



It takes us all
to end violence against children

World Vision

LET'S TALK!



**LAWS PROTECTING CHILDREN AGAINST ALL
FORMS OF VIOLENCE IN KENYA**



“Every Child is entitled
to a **safe environment**,
protected from all forms
of violence, afforded an
opportunity to attend
school, have food, access
education, play, and just be
a child”

Anonymous

NAME:

SCHOOL:

AGE:

CLASS:

PART I: INTRODUCTION

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Who is a Child?

A “child” means an individual who has not attained the age of eighteen years.

What is Child Violence?

Child violence means all acts committed against children which cause or could cause them physical, sexual, emotional, and economic harm, including the threat to take such acts.



EXAMPLES OF CHILD VIOLENCE?

I bless you in
your marriage my
daughter

I am happy to
receive your
daughter as my
wife

Child Marriage

Child Marriage is a marriage before the age of eighteen years. The Constitution and all Children's laws have banned child marriage.

Female Genital Mutilation

Female Genital Mutilation is the practice of female circumcision. It is against the law to perform female circumcision in Kenya.





Defilement

Defilement is an act which causes penetration or having sex with a child. Defilement is a criminal offence under the Laws of Kenya.

Sexual Abuse

Sexual abuse is an undesirable act where a child (any person under the age of 18 years) is involved in any sexual activity with an adult or another, often an older child.

This includes: sexual intercourse, exposing a child's private areas, fondling for sexual pleasure or showing child pornography.



Sexual Exploitation

- (a) Encouraging a child to engage in any sexual activity; or
- (b) Using children in prostitution or other sexual practices.



Child Labour

Exploitation of children through any form of work that deprives children their childhood, interferes with their ability to attend school and is physically, mentally and morally harmful.

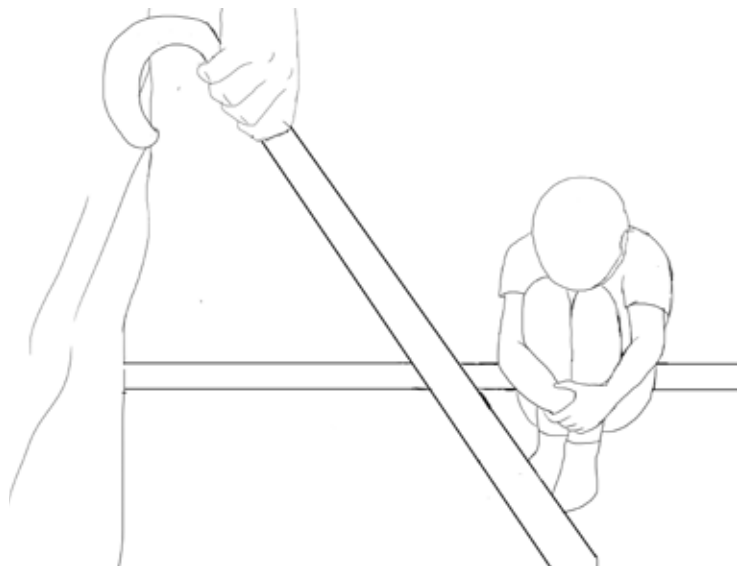


Child Pregnancy



Physical Violence

Any act where an individual attempts to harm another through physical means. Examples of physical violence; kicking, caning.



Neglect

When a person who is responsible for a child fails to cater for the minor emotional and physical needs.



EVERYONE HAS A RESPONSIBILITY TO PROTECT CHILDREN!

Why should the law protect children?

Children are special people representing the future and are entitled to special care and assistance. Protection of children, whether born in or out of marriage, whether orphans or not, is the responsibility of the government through local children officers, area chief, community leaders, religious leaders, parents, guardians, teachers and everyone around the children!

Who has responsibility over the child?

First, both parents, and guardians, have common responsibilities for the upbringing and development of the child. Secondly, the government has the responsibility of ensuring that every child is provided with all the needs and that the child is protected from any form of violence. Thirdly, the community equally has a responsibility to ensure that every child is provided and cared for.

PART II: KNOW YOUR RIGHTS!





Do children have a right to food?

Every child should have food to eat without working for it. It is the responsibility of parents, guardians and government to make sure that every child has adequate food, clothing and housing, and to the continuous improvement of the child's living conditions.



Do children have a right to go to school?

Yes! Every child has a right to basic education which means free and compulsory pre-primary, primary and secondary education. Anybody who refuses to take a child to school commits an offence under the laws of Kenya, and will be arrested and punished by the courts.

Are children protected from discrimination?

Discrimination is unfair practice that favors one person over another. All children, girls and boys, are equal. Every child should be protected from unfair practices or treatment.



What is best interest of the child?

Best interest of the child is any action or decision that affects the child, and should be made in a manner that provides maximum benefit or protection to the child. In all actions concerning the child undertaken by any person or authority the best interests of the child should be the primary consideration.



Does the law protect the child from harmful social and cultural harmful practices?

Harmful social and cultural practices include child marriage, betrothal or keeping of girls and boys to be married to an identified person in the future, and female circumcision, among others. Anybody forcing or encouraging a child into harmful social and cultural practices commits an offence and will be arrested and punished by the courts.

Who can give permission to marry?

Marriage is by law an arrangement of free will between two adults of over eighteen years intending to be man and wife. Anybody who is below the age of eighteen years is not allowed to be married.

Are children protected from sexual exploitation?

The law requires the government, parents and guardians, and indeed everyone to protect the child from all forms of sexual exploitation and sexual abuse, especially, encouraging a child to engage in any sexual activity, or using a child in prostitution or other sexual practices.

PART III: REPORTING VIOLATIONS

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LET'S TALK

What are the offences against the child?

The law outlines several offences against the child.

The punishment is stated in page 19.

Defilement

Defilement is the act of having sex with a child. Remember a child is not allowed to give permission to engage in sexual activity. So it does not matter what the child thinks or said before the sexual activity.

THE LAW WILL PUNISH ANY PERSON WHO ENGAGES IN SEX WITH A CHILD AS FOLLOWS:

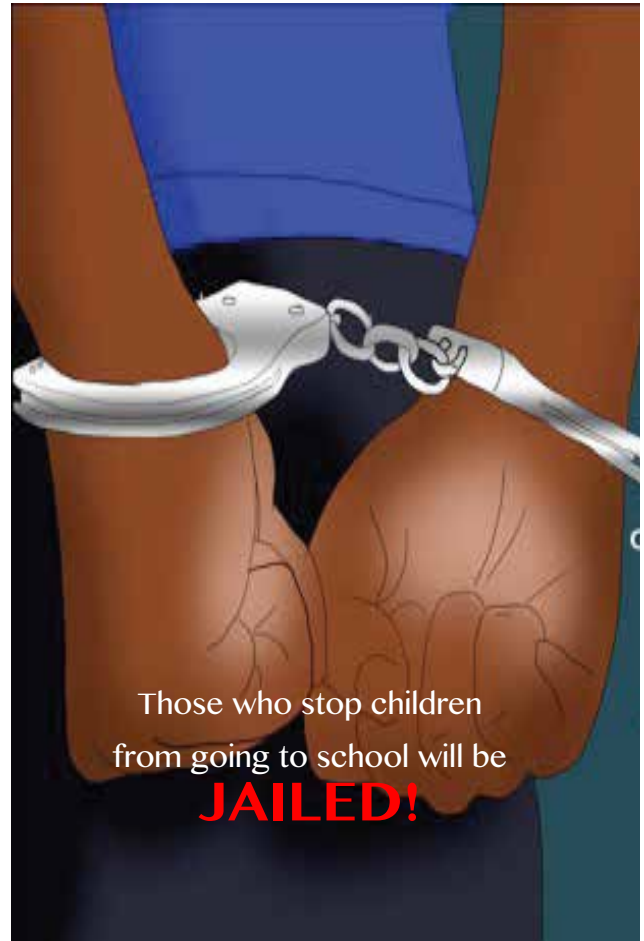
- Engaging in sex with a child aged eleven years and below is punished by being **JAILED FOR LIFE**;
- Engaging in sex with a child between the age of twelve and fifteen years is punished by at least than **TWENTY YEARS IN JAIL**; and
- Engaging in sex with a child between the age of sixteen and eighteen years is punished by a least **FIFTEEN YEARS IN JAIL**.

Female circumcision

It is an offence to circumcise a girl. Any person who commits such offence will be punished by at least three years in jail, or to a fine of not less than **TWO HUNDRED THOUSAND SHILLINGS, OR BOTH.**

Failing to take a child to school

Any person, who fails to ensure that the child attends school, commits an offence and will be punished by a fine of **FIVE HUNDRED THOUSAND SHILLINGS OR TO JAILED FOR TWO YEARS OR TO BOTH.**



WHY CHILDREN SHOULD REPORT VIOLATIONS

Any child who is a victim or witnesses violation of the rights of the child should **REPORT THE INCIDENT**. If you do not report the violation or incident:

- a)The perpetrator will **CONTINUE TO ABUSE CHILDREN!**
- b)You will **NOT BE ABLE TO GET HELP!**

HOW CAN CHILDREN REPORT OFFENCES?

Any child who is a victim or witnesses violation of the rights of the child should **REPORT THE INCIDENT TO ANY OF THE FOLLOWING PERSONS:**

- Parent or guardian
- Responsible adult
- Child Rescue Centre
- Children's officer
- Nearest hospital or clinic
- Police Area chief
- Assistant Chief
- Village Elder
- Teacher
- Call 116 - Child Helpline



SPEAK OUT!



POLICE STATION



CHILD HELP DESK

**SPEAK
OUT!**



CALL!



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