

Human Rights Challenges of Children in Detention: A Qualitative Study from Multiple Stakeholder Perspectives in Zambia

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ABSTRACT

This study examines the human rights challenges faced by children in detention in Zambia from multiple stakeholder perspectives. Guided by the interpretivist paradigm, the study employed a qualitative descriptive design to explore lived experiences and institutional practices affecting detained children. Data were collected through semi-structured interviews and focus group discussions with correctional officers, parents, and teachers (n = 15), selected using purposive heterogeneous sampling. Thematic analysis, following Braun and Clarke (2006), was used to analyse the data. The findings reveal that children in detention experience systemic human rights violations, including restricted freedom of movement and assembly, engagement in punitive labour, limited access to education, and constrained family interaction. These conditions negatively affect psychological well-being, social development, and reintegration outcomes. Drawing on child welfare theory, the study argues that detention practices in Zambia remain predominantly punitive and inconsistent with international child rights standards. The study recommends strengthening oversight mechanisms, expanding access to education and psychosocial services, and promoting non-custodial alternatives to detention. The findings contribute to ongoing debates on juvenile justice reform in developing contexts.

Keywords: Children In Detention, Human Rights, Juvenile Justice, Zambia, Qualitative Research

INTRODUCTION

The detention of children remains a critical global human rights concern. International frameworks, particularly the United Nations Convention on the Rights of the Child (CRC), emphasise that deprivation of liberty should be used only as a measure of last resort and for the shortest appropriate period. Despite these provisions, evidence indicates that children in detention are frequently exposed to conditions that undermine their rights and well-being, including overcrowding, inadequate healthcare, and limited access to education.

Children in detention are often drawn from socio-economically disadvantaged backgrounds, which heightens their vulnerability to exploitation and neglect. Studies have also shown that detained children are disproportionately affected by mental health challenges, including anxiety, depression, and trauma-related disorders. In many developing contexts, structural constraints such as limited resources, weak institutional capacity, and inadequate policy implementation exacerbate these challenges.

In Zambia, although legal and policy frameworks exist to protect children's rights, reports continue to highlight significant gaps between policy and practice. Children in detention frequently experience restricted access to education, healthcare, and family support, which undermines their rehabilitation and reintegration prospects. Despite these concerns, there is limited empirical research that captures these challenges from multiple stakeholder perspectives. This study addresses this gap by examining the human rights challenges faced by children in detention in Zambia.

Statement of the Problem

Despite the existence of child protection frameworks in Zambia, children in detention continue to experience significant human rights violations, including inadequate access to education and healthcare, restricted family

contact, and exposure to punitive conditions. Existing research has largely focused on institutional reports, with limited attention to the lived experiences and perspectives of key stakeholders. This study seeks to provide a more comprehensive understanding of these challenges.

Objective of the Study

The study aimed to identify and analyse the major human rights challenges faced by children in detention centres in Zambia.

Significance of the Study

This study contributes to the understanding of child rights in custodial settings by providing empirical evidence from multiple stakeholders. The findings are expected to inform policy reforms, improve institutional practices, and support advocacy efforts aimed at promoting child-centered approaches in juvenile justice systems. Additionally, the study highlights the importance of integrating education, psychosocial support, and family engagement in rehabilitation processes.

THEORETICAL FRAMEWORK

This study is anchored in **child welfare theory**, which emphasises the protection, development, and well-being of children. The theory posits that children require supportive environments that foster their physical, emotional, and social development. Within detention contexts, child welfare theory advocates for rehabilitative rather than punitive approaches, prioritising the best interests of the child.

The theory underscores the importance of holistic interventions, including access to education, mental health services, and family support systems. It also highlights the need for institutional practices that respect children's rights and promote their reintegration into society. In this study, child welfare theory provides a lens through which detention practices are evaluated, particularly in relation to their alignment with child rights principles.

LITERATURE REVIEW

Human Rights Challenges Faced by Children in Reformatory Centers/Detention

Existing literature indicates that children in detention face multiple human rights challenges globally and within Africa. Overcrowding, inadequate healthcare, and limited access to education are consistently reported across studies. For instance, a study done in Thailand, Brazil, Asia, and Oceania highlighted a 57% increase in the global women's prison population since 2000, significantly higher than the 22% increase for men. It finds that women in detention face specific challenges including inadequate gender-responsive healthcare, poor menstrual hygiene management, and higher rates of mental health issues (suicide, self-harm). Limited data on the long-term impact of detention on children living with incarcerated mothers and inadequate implementation of gender-responsive alternatives to detention (PRI & TIJ, Global Prison Trends 2025). According to Gjørund et al., (2024) investigated on breaking down barriers to mental healthcare access in prison. The study explored individual and systemic barriers for male prisoners. Key findings indicate that distrust in the system, slow referral routines, and the "prison mask" (need to appear strong) are major barriers to seeking care. Incarcerated individuals are reluctant to seek help unless it's for physical or drug-related problems, often relying on peers rather than professionals. The study revealed there is less knowledge about the situation in low- and middle-income countries; this study focuses on a high-income, Scandinavian context.

UK Ministry of Justice, (2025) shows that prisoners in overcrowded cells are 19% more likely to be involved in an assault over a one-year period compared to those in cells that are not overcrowded. It highlights that overcrowded conditions reduce space for rehabilitation, strain prison staff resources, and increase mental health distress. The analysis focuses on public sector prisons, with limited coverage of private, contracted facilities, and suggests further research into the impact of specific, high-turnover prisons. In Ghana (Selected prison facilities) Baffoe-Bonnie, et al. (2024) found that extreme overcrowding leads to severe shortages of basic

resources, inadequate healthcare staffing, and limited access to essential drugs. Inmates reported poor nutrition, limited ventilation, and high stress, which aggravated existing health conditions. While some in-prison healthcare staff were seen as trying their best, the sheer number of inmates made it impossible to provide quality care. The research identified a major gap in the ability to provide specialized care for non-communicable diseases and chronic conditions, which are rising in the prison population.

A study in West and Central Africa (13 countries, including Benin, Burkina Faso, Cameroon, Ghana, Mali). The comparative study found that migrant detention is used as a default response rather than a last resort. Key challenges include the lack of clear, gender-sensitive, and child-sensitive approaches in national legislation. There is a major disconnect between regional agreements (e.g., ECOWAS) that favor free movement and national laws that often allow for arbitrary detention of migrants. The study identified a critical lack of alternatives to detention, such as bail, regular reporting, or community placement, which are only sporadically used International Organization for Migration (IOM). 2024). A survey by Avocats Sans Frontières (ASF). (2023) reported that the penitentiary system is overwhelmed by a lack of resources and capacity. The study highlights the excessive use of pre-trial detention (remand), with many individuals held for prolonged periods without appearing before a judge. The report notes a severe lack of judicial follow-up on cases, causing extreme overcrowding and leading to inhumane conditions, including lack of clean food and adequate sanitation.

Research by Sibisi, Masuku and Mphatheni, (2024) in South Africa indicates that shortly before the pandemic, facilities were 37% congested, housing over 162,000 inmates in spaces designed for 118,572. Overcrowding made social distancing impossible, turning prisons into COVID-19 hotspots. Inmates with underlying conditions like HIV and TB were highly vulnerable due to poor ventilation and lack of sanitation. The study showed that prisons suffered a "material crisis" involving a shortage of beds, leading inmates to sleep on floors near pests like rats. The study highlights a critical lack of up-to-date, reliable data on incarcerated populations, which hindered effective government responses during the health crisis. In Malawi a study indicated that male youths are at high risk of sexual violence and victimization when housed with adult offenders due to a lack of separation. 100% of sentenced young men (under 21) in the audit lacked legal representation at trial, often remaining in detention longer than legally permitted. The study showed that common challenges included poor sanitation, lack of potable water, and insufficient food and bedding. Existing research lacks a large enough sample size to generalize findings across all age groups and genders; there is a specific need for mixed-methods research that includes more female and older participants (Nkambule, Wella and Mbakaya, 2023).

Scholars such as Goredema, (2022) detention centers face chronic water shortages, power outages, and a severe lack of medicines and adequate ventilation. The standard of care is heavily reliant on non-governmental and faith-based organizations to provide basic PPE and medication, as government resourcing is insufficient. Overcrowding is exacerbated by outdated infrastructure and massive backlogs in the judicial system. There is a lack of transparency regarding prison audits; the Zimbabwe Prisons and Correctional Service (ZPCS) inspection unit rarely releases official assessment results to the public.

Research in Zambia has identified gaps in the provision of education and rehabilitation services within correctional facilities. Similarly, studies from other African countries highlight issues such as prolonged pre-trial detention, poor sanitation, and lack of legal representation for juveniles. These conditions not only violate children's rights but also undermine their long-term development and reintegration. Researchers such as Mundende, Daka and Mbewe, (2022) explored on challenges and prospects of education in correctional facilities in Zambia. The study focused on one facility in Lusaka and two in Central province, covering male/female inmates. The study revealed that despite legal mandates (Prisons Act, Chapter 97) requiring education for prisoners, education is not inclusive or adequately provided. Main challenges included a severe lack of teaching materials, lack of training for educator inmates, insufficient government funding, and poor infrastructure. A significant gap exists between policy (the law mandate) and implementation, leading to the continued marginalization of inmates despite potential support from NGOs.

Despite these findings, there remains a lack of qualitative research that captures the perspectives of multiple stakeholders involved in the care and management of detained children. This study addresses this gap by providing an in-depth analysis of these challenges.

METHODOLOGY

Research Design

The study employed a qualitative descriptive design to explore the human rights challenges faced by children in detention.

Research Paradigm

The interpretivist paradigm guided the study, enabling an in-depth understanding of participants' experiences and perspectives.

Sampling and Participants

A purposive heterogeneous sampling strategy was used to select participants with relevant experience. The sample consisted of 15 participants:

- 5 correctional officers
- 5 parents
- 5 teachers

This approach ensured diverse perspectives and enhanced the credibility of the findings.

Data Collection

Data were collected through semi-structured interviews and focus group discussions. These methods facilitated detailed exploration of participants' experiences and perceptions.

Data Analysis

Thematic analysis (Braun & Clarke, 2006) was used. The process involved coding, theme development, and interpretation of patterns within the data.

Ethical Considerations

Ethical principles were strictly observed. Informed consent was obtained, confidentiality maintained, and participants' identities anonymised.

1.7 Results and Discussion

The study focused on establishing the on major Human Rights challenges children faced in reformatory centers/detention. One on one interviews guide was used to collect data. The study revealed that there are major Human Rights challenges children faced in reformatory centers/detention as presented below

Human Rights Challenges Children Face in Reformatory Centres

Right to Movement

The study reviewed that children in these facilities face strict rules that limit their ability to move freely, even within the facility.

“Detained children may have limited access to their families and communities. This isolation hinders their emotional well-being and social development, as they lack support systems that are vital for their growth.”

“...I can honestly tell you that, movement restrictions impact children's access to educational and rehabilitative programs. Inadequate access to necessary services hinders their ability to reintegrate successfully into society upon release. The truth is that when one is in detention they're limited with freedom of movements.”

As highlighted in reports by organizations such as Save the Children (2021) children in these facilities often experience severe restrictions on their freedom of movement, which can lead to a variety of adverse effects. Similarly, Human Rights Watch (2020) reports that children are subject to confinement, harsh surveillance, and limitations on their ability to connect with the outside world. This isolation hinders their social development and emotional well-being, further exacerbating the difficulties they face in reintegrating into society upon release. Moreover, the lack of autonomy in their mobility lead to feelings of powerlessness, impacting their psychological health and self-esteem (Council of Europe, 2019). According to Oduor (2020), effective child welfare systems should prioritize not only the physical safety of vulnerable children but also their mental and emotional health.

Freedom of Assembly

The results showed that freedom for assembly is also a human rights challenge children face in reformatory centres/detention.

“Children in these facilities face strict rules that limit their ability to move freely, even within the facility. This restriction affects their mental health and development, as they feel confined and unable to engage in normal activities. These is a major Human Rights challenge these children face in reformatory centers/detention...”
(Participant P8 contributed)

These study results resonate with the report by LCRMC (2022) which indicates that children in such institutions often face restrictions on their ability to gather, associate, and participate in collective activities, which are essential for their social development. Several studies supports that restrictions from these facilities exacerbate feelings of alienation and emotional distress, preventing children from forming supportive networks that are crucial for their psychological well-being and overall rehabilitation.

“Truth be told, detained children have limited access to their families and communities. This isolation hinders their emotional well-being and social development, as they lack support systems that are vital for their growth. It was clear that Facilities do not provide adequate opportunities for outdoor activities or community engagement to those in dentation.”

According Nkosi (2021) notes that opportunities for children to engage in group activities not only foster camaraderie but also teach them vital conflict resolution and communication skills.

Hard Labour

The results shows that children in reformatory centers are sometimes compelled to perform labor as part of their punishment.

“Children in detention miss educational opportunities as they are taken away from formal schooling and instead required to work. This prevents them from acquiring skills and knowledge that would help them reintegrate into society positively. In certain cases, authorities running these facilities exploit the labor of children without providing any compensation or benefits.”

“Child labor in any form poses serious health risks. In reformatory centers, children are sometimes required to engage in strenuous physical activities without appropriate safety measures or rest, leading to injuries and long-term health issues. Being subjected to labor, especially in a punitive environment, have detrimental psychological effects on children.”

According to Khalid (2019) agrees that many children are subjected to excessively demanding physical tasks that are detrimental to their health and well-being. Rather than focusing on rehabilitation and education, some reformatory facilities impose labor-intensive activities that serve punitive purposes, violating international standards for the treatment of children. Such practices lead to physical injuries, mental stress, and a negative

perception of discipline and authority. McEwen (2018) indicates that the use of hard labor not only undermines the dignity of children but also fails to address the underlying issues that led to their placement in these centers, making rehabilitation increasingly challenging. Mutasa and Dube (2020) further argue that by addressing the root causes of behavior rather than resorting to laborious punishment, facilities can foster healthier, more productive outcomes that benefit both the children and society at large.

Limited Access to Education

It was clear that limited access to education is a significant human rights challenge faced by children in reformatory centers facilities.

“Many children in reformatory centers are removed from their traditional school environments and are not provided with equivalent educational opportunities. This disruption led to gaps in their education, making it difficult for them to reintegrate into mainstream schooling after their release.”

According to UNICEF (2021), education is a vital tool for fostering resilience and empowerment among children, particularly those in vulnerable situations. In contrast, the lack of educational access in reformatory settings can lead to disenfranchisement and feelings of hopelessness, further complicating their rehabilitation process (UNODC, 2022), emphasizes that providing educational resources and programs is essential for cultivating confidence and preparing children for successful reintegration.

“Reformatory centers have insufficient resources, such as textbooks, learning materials, and qualified teachers. Without access to these essential resources, children miss out on quality education, which affect their cognitive development and future job prospects.”

The reports by United Nations (2022) support that limited access to education is a pressing human rights challenge that children confront in reformatory centers. The Zambia Human Rights Commission (2022) contains that children in such institutions sometimes are deprived of adequate educational opportunities, which significantly hinders their development.

Right to Interact with their Family

From the data collected, it was clear that children in these facilities face prolonged separation from their families, which lead to emotional and psychological distress.

“...a child taken to a reformatory center for minor offenses do not see their family for months. This separation hinders their ability to maintain family relationships, which are vital for their emotional support. Often, visitation policies in detention centers are strict, limiting how often family members visit. This creates barriers to maintaining familial bonds and led to feelings of abandonment in the children.”

In line to study findings, Nkosi (2021) supports that parental neglect exacerbates the emotional and psychological challenges faced by children in detention. When children feel abandoned or forgotten by their parents, it leads to feelings of loneliness, low self-esteem, and heightened anxiety. The emotional distress caused by such neglect often makes it harder for children to adapt to the strict conditions of detention, hindering their ability to engage positively with rehabilitative programs (Torres and Rojas, 2021).

“Human right states that children’s have right to interact with their family members but this isn’t the case with reformatory centers. For example, a child learns skills in the reformatory, but without family engagement in their rehabilitation, they struggle to apply these skills in their home environment.”

Scholars such as Khan and Fatima (2019) argue that emotional support from parents can act as a protective factor, helping children cope with the stressors associated with detention. Conversely, when children perceive neglect, that protective layer is stripped away, leaving them vulnerable to adverse mental health outcomes. Khumalo and Nkosi (2021) highlight that addressing these emotional needs through supportive policies and practices is crucial for improving children’s welfare in detention. Adopting strategies that facilitate parental

involvement can mitigate feelings of neglect and enhance the likelihood of positive rehabilitation outcomes, aligning with the core principles of child welfare theory.

CONCLUSION

The study demonstrates that children in detention in Zambia seemingly face systemic human rights violations that undermine their well-being and development though a few respondents were against this background. These include restricted movement, punitive labour practices, limited access to education, and reduced family interaction. The findings indicate that detention practices remain largely punitive and inconsistent with child welfare principles. Addressing these challenges requires a shift toward child-centered and rights-based approaches.

RECOMMENDATIONS

1. Promote Non-Custodial Alternatives

Adopt diversion programs and community-based rehabilitation to reduce reliance on detention.

2. Strengthen Monitoring Mechanisms

Establish independent oversight bodies to ensure compliance with child rights standards.

3. Improve Access to Education

Provide structured educational programs, qualified teachers, and learning materials within detention centers.

4. Enhance Psychosocial Support

Enhance counselling and mental health services for detained children.

5. Facilitate Family Engagement

Revise visitation policies to promote regular interaction between children and their families

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