Policing child abuse in Kenya—Perspectives from the frontline

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ABSTRACT

Child abuse in Kenya continues to present a prominent and ongoing concern. Complicated by challenges of cultural rationalization, leading to an unclear understanding of its prevalence and typologies. This study produces insights from interviews with 20 police child protection officers in Kenya to gain previously unexplored police practitioner perspectives on the typologies and underlying causes of child abuse. Notably types of child abuse identified included intra-familial sexual abuse, exploitation, and female genital mutilation (FGM) and escalating online child abuse. Identifiable causes encompassed poverty, cultural practices, and ineffectiveness and corruption within the criminal justice system—the same areas where we are not seeing enough change. Recommendations arising as a result of the study include the necessity for intensified focus and prioritization of child abuse within Kenyan policing and wider government strategies, NGO programs that aim to alleviate poverty through life-based necessities, increased cultural sensitization, and tackling corruption.

INTRODUCTION

Previous studies on prevalence, types, and causes of child abuse in Kenya have been conducted but are predominantly focused within the health environment (Badoe, 2017), or drawn from government data (Ministry of Labour and Social Protection, 2019). Although views in such literature encompass both victim and practitioner, most provide insights for recognizing and treating abuse from a medical perspective (Badoe, 2017). There is a gap in the literature which provides perspectives from law enforcement officers directly dealing with child abuse investigations within a Kenyan context. Such practitioners can provide a wealth of insight regarding the prevalence and typology of child abuse, offering a frontline perspective on the underlying causal factors that may not be experienced by other professions. Identifying such perspectives is vital as it provides further information to understand the nature of child abuse in Kenya, but also allows police, academics, NGOs, and government entities to act upon this information to form interventions that address the issues identified, thus improving child protection (CP) in the country. This study addresses the gap in the literature in seeking to understand police practitioner views and their importance in supporting the much-needed change to attitudes necessary within Kenya in its policing of child abuse. The study first explores the current context of child abuse in Kenya and then focuses on typologies and causes.

Child abuse in Kenya

Kenya is a country within Africa with a population of around 55 million of which nearly 24.5 million are under 18 (UNICEF, 2023). Currently, the scale of child abuse in Kenya remains unclear, with predominant research in Africa focusing on the commercial exploitation of children (Badoe, 2017; Lalor, 2004a). While some studies delve into the initial sexual experiences of children (Lalor, 2004a; 2004b; Mwangi et al., 2015), they often fall short in fully exploring the true nature and extent of abuse. Quantitative studies in medical facilities (Mutavi et al., 2018) reveal that up to 93% of child sexual abuse victims in Kenya experience emotional trauma. Despite these findings, the issues persist as significantly under-researched (Lalor, 2004a).

Due to the limitations of academic research on the prevalence of child abuse in Kenya, the only reliable information is obtained through government/NGO studies (Davenport and Halford, 2023). This includes the 2019 Kenyan Violence Against Children Survey (VACS) which indicated that approximately half of all children have suffered physical abuse and 15.6% of all girls have suffered sexual abuse (Ministry of Labour and Social Protection, 2019). The United Nations International Children’s Emergency Fund (UNICEF, 2022a) reports 46% of young girls experience violence and abuse. Kenya has recently updated and revised their 2012 Children’s Act (Republic of Kenya, 2012) and subsequent national action plan.
In respect of police investigation of child abuse, this relies firstly on frontline officers with limited experience and then a small unit of dedicated CP officers working from Nairobi and Mombasa but whose remit spreads across most of the country (Davenport and Halford, 2023).

**Child abuse typologies**


The emergence of the online sphere has introduced new challenges, giving rise to multifaceted forms of harm through cyber-enabled technologies (Martellozzo, 2019), with the categorization of online abuse dependent on contextual factors. Kenya, through the updated Children’s Act in 2022, incorporates the outlined abuse typologies, including online offenses (Kurtz et al., 2023). However, emotional abuse is less acknowledged and lacks clear definition, posing a challenge in addressing this aspect of CP in Kenya (Kurtz et al., 2023).

**Typologies of child abuse in Kenya**

Categorizing sexual and physical abuse in Kenya can be challenging as research identifies that authors and practitioners use varying terms/definitions (Plummer and Njuguna, 2009; Veneema et al., 2015). For example, rape is often referred to as ‘defilement’ or ‘intercourse/sex by force’ by both practitioners and authors, and sexual assault is described as ‘unwanted touch by force’ (Lalor, 2004a; Veneema et al., 2015).

Female genital mutilation (FGM) is a form of physical child abuse in Kenya (Badoe, 2017; Plummer and Njuguna, 2009; Wangamati et al., 2019) and is a harmful traditional practice that involves the partial or total removal of external female genitalia for non-medical reasons. It is usually carried out on girls between infancy and age 15. Figures suggest that FGM is practiced by Somali and Masai tribes, with around 32% of young females being impacted (Badoe, 2017).

Child labour is also highly prevalent, in agriculture, domestic service, and other industries (Moyi, 2011). It is a form of physical abuse and neglect with children being forced to work in hazardous or exploitative conditions.

The most frequent form of child abuse in Kenya is sexual (Mwangi et al., 2015; Veneema et al., 2015), which often occurs with significant emotional abuse and trauma. The most widespread facilitator of such abuse is early marriage, often referred to as ‘child marriage’ (Badoe, 2017; Lalor, 2004a, Veneema et al., 2015), which is considered a form of emotional and sexual abuse as children are forced into sexual relationships before the age of 18, and often, far younger. Child marriage in Kenya, like FGM, is a practice that is particularly prevalent in certain localized cultures and tribes (Badoe, 2017; Lalor, 2004b, Veneema et al., 2015). It is believed that significant volumes of sexual abuse are also taking place in the home, described as ‘incest’, but with no figures or data recorded on this (Plummer and Njuguna, 2009).

Studies have identified that the main perpetrators of sexual child abuse in Kenya tend to be men known to the child (Mwangi et al., 2015; Veneema et al., 2015). As a result, teenage pregnancy is frequent, and is often a result of sexual abuse from teachers, fellow pupils, or older males as female children are exploited due to their need for essential items, such as food or payment for school fees. (Lalor, 2004a). The high degree of orphaned and abandoned children in Kenya has also driven the rise in child trafficking (Badoe, 2017; Veneema et al., 2015), conducted for both sex and labour exploitation.

**Causes of child abuse in Kenya**

Research exploring the causes of child abuse in Kenya has identified a number of factors. Poverty is frequently cited as an over-arching concern as children often become victims of abuse through exploitation in an effort to alleviate themselves or their families from the effects of poverty (Badoe, 2017; Veneema et al., 2015; Wessells and Kostelney, 2016).

Culture is also a major factor and although some cultural traditions can be seen as a protective factor, there still exists dismissive attitudes towards abuse (Plummer and Njuguna, 2009). Some have argued there exists a degree of ‘cultural rationalization’ that accepts certain behaviours in Kenya as normal (Davenport and Halford, 2023; Kempe, 1982; Kostelney, 2014). In addition, Kenya is a highly patriarchal society, resulting in women and girls predominately being considered subordinates, whilst men remain the providers (Wangamati, 2019). It is suggested this leads to a lack of reporting, often due to the stigma brought upon the victim, the perpetrator, and the family (Veneema et al., 2015), but more frequently because reporting abuse can lead to the loss of the main ‘breadwinner’, resulting in severe poverty (Moore et al., 2007; Mwangi et al., 2015; Wangamati et al., 2019).

The aforementioned cultural issues are also affecting the CP system within Kenya. Although developments in the country mean that CP laws and legislation now exist (Children’s Act, 2012; Lalor, 2004b; Wangamati et al., 2019) there are distinct weaknesses in the enforcement of these laws (Veneema et al., 2015; Wangamati et al., 2019), resulting in a distrust in the criminal justice system (Wangamati et al., 2019). Similarly, although national child abuse action plans have been created (NCCS, 2013), designed to coordinate and integrate resources, feedback suggests that little within the plan is implemented due to a lack of personnel and funding, with some CP practitioners having no knowledge of its existence (Wangamati et al., 2019).

CP developments are also frequently donor driven, often with the expectation of NGOs achieving ‘quick wins’ rather
than building sustainable change, operating in silos with limited coordination (Nassimwba et al., 2022). It is argued there is a ‘one-factor’ focus, tackling singular issues with limited acknowledgment of the wider systemic complexities or local context (Wessells, 2021). Many have argued there is a push towards a ‘lift and shift’ of evidence-based approaches, without due attention being paid towards cultural appropriateness, which has negatively impacted their effectiveness (Plummer and Njuguna, 2009; Wessells, 2021). Wessells advocates for interventions to be owned locally, driven by communities, and more reflective of local culture (Wessells, 2015; 2021).

In respect of government support, literature argues this is also often lacking as CP is not seen as a priority (Kempe, 1978; Lalor, 2004a). For example, previous studies have argued that ‘Kenya needs to direct more resources towards child protection’ (Wangamati et al., 2015, p. 25), a statement which is reinforced by calls for greater financial capacity for CP (Nassimwba et al., 2022), increased resources (Lalor, 2004a), and formal training (Candler et al., 2016). Underpinning the aforementioned issues remains a lack of academic research on CP in Kenya (Lalor, 2004a; 2004b; Veneema et al., 2015). This issue makes understanding the scale of the problems difficult and thwarts the ability to make cross-study comparisons (Plummer and Njuguna, 2009; Veneema et al., 2015) that can help enable prioritization of CP capability and interventions.

Awareness raising is frequently outlined as vital, with a focus on increasing sensitization, and parental support, and advice (Badoe, 2017; Mwangi et al., 2015; Wangamati et al., 2019), and importantly, increased education in schools (Mwangi et al., 2015). It has also been argued that this needs to be supported by improved data collection (Badoe, 2017) and information sharing between agencies (Veenema et al., 2015). Underpinning all of this is the continued call for research examining the context of child abuse in Kenya to achieve a greater understanding of the challenges faced which will allow development or improvement of prevention and intervention mechanisms (Mwangi et al., 2015; Veenema et al., 2015).

Aims and objectives

The primary aim of this study is to gather the perspectives of law enforcement officers in Kenya working within CP. To support this aim, the study pursues two objectives. First, to explore the practitioner’s perspective on the typologies of child abuse that they encounter in their role as CP specialists. Second, to identify the potential underlying causes that they believe allow child abuse to take place and persist. This provides us with unique insights from law enforcement officers directly dealing with cases of child abuse in Kenya. By adding this previously absent law enforcement perspective within the CP system of Kenya, we hope to use it to strengthen the arguments towards what much-needed policy change is required in Kenya.

METHOD

To structure the analysis, the study employed a framework based on the four categories of child abuse: neglect, physical, sexual, and emotional as described from the literature review. This categorization allowed an effective analysis to facilitate an understanding of the typologies of abuse described by interview participants, aligning with recognized definitions (United Nations, 2011).

Qualitative semi-structured interviews were conducted (Creßwell, 2003), guided by a constructivist position to explore participants’ views and cultural norms (Crotty, 1998). By using this approach, it demonstrates the importance of interpreting and understanding phenomena within the participants’ social and cultural contexts. The constructivist approach offers a framework for conducting research that is sensitive to the complexities of human experience and the social world (Crotty, 1998). The participant questions were designed to address perspectives on child abuse typologies and underlying causal factors. With the exception of demographical data, all questions were open-ended as this enabled us to fulfil our constructivist approach and allowed interviewees to freely provide their opinions, views and experiences of the issues discussed.

Prior to conducting the study, ethical approval was obtained. First, the affiliated organizations research ethics committee reviewed and approved the proposal. Second, the Kenya National Police Service (KNPS) agreed for the study to be completed. Finally, the head of the CP unit permitted and facilitated the research. As part of the ethical approval process, it was agreed that any examples or case details provided by participants would be anonymized. As such, all quotations or examples in the findings have had all identifiable details removed so it is not possible for any persons involved to be identified from the information provided.

Access to staff was coordinated through a single employee of the KNPS CP unit. 20 CP officers were interviewed, which equates to 55% of the total 36. All staff from the unit were invited to participate but not all were able or available because of absences due to training courses, sickness, or deployments out of the area. Of those interviewed, 45% of participants were male (n = 9) and 55% were female (n = 11). In respect of roles, we interviewed one analyst, eight constables, two sergeants, four inspectors, one chief inspector, and one superintendent. We agreed that all interviews would be reported anonymously. To maintain their anonymity, all interviewees were designated a randomly generated number between 1 and 20. This was done due to the limited size of the unit, and smaller volume of participants, as any further information could jeopardize their anonymity. All participants were provided with a briefing document that outlined the purpose of the study, their voluntary position, and that they retained their right to withdraw from the research at any time.

Interviews were conducted during a 1-week research trip to Kenya, funded by the studies affiliated organization. The researcher was provided access to the two police CP units in Kenya, situated in Nairobi and Mombasa. Interviews were conducted on police premises in a private interview room and lasted an average of 45 min. Only the interview participant and researcher were present and all were recorded using a smartphone which enabled subsequent verbatim transcription.

Thematic analysis was then conducted which involves identifying, analysing, and interpreting patterns or themes within qualitative data to understand underlying meanings and experiences (Braun and Clarke, 2006). Thematic analysis involved manual coding of transcripts aligned with the theoretical framework of

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the typologies of child abuse. Statements were exported to Microsoft Excel for organizing and defining themes. The process ensured comprehensive exploration of identified themes in the context of child abuse typologies.

RESULTS

The findings have been categorized into the typologies identified by participants followed by their perspectives on the causes of child abuse.

Sexual abuse

The primary type of sexual abuse outlined by participants (n = 16) was ‘defilement’, more commonly known as rape. Interviewees suggested that despite dealing with a large number of such cases, a large proportion go unreported. A subcategory of this abuse (described as incest) known as interfamilial abuse, was also outlined by a number of interviewees (n = 5) who provided further detail on these cases and explained some of the challenges faced when attempting to investigate such crimes:

They are just not reported—especially those that involve family members. (2)
If you arrest that father and take him to court, who will take care of the family? (12)
Incest cases…. …You find that if the child is a product of the father having defiled his own daughter, that is a case that will go nowhere ….this father will tend to ensure that this child is given out to someone else outside and it’ll never be known that a daughter in that home gave birth. (16)

A specific example provided by one officer (4) illustrated the significant challenges. The case involved a mother with a teenage daughter from a previous marriage, who had re-married a man of higher economic status. The male started to sexually abuse the daughter but when she tried to disclose it to her mother, she refused to believe her, choosing to accept the husband’s denials over her daughter’s account. The daughter was so traumatized from the sexual abuse and lack of support from her mother that she jumped from the roof of a building in an attempt to commit suicide. She received serious injuries and was admitted to the hospital. The case was dealt with by local police officers who ignored the initial disclosures of abuse, and instead, sought to charge the young girl with an offense of attempted suicide.

Child marriage was the second most frequent form of abuse (n = 15) which involved forcing a young girl below 18 years, maybe as young as 14 years. The parents/family just sit down somewhere. They negotiate the dowry. Then the girl is marrying off. (8)
There are communities where they marry off their girls from the age of 10, 13…. They don’t believe that a woman can get married at 20s, 30s….. So, for one, she’ll not continue with the school. Because when you’re married off you don’t continue with the school. They feel when you empower a woman very much to be educated, then you’re losing the culture. Because she’ll continue going to college, to university, nobody will marry her because she’ll be too old. (10)
The parents see a girl as an avenue of getting rich. Once a child is above 10 years, any man can make advances. (11)

A number of interviewees (n = 6) discussed the challenges they faced, which predominately centred around the absence of support for the victim from the family, often resulting in a loss of engagement in the court process;

…early marriage in some cultures. You can hear of a case, and you go and arrest, but the victim will never speak. There will be no witness in that case. Such cases become a problem, because most of them are actually outside Nairobi. So, you have to spend resources to go and investigate there, and you come out with nothing. So, with the time you find, and the limited resources, you find it becomes less of a priority for the unit to go and investigate. (6)

One interviewee (12) outlined a case involving a 16-year-old girl who was forced into marriage to a man in his 50s. The man was a wealthy official and she would be his 7th wife. When the CP unit intervened to rescue the child, she refused to go with them as she felt her life was better as a child bride. They tried to take her to a rescue centre, but she was uncooperative. Then with external interference (corruption), the case was delayed through the judicial process and once the girl turned 18, the case against the man was dropped.

Physical abuse

Forced genital mutilation (FGM) was the most frequent form of physical abuse outlined by interviewees (n = 17), despite seemingly limited numbers of cases reported to the unit. The reason for this was that the abuse was taking place within certain tribes (Masai and Somali) where reporting was not encouraged, or it was an accepted cultural practice.

Masai and Somali tribes practicing FGM even though it is not allowed by law. They say it is their culture and they are allowed. (3)
Those who practice it, you cannot tell them it is wrong. (10)
If you’ve not undergone that act, that practice, you’ll not be considered to be mature and it’ll be difficult to get married. (12)

Due to these cultural issues, a number of the interviewees (n = 5) felt that although there are laws in place to prevent FGM, they are not being properly enforced;

Even when you want to prosecute them, you’ll not find them. Even the local leaders, they’re part of it. (16)

Child trafficking was the second most frequently cited form of child physical abuse (n = 9). Examples of child trafficking provided included cross border with neighbouring nations,
facilitated through the porous borders. It was indicated however that the prevalence was far more common internally;

Most of the children that are trafficked within Kenya, not out of Kenya. (17)

Although trafficking does sometimes facilitate sexual abuse, it was indicated this was not the primary driver. Participants indicated that the rise in child trafficking was heavily driven by the practice of child labour (interviewee 7).

One interviewee (12) outlined a trafficking case with victims smuggled into Kenya from Tanzania. The case involved three disabled children whose parents had sold them to traffickers after being told that disabled children could receive financial support from the Kenyan government, and the traffickers convinced them that they would send money back to the parents. The parents felt relief to be rid of the burden of a disabled child and also gained a small income. The traffickers took the disabled children, placing them in wheelchairs on strategic traffic points near busy roads in Nairobi where they would be forced to beg from the early hours of the morning, until late at night. At night, they were forced to sleep in slums, before being wheeled back out to beg each morning. Each child had a target of 2,000 shillings per day (around $13), and if they did not meet it, they were beaten. The interviewee described some of these children as being very young, under 10. The unit dealt with the case, and working with an NGO they rescued the children and tried to return them home. However, the unit discovered that just a few weeks later, the same children were sold back to the traffickers and were reliving the same ordeal.

Physical assaults were amongst the least frequently cited by interviewees (n = 2). This is likely because physical child abuse appears to be an acceptable practice, and as such, criminal investigations into the issue are rare;

We are not even talking about physical abuse—it’s like that doesn’t even matter because there’s so much other abuse going on and it is just seen as normal. (12)

Online child abuse

The interviewees that mentioned online abuse (n = 11) felt that this was an ever-increasing and more complex area of abuse that they were only just starting to deal with. As such, they outlined feeling under-prepared, and described how the KNPS possessed limited knowledge, beyond that within the CP units. This area has not been explored in detail in previous research and it was evident from the responses that its conduct is wide and varied;

Now is extortion or blackmail. And I see it a lot when a suspect is already in possession of one image or video of a child. Now, they’re blackmailing them to send more, or they’ll expose it, or blackmailing them to send money. (6)

Neglect and emotional abuse

Although the UNCRC and legislation in Kenya define and outlaw neglect and emotional abuse, neither were explicitly outlined by any of the interview participants. This is not to say they are not occurring, as the existence of high levels of sexual and physical abuse through practices such as FGM, child marriage, and intra-familial abuse clearly indicates that children will be subjected to psychological and emotional consequences. Furthermore, such offending also clearly indicates the existence of neglect, specifically the failure to protect a child from harm. This is likely a result of the level of cultural acceptance or rationalization that exists within Kenya (Davenport and Halford, 2023; Kempe, 1982; Kostelney, 2014), resulting in only the most blatant of child abuse being identifiable.

Causes of child abuse

In addition to the typologies of abuse encountered by the officers, we explored why such abuse continued to take place. Responses followed themes outlined in the first section but provided additional detail from the police perspective. The four key themes outlined were poverty (n = 20), culture (n = 20), funding (n = 18), and corruption (n = 9).

Poverty

With respect to poverty, a number of interviewees discussed how families, or indeed children themselves will ‘allow’ themselves to be abused in order to gain money or items such as food or sanitary pads;

A father will sell his daughter for money. (3)

If a rich man comes and abuses the kids or the mother befriends somebody who is influential, and starts abusing…. They have to balance between—I need to be provided with bread…..and should I take this person to justice. (4)

We find that anybody who comes with money can lure children with anything. (10)

It is the root of nearly everything. People sell their children to get money, they marry them off to get money, they allow them to be sexually abused for money. But the way they see it, they have nothing and this allows them to eat and feed the family. (18)

One interviewee (12) gave an example describing an investigation where a senior local police officer was investigated for defilement. He was exploiting young males by paying them to allow him to abuse them. Many of the victims refused to attend court, and it is suspected they were paid off by the suspect.

Culture

Culture was cited by every interviewee, demonstrating its weight of influence on child abuse and CP. As alluded to, participants extensively referenced the cultural practices that facilitated child
abuse with those living within certain tribes not believing such abuse is wrong. Despite Kenyan legislation prohibiting them, they repeatedly encountered evidence of communities covering up offences, even those in the highest official positions, resulting in crimes rarely being reported to Police (n = 7):

And even the local administration. Because we have chiefs, some don’t know to handle these cases. They just feel, okay, a child has been offended. We can put negotiation, people to talk and settle the matter. (1)

They say it is their culture and they are allowed. You find that courts will side with the community—very frustrating. (3)

So elders, they just sit down. They don’t want their kin to be arrested by police. So they negotiate, then they agree .... ... They don’t want to disclose any crime to the police. (8)

Then there are other cultures, they don’t value education. So, when you keep on forcing them to go to school, culturally, they don’t see the value. Like the Maasai people, they value the cattle, the livestock they have. So, it’s a better child to go and take care of the cattle than going to school. (10)

It’s a challenge because you cannot go and arrest that person in that community because they will gang up to attack. When we do arrest, we continue with the case. They’re taken to court. Some become hostile and they don’t want to give their evidence. Some disappear. (15)

**Funding**

Lack of funding was identified by the majority of participants (n = 18) as a major factor why child abuse cannot be effectively addressed. This further underpins the influence of poverty across Kenya. The inadequate funding for CP is a result of limited government support financially, but also because of poor strategic buy in for child abuse, which is not considered a priority. At a local level within CP units, this results in inadequate funds to conduct their roles, simply put, they do not have enough money to do their job. In most cases, the officers end up using their salaries to cater for victims or witnesses.

For example, interviewees (n = 12) discussed the issue of ‘facilitation’; a process whereby they must apply centrally for funds to respond to each case, which often creates significant delays in the investigative response. As such, interviewees highlighted the need for additional resources, and specifically a devolved local budget for CP which would allow them to deal more expeditiously with investigations.

Last week we were out on duty, and that place is far. We could not finish the work because of the fuel. We feared we’d get stuck. We requested for enough (fuel), but our request was reduced. So, just did whatever.... ...We left some work undone. (1)

There is little investment of resources when it comes to child issues, (they) will invest in investigation of murder cases or financial crimes, probably, other than spending on investigating child cases.... (4)

We have a lot of cases in our lockers here because we’re not facilitated to travel. (5)

You can wait for long (for facilitation), and somebody somewhere is now waiting for you. Somebody’s in trouble. You cannot reach the person because you are not facilitated...... that is the major problem. (8)

I don’t think they even understand the seriousness of child abuse. It is seen as a very small matter in the society, but actually it is the issue that should be prioritized the most..... And we don’t look at it like that. (6)

It was also apparent that some officers were using their personal funds to pay for parts of the investigation processes, or to support the victims and families that they are trying to help:

We are using own funds and making claims but never knowing if or when these will get paid. (1)

The officers have to use their own resources, because sometimes you’ll go to the ground, you find the victims you want to interview, they haven’t eaten. Now you have to chip in. (4)

This child needs food. This child needs to drink water. You have to go back to your pocket..... You must do what this child needs ......The mother of one of the victims came with a baby. She needs diapers. She needs God knows what..... These are human beings living, not dead people. We will always chip in and buy whatever they need. (7)

Let me just add something. As much as we are using our money, I’m not regretting using my own money to help somebody. (7)

One interviewee (16) explained the knock on effect the funding and poverty issue can have on the cases and the individual officers;

There is no aftercare for the victims and there is not even the facilitation to have the victims testify in court. And the nature of our cases, our victims are from very humble background. And our cases are not heard in a day. We will take the accused person for plea and then after, you’ll find the case will not be mentioned for like six or seven months or one or two years. You can imagine all this time the victim, they’re depending on you. They call you, ‘We’ve not eaten.’ You must give them money for food. You must help them until the time they will testify, which becomes very expensive on the part of the officer. And if sometimes you are not keen, the victim will disappear, or they’ll disappear the whole family or they’ll be compromised by the other party. You find that by the end of the day, you have a case in court, but you have no witnesses. They’ve all left. (16)

Numerous examples were given by interviewees of live cases they were working on that they had not been able to respond to due to lack of funding.

There was also a reference to the fact that equipment and capabilities of the unit (e.g. computers, interview recording equipment, vehicles, training/mentoring) have all been donor funded, resulting in their entire existence relying almost entirely on NGOs.

**Corruption**

Corruption was cited (n = 9) as a serious issue undermining child abuse investigations. Examples were given of cases that would either never be reported, or were deliberately sabotaged or discontinued due to corrupt behaviour;
Corruption is eating this country. You find colleagues in the justice system, prosecutors, magistrate, court clerk, the whole system is rotten......You find immigration officers compromised, even hospital compromised, they write an opposite report. (16) Corruption cases are done in secrecy. You just suspect. But you can’t do anything, and you can’t prove. (1)

In one example from an interviewee (1) they described a case where false DNA documents were provided by a government forensic facility. They knew them to be false as the results were not physically possible, but they could not do anything about it. Despite such widespread corruption in the wider criminal justice system, a number of interviewees (n = 4) felt personally confident that their CP unit was corruption free, largely due to the commitment from the team to maintaining their reputation and trust for children to feel confident to come them:

I had a case in Naivasha.......this man tried to entice me, ask to meet him in a hotel (to offer money), but I refused. Unfortunately, the prosecutor fell victim and that’s how I lost my case. (11)

They’ve (the officers) got high integrity because people have come with money. They’ve wanted to bribe them, they’ve completely refused not once, not twice. And then they looked at the envelope, and someone is broke. Yes. And you’re seeing dollars. Hundred dollars.....But then you still tell yourself that a defilement has happened, so there’s no way I’m going to take this. There’s a vulnerable victim involved in this, so I’m not going to be counted in such a manner. (17)

Officers assigned to the CP unit confirmed they have either been posted there on request or due to their involvement in previous CP cases. Some officers had been at the unit since its inception in 2016. It was evident through the interviews that they all demonstrated passion for the work they did and the quality of their work evidenced through discussions on case successes and their drive for positive outcomes for victims.

Other undermining factors
In addition to the primary undermining themes, further areas contributing to the prevalence of child abuse were a lack of awareness by both professionals and communities of what constituted child abuse (n = 9), failures in the criminal justice process (n = 6), poor parenting (n = 5), poor victim care (n = 3), and lack of training (n = 2).

Lack of awareness was outlined in the context of the victim and perpetrator, who both frequently lacked knowledge that their cultural practices constituted a criminal offence. A lack of awareness also extended to the role of the CP unit (n = 3), both from a victim perspective and other police officers and partners, who were not aware they existed, and as such, were not making referrals to the units. Other undermining issues included the lack of training in some judiciary in dealing with child abuse cases (n = 4), and the transient nature of the tribes they are dealing with, often resulting in ‘lost’ victims and witnesses (10). Two interviewees (11, 12) also outlined the impact of judicial process delays, describing a case that was still awaiting trial 7 years after starting the investigation.

The final notable theme was the area of victim support, aftercare and multi-agency working. This is a key area when dealing with child abuse cases and if not in place, it can seriously impact cases being progressed effectively. Several interviewees (n = 3) noted improved joint working in recent years, particularly with Children’s Services and the hospitals, but still highlighted serious concerns about ongoing victim care and aftercare being reliant on the services of NGOs (n = 4). Two interviewees (10, 12) gave specific examples of cases where they had rescued children from a place of harm and transferred them into the custody of other agencies, only for the ‘places of safety’, in their view, to be more harmful.

DISCUSSION

Types of child abuse encountered by specialist practitioners
In respect of typologies of child abuse, CP officers indicated sexual abuse as the most frequently investigated which took the form of exploitation and intra-familial abuse. The participant interviews have given us real examples of encountering these significant forms of abuse and which of these types of abuse are actually coming to police attention. The findings identified that the perpetrators of these offences are primarily male, and include family members, stepfathers, or external parties, often in a position of trust, which concurs with previous research (Badoe, 2017; Lalor, 2004a; Veenema et al., 2015). Similarly, we confirmed that illegal marriage of minors to adults remains a significant issue, indicating little has changed, despite previous studies highlighting how such practices facilitate abuse (Badoe, 2017; Lalor, 2004; Veenema et al., 2015). However, the findings also identified the additional complexity and challenges faced by law enforcement when they firstly aim to investigate these cases due to lack of facilitation and then the additional difficulties trying to take these cases through the criminal justice system, areas not previously researched.

It was also established that online child abuse, particularly exploitation of children through grooming, and the obtaining and sharing of indecent imagery, is rapidly increasing in Kenya. The issues caused by this are compounded by both a lack of awareness of online safety, and how to respond to and investigate such crime forms. As a result, this form of offending is likely to increase further as the nation, and its children, increase their access to, and use of cyber-enabled technology.

In terms of physical child abuse, it was established that FGM was amongst the most common, but this was rarely reported. This indicates previous research demonstrated (Badoe, 2017), that the practice of FGM still remains embedded in Kenyan society. Furthermore, it was identified that physical abuse in the form of assault in the home remains ever present, to the degree that it is culturally accepted, and as such, rarely reported.

Practitioners perspectives on the causes of child abuse
It was identified through the literature review that the causes of child abuse were attributed to poverty, culture, and failing to see CP as a priority. These causes were not just echoed from the participant interviews but reinforced and evidenced through real-life case studies and examples. This adds weight and clarity
to the extent of the problems these highlighted areas are causing. For example, exploitation, both sexual and physical, is predominantly driven by the need for victims and their families to obtain necessary items that are essential to their existence, in line with previous studies (Badoe, 2017; Lalor, 2004a; Veenema et al., 2015; Wessels and Kostelney, 2016). Furthermore, fear of losing the primary financial provider also drives acceptance and underreporting (Moore et al., 2007; Mwangi et al., 2015; Wangamati et al., 2019).

Sexual and physical abuse such as FGM and child marriage are being facilitated or driven by cultural practices that remain heavily entrenched within certain areas of Kenyan society (Kempe, 1982; Kostelney, 2014) and are compounded by the persistence of significant flaws in the criminal justice response (Wangamati et al., 2015). The primary issues identified were the lack of funds available to CP units to respond to child abuse, and the existence of high levels of corruption, hindered the cases that do make it to the 'report' stage. The latter of which is driven by financial bribery, or through the imbalances of power which as our example illustrated, is heavily weighted in favour of those with higher socioeconomic status. What the results tell us is that issues that were identified over 40 years ago (Kempe, 1982) are still prevalent and being encountered by CP specialists today—why is this not changing?

**IMPLICATIONS AND RECOMMENDATIONS**

The recommendations fall into the following categories and are then described in more detail below:

- Greater prioritization of child abuse at a government level in recognition that it is a strategic priority to its communities.
- Greater prioritization of child abuse as a strategic policing priority.
- Government-supported NGO programs that focus on life-based necessities and cultural change through awareness and sensitization.
- Measures to tackle corruption within the criminal justice system.

Our primary conclusion from exploring the typologies and causes of child abuse in Kenya, is that there has unfortunately been limited change in the country, despite the Children’s Act. Despite strengthening legislation, the creation of national action plans and the emergence of specialist CP units, the challenges of poverty were identified over 40 years ago (Kempe, 1982) are still prevalent and being encountered by CP specialists today—why is this not changing?

Poverty was the primary causal factor and improving the economic status of a country overnight is not a realistic recommendation. However, if economic and welfare support could be provided, this would help address the immediacy of forms of exploitative abuse enabled due to the significant hardships faced by families and their children. Programs that focus on life-based necessities should be prioritized by NGOs which can help in alleviating some of the poverty-driven exploitation. For these programs to be successful this would require support at the government level.

However, such interventions are unlikely to occur unless child abuse is prioritized at a governmental level. The interview data suggests that as a minimum, it should be recognized as a policing priority. This is not a new discovery, and several studies, decades apart, have highlighted that CP is not seen as a priority (Kempe, 1978; Lalor, 2004a), and this remains the case, as demonstrated by those investigating the crimes. Examining the NPS website reveals this through the absence of any stated priorities for CP. Only the Directorate of Criminal Investigation outlines any specific forms of crime as a priority, and those listed included homicides, narcotics, money laundering and economic crimes (National Police Service, 2023). As such, it is recommended that lifting the status of child abuse to a stated policing priority would assist in increasing access to funds and support required to improve the policing and criminal justice response, but this may require significant national consideration and approval to achieve. There is evidence of this working from a UK perspective—one subject of child abuse was given priority and labelled as a strategic threat for the country, this significantly enhanced developments and findings in that area (Shawar et al., 2022).

Linked to the financial and prioritization elements is the police CP unit itself. Despite the challenges, the officers gave examples of great successes. If this unit is something that is succeeding in tackling child abuse, it should be a priority for that funding and investment with additional resources and branches added to enhance capability.

In addition to improved economic support and shift in prioritization, there are additional options to help address child abuse in Kenya that do not require such systemic or financial challenge. Previous studies highlighted the importance and necessity of changing behaviour through increasing sensitization, parental support, and advice (Badoe, 2017; Mwangi et al., 2015; Wangamati et al., 2019), and increased education in schools (Mwangi et al., 2015), and these approaches are supported as a recommendation. Increased knowledge and awareness raising should be focused on those typologies of abuse highlighted as most prevalent, that is, intra-familial abuse, sexual exploitation, FGM, child marriage, and the increasing threat of online abuse. Interventions should focus on delivering information that outlines the legality of certain forms of abuse, and/or cultural practices that constitute such, to ensure all parties are fully informed, understand their rights and know how to access CP services. To bolster the criminal justice response, enhanced responses to address corruption are required. This has been called for in a number of previous studies outside of the area of CP (Githui, 2014; Hope, 2019; Onyango, 2022) and our study highlighted a myriad of examples of corruption preventing CP cases from successfully navigating the criminal justice system. To tackle this issue, previous research that this study supports argues for systemic change in policing in Kenya, improved leadership, and enhanced vetting as just a few solutions to this problem (Kivoi and Mbae, 2013).

With these recommendations incorporated as part of systemic and holistic change required in Kenya—it is hoped that child abuse within Kenya can be reduced. The study has shown that there are professional committed staff working on addressing CP despite
the many challenges. Their perspectives are essential in devising strategies to address the complexity and initiatives required to protect those most vulnerable in Kenyan communities.

REFERENCES


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