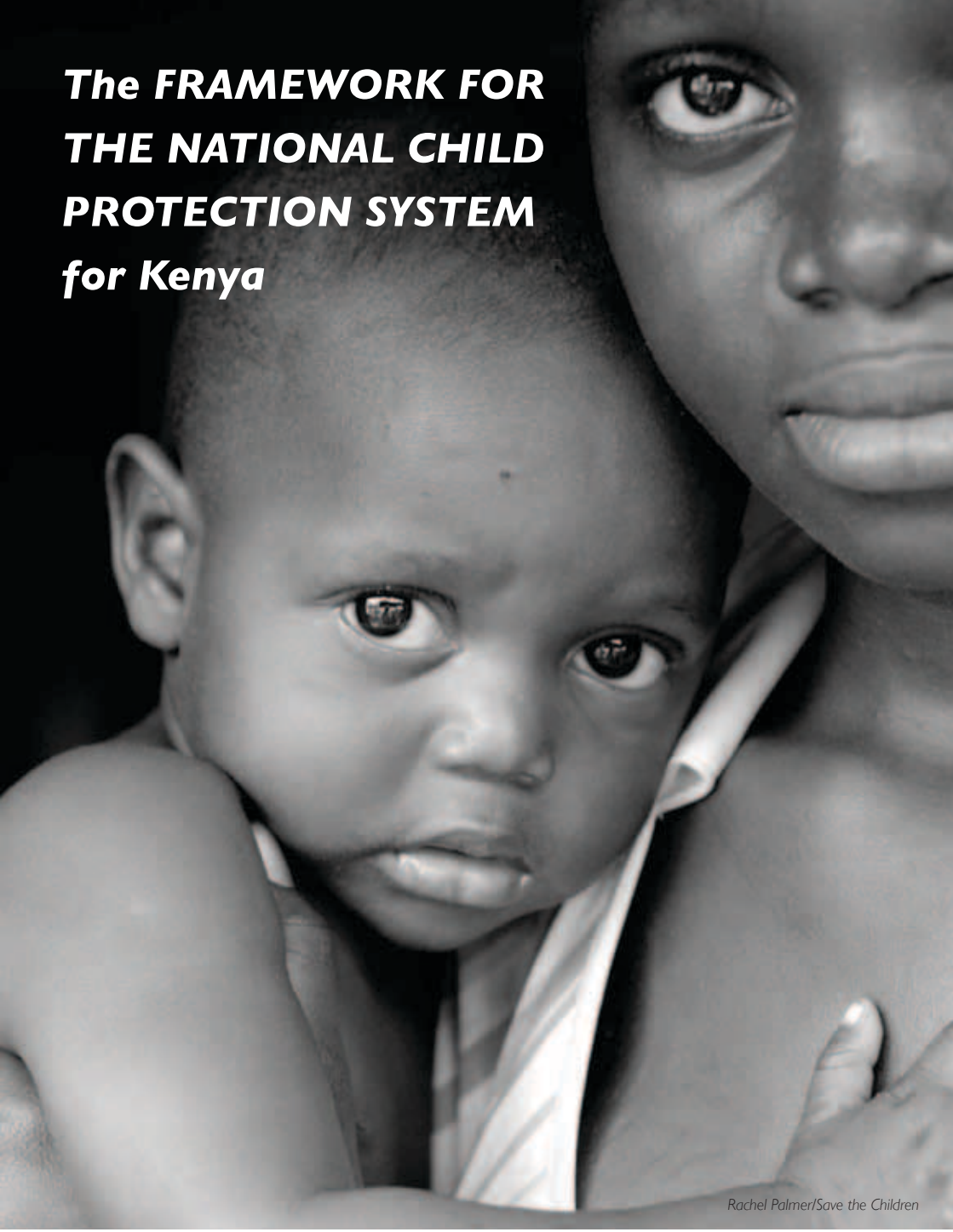
The FRAMEWORK FOR THE NATIONAL CHILD PROTECTION SYSTEM for Kenya



Rachel Palmer/Save the Children

REPUBLIC OF KENYA

NCCS
The National Council for Children's Services

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Foreword

Child Protection is a multi-sectoral and multi-disciplinary affair that requires involvement of everyone. This is much so considering that over half of the population of Kenya is constituted by children some of who live in different situations of vulnerability.

It is vital that Kenya has an effective and functional child protection system which is guided by a framework. The overall purpose of any child protection system is to promote the well-being of children through prevention of violence and exploitation, ensuring that in case it happens, prompt and co-ordinated action is taken to prevent further occurrence.

The system includes a set of laws and policies that protect children from violence and exploitation; a central government coordination mechanism bringing together; government departments and civil society organisations at all levels; a centralized management information system that ensures regular collection of information on both prevalence and incidence of child protection issues; services and responses that are effectively regulated and coordinated.

The establishment of a child protection system in Kenya dates back to 2002. Since then, several developments have taken place. Noteworthy is a UN study on violence against children in 2006. This provoked a national study in 2007, where the efforts to establish a National Child Protection System were revisited. Another development was the piloting of a tool kit used for mapping and assessment of child protective environment at the national level. The NCCS seized the opportunity to use the tool kit to gather more information to feed into development of the framework of National Child Protection System.

This has been an inclusive and intensive process that involved holding meetings of Technical Working Groups, stakeholder's forums; and visiting the United Kingdom to observe functioning of their child protection system and borrow lessons applicable to Kenya. Finally, the services of a consultant were used to finalize the document.

The ultimate goal of the framework for national child protection system is to promote linkages between different actors and provide coordinated interventions and responses through a statutory mechanism. It is envisaged that the framework will facilitate the harmonization and coordination of preventive child protection efforts, as well as, service delivery to children.

A holistic and integrated approach will enhance networking and collaboration among various stakeholders, thus, providing effective services for children in need.

The framework goes a long way in assisting the country to have a functional child protection system and is in line with Kenya's commitment to the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. The framework has come at a time when many reforms are taking place in Kenya, including, the Constitution of 2010, which provides fully for the rights of children. It will, therefore, be a vital contribution to this process.

Hellen W. Waweru (HSC).
CHAIRPERSON
NATIONAL COUNCIL FOR CHILDREN'S SERVICES

Acknowledgements

The establishment of a Child Protection System and the development of the Framework for National Child Protection System in Kenya is a product of the concerted efforts and substantive contributions of many. Their tireless efforts brought together in discussions, sharing of ideas, and fora have borne fruits of this framework. The framework defines the key components, the institutions involved and how they are regulated and co-ordinated, both horizontally and vertically.

It is a fact that a child protection system, which is a set of laws, policies, regulations, services, capacities, monitoring and oversight, among others, will go a long way to prevent violence and exploitation of children and respond to protection related needs. Based on this important fact, I wish to sincerely thank all those who contributed from the onset of its development with ideas, human and financial resources, time or otherwise.

The framework is most justifiable, its objectives are clear and guiding principles and values are well laid out. The structure of the framework indicates all key players (Ministries, departments, inter-governmental organizations, national and international NGOs, FBOs and other stakeholders). Their roles and functions are indicated, thus, giving chance for all to play their rightful roles. Once the guidelines of implementation are done, the roll-out will be much easier.

I wish to take this opportunity to thank the children who gave their views during the process, and above all, my gratitude goes to organizations including, African Network for Prevention and Protection Against Child Abuse (ANPPCAN), Save the Children, Kenya Alliance for the Advancement of Child Rights (KAACR), Children Legal Action Network (CLAN), International Rescue Committee (IRC), and UNICEF for their individual contributions.

My special thanks go to the Secretary of Children Affairs who provided her professional input to the process of developing this framework. Similarly, I wish to recognise the special contribution of the Chairperson and all the members of NCCS towards the development of the framework.

My gratitude also goes to the Secretariat of NCCS, the Technical Working Group of the same and the Consultant who dedicated themselves to see the document finalized.

Great appreciation is extended to the thematic Committee on Planning, Research, Monitoring and Evaluation, of the NCCS for the efforts put in the process of developing this framework.

Finally I wish to acknowledge the efforts of all those who have not been mentioned here but were crucial to the process, and hope that our cooperation in advancing Children's Rights will remain strong as a responsibility of all in Kenya.

Ahmed Hussein (HSC).
DIRECTOR CHILDREN'S SERVICES/SECRETARY, NCCS

Abbreviations

AACs	Area Advisory Councils
ACRWC	African Charter on the Rights and Welfare of the Child
ANPPCAN	African Network for Prevention and Protection Against Child Abuse
CBO	Community-based Organisation
CLAN	Children Legal Action Network
CPS	Child Protection System
CSO	Civil Society Organisation
Div –AACs	Divisional Area Advisory Councils
FBO	Faith-based Organisation
INGOs	International Non-governmental Organisations
IRC	International Rescue Committee
ISPCAN	International Society for the Prevention of Child Abuse and Neglect
KAARC	Kenya Alliance for Advancement of Children
LOC–AACs	Locational Area Advisory Councils
NACADA	National Agency for the Campaign against Drug Abuse
NCCS	National Council for Children's Services
NCPS	National Child Protection System
NGO	Non-governmental Organisation
UNCRC	UN Convention on the Rights of the Child
UNICEF	United Nations Children's Fund

Definition of Key Terms

Child: An individual who has not attained the age of eighteen years (The Constitution of Kenya, 2010).

Child Protection: These are measures and structures that prevent and respond to abuse, neglect, exploitation and violence affecting children. (Save the Children International, 2011).

Child Protection System: A set of laws, policies, regulations and services, capacities, monitoring, and oversight needed across all social sectors, especially, social welfare, education, health, security, and justice to prevent and respond to protection related risks (UNICEF, 2010).

Child Protection Framework: A framework for child protection system defines the key components, the institutions involved and how they are regulated and coordinated, both horizontally and vertically.

1. Introduction

Millions of children all over the world continue to be victims of violence and exploitation in the home, at school or within their community, the very settings that are supposed to provide a protective environment for them.

Kenya has made significant strides in addressing obstacles that stand in the way of full realization of child rights. The UN Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) have largely been domesticated and incorporated into Kenyan law mainly through the Children Act of 2001 and now the Constitution of 2010.

Other efforts, include, development of specific policies and programmes to address specific rights, such as, the provision of free and compulsory primary education, and the Cash Transfer Programme to assist orphans and vulnerable children among others. The constitution of Kenya 2010, ushered a new era for child rights by making special provisions for children.

Chapter four of the Bill of Rights states that "the State shall enact and implement legislation to fulfil its international obligations in respect of human rights and fundamental freedoms". In addition, section 53 of the current constitution is specific to children, a plus for Kenya, as children's rights were not mentioned in the previous constitution.

The government and stakeholders with the mandate to address children issues are, however, aware that the task ahead is still momentous. A key challenge lies in the enforcement of all the provisions of the existing laws and all the ambitions of the policies that relate to children's rights. For example, a mapping and assessment of Kenya's child protection system (CPS), done by the National Council for Children's Services (NCCS) and UNICEF in 2009 revealed strengths and weaknesses in terms of policy, legal context, structures, functions and capacities, among others.

The report of the mapping confirmed that despite the critical role played in child protection by specific line government ministries such as, Education, Health, the Judiciary, among others, there is no statutory guidance as to what their roles are in child protection. There is also no official accountability or linkage among ministries with a stake in children issues.

The same report, further, observed that membership and participation in the NCCS and Area Advisory Councils (AACs), is not defined for the most

critical members, such as, social workers, police, health workers, education, youth services, probation and after-care services. It noted that there is an over-emphasis on institutionalization of children, inadequate skills and shortage of children officers, and lack of reliable data on children.

2. Background

Governments and other stakeholders are increasingly turning to what is referred to as a systems approach in order to establish and strengthen child protection efforts. Guided by the UNCRC and the ACRWC, the systems approach differs from earlier child protection efforts which focused on single issues affecting children, such as, child trafficking, children living in the streets, child labour, emergencies, institutionalization, and HIV and AIDs, among others. Although such efforts have produced substantial benefits, this approach resulted in a fragmented child protection response and at times duplication of efforts.

The overall purpose of any child protection system is to promote the well-being of children, through prevention of violence and exploitation; ensuring that when violence and exploitation occurs, prompt and co-ordinated action is taken to protect further abuse; and ensuring that all actions taken and decisions made are in the best interest of the child. Available information reveals that in Kenya this system often fails or breaks down, hence the need to define the framework for the child protection system in Kenya.

There is a range of definitions from different authorities on the subject of child protection systems. However, for the purpose of this document the child protection system is defined as a set of laws, policies, regulations and services; capacities, monitoring and oversight needed across all social sectors to prevent and respond to protection-related risks. At the level of prevention, the aim of the system includes supporting and strengthening families to reduce social exclusion and to lower risk of separation, violence and exploitation. It is made of different components that constitute key stakeholders in child protection at all levels, which, when properly coordinated, can work together to strengthen the protective environment around each child and its family.

Child protection is a multi-sectoral and multi-disciplinary affair. Issues of child protection are indeed complex and are a function of many actors. In order to address the multiple causes and to protect all children, there is great need to ensure leadership to promote and strengthen the coordinated functioning of the different components of a child protection system, both at national and local levels. In fact, it is everyone's business including national and regional governments, civil society organisations, communities, families and children to address child protection concerns.

On the other hand, for the child protection system to be effective and functional, it requires a framework. In this document, a framework for child

protection system defines the key components, the institutions involved and how they are regulated and coordinated, both horizontally and vertically. It is an umbrella structure that seeks to assist in fitting the various parts together into a coherent whole, thus, providing a clear structure at all levels.

Efforts towards a functional Child Protection System in Kenya

The search for a functional child protection system started in mid 1990s by the Coalition on Child Rights and Child Protection hosted by ANPPCAN regional office and chaired by the Department of Children's Services at that time. This followed studies done on the extent and magnitude of child abuse, which also looked at the programmes that were available to respond to the problem. After extensive awareness raising and advocacy, cases of child abuse started to be reported. Soon it became apparent that there was need for a more coordinated mechanism to respond to the need.

In 2001 the Coalition contracted the services of a consultant, Prof. Katherine Armstrong on the recommendation of the International Society for the Prevention of Child Abuse and Neglect (ISPCAN) to develop a proposal on child protection system in consultation with the Coalition and other stakeholders. The purpose was to assess Kenya's service delivery structures and their capacity to implement a national child protection system once the Children Act was enacted.

Armstrong held discussions and interviews with many stakeholders in Kenya. They included groups dealing with children issues, such as, children's officers, police and magistrates in selected districts; representatives of civil society organizations; and some International NGOs operating in Kenya at that time. She came up with a proposal on a framework for a national child protection system for Kenya. The proposal drew a lot from the Children Act of 2001 which came into force when the proposal was being developed.

The coalition was dissolved when the National Council for Children's Services (NCCS) was established. This was based on the fact that the Children's Act gives the Council the responsibility of setting standards, guidelines and performance expectations and encourages best practices for service delivery. It was noted that custody of laws, policies and services to children are spread among a number of ministries, departments and other non-state actors which may result in duplication of roles and responsibilities. The creation of NCCS, therefore, was an attempt to create a multi-sectoral and multi-disciplinary structure to address children issues.

The Council, however, did not act on Armstrong's report until 2008 when the process of establishing the child protection system was revived. This was after ANPPCAN with the support of Save the Children Finland conducted a study on Violence against Children in Kenya in 2007. The study confirmed that violence against children in Kenya was rampant, but the responses were sporadic and ad hoc sometimes leading to further violence against and exploitation of children and families. A proposal was therefore made by NCCS and partners for an in-depth study on what types of child protection systems existed in the country.

The services of a consultant were engaged to undertake a study whose purpose was to carry out a review of existing child protection systems. It also included looking at the existing data collection tools both formal and informal; and reviewing guidelines and procedures for dealing with cases of violence against children that were being used by different stakeholders dealing with children in Kenya. This process led to the production of a report known as, "Accelerating work with Children in Kenya: Towards the Formulation of a National Child Protection System". The recommendations were shared with stakeholders in 2009 and adopted by NCCS for implementation.

Stakeholders' input in the development of this framework

As the above process was happening, UNICEF contracted international consultants to develop a user friendly tool kit for mapping and assessing child protective environment at the national level. NCCS seized the opportunity to use this tool to gather more information to be used in the development of the child protection system.

Consequently, NCCS, Department of Children Services (DCS) and UNICEF organized a workshop in Naivasha where many key stakeholders in child protection were represented. At this workshop the tool kit was presented to the participants who gave their input. At the end of the workshop, a committee was constituted under the leadership of NCCS to guide the completion of the tool kit. Kenya was one of the pilot countries to complete the tool kit.

Under the guidance and co-ordination of NCCS, four other meetings targeting different child protection stakeholders were held. The participants filled their sections of the tool kit and also made recommendations. With the support of Save the Children Finland and Save the Children Sweden, children's views were also captured, through a child friendly tool kit. This was followed by a validation workshop held in April, 2010.

A team from NCCS visited the United Kingdom (UK), in order to observe and understand the functioning of the child protection system in place and learn lessons that could be applied to Kenya. It was apparent from the visit that it takes time to develop a child protection system as it evolves with time and circumstances.

It is against this background that this Framework for Child Protection System for Kenya was developed. The above activities informed and enriched the process and the content of this framework. The framework will deliver a more integrated approach to child protection and drive improvements across all systems and all jurisdictions. The framework also provides a mechanism for engaging partners, including; non-state actors, children, and the broader community at the national level.

3. Justification

Although in most countries, child protection is often associated with the ministry or the department in charge of children's affairs, an effective child protection system requires the coordinated efforts of various actors and stakeholders. In Kenya, there are formal as well as non formal child protection mechanisms. The formal mechanisms are mainly state driven, while the non formal are more community based, where families, children and schools are also included. There are also inter-agency mechanisms driven by international and national NGOs, with inter-governmental or inter-state agencies playing a major part.

The effectiveness of all these mechanisms is often hindered by the lack of a reference point to guide all actors. Consequently, within government, child protection is undermined by fragmented leadership; lack of clarity on legitimacy and mandates and lack of understanding of roles of each other at all levels. Poor linkages also cause problems during sector specific budget allocation. Other ministries, such as Education, Local government, Health, Internal security, among others, find it difficult to allocate resources towards child protection, as their roles are not visible. Consequently, their collaboration is often based on goodwill, which contradicts the rights-based approach to child protection. The latter requires well defined structural linkages which are supported by legislation.

Among non-state actors, initiatives are often weakened by unnecessary competition for scarce resources and visibility, resulting into overlaps and duplication of efforts. These, in turn, lead to wastage of scarce resources and some initiatives may also not be consistent with national priorities. In this environment, inter-state agencies, the private sector and development partners, are often not able to appropriately support child protection efforts because their decisions may not be based on accurate information.

Furthermore, there has been emphasis on reactive responses as opposed to proactive prevention in child protection for both state and non-state actors. Case in point is the recent drought in Northern Kenya. Recent newspaper reports indicate that thousands of children were severely malnourished, and some died, before stakeholders got together under the "Kenyans for Kenya" initiative and raised over Ksh. 1 Billion for relief food. The gap between formal and non-formal mechanisms is also wide, creating cracks that weaken the provision of services to children.

These weaknesses and challenges are the rationale for establishing this framework. The purpose of the framework is to provide a basis or foundation and shape for the national child protection system. The framework is a statutory mechanism whose structure defines clearly the roles and responsibilities of each level of government and its partners as they jointly undertake activities to safeguard the rights and welfare of children. A shared understanding of each other's roles and functions facilitates the co-ordination and efficiency of actions taken by all actors.

It is this clarity of roles and responsibilities, among the different government ministries and departments that will ensure each actor is held accountable for its mandate. Among non-state actors, the framework will help eliminate overlaps, wastage of resources, and the unhealthy competition for visibility, because each entrant will clearly see the gaps that need filling. Moreover, all stakeholders will complement each other's efforts and readily pool resources either to prevent violation of child rights or provide services to those whose rights have been violated.

Finally, the framework also helps create standards in child protection. It will guarantee the provision of immediate and effective protection services. It provides for a holistic and integrated approach that enhances networking and collaboration among various stakeholders.

4. Objectives

The objectives of this framework are:

a) To provide a framework as a reference for a child protection system in Kenya.

b) To define the roles and functions of all stakeholders in child protection.

c) To facilitate effective coordination in the provision of child protection services.

d) To facilitate reviewing and enacting of appropriate and effective legislation and policies, capacities and resources to effectively address issues of children.

5. Guiding Principles and Values

Guiding principles are fundamental building blocks that inform and shape the decisions made while designing and implementing a child protection system. The principles become standards against which day-to-day practices are judged, and they are:

i) **Best interests of the child.** This is to ensure that all the work undertaken and decisions made are for the paramount importance of the child.

ii) **Meeting children's basic rights.** This includes food and nutrition, health, shelter, education, clean and safe drinking water among other related rights. Communities living in poverty must be given access to economic empowerment opportunities by the government to fend for their children and provide sustenance.

iii) **Efforts to protect and promote child rights must be family and community based.** An effective child protection system ensures that services are located close to the family and community. Through such arrangements, informal networks of extended family, neighbours, and community members can be strengthened to care and protect children from violence and exploitation.

iv) **Creating and building partnerships and effective relationships.** Meaningful partnerships will be promoted among key players such as health, police, education, relevant NGOs, children, parents, and guardians among others. This is to enable them know each other and build trust.

v) **Non-discrimination and inclusion of marginalized children.** All children must be included in the initiatives aimed at ensuring child protection, regardless of their status and that of their caregivers.

vi) **Child Participation.** The voices and opinions of children must be sought in all efforts aimed at addressing their needs. Deliberate effort must be made to involve children at all levels of the framework for child protection system.

vii) **Accountability and Transparency.** Good laws and policies cannot protect children unless all duty bearers are held accountable to them. Actors in child protection must be open to scrutiny by different stakeholders and the general public. Where, failures and weaknesses are identified, there should be genuine efforts to address them and improve.

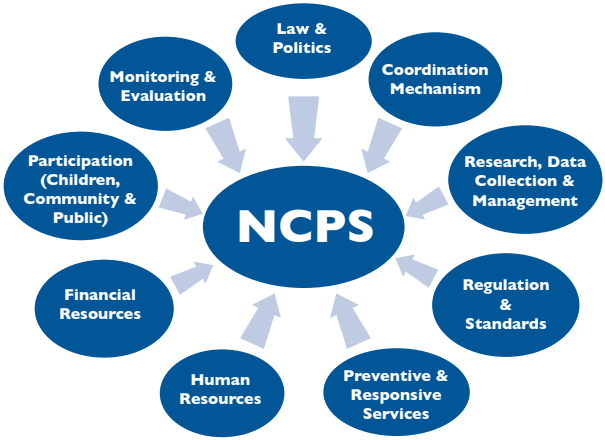
6. The Structure of the Framework

6.1 The Components of a Child Protection System

The key components of the child protection system include; a set of laws and policies that protect children from violence and exploitation and ensure response in the best interests of the child when violations occur; a central government coordination mechanism, that brings together government departments and key stakeholders at all levels; a centralized management information system that ensures regular information on both prevalence and knowledge of child protection issues; services and responses that are effectively regulated, including accreditation and licensing of care providers; adequate and appropriate resource allocation; effective regulation including standards; monitoring and evaluation; a committed workforce with relevant competencies and mandates; and opportunities for children to express their views and be involved. The interdependence in a child protection system is both horizontal and vertical.

Figure 1 below, illustrates the different components that make a national child protection system.

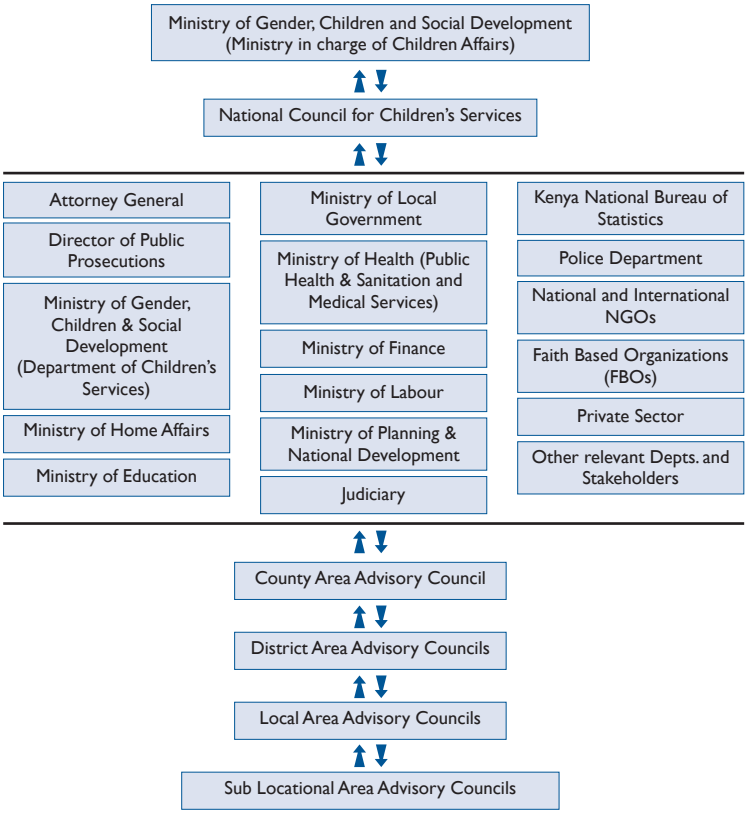
Figure 1: Components of a National Child Protection System (NCPS)



6.2 The Structure of the Framework for the National Child Protection System

For a National Child Protection System to function effectively, it requires a framework. The framework which has a clear structure brings together several government ministries and departments, non-state actors, the private sector and other stakeholders under the leadership of the Ministry in charge of children affairs. Each of these stakeholders has clear and specific roles and functions as indicated in chapter 7 that combine to produce an effective child protection system. Figure 2 below illustrates the structure of the framework for the national child protection system.

Figure 2: Structure of the Framework for National Child Protection System



6.3 Coordination Mechanism for this Framework

Due to the broad range of stakeholders with distinct roles in the child protection, there is need for clarity on the coordination mechanism. This will prevent most of the issues mentioned earlier that undermine the efficiency and effectiveness of child protection efforts by different stakeholders in Kenya.

The Ministry of Gender, Children and Social Development and NCCS play a key role in ensuring coordination of all stakeholders. The Ministry provides leadership for the effective implementation of the framework, while NCCS remains with the role of coordination. Both human and financial resources will be needed to ensure coordination and the implementation of the Framework.

7. Roles and Functions of Stakeholders in Child Protection

The roles enlisted here are just those related to child protection. The roles have been identified from the many roles and functions the stakeholders listed below perform.

7.1 Ministry of Gender, Children and Social Development

Through the Department of Children's Services, the Ministry of Gender, Children and Social Development, is charged with the responsibility of safeguarding the welfare of children in the country. The core roles and functions include;

- Establish, promote, co-ordinate and supervise children services in the country.
- Ensure full implementation of all child welfare activities countrywide.
- Maintain updated records and data on children and services provided.
- Ensure implementation of decisions made by NCCS.

7.2 National Council for Children's Services

The NCCS was established to exercise general supervision and control over the planning, financing and co-ordination of child rights and welfare activities and to advise the Government on all aspects thereof. The core roles and functions of the NCCS, include:

- Define and formulate policies on children's issues
- Coordinate and support Child Rights issues
- Plan, monitor and evaluate children's activities
- Source for and coordinate resources for child welfare activities
- Advocate for Child Rights issues.

7.3 County Level Government

The County Level of Government is the link between all the national ministries in the country. As such, its roles and functions in child protection are envisioned to include;

- Coordinate and align children activities into County Governments' plans and programs.
- Mobilize resources on behalf of children.
- Facilitate training for Children's Officers and Area Advisory Councils.
- Implement the National Data Information System in every district.

7.4 District Area Advisory Councils (AACs)

The District Area Advisory Councils (AACs) provide oversight and develop new service capacity within each district. The core functions include;

- Support and monitor implementation of children's services.
- Recruit volunteer children's officers and build capacity.
- Raise awareness on children's rights.
- Form strategic partnerships and networks to support children programmes.

7.5 Divisional and Locational Area Advisory Councils

The Divisional Area Advisory Councils (Div –AACs); Locational Area Advisory Councils (LOC–AACs) and Sub-location Area Advisory Councils are established within each Division, Locational and Sub-Location respectively. They cascade the work on the AACs at this levels and their core functions include;

- Support and monitor service delivery
- Develop referral networks that increase access to essential services by children.
- Establish child help desks.
- Mobilizing local resources for the benefit of children.

7.6 Ministry of Home Affairs

As the ministry in charge of prison services and probation, the Ministry Home Affairs had the following roles and functions in child protection;

- Ensure protection of all children in probation and community service.
- Ensure the protection of all under-five children who accompany their mothers to prison.
- Ensure protection of children in After Care services.

7.7 Ministry of Education

The Ministry of Education is in charge of overall provision of quality education for all children living in the country. Core roles and functions in child protection include;

- Formulate policy on primary and secondary education.
- Register learning institutions and monitor quality of programmes.
- Ensure all school-age children attend school.
- Oversees early childhood education, care and development; and special needs education.

7.8 Ministry of Local Government

The ministry formulates policies and provides oversight, management and development to programmes run by local authorities. The key roles and functions in child protection include;

- Safeguard and promote the rights and welfare of children within its jurisdiction.
- Establish and maintain institutions such as day nurseries and clinics for children.
- Support provision of scholarships and bursaries for children within its jurisdiction.
- Ensure any child needing temporary care, maintenance or to be re-united with his/her parents/guardians is able to receive these.

7.9 Ministry of Medical Services

The ministry provides health services, creates an enabling environment, regulates, and sets standards and policy for health service delivery to children. The core roles and functions in child protection include;

- Reduce child mortality by providing quality clinical services.
- Prioritise attendance to children, especially infants, at health facilities.
- Notify authorities of signs of violence against children that visit health facilities.
- Ensure children from remand homes or rehabilitation schools who receive treatment return back safely.

7.10 Ministry of Public Health and Sanitation

This ministry supports the attainment of the health goals of the country by implementing priority interventions in public health. Key roles and functions in child protection include;

- Protect children from disease through better sanitation and immunization.
- Prioritize reduction of child mortality through targeted prevention campaigns.
- Prevent infectious and contagious diseases in Charitable Children's Institutions.

7.11 Ministry of Finance

The Ministry of Finance formulates financial and economic policies to facilitate socio-economic development. The core roles and function in child protection include;

- Ensure the state allocates adequate financial resources to child protection.
- Ensure through audits that allocated resources are prudently used for the intended purposes.
- Control inflation so as to not hinder realization of children's rights through high cost of living.
- Ensure the long-term protection of children from unreasonable national debt burden.

7.12 Ministry of Labour (Division of Child Labour)

The Ministry of Labour enforces labour laws, promotes safety and health of employed children; and develops and coordinates implementation of relevant policies. Core roles and functions include;

- Define work considered harmful to a child's health, development, safety or morals.
- Ensure that every child is protected from economic exploitation.
- Enforce Part VII of the Employment Act 2007 on employment of children.

7.13 Ministry of State for Provincial Administration and Internal Security

The ministry is charged with the responsibility of public administration, internal security, and campaign against drug and substance abuse. The key roles and responsibilities in child protection include;

- Establish child help desks to provide child friendly services at police stations.
- Ensure through NACADA[1] that drugs/harmful substances are kept away from children.
- Keep arrested children in separate quarters from adults.
- Ensure presence of parent/guardian or advocate during police interviews with children.

7.14 Attorney General (AG)

The AG is principal legal adviser to government and promotes, protects and upholds the rule of law; and defends the public interest, including children. The key roles and functions in child protection include;

- Advise on all matters involving children.
- Ensure access of justice to children.
- Administer public trustee services of deceased persons' estates and minor trusts.
- Participate as a member of the NCCS and the National Adoption Committee.

1 National Agency for the Campaign against Drug Abuse

7.15 Director of Public Prosecutions (DPP)

The DPP oversees investigations on any information or allegation of criminal conduct against children. Key roles and functions in child protection include;

- Institute criminal proceedings against persons who commit crimes against children.
- Ensure the best interests of the child are upheld during all criminal proceedings.
- Ensure thorough investigations in cases involving children.

7.16 Ministry of Planning, National Development and Vision 2030

The Planning Ministry is charged with national and district level planning thus plays a key role in ensuring the best interests of the child are upheld. Specific roles and functions include;

- Coordinate and prepare the Medium Term Expenditure Framework (MTEF); the Fiscal Strategy Paper and the requisite budget documents;
- Lead and coordinate preparation of national and district development plans.
- Coordinate and manage population, economic and national statistical services.
- Coordinate and lead the national Monitoring and Evaluation framework.

7.17 Ministry of State for Special Programmes

The Ministry has the overall mandate of ensuring disaster preparedness and management with a focus on protecting children for effects of disasters. Specifically, the roles include;

- Formulate and implement policy and institutional framework for Disaster Management.
- Coordinate resource mobilization for Disaster Management
- Coordinate stakeholders in Disaster Risk Reduction and Management
- Monitor and Evaluate Disaster Management Programmes

7.18 Ministry of Justice, National Cohesion and Constitutional Affairs

The Ministry is responsible for overall social justice, national cohesion and constitutional affairs in Kenya. Child rights and protection is at the core of the ministry's mandate. Specifically roles include;

- Formulate legal policies and reforms as well as guidelines on Administration of Justice.
- Provide legal education, legal aid and advisory services to children and their families.
- Ensure human rights and social justice are realised.

7.19 Kenya National Human Rights and Equality Commission

This is an independent Commission with overall responsibility of ensuring adherence to human rights and equality for all, including the rights of children. Key roles and functions in child protection include;

- Promote protection and observance of children's rights in public and private institutions.
- Receive and investigate complaints about alleged abuses of children's rights
- Take steps to secure appropriate redress where children's rights have been violated.

7.20 The Judiciary

The judiciary is responsible for establishing and running of children's courts. The key roles and functions of the judiciary in child protection include;

- Ensure the best interests of children are given precedence in all court proceedings.
- Ensure separate children's courts for all cases involving children.
- Ensure only authorised persons attend proceedings in children cases.
- Provide legal aid and a guardian for any child involved in a court case and who needs this support.

7.21 Stakeholders with complementary Roles

Child Protection calls for recognition and inclusion of a broad range of stakeholders. Apart from the ones already mentioned above, the following are also important contributors in ensuring effective and comprehensive implementation of this framework:

7.21.1 Children

Meaningful participation of children will ensure;

- Their views, aspirations and opinions advice the design and implementation of relevant policies.
- They support child protection by reporting cases.
- They respect the rights of other children and adults.

7.21.2 The Community

The community includes parents, teachers, neighbours, relatives and the general public. Their role in child protection includes;

- Mobilize local resources to protect children.
- Report violence and exploitation against children.
- Discourage retrogressive cultural practices to protect children.

7.21.3 The Private Sector

The Private Sector is a crucial partner in the implementation of this framework through Corporate Social Responsibility initiatives. Their roles include;

- Contribute resources to child protection initiatives.
- Initiate and implement child protection programmes.
- Ensure any employment of children is in line with the Employment Act, 2007.

7.21.4 Research Institutions and institutions of Higher Learning

The role and functions of these institutions in child protection include;

- Develop tailor-made courses and curricula with specialization on Child Rights.
- Generate new information through research to enhance child protection.

7.21.5 Civil Society Organizations

In this framework, Civil Society Organizations (CSOs) refers to Non-governmental Organizations (NGOs), Community-based Organizations (CBOs), and Faith-based Organizations (FBOs). NGOs and CBOs are private organizations that pursue activities to relieve suffering, promote the interests of children, provide basic social services, or undertake community development. While CBOs operate within a small geographical area, generally in a Location or a Division, NGOs can be national. FBO refers to religious organizations, such as, churches and mosques. These, often, besides spiritual matters do work similar to that of CBOs and NGOs.

The key roles of CSOs in child protection, include;

- Mobilize resources and provide services to children.
- Advocate and lobby for child protection.
- Build capacity of government officers and communities.

7.21.6 International Non-Governmental Organizations

International non-governmental organizations (INGOs) thus refer to NGOs with international scope, i.e. they have a presence in several countries. Their roles, include;

- Mobilize resources to support child protection efforts of NGOs and CBOs.
- Advocate and lobby for child protection at international and the national level.
- Provide technical support and build capacity of government and CSOs

7.21.7 Inter-Governmental Organizations

Inter-governmental organizations refers to global and regional organizations, such as, the UN and its specialized agencies, such as UNICEF, UNHCHR, UNDP, among others; Regional bodies such as African Union (AU); and financial agencies, such as, IMF and the World Bank. Their roles, include;

- Provide technical and financial support to child protection efforts in the country.
- Support in advocacy, policy formulation, and strategic partnerships in child protection.

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