in Owerri, Imo State, Nigeria. Exploring the implementation of CRA 2003 through the lived experience of social welfare services recipients, social welfare services providers, and alternative home care providers seems a good strategy to cover the gamut of contexts in which implementation priorities are demanded, enacted and felt. This might be a more tractable alternative to the seemingly unwieldy observation of everyday realities of the Nigerian child within the community.

To discuss these aspects of children in alternative care, it is important to give a little background on the sector in Nigeria. Taking reference from the findings in a study by Connelly and Ikpaahindi (2016), the residential homes sector is the most popular of formal alternative care when placed alongside fostering and adoption. To explain attitude of Nigerians towards adoption that weighs higher on the negative side, Ojelabi et al. (2017) wrote that unwillingness of Nigerians to adopt range from socio-cultural, psychological to religious belief and bias. Ladan (2007) in an earlier study observed that Islam for example prohibits adoption because it is unjust to assign paternity of a child to another beside the biological father. Similarly, Nwaoga (2013), interestingly added that Christianity, by its teaching encourages trusting and waiting on God for a child. It thus follows, for some Christians, that adopting a child indicates disbelief in God's ability to fulfill what has been promised (Nwaoga, 2013).

To further buttress the negative attitudes towards adoption, Ezugwu (2002) in a study among women attending fertility clinic in South East Nigeria, observed that most participants perceive child adoption as psychologically unacceptable. They also felt it may be impossible to love an adopted a child as their own. Other socio-cultural concerns, according to Ezugwu (2013) include stigmatisation associated with adoption and the uncertainty of unknown parental background with

associated negative genetic composition or inherited diseases (e.g., schizophrenia or epilepsy). Also highlighted are the confidentiality about adopters' decision a future possible reclaim of the child by the biological parents. This adds to an anxiety of a possible event the child becomes disloyal or even abandonment when the child discovers that he or she was adopted (Adewunmi et al., 2012; Eke et al., 2014).

Alternative care of the formal nature for vulnerable children in Nigeria can be in the form of orphanages, motherless babies' homes, sheltered homes, children's reception center and other non-family-based facilities (Nnama-Okechukwu and Okoye, 2019). Ownership is also varied as non-governmental organisations like religious bodies, international organisations for child welfare (like SOS Village), and philanthropist run residential homes for vulnerable children with an aim to provide care and protection (Connelly & Ikpaahindi, 2016). Their focus mainly are to provide care and support for with children who have fallen into different kinds of vulnerability. These might include abandoned children, the disabled, orphans and other categories of vulnerable children with a view to reuniting with their families of origin. It is important to note that some residential facilities are owned by the government. Such facilities for abandoned and vulnerable children are managed by the relevant ministries, mostly the State Ministry of Women Affairs and Social development. Ene et al. (2017) observed that some states in Nigeria have what is called Children Reception Centre (CRC) that provides care and support for vulnerable children pending their reunification with their families.

In his narration of the nature of the alternative care in Nigeria, Sekibo (2020) wrote that institutions within the sector can often be referred to as orphanages and children's homes and are owned by the government, private individuals, or NGOs. The operations of these institutions are regulated by the Child Rights Act (2003), through the Federal Ministry of Women Affairs and Social Development (FMWA&SD) with levels of influence reflecting the political structure of public administration in Nigeria. In effect, while the state ministries have direct supervisory authority, the federal ministry enables and influences policy uptake that cascades down to officials of the institutions. In his interpretation of the Act, Sekibo (2020) averred that it specifies that abused, orphaned, exploited, trafficked, and neglected children should be taken into these institutions for their protection.

In 2008, the FMWA&SD calculated that there is a population of 17.5 million orphan and vulnerable children in Nigeria, with 9.7 million being orphans (FMWA&SD, 2008). A more recent survey has shown highly significant increase in this number. In their contribution to the literature of alternative care in Nigeria, Nnama-Okechukwu and Okoye (2019) took a closer look at the important characteristics of alternative care in Nigeria. These authors observed that there are data gap on the number of institution available and the care provided to vulnerable children. However, it has been reported that approximately 25% of an estimated 70 million children in Nigeria are vulnerable with need for alternative care (Federal Ministry of Women Affairs and Social Development, 2014). As a pointer, Abraham and Dobson (2015) found that 1483 children are in privately run institutional care centers. This figure was derived from a study of 12 States and the Federal Capital Territory. It also subtracts from the number in government run institutions and other privately run institutions that failed to render accurate evidence or are inconsistent in documentation. As a result, the figure being bandied might not be a true reflection of the state of things in the states studied. A further cautionary note must be sounded as children in other orphanages that are not registered by the government are not counted, because such institutions are assumed to be operating without legal permit.

For the care homes visited for the current study, it can be revealed that both are non-profit organisations. One is an adoption home whilst the other is purely a residential care home for children (orphanage). They are listed among the formally registered and regulated children's institutions by the Ministry of Women Affairs and Social Development in Imo State. Number of staff employed were not provided. Both do not have social workers employed by their organisation. However, they work with social workers from the State Welfare Department. They provide training on staff roles and responsibilities, their working procedures, regulations and Child Rights.

They both work with children from infancy (below age one). If children are not adopted, they continue living in the home till they are ready to move on. From information made available by the adoption home, each baby has a staff attending to it round the clock. Other children are cared for by group of staff, but exact number was not provided.

It is to be noted that the formal and informal alternative cares are different in some respects. Putting the two in the same analysis framework will therefore be misleading. This point is important to denote for the fact that the reasons advanced above by Connelly and Ikpaahindi (2016) might apply to the two types of alternative care differently. This is also to be noted in thinking about protection in the two divisions of alternative care. Specifically, and in line with the objective of the study, the interview data represents the lived experience of Directors A and B as labelled for anonymity with regards to the practices and processes which are tailored according to the policy implementation framework of the CRA. The alternative care environment presents a different set of challenges in pursuing actions that are in the best interest of the child during provision of care (Connelly and Ikpaahindi, 2014). A broad division is marked between informal and formal care. The current analysis isolates the formal care system in form of children's residential homes to explore how the child rights act is implemented in the structure and processes in this childcare sector.

The framework of analysis in form of a priori themes used in chapter 6 included Poverty in families/communities; Family support; Child abuse and protection; and Children in care. This chapter has departed from these themes and, in recognition of the restricted space of the alternative care residential home, it adopts a different set of a priori themes to guide analysis. The United Nations Guidelines for the Alternative Care of Children (2010) represents a framework of care provision in children's residential homes. This has been adapted by different member countries including Ghana and Nigeria, among other countries. The guideline outlines the conditions required to meet the specific psychosocial, emotional, and other needs of each child without parental care. These in essence reflect the goals of the CRA in its pursuit of best interest of the child.

Firstly, the guideline demands that each state party should take all necessary measures to ensure that the legislative, policy and financial conditions exist to provide for adequate alternative care options, with priority to family- and community-based solutions. This sets the background for any consideration for setting up of the alternative care system that is compliant with child rights protection legislation or policy as exemplified by the UNCRC and the CRA. The guideline went further to demand that governments should ensure the availability of a range of alternative care options, consistent with the general principles of the present Guidelines, for emergency, short-term and long-term care. Governments should ensure that all entities and individuals engaged in the provision of alternative care for children receive due authorisation to do so from a competent

authority and are subject to regular monitoring and review by the latter in keeping with the present Guidelines. To this end, these authorities should develop appropriate criteria for assessing the professional and ethical fitness of care providers and for their accreditation, monitoring and supervision.

With regards to informal care arrangements, which is not covered by the experiential account being analysed, the guideline stipulates that whether within the extended family, with friends or with other parties, the government should, where appropriate, encourage such carers to notify the competent authorities accordingly so that they and the child may receive any necessary financial and other support that would promote the child's welfare and protection. It is important to make some comments about the informal care due to its wide adoption in Nigeria over formal alternative care. Because it is largely unregulated and has not been designed in line with the framework of the mainstream child protection policy, studying the processes in the informal sector to explore implementation of the CRA 2003 becomes more like conducting a policy evaluation before policy implementation. However, the Guideline went ahead to demand that, where possible and appropriate, the government should encourage and enable informal caregivers, with the consent of the child and parents concerned, to formalise the care arrangement after a suitable lapse of time, to the extent that the arrangement has proved to be in the best interests of the child to date and is expected to continue in the foreseeable future.

The UN Guideline sets the framework for which local legislations, guidelines or policies pertaining to care of children in alternative care arrangements derive their guidance. As a way of domestication, the Nigerian government has adapted and localised this just like it did with UNCRC that became the CRA 2003 in Nigeria. The national guideline for institutional care is part of the National Guidelines and Standards of Practice on Orphans and Vulnerable Children (2013), which has been developed with a focus on seven core areas. These include health, nutrition and food security, psychosocial support, protection, education and training, shelter and care, and household economic strengthening. According to Connelly and Ikpaahindi (2014), the guideline was developed in consultation with stakeholders, including children as a comprehensive document.

The current analysis has picked a few of these items of focus, which includes Health, Education, psychosocial needs and protection as a priori themes for the analysis of the research interview

transcripts. It is assumed that the two previous chapters have treated economic strengthening of families while shelter and care can be assumed to already have been taken care of since they are in a residential home. Consideration must be given to the mandate: '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' (Child's Rights Act 2003). Following this, the interview transcripts will be analysed within the framework of this important aspect of the CRC as it is expected to be embedded in the processes that actualise these legal rights of the child.

7.2. Health

The CRA 2003 in section 13 mandates that every Nigerian child is entitled to enjoy the attainable state of physical, mental and spiritual health. This mandate is also clear on who should take the responsibility of actualising it: every government, parent, guardian, institution, service, agency, organisation or body responsible for the care of a child shall endeavour to provide for the child the best attainable state of health. The research key informant made references to his experience of this provision of the Act:

Researcher: Please tell me your understanding of Child's Rights

Director A: Every child has the right to education, good health, good treatment, right to family and religion... When I was working in the ministry, the government were giving subventions to homes, but it stopped. But in future we just pray and hope that when a new government comes in that they will start giving homes the subventions and that will go a very long way to alleviate the sufferings and make things easier for us. Because, like we heard now, talking about 2 babies who are sick and they are contemplating of taking them to hospital, but if you don't have the resources, you cannot kill yourself (figuratively speaking) and you just pretend like you don't know that something is wrong and it is very bad. So, we are looking forward to a time when the government will start to support homes and then we will start doing our work properly.

The response above reveals a frustrating situation experienced by a children's residential home worker in living up to the policy demands for child rights act implementation. It is instructive that this provision of the Act is a legal demand, failing on it attracts sanctions of a fine or imprisonment.

In subsection (5) of section 13, the CRA 2003 states that any parent, guardian, or person having the care and custody of a child under the age of 2 who fails to provide full immunisation commits an offence and is liable for prosecution. The prescribed consequence for failing on the demand of section 13 is however narrow in that it is specific about the child at age 2 and the demand for immunisation. It is however silent on other health needs which the Act expressly mandated to be provided to the child as of right. It is instances of aspects of the CRA like this that makes it look like just an academic exercise in legislative function.

Again, reference was made to insufficient resources needed to undertake necessary actions towards meeting the right to health of the child in formal care. Residential homes for children are mainly funded through charity and subventions provided by governments either the state or the local government who have been mandated by the implementation framework to undertake the responsibility of funding. It may be the case that some of the charities owned by faith-based organisations are better funded based on the size of their membership. Members are also compelled by a moral and spiritual obligation to support, for example, the Catholic church through offertory and donations. Other residential homes owned by NGOs that mostly rely on government subventions and support might run into financial crisis when the capacity of the trustees is stretched to its limit and government subventions are not forthcoming. Director A expressed the depth of his frustration when he said, "if you don't have money, you can't kill yourself". This a local expression that captures response of resignation to a situation where all efforts to remedy is envisaged to be fruitless.

Director A: Maybe if you talk about the challenges. Like I said, here is personal, I use my resources, I use my time, I pay my workers, but I seek to get assistance because, may be in the next 5 to 6 years I will be getting assistance from oversees. It is called the Donor, if not from the government. People also, individuals and groups, most times come to visit homes, but because we are new, they are not getting so many of them but, I just hope in the near future I will get assistance from Donor agencies and from individuals (good spirited individuals) and that's about that, but I like the challenges and each day I wake up, I feel happy because I feel like I am doing what God wants me to do and I love it.

Instances of paucity of funds to the social sector in a dwindling Nigerian economy have been variously discussed in chapters 5 and 6 based on interview accounts of study participants.

The high cost of medical services is another issue of interest that may hinder the ability of residential care homes to meet the health needs of children in care. Child rights protection has been considered as a multisectoral endeavour that must be pursued with the framework. Not linking the sectors that are involved in meeting the rights of the child as stipulated by the CRA 2003 creates an implementation obstacle. A situation where children who have been legally awarded the right to healthcare would still need to pay for health care delivery smacks of policy inconsistency. A number of states like Lagos have built dedicated hospitals for children where they do not have to pay for health care services. This initiative has not been replicated in all the states of the federal republic of Nigeria, and not even in all the states that have domesticated the CRA 2003 as a legal document by their state legislative assembly. It is doubtful if Imo State as the case study of this research has specially dedicated hospitals for children in the state. There are primary healthcare tier of the national healthcare delivery framework, but none is free for any category of patients. And sometimes the more expensive private hospitals are preferred above public hospitals for efficient care delivery.

It makes more sense that most of this homes that are sustained for a long time are run by missionaries or deeply religious individuals who take it up as spiritual calling rather than professional demand. This explanation becomes more compelling in the face of a fledgling social work profession and the denial to grant it legal statutory recognition in Nigeria. Van Buren et al. (2020) wrote about the influence of religious belief as a micro social force that impacts professional conducts. They described it as a source of moral norms and beliefs and points to the significant role it has played in the vast majority of societies, which is still witnessed even in almost every society today. For example, many Non Governmental Organisations that seek to influence social actions have religious roots (Van Buren, et al. 2020).

Garcia-Zamor (2003) added that the influences of workers' religious beliefs are bound to spill over into the organisation as it can't be deliberately dropped at the office door. "Just as individuals' attitudes, values, moods, skills, and actions spill over to affect their beliefs and actions in their family or social life, workers' religious views and practices may also spill over to affect their behaviours, preferences, and engagements in organisational life" (Gracia-Zamor, 2003). If properly managed it can positively influence employees' to enact more pro-social organisational behaviours, which may be lacking in secular organisations (Milliman, Czaplewski, & Ferguson,

2003). Therefore, it should not be a surprise that the residential home is somewhat stripped of its secularity by the account of Director A when he said that his service to children in the residential home is a fulfilment of God's calling.

7.3. Education and Training

In section 15 of the CRA 2003, the right of the child to education was spelt out. This states specifically that every child has a right to free, compulsory and universal basic education, which shall be provided by the Nigerian government as a duty. The duty to send the child to school however rests on the parent, guardian or any person who has custody of the child. It went further to spell out the sanction on any parent, guardian or a person who has custody of a child that fails to pursue this right to education. Such ranged from fines to imprisonment on conviction. From the study participants, it is noteworthy that the knowledge of this aspect of CRA is not lost on the practitioners as revealed during interviews:

Researcher: Please tell me your understanding of Child's Rights

Director A: Every child has the right to education, good health, good treatment, right to family and religion

In the face of paucity of funds to run the NGO owned children's residential homes, how are the operators able to send in-care children to school and what kind of education is available to them? It is to be clearly understood that education is not free in Nigeria, even in states where it is declared free. The viral video of a little girl, Miss Success Adegor, that was sent home for not paying school fees in 2019 comes to mind. In their analysis of the social media effect on development, Oji and Bebenimibo (2021) observed that: "One of the main issues that played out as a result of the video is the wretched photograph of Okotie-Eboh Primary School with leaking roofs, no ceiling and squalid walls that were broadcast to add verve to the claim that the Miss Adegor story goes beyond her grouse of being sent home rather than remains in school and achieve her desire to be educated. It opens up the frontiers of the deplorable environments in which children are sheltered as classrooms to learn. It equally reveals the disgusting side of primary school administration and development in Nigeria that is inundated with tales of illegal fees collection, teachers and education officials aided examination malpractice and other forms of corruption".

To corroborate the above views, Izobo-Martins et al. (2014) and Tahir (2005) are of the view that schools in Nigeria are in terrible states and only represent environments where children cannot learn. Nwakpa (2015) observed that a visit to primary schools shows all is not well with the school system in Nigeria where the government is expected to provide educational services, instructional materials, school facilities, teaching, and non-teaching personnel. But this grim picture does not describe the average private school. As has been explained in chapter 6, most Nigerian parents prefer to send their children to private schools where the standard of learning is believed to be higher. The fees are also not in any way comparable to the fraudulently imposed fees by teachers and administrators in the public schools. It may seem that these children care homes may need to settle for public schools when they are able to send the resident children to school. In some instances, most faith-based organisations that run children's residential homes also have their own schools. When this is the case, it may be a little more bearable to send their looked-after children to their schools, irrespective of the standard.

Looking beyond the type of education that is available to children in residential homes, the focus of prescribed sanctions on any person who has custody of the child when there is a failure in advancing the right of the child to education, exonerates the government. This seems more like the government negotiating immunity in the unfortunate event it is not able to meets obligation regarding the educational rights of the child. With the reality of government's seemingly noncommittal to its legal responsibility to the Nigerian child, the absence of consequences makes the choice to tow this line by public office holders less risky. Therefore, while practitioners in care home charities are complaining of withdrawal of government subventions, the law looks at parents for prosecution. Although the demand is for government to provide the school, even when available classrooms are not enough, the law is lame in enforcing a change as there is no legal sanction for public officials.

The respondents also touched on the plight of children with special needs.

Director A: They will go to school. They go to school like every other child, like the one in my house that has disabilities, he has started school. So, as long as he lives, he is treated as every other child.

It is important that these categories of children are not discriminated against on the basis of their developmental deformity as would be stipulated by the CRA 2003. Should their rights to education

be pursued, that would indicate successful implementation of the CRA 2003 with regards to this aspect. However, when a conclusion of this nature is reached, there must be a criterion to from to draw inference. What was the faith of such children prior to domestication of the CRA 2003?

7.4. Psychosocial support

As have earlier been pointed out, the CRA 2003 stipulates in section 13 that every child is entitled to enjoy the best attainable state of physical, mental and spiritual health. The responsibility to meet this demand is placed on the shoulders of every government, parent, guardian, institution, service, agency, organisation or body who are responsible for the care of a child. How have the workers of the residential care homes managed to implement this in their processes? Interview account of one of the study respondents is as follows:

Director B: Because of my closeness with them, they feel free the moment I come in to inspect other things, they feel free to approach me and tell me whatever they are feeling and if there is something they need they will tell me.

Researcher. So in terms of this health needs, has a child ever been rejected from being adopted because of some special needs, maybe because they have disability or is there any rule that stops a child with disability from being adopted?

Director B: There are individual differences. Even when the child is having health challenge. For some adoptive parents, we let them know that this is the situation with the health of this child. Some decide to take the child as a part of help.

This response account reveals some of the challenging situations children in residential homes can be exposed to that might impact their psychological balance. Feeling of rejection or discrimination is most likely to trail a situation where a child is presented to adoptive parents like a commodity (assuming this is the case) and, in the end, they walk away without concluding the adoption process. This is just one of the many scenarios that can impact a child's emotional and psychological wellbeing in a residential home. Some of the children sometimes find themselves in alternative care institutions on account of being orphaned. Gale (2019) reviewed studies examining reasons children all around the world are being placed in all forms of alternative care. Findings indicate that on the most part, reasons might include removal from family due to risk of harm,

death of parents, concerns for emotional and physical health and, abandonment and relinquishment often related to issues of poverty, social exclusion, stigma and discrimination (Frimpong-Manso et al., 2019; Indias et al., 2019; Nsabimana et al., 2019).

Although not the only form of alternative care, residential homes is a form of institutionalisation, which the UN Guideline recommended as a last resort - a form of care which should be gradually eliminated (UN General assembly 2009). The report that institutionalisation has adverse effects on the developmental outcomes of children in alternative care has however been supported by different studies (Delgado et al. 2019; Gander 2019; Gypen 2017). Gale (2019) reports that maltreatment has been identified in all forms of alternative care. For example, Hobbs et al. (1999, 1246) concluded that 'a foster child is 7–8 times and a child in a residential home 6 times more likely to be assessed and reported by a paediatrician for physical or sexual abuse than a child in the general population'. Likewise, in their study on foster care, Pecora et al. (2003) reported how 21% of children who were in foster care had experienced some form of maltreatment from a member of their foster family.

It is worth questioning if the principles of necessity and suitability is taken into consideration as a cardinal consideration for placement as was recommended by the UN Guideline (Cantwell, et al, 2012). Another respondent tried to explain part of the effort to manage these situations in alternative care:

Researcher: In terms of the children that are being brought here, for those that you are unable to give up for adoption, maybe because of health reasons or disability, how long will they stay here before they can move on?

Director A: As long as nobody comes to adopt them, that is why I call this place a home. If nobody comes along to adopt them, this becomes their home. Some of them I even take them to my house. As long as nobody adopts them, they are at home, and they will be taken care of.

It is inferred here that the necessity principle takes precedence in the decision to move a child into care, especially those with some form of special needs. As much as it is important to recognise the efforts the institutions are making to provide alternative homes to the children with little or no support from government, once suitability is sacrificed for necessity, then system would have to grapple with foundational anomaly. Abraham (2015) reports extreme overcrowding as a major

problem in many residential homes for children in Nigeria with one-third of the homes they sampled caring for me children than their stated capacity. Connelly and Ikpaahindi (2016) painted a more concerning picture of their experience: "During our fieldwork we visited a hospice for children with severe disabilities in Lagos, where we found that most children were lying in bunkbeds, with accommodation for 32 children in each of two rooms. Each room had one nurse tending to the children's needs. Several other children were sitting or shuffling on the floor in a corridor untended. The privately managed hospice apparently was successful in raising funds for children to have major corrective surgery but, when we visited, the resident children lacked cognitive stimulation and, based on the very high child to staff ratio we observed, were likely to have inadequate basic care".

7.5. Protection

Because of the intermingling of religious belief and a tradition of coparenting in most Nigerian societies, child protection has become a moral responsibility shared by all adults, regardless of biological relationships to the child. Umeike (2017) argues in his thesis that community parenting is a moral response by traditional Nigerian societies to the vulnerability of children. According to this author, children are nurtured not just by biological parents but also by aunts, uncles, grandparents, neighbours, and distant relatives in Igbo parenting practise, which is the subject of this study. The responsibility of supervising a child's education falls to the entire community. As a result, the Igbo parentology is summarised in the proverb "it takes a community to raise a child." Neighbours and the community have been known to help provide a home for certain children, even if it is just for a short time. There is no denying that a child's biological parents are his or her primary caregivers; nonetheless, it is equally valid to claim that he or she also belongs to the community (Umeike, 2017).

Furthermore, while parents may have biological claim to a child, the Igbo community does seem to have a moral claim. The underlying belief is that to narrow parenting to biological connection portends the risk of moral atrophy within the community in matters of raising children. It may seem odd for Director A in the account presented below to refer to the children in the home as his children, this feeling is better understood within the context of the traditional childrening practices and the ingrained beliefs about childrening that is a part of most Nigerians communities.

Director A: For the child who has health issues and there are no applicants that is ready to adopt, it is our duty still to take care of that child. No matter what the challenge is, they cannot allow your child to... ordinarily you cannot watch because all of them I look at them as my own children, you cannot let your own children die. So, that is how... one, I am impressed is the private children sector, we don't get any assistance from the government.

It may be worth mentioning that the whole essence of having alternative care system is to negotiate some form of protection for children in need. This is guaranteed by the CRA 2003 as a right that must be pursued. Sections 14, 16, and 17 clearly spelt this out. For example, section 16, tagged right of a child in need of special protection, guarantees the right as appropriate to physical, social, economic, emotional and mental needs under conditions that ensure dignity of the child and also promote his or her self-reliance, etc. In 2013, the federal government adopted the National Priority Agenda on Most Vulnerable Children, 2013-2020, which committed the Government to ensuring that all children are safe from abuse, violence, exploitation and neglect. The Violence Against Persons Prohibition Act was adopted in 2015. This provides robust sanctions for any act of violence against a child, including FGM/C and child marriage. These policy efforts, as lofty as they might seem, may not reflect in the everyday realities of the children if measures are not in place to enforce them. One way of doing this might be to embed them in the procedures and processes of agencies and institutions that cater for children on a day to day basis. This is what the above interview transcript tried to chronicle.

Researcher: Thanks, tell me how you incorporate the Child Right's Act into your organisation's policies and procedures?

Director B: when I found myself as the president of Love Care Child Centre in Obinze, a centre that is for adoption, it is an adoption centre. So, we are being monitored and overseen by the Ministry of gender and social development; they are the over-seeing ministry, over-seeing agencies in Imo State. So, for every activity that takes place in this Centre, we report back to them, they oversee the activities here. When a child is brought to our Centre, usually by the biological mother, we do not accept a child from any other source except by the biological mother or the police and the ministry of women affairs; sometimes they can come in contact with abandoned children, they are free to take the child to any centre, you cannot say no. But when a mother, those who had

unwanted pregnancy, when they had their children, they may want to give them out for adoption, they bring to us, we can accept.

It is important that each provider is conversant with the procedure as a first step to successful implementation. A reflection of the formal nature of the residential alternative care can be deduced from the interview transcript of one of the study participants:

Researcher: How do you ensure that the children in your care are safeguarded?

Director B: I have a manager who supervises the staff here, I am here most of the day ensuring that everyone is doing the right thing. We train the staff employed here, they report to the manager or me and if they are not following the rules, they will either be cautioned or sacked.

The mention of reporting lines and training should enhance the efficient running of the residential homes. Efficiency in this instance means running the homes with the best interest of the child in mind through observance of the guidelines for alternative care of children (2010). First is the issue of quality of staff deployed to care for the children. Although the respondent suggested that their staff are trained, it will be necessary to interrogate the type and quality of training that are available. If you relate this to the paucity of funds that has been a recurrent challenge of the childcare sector (Nwokolu-Nte and Onyige, 2020), it may seem impossible that residential homes can attract well-trained professionals for the job. For example, in a report by the SOS Children's Village International, Towards the Right Care for Children (2017), the authors averred that workforce development was a clear and significant need that will enable necessary reform implementation. This concerns the training and conditions of work of direct carers and the qualifications and numbers of those contracted to provide services such as social work, child protection, gatekeeping and inspection.

Services that align with the expectations of the CRA regarding the rights of the child to be protected from either physical or emotional abuse is only possible through training of workers. This however have been the sour point of child protection services delivery in Nigeria. As was earlier discussed in chapter six, Nwokolu-Nte and Onyige (2020) blamed poor staff capacity and inadequate professional social workers as a major challenge faced by support institutions when handling child protection services. Canavera et al. (2014) dug deeper to unravel why the sector is bedevilled by low capacity of service delivery. In a report from a regional study that included

Nigeria, these researchers averred that the laws needed to clarify the boundaries of social work profession in Nigeria do not have a legally approved framework. Stretched further, this is believed to have profound implications for social work training. The implication of this gap is that it creates a motivation deficiency for social workers, who in fieldwork in three of the five countries strongly expressed that their profession suffered invisibility because populations and governments did not know or understand the role of social workers. In 2020, the federal legislator passed the bill recognising social work as a profession in Nigeria, but the President who is constitutionally required to give accent before any legislation becomes law denied it accent.

Aside the reporting lines within the residential homes that are supposed to put the activities of the care givers under control, the home itself is supposed to be regulated by the relevant ministry in each state that has rectified the CRA 2003. How efficient this regulatory function is has also been a source of concern for researchers. In chapter 5, some respondents sampled from the Ministry of Women Affairs and Social Development in Imo Sate report that regulatory visits to the residential homes are not regular due to resource deficit in terms of manpower and funding. Connelly and Ikpaahindi (2016) report the experience of a care home in Lagos in which it is found that officials from the supervising ministry are not up to date with their mandatory visits to the residential homes.

Researcher: In terms of the children that are being brought here, for those that you are unable to give up for adoption maybe because of health reasons or disability, how long will they stay here before they can move on?

Director B: As long as nobody comes to adopt them, that why I call this place a home. As long as nobody comes to adopt them, this becomes their home. Some of them I even take them to my house. As long as nobody adopts them, they are in their home and they will be taken care of.

As much as the director's action to take the children home may be well intentioned, it also may be an indication of loose regulation that make room for variable conducts and boundary crossing. Overcrowding of some the residential homes has been reported as a major concern for child protection. Where boundaries are not properly set and enforced through regulation, room might be inadvertently made for abuse to easily occur. It might become easy to convert the child that is taken home to a domestic help, without mentioning other abuses like sexual exploitation, that are possible following these instances of boundary crossing. Taking the children home sometimes

might be a good strategy to argument the shortfall in support received by the home operators. It means that whatever risk outcome is traced back to the failure of the government who is the custodian of the child right laws to resource, regulate and enforce. A study on violence against children by the Nigerian Population Commission (Violence Against Children, 2014) there is a high prevalence of violence against children in Nigeria and that the perpetrators are overwhelmingly people whom children know. It went further to report that children were most likely to experience sexual violence in the perpetrator's home, followed by their own home, at school, at someone else's home and on a road (Violence Against Children, 2014). This, to a large extent can be prevented in care homes with proper monitoring and regulation.

One should however pursue the argument about observing boundaries with caution. As has earlier been mentioned, the philosophy of co-parenting that is in the main, an ingrained cultural norm compellingly pushing the operators of residential homes to act in manners that is revealed by Director A towards the children. This is a parenting orientation that extends parental care to every child that you come across as a responsible adult member of Nigerian communities. Although this communal orientation is under attack by infiltrating Western individualism, it is still very much a part of the normative adult-child relationship in the communities. It is to be noted that the CRA 2003 did not formally give impetus to the enactment of communal parenting, it may be an error for it not to recognise this compelling moral obligation on every adult.

We may recall the reference to the social welfare worker as "mummy" in chapter Five by one of the participating parents. This is equally explained by this perception of parent-child relationship in any social transaction between the old and the young. Bringing this cultural pattern into the formal space of alternative care institutions may be unavoidable as there are linked artifacts that will call to mind this mode of being. So, any discussion about boundary crossing should be pursued with caution when the social context of institutional care is taken into consideration and the compelling macro social force that has even been associated with positive extra role behaviours (Van Buren et al., 2020).

7.6. Conclusion

The formal alternative residential care home provides its peculiarities in terms of embedding the principles of the CRA 2003 in its structure and processes. It should be remembered that the main

reason for committing children to alternative care in the first place is to protect them from the vulnerabilities associated with loss of primary care. Interview responses have been analysed based on themes generated from the Guideline for Alternative Care (2010). These include health, education, psychosocial support and protection. The right of the child to each of them is guaranteed under the Child Right Act 2003. As this study focuses on exploring how they have been implemented, and in the current chapter within the narrow environment of the residential care home, it becomes clearer that the bottlenecks go beyond the structure and processes of the evaluation setting.

The CRA 2003, just like other legislative policies, requires to be adequately resourced by government to function. As a law of the state, it needs to be enforced. The state is therefore expected to prioritise its effective implementation. Defects within the immediate implementation framework can be identified from the accounts of respondents. This will include low capacity of the workforce and coordination challenges of the different agencies involved in the child protection system. Of note however is the political economy of the Nigerian state that made a commitment at the global level and backed it up with domestication of the global treaty on the right of the child. In chapter Six, the motive of the Nigerian government for adopting a global treaty on child rights has been queried. An interesting additional challenge to CRA 2003 implementation is the legal environment of its adoption. Considering that Nigeria runs a federal system where the constitution recognises all legislative items to be either on the exclusive list or the concurrent list. With legislation on matters concerning social welfare listed on the concurrent list, whereby the state legislative assembly need to rectify a federal legislation for adoption within the state as a law, the CRA 2003 suffered a different implementation obstacle.

The state government that bears the fiscal responsibility to adequately fund the implementation of the CRA 2003 appears to accept such with a grudge. While some states have outrightly refused to rectify the law for adoption in their states, those that have adopted it might have done so with a questionable motive. Although implementation evaluation questions exactly what can be considered a successful policy implementation. Using the theory of change as a guide, the CRA 2003 might not considered to a totally failed attempt at policy implementation. These issues will be explored in depth in the next chapter.

Discussion and Conclusion

8.1. Introduction

The aim of this thesis was to examine the implementation of the Child Rights Act (CRA) 2003 in Nigeria. The research question was, how is the Child Rights Act 2003 incorporated into policies by the Nigerian child welfare services. To respond to this overarching research question, the researcher devolved to the following sub elements: (1) What strategies have the Nigerian government put in place to protect children's rights? (2) Are the Nigerian child welfare services accessible to children in need? (3) Are the Nigerian child welfare decisions based on the best interest of the child? These, all together, are believed to signpost effective implementation as against not having them in place, which should indicate implementation failure.

My research hoped to explore the lived experience of key stakeholders of the child welfare system in Imo state where it was thought that the processes and procedures would be guided by the implementation priorities of the policy legislation. Study participants were selected using purposive sampling technique from members of the public that have first hand experience with the workings of child welfare institutions. Participants included parents of children assessing welfare services; social welfare workers; and proprietors of alternative care homes, all in Imo state of Nigeria. The chapter starts with a summary of findings outline, which were distilled from results presented in chapters five, six, and seven. Interpretation of findings that follow was conducted in line with the above sub elements of the research question. Implications of these findings for research and practice and general contribution to knowledge were discussed, which is followed by identified limitations of the study.

8.2. Summary of findings

There is growing awareness within the Nigerian society regarding the notion of children as
right bearers, which is providing guide in handling matters concerning children. This was
revealed in Chapter Five when parents of children accessing child welfare services were
asked about their understanding of children's rights. All the parents were aware that there

- is a system that can mediate during marital conflicts through which certain benefits can be pursued to alleviate the risks of deprivation children might face in such circumstances.
- There is still conflict with traditional notions of parenting and the idea of children as right bearers as contained in the CRA 2003. This was revealed in Chapter Five by respondents concerning the attitudes of parents regarding decisions on what is in the best interest of the child. While acknowledging the right bearing status of their children in principle, some parents take actions that are predicated on the traditional views of children as 'property' of their parents. It may be a case where opinion might change while old attitudes have become resistant.
- Governments in collaboration with local and international NGOs have done a lot to create awareness about the rights of children as detailed in the CRA 2003. These NGOs, like the UNICEF, Save the Children and a number of local organisations have contributed to the resourcing of the child welfare services sector in terms of training of workers and funding of programmes. Some stakeholders defer more responsibilities and credit to NGOs than they would want to acknowledge contributions of the government. One respondent had suggested that all matters concerning child welfare services should be handed to NGOs.
- Governments at the federal and state levels have set up robust institutions that should support implementation of the CRA 2003. This is acknowledged by respondent parents. However, this is thought to be deficient in pursuing their mandates largely because they are poorly resourced. Social welfare services workers revealed this to be the case in Chapter Six. Some evidence indicate that coordination of this multi-sectoral system is of full of lapses. Pursuing a case of abuse by social workers through the criminal justice system is fraught with impediments. It is either the Police officer lacks the necessary training to handle child protection cases or there's deliberate shirking and slippage. Some instances of abuse of authority that serve self interest get in the way of efficient case handling.
- Institutions are poorly resourced mostly due to economic limitations and funding priorities accorded social assistance, which is mostly low compared to other sectors that compete for state budgetary allocations. This has reflected in the responses of the directors in Chapter Six. One of the respondents talked about the staff using their private funds to assists people approaching the welfare office. Another respondent mentioned a situation where money is

raised through the care for a pregnant child. Poor funding also leave opportunity for practitioners to explore means that most times hurt the objective of child protection system. This goes sometimes to the extent of choices that border on criminality.

- In addition to economic limitations, politicians' ideological positions on matters relating to the right of children equally act as a barrier to its funding. It was observed that politicians display unwillingness to adequately make provision for resourcing of the child protection and welfare services efforts. A respondent sounded as alarming the level of ignorance of public office holders on matters relating welfare services. This gives a peak into the attitude of the general population and how much awareness that has been raised, despite the quantum of awareness campaign by government and NGOs.
- The criminal justice system appears to be deficient in enforcing the child right laws and can be described, at best, to be lame in prosecuting offenders. Respondents in Chapter Six described the lacklustre attitude of the Police in prosecuting offenders, which discourages victims of child abuse from pursuing justice. This adds to the fact that a number of states in Nigeria still prosecute child offenders in conventional courts and not the family courts as demanded by the CRA 2003.
- Victims of child right abuses sometimes shy away from going public with their experience for fear of labelling. For example, victims of child sexual molestation and their guardians sometimes prefer to keep such experience a secret for fear of its label on the adult the child will later become in future. It appears that some traditional attitudes and beliefs that are not in keeping with the practices and demands of the modern child protection system. It may seem that is still going to take little time for attitudes of most Nigerians and the modern child right protection practices and demands to align.
- The government and its agencies with the mandate to regulate private participation in the child welfare sector appear to be weak, leaving room for opportunistic behaviour and agency shirking. This has increased the number of quacks in the sector and criminal activities like the rise of baby factories. Although there are strict guidelines that are outlined for the issuance of licence to run a residential home for children, the level of abuse and the preponderance of these criminal organisation that operate in the name children's homes

and orphanages is quite alarming. This gives the impression that a lot more needs to be done for regulation.

• Professionalism in child social welfare case management appear to be somewhat lacking leading to unstandardised practices that reflect poorly on the integrity of the CRA 2003 as an act of parliament. Non recognition of social work as a profession and the refusal of the President to give accent to the bill appear to impact negatively on the practice of social welfare in Nigeria. It was discovered that most social welfare workers are not trained social welfare graduates with understanding of the theoretical foundations of practice framework.

8.3. Interpretation of Findings

Following the summary of findings listed above, which were generated from the three categories of participants as presented in Chapters Five, Six and Seven, some interpretations have been made in line with the sub elements of the research question. These have been presented below under the three elements of the study research question.

8.3.1. What strategies have the Nigerian government put in place to protect children's rights?

Following the passage of the CRA 2003 into law as the legislative policy for protection of the rights of children in Nigeria, it was thought that all strategies put in place for child protection in Nigeria would reflect provisions of the Act. This is the essence of the act, which was clearly spelt out in the CRA 2003 implementation framework. To be sure, policy implementation involves translating the goals and objectives of policy into action (Khan, 2016). Implementation strategy, in its own right, has been defined as methods or techniques used to enhance the adoption, implementation, and sustainability of a policy (Curran et at 2012). Following this this clarification, the question about strategies put in place to protect the rights of children in Nigeria can be put in proper perspective.

In line with its design, Part 23 of the CRA provides for the setting up of a National Child Rights Implementation Committee, which must consist of one representative from fourteen of Nigeria's government bodies. This is a reflection of the multi-agency nature of child protection systems. The

Committee is mandated to take actions that will culminate in the observance and implementation of the CRA as well as other human rights treaties which Nigeria is signatory to. It is important to mention, as observed by Nwaogbo (2020) that since the CRA was signed into law, neither the federal nor state government has set up implementation committees for the Act. This level of negligence or responsibility shirking on the part of the government seem to indicate a more grievous, but less obvious underlying motive trailing adoption of the CRA as an adaptation of the UNCRC. One can hazard the guess that failure of the ACT may have been planned *ab initio* without actually concluding that the Act is a failure. However, a troubled implementation trajectory may have been planned either wilfully or inadvertently on the effective implementation of the CRA 2003 as the summary of findings reflect.

Reflecting on non-inauguration of an implementation committee as required by the policy framework, Nwaogbo (2020) suggested that it is a sad development that makes the CRA 2003 come short of the binding effect it should have on the states that have not signed it into law. However, the implementation strategy is not restricted to the setting up of the said committee. The Federal Ministry of Women Affairs and Social Development (FMWA&SD) has played a leading role, as also demanded by the Act, to initiate and execute programmes with strategic importance for protection of vulnerable Nigeria children in observance of the demands in CRA 2003. Through its Child Development department, the FMWA&SD pursues a mandate, as the national implementation lead institution, to handle all matters relating to the total wellbeing and development of the Nigerian Child. As advertised on its website, it has the responsibility to give visibility to children, coordinate activities, monitor progress and promote a comprehensive and integrated agenda for the realisation of children's rights. And for the purpose of clarity, they explained that the child in this regard refers to any person below 18 years, in line with UN Convention on the Rights of the Child (CRC), which the 'Child Right's Act, 2003 upholds (FMWA&SD n.d.).

The Promotion and Participation division has the responsibility for the promotion and protection of the rights of the child, taking into account the best interest of the child and its right to protection from discrimination and enhancing the child's ability to participate in decision-making processes. The division has two branches namely: Promotion & Participation and Child Survival, Care & Social Services, each with its own areas of interventions. These seem to have a far-reaching

coverage of the issues that may arise from child protection vulnerability. However, the federal government necessarily have to execute these mandates through the state government. Khan (2012) wrote that the implementation of a particular policy is very much context specific because it depends on political, social, economic, organisational and attitudinal factors that influence how well or poorly a policy or programme is implemented. Nigeria practices constitutional federalism with responsibilities divided between the federal and state level governments. The federal level has exclusive jurisdiction over items on the exclusive list. There is the residual list which is a collection of items that are within the purview of the state government. Matters relating to welfare of children fall within the residual list, which means implementation of the CRA 2003 is within state jurisdiction.

Owing to the fact that child welfare matters is on the residual list, the state government is constitutionally mandated to take responsibility. The drawbacks of federally mandated, state-administered programs, have their unique challenges, which is necessarily influenced by the power politics that is present within the polity. In Chapters Six and Seven, accounts of social welfare workers and proprietors of children's residential homes all together revealed a reluctance by the state government to allocate funds for the smooth operation of the institutions. This paucity of funds hampers the administration of strategic programmes that focus on protection and promotion of rights of children. One reason according to theory is because they are mandated by the federal government leading to a reluctance by the state government to provide adequate resources for their effective implementation. Copeland and Wexler (1995) observed that goals and objectives stated in legislation are interpreted initially by administrators responsible for policy implementation. These interpretations become broader and more varied as the policy objectives filter down through the bureaucratic structure of the implementing organisation.

Another factor for consideration is that the implementation process can facilitate or hinder program development. Given the robust structure crafted at the FMWA&SD, it is to be expected that the foundation for delivery effectiveness have been laid. This again appears to have been thwarted given the report of key informants. Thus, it may seem that even when it appeared that strategies have been put in place, effective policy implementation may not be guaranteed with the street level bureaucrats. This is the case, the response of the state government level notwithstanding. The street level bureaucrats as described by Lipsky (1980) in the policy implementation process are the

workers and professionals that interface the citizens in the course of service delivery. In the case of child right protection and welfare programmes, this would be the social workers and the non-professional child welfare services workers. Although this might be an inherent problem with programme implementation, the Nigeria case as it pertains child welfare service is peculiar. This owes to the fact that social work has not been recognised in Nigeria as a professional field of practice.

Street level bureaucrats usually enjoy a lot of discretion as important enabler to effective service delivery (Lipsky, 1980). The tendency to abuse discretion is mitigated by professional ethics that is imbibed through professional training. Considering that social work, which is the professional qualification for workers in the child protection sector, has consistently been denied recognition as a professional field in Nigeria, the ethical commitment of those who work in the sector remains questionable. Professional service delivery with discretional decision privileges, when not backed by ethical commitment, can be a recipe for opportunism and slippage. One of the participants whose experiential account of welfare service delivery reported bias in judgement against his welfare officer. As reported in Chapter Five, the participant alluded to tribalism when narrating how his estranged wife was given advantage because the welfare office was in her native state of origin and the officer was from her tribe. The veracity of this claim could not be established, but it only serves to inform about sentiments that can interfere with effective programme implementation.

Another example indicating the failure of strategic institutions established to support effective implementation of the CRA 2003 is the neglect of the public school system and its corollary policy initiative, the Universal Basic Education (UBE). Section 5 of the CRA guarantees every child the right to free and compulsory basic education of nine years duration. As was reported by the study key informants, social welfare disputes as was analysed in Chapter Five revealed that much of them centred around the need to pay school fees for children within the academic levels that have been guaranteed to be free. Couples assessing welfare services have mainly sort intervention to resolve issues around funding of children's education and other needs during separation. It may seem that the second most important issues after custody rights and access to the children is the need to fund their education. The inability of the states, in whose purview matters relating to

primary and secondary education fall, left a gaping hole in the implementation of section 5 of the CRA.

The neglect of the public school system is clearly evidenced by the flourishing of the private school sector. Umar (2008: p. 92) quoted by Joanna Hama (2012) wrote that "the near-total collapse of public primary schools and the deterioration in the quality of tuition they provide has led to the steady expansion of private schools". Reports about the failure of the early years school system in Nigeria is numerous. UNICEF (2010) reports that "even though primary education is officially free and compulsory, about 10.5 million of the country's children aged 5-14 years are not in school. Only 61% of 6-11 year-olds regularly attend primary school and only 35.6% of children aged 36-59 months receive early childhood education". The state of the school system is important when considering strategic actions taken to increase effective implementation of the CRA 2003 as well as access to welfare service. Further details on this will be discussed under accessibility.

The provision of family courts to adjudicate in matters concerning children with a proviso that no other court or institution is legally mandated to intervene in matters concerning children can equally be considered as an important strategy for effective implementation of the child rights protection policy. The interviews with parents of children accessing welfare services only mentioned the welfare offices as the final stop for decisions about child custody. In all accounts, nothing was mentioned about visiting the family courts. It would appear that this sector specific instrumentality of the law was completely ignored. This reveals another instance of a strategic provision that does not appear to be of much use to the implementation process or better put, administration of child protection systems. While the CRA was passed into law in 2003, state governments under whose responsibility it is to administer its provisions started establishing family courts much later. For example, Edo State established its first family court in 2017, ten years after it adopted the CRA as a state legislation in 2007. Imo State created its first family court in 2011, though it adopted the CRA as a state legislation in 2008. According to Ogunnira (2015) only about 10 states in Nigeria have created family courts, even though 24 have adopted the CRA as state legislation.

Furthermore, there are suggestions that children are excluded from participating in custodial proceedings. One of the findings outlined above in the summaries is that there is still conflict with traditional notion of parenting and the idea of children as right bearers as contained in the CRA

2003. This was revealed in Chapter Five by respondents concerning the attitudes of parents regarding decisions on what is in the best interest of the child. While acknowledging the right bearing status of their children in principle, some parents take actions that predicated on the traditional view of children as 'property' of their parents. This attitude might take on a general societal pattern that includes most adults either in professional services that concern children or in their private lives. Umeobika (2018, 13) theorised that a reason why this could be happening will include the belief that "children are not enlightened on their rights and in some cases, cultural and procedural factors projecting children as objects that should be represented by their parents and not as subjects or parties to the suit still subsists". It stands, to note that strategies are in place, but administration are bedevilled with implementation challenges that stream from ingrained attitudes and training inadequacy.

8.3.2. Are the Nigerian child welfare services accessible to children in need?

As was suggested above there are institutions that should enable child right protection implementation, including services. For example, the CRA 2003 as a legal document embodies a compendium of rights and privileges which every Nigeria child can lay claim to. The qualifying criterion is for any Nigerian to be under the age of 18 to make legal and legitimate claim to any of the provisions. Section 10 of the act binds this claim in its guarantee of the right to freedom from discrimination, which is proactively strategic, considering the level of social inequality in Nigeria. In Chapter Six, one of the key informants reported that access to social support that can cushion poverty and its negative consequences are not readily available like they used to. This is in spite of the numerous social assistance programmes the government embarked on at one time or the other. For example, the Buhari administration in 2015, introduced the Home-grown School Feeding Programme. The objective is to incentivise school enrolment and attendance. However, evaluation report of the programme gave a scatting report of poor programme performance. The International Centre for Investigative Reporting (ICIR, 2018) reports how the social welfare intervention programmes such as school feeding programme initiative and conditional cash transfer to the most vulnerable, among others did not live up to expectations. Access by the real targets of the programme was not guaranteed with the poorest Nigerians deprived of the cash transfer.

Just as reported in extant literature, the economic status of children depends on the status of their parents (Harper et al, 2011). Social exclusion among Nigerian children is well documented in the literature of child wellbeing and protection systems. Some children are excluded from accessing some rights conferred on them by the CRA 2003. This includes access to health services, education, information, nutrition etc. A propriety of one of the residential children's homes that participated in the study reported that access to health services for the children is a major challenge for the home. Given that the residential homes that are privately owned are always lacking funds due to government not fulfilling its obligation to them. In the light of this, accessing medical services for the children is a real challenge.

Government initiated social assistance has not fared better in terms of equal access. The Covid 19 prevention measures affected families and the federal government initiated a welfare programme to assist the most vulnerable by investing in some palliatives. However, during a survey by the ICIR (2020) it was reported that 98% of Nigerians did not receive the government palliatives. This was made clearer when warehouses containing these palliatives were busted by the public and looted through a mob action across different cities in Nigeria, especially Lagos and Abuja. The irony was that these procured goods that were meant to be distributed to vulnerable Nigerians were locked up in warehouses where most of them were allowed to expire. The school feeding programme equally was marred by corruption. According ICIR (2018), despite spending N49 billion on the free meals in two years, not many school pupils were frequently fed, even when they were fed, the quality of the food was poor. Data collected from three states of Benue, Taraba and Plateau showed the existence of ghost schools on the scheme and underpayment of cooks. In most cases, the cooks also play truancy. But where the feeding has been taking place, enrolment has increased. The Federal Government has put the increase at 30%.

It is crucial to consider some of the barriers to access to social privileges in the Nigerian society, which might include the level of socioeconomic and power inequities. Nigeria is considered one of the most unequal societies in the world. Ajayi (2019) reported in her findings of a study of access to educational rights of Nigerian children that inequality still exists in the provision of the Early Child Care Education programme in Nigeria. The enrolment in the programme is still low. Employment of personnel into the programme is also very low to the number at the primary level. The guarantee of the right to eleven years of free and qualitative education as provided in section

15 of the act is an example. This, looking at the public school system, can be added as an indication of denied access.

A more recent report has put the number of out of school children at 15 million children of school age in Nigeria. These have been structurally excluded from having access to the legally guaranteed free, compulsory and universal primary education. It was earlier reported in Chapter Seven that universal primary education in Nigeria is not totally free, even in states where it is declared free. Reference was made to the viral video of little Miss Success Adegor who was sent home for not paying school fees in 2019. Miss Adegor who has now been identified as a child prodigy is from Delta State, one of the richest states in terms of its share of the monthly federal allocation because of its large oil deposit. Oji and Bebenimibo (2021, 45) painted a graphic description of the structures the pupils learn under: "the wretched photograph of Okotie-Eboh Primary School with leaking roofs, no ceiling and squalid walls that were broadcast to add verve to the claim that the Miss Adegor story goes beyond her grouse for being sent home rather than remain in school and achieve her desire to be educated". They went further to bring attention to the deplorable environments in which children are sheltered as classrooms to learn, raising alarm at the illegal fees that school administrators introduce despite being aware of the provisions of the law regarding children's education in Nigeria.

Khan's (2019) view of how street level bureaucrats can get opportunistic and act in a manner that negatively impacts policy objectives can shed light on the processes that led to a denial of access to children like Miss Adegor. Hawkins et al (2006) blames this on abuse of discretion on street level bureaucrats. This form of opportunistic behaviour is thought to be rampant among public service providers in Nigeria. Transparency International scored Nigeria very low on the corruption index, ranking 149 out of 180 countries. Again, while the reports have that of policy failures in many fronts, one cannot totally deny the little gains that have been recorded. A more important question is what the situation would have been without the efforts and gains recorded.

8.3.3. Are the Nigerian child welfare decisions based on the best interest of the child?

The best interest of the child has remained the fulcrum of child rights protection strategies of the CRA 2003, borrowed from its progenitor instrument, the UNCRC. Following from an awareness

of the existence and objective of the CRA, social welfare workers have reported a general understanding of its demands in relation to what is a child's best interest. All respondents clearly revealed that decisions of children's social welfare must be guided by what is in the child's best interest. In recognition of this, in any case, the procedures of the Act contained therein, through which actions that are in tandem with this principle should be pursued are clearly spelt out and expected to be adhered to. In situations where institutional powers are usurped by street level bureaucrats, standards that guide procedural imperatives would have been undermined. With every social service worker giving a different interpretation the provisions of the act, the principles of best interest can be undermined. For example, when social service workers adjudicate in custody matters and ignoring the warning that no other authority has the right to adjudicate in matters concerning children other than the family court. Of course, the family court has professionals as its constituents, that are trained to handle such matters.

The principles of best interest can also have a cultural colouration as what is thought to be actually in the best interest of the child could be mediated by cultural values. So, in addition to usurpation of authority, a conception of what is in the best interest of the child could be viewed from a cultural lens by people no professional training. For example, making adoption decisions is one of such instances where, it was discovered from interview responses that the social welfare workers fail spectacularly. None of the people interviewed suggested that they take such decision to the family court, neither do they seem to follow strictly, laid down procedure that are crafted not to comprise the interest of the child. The social welfare workers suggest to always find themselves in a situation where they have to make independent decisions and make use of available resources. What is suggested is the environment of child welfare administration makes it difficult to hold best interest of the child paramount.

8.4. Limitations of Study

The narrow focus of the study: The current study focuses specifically on an aspect of the indications of implementation priorities of the CRA 2003, which may not fully capture the complexity of the issue being examined. This narrow focus may not provide a comprehensive understanding of the implementation of the CRA throughout Nigeria.

The limitations of the qualitative design: The study's qualitative design, while useful for gaining insights into the lived experiences of participants, also inherently brings with it certain limitations. Specifically, the linking of interview transcripts to research goals or objectives may not be entirely accurate and the small sample size of participants interviewed may limit the generalizability of the findings to the larger population of stakeholders.

Data collection method: The study relies on self-reported information from participants, which may be subject to bias or inaccurate recall. Additionally, interviews may not be the best method to collect data from the child welfare workers and administrators, since it may not be the best approach to get insights from those who are in charge of the programs they are evaluating.

Case study location: By selecting one location in Nigeria (Owerri, the capital of Imo State), the study may not capture the experiences of children and their families in other parts of the country. Therefore, it may not be able to make generalizations about the implementation of the CRA throughout Nigeria.

The limitations of the interpretive phenomenological approach: The interpretive phenomenological approach is based on the interpretation of the researcher, so the results of the study may be influenced by the researcher's perspective. The interpretive phenomenological approach may be less suitable for generalizing the findings to the population, or for making comparisons between different cases.

The limitations of the qualitative method in general: The qualitative method may not allow for comparisons to be made or statistical analysis performed, thus reducing the certainty of the results and the generalizability of the findings. This may limit the ability to generalize the findings to other settings, or to make causal inferences.

The use of a priori themes: The study has used mostly a priori themes in its analysis of the interview transcripts, this may lack the rigor of theme generation from interview transcripts. This approach may not fully capture the complexity and nuances of the lived experiences of the participants.

Sample size and generalizability: By using a purposive sampling method and conducting interviews with a small number of participants, the study may not have a large enough sample size

to generalize the findings to the broader population of parents, welfare workers, administrators, and proprietors of children's residential homes in Nigeria.

It is important to keep these limitations in mind when interpreting and applying the findings of the study. While the study provides valuable insights, it is important to consider these limitations in order to understand the potential limitations of the study, and to identify areas for future research.

8.5. Recommendation

8.5.1. Recommendations for Policy Makers

The CRA 2003 legislative policy like all other public policies that have been approved to improve society requires effective evaluation. Having been localised in Nigeria from its global progenitor, UNCRC, the need for the evaluation of its implementation in Nigeria cannot be overemphasised. What could be found in available literature is independent evaluations that are most times not wholistic. There is a need for government funded evaluation that is comprehensive with the aim to unravel impediments to effective implementation and opportunity for remediation. There has been foot dragging still in the Northern part of the country that has left about 12 states still to pass the act into state law. Efforts on the part of the federal government to use political means that will respect the constitutional autonomy of the state to get them to adopt the CRA as state laws would be necessary. Child marriage is still rampant in these states largely because such acts have not been criminalised.

The general policy implementation skills of the government needs to be upgraded as CRA 2003 implementation is not the only area that has suffered. Most policies of the government lacked coordination and the required political will to push to policies goals. A number of slippages, shirking and opportunism on the part of street level bureaucrats who make contacts with the citizens with regards of service delivery need to be checked. There may appear to be a form of absence of merit-based recruitment into professional positions that are key to effective policy implementation. With specific reference to social welfare services and implementation of policies therein, the non-recognition of social work as a professional field removes the enabling career environment for professionalism to thrive.

Government also needs to increase its regulatory capabilities. Most of the work within the sector is carried out by non-governmental organisations. With proper regulation abuse due to unrestricted discretionary decisions would make way for abuse. In an environment where people are struggling to survive due to increasing economic hardship, people with opportunistic motives can take advantage of the lax in the regulation of the sector by government to set up criminal organisations in disguise. The spate of increase of 'baby factory' charity homes is an eye opener. This is largely a problem of loose regulation of the sector.

8.5.2. Recommendations for Researchers

There is a robust research activity in the child rights sector in Nigeria. This dates back to a time prior to the adoption of the CRA. However, recent studies have recognised the central position of the CRA in guiding activities concerning children's rights in Nigeria. Although NGOs both local and international have led the way, research efforts should focus more on the capacity of government institutions to play their roles. Of concern is the effort of the state governments. With the Lagos State government setting the pace, one can argue that it is a function of how much revenue that accrues to the state. However, the story of Miss Success Adegor in Chapter Seven seem to shift focus from state revenue generation capacity. Delta state, as Miss Adegor's state of origin receives one of the highest federal allocations but has its public schools in very deplorable state as the one described. Research should therefore try to understand why the states show scant interest in giving this sector funding priorities. It may seem that success at the polls heavily weigh on government's spending decision. The social sector it may appear portends the likelihood to influence the citizens' perception of government, which can translate to success at the polls. Why this is not a motivation needs to be researched for impact.

Research should also do more to understand why implementation coordination remains a drawback of policy success in Nigeria. As was earlier mentioned, this is not only restricted to CRA implementation. It may appear to be a national albatross that has affected development policies in Nigeria. There has been a number of social intervention policies that are identified with each different regimes, even during the military eras. The failure of most or all of these programmes have been blamed problem of coordination. The CRA has its share of the defective coordination problems. Effective coordination in policy implementation needs to be seriously focused as major

developmental impediment. A properly designed randomised control trail of the experimental design should be considered or a triangulation with qualitative design may be necessary.

Adding to the above is the need to have a definite criterion on which the effects of effective implementation of child rights programmes in Nigeria can be determined. A research tradition that explores subjective wellbeing as an indication of social progress (Yanghee, 2009) is receiving lots of attention. It exogenous variables range from economic policies to rights protections policies. Casas et al. (2018), in their study explored the relationship between children's knowledge and perceptions about their rights and subjective well-being (SWB). The effects of perceiving that adults in general respected children's rights in their own country on SWB were found to be highly correlated with SWB as compared to knowledge of children's rights or the knowledge of the CRC. Using SWB to measure the effects of right protection programmes is likely to be more compelling for adults that are still doubting the benefit of recognising children as right bearers.

And lastly, research and its effective communication to the public of the need to address ideological barriers to the principles of child rights need to be focused. People carry their sentiments into government positions, so those cultural models that impede policy acceptance grow in the average citizen before they are elected into political offices. If research focus of the objective to tease apart culture specific barriers that impede general acceptance of the concept of children as right bearers and properly communicated, societal attitudes might begin to change. Thus, politicians do not have to carry their ingrained sentiments into public offices that create barriers to adoption of development models that have worked in other societies.

8.5.3. Recommendations for Practitioners

The practice of child protection and welfare services delivery in Nigeria can be said to have had an interesting trajectory. Of importance is its break from the traditional practices that provided safety nets within the traditional Nigerian communities. Prior to this time, the community approach to child rearing had dominated (Ekpe, 1984). Just like most national institutions of the Nigerian state, the profession as we know it today has its roots in the migrated institutions that came with colonialism, which have struggled with legitimation (Ekeh, 1975). This line of argument has drawn support from the difficulty one might face searching for substantive reason that explains its current

struggles as a professional field. Focusing on ideological reasons becomes enticing when you consider that the Department of Social Development was created in the Ministry of Labour in 1974 as a recognition for the need for social work (Ngwu, 2014).

The journey of social work as a field of practice in Nigeria actually began in 1975 with the creation of the Ministry of Social Development, Youth, Sports and Culture (Mere, 1981). This ministry came with the mandate to midwife the training of social workers who were to be trained on the skills and knowledge required to deliver to Nigerians the services of social development. It is most interesting that almost 40 years after, trained social workers in Nigeria are still struggling for social work to be recognised as a professional field. This background is necessary to put into proper perspectives the problems of social services delivery in Nigeria before any credible recommendation can be appreciated.

Globally, social workers have been at the forefront of implementing policies that relate to child rights protection and welfare services, among its other areas of professional coverage. This is because the practice requirement for child protection policies is deemed to fall within the skills and knowledge scope of social work as an academic field. Social work has therefore developed as a robust research tradition that has over the years modelled best practices for its several specialist areas including child protection and welfare administration. A recognition of the social work practice as a profession just like other practice areas, e.g., nursing and other related fields becomes necessary because of what such legal status portends for a professional field. This is a recommendation that should set the institutional foundation on which to lay other practice efficiencies it requires for effective implementation of child rights policies.

The importance of recognising social work as a profession is made manifest in the UK starting from 2001 when a professional status was accorded trained social workers. According to Wiles and Boahen (2018), working professionally involves having a sound knowledge of, and ability in, key aspects of social work, and then being able to integrate these in everyday practice. Within the practice environment, there is a recognition of the need for national regulation of social workers (Wiles and Boahen, 2018). Obeten et al. (2020) in writing about the challenges of social work in Nigeria described social work as a practical social engineering discipline, which promotes social change and interventions in a number of ways. Despite the core mandate of the profession in Nigeria, however the profession has faced challenges that have continued to slow down the pace

of its practice, education, and contributions to national development (Obeten et al, 2020). Quite a number of factors have been identified to challenge the growth of social work in Nigeria, which has led to absence of credible street level bureaucrats that interface children and their guardians needing social welfare services.

Obenten et al (2020) listed poor awareness creation about the profession and non-passage of the 2017 Social work bill by the National Assembly as a major problem. There is also the need to enlighten the public about social work practice. This is considered crucial in making the public and public office holders to come into reality of the relevance of social work in nation building. The lack of public awareness on social work education may have contributed to the non-passage of the Social Work Professional Bill sent to the Nation's National Assembly in 2018. By making avid effort to create awareness of the profession, people will be sensitised about the various prospects in social work, following which the profession may gain greater recognition. Additionally, lack of autonomy in social work training units/departments has been identified to have contributed in so many ways. For example, Ngwu (2014) observed that the situation is such that social work unit is subsumed in a department other than social work. Thus, a determination of training objectives and course content as well as the characteristics, quality and number of trainees is often done by professionals from other disciplines instead of social workers. This situation is believed to work against the growth of social work education in Nigeria.

The need for more awareness is due to a funding apathy that is trailing social work activities. According to Ngwu (2014), social work organisations like state and local government welfare offices are poorly resourced, making it sometimes difficult to run such offices. Even the basics of office stationaries sometime could be lacking to an extent that office administration is difficult to be carried out. Because of the nature of social work case management, sometimes logistical support impedes prompt responses to urgent cases. For example, where it is reported that a child is exposed to threatening situation that requires urgent intervention, access to the necessary logistical support might become an impediment to prompt response. These are the consequences of insufficient budgetary allocations for the social services department.

It may also be necessary to isolate the poor remuneration of social workers in Nigeria from the general pay of workers in the public sector as a factor. Although data for comparison with their counterparts from comparable economies is not available, the fact that trained social workers in

Nigeria can migrate to the West for better pay leaves room for comparison. Obeten (2020) observed that social work is one of the most overworked, but underpaid, under-recognised and distressed professions in Nigeria. Arguing from the same breath, Ankrah (1991) points out that lack of recognition by governments manifests itself in the lower levels of remuneration and status accorded to social workers compared to other professionals with similar qualifications. As a corollary of low remuneration, lack of recognition is easily pointed at as a precursor to social workers becoming vulnerable to stress-generating situations such as role-overload, role-conflict, role-ambiguity, over-responsibility, and poor working conditions. These are stressors that tend to cause burnout, which impugns the psychological wellbeing social worker practitioners, leading to low morale and compromised job performance. Ngwu (2014) observed that many social workers in Nigeria especially those in the medical settings are finding it difficult to handle work-related stress, resulting in frustration and reduced efficiency.

The National Association of Social Workers (NASW) would need to raise and deploy effective strategy for lobbying policy makers and influential government officials for greater voice in their affairs. This has the potentials to improve their chances at the National Assembly and the Presidency. There is an urgent need to approve and implement the 2017 social work bill, in order to streamline the profession and avoid non-professional's involvement in social work practices. Due to non-recognition of social work as a professional field, its growth in terms of education, training and practice in Nigeria has been hampered and this is likely to remain the case until appropriate laws and legislations are made. Obeten et al. (2020) would aver that until this is done, social work profession will remain an all-comers profession that offers short and open entry to quacks.

While the efforts to obtain the required professional recognition for social work in Nigeria, trained social workers on the platform of the National Association of Social Workers should do more to increase their visibility. This will increase their influence in the charting a course in the social sector and especially the child protection system. Social workers as the professionals in the implementation of child rights policy legislations should strive to take ownership of the CRA 2003. All the lapses in the implementation of the Act should form a call for advocacy for the NASOW as a professional body, within the limits of its legally allowed statutes. It may seem that all forms of advocacy in the area of child right protection has been championed by local and international

NGOs. Appropriating greater voice in matters of social welfare and child protection should increase their influence which should in turn enable them to achieve more.

As they increase in influence, NASOW should lobby to regulate the employment of persons into certain positions in the social sector. As was suggested, social workers should fill the gap in the referral channel that left only a reactive response to child protection risks. It will make more sense to have social workers in schools that can as safeguarding leads. Considering that the environment of protection is deemed to harbour lots of risks for children, it is important that vigilance is increased until the societal attitudes towards children as right bearers improves.

It should also be lobbied that only qualified social workers can be granted licence to run children's homes. A situation where people without any exposure to professional ethics are granted licence allows for criminal behaviours as seen in baby factories and trafficking and outright selling of children. With trained professionals getting involved in the regulation of activities with the child protection sector, stakeholder conducts, and advocacy is bound to be strengthened. Ultimately, evidence of improved wellbeing for children and the general environment of child right protection will begin to emerge during policy evaluation.

8.6. Conclusion

With all accounts of the respondents taken together, the overall environment of child welfare and rights protection administration is constrained to such an extent that it is difficult to put the best interest of the child above all other considerations. Poor resourcing seem to be a major constraint.

Starting from funding which should set the implementation priorities in tune with the policy goals, this does seem to be very inadequate. When any form of administration is not properly funded it is unlikely that the goal will be achieved. In the final analysis, therefore implementation of the CRA 2003 is affected by funding.

Lack of adequate funding also need to be interrogated to understand its precursor variables. From discussions, it may seem that it is not necessarily the paucity of funds but sometimes could be as a result of government fund allocation priorities. It was noticed that politicians are not totally motivated to give priority to this sector when there is competition for funds with other sectors that

advance their electoral currency. A situation of alternative forgone usually put the social sector at a disadvantage. Again, one can conclude that child welfare and rights protection suffers low political importance for the politicians that have the responsibility to allocate funds.

Another issue with funding of the sector is the presence of ideological barrier. Even when funds are available, some government officials do not acknowledge the conception of children as right bearers. Granting children representation in spite of their parents still seem to sound like an aberration for some chief executives. Just like the resistant in the North of Nigeria on the age of marriage, other aspects of the child rights seem to evoke cultural tension for some other people. And where these adults are in a position to allocate funds for child rights implementation, negative attitudes constrains fund approval.

With the sector not properly funded, recruitment of qualified professional that can act as advocates for child rights becomes difficult. Trained professionals that have a more appealing job option would not be found in the sector, leaving space for untrained workers. As would be noted, social work is a professional field that requires specialised training for effective implementation of relevant social policies. Where these professionals are absent due to poor remuneration, poorly trained will workers would hold sway. With social work lacking the recognition as a professional field in Nigeria, trained social workers would want to transit to other areas that would give due recognition to their specialisation and professional identity.

And lastly, although a lot has been put in place as part of the strategy for effective implementation, there are still more to be done. The absence of some key authorities and institutions in the states and local governments have contributed to constrained implementation. Where it takes several years to set up a family court after adoption of the CRA as a state law leaves much to be desired. Where there is an absence of a family court to hear cases concerning children, social welfare workers who are most likely to be untrained are constrained to act as the court by themselves and make decisions that may likely to flawed and antithetic to the interest of the child. With all taken together, a veritable environment for corrupt practices would have been laid. So shirking and slippage and even opportunistic behaviours would be rampant among workers.

Notwithstanding all the shortcomings of the CRA 2003 implementation, however awareness of children as right bearers has grown tremendously in Nigeria. A number of child right abuses are

now received with shock and condemnation. The society is now scandalised when certain rights of children are seen to be abused. For example, the right to education has received tremendous boost in the south of Nigeria. A time when children used to hawk for their guardians during school hours has changed. Such practices are now balked at with other people assuming personal responsibility to report to state authorities. Sometimes what is happening in other climes filter in as a result of globalised media and the borderless social media space. Tremendous improvement is possible with government getting more effective in its implementation skills of social policies.

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Research Themes

The following interview questions will be used as a guide. The questions will be tailored to meet individual participant needs.

1. Ministry of Women's Affairs

Theme 1: Child welfare services and accessibility

Explanation of the research and safeguarding

- a) Can you tell me how the Ministry of Women Affairs incorporates the Child Rights Act 2003 into its policies?
- b) Can you tell me about the range of services available to children and families in the area?
- c) How do parents and children access these services?
- d) Are your services well-publicised in the local community?
- e) Do you experience any resource issues that impact on service provision and the enactment of the child rights policy (please elaborate)?

Theme 2: Child poverty and family support

Research Question:

- a) What do you see as the most pressing issues faced by families you are working with?
- b) What role do you think poverty played in lives of children and families?
- c) If so, can you tell me whether the Ministry has poverty-reduction as part of its remit?
- d) What kind of family support do you offer? (Please elaborate)

Theme 3: Support for children in and leaving care

a) Can you tell me the types of substitute care and services you provide? (please elaborate on each area)

- b) Please tell me about the services available for children leaving care?
- c) How do you obtain the view of children accessing substitute care?

2. Welfare office workers

Explanation of the research and safeguarding

Theme 1: Child welfare services and accessibility

- a) How does your organisation incorporate the Child's Rights Act 2003 into its policies and procedures?
- b) Tell me about your understanding of the Children's Right Act 2003 in context of your work
- c) Can you tell me about the kinds of support you provide to children and families in this area?
- d) How do parents and children access your services?

Theme 2: Child poverty and family support

- a) What is the main reason for children and families accessing your service?
- b) What role does poverty play in the issues they experience?
- c) What support, if any do you provide to alleviate poverty?
- d) Please can you tell me the kind of family support you provide to families? (please elaborate)

Theme 3: Support for children in and leaving care

- a) Can you tell me the types of substitute care and services you provide? (please elaborate on each area)
- b) Please tell me about the services available for children leaving care?
- c) How do you obtain the view of children accessing substitute care?

Is there anything you would like to say that you have not yet had the opportunity to?

Thank you

Explanation of what happens next

3. Experienced children's residential home workers

Explanation of the research and safeguarding

Theme 1: Care Eligibility and availability

- a) Please can you tell me about your understanding of the Child's Right Act 2003 in the context of your job
- b) How does your organisation incorporate the Child's Rights Act 2003 into its policies and procedures?
- c) Can you tell me the type of care/support services you provide to children?
- d) How do children access your service?

Theme 2: Care and support provided to children

- a) How do you work out a child's needs? (What are your processes and framework?)
- **b**) Can you tell me the policies you have in place in relation to Child Rights in this home?
- c) Please explain to me how do you ensure that you staff work according to the policy?
- d) How do you seek the views of children and involve them in decision making?

Theme 3: Support for children in and leaving care

a) Please tell me the kind of support your organisation provide to children leaving care

Is there anything you would like to say that you have not yet had the opportunity to?

Thank you

Explanation of what happens next

4. Families and children

Introduction/safeguarding/reminder of "pass, don't know, stop"

Explanation of the research and safeguarding, practice I don't know, Pass and Stop

Theme 1: Referral

- a) Tell me a little about your family?
- b) What is your understanding of children's rights?
- c) Tell me about how you got involved with welfare services?
- d) How did they involve you and your children?
- e) How did you feel about welfare involvement?
- f) When you needed help how accessible were the services?

Theme 2: Experience of becoming a welfare client

- a) How did the person interact with you?
- b) Did the welfare worker help you to understand what was going on?
- c) In what ways was your views taken and were you listened to?
- d) Were you offered any services/support? If so, what were you offered, and did you take it up? If not, why did you decide not to do so?
- e) Tell me about your thoughts and feelings about this experience
- f) Is there anything you would like to say that you have not yet had the opportunity to?

Thank you

Explanation of what happens next

Participant Information Sheet for Professionals

Research Project Title

A Case Study of lived experience of the implementation of Child Rights Act 2003 in Nigeria

Invitation

You are being invited to take part in this research project. Before you decide to do so, it is important you understand why the research is being done and what it will involve. Please take time to read the following information carefully and discuss it with others if you wish. Ask me if there is anything that is not clear or if you would like more information. Take time to decide whether you wish to take part.

What is the project's aim?

This study will enquire into the lived experience of the implementation of the Child's Rights Act in Nigeria through the views of children, families and professionals

Do we have to take part?

It is up to you to decide if you want to take part. If you decide to take part, you will be asked to sign the consent form to show your agreement. You can stop participating at any time before data analysis begins and don't have to give a reason, information already provided will not be used.

How will we take part?

I will interview you and record it using a digital recorder. I will take notes using a journal if you are not comfortable with being recorded with an audio recorder.

What will the researcher do if safeguarding issues are disclosed?

Participation in this research is strictly confidential. The researcher will discuss any safeguarding issues with relevant authorities

Will anyone know that we are taking part?

No one will be informed that you are taking part. All the information collected from you during the research will be anonymised.

How will you use the information provided?

I will be using the data to write up my PhD on child's rights in Nigeria, and I intend to discuss some of my findings in professional conferences and publish them in academic journals. The purpose of these public discussions and writings is to enhance child welfare in Nigeria, and all material will be anonymised so that no individual or organisation will be identified. All data generated during this research will be digitalised and stored in the University of Hull secure Server. All data collected will be destroyed when this thesis is complete

What if something goes wrong?

If you have any complaints about the project in the first instance you can contact me or University of Hull if the issue is not resolved

Who has reviewed the study?

This research was reviewed and approved by the University Research Ethics Committee at the University of Hull on -/ -/ -

Contacts

For further information Nkiru Ikeh. Tel: +447413507283. email: nkiruikeh@yahoo.com .

To contact University of Hull, call Caroline Humphrey on +441482464653. Email: c.humphrey@hull.ac.uk

Thank you for taking the time to read this – please ask any questions if you need to

Participant Information Sheet for Parents/carers

Research Project Title

A Case Study of lived experience of the implementation of Child Rights Act 2003 in Nigeria

Invitation

You are being invited to take part in this research project. Before you decide to do so, it is important you understand why the research is being done and what it will involve. Please take time to read the following information carefully and discuss it with others if you wish. Ask me if there is anything that is not clear or if you would like more information. Take time to decide whether you wish to take part.

What is the project's aim?

This study will enquire into the lived experience of the implementation of the Child's Rights Act in Nigeria through the views of children, families and professionals

Do I have to take part?

It is up to you to decide if you want to take part. If you decide to take part, you will be asked to sign the consent form to show your agreement. You can stop participating at any time before data analysis begun and don't have to give a reason, information already provided will not be used.

How will I take part?

You will be asked some questions during an interview and your answers will be recorded using audio recorder. If you are not comfortable with being recorded with an audio recorder, I will take notes in a journal instead.

What will the researcher do if safeguarding issues arise?

Participation in this research is strictly confidential. Where safeguarding issues arise, the researcher will discuss these concerns with the relevant authorities.

What if something goes wrong?

If you have any complaints about the project in the first instance you can contact me or University of Hull if the issue is not resolved

Will anyone know that I am taking part?

No one will be told you are taking part. All the information collected from you during the research will be anonymised.

How will you use the information I provided?

I will be using the data to write up my PhD on child's rights in Nigeria, and I intend to discuss some of my findings in professional conferences and publish them in academic journals. The purpose of these public discussions and writings is to enhance child welfare in Nigeria, and all material will be anonymized so that no individual or organisation will be identified by me. All data generated during this research will be digitalised and stored in the University of Hull secure Server. All data collected will be destroyed when this thesis is complete.

Who has reviewed the study?

This research was reviewed and approved by the University Research Ethics Committee at the University of Hull on -/ -/ -

Contacts

For further information Nkiru Ikeh. Tel: +447413507283. email: nkiruikeh@yahoo.com. To contact University of Hull, call Caroline Humphrey on +441482464653. Email: c.humphrey@hull.ac.uk

Thank you for taking the time to read this – please ask any questions if you need to

PARTICIPANT INFORMATION SHEET FOR CHILDREN AND YOUNG PEOPLE

Study title

A Case Study of lived experience of the Implementation of Child Rights Act 2003 in Nigeria

Invitation

I would like you to help with my research study. Please read this information carefully and talk to your mum, dad or carer about the study. Ask me if there is anything that is not clear or if you want to know more. Take time to decide if you want to take part. It is up to you if you want to do this. If you don't then that's fine.

Why is this study being done?

I want to find out how the Child's Rights are put into practice in Nigeria. Rights are things every child should have or be able to do. All children have the same rights.



Why have I been asked to take part?

You have been asked to take part in this research because you are aged between 12 and 17 years old and your family has been using Child Welfare Services.

Do I have to take part?

No! It is entirely up to you. If you do decide to take part:

- You will be asked some questions, just answer the questions as openly and honestly as you can.
- If you don't want to answer a question, then you can say 'pass' and we will move on.
- If you don't know the answer to a question or don't understand the question, then you can say 'I don't know' and I will rephrase the question.
- If you want to stop the interview, then you can say 'stop' at any time and we will.
- You will be given this information sheet
- You will be asked to sign a form to say that you agree to take part (a consent form).
 You and your parent/carer will keep a copy of the signed form and I will also have a copy.

Will the study help me?

It will not help you directly. I will collect all the information together and use it to help me understand how the Child's Rights are practiced in Nigeria.

What if I don't want to do the research anymore?

Just tell your mum, dad or carer at any time and they will let me know.

What if I am not happy with the research?

Tell me if there is a problem with this research. You and your mum, dad or carer can contact Caroline Humphrey at the University of Hull on +44148246453. Email: c.humphrey@hull.ac.uk if you are still not happy.



Will anyone else know I'm doing this?

All information that is collected about you during the research will be kept strictly confidential. You will be given another name which will be used instead.

Information about you like your name and address will be removed so that you cannot be recognised from it. Once the study is complete all information about you will be destroyed.

During our talk together, if you tell me anything that makes me concerned about your safety, I will follow the safeguarding procedure.

What happens when the research study stops?

I will collect all the information, I will be writing my papers and talk to other people in conferences

Who has checked the study?

This research has been checked by the University of Hull Research Ethics Committee. This is a group of people who make sure that the research is OK to do.

How can I find out more about research?

Please contact Mrs Nkiru Ikeh on +447413507283 Email: N.C.Ikeh@2016.hull.ac.uk

Thank you for taking the time to read this – please ask any questions if you need to

FACE ETHICS COMMITTEE

CONSENT FORM – For Institutions/Organisations

I,		hereby	give	permission
,		•	O	•
	being undertaken by:Nkiru Ikeh			
	search is to explore lived experience of the			
I here	by declare that:			
1.	the aims, methods, anticipated benefits an	nd possible risks/hazards of	the rese	arch study
	have been explained to me.			
2.	I voluntarily and freely give my consent f	For the institution/organisati	on to pa	rticipate in
	the above research study.			
3.	I understand that I am free to withdraw m	y consent at any time and b	efore da	ata analysis
	begun, in which event participation in the	research study will immed	iately ce	ease and any
	information obtained through this institut	ion/organisation will not be	used if	I so request.
4.	I understand that aggregated results will b	be used for research purpose	es and m	nay be
	reported in academic journals.			
	Signature:	Date:		
T1	A A LA TIL CALL LINE NI CALL	1-@2016 h111-		

The contact details of the researcher are: N.C.Ikeh@2016.hull.ac.uk

The contact details of the secretary to the Faculty of Faculty of Arts Cultures and Education (FACE) Ethics Committee are:

Jo Hawksworth, Research Office, Faculty of Education, University of Hull, Cottingham Road, Hull, HU6 7RX. tel. 01482 466658. Email: j.hawksworth@hull.ac.uk

FACE ETHICS COMMITTEE

CONSENT OF PARENT/GUARDIAN FOR THE PARTICIPATION OF A MINOR OR DEPENDENT PERSON

I	
daugh	ter / dependent to be a participant in the study to be undertaken by:Nkiru
Ikeh	I understand that the purpose of the research is to explore lived experience
of the	Implementation of Child Rights Act 2003 in Nigeria
I here	by declare that
1.	The aims, methods and anticipated benefits and possible hazards/risks of the research study
	have been explained to me.
2.	I voluntarily and freely give my consent to my child's/dependent's participation in such
	research study.
3.	I understand that aggregated results will be used for research purposes and may be reported
	in academic journals.
4.	I understand that individual results will not be released to any person, including medical
	practitioners.
5.	I am free to withdraw my consent at any time, during the study in which event my
	child's/dependent's participation in the research study will immediately cease and any
	information obtained will not be used.
	Signature: Date:

The contact details of the researcher are: N.C.Ikeh@2016.hull.ac.uk

The contact details of the secretary to the Faculty of Faculty of Arts Cultures and Education (FACE) Ethics Committee are: **Jo Hawksworth**, Research Office, Faculty of Faculty of Arts Cultures and Education (FACE), University of Hull, Cottingham Road, Hull, HU6 7RX. tel. 01482 466658. Email: j.hawksworth@hull.ac.uk

FACE ETHICS COMMITTEE

CONSENT FORM for INTERVIEW

I,			
study to be undertaken by: Nkiru Ikehand I understand that the purpose of the research is to			
explore lived experience of the Implementation of Child Rights Act 2003 in Nigeria			
I hereby declare that			
1. the aims, methods, anticipated benefits and possible risks/hazards of the research have			
been explained to me.			
2. I voluntarily and freely give my consent to my participation in such research study.			
3. I understand that aggregated results will be used for research purposes and may be			
reported in academic journals.			
4. I understand I am free to withdraw my consent at any time during the research, in which			
event my participation in the research will immediately cease and any information obtained from			
me will not be used.			
Signature: Date:			
The contact details of the researcher are: N.C.Ikeh@2016.hull.ac.uk			
The contact details of the secretary to the Faculty of Faculty of Arts Cultures and Education			
(FACE) Ethics Committee are:			
Jo Hawksworth, Research Office, Faculty of Faculty of Arts Cultures and Education (FACE),			
University of Hull, Cottingham Road, Hull, HU6 7RX. tel. 01482 466658. Email:			
j.hawksworth@hull.ac.uk			

CONSENT FORM

TO BE COMPLETED BY CHILD PARTICIPANT

I agree to take part in the study on how the Child Rights Act 2003 is implemented in Nigeria and
would like to take part in (please tick)
A group interview with my family
I have read and understood the information leaflet. I know what the study is about and the part I
will be involved in. I know that I do not have to answer all the questions and that I can decide not
to continue at any time.
Name
Signature Age
The contact details of the researcher are: N.C.Ikeh@2016.hull.ac.uk
The contact details of the secretary to the Faculty of Faculty of Arts Cultures and Education
(FACE) Ethics Committee are:
Jo Hawksworth, Research Office, Faculty of Faculty of Arts Cultures and Education (FACE),
University of Hull, Cottingham Road, Hull, HU6 7RX. tel. 01482 466658. Email:
j.hawksworth@hull.ac.uk

SOCIAL WORKER INTERVIEW I

Researcher: RS

Participant: PT

RS: I have started recording

PT: that's fine

RS: Thank you for agreeing to participate in this project. You have the right to take breaks when

needed and to withdraw before I analyse the data obtained from of this interview and the I will

no longer use the information you provided.

PT: You are welcome, I understand

RS: what is your understanding of the Child's Right Act 2003

PT: It is a written law and given to us by the government, we work with it in our duties as social

workers in Social Welfare department. In all the issues we are dealing with regarding children,

we are implementing the Child Rights. What concerns children's right is not joked with, we do

everything we are told to do both those written or not written even put more effort and go extra

mile to see that we do both those remembered or not remember because not everything you do is

written in the book. There is nothing in the Child Rights Act book that we do not do but

sometimes we are faced with numerous obstacle that may come up that makes it to look like we

do not get 100% of what we ought to be doing. We have been trying we are really trying; they

are for blessing. We are trying we are progressing. Child's Rights Act 2003 is about protecting

the interest of the child. In our duty as social workers we are mandated by the law to work

according to the best interest of children.

RS: Please can you give me specific example of how you implement the Child Rights Act in

your role?

PT: You mean?

RS: I meant how you apply the Child Rights Act 2003 in your work as a social worker

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PT: For instance, wherever a child is abuses and it is reported to us. Our responsibility is to rise first and investigate the matter, bring the person mentioned to the office and ascertain whether what is alleged actually happened or not. If it actually happened there is a profound action, disciplinary measure By law proscribed for that very person, we follow it very very well. Above all, there are victims those who do not want their name disclosed and parents who do not want the name of the child who is the victim of sexual abuse disclosed because they don't want to dent their name or that of the child due to stigma. This is some of the impediments we have in the job because you will be trying to see that this child gets the support she supposed to get because of abuse or the type dishonour she got (when a child is sexually abused its seen culturally as dishonour). In some cases, the parent may not want use to follow the procedures which will involve the police. As a professional that is dealing with the case you will not cry more than the bereaved, even the police at some stage in this situation will tell you that hence the parents or the guardian are not complying they want the case to be closed. Then you can't force the parents to continue pursuing the case because they themselves may not want to come and testify even if the matter comes to court. When you get to the court aspect of it, if you get a lawyer, the lawyer will request for professional and administrative charge before they take on the case.

The government itself has no specified court that is set out to handle any cases of child abuse where it can be handled free of charge. Any professional you take this case to must bill you. Before a police officer can conduct any arrest for a rapped child they will tell you that they don't have fuel for their vehicle. They will tell you give us money, mobilise us even if the investigation requires up to five police officers, they will tell you mobilise them (pay to fuel their vehicle). Several factors are mitigating what we are doing here. Sometimes we are using our own money, spent time in the office up 9pm 10 o'clock to ensure that the cases we are working on is not destroyed. All these things are the problem we face here.

RS: So, in a situation the parents or guardians are trying to cover up an abuse or don't want the case investigated. Is there any way you can act in the interest of the child?

PT: Of cause yea

RS: How do you do that?

PT: Fine yes, when we report to the police, that is why I said police comes here, because where we have police station there is a section there called juvenile women Centre (JWC). They are the ones that are in charge of children, this includes children and young people, any child who experienced violence and rape. When a social worker brings the case of child abuse to the police, if he or she meets a God-fearing police man or woman in that department, the issue of asking you for money may be kept aside and they will do that job as required. Those are the ones that are ethics conscious and not money conscious. If you meet someone in the police station, if it's one of these evil creatures in that office, money is the first thing they are going to ask you about even before they will look at the case. So, we go extra mile even involve the police in dealing with cases when needed. We report parents and individuals when they begin to cover up child abuse, we raise concern and report them to the police. We inform them parents that any child abuse case that comes to us must be investigated. So, when you continue investigating a case of child abuse and when parents do not want investigation, we receive threats and that is the stress that come with this job. There was a child abuse case I worked on in collaboration with the police, the parents warned me to discontinue, or they will take me to Juju house, I told them that my name is Juju so if you take me to Juju house it will not work. There is nothing we experience in this job, why? Because we are trying to do what the law permits us to do. Some people trying to destroy it by making threat, some professionals we are required to collaborate with won't follow normal due process.

RS: thank you. You mentioned working on child abuse cases. what kind of support do you give to children who were sexually abuse?

PT: To support sometimes we take money from our own salary, for your information this place is state ministry it is not federal ministry. We are being paid as at when the governor wishes, so from the little money we are paid to support our own family, we sometimes out of empty give to some children and families who are experiencing poverty and can't feed. Because some of them are very hungry when they come to our department, you can now understand why they are abused because it is when they are looking for what to eat they enter into the den of death (danger of being abused). We are from our own money give them food. We are from our own money by cloths and give them, from our won money. Sometimes we take them to our own houses, feed them and bring them back to the office. While there supposed to be a care home

where they should be taken to but if you take them to that care home to admit, would you pay for the care home? Nobody will fund that child's stay in a children's home. Do you understand what I am saying? So that is it. We are going extra mile to ensure that, most time all these things are to our own detriment. We are not relenting irrespective of the fact that government themselves are no longer funding us, the way it ought to be in the social practice. But we social workers believe that social practice is a call (passion), if you don't have the calling you cannot be in the social work. You can't work in social welfare, irrespective, you can be employed as a social worker but once that very zeal is not in you to practice it, practicing it is just doing a job without motivation and you won't give it your best. If you don't have that passion to practice social work you won't be able to cope, because it has a lot of challenges. You must be patience, if you don't have that persevering spirit to tolerate, both provocation and what have you that you are going to face, you will not fit in.

RS: thanks You have mentioned Poverty.....

PT: Yes, ignorance and ignorance of law, that is number two. There are some parents who do not know their left from their right, that if your child is abused by someone, where they should report it. Another is Illiteracy, example that a woman who could not give her daughter sex education, the child continues to grow and follow unnecessary peer groups that they form for themselves that is not beneficiary for their own upbringing. As a result, the girls will develop behaviours that are destructive, they are being exposed to several risks that they are not supposed to be exposed to because they lack sex education and because their parents are not educated too. When the parents are not educated, the kids are not educated too because parents will use their own level of education to train up the kids. So, they will not know the dos and don'ts of life, they do not know it. You can't give what you don't have

RS: thank you. What other challenges do the children and families experience?

PT: Some of, some of them (children), those that have been already abused, some of them get sexually transmitted disease, pregnancy, that is number one problem all of them when they are sexually abused. If twenty cases of child sexual abuse is brought to us eighteen of the girls will be pregnant. Only by the special grace of God that two are not pregnant. Even the two that are not pregnant are not free from STDs. So, all these cases, when they come what we can do we can

do. What is in this in this very life is, you cannot go extra mile where you yourself are at risk in your job, from threats, stress, and no funding. You can only go where your limit will, where your things are possible.

RS: thank you the children who are pregnant because of sexual abuse, what kind of support do you provide for them?

PT: The assistance we give them is, number one- we now come up with official investigatigation, first of all to find out where they came from. That is, you find out where they come from before you begin to run up and down for the person. You find out if she has parents, if she has parents. If she has parents, you contact their parents and invite them to come. When their parents show up you will now explain the situation and inform them, your child is pregnant because of sexual abuse. First of all, you ask them what they want for that pregnancy before you bring up your own professional view. If they say we want the child aborted, we want the child removed. I will tell them no, I will tell them if it is your view it is not the way it is done. When they don't agree with my professional view, I will now come up with official letter, find government approved home and place that very child in that very home for the home to take proper care of her because some of these homes are being funded by non-governmental agencies and the government as well. While some care homes are getting assistance from international organisations. So if you place her there they will take care of the child, giving her food and health care until she delivers the baby. Then when she delivers, if the girl in question is left to keep the baby, it will tie her down, she will not be able to do things like going to school or not be able to do other things she wants in life. There is something called foster parents, there are some couple that are caring and well to do but they don't have babies. Officially when they apply for adoption, such people you consider them, send their application to the court and present their suitability in court of confidence judication then take that child and hand it over to them officially to foster to take care following legal approval, instead of the child being left to die in poverty. So, these are the steps we take.

That's what I'm saying, those that is abused that have nothing to do with home, only issue of pregnancy is referred to care homes. We only refer cases of teenage pregnancies to children care homes. Cases, those that are not pregnancy related cases, are left for appropriate law agency or governmental agency to deal with. Depending on the type of case that come to us. In the case of

a child that is raped, it is the work of police from police departments to proceed with investigation and take the case to court. We ourselves the social workers will take the case to FIDA, but the issue is that the FIDA that sees themselves as Federation International Women Lawyers (FIDA) organisation or whatever are not well funded. There are sometimes they will ask you for money to proceed with the case. They will tell you know we have reached this stage help, and where you don't give them the money the matter ends there. Unless you the social worker yourself go extra mile to use your own money or that you have connection with other organisations or individuals to fund the case, it won't be pursued further. Nigeria is now all about connection, who do you know, who are you taking your matter to. Where you don't have anybody that helps there is nothing, you can't get 100% intervention for the child.

RS: Does the social workers obtain and consider the view of the child regarding the baby. What support is available if the child decides to keep the baby)

PT: of course, we ask the girl if she wants to keep the baby or not, if she says yes. we will discuss it with the parents to find out if they can care for both. If the parents agree for their child and the baby, then that is ok. However, if the parents did not agree then the child will be placed in care home until she delivers the baby and then the home will help her to gain skills to look after her and the baby.

RS: So apart from cases of child sexual abuse and pregnancy, is there any other case or reason you would refer a child to a care home, maybe because of neglect or?

PT: We refer a rejected child and maybe a child whose parents are dead to care homes. An orphan who is taken to live with other people and are being maltreated there, we refer them to care homes. While they are at that home we will now check for relatives from mother's side or father's side who may be able to help. First the child will need somewhere to stay before we look for a relative who is willing to take care of the child and provide an appropriate home that will ensure overall betterment, progression, and development of the child.

RS: While the children are in the care home, do you carry out any kind of monitoring?

PT: Of course, we run what is called placement service. When you are placed, periodically. We visit the child on weekly bases. We must visit a child kept somewhere and you be in communication even if you are not there. You initiate contacts with the home. You will be communicating to find out how he or she is because if there is any issue or any problem the care home or foster parents will be calling you that worked with the during placement and adopting the. If there is any issue such as complaint or anything is wrong with their health or the child needs to be taken to the hospital, they will call you first before they take any action so they don't go against your own wish, unless you have already informed them to do anything that will be good for that child anytime then they wouldn't be bordering you. There are some people, parents who are fostering the child for us so if there is anything any support needed or consent with regards to the child, they will be call you the social worker, once you tell them to go ahead then they will continue.

RS: How do you obtain the view of the child placed in a home or foster care?

PT: Of course, when you go there for a visit you have right to seek for the child you placed with them, sit with him or her one on one and ask her how she is, how she is coping. How is are they looking after you in this place? Those children that were here before you came, how far, are living in peace with them? How is everything? It is this person who will be telling you how things are moving for her. The type of treatment she is receiving, if she not treated well you ask questions. For your information there are certain questions you may not ask base on, if you are not proving anything (funding), there is a limit to the questions you will ask them especially when you are not providing monetary support. Yes, you cannot not ask why this girl is wearing only one cloth why you came two days ago she was wearing the same cloth, yesterday the same cloth and today the same cloth and when you do not bring any money or clothes for the child? whose cloths are they going to give to her? they will do the much as they can and will not kill themselves for the children no one cares to fund. Government is supposed to have funds, should certify number of homes in the country, in the states and in the various local governments. There should be a stipulated money that should be released to them on yearly bases to support the children in their care. For example, not all the children brought to the children homes are adoptable. There may be a baby brought to the home even anybody who wants a baby will not agree to adopt. Like some babies who are born with deformity or any other problem that

naturally nobody would like to have such creature in their home. It is these homes that takes care of such babies, that is why the homes need help because children like that cannot bring any benefit to the home until they are grown up and become whatever his destiny is. So, they need help because all those kids they go to school, they are being taken care of.

RS: You mention children with disabilities, does the government offer any kind of support to children with disabilities?

PT: Special help?, that is if they receive any, the government does not give support to social welfare, we the social workers are not aware of any special support the government gives to children with disability. Because we cannot tell you now that government gives them anything, the government has not provided for us that are working in the social welfare how much more them? So, what I am are talking about is our office. I am not holding grief for them because government are not paying us the social worker working here. we are government versus government department how much more will they give the children homes. This homes resort into going to the churches and make announcement so that those people that are spiritual and blessed by God sometimes go to homes and give them something. The homes write appeals to government and agencies they know that can help and say come and help us so that we can look after these children that are here. That is the way most of the homes get help.

RS: In the case of those children you place in care homes, you know they will grow and become adults at the age of 18 years according to the Child Rights Act 2003,

PT: Yes?

RS: Is there any service made available for the children so that when they reach the age of 18 years they will be supported to move on to independence?

PT: Any child living in a care home from childhood to adulthood has automatically and totally become a member of that very family that has that care home. There is no way you can pursue her out, that's how it works

RS: Does the government take responsibility....?

PT: Don't talk about government, is government someone's name? The name of that family that has that care home, it is them that carries the whole responsibilities, looks after and train the children in school, some of the children reach university level, some of them stay there and marry.

RS: Is there a time the home can tell the young person to move on to independence?

RS: Is it when you will send them out? Send them out for what?

RS: I meant supporting them to move on to independence?

PT: The care home takes the whole responsibility of raising the children. The care home helps them till they reach a stage when he himself will talk to himself and say, now I am no more comfortable to be here. I have got something doing that can sustain me outside here, let me create space for another group that is coming. The government cannot wake and tell the young person, you have grown leave! when they leave where will they go to, to who? It is where they started that's where they will maintain.

RS: thank you. So where they are placed is where they will remain permanently?

PT: That place is their home till they get out of that place, they can't be forced out. You cannot force them out. If you force them out, they may go and start committing crimes. Then is the care home where they were placed that will be blamed because they will tell you that it is your inability to take appropriate care of them while they were with you made them to commit that crime. So, people will start calling the care home names, you should take care of them like your own biological children, that is why the children call the owners of the care homes "mummy and daddy".

RS: So in terms of this services you offer, how does Imo state people know that social welfare department exists so that if they have a problem they can contact you?

PT: There is seven hundred and seventy-four local government across the country and seven hundred and seventy-four social welfare across the country excluding Federal Capital Territory which is under the Social Welfare of Ministry of Women Development, there is social welfare in that very ministry. In terms of eh, that's why I told you, publicity, there should be wide publicity,

wide coverage both jingles, sometimes 30 minutes or one hour programmes should be booked with radio station saying it to avoid doubts. Because there are people they suffer and because they don't know that there is a place where you can go with such problem, do you understand? So, all these things is that if there is in any way the government provides the money, awareness can be created for people to know about us. Not when you have not eaten as a social worker, you use your money and run services for government. There is limit to what you can do. Even if you use your money to run those services tomorrow they will tell you that they are suspecting you that you are no more doing the same type of job they are doing because the way you are spending money you have spent beyond your capital income. So, everything has a procedure, but government supposed to provide adequately or if there is government own radio station or TV channels, It should be made free for this type of department. This opportunity can be used to create awareness and the programme will save lives, save families. The government should give social welfare free access to government owned tv and radio channels for free of charge and allow them to publicise their services. But here it is not like that, it is a lie, you must talk about money, social services must pay, if they don't pay nobody will allows them to publicize their services through their media.

RS: In case of children who needs placement, what other substitute care do you provide apart from adoption do you place children with relatives?

PT: That's why I am telling you, we use government approve care homes, the homes know how they source their own fund. The homes generate funds through charging fees to people who foster or adopt children. Some money that come out from there is what they use to look after those that have not been adopted or fostered. Those money is not for profit; the homes use money generated to take care of the children. One naira two naira raised is also to look after those that have not been adopted or fostered by anyone because they are not been funded appropriately. This is the medium they generate funds, there is no other way.

RS: If a family member agrees to take care of an orphan or a child that needs a safe place to live, is there any type of support given to that child and the family by the welfare department or any other body?

PT: If a family member takes an orphan into their home before we could allow that we will first find out what the family member is doing for a living. You can't just take a problem to a problem, it wouldn't work. It might be hunger or difficulties that killed the child own parents and so he or she wouldn't leave that home till you find out which place this child can stay to live and develop well, and cope well and become useful to the society at large. It is not where he will stay and would not be safe that you place the child. We don't support only orphans, sometimes we support children whose parents are still alive. A child can be taken away from his or her parents due to neglect or abuse. Do you understand? So, these are the way. Even in the eh criminal code, there is a section that says when you give birth to a child and did not take care of him or her, it is an imprisonable offence. You cannot give birth to what you cannot take care of, you fill the house and you cannot take care of them. It is a problem. It is a reasonable offence, because we practice all these there are lots of legal factors. If people are violating and no charges are brought against them, it becomes norm. If someone commits a crime and is taken to prison another person will not do it and will say no that the person who did before her is still in prison.

RS: Does your department monitor a child placed with a relative, if so how often?

PT: Of course, if we place a child with a relative, he is under our care. Once a child's case is reported to us, automatically that child is automatically registered under our care. Once we have record of that very child documented, every time let's use the word periodically, we visit, we call, if there is any issue they inform us we relate to them. This is how we will be doing it. The child will be growing.

RS: If there is a problem...

PT: Yes, when the matter come beyond their own making, we will drive and go there and see for ourselves and find out and proffer a solution to remedy the situation.

RS: Is there any other thing you have to say about you work?

PT: Our work is hard social work, it is the job you cannot do out of sentiment. If you are an emotional type, you cannot fit in. It is not an emotional job. It is a job that you must have the heart to withstand whatever you see in it. You will have the calling to do this job naturally, it is not just you are studying it and have You have thousands of Lawyers out there who are not

practicing. They studied their own law to answer barristers and pass time, but they cannot fit in

the law court appropriately that is where the practical aspect of it comes in. This is how it is in

our field. There are thousands of us but only the few are doing the job the way it ought to be. So,

we need support from the government and spirited individuals not evil money ritualist people

that when they give us money we begin to have problems. We need those that will help us to

make sure that the job is progressing, because issue of enforcement is the primary area where the

job is centred. Where a case is reported, and no one is there to take up the complaint and there is

no money provided to see that the case is processed, that case has completely died, this is

Nigeria.

RS: Thank you very much

PT: God bless you.

Director of Children's Home Interview 1

Researcher: RS

Participant: PT

RS: I have started recording.

PT: Ok.

Researcher: Thank you so much for volunteering to participate in this research and to be

interviewed. This interview is purely for academic purpose like I have explained before I am a

PhD student, and my project is on lived experience of the implementation of Child's Right Act

2003 in Nigeria. And being someone who runs a children's care home and is working with

children, you are one of the people I hoped to interview because of you experience and I

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appreciate you taking your time to participate. This is a voluntary interview, so you are free to stop at any time and take a break when you need it, you are free to withdraw from this research before data analysis and the information you provided will no longer be used. That is your right, ok?

PT: Ok.

Researcher: Please can tell me your understanding of Child's Right.

PT: Yeah. In every home or in the upkeep of children, the number one priority is the wellbeing of the child and that is the number one in the Child's Right law. So, your ability to care for children includes giving them adequate care, safeguarding them from danger, keeping them healthy and guiding them so that they are aware of acceptable behaviour. So this is the only way you can ensure the protection of child's right and ensure the best child care in a children's home.

RS: thank you. How do you incorporate the Child's Right Act 2003 into the policy of your organisation?

PT: We implement it by making sure that the right of every child is protected, and this is our duty; to protect the right of every child whether motherless or abandoned or an orphan. So we implement the policy of Child's Right Law.

RS: Are there specific policies and procedure that you have to ensure that your staff comply with the Child Right Act

PT: yes

RS: please can you give me an example of the policy

PT: We have the Child's Right Policy

RS: ok please can you give an example of how you implement your Child Right Policy

PT: we keep them safe by prevent them from the risk of rough play, we make sure that their environment is safe, we make sure that they are given education and we make sure that they eat at the appropriate hour and we make sure they take bath when they are supposed to have it, that is their right.

RS: Thank you very much. With regards to monitoring compliance to your Child Right Policy, how do you monitoring your staff, how do you ensure that your staff comply with the policy?

PT: I have a supervisor who is responsible for the children's care, in case if I am not there, my secretary represents me when I am not there to make sure that every staff who arrives duty performs and discharges the duty properly. And we have a policy for taking record of every work and child care provided by each member of staff so at the end of the day I and the supervisor will go through the record to make sure that each child's right is respected.

RS: So if for example a child complains that he or she has been maltreated by a member of your staff or maybe you witnessed one of your staff abusing a child in your care, how do you deal with it?

PT: I routinely give my staffs orientations on daily basis after morning devotion (morning prayers), this involves reminding them of the standard of care I expect. So if any child's behaviour is challenging, no staff has the right to beat that child or use cane to hit the child. Every complaint should be brought to my attention and I have a way of talking with my children in the home so no staff has the right to beat them at all. Because that is one of the precaution, we give to them, they comply.

RS: thanks for your reply, but what if a child reports being abused what will you do?

PT: If a staff is found to have abuse a child in our care then that means the staff will face discipline. It's either the staff lose their appointment or suspended depending on the case and we will make a replacement.

RS: Thank you. Regarding the children that come into your care, I know you've talked about providing the education and protecting them from harm and ensuring that their environment is safe. What kind of challenges have the children experienced before coming into your care, what kind of situation where they in that required them being placed in your care home?

PT: we have criteria for children in our care home; we have the abandoned children; we have motherless children and we have the orphans. So, these are the categories that we admit to home and if anyone is having any health challenge, we ensure medical care by taking the child to the appropriate health department where the he or she can be treated. We also try as much as

possible obtain the history of any health challenges of each child is having and we will manage health and care according to the history.

RS: Ok, thank you. how do you get the views or the feelings of the children in your home regarding their own care?

PT: like i have earlier said, the wellbeing of the child is the paramount in every home. So it is my duty to supervise by keeping closeness with the children and then observing how they feel like and then know what is their demand and their needs.

RS: do you speak to them individually in confidence to find out what they want and how they feel?

PT: Yes. Because of my closeness with them, they feel free anytime when I come in to inspect other the home and check records. They feel free to approach me and tell me whatever they are feeling and if they need anything or concerned about anything, they will tell me.

RS: thanks, how do you get the children into your care, how are they referred to you?

PT: People refer them to us. Children found with people in who are arrested due to connection with child trafficking and children found with child abuse are referred to us. We accept the children to our home, it all depends on the situation, the social welfare also refers children. Children who are abandoned in the streets are referred to our home, sometimes they are brought to us with the help of good Samaritans. It is our duty to write to the police and inform the police about each child coming to home and where the child was referred from.

RS: thank you. would you like to explain any other policies and procedures you have?

PT: Yes. We have other policies and procedures. We have a leaflet for people referring children to us. When we are contacted by anyone with request to admit a child, we give them leaflets to inform them of how we operate, in the leaflet, our admission procedure and visiting hours and days are included as well as our contact phone number. This ensures understanding of how we operate and how they can request for the progress of a child admitted in our home.

We have a policy for staff appointment and conduct. With regards to staff appointment, the moment we offer them appointments into the home as care givers, we provide them with copy of

our constitution (policies and procedures) and that will guide them on how to implement the Child's Right Act in their duties. It provides them with information on what they are supposed to do when supporting a child and what they are not supposed to do to a child. So we have such policy in our home.

RS: Thank you for elaborating. Please I will like if you also provide adoption service?

PT: yes we do adoptions.

RS: Can you tell me about it?

PT: We do adoptions according to the law set out for Outstanding Adoption. For couples that are childless or who wants to adopt, they apply through social welfare for adoption. The child development officer will direct them to our children home to apply and request to be given the opportunity to adopt a child in our care. So when such an application is made, we also direct them to the Terms of Adoption by referring them to the appropriate government department where they are supposed to go for documentation because adoptions made in the home must be legalised. So we refer them to the Family Court for put in their application and they are also referred back to the court after their application has been accepted for the final stage pf adoption process which is Family court approval. So we ensure that the child to be given out for adoption is medically fit, we obtain medical certificate after running a suitable test on the child. We also assess the adoptive parents medically to know whether they are medically fit also to take care of a child following adoption. We also evaluate the HIV status before we now make decision on the adoption application. So, it is in the family court where the adoption process if finalised, the court authorise the adoption and the adoptive parents will be issued with a foster order. So when they receive the foster order from the court, the children home will release the child to them. After three months the adoptive parents are required go back to the court to get an adoption order (after 3 months of bonding with the baby as foster parents), which is the final stage of adoption. It is our policy to maintain contact with the child and the adoptive parents for a period to ensure that the child is well cared for.

RS: thank you very much for this detailed information. If a child in your care is not adopted and turns 18 years old, what happens to that child afterwards?

PT: We haven't come across this experience because we have so many applicants for adoption. So, the number of children in our home are not even enough for the applicants for adoption. But if in a situation a child is disabled or is having health challenge, the child may not be adopted out. This is why we have multiple children's homes, we have a well designed accommodation for children with health challenges and disabilities and were not adopted, we take care of them till they become adult.

RS: Thanks, please tell me what happens when they become adult, is there any way that they can move on in life?

PT: Yes there is a way that they can move on in life; we make sure that they are educated or provided with skills to be able to work. when a child becomes an adult and he or she has the qualification or skills to work he or she can take care of him/herself. We make sure that we accommodate, and we also give them money. So that is it.

RS: Ok. Do you receive monitoring visits, such as visits from social welfare or anybody?

PT: Yes. The social welfare monitors the home from time to time, we also write a progress report on each child on daily basis and weekly we submit them to social welfare so whatever challenge we have we interact with social welfare. So it is the duty of the home to compile the report and then send them to the social welfare, so if there is any area we need their help, they also come in.

RS: Ok. How often do they visit, the social welfare?

PT: the social welfare visits the home periodically.

RS: Like monthly.. or?

PT: Monthly.

RS: Ok. During the monthly visits by the Social Welfare Department, do they talk to the children?

PT: Yes they carry out inspection like the child development officer comes to the home on monthly basis to know the number of children in the home, to know if they are well cared for or not. So that is it.

RS: thank you very much. We've talked about children who may not be adopted and children

who may have disabilities. Is there any rule that stops a child with disability from being adopted?

PT: There is an individual difference, even when the child is having health challenge, some

adoptive parents won't be deterred if we inform them that this is the situation with the health of

this child. Some people we have come across are compassionate and will decide to adopt a child

with disabilities to care for the child and provide a home for him or her. There are no rules that

stops adoption of children with health challenges so long as potential parents can care for the

child

RS: Thank you. How do people know about your care home?

PT: We have a public relation officer who from time to time visit churches tell them about the

challenges in the home, we also get visits from time to time from individuals and corporate

donors who also support the home. So when they come to the home, we tell them the needs of

the children, so they help and also support the foundation.

RS: Ok, thank you. Is there any other thing that you would like to say to me regarding children's

rights and your work with children?

PT: Yes. I have passion for children, so for the fact that I have passion for children, i make sure

that every child is given a proper attention because I have passion for children. That is why i am

doing the work; I am doing it for God and not for man.

RS: Thank you for your time.

Parent Interview 3

Researcher: RS

Participant: PT

RS: I have started recording

PT: OK

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RS: As I have explained to you before, this research project is mainly to understand how the Child Rights Act is implemented in Nigeria. This interview is voluntary, and it is your right to carry on with the interview or discontinue. Your story may give me a view of how the Child Rights Act 2003 is implemented in this state.

PT: I understand

RS: Please tell me about your family?

PT: I got married to this lady after paying her bride price and doing all the necessary ceremonies and received blessings from her parents. I found a house in Aba, we moved there and did our wedding reception there and everyone and the world bore me witness that I have finally married my wife. After the wedding, her parents said she should continue with her education, I sent her to school and she became a graduate. Along the line her father died and I bought a cow to support his burial. But what I didn't realize is that this lady was thinking of a way to kill me even after I have finished training her in school. Then every day we were having issues, why do you keep coming to my shop to know what I'm doing? She will come to my shop and steal and she will still go back to the house and steal and even my children she started teaching them how to steal. So we kept having fights about this issue and I ran out of money. Along the line my house got burnt, along the line the money I withdrew from bank went missing and everything I put my hand to do would stop working. Then when my house got burnt, she doesn't do anything or contribute anything even when I pay for her school fees she will tell me 'thank you'. I didn't take it as anything. But the worst was last year, my son that was abroad,... last 2 months... sorry last year, she once took my children to Kogi State, she told me that there is a sister there, that she will be working with to help out but that wasn't true.... Whatever she did there, I don't know but she didn't give me 1 naira instead she packed all the money to her mother. All along I stayed without her, she will never for once.. in fact look at this paper here because I don't like stories. So along the line, this woman... I never knew what she was planning was how to kill me, the only property I have and didn't plan to sell she came and sold it, she now teamed up with my children, the grown ones. I never knew that's what was going on and I sent my 2nd son who is 12yrs old one day to go and buy bread, he refused to go and I scolded him, and he wanted to break his younger brother's head and i yelled at him that if he kills his brother he will stay alone 'would you want to be alone? On that note my first son came out, did the exact opposite of what

I was telling the 2nd son not to do, trying to break his brothers head. I scolded him as well and when I came inside the house, he said I am a stupid man, that no wonder his mother's people had told him that if he knife me and run to them that they will protect him. I endured it since then... praying and holding night vigil. Another problem was in July, someone lent me a car to start up a business so that I can feed my children. Along the line she (Ex wife) sent the children... because you know when I get money, I call these grown junior ones and give them money to go and buy something for themselves and if your mother calls you don't tell her that you are doing anything because she has her way of making money, she will be idle and wouldn't want to learn any trade or skills and then I wonder how she expects to make her income. Whenever I get 1 naira, I will take my children to the store and they will eat to their satisfaction and sometimes when I have some change, I will give them money to go and buy something to eat. So when I gave them money to eat, she now teamed up with my children to throw away my things and steal all my money. If I keep any money, they will steal it or is it a "bird" that will come and carry it.

RS: Ok

PT: they (ex-wife and children) threw away the glasses I use to read bible at night, took the car keys someone gave me, the Holy water I kept they threw it... and what else? They kept pestle they will use to break my head. I didn't know that was what they planned for me until the 1st of July, I was coming back for morning mass, my son took a dirty water and splashed it on my face. I ran after him and he ran away so I came back and started washing my cloth so that I can go to shop... before Rochas the governor did that thing he did to people's shop (demolished shops) ... I lost about 7million Naira. So as I was preparing to go to shop, those children came back again calling my name and saying 'its not like before when I use to beat him', I ran after them and on the process we both stepped on a broken glass and it pierced my feet and his. So I reported him to the priest Fr George. Every time she (ex-wife) will carry my children and run away, since I told them they will read this and write it down as they are reading it. So, I returned back to obo Local Government to report her to the reverend father, asking her to bring back my children. We went to the king and our case was judged and I was innocent. My wife now, using the fact that my son angered me before to say that I wanted to kill them. They wrote it down and I had to get other documents to take to the federal govt.

RS: why did you visit the welfare department?

PT: Ok welfare? Social Welfare?... they (Obo Local Government Welfare Department) gave me a paper that since she (ex-wife) doesn't want to come back home I should go and bring back my children. So I took someone with me and went to the place she stays and immediately they saw me (you know when you want to kill someone you set up a trap for them), they started beating me up and all of them that were in the house joined and started trying break my fingers. There was one of the called V, he gave me slaps up to 6-7 times before someone started calling the police. The police themselves seeing I don't have money dragged me to the station and there they conducted an interview. My brother tried to bail me that day but they refused saying they are waiting for Welfare. They forced me to come to welfare while the case was with the police. My brother bailed me in the morning after which we were asked to go to the Welfare. They said look at the statement he made blah blah annoyance, can you imagine someone that sent me fire and my house got burnt plus I lost all my money in the bank, tell me who will be happy when faced with such? And again that year.. 3 years ago Rochas (state governor) destroyed peoples shops!

RS: Ok. When you went to the welfare to report this incident, what happened?

PT: 1) My point is that welfare in that land (obo) judged me wrong, they didn't judge rightly because they've been bribed. 2) the reason I went to obo is because I was given letter from welfare because the woman I didn't quarrel with or do anything wrong to now went teamed up with my children and encouraged them to use shit water and knife at me and then run away with my children. Since last year I haven't seen my children and they don't even let my children to talk to me. Now they (ex – wife and her family) went to court with the case they've asked me to report so they can they ask us question. she (ex-wife) now took the case to the court without my knowledge and accused me of fighting them (ex-wife and children) I have a witness.. even my children, the one in Federal secondary school, I went to bring him back from school one day not knowing she had already taken the child away and she didn't even care to call me on phone. After training someone for eight months this what she repays me with.. well the thing is she doesn't work and even when you ask her to do one or two things to help you out, she wouldn't do it.

RS: Ok. You said one of the reasons you went to welfare is because she took your children away and wouldn't let you see them?

PT: Yes. When she doesn't want to come back and insist on keeping the children with her there, the Welfare gave me letter and I went there and 7 people beat me up including slaps and then police took me with them and then we went to welfare.

RS: If you don't mind, what did the letter given to you by the welfare say?

PT: It said that I have the right to see my children and I believe its my children's right to see me. They said I can take my children home

RS: If you don't mind please can you tell me more about what you believe are your children's rights.

PT: My children's right is; 1) you for example, why you are doing this is so as to get money to feed your children. Secondly, you can't climb a palm tree empty handed.. its not possible. My children's right, who is catering for feeding, school fees, house rent, clothes? A woman that has nothing doing, she just graduated 2 years ago relying totally on me. My children love me but she is the one putting obstruction between me and my children and if they want to call me she will ask them not to.

RS: You said your children's rights includes feeding, school... (interrupted)

PT: School! As for me that's what I have been doing, that's what I cater for!

RS: Did the social workers from the welfare speak to your children separately to know how they feel about this situation.

PT: The social workers ask them who they want to stay with, and they said they want to stay with their mother. I know they said this because they are afraid they will be beaten

RS: Thanks for telling me about your understanding of the child's rights. So, when you went to welfare and reported that you have being prevented from seeing your children, was the complaint dealt with the way you expected?

PT: No, it was at the welfare that I received a letter here in Owerri then I went to her (ex-wife) house. There the judgment they (social welfare) made was against me, they said that the two of us has to be together. She came here and took the report I had and forged a false report that I

initiated a fight with her mother and fought her people.... So they made their judgment and accused me wrongly.

RS: Who made a judgement?

PT: The welfare, they said the children will stay with their mother and I will provide child support until court decides what will happen

RS: When was that, before or after you went to your wife's home to take your children

PT: After I went to take my children, they beat me and lied to the welfare that I fought her (exwife) and her mother

RS: How do you think that this judgment affects your children? How do they feel about what is going on?

PT: It will affect them in many ways... one songs says "ewuu o...(exclamation) I don't want to train a child alone...". Being a single parent is hard because I know the pressure in it. When God blessed me with 6 children, I promised God that one of them will be a Priest and the other a reverend Sister. Then this woman (ex-wife) told me one day that there are other ways to make money that I don't need to steal or sell that there are other means. So, I have desired to bring up my children in Godly way to know Christ, but she had tried everything to bring me down but God has been my protector.

RS: So you feel the judgment was wrong and it will affect the way your children will be brought up?

PT: Yes they are wrong and its affecting my children badly!

RS: Did you feel you were listened to as you expected during the hearing?

PT: No. Obo Local Government Welfare Department just brought the letter yesterday and I read it today. I feel they judged it all wrong

RS: Why did you feel that way

PT: Because they believed all her lies about me and did not listen to what I have to say. They said I have to provide child support. what they (Welfare) said in the letter was my children have been there (with there mum) for 7 months that I should bring 30,000 naira when I didn't fight with that child except for my first son that splashed shit water at me. Then I should be paying them 30,000 naira every month. I have taken this to the Reverend father committee, and they said I have eaten shit in this my life and they asked me to come tomorrow.

RS: So the Welfare asked you to pay 30,000 naira every month for child support?

PT: Yes every month! they said that the children are there with their mother now for 7 months and that I need to be sending them 30,000 naira for maintenance and feeding while I didn't have any fight with her (ex-wife) and she decided to pack and leave. I am oblivious of where my children are.

RS: What is your concern regarding the child support the welfare asked you to provide?

PT: My anger is as a result of many factors; this is because I used my last money to do wedding and get married with blessings from our parents. 1) you have to keep a close eye on your children to ensure they are of good behavior that they don't steal, 2) to make sure they are God fearing 3) so they are not misled. You understand? Those children they all wanted to see me but she wouldn't allow them to see me.

RS:So one of the reasons you visited the welfare today is because you are being prevented from seeing your children by your ex-wife?

PT: Yes, it hurts them(children) but they are afraid because they would be beaten by their mum if they talk.

RS: Have you raised this concern with the child welfare?

PT: Yes, they ask me to write a report, I have done it today

RS: How did you know about Welfare?

PT: I got to know them after I reported her (ex-wife) to the police when she said they (children) should stab me. So I know welfare to be people that solves the issues between husband and wife.

RS: Did the police refer you to the welfare department?

PT: No, am I not a Nigerian? I hear about them, I know it is a place where marital problems are handled. That is why I went to them on 2nd October 2017, I came and registered her (ex-wife) here (Owerri Local Government Welfare Department) because I know she will come. Did you see where she now took me to? Obo (another local authority), instead of coming here (Owerri Local Government Welfare Department) that is the capital where we live, she ran away to Obo and reported me to their welfare. yes I know welfare is where disputes between husband and wife are settled.

RS: Ok. Did the Social Welfare attend to you as soon as you approached them with your case?

PT: yes... I had to call madam (Social Worker) and then she writes me letters to submit. After submitting the letter in Owerri Welfare Department, I was called to attend a meeting at Obo instead because my wife made a report there. I don't like how the social workers in Obo handled this case this is why I am here (Owerri Welfare Department) to inform them that I am not happy however they told me that I have to submit my appeal at Obo Local Government Welfare Department where the case was first handled.

RS: Thank you for the interview

PT: You are welcome

Off voice record (the participant did not want this information in the voice recorder but consented to notes), the participant informed me that a social worker asked him to pay 15, 000 naira for her to deliver a letter to his ex-wife to inform her that an appeal has been made regarding her case. According to the participant, it will only cost 1, 000 to deliver the letter. The participant said that because he could not afford the money charged by that social worker, the letter hasn't been sent to his ex-wife. On the day of this interview the participant informed another social worker who helped him to make a complaint to the Director of Social Welfare.