The Status of Child Abuse and Child Protection in Kenya and Kilifi County 2014: challenges and recommendations

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Approved by the Executive Director April 2014
Supported by the Leger Foundation, Canada
Acknowledgements

This Situation Analysis of Child Protection and Child Abuse in Kenya was made possible by the invaluable contribution of many people, organisations and teams.

Special gratitude goes to the whole Kesho Organisation who inspired and supported me throughout the entire process. I thank Kate Nokes, Zena Salim, Beatrice Njeri, Ted Todd and Sandra Liani for their invaluable contribution and technical support.

On behalf of Kesho Organisation I would like to extend many partners and interviewees for their crucial role in sharing their diverse experiences and opinions. In particular we extend our thanks to Basi Area Community, Mtaani Community, Kilifi County Children’s Department, Moving The Goalposts Kilifi (MTGK), Plan International, Child Welfare Society of Kenya (C.W.S.K), African Network for the Prevention and Protection against Child abuse and Neglect (ANPPCAN), Childline Kenya, Centre for Rights Education and Awareness (CREAW), Cradle, Undugu Society and other civil society organisations (CSO) and players who have not been mentioned here.

We acknowledge the financial support and encouragement of Leger Foundation Canada, who inspired us to undertake the review.

Finally we trust the analysis will inform interventions on child protection as well as strengthen the child protection system in Kenya in order to improve the lives of children.

The opinions expressed herein do not necessarily reflect the views of Kesho Organisation, but is an objective report of the situation of child abuse and child protection captured from interviews and from the interpretation of other reports on matters of child abuse.

Thank you
# Table of Contents

## Acknowledgements

Page 2

## Acronyms

Page 5

## Executive Summary

Page 6

1. **Introduction**
   - **Aims**
   - **Objectives**

2. **External Context**

3. **Methodology**

3. **Results**
   - **The nature and forms of child abuse**
     - **The concept of a child in Kenyan context**
     - **The concept of child abuse**
     - **Child abuse in Kenya**
     - **Child abuse in Kilifi County**
   - **Existing laws and policies**
   - **Underlying causes of child abuse**
     - **Poverty**
     - **Drugs and substance abuse**
     - **Family structure**
     - **Weak law enforcement mechanisms**
     - **Inadequate child protection structures**
     - **Culture**
   - **Mapping of Key Child Protection Organisations**
     - **Key Organisations – activities and gaps**
     - **The voices of the community**
     - **Challenges**
   - **Recommendations from interviewees**

4. **Summary and our Recommendations**
   - **Summary**
   - **Recommendations**
     - **Kenya – National Level**
4.2.2 Kilifi - County Level

References

Appendix 1

Interview participants
   a. NGO’s and Government Agencies
   b. Teachers
   c. Community Leaders And Residents

Appendix 2

Kilifi Childrens Department - 2013 caseload (Government Office)
   Complete data from Children’s Department Kilifi 2013 Caseload.

Appendix 3

Kesho - 2013 caseload

Appendix 4

Copies of Interviews
<table>
<thead>
<tr>
<th>Acronyms</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANPPCAN</td>
<td>African Network for the Prevention and Protection against Child Abuse and Neglect</td>
</tr>
<tr>
<td>CPP</td>
<td>Child Protection Policy</td>
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<td>CPS</td>
<td>Child Protection System</td>
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<td>CSEC</td>
<td>Commercial Sexual Exploitation of Children</td>
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<td>CSO</td>
<td>Civil Society Organisation</td>
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<tr>
<td>DCS</td>
<td>Department Children’s Service</td>
</tr>
<tr>
<td>FGD</td>
<td>Focus Group Discussion</td>
</tr>
<tr>
<td>FGM</td>
<td>Female Genital Mutilation</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
</tr>
<tr>
<td>ILO</td>
<td>International labour Organisation</td>
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<tr>
<td>KNBS</td>
<td>Kenya National Bureau of Statistics</td>
</tr>
<tr>
<td>NGO</td>
<td>Non Governmental Organisation</td>
</tr>
<tr>
<td>STI</td>
<td>Sexually Transmitted Infections</td>
</tr>
<tr>
<td>SOA</td>
<td>Sexual Offences Act</td>
</tr>
<tr>
<td>VAC</td>
<td>Violence Against Child</td>
</tr>
<tr>
<td>UNCRC</td>
<td>United Nation Convention on the Rights of the child</td>
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<tr>
<td>UNICEF</td>
<td>United Nation Children Fund</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organisation</td>
</tr>
</tbody>
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Executive Summary

Child abuse is a national phenomenon in Kenya that causes short and or long term developmental, mental and health issues. Nationally, an estimated eight million children, 40% of Kenya’s total child population, require special care and protection.

A situational survey of child protection and child abuse in Kenya and in Kilifi County, was conducted in order to map the organisations working in child protection and to evaluate the process, prospects, opportunities and challenges around strengthening child protection and how this may influence or impact on child protection activities at county and national level. The assessment involved the review of secondary data and collection of primary data through contact with key informants by way of interviews and focus group discussions selected from a cross section of relevant actors.

Violence against the child is most common at home and school. The vulnerability to the different forms of abuse differs with age: those less than 5 years suffer abandonment, while those aged 6 to 12 years and aged 7 to 15 years are more vulnerable to child neglect and sexual abuse respectively. The risk of child abuse does not differ between boys and girls. Child neglect is the most common form of child abuse. Child abuse in Kilifi was characterised by three features: cultural practices that increase the vulnerability of children to abuse, the use of traditional systems to resolve incidences of child abuse and child perpetrators of child abuse.

There exist in Kenya a wide range of legal and policy frameworks that support child protection and punish child abuse. However, the child protection system is weak as a result of poor implementation of the law, and difficulties in translating the commitment of the government to actual protection of children from abuse, violation and exploitation. The study identified five underlying causes of child abuse in Kenya: poverty, drug and substance abuse, family structure, weak law enforcement mechanisms, plus inadequate child protection structures and culture.

Actors in child protection are hampered by a lack of coordination and complications resulting from having to operate within informal and formal systems, poor law enforcement, lack of knowledge and skills, lack of support from local leaders, and parents and the persistence of inappropriate cultural practices.
Based on our findings, our recommendations at national level are as follows:

(a) A national legal and policy framework and consensus
Creating the political space to advance child protection in Kenya through advocating for strategy, policy development and law reform as well as taking deliberate steps to improve the implementation and adherence to legislation and policies.

(b) Child Protection System
Strengthen the existing child protection system at national level and establish one at the devolved county levels in order to coordinate and harmonise child protection services and activities. This would encourage collaboration between actors in child protection and encourage their interaction with those who offer child protection services. It would foster links between formal and informal child protection structures and work towards developing models for a one-stop-shop approach to handling child related matters.

(c) A Child protection policy for all child centred services including schools
Currently not mandated by law, a child protection policy is an important document for all institutions, organisations, persons and services that are child centred or an in regular contact with children for example schools and Charitable Children Institutions (CCI) and organisation in child protection. To make it a legal requirement to have a child protection policy will reaffirm the commitment towards upholding the rights of the child subsequently provide clear guidelines, procedures and consequences on violation against the child.

(d) Allocation of sufficient resources
Effective child protection systems need financial as well as human resources. There needs to be a sound but realistic investment case demonstrating the “return on investment” as well as linking to policy debates around social protection, emergency planning etc.

(e) Mapping, monitoring and Evaluation
Strong monitoring and evaluation is important for accountability as well as for tracking children over time to assess to what extent referral mechanisms and case management systems are actually helping the children they’re designed to protect. Systems can’t be improved without a full understanding of the issues, challenges and successes.
At County level our recommendations were the development of a county-level legal and policy framework for child protection and the establishment of a county-level child protection system that would take steps to:

- Introduce by-laws which would protect children against locally specific and inappropriate cultural practices.
- Develop an information management system that would be locally relevant and shared by all actors in child protection in Kilifi.
- Develop, publish, distribute and make widely available, clear guidelines which are locally relevant and practical on the roles and responsibilities and correct reporting mechanisms for all actors dealing with abuse cases which have become a legal matter including the Chief’s, Police, Doctors and the Children’s Department.
- Strengthen community protection mechanisms which in turn could strengthen the national system, through inclusivity and participation, particularly in areas like Kilifi where resources are scarce.
- Improve the capability of all actors from the informal and formal sectors through training and sensitisation including children, parents, community members and leaders.
- Increase the reporting of cases of abuse from the informal legal systems and pursue their sanctioning through the formal judicial systems.
- Improve child protection structures in schools
- Develop, improve and maintain services for survivors or child abuse.
- Monitor and evaluate child protection interventions to improve services in the long-term.
1. Introduction

A situational survey of child abuse and child protection services in Kenya was conducted by Kesho Organisation in Kilifi County, Kenya and commissioned by the Leger Foundation, Canada.

Kesho’s mission is to advance access to education and employment for vulnerable young people living in Kilifi and Ganze, on the coast of Kenya, through a long-term holistic approach that includes financial support for education, academic and literacy support, enrichment and training, child protection and family support. In 2011, the organisation recognized the growing need to develop a child protection programme as part of its overall goal to improve the lives of children.

This situational survey on child abuse and child protection provides a useful summary of the status, needs and challenges as described by children, teachers, NGO’s and other actors in the country at the time of writing (2014). From listening to their voices and concerns we have tried to represent their views and make recommendations on ways to improve child protection services in Kilifi County and in Kenya as a whole.

We hope this review will serve as a useful reference for all those working in Child Protection and by highlighting the needs, will help to direct future activities and thus increase our impact on the lives of the many children who are suffering so dearly.

Aims

The aims of the situational survey were to understand and describe the state of child protection and child abuse in Kenya, who the actors are and to make recommendations for improvement. This was done through:

• Describing the nature and forms of child abuse - in Kenya and specifically in Kilifi County.
• Describing the existing laws and policies access to justice and identify prospects opportunities and challenges around strengthening the existing child protection legal system.
• Understanding the underlying causes of child abuse in Kenya and locally in Kilifi County, the community, schools and homes.
• Mapping of all the organisations active in offering child protection services. Listening to the challenges faced by various actors and identifying gaps and weaknesses in the existing systems.
• Making recommendations based on all the information collected to help improve child protection services in Kenya.

Objectives

• To map and develop contacts with the main organisations in Kenya working in child protection.
• To understand and represent the views of a wide range of voices on the current situation of child abuse and child protection systems in the country as well as in Kilifi County and to use this information to identify opportunities to:
  o Influencing interventions and policies, which are of known importance and relevance.
  o Strengthening child protection systems (CPS).
  o Improving the preventative and responsive measures.

The results are presented in Section 3 and our recommendations in section 4

2. External Context

Kenya is the regional hub for East Africa with the main port being on the Coast in Mombasa. It’s total population is 40 million of which 68% is rural based (Kenya National Bureau of Statistics 2010). Kenya’s GDP per capita is US$1,240. It is ranked 148 out of 177 countries and is classified as a “medium human development” country (World Bank report, 2007 World Bank).

World Bank states that poverty levels stand at 44 to 46%; this has been the same level for the last six years, although there has been a reduction over the past 12 years.

Unemployment rates in Kenya are very high; World bank states that the official unemployment rate in Kenya is 40% but no official figures are available. Figures from the Kenya Bureau of Statistics for 2008 show that the Kenya Revenue Authority (KRA) had tax receipts from only 13.5% of the total adult population of 14,296,180. Of the remaining 12 million people (87%) who are not registered as employed it is estimated that half, some six million people, are working in the informal economy / jua
kali sector (literally meaning in the hot sun), as carpenters, welders and market stall holders, or as casual labourers etc. The other half, or six million Kenyan adults, or 43% of the adult population are assumed to not be involved in any economic activities.

Similar to many other African countries, Kenya’s population is young with 43% below 15 years and 63.5% below 25 years. The average life expectancy is only 54 years of age. (World Bank Report 2007).

Kilifi County is found in the Coastal region with a population of 1,109,735. Kilifi and the neighbouring county of Ganze are among the poorest counties of Kenya, a result of years of poor financial investment in development by the government. The poverty percentage is 71.4% (Kenya Bureau of Statistics, World Bank report), 30% report NEVER having enough food to eat, 30% do not have any form of toilet and 16% must use unprotected water supplies and ponds for their water and sanitation needs (KEMRI Demographic Survey 2012). The main economic activity is fishing, farming and in coastal areas, tourism.

The development of Kilifi is hindered by the lack of investment in education with some of the highest rates of illiteracy in the country. 41% have not completed primary education (compared with only 7% up country); and only 25% have completed secondary or higher education compared to 67% upcountry. A few as 2% have joined university. Gender inequality is a further problem with only 41% of secondary students being girls.

In terms of service delivery health care is ranked at 44 out of the 47 counties (World Bank, Kenya County Fact Sheet 2011). Although many health facilities exist within the county, these are unevenly distributed and mainly located along major roads leaving the vast majority of people, living in the rural areas unsupported. The lack of permanent health workers operating within the communities reduces efficiency levels in the delivery of medical services.

With the new constitution in Kenya and the new devolved system of government there is a lot of potential for growth in infrastructure and economic activities in the county and for organisations, like Kesho, to get involved in policy formation on child protection.
3. Methodology

While I have tried to remain objective throughout all interviews my background can always bring something extra to the table. For you to fully appreciate that impact I need to briefly describe myself. I am a female lawyer by profession, in my late twenties with a passion for protecting the rights of children. I speak fluent Kikuyu, English and Kiswahili but not the local Giriama language of the Coast Region.

The assessment was undertaken using a rapid assessment approach within a cross section study design. The study covered 98 respondents in 6 focus group discussions and 20 individual face-to-face interviews, between January 14th 2014 and February 13th 2014. The study design sought to generate detailed descriptions of informants’ perspectives on Child Protection and complement that with a desk review of existing literature on child protection in Kenya. The study site was Kilifi North Constituency in Kilifi County and Nairobi County. The study site was selected on basis of: Nairobi County is where National Non-Governmental Organisation (NGO and International Organisation have their headquarters, these organisations have collected national data on the status of child abuse in Kenya. Kilifi North Constituency due to the rural urban migration has become a heterogeneous town thus depicting a reflection of the diverse cultures in Kilifi County.

The face-to-face interviews were conducted using semi-structured questionnaires exploring the four themes of the study. We identified key informants through purposive sampling. First, we selected possible sources of key informants by identifying civil society organisations, county government actors and other institutions that were involved, or were likely to be involved, in child protection. We then contacted the individuals by email and telephone and requested their participation in the study. Those who agreed provided an interview date, and suggested a location. The interviewer performed a face-to-face interview after obtaining informed consent. At the end of the interview, they were asked to suggest others who might add to the information they had provided. All interview responses were recorded by hand on the questionnaire. (See Appendix 1a and 1b)
Six focus group discussions were held bringing together a total of 96 participants. The participants were locals and local leaders from a residential area in Kilifi (30), primary school teachers (5), secondary school teachers (4), women’s group (13), secondary school students from various schools in Kenya (17) and primary school children from Kilifi (27). Participants were invited by letter and phone call to attend a focus group discussion. The meetings took place at the community grounds, KESHO Kenya office and at a school compound. Verbal consent was obtained from all individuals. The discussions were recorded using an audio recorder and then transcribed manually.

Secondary data was obtained from a desk review of documents and reports identified before and during the study and from responses obtained during primary data collection.

3. Results

The results of the assessment are presented under each of 5 aims presented.

3.1 The nature and forms of child abuse

3.1.1 The concept of a child in Kenyan context

Kenya, through its constitution, has domesticated the United Nation Convention on the Rights of the Child (UNCRC) definition of a child as a person below the age of 18 years.

Other parts of the Kenyan law allow for the participation of children in areas of social life that seem inconsistent with the age-based definition used by the constitution. For example, children can participate in paid labour from the age of 16 years or marry at the age of 14 years under the Mohamadan Act and may be held criminally liable from the age of 12 years.

In addition to this, Kenya’s diverse ethnic communities define and perceive a child according to their customs and religious parameters. Some define children as a person who is still dependent on his\her parents, not married, circumcised or undergone initiation to adulthood. Other communities simply look at the body size and biological changes especially in girls.
3.1.2 The concept of child abuse

According to the WHO, “Child abuse or maltreatment is broadly defined as constituting all forms of physical &/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.”¹

There are a number of factors that influence the perception and understanding of child abuse among communities in Kenya. Key among these are poverty, a perceived lack of alternative means to instil discipline among children and inappropriate cultural practices.

The poverty hypothesis is based on competing rights; that is basic rights vis-a-vis child rights. It is perceived to be unintentional and inevitable thus not termed as abuse especially if the poverty level is widespread within the community. This perception has contributed to specific forms of exploitation such as child labour, child prostitution, child marriage and child trafficking.

Inappropriate cultural practices are often deep rooted in some communities and are cherished since they may cultivate a shared identity and unity. An example of these practices is the beading culture amongst some nomadic communities in northern Kenya where adult men (over the age of 18 years) can claim sexual rights to an unmarried girl aged less than 18 years by providing her with a necklace made of beads. So deep rooted is the practice that the community has developed their own means of terminating pregnancies that may result from these relationships: kneading of the womb until the foetus is expelled.

Beating is widely considered the appropriate way to discipline children. The use of beating is not restricted to parents but may be even be ‘delegated’ to teachers and other caregivers or adults who have responsibility for the child. Physical abuse under the guise of instilling discipline has been documented to lead to injuries, grievous body harm and, in some instances, death. Beating especially in schools is illegal however it is widely practiced with little or no criminal sanction.

¹ World Health Organisation official definition (1999), in consultation with ISPCAN & other experts.
“Every person has the right to freedom and security of the person, which includes the right not to be subjected to any form of violence from either public or private sources. In part (e) one is not to be subjected to corporal punishment.”

3.1.3 Child abuse in Kenya

According to a situation analysis performed by UNICEF in 2009, an estimated eight million children, 40% of Kenya’s total child population, require special care and protection. In 2007 and 2008 the Department of Children Services (DCS) recorded 67,000 children requiring assistance in up to 36 categories of child protection issues countrywide. Child neglect including abandonment accounts for 50% of the most common forms of abuse and is followed by physical abuse, sexual abuse (including incest), child labour, child marriage, emotional abuse, female genital mutilation (FGM), child trafficking, child abduction and child prostitution.

From a gender analysis lens, both boys and girls are potentially at risk of violence, exploitation and abuse: however some groups are more vulnerable due to age, sex, gender roles, economic status and geographic location. Girls are more vulnerable to sexual violence and inappropriate cultural practices that leads to denial of equal opportunities with their counterpart the boys. Children aged less than 5 years were more likely to be abandoned, while those between the ages of 6 and 12 years were more likely to suffer neglect. Sexual abuse was more often perpetrated on children aged 7 to 15 years.

A large gender difference is that boys very rarely report sexual abuse although it is known that they are also victims.

a) Child Neglect

Child neglect’s broad definition includes abandonment but is more specifically defined to include denial of access to health care and education, deprivation of food, exposure to drugs and inadequate supervision. Data collected by Child Line Kenya in 2012 indicate that abandonment was more

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5 The Constitution of Kenya; Article 29
6 UNICEF Kenya Situational Analysis 2009
frequently observed in children aged less than five years, while children between the ages of six and twelve years suffered neglect.  

“There is a boy who is always being sent home because he comes to school in torn slippers. He said there’s nothing he can do because his stepfather does not listen to him and his mother does not have a job.”

Teacher, Female participant FGD 2

It is possible that the lack of parental supervision and guidance has led to the emergence of child gangs in the informal and rural areas who engage in criminal activities, and the emergence of radicalisation among the youth. According to a recent report by USAid, unemployment, poverty and political marginalisation are contributing to the Islamic radicalisation of Kenya’s youth. Youth unemployment is extremely high, as are levels of political disenchantment. An estimated 75 per cent of out-of-school youths are unemployed. Islamist militants seem to be exploiting the high poverty levels and the government’s inability to provide basic services. A multi-pronged approach is therefore needed to address radicalisation.

“If you neglect your children, they might become bad because they can see there’s no constant guidance, advise or to be shown the best direction”

Teacher, Male participant FGD 2

b) Physical Abuse

Beating emerged as the most common form of physical abuse and this may be because it is perceived as a method of instilling discipline. There is little awareness on alternative forms of discipline.


9 “Yesterday reports emerged that radical Muslim youth have taken over yet another mosque - Masjid Sakina - and renamed it Masjid Mujahedeen. The takeover is yet another sign that radicalisation is taking root in Mombasa despite government efforts to stamp it out.” Star newspaper 10th April 2014.
We beat our children but not in a brutal manner because our religion [Islam] which most of the women prescribe to dictates how we should discipline our children."

Community member, Female participant FGD 3

However physical abuse can also happen alongside other forms of abuse for example sexual abuse. In 2012/2013, nearly 33,000 children called Childline with physical abuse related matters.

c) Sexual Abuse

Sexual abuse is thought to be one of the most under-reported forms of abuse in Kenya. According to the UNICEF’s Violence Against Children (VAC) 2010 report, one in ten girls and one in twenty boys had experienced at least one episode of sexual abuse within the year the research was done. Unwanted touching is the most common form of sexual abuse, followed by attempted sex, pressured sex and physically forced sex. The three most common perpetrators of the violence are family members, neighbours, and boyfriends. The drivers of sexual violence include (a) inappropriate cultural practices for example child marriage (b) poverty where the girl child is seen as a means of gaining wealth and (c) myths, for example that having sex with a child could cure HIV, (d) parental negligence and (e) lack of implementation of the existing laws.

"It has been said that defiling a child is a cure to HIV. So people keep doing it".

Community member, Female participant FGD 3.

Sexual abuse impacts physical and mental health, which may manifest in unintended pregnancies (which may influence abortions) and increases the risk of contracting STI including HIV.

"The mother sells mnazi [local beer], so when it reaches late at night, the mother will stay around with a man and the girl will continue selling and of course the men
will take advantage. So at one time it was a rape case. The girl was raped by one of the male customers. She conceived and the mother took her for an abortion."

Teacher Female participant FGD 2

The same report highlighted the fact that fewer than one in three 13 to 17 year olds were aware of the existing supporting mechanisms. Incidences of sexual abuse often have no witness other than the victim and perpetrator, which may contribute to the low levels of disclosure. Other reasons for lack of disclosure include instances where sexual abuse is culturally ingrained and therefore termed as (child) “marriage”, intimidation from the perpetrator, lack of a confidant in the family, shame and guilt, inaccessibility of available support systems, fear and suspicion of the judicial system and humiliation by the police when going to report.

"Right measures are not taken by the police, courts due to corruption, impunity. People fear coming out in case of abuse, for fear of stigmatization. People always interfere with cases"

Teacher Interview 5

Even when victims do report an incidence of sexual abuse, the report may not reach the formal legal system (e.g. Children’s Department, District Hospital, Police or Courts) because there are so many points in the referral chain which can go wrong. For example, the clinic visited immediately after an incidence of sexual abuse provides the most important evidence for use in court, yet the victim may not be carrying a health record book nor have the money to buy one and the clinic itself may not have been issued with the official P3 forms. Unless all the clinics understand the importance of their role in the legal referral process, the cases will continue to go unreported or reported without sufficient evidence to lead to a prosecution. Furthermore, if victims do report the matter, they often prefer to report through the Informal legal system, the local Chief, who usually prefers to deals with the matter internally, without referring to the Formal Legal Sector (Police and Courts).

On a positive note, the report indicated that one in three females and one in five males felt comfortable sharing their experience with someone but not necessarily for purposes of action to be taken.
d) Child Labour
Child labour can be defined as work that deprives children of their childhood, dignity and potential. Child labour also deters their physical and development growth. As many as 1 million Kenyan children aged 5 to 17 years old work and remain deprived of access to education, good health and other basic needs. The most common contributor of child labour is poverty fuelled by the high national rates of unemployment and underemployment. Children are forced to work to supplement parent’s income.

“Fathers have refused to take up their roles. Men impregnate us and leave. With an infant we cannot seek for labour so we are forced to make our children work”
Community member, Female participant FGD 3

Older children are more likely to work because they are deemed physically fit and their school fees tend to be higher. The majority of children work in the informal sector, for example subsistence and commercial agriculture, construction, mines or as domestic workers. Child labour often translates to low wages and long hours of work. The consequences include vulnerability to physical and sexual abuse, school dropout and poor health outcomes.

e) Child Marriage
Child marriage was outlawed when the Children Act came into law in 2001 while the Marriage Act prohibits betrothal of a person below the age of 18 years. However it is still widely practiced especially in the rural Kenya. Research by Plan International Because I am a Girl- Kenya Country Report 2012 indicates that the prevalence of child marriages was high among girls compared to males (43.3% for females and 11.6% for males). The same report highlights that Kilifi has the highest prevalence of child marriages with 47.4%. This is higher than the nation prevalence, which stands at 34% (KDHS 2008/2009).

12 KDHS 2008/2009
We prescribe to the Quran thus cases of child negligence are not common, we mostly experience early marriages”

Community member, Female participant FGD 4

Because of dowry payments, the girl child is viewed as a source of wealth, and is often denied opportunities to access education; and when they do they rarely complete basic education. Children as young as 14 years are married off usually to men who are significantly older. Parents and close family members are the most common perpetrators. Child marriage is therefore not reported to the Children’s Department unless it is because the family are seeking retribution for an unpaid dowry.

f) Female Genital Mutilation

Female Genital Mutilation (FGM) has no known health benefit to the girl child. One of the reasons FGM was practiced was to curtail women sexual urge to prevent them from straying when their husbands have gone to graze or raid neighbouring communities. Additionally it is a rite of passage from girlhood to womanhood; a circumcised woman is considered mature, obedient and aware of her role in the society.13

Reports approximate that 28% of women in Kenya have undergone FGM, with the highest numbers recorded among the Somalis and Kisii communities. The practice rates are as high as 98% among the Somalis, 96% among the Kisii, 73% among the Maasai and 48% among the Kalenjins according to, Feed the Minds report 2011. At the coast FGM is not widely practiced, however it is likely to occur within certain ethnic groups such as the Somali community of whom there are a significant number resident on the coast. In Kenya the most common types of FGM practiced by various communities are: clitoridectomy, excision and infibulation. All cause immediate and or long-term health consequences, although the risk is substantially higher for those who undergo infibulation.

13 Female Genital Mutilation practices in Kenya, Feed the Minds report 2011.
The Kenya Demographic Health Survey (KDHS) 2008/2009, however, indicated that FGM appears to be declining with overall prevalence reducing from 38% in 1998, to 32% in 2003, and then to 27% in 2008 among women aged 15-49. The decline has been attributed to increased levels of education in the communities along with introduction of alternative rite of passage. Kenya enacted the FGM Act in 2011. This law seeks to prohibit the practice and safeguard the sexual and reproductive health rights of women.

g) Sexual Exploitation
A UNICEF study, The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast, conducted and released in 2006, indicates that up to 30% of all the 12 to 18-year-olds living in the coastal areas of Malindi, Mombasa, Kilifi, Mtwapa and Diani are involved in casual sex work. It is estimated that 10,000 to 15,000 girls living in these areas are being sexually exploited in tourism at irregular intervals or seasonally. Sex tourists, in these same areas, sexually exploit a further 2,000 to 3,000 girls and boys year-round. A further UNICEF baseline report in 2009 estimate that the number of girls from the ages of 12 and 14 years participating in sexual encounters with adults for money increased from 30,000 in 2006 to 50,000 in 2009. Local demand sustains the exploitation during the low tourism season. According to UNICEF, commercial sexual exploitation of children (CSEC) in Kenya is often conducted through organised networks in private houses within the Coast region. Mombasa, Kenya’s second largest urban area, identified as one of the main cities where CSEC takes place. However there
is growing concern that as other towns become tourist destinations, this practice may be adopted in those towns. Poverty is a major contributing factor towards sustaining this act. Children can earn in a couple of days what a teacher earns in a month. Parents are an important part of the abuse and some even act as ‘agents’ for their children.

"We had a case where the child was being forced by the mother to go engage in sexual activities with the patrons”

Teacher, Female participant FGD 2

Newspapers and reports among children within Kesho organisation endorse the fact that girls and occasionally boys in secondary boarding schools (aged 15 to 18 years) and young vulnerable adults at university (aged 18-21 years) are also at risk of sexual exploitation; from having to offer sexual favours to teachers in return for high grades or in return for releasing their grades and leaving certificates. Very few cases are taken to the authorities.

Consequences of child sexual exploitation include unintended pregnancy, school dropout, and increased risk of contracting sexually transmitted infections (STI) and HIV and huge psychological trauma. Kenya enacted the Sexual Offences Act (SOA) in 2006. This law outlined new offences such as gang rape, and sexual exploitation, which can now be prosecuted. However this is compromised by a series of gaps and challenges for example the preservation of evidence, lack of information by actors to implement the law, and fear and suspicion of the judicial system.

"The laws are good, however some of the individuals in the institutions are not well trained"

NGO, Interview 11

"The court is OK. The only problem is locals fear being witnesses leading to many cases failing”

Teacher, Interview 3
h) Child Trafficking

According to ANPCANN programme fact sheet around 17, 500 Kenyans are trafficked annually.\textsuperscript{14} Kenya is a country of transit and destination for trafficked persons. Some of the reasons for trafficking include domestic work, forced labour and commercial sexual exploitation. Women and children are the most common victims. Local trafficking has also been noted from rural to urban centres. Kenya signed into law the Counter Trafficking Person Act 2010. There have been efforts to implement the law but several deterrents exist. For example, reporting of cases continues to be a challenge since many children (and adults) lack confidence in the effectiveness of the authorities to handle reported cases.\textsuperscript{15}

3.1.4 Child abuse in Kilifi County

Kilifi County is located along the Kenyan coast. According to the Kenya Poverty Index produced by the Commission for Revenue Allocation, a constitutional body that divides revenue between national and devolved levels of government in Kenya, the county is ranked 46 out of 47 counties indicating that it is very poor. Kilifi also experiences low literacy levels, estimated at 22% have completed primary level, 17% completed secondary and 2% have gone to the university and employment opportunities are limited.

The county’s Children’s Department reports that the six most common types of reported child abuse were child negligence, access and custody, child labour, physical abuse, sexual abuse, child pregnancies and child prostitution (Appendix 2). Among Kesho children the highest type of child abuse is negligence other forms of abuse reported are domestic violence, child labour, child pregnancy and sexual abuse.

It is notable that majority of Primary children within Kesho do not have a birth certificate yet this is one of the basic rights of the child. (See appendix 2).

\textsuperscript{14} ANPPCAN, Programme Fact Sheet: Child Trafficking, \url{http://www.anppcan.org/files/File/08_ChildTrafficking.pdf}
There are features unique to child abuse in Kilifi. First, a specific cultural practice to Kilifi is that of *siniriche* it increases the vulnerability of children to abuse. The ceremony called *siniriche* in the local Giriama language.\(^{16}\) Loosely translated as “Don’t leave us” the night ceremony is arranged by bereaved families for grieving purposes. Traditionally this ceremony was exclusive to adults and would play bereavement music. Over time the ceremonies have morphed into a preying ground for abuse. Children now attend the ceremonies, which run through the night leaving them vulnerable to all forms of abuse. Specifically this has been an environment for defilement. It is also thought to have contributed to child pregnancies. Children often miss several days of school during and afterwards.

"Our biggest problem is the discos or ‘siniriche’. In fact those discos is like they are meant for children because you will never see grown-ups. Often held at night so children do not sleep. They have contributed to pregnancy and dropping out of school."

Teacher, Female participant FGD 1

\(^{16}\) Several ethnic groups populate Kilifi County. The largest is the Giriama, itself a part of a much larger ethnic group called the Mji kenda

---

<table>
<thead>
<tr>
<th>Children's Dept.</th>
<th>Number</th>
<th>%</th>
<th>Kesho</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Negligence</td>
<td>390</td>
<td>31</td>
<td>36</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td>Child Labour</td>
<td>103</td>
<td>8</td>
<td>6</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Physical Abuse</td>
<td>75</td>
<td>6</td>
<td>7</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Sexual Abuse</td>
<td>50</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Child Pregnancy</td>
<td>41</td>
<td>3</td>
<td>7</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Child Prostitution</td>
<td>28</td>
<td>2</td>
<td>2</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Abandonment</td>
<td>38</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access &amp; Custody</td>
<td>307</td>
<td>24</td>
<td>3</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Trafficking</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Denied Rights</td>
<td>28</td>
<td>2</td>
<td>2</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Birth Certificates</td>
<td>32</td>
<td>3</td>
<td>3</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>179</td>
<td>14</td>
<td>14</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1275</td>
<td>100.00</td>
<td>60</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

---
Second is the use of traditional systems to resolve incidences of child abuse. The use of the Informal Legal System means that child abuse does not follow the proper Formal Legal referral mechanisms which are necessary if cases are to proceed to court. The physical inaccessibility of the police and the judiciary as well as the length of time it takes to resolve matters through the Kenyan judicial system have maintained this practice. Misperceptions created by the release of perpetrators on bond increase the likelihood that traditional systems are seen as fairer to victims of abuse through the speedy imposition of easy to understand penalties (usually monetary).

“[The] Chief [is] not effective as normally cases are interfered with and no action is taken at the end of it all”

A teacher, Interview 2

The third, children themselves may be perpetrators of child abuse. The reasons for this are complex. The wide within-class age differences observed in primary schools in Kilifi may put children at risk. It is common, for example, for a standard three class to be shared between a nine-year-old child (the average age at which a child should be in standard three in the Kenyan education system) and a fifteen-year-old child. In 2013, the Ministry of Education, noted that Kilifi had the highest number of persons over 18 years still in primary school.

The case load of sexual abuse cases (n=50) reported to the Kilifi Children’s Department in 2013 reveals some interesting issues.

(a) There were NO reported cases of sodomy or sexual abuse among boys. While we know sexual abuse is happening it is going totally unreported.

17 Schools in Kenya enroll children at the age of seven years into standard one. Primary education runs through to standard eight, which is followed by four years of secondary school.
(b) Child abuse among girls is rarely reported as such to the children’s department. Among the 11 to 15 year olds only the 3 out of the 15 cases reported were girls who were not already pregnant and among the 16 year olds, all the girls were pregnant. In these cases, therefore, the matter is reported not as a case of abuse, but because the “father” has refused to give any financial support.

3.2 Existing laws and policies

The children of Kenya are very well protected by the laws which are internationally recognised. The difficulties arise in the implementation of the laws.

Several important steps have been taken prior to and since 2010 when the Constitution of Kenya was promulgated. The inclusion of Children Rights as set out in Article 53 has triggered the need to review laws and programmes. The Children Act 2001 is the seminal law when dealing with children’s matters. In addition to this, Kenya has specific laws and policies that provide for the protection of children (see Box 1).

Despite the existence of these laws there are still gaps that resulted in failure of the child protection system in Kenya. These gaps are contributed to by poor implementation of the law, and difficulties in translating the commitment of the government to actual protection of children from abuse, violation and exploitation.
Kenya is also a signatory to key conventions, such as United Nations Convention on the Rights of the Child (UNCRC), International Labour Organisation (ILO) Conventions 138 (minimum age of labour) and

Box 1: Summary of existing laws and policies governing child protection in Kenya

- **The Children’s Act (2001)**. The first comprehensive law regarding children in Kenya.
- **The Disability Act (2006)**
- **The Refugee Act**
- **The Kenya Citizens and Foreign Nationals Management Service Act 2011** provides a framework for the right to identity for all.
- **Counter Trafficking in Persons Act 2010**, which provides for the prevention, suppression and punishment of trafficking in persons, was gazetted. A National Plan of Action for Combating Human Trafficking 2011-2015 that addresses prevention, protection and regional cooperation has been developed.
- **The Constitution of Kenya 2010** prohibits marriage of persons under the age of 18. In addition the Marriage Act consolidates all marriage laws in Kenya to remove any discriminatory provisions with respect to boys and girls (e.g. different ages for marriage).
- **The Prohibition of Female Genital Mutilation Act 2011**, which criminalizes FGM, was passed on 30th September 2011 and enforced on 4 October 2011. A comprehensive National Policy law for the Abandonment of FGM/C accompanies the act.
- Government, supported by UNICEF, has developed **National Standards on Best Practice in Charitable Children Institutions in 2011** whose aim is to promote de-institutionalization of children, and provision of appropriate care and protection for those children who must be in the care of these institutions.
- **The Alcoholic Drinks Control Act 2010**, was introduced by the Government making it an offence to sell alcohol to minors and illegal for minors to visit establishments where alcohol is sold.
- In 2011 the Department of Children Services developed **National Standards of Best Practice** in CCI, in 2010 DCS developed Standards of Practices for Child Protection Centre and between 2010 and 2012, DCS developed standards for Quality Improvement for OVC services. In 2013 they did an upscale of the programme in some districts thus increasing the number of households which could benefit from the service.
- **The Kenya Free Primary Education Policy FPE, 2003**
182 (worst forms of labour). Additional dimensions of the legal framework for child protection are in the process of being strengthened and expanded. These are summarised in Box 2.

**Box 2: Prospective Legal Developments.**

- In 2012, the government commissioned the development of *Guidelines for Alternative Care* to be in line with the *2009 UN Guidelines for the alternative care of Children*. The guidelines emphasize the need to keep children within their families and when this is not possible, to ensure family based care arrangements are available. The guidelines also spell out the role of different duty bearers such as the Ministry of Gender, Children and Social Development, Ministry of Justice and other government institutions such as the Police and those responsible for immigration, hospitals and schools.
- The 2012 Family Protection Bill, that aims to reduce domestic violence, is currently undergoing internal review and stakeholder consultation.
- Draft Operational Standards for Child Protection Units and a draft Police Training Manual on Child Rights and Child Protection were developed in 2010, but these are yet to be adopted.

Kenya is unique in that it has in operation 3 legal justice systems. One, the original “Informal” / Traditional System in which the Chief’s are the leaders; two, the Formal Legal System which is based on the laws introduced in colonial times by the British and three, Sharia Law. What this means in practice is that many people, use the informal and the sharia laws in the first instance so many cases do not get referred to the formal legal system in which perpetrators can be brought to justice. There are many reasons for this breakdown in the referral system.

(a) Lack of clarity in the roles and responsibilities of the Chief’s as to when a matter should be referred.
(b) Lack of confidence in the Formal Legal System due to reports of corruption.
(c) Frustration with the delays within the Formal Legal System resulting from under resourcing – Kilifi Children’s Department has only one officer for the whole county - responsible for ~500,000 children.
(d) Inaccessibility of the Formal Legal System for rural communities who have to travel far to the towns in which the formal legal systems are operating.
3.3 Underlying causes of child abuse

Different drivers contribute to and sustain child abuse. These drivers may be classified or viewed through the lens of the ‘push and pull’ hypothesis. The hypothesis proposes that there are factors that push the child to his/her predicament while there are pull factors that make the child to continue being subjected to child abuse. Our assessment from all the respondents (NGO’s teachers, Government Agencies and children) revealed the following as the most cited underlying causes of child abuse in Kenya

- Poverty
- Drug and substance abuse
- Family structure
- Weak law enforcement mechanisms
- Inadequate child protection structures
- Culture

3.3.1 Poverty

Poverty is the underlying cause in a majority of child protection issues. The poverty hypothesis is based on competing rights; that is basic rights vis-a-vis child rights. Abuse that may stem from poverty such as neglect may be perceived to be unintentional and inevitable thus not termed as abuse especially if the poverty level is widespread within the community. The vulnerability of children is high as parents are not able to meet the basic needs of the child, and thus children fend for themselves or are required to contribute to the family. This fuels abuse such as child labour, child prostitution, child marriage and child neglect. Child abuse of all forms is higher in communities with high levels of unemployment. Such communities have high population turnover and poor amenities for example housing. The presence of itinerants increases the risk of sexual abuse and child trafficking, while the lack of basic needs contributes to child abuse in a manner similar to that described for poverty.

3.3.2 Drugs and substance abuse

Parents who abuse drugs and other substance put their children at risks because they lack the capacity to effectively carry out their parental roles. This is contributed to by their impaired judgement and their inability to provide for their children. In homes where both parents abuse drugs and other substances,
there is child negligence that subsequently leads to child headed homes. Children from such homes are more vulnerable to child labour and commercial sexual exploitation and physical abuse.

### 3.3.3 Family structure

At home with parents is where a child should feel most secure. In modern societies however, family structure is complex. More people are cohabiting, divorce has become more acceptable and blended families are now commonplace. The increasing complexity has been accompanied by a diminishing parental / caregiver role occasioned by the need to work away from home, closer government supervision of parenting and changing societal attitudes towards parenting. Poorly supervised or monitored children may disregard advice from parents and other carers and engage in activities that cause harm or put them at risk. Dysfunctional family structures expose children to risks such as negligence, sexual abuse including incest, child labour, child headed homes and child trafficking. In such circumstances, family members seem to be the most common perpetrators of child abuse. Furthermore, there is low reporting, lack of role models and family-based interventions are difficult to implement.

### 3.3.4 Weak law enforcement mechanisms

While Kenya has made great strides in passing laws and developing structures that enhance child protection, gaps are still being experienced for various reasons.

(a) Implementation is complicated by the fact that there are three legal systems in operation with a lack of clarity on their respective roles and responsibilities of when a case should be reported or not (as described in 3.2 above).

(b) Loss of key clinical evidence. The most important evidence is that collected in the first instance by the medical centre. Naturally, victims will visit their nearest clinic which may be very small with staff who do not fully appreciate the legal significance of their clinical report, who may not have a legal P3 form, or may not know to refer the victim to the District Hospital or who may fail to write any record at all because the patient doesn’t have and can’t afford to buy their clinical record book.

(c) Inadequate resources hamper law enforcement. For example, many Kenyan police stations do not have an evidence room, thus preservation of evidence is poor. The courts do not have a children’s
court room and have to improvise a space in which the child can feel comfortable to talk about their abuse often in a small room in which the perpetrator is present.

(d) Bribery and Corruption. According to UNAIDS in 2006, 75% of survivors/victims had to pay for services at the police station including transport for police officers, paying for the P3 form\textsuperscript{18} form, giving cash to police to buy fuel to arrest the perpetrator or bribes\textsuperscript{19}.

"When a matter is reported at the police station often we do not see any action and sometimes you are asked to bribe the police officers for them to expedite the matter. So this discouraged us from reporting matters"  
Teacher, Male participant FGD 1

(e) Sensitivity in handling children. Many victims of abuse report poor service when they report matters to the police station, which may extend from inadequate provision of privacy to even being held responsible for the occurrence of the abuse. The referral procedure is long and invasive and occurs at a time the child is traumatised, scared and lacking the vocabulary to describe what has happened to them. Children have to go to the hospital for a clinical report, to the Children’s Department as well as to the police. The police are required to fill out charge sheets which are an accurate description of the offence but without knowledge and experience in handling children carefully throughout this procedure, evidence can get distorted and mis-represented and result in an acquittal.

3.3.5 Inadequate child protection structures

Child Protection Structures that promote child protection are virtually non-existent due to of lack of resources, a lack of awareness by the general public and institutions, and a lack of collaboration between actors in child protection. Institutions caring for children, such as schools and orphanages are not required by law to have a child protection policy in place; no mechanism for minimising risk or dealing with child abuse cases or dealing with staff who might be the perpetrators. Without proper

\textsuperscript{18} P3 form is a legal document given free of charge by the police, and completed by medical doctors. It is required in court as evidence in cases which involve bodily harm as in physical or sexual abuse.

\textsuperscript{19} Quoted in “An investigation of the barriers to Justice for Survivors of Sexual and Gender based violence 2013”
structures there can be a lack of knowledge of the roles and responsibilities of actors and particularly across the informal and formal legal systems.

3.3.6 Culture

Kenya is a multi-cultural multi-ethnic country. Various ethnic and cultural groups have differing views on child rearing and this sometimes leads to differing interpretations of what constitutes child abuse. FGM and child marriage are examples of inappropriate cultures that may be viewed differently. How the community defines and perceives child abuse may influence the commission and reporting of such acts, and may enhance or inhibit interventions to improve child protection. Inappropriate cultural practices are often is deep rooted in some communities and are cherished since they may cultivate a shared identity and unity. An example of these practices is the early marriages culture amongst the Mijikenda community in Coastal Kenya where a child is betrothed at the age of 7 years, however negotiation begin when the girl child is 3 years and once the parents of the child and the suitor agree on the bride price then the husband comes for her bride on her seventh birthday. The first wife then teaches the young girl how to take care of her husband.

Another example is beating which is widely considered the appropriate way to discipline children. The use of beating is not restricted to parents but may be even be ‘delegated’ to teachers and other caregivers or adults who have responsibility for the child. Physical abuse under the guise of instilling discipline has been documented to lead to injuries, grievous body harm and, in some instances, death.
3.4 Mapping of Key Child Protection Organisations

3.4.1 Key Organisations – activities and gaps

In Kenya there are various active\textsuperscript{20} organisations dealing with child protection in the different parts of the country. The complete list of the 23 organisations we were able to identify from asking other Actors in Child Protection and through internet searches is given below. The list captures the principal actors but may have overlooked some smaller more localised organisations. We interviewed 10 in total (indicated with an *) to find out about their general opinion in child protection, challenges, activities and area of operation in the country.

Civil Society Organisations (CSO) play a crucial role by filling gaps left by the government in child protection in particular residential, legal, health and education services. Most organisations are located in major towns this include Nairobi, Mombasa and Kisumu. In Kilifi organisations that deal with child protection besides the mandated government agency (DCS) are 5 in total: MTGK, Plan International, Child Welfare Society of Kenya and World vision.

While all organisations are working within their capacity to impact positively on their community, the problem of child abuse is so enormous that there are inevitably some gaps in the services provided. The table below shows the activities being undertaken and the gaps in operation and geographical coverage. The main gaps are as follows:

- Lack of legal services. Most victims of child abuse lack the financial capacity to solicit the service of an advocate further they do not have the knowledge on where to go for free legal services. This has led to denial of justice as there are a lot of misconceptions in regards to court procedures.
- No organisation has fully taken up advocating for child centred organisations to have their own Child Protection Policies in place. A CPP would provide clear guidelines and mechanisms on preventive, responsive and reporting measures. Without CPPs in place the said institutions are prone to shy away from dealing with child abuse effectively when and if it happens.

\textsuperscript{20}Active means organisations that are engaging directly in promoting child protection and tackling abuse. It does not include those organisations who work with children but who don’t have the mechanism for dealing with child protection and child abuse beyond making referrals.
Psychosocial support and provision of health care services are lacking in Kilifi. Most victims are not treated sympathetically by the Police, not all are referred to hospital, and many do not get after care services. The lack of psychosocial support and lack of medical treatment has led to poor reintegration into the society and results in long term psychological and health problems.

<table>
<thead>
<tr>
<th>Name of NGO</th>
<th>Intervention areas</th>
<th>Area of operation</th>
</tr>
</thead>
<tbody>
<tr>
<td>* ANPPCAN Kenyan Chapter</td>
<td>✓</td>
<td>National and Regional (Embu, Kwale, Kiambu, Loitoktok, Kajiado, Nairobi and Mumias)</td>
</tr>
<tr>
<td>Action Aid</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>Child Aid Organisation</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>Child Fund</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>* Child line Kenya</td>
<td>✓</td>
<td>National, Nairobi</td>
</tr>
<tr>
<td>* Cradle</td>
<td>✓</td>
<td>Nairobi, Mombasa</td>
</tr>
<tr>
<td>Clear legal action network (CLAN)</td>
<td>✓</td>
<td>Nairobi, Mombasa</td>
</tr>
<tr>
<td>* Centre for Rights Education and Awareness (CREAW)</td>
<td>✓</td>
<td>Kibera</td>
</tr>
<tr>
<td>* Child Welfare Society of Kenya</td>
<td>✓</td>
<td>Nairobi, Malindi, Lamu, Kilifi, Mombasa</td>
</tr>
<tr>
<td>* Department of Children Services</td>
<td>✓</td>
<td>Nationwide</td>
</tr>
<tr>
<td>Girl Child Network</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>* Goal Kenya</td>
<td>✓</td>
<td>Nairobi, Marsabit</td>
</tr>
<tr>
<td>Kenya Alliance for Advancement of Children (KAAR)</td>
<td>✓</td>
<td>Nairobi, Mombasa</td>
</tr>
<tr>
<td>Kesho Organisation</td>
<td>✓</td>
<td>Kilifi</td>
</tr>
<tr>
<td>* Moving the Goal Post (MTG)</td>
<td>✓</td>
<td>Kilifi and Kwale</td>
</tr>
<tr>
<td>Mudzizni Kwetu</td>
<td>✓</td>
<td>Kikambala</td>
</tr>
<tr>
<td>* Plan Kenya</td>
<td>✓</td>
<td>Kwale, Kilifi, Kisumu, Bodo Tharaka and Hoam Bay</td>
</tr>
<tr>
<td>Save the Children International</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>The Nairobi Hospital</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>* Trust for Indigenous Culture&amp; Wealth (TICAH)</td>
<td>✓</td>
<td>Nairobi</td>
</tr>
<tr>
<td>Wema Centre Trust</td>
<td>✓</td>
<td>Mombasa</td>
</tr>
<tr>
<td>World Vision</td>
<td>✓</td>
<td>Ganze Kilifi</td>
</tr>
<tr>
<td>* Undugu Society of Kenya</td>
<td>✓</td>
<td>Pumwani, Gomongo, Kibera and Mathare, Machakos and Kisumu</td>
</tr>
</tbody>
</table>

3.4.2 The voices of the community

Our interviews included NGO’s, Government Agencies, Teachers, young children and teenagers. Their answers are summarised in the boxes below and presented in an order which broadly reflects the frequency with which they were mentioned:

**Box 3: The Voices of NGO’s and Government Agencies (in Nairobi and Kilifi)**

<table>
<thead>
<tr>
<th>Our challenges are...</th>
<th>Duplication of effort</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resources</td>
</tr>
<tr>
<td></td>
<td>Lack of sufficient rescue centres</td>
</tr>
<tr>
<td></td>
<td>Lack of sufficient personnel in Children’s Department</td>
</tr>
<tr>
<td></td>
<td>Lack of control of our referrals</td>
</tr>
<tr>
<td></td>
<td>Weak enforcement mechanisms despite the presence of the law</td>
</tr>
<tr>
<td></td>
<td>Slow pace of prosecution of court matters</td>
</tr>
<tr>
<td></td>
<td>Practice of retrogressive culture</td>
</tr>
<tr>
<td></td>
<td>Traditional mechanisms of handling disputes</td>
</tr>
<tr>
<td></td>
<td>Corrupt community leaders</td>
</tr>
<tr>
<td></td>
<td>Lack of cooperation from family members</td>
</tr>
<tr>
<td></td>
<td>Lack of proper documentation</td>
</tr>
<tr>
<td></td>
<td>Lack of proper guidelines</td>
</tr>
<tr>
<td></td>
<td>Lack of awareness</td>
</tr>
</tbody>
</table>

On the whole most of the actors interviewed are doing an applauding job and had a lot of relevant information. They were candid enough to recognise that there gaps in the existing child protection structures that need to be addressed with intent of improving service delivery.
Head Teachers recognised the crucial role they play in ensuring that the child is safe while at school and dealing with reported incidences. Their main concerns were about lack of training and understanding of child protection issues among teachers. In particular their Guidance and Counselling Teachers lacked formal training and they acknowledged that the lack of clear guidelines on reporting procedures deterred them from effectively dealing with a child abuse matter when and if reported or suspected.

Among the children we held focus group discussions with boys and girls from Kesho separated into those who were still at Primary School (aged 9 -13 years) and those who were at Secondary (aged 15 to 18 years). They explained their views on child rights, their conceptualisation of child abuse and changes they would like to see. Their responses are given in Box 5 and 6.
Box 5: The Voices of Kesho Primary School Children

<table>
<thead>
<tr>
<th>The rights of children</th>
<th>Forms of child abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Right to education</td>
<td>• Early marriages</td>
</tr>
<tr>
<td>• Protection from Child labour</td>
<td>• Defilement</td>
</tr>
<tr>
<td>• Right to decent clothing</td>
<td>• Child labour</td>
</tr>
<tr>
<td>• Protection against discrimination</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Right to shelter</td>
<td>• Used as drug traffickers</td>
</tr>
<tr>
<td>• Right to food</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Perpetrators of child abuse</th>
<th>Causes of child abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Parents</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Strangers</td>
<td>• Lack of food</td>
</tr>
<tr>
<td>• Neighbours</td>
<td>• Parental neglect</td>
</tr>
<tr>
<td>• Boda Boda (motor bike taxi) riders</td>
<td>• Attending night activities</td>
</tr>
</tbody>
</table>

Changes children would like to see

1. A chance to learn more about relating to members of the opposite sex
2. A chance to learn more about situations or circumstances that place them at risk
3. Parents to care more for children
4. Access to basic education
### Box 6: The Voices of Kesho Secondary School Children

<table>
<thead>
<tr>
<th>The rights of children</th>
<th>Forms of child abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Right to education</td>
<td>• Early marriages</td>
</tr>
<tr>
<td>• Protection from Child labour</td>
<td>• Defilement</td>
</tr>
<tr>
<td>• Right to play</td>
<td>• Child labour</td>
</tr>
<tr>
<td>• Right to name and nationality</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Right to parental love</td>
<td>• Child labour</td>
</tr>
<tr>
<td>• Right access quality healthcare</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Freedom of expression</td>
<td>• Defilement</td>
</tr>
<tr>
<td>• Freedom of movement</td>
<td>• Child labour</td>
</tr>
<tr>
<td>• Right to correct information</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Right to life</td>
<td>• Defilement</td>
</tr>
<tr>
<td>• Freedom of association</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Right to privacy</td>
<td>• Defilement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Perpetrators of child abuse</th>
<th>Causes of child abuse</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Parents</td>
<td>• Lack of education</td>
</tr>
<tr>
<td>• Strangers</td>
<td>• Lack of basic needs especially those in boarding schools</td>
</tr>
<tr>
<td>• Neighbours</td>
<td>• Parental neglect</td>
</tr>
<tr>
<td>• Teachers</td>
<td>• Poor relationship between child and parent</td>
</tr>
<tr>
<td>• Children</td>
<td>• Government is too lenient</td>
</tr>
<tr>
<td>• Relatives</td>
<td>• House-helpers</td>
</tr>
<tr>
<td>• Some people in the government by being corrupt our rights are violated</td>
<td>• Government is too lenient</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Changes children would like to see</th>
</tr>
</thead>
<tbody>
<tr>
<td>To be given correct information for example not to be told that men are bad this leads to lesbianism</td>
</tr>
<tr>
<td>Parents to be enlightened on the rights of a child</td>
</tr>
<tr>
<td>Access to basic education</td>
</tr>
<tr>
<td>Do away with retrogressive cultural practice</td>
</tr>
<tr>
<td>Government to ensure justice is not denied</td>
</tr>
<tr>
<td>Children to be empowered to gain confidence to report incidences</td>
</tr>
</tbody>
</table>
Encouragingly, children were on the whole very good at stating their rights, had a good understanding of child abuse, it’s causes and perpetrators. Secondary school students mentioned teachers as being one of the perpetrators of abuse; with the majority being boarding schools this does flag up a potentially very significant problem. The group of children interviewed being from Kesho, had already had some exposure to Child Protection workshops and thus their voices may not be representative of the community as a whole.

Interestingly, the children did not mention bullying as being one of the forms of abuse yet from experience at Kesho we are aware that bullying is very common all schools and in secondary boarding schools in particular. While it can be a serious form of psychological and physical abuse, we conclude that bullying is so common that it’s become an accepted practice. There are no known anti-bullying policies in schools.

3.4.3 Challenges

The challenges are great. Child abuse is extremely prevalent around the world. Organisations are doing their best to tackle the problems but there’s always more to be done. The main challenges mentioned in the interviews were as follows. They reinforce challenges expressed in other countries in Africa and described in turn:

a) Lack of coordination at all levels of the formal and informal child protection systems.

Poor information and communication sharing has led to inefficiency, duplication of activities, and a lack of proper follow up mechanisms. This may in part be driven by competition for available funding, with information as part of the strategic advantage an organisation holds over another. Even where actors operate in different environments, there is little sharing of information on activities being undertaken or lessons learned or collaboration to improve synergies. There are no clearly defined structures for reporting child violence at the community level, in schools and in other settings where violence occurs, in spite of existing legislation supporting the establishment of such structures. In addition to this, the lack of a harmonized information system and monitoring and evaluation framework hampered the ability to track uptake of services and identify areas requiring greater investment in resources or

21 IDS in Focus Policy Briefing Issue 29. Responding to the needs of vulnerable children. (Nov 2012)
training. In addition to this, government agencies such as the children’s department are seemingly unable to cope with the demands on them. This may be due to inadequate staffing, poor training and a lack of resources. The weak child protection system at national or local level to coordinate child protection services was also seen as an impediment.

"A more coordinated approach towards tackling Child Abuse"
NGO, Interview No.18

b) Poor law enforcement
Many actors expressed their concern that despite the existence of laws and policies to support child protection and sanction abuse, enforcement remained poor. Wrong treatment of victims, inadequate investigation, improper preservation of evidence and poor prosecution skills (such as the preparation of defective charge sheets) were some of the challenges identified. It was suggested that corruption might be a contributing factor, with law enforcers accepting bribes to compromise cases. This has had the additional effect of reducing reporting of cases of abuse since victims feel powerless in the face of perpetrators who bribe law enforcers, or are concerned that the court case may eventually collapse.

"Weak enforcement despite the presence of the law"
Government Agency, Interview No.19

c) Lack of knowledge and skills particularly on rights, reporting and referral procedures
The capability of child protection actors to perform their work is essential in enhancing service delivery. The exact reporting procedures are complex and vary according to the informal legal systems in place. This means providers have been insensitive to victims or failed to follow the proper procedure when documenting abuse. For example local health centres are often the first place where abuse is reported and their evidence is essential to any sexual or physical abuse case. Failure to fill in the post rape care form or the government-issued assault form, the P3 form, reduces greatly, the chance of getting a conviction. The longer-term consequences of this are that perpetrators are released, confidence in the justice system by the public is reduced, and more cases go unreported. Unreported cases of abuse then leads to post-abuse care being missed altogether.

"Lack of adequate knowledge on children Rights"
NGO, Interview No. 13
d) Lack of support from local leaders

In rural Kenya, and in some informal settlements in urban areas, the chief is a key member in the community. An administrative officer appointed by the central government and in charge of a location (a grouping of villages), the chief is often the first point of call when a civil or criminal dispute arises in the community. Besides having policing roles, the chief can arbitrate disputes and is frequently used as a link between the government, non-governmental actors and the public. Their role as an arbitrator may sometimes be misinterpreted. Some chiefs resort to using arbitration to resolve criminal matters which is not within their mandate. Sexual abuse may then be ‘punished’ using a monetary fine by-passing the formal judicial system that imposes much harsher penalties. The consequences of these alternative mechanisms are diverse. For one, the perpetrator remains in the community that may expose the victim to repeat abuse, intimidation and further psychological trauma. It may also entrench incorrect ways of dealing with sexual abuse and promote the growth of inappropriate cultural practices.

Community leaders may also act in ways that hamper child protection. On occasion, victims may be required to withdraw claims they have made against abusers with the threat of being ostracized by the community. Other leaders may actively promote inappropriate cultural practices such as FGM and child beating. Finally, community leaders rarely voice their support for the protection of children.

"Lack of support by leaders within the community especially the key leaders in enforcing the law"

NGO, Interview No.9

e) Lack of cooperation from the parents

In many instances of abuse, the perpetrators are known to the victim or to the parents of the victim. On occasion, parents are perpetrators of some of the child abuse that is taking place. Parents may fail to report instances of abuse for various reasons. They may not view some forms of abuse as abuse (for example child beating may be viewed as said above, a way to instil discipline), may want to protect their families from stigma or shame, or may want to avoid prosecution. Sometimes, perpetrators of abuse may compromise or intimidate parents thus leading to failure of reporting or missing court dates. Finally, the abuse may directly benefit the parents, for example child labour or commercial sexual
exploitation may bring in income, which reduces the likelihood that the parent will report or stop the abuse.

“Very few cases are reported by parents”
Community Leader, Male participant FGD 3

“Lack of cooperation from parents, teachers and children this is due to factors like stigmatisation and fear of the judicial system”
NGO, Interview No.11

f) Persistence of inappropriate cultural practices
Actors involved in behaviour change communication identified the persistence of inappropriate cultural practices as a challenge.

“We experience cultural backlash as our girls are still practising some of the retrogressive culture that is inconsistent with what we have taught them as we empower them”
NGO, Interview 10

g) Lack of CP Structures (guidelines and policies) in Schools
Study reveals that child abuse and bullying is occurring in schools but that schools lack effective and adequate policies and mechanisms to deal with it. From the 8 schools interviewed, all use their own School Rules and the Government issued “Teachers Code of Ethics” to guide them in matters of child protection. While the Code of Ethics is well documented, most teachers indicated they were not well versed with the document, nor with reporting procedures and how to effectively handle matters that are not of academic indiscipline.

While all schools are required to have a Guidance and Counseling Teacher, the teachers have not received any formal training and are therefore not qualified to deal with reporting procedures and with the psychological trauma the child may be experiencing. Schools in Kenya do not have a national Child
Protection Policy or Anti-bullying policy in place, nor a risk assessment. This means teachers are not engaged fully with child protection issues or the risks to the children in the school compound. A further challenge is that without strong policies in place, and poor judicial sanctions, the risk of physical abuse in schools by teachers is potentially very high because corporal punishment is routinely practiced although it is actually illegal.

3.4.4 Recommendations from interviewees

We presented the actors with the chance to make recommendations or suggest ways in which they could overcome the challenges they had identified. Listed below are their responses.

- A more coordinated approach towards child protection amongst actors
- Ensure stakeholders are working in collaboration and harmony towards child protection as opposed to being in competition with each other.
- Need to change tactics and strategies on dissemination of information.
- Strengthen the various actors, especially chief’s, village elders, teachers, police and doctors through capacity building and knowledge on the various laws.
- Ensure all organisation that are child centred (including schools) have a child protection policy which will reaffirm their commitment towards child protection and intolerance towards child abuse and also provide an institutional level guideline on how to deal with child abuse.
- Proposed Amendments of the Children Act need to be passed as a law.
- Government to allocate more resources to support the children’s department.
- Government to develop a strong child protection system and implement it.
- Advocate for the police curriculum to have a section on child protection including how to handle a victim of child abuse.
- Ensure that the existing laws are followed to the letter and strengthen law enforcement.
- Reduce the length of time the judicial process takes in children-related matters.
- Mass sensitization of the public with intent of changing attitudes towards inappropriate cultural practices and child abuse and risk.
- Economic empowerment to reduce the incidence of child exploitation and neglect.
4. Summary and our Recommendations

4.1 Summary

It is evident that Kenya is committed to upholding and realizing the rights and responsibilities of the child. This commitment is expressed in various instruments, such as the Constitution and in statute, and by governmental and non-governmental actors who offer child protection services.

We noted an emerging shift by actors from single thematic issues such as child prostitution towards more programmatic interventions that focus on addressing underlying vulnerabilities. These include activities aimed at addressing a full range of child protection issues in different contexts, strengthening existing child protection structures and working with communities to prevent and effectively respond to violence against children (VAC).

4.2 Recommendations

4.2.1 Kenya – National Level

Based on this assessment on child protection in Kenya, we recommend 3 main strategies to improve child protection services for the benefit of the children whom we need to protect.

(a) A national legal and policy framework and consensus

Strengthening the legal and policy framework is fundamental to the advancement of child protection in Kenya this can be done by creating the political space to:

• Advocate for Strategy, policy development and law reform. Several proposed amendments in the Children Act 2001 need to become law, for example, Amendment to section 10 of the Children Act No. 8 of 2001 “a child found in Kenya who is or appears to be less than 8 years of age and whose nationality and parents are not known, is presumed to be a citizen by birth”.

• Take deliberate steps to improve the implementation and adherence to legislation and policies.

(b) Child Protection System

Strengthen the existing child protection system at national level and establish one at the devolved levels in order to coordinate and harmonise child protection services and activities. This would encourage
collaboration between actors in child protection and encourage their interaction with those who offer child protection services. It would foster links between formal and informal child protection structures and work towards developing models for a one-stop-shop approach to handling child related matters. It would also serve as a foundation for the:

- Development of a shared information management system.
- Development of an overarching supportive framework ensuring national policies have a consistent definition of vulnerability.
- A sound evidence base to identify the exact nature of the challenges faced by children and to demonstrate which approaches are the most effective.
- Creation of a coordinated and professional service which articulates clear mandates and guidelines for all actors from the informal and formal sectors on prevention, protection, reintegration, referral mechanisms and case management. The actors include children, family members, chiefs, village elders, police, doctors, teachers, NGO and relevant government agencies. The service would require (a) clarity and guidelines on the mandates of all actors on their roles and responsibilities (b) capacity building of all actors across all sectors to execute their roles and (c) equal investment in both prevention and response mechanisms.
- Improvement of advocacy for child protection.
- Development, improvement and maintenance of pre- and post- abuse services for survivors of child abuse.

(c) Child protection policy for all child centred services including schools
Currently not mandated by law, a child protection policy is an important document for all institutions, organisations, persons and services that are child centred or an in regular contact with children for example schools and Charitable Children Institutions (CCI) and organisation in child protection. To make it a legal requirement to have a child protection policy will reaffirm the commitment towards upholding the rights of the child subsequently provide clear guidelines, procedures and consequences on violation against the child.

(d) Allocation of sufficient resources
Effective referral mechanisms and case management systems need financial as well as human resources. There needs to be a sound investment case demonstrating the “return on investment” as well as linking to policy debates around social protection, emergency planning etc.
(e) Mapping, monitoring and Evaluation

Strong monitoring and evaluation is important for accountability as well as for tracking children over time to assess to what extent referral mechanisms and case management systems are actually helping the children they’re designed to protect. Systems can’t be improved without a full understanding of the issues, challenges and successes.

4.2.2 Kilifi - County Level

The development of a county-level legal and policy framework for child protection and the establishment of a county-level child protection system that would take steps to:

- Introduce by-laws which would protect children against locally specific and inappropriate cultural practices such as the night activities “siniriche” and child marriage.
- Develop an information management system that would be locally relevant and shared by all actors in child protection in Kilifi.
- Develop, publish, distribute and make widely available, clear guidelines which are locally relevant and practical on the roles and responsibilities and correct reporting mechanisms for all actors dealing with abuse cases which have become a legal matter including the Chief’s, Police, Doctors and the Children’s Department.
- Strengthen community protection mechanisms which in turn could strengthen the national system, through inclusivity and participation, particularly in areas like Kilifi where resources are scarce.
- Improve the capability of all actors from the informal and formal sectors through training and sensitisation including children, parents, community members and leaders. Open up avenues for children to talk and report their violations and fears.
- Increase the reporting of cases of abuse from the informal legal systems and pursue their sanctioning through the formal judicial systems.
- Improve child protection structures in schools through:
  - Introducing child protection policies, risk assessments and anti-bullying policies
  - Advocating for child protection to be part of basic teacher training
  - Guidance and counselling teachers trained in child counselling and referrals.
  - Reducing, through awareness and sensitisation of alternative forms of discipline, the illegal yet common practice of corporal punishment in schools.
- Develop, improve and maintain services for survivors of child abuse.
• Monitor and evaluate child protection interventions.
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and Play Therapy Africa For the: Inter-agency Group on Child Protection Systems in sub-Saharan Africa
August 2012
The Constitution of Kenya 2010
The Extent and Effect of Sex Tourism and Sexual Exploitation of Children on the Kenyan Coast, 2006
Child Labour Analytical Report
The Marriage Act Kenya
The Mohamadan Act Kenya
Violence Against Child, UNICEF 2010
United Nation Convention on the Rights of the Child
World Health Organisation official definition (1999), in consultation with ISPCAN & other experts
Appendix 1

Interview participants

a. NGO’s and Government Agencies

<table>
<thead>
<tr>
<th>Nairobi</th>
<th>Kilifi</th>
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<tr>
<td>ANPPCAN Kenyan Chapter</td>
<td>Plan Kenya-Kilifi Unit</td>
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<tr>
<td>Childline Kenya</td>
<td>Moving the Goal Posts</td>
</tr>
<tr>
<td>Centre for Rights Education and Awareness</td>
<td>Department of Children’s Services (Government)</td>
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<td>(CREAW)</td>
<td>Child Welfare Society of Kenya</td>
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<tr>
<td>Goal Kenya</td>
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<tr>
<td>Plan Kenya</td>
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<tr>
<td>Cradle</td>
<td></td>
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<tr>
<td>Undugu Society Kenya</td>
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<tr>
<td>Trust for Indigenous Culture and Wealth (TICAH)</td>
<td></td>
</tr>
<tr>
<td>Department of Children’s Services (Government)</td>
<td></td>
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</tbody>
</table>

b. Teachers

The teachers interviewed were from primary and secondary schools in Kilifi County and included:

1x interview per school with the Head Teacher.

1x FGD with one representative (the Guidance and Counselling Teacher) from each school.

<table>
<thead>
<tr>
<th>Schools that were interviewed</th>
<th>Schools that participated in the FGD</th>
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<tbody>
<tr>
<td>Mnarani Primary</td>
<td>Mikingirini Primary</td>
</tr>
<tr>
<td>Pwani Vocational Secondary</td>
<td>Kibarani School for the Deaf</td>
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<tr>
<td>Kiwandani Primary</td>
<td>Pwani Vocational Secondary</td>
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<tr>
<td>Mnarani Secondary</td>
<td>Kilifi Township Secondary</td>
</tr>
<tr>
<td>Basi Primary</td>
<td>Bofa Primary</td>
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<tr>
<td>Bahari Girls’ Secondary</td>
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<td>Kibarani School for the Deaf</td>
<td>Majaoni Secondary</td>
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<td></td>
<td>Kibaoni Primary</td>
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<tr>
<td></td>
<td>Kiwandani Primary</td>
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</table>

c. Community Leaders And Residents

Community leaders and residents from 2 villages in Kilifi participated in the FGD. These were:

Basi Village

x30 (17 men and 13 women) including 5 community leaders (1 assistant chief and 4 village elders)
Mtaani Village
x13 women

Appendix 2

Kilifi Childrens Department - 2013 caseload (Government Office)

Total cases = 1275. For case numbers refer to the accompanying table.
Complete data from Children’s Department Kilifi 2013 Caseload.

Note there will be under-reporting in certain categories particularly among cases of sexual abuse. Blue shaded areas are those categories which are also reported among children within Kesho.

<table>
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<tr>
<th>NATURE/CATEGORY</th>
<th>AGE</th>
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<td>16 &amp; ABOVE</td>
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Appendix 3

Kesho - 2013 caseload

Child Protection Cases 2012 & 2013
60 cases handled - 22% closed
41% of Kesho families with cases

- Neglect: 60%
- Child Labour: 10%
- Domestic Violence: 11%
- Early Pregnancy: 10%
- Sexual Abuse: 7%
Appendix 4

Copies of Interviews

Questionnaire for Organisations in Kilifi working in Child Protection

Name and Address of Organisation: ________________________________
Name of interviewee: ________________________________
Job title / Relevant experience: ________________________________
Contact: ________________________________
Date of interview: ________________________________

Kesho Organisation is a CBO situated in Kilifi County whose aim is to advance access to education and employment for vulnerable children living in Kilifi through a long term holistic approach which includes financial support for education, child protection, enrichment, healthcare and family support.

As part of its work, Kesho is undertaking a Situation Analysis of Child Protection in Kilifi County and also at National Level. The primary aim of the project is to collect relevant information regarding child protection. The finding of the project will constitute to ensuring that programs and policies are better informed and are thereby relevant to the lives of children. Specifically we want to talk to organisations such as yours and hear your views on Child Abuse and Child Protection issues in Kilifi and Kenya as a whole.

I thought you would be a good person to talk to because of your experience and knowledge in child protection. The information collected will be written up as a report on the status of Child Abuse and Child Protection in Kilifi and Kenya, which will be published and shared with others concerned with these issues. We hope that by understanding the current status and perceived areas in need of improvement, we can all see what areas of support we need to focus on in the future to ensure children are protected in the best way possible.

The interview should not take more than 30 minutes and all the information and views you share will remain anonymous and stored securely.

Are you Ok with this? If so, shall we start?

1) Does your organisation have a Child Protection Policy Yes No
2) Starting AT HOME, in Kenya - what, in your opinion, are the patterns of abuse children experience?
3) Now let’s consider AT SCHOOL, in Kenya - what, in your opinion are the patterns of abuse children experience there?
4) Do you think the type of abuse varies from region to region? Yes No
5) If YES, how does the abuse vary?
6) What do you think are the underlying causes of child abuse both at home and in school in Kenya?
7) Is your organisation doing anything about combating child abuse?
8) What types of activities do you undertake? Type of Intervention, Scope of work, Level of Engagement
9) What impacts are you having in the community or at the country level?
10) What are the main challenges you or your organisation experience in tackling Child protection or Child Abuse
11) If you could change two things to improve Child Protection in Kenya what would you do?
12) What are your views on the existing mechanisms to contest child abuse - do you think they can be improved? If yes How?
13) Are there any other organisations you could recommend I talk to who deal with child protection matters?

Thank you for your time.

Questionnaire for Organisations in Nairobi working in Child Protection

54
Name and Address of Organisation:__________________________________________
Name of interviewee_____________________________________________________
Job title / Relevant experience____________________________________________
Contact:________________________________________________________________
Date of interview________________________________________________________

Read the same introduction and consent information as for NGO’s Nairobi.

1) Does your organisation have a Child Protection Policy  Yes  No

- When was it last reviewed – are all staff trained in policy.

2) What type of child abuse do you think is most common in Kenya.

- Is there any published data you can recommend or show me.

3) What group of children or young vulnerable adults do you think are most susceptible to abuse or risk of abuse? E.g. under 5’s, college students, girls/boys, 12 year olds, children out of school, children in school etc.

4) Starting AT HOME, in Kenya - what, in your opinion, are the patterns of abuse children experience?

5) Now let’s consider AT SCHOOL, in Kenya - what, in your opinion are the patterns of abuse children experience there?

6) What about abuse or risk of abuse to vulnerable young adults – college students etc.

7) Are there differences in the abuse between girls and boys – can you explain? (be sure you question enough find out whether they think which group experiences the most cases of abuse and the types of abuse boys experience – e.g. sexual abuse of boys and girls here, bullying and physical abuse – differences in sexual abuse in different parts of the country – muslim boys for example)

8) What about child trafficking, child prostitution – what in your opinion are the patterns of abuse children experience – how common is it (are there data) .

9) Are there any other types of abuse that are a significant problem which we haven’t covered yet?

10) Do you think the type of abuse varies from region to region?  Yes  NO

- If YES, how does the abuse vary?

11) What do you think are the under lying causes of child abuse both at home and in school in Kenya?

12) Is your organisation doing anything about combating child abuse?

- What types of activities do you undertake? Type of Intervention, Scope of work, Level of Engagement

13) What impacts are you having in the community or at the country level?

14) What are the main challenges you or your organisation experience in tackling Child protection or Child Abuse?

15) If you could change two things to improve Child Protection in Kenya what would you do?

16) Are there any changes in the patterns of child abuse in Kenya – for example rates of child labour or rates of child trafficking? (is there any evidence to support this?)

17) What are your views on the existing mechanisms to contest child abuse - do you think they can be improved? If yes How?

18) Are there any other organisations you could recommend I talk to who deal with child protection matters?

19) Are there any publications you can recommend for me which give statistics on child abuse in Kenya.

Thank you for your time.
Focus Group Discussions – Teachers in Kilifi

Thank you for volunteering to participate in the Focus Group Discussion to talk about Child Protection in Kilifi. Kesho Organisation is conducting this study. The purpose of this session is to collect relevant information from the teacher’s on child protection in Kilifi with an aim of improving service delivery.

1) What are some of the risks children are exposed to in school (specific and general).
2) Have you ever heard of a child protection issues in your school? YES NO
   If yes how many?
3) Do teachers play a role in Child Protection. Yes No
   What is their role?
4) What is their reporting mechanism when an incident occurs in School both (internally and externally)
   How effective are the reporting mechanisms?
5) Can you recognize the signs and symptoms of an abused child?
   If not which areas would you like capacity building?

Focus Group Discussion- Kilifi Community

Thank you for volunteering to participate in the Focus Group Discussion about Child Protection in Kilifi. Kesho Organisation is conducting this study. The purpose of this session is to collect relevant information from the community on child protection in Kilifi.

1) What are the main child protection issues and their root cause within the community?
2) Are there any particular groups of children more vulnerable then others to abuse or neglect?
3) There are various types of child abuse sexual, physical, and emotional and neglect, how does the community perceive each type of abuse.
4) What is the community attitude and behavior towards perpetrators of child abuse.
5) What child protection laws are known in the community?
6) What were some of the cultural practices used to protect children from abuse.
7) What protective measures are in place to protect children from current risks.
8) What role do parents play in child protection.

Focus Group Discussion- Children in Kilifi

Thank you for volunteering to participate in the Focus Group Discussion to talk about Child Protection in Kilifi. Kesho Organisation is conducting this study. The purpose of this session is to collect relevant information from the teacher’s on child protection in Kilifi with an aim of improving service delivery.

How many rights do children have?
Name all the children rights you are aware of?
Are children rights being violated? If Yes how?
Who is violating the rights of children?
What are some of the changes you would like to see to ensure that you are enjoying your rights.