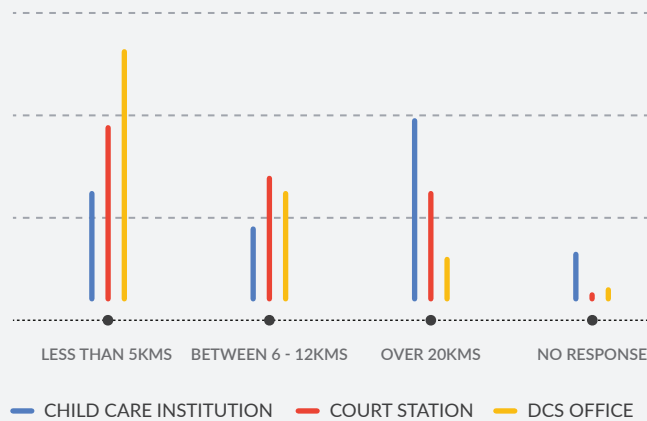


# LOW INVESTMENT IN CHILDREN

4 out of every 5 children in statutory children's institutions under the Department of Children's Services **have never committed a crime**; low or no budgetary allocations **obstruct the course of justice**.

## DISTANCE OF POLICE STATIONS FROM KEY CHILD CARE AND JUSTICE INSTITUTIONS.



**6 OF 10** POLICE STATIONS ARE OVER 6KMS, SOMETIMES OVER 20KMS AWAY FROM THE NEAREST CHILD CARE INSTITUTIONS AND COURT STATIONS.



5 out of 6 core state actors in the chain-link have **no budget dedicated to children**.



Only 5% of police stations **nationwide** have Child Protection Units.



66% of counties **do not have a single Child Protection Unit** in police stations.

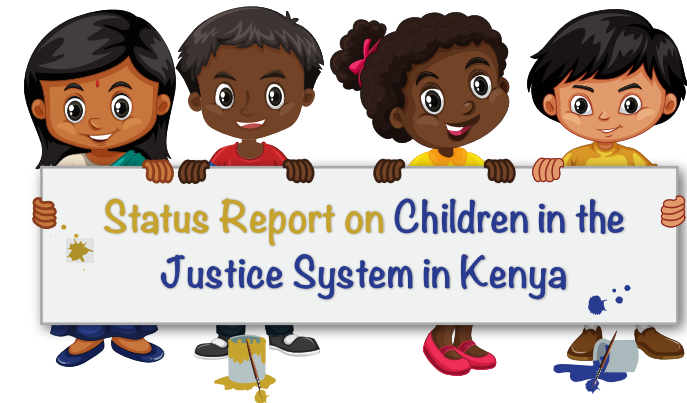
# WHAT WE CAN DO: CALLS-TO-ACTION

Children belong to all of us, and we must all work together to fix the broken child justice chain-link.

- 1 LEGISLATE**  
 Pass the Children Bill of 2018 immediately to guarantee protection of all children.
- 2 ESTABLISH**  
 Establish NCAJ Standing Committee to oversee and monitor implementation of recommendations of the Special Task Force on Children Matters.
- 3 ADOPT**  
 Adopt protocols guiding annual national service months and service weeks for the expeditious resolution by courts of children matters.
- 4 PROVIDE**  
 Provide schooling in collaboration with the Ministry of Education for children in statutory children's institutions and second teachers from the TSC to ensure quality.
- 5 EXPEDITE**  
 Expedite justice for children through the use of alternative dispute resolution mechanisms, including diversion where possible and use detention of children as a measure of last resort.
- 6 INVEST**  
 Invest in improving conditions of statutory children's institutions and facilities through adequate budgetary allocations.
- 7 CREATE**  
 Create safe spaces for children and channels to report abuse to the police, courts and other authorities at national and county levels in compliance with the Constitution 2010.



## FIXING THE BROKEN CHILD JUSTICE CHAIN-LINK



BY THE NCAJ SPECIAL TASK FORCE ON CHILDREN' MATTERS

NOVEMBER 2019

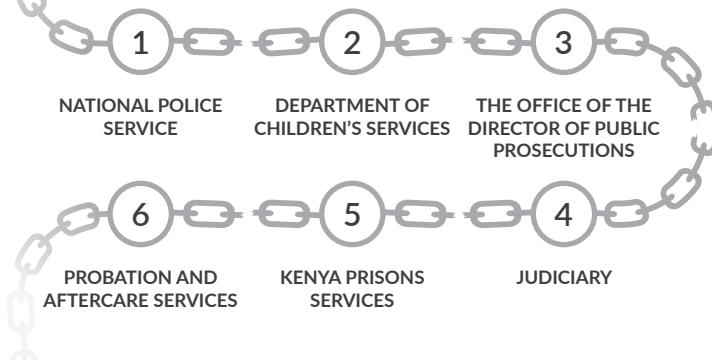
5th Floor, Mayfair Centre, Ralph Bunch Road  
 P.O. Box 30041-00100, Nairobi, Kenya  
 Tel: (020) 2221221  
 Email: [ncaj@court.go.ke](mailto:ncaj@court.go.ke)

# THE CHILD JUSTICE CHAIN-LINK

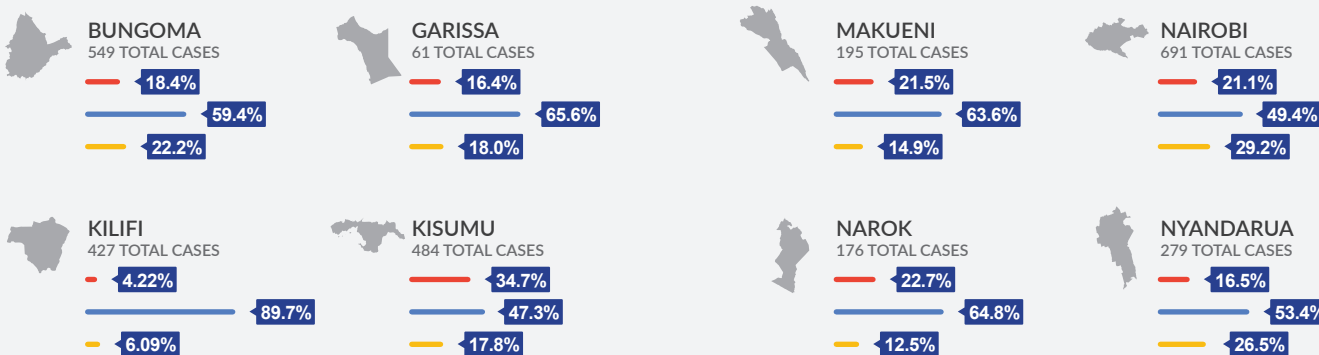
The child justice system is like a **chain-link** consisting of **different interlinked agencies**. These agencies are expected to **work together seamlessly** to ensure that the child in contact or in conflict with the law gets justice, effectively and expeditiously.

## CORE STATE ACTORS IN THE CHAIN LINK

In reality, the child justice chain-link is **broken at multiple points**.



## CASES INVOLVING CHILDREN IN 8 COUNTIES HANDLED BY POLICE



Protection & Care Sexual Offences Other

# SEXUAL OFFENCES IN KILIFI COUNTY

KILIFI COUNTY HAD THE **HIGHEST PERCENTAGE OF SEXUAL OFFENCES COMMITTED AGAINST CHILDREN** BETWEEN 2016 - 2018.

90%

9 out of 10 cases reported to police involved children is a **sexual offence**.

20%

2 out of 10 persons accused of committing a sexual offence are **boy-children**.

70%

7 out of 10 persons accused of committing a sexual offence are **adults**.

10%

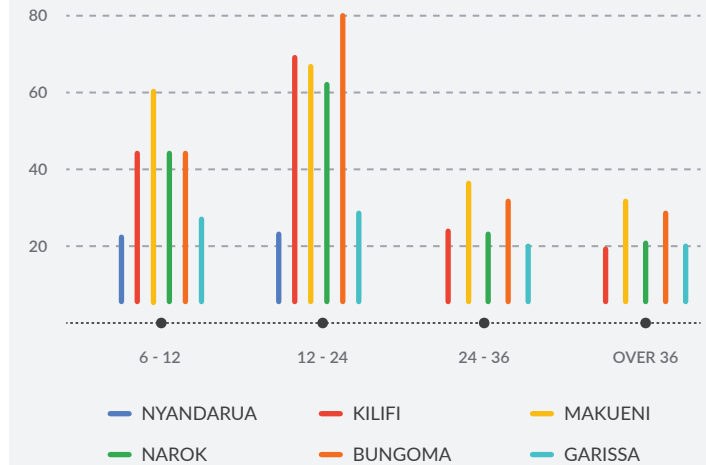
The **ages of 1 out of 10** persons accused of committing a sexual offence is **unknown**.

**NEARLY 60% OF CRIMES COMMITTED IN ALL 8 COUNTIES INVOLVED SEXUAL OFFENCES.**

# THE JUDICIAL SYSTEM IS STRUGGLING

6 months is the maximum time allowed by law to resolve cases before court but the judiciary is struggling to resolve cases involving children.

## CASES PENDING OVER 6 MONTHS.



60%

6 out of 10 cases involving children take **more than 6 months** to resolve.

30%

3 out of 10 cases take between **1 and 2 years** to resolve.

10%

1 in 10 cases may take **more than 2 years** to resolve.

60%

6 out of 10 pending cases are **sexual offences**.

2016 - 2018