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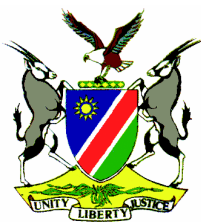
The need for a coordinated approach to facilitate access to education: A key finding of the research into child labour in Namibia

Paper presented at the RECLISA Southern African regional child labour conference

Elizabeth Terry



Republic of Namibia



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1. Introduction

The research for this paper was conducted under the International Labour Organisation's (ILO's) International Programme on the Elimination of Child Labour (IPEC). This project is aimed at addressing activities of children that are likely to affect their development detrimentally. The author was contracted by the programme Towards the Elimination of the worst forms of Child Labour (TECL) of the ILO in consultation with the Programme Advisory Committee (PAC) of Namibia, which is headed by the Ministry of Labour and Social Welfare (MLSW) and comprised of representatives from other key government ministries, United Nation organisations based in Namibia, organisations of employers and workers, and non-government organisations (NGOs).

This paper reports on part of the work done under "TECL Project Stream 1: Building Knowledge on WFCL – Rapid Assessment on Three Selected Focus Areas," which covered three focus areas: 1.2(a): Children used by adults to commit crime, 1.2(b): Trafficking in children, and 1.2(c): children involved in the production of charcoal. This paper also reports on information drawn from Project Stream 2, which was mainly a literature and policy review and analysis on Namibian child labour issues.

The TECL study on WFCL in Namibia has determined that most children in Namibia who are involved in criminal activities have never been in school or have dropped out of school. In terms of child labour, it appears that many children are working because they are not in school, rather than not in school because they work. Usually they are not in school because of a lack of money or there is no school in close proximity and no money to transport the child to school or to buy school uniforms. Other children have dropped out of school because they see themselves as 'slow learners' or 'have lost interest in school', with both reasons pointing at "the poor quality of education" found in the Namibian school system (GRN 2005). This paper presents findings on the educational status of children falling into criminal activities or exploitative labour situations. It also presents the need for a coordinated effort by the relevant government ministries, non-government organisations (NGO) and civil society to ensure that those children in school, stay in school, those who cannot afford school can still be admitted, and those who want to continue their education outside of the formal education system can join technical training courses.

2. Methodology

The methodology used to conduct this research on child labour was four pronged: 1) literature review of international, regional and Namibian documents, 2) policy review and analysis of international and Namibian laws and policies pertaining to child labour, 3) collection and analysis of existing data on child labour and children in trouble with the law, and 4) qualitative research in the field with adult stakeholders and children.

Work on this project began at the end of 2005. Training of researchers and design and pre-testing of the research instruments took place in February 2006. Fieldwork was undertaken from end of February 2006 to June 2006. The qualitative research consisted of Key Informant Interviews (KIIs) held with various stakeholders, Focus Group Discussions (FGDs) held with mainly children but also with adult farm workers and 'street-wise' adults, and Semi-structured Interviews (SSIs) conducted with children who were found to be in exploitative labour situations (including some who had been trafficked to do this work), working as commercial sex workers, or who had committed crimes. The research covered 11 of Namibia's 13 regions and included both urban and rural sites in each region. A total of 21 researchers, with the necessary language skills, conducted the qualitative research in the field, with a total of 101 KIIs, 27 FGDs (with 39 adults and 289 children), and 158 SSIs.

3. Namibia's education environment

3.1 Current status of working children and school enrolment

Namibia's Constitution and Labour Act (No. 15 of 2004) explicitly prohibits child labour and forced labour. Table 1 provides a summary of age restrictions for labour based on Namibia laws.

Table 1. Summary of Namibia's laws on working ages

Age	Prohibition
Under 14	Cannot be employed for 'any purpose whatsoever'.
Under 16	Cannot be employed underground or in a mine, in construction or demolition site, in a factory where goods are manufactured, in an electricity plant, or where machinery is installed or dismantled.
Under 16	Cannot be employed in any work-related activities that may place the child's health, safety, or physical, mental spiritual, moral or social development at risk.
Under 18	Cannot work between the hours of 20:00 and 7:00.
Under 19	The Ministry may prohibit the employment of children between 14 and 18 years depending of the circumstances of work. Conditions and restrictions can be placed on the employment of children to ensure that such employment is not harmful.

Note: From Article 15 of the Namibia Constitution and the Labour Act (No. 15 of 2004).

Namibia has made great strides since Independence in ensuring children the right to basic necessities such as the provision of health, education and other social services (LeBeau 2004). Government has provided a strong resource base for education, including about 30% of total public spending and 9% of GDP. The 'delivery points' in education have been decentralised to the 13 educational/political regions of the country, unlike its formerly fragmented system based on racial lines (GRN 2005). Consequently school enrolment for children in all Grades 1-12 as of 2003 is at 92.2% for all children (91.3% for boys and 93.2% for girls). In Grades 1-7 (primary school) the enrolment rate is at 95.4% for all children (95.0% for boys and 96.3% for girls). The enrolment rate in junior and senior secondary schools combined is at 52%, and senior secondary at about 30%. Gender balance has been achieved at all levels of education, but not in all regions. The survival rate to Grade 7 (end of primary school) is about 80% of the age group and 57% to Grade 10, but only 30% to Grade 12 (MOE 2005).

According to EMIS 2003 data, "Although re-entrants account for less than 1% of the total enrolment for all grades, the total number (3,193) does show that many who leave school do return at a later stage" (MOE 2005). However, these figures indicate that 7.8% of Namibia's children are not attending school. Children who are especially vulnerable to being left out of the education system or at risk of not getting an appropriate education, are termed as 'educationally marginalised', and include: children in conflict with the law, victims of sexual abuse or domestic violence, children orphaned due to AIDS or other causes, street children, children with disabilities, marginalised groups such as the San, children living in extreme poverty who may have to work to support their families, and farm workers' children (LeBeau 2004 citing Lund 1995, LeBeau 1992, UNICEF 1996). These same children also roughly correspond to children who are in the high risk groups for child labour exploitation. Children not in school can be further marginalised and be found in exploitative child labour situations or be involved in crime or commercial sex work.

The Namibia Child Activities Survey (NCAS) of 1999 was carried out by the government through the then Ministry of Labour (MOL) on a sample of approximately 8,000 private households to obtain socio-economic data on child activities within the Namibian population (MOL 2000). The NCAS, being a household-based survey, did not capture data on the activities of children living on the streets

and in institutions (e.g. school hostels and prisons)¹. Out of a total population of 1,126,263 people in households with children between 6-18 years, children aged 6 to 18 years amounted to 445,007, or 39.5%. Of these, 72,405 children were working or available for work, making the labour force participation rate 16.3% for both sexes (15.4% for females and 17.2% for males). ‘Children labour force’ is defined as children aged 6 to 18 years who are ‘currently employed’ working for pay, profit or family gain and ‘currently unemployed children’ who were not working but who were available for work. Out of a total of 72,405 working children in the country, 69,050 or 95.4% are living in the rural areas. Looking at it another way, 23.1% of Namibia’s rural-based children are working, while only 2.3% of all urban child are working. All figures imply that “the phenomenon of working children in Namibia is overwhelmingly rural”.

In terms of the data disaggregated by age, of the working 6 to 18 year olds, 39,989 (55%) are under 14 years, 53,939 (74%) are under 16 years, and 64,723 (89%) are under 18 years of age. This means that in Namibia almost 40,000 children under the age of 14 are working. For any who are ‘employed’ and ‘working for pay, profit or family gain’, their employers or parents are contravening the labour laws of Namibia, and are subject to a fine not exceeding N\$4,000 and/or to imprisonment not exceeding 12 months.

In terms of working children and their relationship to school, the key findings were:

- Most of the working children combined work with schooling as it was found that 71.9% of working children were still attending school or a training institution, and only 13.4% of working children had left school. Out of all working children, 6.9% (4.9% males and 2.0% females) never attended school or a training institution. Thus, comparing the total percentage (20.3%) of working children ‘no longer in school’ and ‘never been in school’ with the general population of children ‘not enrolled in school’ (7.8%), these figures indicate that working children have a greater risk of not being properly educated than the general population of children in Namibia.
- Of those who were working and attending school, only 12.7% of working children said that the work they did affected their school attendance. More urban (46.7%) than rural (2.2%) working children were absent from school because of the work they did to earn money. About two-thirds (65.7%) of working children in rural areas may be absent from school due to the busy agricultural season.
- Only 20.7% of the working children said they were no longer in school because of their work. This included more specifically: had to work to support self (8.8%), had to help with household chores (7.6%), in family business (2.5%), work for wages (1.6%), and in own business (0.2%). Over half (59.8%) of the working children who were not in school gave other reasons than because of their work, including: cannot afford school/training institution (17.1%), failed their last year in school (15.2%), poor in studies/lack of interest (11.4%), family does not permit (5.0%), no suitable school available (4.9%), illness/disabled (4.2%), and afraid of teachers (2.0%). As will be described below, the TECL study found similar reasons, but the percentages differed dramatically, especially regarding financial reasons for not being in school.

3.2 The policy and legislative environment supporting ‘Education for All’ in Namibia

Education-related legislation and policies are important to child labour issues because, it is often believed that children drop out of school because they need or want to go to work. In Namibia this is the case for some, but the NCAS and TECL study findings have also found cases where children are working because they were never in school or were no longer in school. Protection for children entering into a child labour situation because of schooling issues is re-enforced by the provisions on education in the Constitution and the Education Act. Article 20 of the Constitution states that primary education is compulsory and that “children shall not be allowed to leave school until they have

¹ The more recent NCAS conducted in 2005 added new questions directed at the worst forms of child labour. However, as it was still conducted as a household-level survey, no data was collected for children living on the streets or in institutions. Basic preliminary findings from the 2005 NCAS will not be available until August 2006 at the earliest date.

completed their primary education or have attained the age of sixteen (16) years, whichever is the sooner ...” This provision is supported by Article 53 of the Education Act (No. 16 of 2001) which makes school attendance compulsory for every child from the year in which the child turns seven until the child has either completed primary education or until the last day of the year during which the child turns 16. The same Article states that parents or guardians of children, whose regular school attendance is compulsory, must ensure that the child is registered and regularly attends school. If parents do not make sure that their children are in school, the Minister must issue a written warning to the parents to comply. Article 54 of the Education Act states that if a child is refused admission to a school “on grounds other than the school being full or the preferred subject choice not being offered at the school”, the principal must notify the Minister in writing.

Article 38 of the Education Act indicates that "All tuition provided for primary and special education in state schools, including all school books, educational materials and other related requisites, must be provided free of charge to learners until the seventh grade, or until the age of 16 years, whichever occurs first". However, parents of learners are required to pay other fees to the ‘school development fund’, which is to be used for “necessary facilities at school” and “to improve educational, sport and cultural activities at school”. Similar to school tuition and boarding fee exemptions, “the school board may, partially or fully, exempt any parent from the payment of school development fund contribution”. Article 38 goes on to note that a learner in a state school, other than primary school, “must pay such fees as the Minister may determine” (GRN 2001). Although a learner after Grade 7 or when they reach the age of 16 must pay school tuition fees, the Education Act Article 39 provides possibilities for exemptions by stating: “The Minister... may partially or fully exempt any learner... from payment of tuition, boarding or other fees”(GRN 2001). The Act, in Article 28, also provides one method to alleviate the problem of parents not being able to afford fees. This is through the establishment of the Education Development Fund and one possible use of the Fund is “to expand the assistance or aid including bursaries to socio-economically disadvantaged learners enrolled at any school or institution of higher education”.

A number of policy and planning documents have guided efforts to attain the provisions of the Constitution and Education Act, including: *Towards Education for All: A Development Brief for Education, Culture and Training* (1993); the *National Development Plans* (NDP1 and NDP2); the *Report of the Presidential Commission on Education, Culture and Training* (1999), the *Strategic Plan 2001-2006* of the (former) MBESC, and *Education for All (EFA): National Plan of Action 2001-2015*.

The development of education must be seen against the four main development objectives set by Government at Independence. These are: 1) to revive and sustain economic growth, 2) to create employment, 3) to reduce inequalities in income distribution and 4) to reduce poverty. Basic education, adult literacy and the development of creative skills are regarded as contributing directly to these development goals. NDP2 also acknowledges the important role that education has to play in achieving the objectives set out in NDP2 for reducing poverty. This is important as poverty is one of main causes of child labour in Namibia.

The Ministry of Education’s policy *Towards Education for All* reveals Government's commitment to provide universal basic education (Grades 1-12). The first stage of the programme covers universal primary education (Grades 1-7) and is based on Namibia’s Constitution and Education Act. The policy will later be extended to include junior secondary education (Grades 8-10) and finally senior secondary education (Grades 11 and 12) for all (LeBeau 2004 citing Lund 1995).

Towards Education for All (EFA) lays down the major goals for education as follows:

- Access: this is the most central concern of education policy.
- Equity: a major hurdle in achieving equal access to education by all consists of disparities in the regional distribution of resources. More equitable regional distribution is likely to result in reduced repetition in regions.

- Quality: this is influenced by teacher qualifications, effectiveness, professionalism, resource allocation, language proficiency and management.
- Democracy: the democratic participation of learners, parents and community members in the education of their children has been and will continue to be promoted. Regional educational forums will be introduced and school boards set up to improve governance at school level (GRN 2001d).

The *EFA National Plan of Action* has identified six national priority objectives as follows:

- Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children.
- Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education.
- Ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life skills programmes.
- Achieving a 50% improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for adults.
- Eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015 with focus on ensuring girls' full and equal access to and achievement in basic education of good quality.
- Improving every aspect of education and ensuring excellence so that recognised and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

Although the Constitution provides for free primary education, the *EFA National Plan of Action* points out that:

“Free education does not mean completely free. There are certain costs that may hinder children from attending school. In the Namibian context, even though parents are not forced to pay for school fees, they are, however, expected to contribute towards the education of their children through contributions to the school development funds, school uniforms, food and transport.”

However, in terms of the education policies, learners cannot be barred from attending school because they cannot afford these costs, and mechanisms have been put in place to exempt those who cannot pay.

The Ministry of Education is also considering a policy on Community Hostels based on the problem that in some remote areas and commercial farming areas, schools are far and few between. Community hostels would provide informal accommodation for learners in rural areas with resources from communities and donors. The primary aim is to ensure that children who cannot easily access education due to long distances from school and/or poor home conditions have access to effective education by satisfying their physical, psychological and spiritual needs. Fees may be charged to cover costs, but provisions should be made to exempt those who cannot afford the nominal payment. However, parents of learners accommodated in community hostels should be responsible for providing their children with basic necessities such as beds, blankets, mattresses, food, security and medical services.

Two other important policies address the issue of some children not being in school. The National Gender Policy of 1997 addresses the girl child and covers both general welfare issues and issues related to schooling. It notes that girls often have to manage both educational and domestic responsibilities, which leads to poor academic performance and dropping out of school at an early age. The policy emphasises “the importance of ensuring access for and retention of girls and women at all levels of education and in all academic areas”. The document notes that cultural attitudes, child

labour, early marriages, teenage pregnancies and general gender inequalities negatively affect girls' education. The National Policy on Orphans and Vulnerable Children (OVC) of 2004 builds on Namibia's legal and policy framework. It also refers to Namibia's ratification of the UN Convention on the Rights of the Child (CRC). The OVC policy outlines the importance of keeping orphans and other vulnerable children in school as being central to strengthening their capacity to meet their own needs. Government commits itself to ensure that all relevant parties are informed about the allowable exemptions from payments to school development funds for learners who are unable to pay. This policy also states that Government will ensure that no learner shall be excluded from a school or examination due to the inability to pay. In addition, education sector staff shall be sensitised to the needs of vulnerable children and play a role in setting up various support programmes. Government in co-operation with NGOs and other partners should ensure that children and young people are afforded the opportunity to participate in the design and implementation of such programmes (MWACW 2004b).

3.3 The challenges of ensuring all children are in school

However, various sources from the literature and recent studies have noted that the concept of free education for those who cannot afford the costs is not a reality in Namibia. Some children are, in fact, excluded from the Constitutional promise of education if they cannot pay (LeBeau 2004). A UNICEF and NEPRU study found that the schools in question simply say that they are 'full', therefore evoking the Education Act Article 54, and give preference to fee-paying children (LeBeau 2004 citing Godana and Kalili 2002). The same story was provided by many community participants in the National Planning Commission's (NPC) recent Participatory Poverty Assessment (PPA) in 24 sites in four of Namibia's regions (SIAPAC with UNAM, !Nara and DDS 2006). For example, community members at 'One Nation' location in Windhoek said, *"Payment for school fees is a big problem because we parents must pay the preceding year before our children are enrolled. If no money is paid the principal threatens us by saying our children won't be enrolled because there's no space at the school. Also the schools available to us are far and the cost of taxi fare is high for most of us poor members of the community, so our children must walk to school. We parents fear for our children's safety"*. Findings from the TECL study, as will be detailed below, have come to the same conclusion. The Ministry of Gender Equality and Child Welfare (MGE CW) has expressed concern about the situation of children being turned away from school for lack of funds. Children who are marginalised due to poverty become even further marginalised if they must drop out of school and possibly be forced into work situations (LeBeau 2004). One example of this was cited several times in both the PPA study and the TECL study: Girls often take boyfriends or 'sugar daddies' or engage in commercial sex "just to sustain their life", "to contribute to the family" or "to pay their school or NAMCOL fees".

One other problem around exemptions is the lengthy and unwieldy process that parents, many who are illiterate, must go through to get an exemption for their child. They have to prove that they cannot afford the required payments or uniforms. The parents have to obtain recommendation letters from the following people/bodies before the child is exempt:

- From the traditional leader to prove that the child is from the village/location, and the parents cannot afford such expense.
- From the school principal to prove that the child was or is in school and the grade he or she is applying for or enrolled in.
- From the Regional Councilor recommending the exemption.

All these letters should be addressed to the School Board, which will decide whether or not to exempt a child from paying school fees or wearing a school uniform. Many parents do not know these requirements or do not have the skills or time to fulfil them.

3.4 Programmatic response to ensure that children are in school to reduce child labour

Several programmes exist in Namibia run by government, NGOs, donors and community members to address the problem of children not being in school because of poverty or other social disadvantages. Some of them are particularly aware of the link between non-school attendance and child labour. A brief description of the key programmes follows:

- The RECLISA/Africare programme based in Caprivi Region deals with child labour and school attendance issues. This programme has identified about 1200 children, including OVCs, and feels they have reached about 75% of the children by supporting them through the programme activities to return to school. They work with MGECEW social workers and the NGO, Catholic AIDS Action (CAA).
- Circles of Support (COS) is community-based multi-sectoral approach addressing the plight of OVCs. It is a public-private partnership intervention that tries to find means to provide psycho-social and material support to OVCs, especially HIV/AIDS affected children, to remain or re-enter school and fulfill their development potential. The project is funded by the EU through SADC Health Sector Coordinating Unit. It has been piloted in Namibia, Botswana and Swaziland by in-country implementing partners (i.e SIAPAC in Namibia), in partnership with the respective education ministries of these countries. It is managed by Health and Development Africa based in Johannesburg, South Africa. In Namibia, the project is housed within the HIV/AIDS Management Unit for the Education Sector (HAMU), a unit within MOE. There is a Steering Committee, of which the head of HAMU is the chairperson, at national level, and is made up of representatives from stakeholders in the OVC arena – including UN branches, donors, line ministries, NGOs, FBOs, trade unions, and student organisations. A UN Volunteer/OVC expert attached to the MOE is directly assigned to the project. The functions of the Steering Committee are to coordinate activities, give directions and make recommendations, select pilot sites, and monitor progress. At the regional level, the project is administered through the Oshana Education Regional Office. There is a Pilot Site Coordinator and a Senior Regional School Counselor, who coordinate and participate in every activity of the project. In addition, there is a Pilot Site Task Team comprised of representatives from Regional AIDS Committee for Education, community traditional and political leaders, the Regional Director and other managers (members of the Regional Education Forum), Regional AIDS Coordinating Committee, the private sector, and civil society.
- The MGECEW is in the process of registering OVCs so that they will become eligible for grants to assist them with financial support, school fee exemptions, the purchase of school uniforms and other social support programmes. These programmes and social grants will help ease the financial burden placed on these children.
- Within the MOE, the Education and Training Sector Improvement Programme (ETSIP), which commenced in 2005 is a 15-year (2005-2020) strategic plan to improve Namibia's education system. ETSIP is first focussing on three top priority areas: 1) the improvement of education quality, 2) ensuring equality of opportunity, including equitable access to quality secondary education, and 3) improving system management and efficiency. The second priority which links to reducing drop-out rates, addresses "pro-poor expansion of access to senior secondary schools and equitable (pro-poor) distribution of resources" (GRN 2005).
- In regards to children on the street, the primary responsibility rests with the Ministry of Health and Social Services (MHSS) to give social support where possible to families at risk, but several ministries, NGOs and UN organisations are involved with these children at different levels. The Ministry of Regional and Local Government and Housing (MRLG&H) has an aggressive policy of keeping children off the streets by the provision of several shelters nationwide for children who have no other place to live. This Ministry has a 'Street Child' Division responsible for reintegrating children back into schools and society (LeBeau 2004 citing LeBeau 1992). The former MBESC, in conjunction with the Office of the President, has identified street children as an educationally marginalised group in need of special support services and has a national policy aimed at educationally marginalised children. An intersectoral Task Force was created in 1996 to advise government on developing and implementing a national policy to meet the educational and learning

needs of these children (LeBeau 2004 citing MBESC 2000). UNICEF also has a support programme for ‘Children and Women in Especially Difficult Circumstances’ aimed at strengthening the capacity of the Directorates of Social Services under MOHSS, Ministry of Youth (MYNSSC), and Community Development under MRLG&H, the legal and law enforcement professions, and other institutions so that children are aware of and have effective access to support services and protection (LeBeau 2004 citing UNICEF 1999). The Big Step social support programme under *The Big Issue* street magazine is supporting children living or working on the street through their various social programmes. Because *The Big Issue* cannot let these under-age children sell magazines, they are provided with skill-development classes such as craft-making and literacy, and given food and clothing support.

4. TECL Project Stream 1 findings on education status and reasons for not being in school

During all the SSIs with children for TECL Project Stream 1 study on child labour, the children were asked several background questions, including: their age, what type of labour or criminal activity they were involved in, their education status (e.g. whether they were currently in school, had left school or had never been to school, and if they were in school or had attended school in the past what was their highest level of education). Those never in school or no longer in school were asked what were the reason for not being in school and whether they wanted to be in school or not. The three tables below provide the findings, with Table 2 covering 24 children in exploitative labour situations, Table 3 for 31 children who had been arrested for a crime but were in one of Namibia’s Diversion Programmes, and Table 4 for 93 children found in prison or held in police cells waiting for their next court date.

Table 2. SSIs – Child labour and status of education

Category	Boys	Girls	Total
Background			
Total number of children in SSIs	12	12	24
Average age	16	15	16
Age range*	12 to 19	12 to 17	12 to 19
Type of labour activity (per child)			
Commercial sex work	1	6	7
Domestic work	1	3	4
Normal household chores	3	0	3
Charcoal production (commercial)	1	2	3
Small business: selling <i>kapana</i> (cooked meat)	0	1	1
Carrying luggage/goods at Namibia – Angola border post, and own small business: selling biscuits and eggs	1	0	1
Carpentry work	1	0	1
Collecting firewood and fetching water	1	0	1
Herding livestock, chopping wood, fetching water, and gardening	1	0	1
Herding livestock	1	0	1
Cleaning yards	1	0	1
Schooling status			
Currently in school	5	2	7
Never attended school	1	1	2
Attended school in past, but currently not in school	6	9	15
Highest grade level reached: average	Grade 6	Grade 6	Grade 6

Highest grade level reached: range	Grades 0 to 10	Grades 0 to 10	Grades 0 to 10
For those not in school (n=17), reason for not being in school			
Lack of money	1	5	6
Work and lack of money	0	2	2
Work, lack of money and no Namibian documents	1	1	2
Work that they are doing	0	2	2
Wanted to work, earn money, and buy clothes	1	0	1
Lack of money and lack of transport	1	0	1
Parents do not allow and over-age	1	0	1
Dismissed from school (refused to work for headmaster as cattle herder)	1	0	1
No reason given	1	0	1

* Ages >17 are cases where people have been doing work since they were juveniles.

Table 3. SSIs – Children in diversion programme and status of education

Category	Boys	Girls	Total
Background			
Total number of children in SSIs	21	10	31
Average age	17	17	17
Age range	13 to 19	14 to 10	13 to 19
Type of activity*			
Grievous bodily harm (GBH)	4	4	8
Assault with threat	0	0	0
Common assault	3	5	8
Rape	0	0	0
Attempted murder	1	0	1
Murder	0	0	0
Housebreaking with attempt to steal	0	0	0
Hotel / Shop break-in	0	0	0
Theft	8	1	9
Shoplifting	2	0	2
Pick-pocketing	0	0	0
Culpable homicide	0	0	0
Cell phone	0	0	1
Stock theft	1	0	1
Robbery	0	0	0
Theft out of motor vehicle	0	0	0
Theft of motor vehicle	0	0	0
Possession of stolen property	0	0	0
Malicious damage to property	1	0	1
Possession of drugs	1	0	1
Prostitution	1	0	1
Formal schooling status			
Currently in school	5	5	10
Never attended school	0	0	0
Attended school in past, but currently not in school	16	5	21
Highest grade level reached – average	Grade 7	Grade 8	Grade 8
Highest grade level reached – range	Grades 4 to 11	Grades 5 to 10	Grades 4 to 11
Reason for not being in school			

Category	Boys	Girls	Total
Background			
Lack of money	7	3	10
Lack of money and people live with	3	0	3
Criminal record	2	0	2
Too old	0	1	1
Do not want to return to school	1	0	1
Lost school report	1	0	1
Has child	0	1	1
Slow learner	1	0	1
No reason given	1	0	1
Desire to be in school			
Yes	15	1	16
No	2	3	5

* Number of criminal activities more than number of people interviewed, due to the fact that some committed more than one crime.

Table 4. SSIs – Children in prison or police cells and status of education

Category	Boys	Girls	Total
Background			
Total number of children in SSIs	92	1	93
Average age*	18	18	18
Age range*	12 to 24	n/a	12 to 24
Type of activity**			
Grievous bodily harm (GBH)	1	1	2
Assault with threat	1	0	1
Common assault	0	0	0
Rape	25	0	25
Attempted murder	1	0	1
Murder	9	0	9
Housebreaking with attempt to steal	15	0	15
Hotel / shop break-in	6	0	6
Theft	11	0	11
Shoplifting	6	0	6
Pick pocket	2	0	2
Culpable homicide	1	0	1
Cell phone	1	0	1
Stock theft	6	0	6
Robbery	6	0	6
Theft out of motor vehicle	3	0	3
Theft of motor vehicle	1	0	1
Possession of stolen property	1	0	1
Malicious damage to property	0	0	0
Possession of drugs	0	0	0
Prostitution	1	0	1
Formal schooling status			
Currently in school	10	0	10
Never attended school	6	0	6
Attended school in past, but currently not in school	76	1	77
Highest grade level reached – average	Grade 7	Grade 9	Grade 7
Highest grade level reached – range	Grades 2 to 12	n/a	Grades 2 to 12

Category	Boys	Girls	Total
Background			
Reason for not being in school			
In prison	24	0	24
Lack of money	20	1	21
In prison and lack of money	14	0	14
Too old	5	0	5
In prison, lack of money and criminal record	3	0	3
Work that they are doing & being in prison	3	0	3
Work that they are doing	2	0	2
Work that they are doing, being in prison and lack of money	1	0	1
In prison and too old to return to grade level last in	1	0	1
No reason given	9	0	9
Desire to be in school			
Yes	65	1	66
No	14	0	14
No answer given	3	0	3

* While some children are now older than 17, they were juveniles at the time of arrest.

** Number of criminal activities more than number of people interviewed, due to the fact that some committed more than one crime.

By taking the information from the three tables above, it can be seen that the majority of the children interviewed were not in school (working children = 71%, children in Diversion Programmes = 68%, children in prison or police cells = 90%). These percentages are far above the national average of all school-aged children at 7.8%, which clearly indicates these are ‘educationally marginalised children’ and their plight needs to be carefully addressed. For those children not in school, the average grade level reached was Grade 6 for working children, Grade 8 for children in Diversion Programmes and Grade 7 for the children in prison or police cells, meaning that the average child had completed or had almost completed their primary school education. These data compare with the national ‘survival rate’ of 80% of children of the appropriate age group ‘surviving’ until the end of primary school.

The findings also indicate that leaving school due to “because of the work I do” is not the most significant reason given by the children. None of the children in Diversion Programmes gave this as a reason, while 42% of the working children and only 8% of the children in prison or police cells provided this reason. One of the most significant reasons was ‘lack of money’ (working children = 65%, children in Diversion Programmes = 62%, children in prison or police cells = 47%). Obviously, many (55%) of children in prison or police cells are not currently in school because they are locked up, however, the interviews indicated that most of them had already left school or had never attended school long before they were arrested. From these findings, it can be seen that many children are working or engaging in criminal activities because they are not in school, rather than not in school because they work. Interventions to get children back in school must address these, primarily financial, issues.

5. Need for a coordinated approach to ensure school attendance and eliminate child labour

Most KIIs in the TECL study felt that there was a need for a coordinated approach to address the issues of child labour and getting children back into school. Many had recommendations on how to do this, and the following provides a sample of the key recommendations:

- Government, NGOs and donor-funded projects need to work together, and coordinate and consolidate their efforts, both at the national and regional efforts. One example would be MOLSW, MGECEW, RECLISA and Catholic AIDS Action at the regional level in Caprivi.
- NGOs that are running projects relevant to child labour and schooling, but who may be short of human and financial resources, should be assisted by government or donors to improve or enhance their efforts.
- Many respondents during the TECL study stated that the policies and laws are in place, “but they are not at the ground level”, meaning that they are not being implemented or enforced. More efforts are needed to conduct official child labour inspections, and to follow-up on any contraventions of the Labour Act or Education Act, especially in the commercial and communal agriculture sectors and for hazardous labour such as charcoal production, fish processing and road construction work. At the same time that these sectors are inspected for evidence of child labour, records should be kept and action taken for school-age children who are not in school. Officials (e.g. labour inspectors, police, social workers, agricultural officers) must be given the power on the ground to take actions to enforce the labour laws and not to have to wait for feedback from head office levels.
- LeBeau (2004) feels that special efforts are needed to end child labour on commercial and communal farms, and suggests: 1) determine which children are exploited or are at risk of exploitation so as to target them for programmes to eradicate child labour on farms; 2) get the children into school so that they are less at risk of being forced to work by the farm owners or parents; 3) improve the living conditions of farm workers so that the parents do not feel that they have to let their children work; and 4) have skills development programmes so that children can learn skills other than being farm workers.
- There appears to be a severe lack of social workers in the regions who are needed to identify, take action, counsel and follow-up on children who are in exploitative labour situations, in danger of becoming criminals, engaging in commercial sex work, and/or not attending school. Similarly the government and NGO Diversion Programmes need to be improved to reduce repeat offenders and the number of children held in police cells waiting trial, and they need to be supported and expanded to reach more children especially in the more remote regions of Namibia.
- Many respondents also mentioned that greater efforts must be made regarding awareness and education campaigns for civil servants, the general public, parents, employers, employees and children on issues such as: children’s rights, Namibia’s child labour laws, education policies on compulsory primary school education and on the rights of children and procedures to receive exemptions whose parents cannot afford school fees and other related school costs.

References

Godana, T and Kalili, N. 2002. Study to cost school development fund exemption for orphans and other vulnerable children. NEPRU and UNICEF, Windhoek.

GRN. 2001. Education Act, No. 16 of 2001. Government of the Republic of Namibia, Windhoek.

GRN (Government of the Republic of Namibia). 2005. Education and Training Sector: Improvement Programme (ETSIP): Planning for a Learning Nation, Programme Document: Phase I (2006-2011) Working draft, Ministry of Education, GRN, Windhoek.

LeBeau, D. 1992: Phase I of educationally marginalised children's project: Baseline desk study. NISER, Windhoek.

LeBeau, Debie with D. Bosch, D. Budlender and A. Fourie. 2004. Towards the elimination of the worst forms of child labour in Namibia, University of Namibia (UNAM), Multi-Disciplinary Research and Consultancy Centre (MRCC) and Gender Training and Research programme (GTRP), Windhoek.

Lund, B. 1995: Educationally marginalised children: A desk study. NIED, Windhoek.

MOE (Ministry of Education). 2005. EMIS: Education statistics 2003. Educational Management Information System, Ministry of Education, Windhoek.

MOL (Ministry of Labour). 2000. Namibia child activities survey 1999: Report of analysis. Ministry of Labour, Windhoek.

MWACW (Ministry of Woman Affairs and Child Welfare). 2004b. National policy on orphans and vulnerable children. Ministry of Woman Affairs and Child Welfare, Windhoek.

SIAPAC with UNAM, !Nara and DDS. 2006. Site reports for NPC's Participatory Poverty Assessment, National Planning Commission Secretariat, Windhoek.

UNICEF (United Nations Education, Scientific and Cultural Organisation). 1996. Mobilization for children's and women's rights programme 1997-2001. UNICEF and GRN, Windhoek.