

# Street law

## Child Rights Manual



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N U L A I  
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## CHAPTER 4

### PROTECTION RIGHTS OF A CHILD

#### **A. Contents:**

Protection Rights of a Child.

**B. Outcome:** After completing this chapter participants will be able to explain the Protection Rights of a child.

#### **Introduction**

Governments, parents and all persons have the responsibility and obligation to take all available measures to make sure children's rights are respected, protected and fulfilled.<sup>3</sup>

The following table explains the protection rights of a child under the law:

#### **PROTECTION RIGHTS OF A CHILD**

<b>Protection Rights of a Child</b>	<b>Meaning</b>
<b>No contract</b>	Any contract, except a contract for necessities, entered into by a child for repayment of money lent or for payment of goods supplied to the child shall be void.
<b>Prohibition from child marriage and betrothal</b>	No person under the age of 18 years is capable of contracting a valid marriage, and accordingly, a marriage so contracted is null and void and of no effect whatsoever. Also no parent, guardian or any other person shall betroth a child to any person.
<b>Prohibition of Tattoo and Skin Marks</b>	No person shall tattoo or make a skin mark or cause any tattoo or skin mark to be made on a child.
<b>Prohibition of use of drugs and narcotics</b>	No person shall, expose or involve a child in the use of narcotic drugs and psycho tropic substances
<b>Protection from use in criminal activity</b>	No person shall employ, use or involve a child in any activity involving or leading to the commission of any crime or offence.
<b>Unlawful removal from lawful custody</b>	No person shall remove or take a child out of the custody or protection of his father or

<sup>3</sup> See Article 4 of the Convention on the Rights of the Child and Part III Child Rights Act

	mother, guardian or <del>such other person</del> having lawful care or charge of the child against the will of the father, <del>mother, guardian or other person.</del>
<b>Prohibition from Child labour (differentiated from child work)</b>	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, or be employed or work in an industrial undertaking.
<b>Protection from buying and selling</b>	No person shall buy, sell, hire, let on hire, dispose of or obtain possession of or otherwise deal in a child. A child shall not be used for the purpose of begging for alms, guiding beggars, prostitution, domestic or sexual labour or for any unlawful or immoral purpose ; or as a slave or for practices similar to slavery such as sale or trafficking of the child, debt bondage or serfdom and forced or compulsory labour, for hawking of goods or services on main city streets, brothels or highways ; or for any purpose that deprives the child of the opportunity to attend and remain in school as provided for under the compulsory, Free Universal Basic Education Act
<b>Protection from sexual intercourse</b>	No person, shall have sexual intercourse with a child
<b>Protection from other forms of sexual abuse</b>	No person shall also otherwise sexually abuse a child.
<b>Protection from exploitation</b>	No person shall exploit a child in any other form or in any way
<b>Prohibition of Recruitment into the Armed Forces</b>	No child shall be recruited into any of the branches of the armed forces of any nation or to military group
<b>Prohibition of Importation of harmful publication</b>	No person shall import any harmful publication for a child.

## Picture No.8: What happens when a child is not protected?



Trainer should present the case study No. 3 below as a text or a drama/video clip with similar theme for **Exercise No 4.1**

### CASE STUDY NO. 3

Grace, a female child of eight years and all tattooed up has been hawking on the street since she was 6 years old. She is betrothed forcefully to a man of eighty years named Chief Okon. Chief Okon is a known drug dealer and he eventually introduces her into drugs, occasionally forcing her to take drugs into other countries. All efforts to save Grace from this early marriage failed. Every time she ran away from Chief Okon's house, her parents forcefully took her back

### Exercise 4.1

1. Identify anything that is wrong with the scenario in the case study.
2. What alternative actions should Grace's parents have taken?
3. What are the rights of Grace that are not protected and who in this case is responsible to protect her?
4. Identify and list all the protection rights of the child.

<sup>4</sup> Smoke Break SKETCH-By: Christopher Taylor Smoke Break (RH:R)-By: Christopher Taylor. Posted by SKETCHFrol at 02:18 accessed 22/8/2014. Child Marriage from Save the Children, 21 Powerful Images Of Forced Marriage Drawn By Syrian Refugee Girls <http://www.buzzfeed.com/richardjames/powerful-images-of-forced-marriage-drawn-by-syrian-ref#3faeviu> accessed 22/8/2014

## PUNISHMENT FOR VIOLATING PROTECTION RIGHTS OF A CHILD

Protection Rights	Punishment
Contract with a child	Invalid and void
Child marriage, or Child Betrothals	5 years Imprisonment and N500,000 fine
Tattoo and Skin mark on a child	N5,000 or one month imprisonment
Exposing a child to use, or production or trafficking drugs	Life imprisonment
Child labour	5 years imprisonment and N50,000 fine
Using a child in criminal activity	14 years imprisonment
Buying or selling a child	10 years imprisonment
Using children as hawkers, beggars', or prostitutes	10 year imprisonment
Having sex with a child-	Life imprisonment
Removal of child from lawful custody of parent or guardian	Out of Nigeria with intention to return the child -15 years imprisonment.  Out of Nigeria with no intention to return -20 years imprisonment.  From one State to another State in Nigeria – 10 years imprisonment  Other cases – 7 years imprisonment.
Other sexual abuse of a child	14 years imprisonment
Exploiting a child	5 years imprisonment and N50,000 fine
Publishing, importing, printing, selling, possessing harmful publications	5 years imprisonment and N50,000 fine

Picture No.9

