Navigating Child Protection Challenges in Nairobi's Mukuru Kwa Njenga Informal Settlement

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Abstract: *Child abuse is a global problem. Community-based Child Protection Structures, which are one of the strategies to deal with this problem, have been riddled with challenges like poor enforcement. The study aimed at assessing community-based child protection structures in Mukuru Kwa Njenga informal settlements in Nairobi County. The study employed a cross-sectional survey research design to collect both qualitative and quantitative data. A sample size of 280 participants was selected using both purposive sampling and random sampling techniques. Qualitative data was analysed and presented verbatim as narrations. Quantitative data were analysed using SPSS version 25. Both descriptive and inferential statistical analyses were carried out. These were presented in tables and graphs. The study revealed that more than four-fifths, 81%, of the respondents had witnessed child maltreatment in Mukuru Kwa Njenga. However, many of the child abuse cases were not reported and or acted upon as new ways had been put in place to avoid different child abuse cases being detected and acted on. Several reasons were advanced for the non-action on child abuse. Some of the respondents indicated that people resorted to other means of dealing with the problem of child abuse. Others did not bother to report, for they felt nothing would be done. There was also the fear of revenge from the family of the perpetrator. The study recommends that the government should strengthen existing policies that advocate for appropriate child protection and enhance community participation to improve the effective implementation of CBCPSs.*

Keyword: Abuse, Child abuse, Community-Based, Child protection, Maltreatment, Mukuru Kwa Njenga

I. Introduction

According to UNICEF and WHO, 130 million children between the ages of 13 and 15 encounter bullying, while more than 300 million children worldwide are subjected to physical discipline at home. In addition, 15 million teenage girls between the ages of 15 and 19 have engaged in forced sex at some point in their lives, and 15 million kids are affected by child marriage each year. Further, over 200 million children and women worldwide have suffered female genital mutilation, according to global statistics (UNICEF, 2017; WHO, 2018). All children are impacted by these transgressions, regardless of their age, gender,

aptitude, race, household income, or living environment.

In high, middle, and low-income nations, as well as in stable and humanitarian circumstances, it impacts children receiving care from families as well as those living outside of parental care. There is evidence that violence affects up to a billion children worldwide every year (Hillis et al., 2016). Between the ages of 2 and 17 years, at least 50% of African children have been subjected to one or more violent acts (but not shaking, slapping, or spanking). It is viewed as a significant global public health issue that can cost countries 5% of their GDP on average and affects the health of people, families, and communities (Hsaio et al., 2018).

The UN established a legal agreement known as the "Convention on the Rights of the Child" in 1989 to protect children's rights and foster an environment that supports their development. This agreement has been in effect for thirty years. Numerous people worldwide have collaborated to defend children's rights, preserve childhood, and enhance their well-being during this time. However, due to issues like conflict, poverty, injustice, discrimination, and violence, millions of children continue to have their rights violated every year. These variables adversely affect children's survival, health, and general development (Amiri & Tostensen, 2011).

In 2008, a systems-based strategy for addressing child abuse was adopted (UNICEF, 2008). This strategy is known as a child protection system. A system for preventing and responding to risks connected to child protection, as defined by UNICEF (2008), consists of a set of laws, rules, and policies, as well as the services required to support them. These include national justice, social welfare, security, education, and health. Given that kids live in communities, the strategy is anticipated to be implemented locally as well as nationally. At the local level, the Community-Based Child Protection Structures (CBCPS) have been set up. Their importance stems from the fact that they are easily accessible and offer a substitute for responding to the various infractions that youngsters experience. As a result, they take on a more important role in promoting children's well-being and protecting them from exploitation, abuse, neglect, and violence (ibid).

Globally, the development of CBCPS can be linked to the 1990s and the 2000s, when a large portion of the work done on child protection by international organisations was solely concerned with issues like child labour, street children, child sexual exploitation, and child trafficking. Although these efforts assisted children, research suggests that their impact on protecting children from abuse was minimal and that these interventions were fragmented (Reuben et al., 2022). It has been demonstrated that both achievements and failures have been associated with the implementation of the CBCPS. Examples of successful nations in Europe include Germany, the United Kingdom, and the United States of America (Lachman, 2002). The mechanisms and structures set up in response to the laws against child abuse have been attributed to ensuring the success of the Child Protection initiatives. The implementing agencies have also received resources from them. Because of this, individuals now have more authority and are better able to connect instances of child abuse from informal structures like a neighbourhood watch with the established ones. Most community members also share a common concept of children's rights (Lachman, 2002).

The USA started CBCPS in the late 80s and early 90s. These were 'whole of community' approaches or 'comprehensive community initiatives' (CCIs). The CBCPS are the latest version of a long history of community-level interventions (Kahn & Kamerman, 1996; Pawson & Tilley, 1998; Kubisch et al., 1998). These approaches were based on building and strengthening partnerships between families, governments, and various agencies and organisations that dealt with child welfare, family support, health, education, business, unions, and religion. The goal was to integrate private and social responsibilities for families (Cass, 1994). These initiatives have different structures and forms, but they all share a common feature: they adopt a comprehensive approach that aims to empower community members to work together with the government and the professional sector to create healthier communities. This means improving the physical, social, and economic conditions for individuals, families, and the whole community in disadvantaged neighbourhoods (Kubisch et al., 2001). The US Advisory Board on Child Abuse and Neglect (USABCAN) has since 1993 urged neighbourhoods to be made stronger and more connected so that families can care for, monitor, and help each other. This has made child protection to be integrated into daily life and involves all parts of the community.

In China, the current child protection structures focus on four areas: family, school, judicial and social protection. These areas correspond to the main actors who are responsible for protecting children: parents or guardians, teachers and school staff, judges and lawyers, and society at large. These areas also match the different settings and risks that children face in their lives. Therefore, the child protection framework consists of macro-level protection from society and the judiciary, meso-level protection from the community and social services, and micro-level protection from the family and the school. However, this system faces some challenges in the changing society (Wu, 2020). The shrinking and weakening of family functions reduces the family's role in protecting children. Due to population movement, children find it challenging to receive enough protection from fixed institutions like schools. A more fundamental function of social and judicial security is enforcing the laws, rules, and policies safeguarding children. Whether preschoolers or school-age children, children spend most of their time outside their homes and schools in the community. Children in challenging circumstances, such as migrant children, children who have been abandoned, and children with impairments, are perceived to depend more on the community. They receive long-term, high-quality care and assistance from the neighbourhood. The environment within the community has remained crucial for its existence, growth, and protection. Therefore, the safety of children has the community as the basis for child protection (Wu, 2020).

The Chinese government pays social organisations to offer

personalized and professional services to children and their families. Community residents also help with child protection as they know the community issues better and support and protect each other's children. Community families and children are the basis of child protection. The families are the natural guardians of the children and should take responsibility for their protection. Children in the community, both residents and migrants, are both the recipients and the contributors of child protection services. They use their own feelings and experiences to participate in building a child protection system and learn to protect themselves instead of relying on others (Reuben et al., 2022).

However, the implementation of these structures has faced a milliard of problems. For example, the state plays a major role in directing and supporting the community-based child protection system and is the primary backer of child protection. There is limited participation by the entire society. Children's rights and needs are not given priority in drafting legislation, creating policies, and allocating resources from the public purse. The general amenities, cultural landscape, or public opinion climate of the society do not provide a safe and healthy environment for children to develop in. Although the community members are most aware of the problems and demands of child protection, there is low public awareness of the gravity of child abuse and the significance of child protection. The development of a culture that values child protection in the neighbourhood, raising children's awareness of it through education on children's rights, growth, and safety, and realising that everyone living there has a responsibility to do their part to keep children safe—all these things are done at the same time (Wu, 2020).

In Aceh, Indonesia, existing Community-based child protection structures have identified several key communal concerns, such as child work, early marriage, school dropout, domestic abuse, and fights between children. Social, cultural, and economic weaknesses have an impact on and exacerbate these problems. Protection worries are frequently discussed privately and among family members or close friends. Families are seen as potential sources of intervention and improvement in such situations. However, it has been acknowledged that the possibility that families themselves can be the cause of these security issues. Friends are seen as a form of psychosocial support. Keeping issues secret is a common solution and is often driven by humiliation, stigma, hopelessness, or fear. Norms and practices within the community serve to reinforce these values. Rarely are community leaders involved in addressing these issues, and there are minimal referrals to governmental or other organisations (Wessells, 2009).

It is important to build trust and involve community

perspectives to leverage the efforts of Community-based child protection structures (CBCPS). This can facilitate more robust connections between regional and national entities. It might also be helpful to reframe the debate around the child rights framework, which sometimes needs to be understood. The need to address cultural and social dynamics that support violence and serve as roadblocks to action cannot be overstated. However, tackling these problems necessitates sustained involvement, a greater comprehension of the dynamics of these social forces, and the identification of local people and organisations that are the primary change agents.

Ghana, for instance, is one African country where the implementation of community-based child protection interventions has yet to be fully adopted since parents have refused to cooperate with some of the legal requirements (Ghana NGO Coalition on the Rights of the Child (GNCRC), 2005). Along with other government programmes, the implementation of the child safety policy had been delayed by a lack of resources, a lack of competent staff, and a lack of knowledge of these standards (Kuyini, 1998). Furthermore, without assistance from outside donors, the Ghanaian government has struggled to put some of its social institutions into place (Forster & Norton, 2000). As a result, the inadequate resource allocations of the implementing agencies impact how child safety rights are implemented in Ghana at all levels. Even while the Ghanaian government made significant progress in implementing the country's protection mechanisms in its 2005 report to the UN on children's rights, the report neglected to address problems with implementation at the district and local levels (UNICEF-Ghana, 2000).

Despite Uganda's progressive laws and regulations protecting their safety, providing proper protection for vulnerable children remains a struggle due to the variety of breaches and abuses the children are subjected to. A few essential obstacles have hindered a comprehensive, accessible, well-designed, and functional child protection system. Because they operate independently of one another, the many childcare subsystems, justice, law, and order, for instance, have only partially or inconsistently implemented the child protection system. In addition, not all parties have been involved as required by the Justice Law and Order Sector (JLOS) framework (Ugandan Ministry of Gender, Labour, and Social Development) (MoGlsd) (2013).

There are studies that claim there are numerous unresolved child protection issues because local structures that deal with child safety do not coordinate their efforts. For instance, in Uganda, local chiefs lack the authority to undertake judicial investigations but can detain someone on the basis of public disorderly behaviour. As a result, after some time, they must turn the perpetrator over to the

police. Chiefs are frequently involved with administering local forms of justice and serve as community mediators, obviating the need for police. Residents of the community settle their local concerns together with the chief rather than at the police station and do not appear to be involving the police or even contacting them (Fedha, 2017; MoGlsd, 2013).

Community-based child protection structures are a crucial part of larger structures in the local context (Kenya). For instance, the National Council of Children Services and Area Advisory Councils (AAC) are only two examples of how child protection committees are helpful in that they connect all levels of the country's child safety institutions. International law, which includes the African Charter on Child Welfare (ACCW), the United Nations Convention on the Rights of the Child (UNCRC), and the Children Act of 2001, protect all children from violence and abuse (Fedha, 2017). However, there is a continued occurrence of child abuse in the country, which questions the effectiveness of the implementation of the CBCPS.

Community-level child protection structures are in place to prevent crimes against and exploitation of children. Both formal and informal structures are a part of the protective structures. All official government-led initiatives to safeguard children from abuse are included in the formal structures, including institutions and government structures. It also has all the participants, spanning from the social welfare, education, health, and law enforcement structures from the local to the national levels. The informal system is founded on and motivated by conventional ideals of societal responsibility for the welfare of the children (Mutua, 2002). The Obuntu philosophy, employed in East Africa and Ubuntu in Southern Africa, shielded children from abuse since they believed it was the responsibility of the community to raise them (Shamala, 2008). However, it appears that the two structures are operating independently of one another rather than cooperating. As they are more widely dispersed, informal structures are also less likely to be responsive to the needs of vulnerable children despite being closer to the community (Shamala, 2008).

Further, the informal structures have no mandate for dealing with the different violations but must depend on the formal structures. These structures are often inadequately resourced to answer successfully to children's grassroots needs at the community level. Also, the population's diversity in the community with different understandings of what constitutes child rights, implementing child rights becomes problematic. The possibility of the national system of child protection succeeding is on the CBCPs connecting and supporting it. Due to the CBCPS and the other structures dealing with child protection not linking correctly, children's security seems to have failed as

envisioned in the national plan.

For instance, the International Labour Organisation ranked Kenya sixth in the world for its use of child work, one of the most common forms of abuse against children (ILO, 2003). According to a different report from ChildLine Kenya, there were 19,870 reports of infractions against children between 2011 and 2016. Of them, 5,012 involved sexual abuse, 4,863 involved physical abuse, 1,760 involved child labour, 369 involved child trafficking, and 7,159 involved neglect or abandonment of children (Childline-Kenya, 2016). These figures demonstrate that vulnerable children face horrifyingly high risks of child abuse. Additionally, 35% of slum-dwelling children experience sexual assault before the age of 18 (ChildLine Kenya, 2016).

In her research on CBCPS in the Eldoret Municipality, Fedha (2017) claims that little has been done to develop community child protection structures, which serve as a means of prevention and a means of coordinating resources to handle child protection issues. Furthermore, efforts made by many stakeholders to build and/or strengthen child protection structures have not shown much success and are not long-term without full backing from the central government. Besides, it has been claimed that the protections do not work because they use methods that do not take children's needs into account. This was evidenced by the abandonment and child neglect occasioned by the availability of great amounts of the local brew in places like Langas and Mwanzo; there were also cases of physical abuse, unwanted pregnancy and abortion, drug abuse among youths, sexual abuse and exploitation, and defilements. In addition, there were cases of prostitution and neglect, economic exploitation, lack of shelter, jiggers' infestation, school drop-out, and alcoholism. Gambling activities among children were prevalent; child labour, scrap metal selling and sexual exploitation were evident. As a result, community-based child protection structures were either ineffective or non—existent, which are crucial tools in preventing children's vulnerabilities and building a bridge between them, their local communities, and broader national structures. According to the study, it is crucial to establish cooperative networks and coordinate these structures for community-based child protection institutions to address children's vulnerabilities (Fedha, 2017) effectively.

Other studies by Kostelny et al. (2013), which were conducted in two Mombasa slum neighbourhoods, revealed widespread child sexual abuse and exploitation. Most child handlers are slack in putting the harsh Sexual Offences Act (SOA) of 2006 into practice, notwithstanding its adoption. It goes without saying that child sex tourism and child prostitution are illegal under Sections 14 and 15 of the Act. Like the 2006 Children's Act. The investigation

also demonstrated that those in positions of power and control, such as parents, teachers, and elders, were predominantly responsible for the abuses.

It is expected that the CBCP interventions will be useful in protecting children from abuse and exploitation by having them link as well as collaborate with other recognised nationwide child protection system structures within the community. Adults and children in a community are most qualified to identify protection-related issues and create feasible solutions in collaboration with service providers (Reuben et al., 2022). Protection violations may also be a result of how communities regard and treat children, including how they view child sexual abuse and exploitation. A child protection system must collaborate with the community to deal with and change such community perspectives to protect children properly. Kenya is one of several countries where local and national governments need to be more capable and committed to protecting children (Reuben et al., 2022). Children's rights are, therefore, consistently violated. There are signs of this lack of commitment, including a lack of resources, a workforce with low skill levels, and a lack of nearby services to meet children's needs. Usually, governments are the main obligation bearers in these circumstances and routinely fail to uphold their responsibility to protect children, leaving this task nearly exclusively to the neighbourhood where the children reside. In some circumstances, children's only source of safety is themselves. The result is the continued violations against the children. The purpose of this publication is to present the findings of the challenges of community-based child protection structures in interventions for child abuse in Mukuru Kwa Njenga, Nairobi County, Kenya.

2. Literature Review

Community-based informal structures, which are part of community-based child protection structures, are nearby and easily available and are better positioned to affect community members' attitudes and behaviours regarding societal concerns about child abuse (Roux & Palm, 2018). In their study of child marriage in 20 countries, the researchers found that religious leaders were among the community-based actors who played a crucial role in raising awareness on issues that were deeply ingrained in culture and spirituality and difficult to penetrate. Children in need of protection received emotional guidance from their parents, schools, and religious leaders on how to handle issues when they arose. Social protection support for kinship and family-based alternatives was a key element in maintaining efficient and high-quality care for children.

The crucial role played by schools in child protection has been highlighted by Stamatovi and Cicvari (2019), who examined Serbia's potential for schools to uphold children's rights. The study's findings suggested that teachers were extremely important in helping children become responsible citizens who could make judgements about their own safety and the safety of their friends. The study's findings were insightful and aligned well with the goals of the present study, particularly considering the necessity of life skills instruction as a child protection intervention.

In another study on enhancing children's well-being, Delap et al. (2016) point out the need for social assistance from larger government programs to guarantee that children in foster and kinship care receive quality support and care in Sub-Saharan Africa. In a related study on child abuse in Africa, Badoe (2017) agreed that it was important for established community structures, such as churches, mosques, teachers, and traditional leaders, to actively engage in advocacy, awareness-raising, and community sensitization on issues that harm children.

Olaore and Drolet (2017) assert that incorporating indigenous knowledge from local communities into current child protection projects fosters a sense of community ownership and cooperation among many players. Incorporating indigenous knowledge and values builds group cohesion, which is crucial for any successful programme intervention, according to a study on local awareness, values, and ethnic practices for children and families in Nigeria. In a study done in rural Sierra Leone, Wessells et al. (2012) discovered that community members heavily rely on family and traditional support networks in terms of child safety. The study found a significant disparity between formal and informal child protection programmes, which they blamed on a lack of resources and cultural norms that compelled communities to choose informal child protection methods.

A study conducted by Nambatya and Gubo (2016) in Busega village, Kampala, Uganda, underlined the necessity for high-level involvement by the community and an elevated sense of responsibility among various members of the community who were prepared to lead community action towards child safety. The results of the study highlighted the significance of children's involvement in appropriate clubs in schools. An initiative to increase child protection was tested in four Tanzanian districts—Hai, Magu, Kasulu, and Temeke—according to research done by Long (2011). The initiative's main goal is to deliver improved social and protective services to all children, especially the most vulnerable. The investigation discovered that prior attempts to address child protection issues had been inadequately planned and resourced, with an emphasis on stand-alone projects that had limited durability. To solve this, the report recommends using a systems approach that combines the efforts of families,

communities, official and informal laws and practises, as well as state and non-state actors across all sectors, in order to work together to protect children. The report does not, however, provide data on how much violence against children has decreased.

The study's authors concur that prior child protection services or programmes were operated in isolation, underscoring the necessity of creating a systems approach that addresses children's challenges holistically and incorporates both formal and informal procedures. With this strategy, violence towards children, families, and communities is prevented. Research on country-specific initiatives to implement this system is ongoing, but there is little data on how much violence against children has decreased or grown since its introduction. To determine whether the proposed child protection structures model is effective in preventing and responding to violence against children in the Temeke district of Tanzania, the study sought to examine how much violence against children had decreased since the model was put into place. The current study was conducted in a different geographical area from the above study.

Reuben et al. (2022) conducted another study in which they looked at the impact of local child protection structures on child sex abuse in Rombo District, Tanzania. Data on the outcomes of community-based child protection mechanisms in Rombo District, Kilimanjaro region, were gathered using a mixed-method study methodology that included focus group discussions and interviews. The study included 158 participants in all. They learned that neighbourhood-based child protection structures contributed to the cessation of child sex abuse. This was due to the interventions' improved access to services for sexual assault against children, increased proper handling of cases reported to community-based child protection structures, improved reporting of sexual assault against children's cases to the police and social welfare, and increased parental awareness, willingness, and preparation to report sexual assault against children to those mechanisms. Additionally, the interventions boosted cooperation among the various Rombo District actors and enhanced case management. The Rombo District's community-based child protection mechanisms interventions, however, have been reported to be constrained by a lack of funding as well as inadequate knowledge and skills. Therefore, the report advises that in order to combat sexual assault against children, the government and Civil Society Organisations should invest in community-based child protection structures through the provision of financial resources and skill development.

A study by Ireri, (2018) evaluated the function of local child protection structures in Kenya's Kilifi County. The study's goals were to identify the elements that make kids in Kilifi County more susceptible to child abuse, investigate the contribution of local child protection structures to criminal investigations of child abuse, and suggest ways to make these structures more effective. The study interviewed 35 people as part of the study's qualitative exploratory research design. The research showed that several factors, particularly in rural areas, such as cultural customs and poverty, increase children's susceptibility to defilement. Support for victims, access to healthcare, and evidence management are all essential components of the criminal investigation of defilement, and community-based child protection structures play a critical role in all three of these areas. The study suggests formalising community-based child protection mechanism structures and policy diffusion to enable efficient investigation of child defilement. This study was carried out in a rural area of the coast region, while the current study was carried out in an urban area.

Kithome et al.(2021) conducted a study in Mwingi Central, Kitui County, and found that community-based child protection structures were well-known and appreciated by the local population as compared to those established by the government. In addition to using non-probability sampling approaches, the study used simple random sampling to select the 2 divisions, 5 sites, and 24 villages. A sample of 399 adults from the families were surveyed, together with 24 children between the ages of 12 and 17 (both in and out of school) and 10 key informants. Systems theory served as the study's main guidance, while theme content analysis was used to analyse the data that had been collected. The research recommended that child protection professionals should seek to close the gap between the official and informal community-based child protection approaches to guarantee that there is a consistent approach to child protection. In contrast to the current study, which was conducted in a major city, this study was conducted in a different place (rural area).

Fedha (2017) conducted a study in Eldoret Municipality, one of the fastest-growing commercial hubs in Uasin Gishu County, Kenya. She did an exploratory study to particularly interrogate the disconnect that exists between the local and national child protection mechanisms that threaten the future of vulnerable children. She found that children's susceptibility was apparent in many Kenyan villages. This showed up in a variety of areas, reflecting pervasive social ills like poverty, family dissolution, conflict, displacement, sexual exploitation, and HIV/AIDS, among others. Children who were abused, neglected, and exploited were among those most severely impacted, making it difficult for them to survive and develop. This was due to poor implementation of community child protection procedures as preventative measures and resource coordinators for tackling child protection issues. Additionally, full backing from the

central government was necessary for the initiatives taken by different stakeholders to build and strengthen child protection structures to be effective and sustainable. Furthermore, the therapies have come under fire for using strategies not based on children's needs and could be more effective. She concludes that there needs to be a connection between local, regional, and national institutions and that community-based child protection structures are essential for preventing child vulnerabilities. The development of cooperative networks and coordination of these mechanisms in addressing children's vulnerabilities are necessary for community-based child protection structures to be successful.

3. Methodology

A cross-sectional survey design was used for this study (Neuman (2011). The study used both random and purposive sampling to select a sample of 280 households. A Random route walk, as suggested by Bauer (2014), which is a random selection method, was used to select the various households for administering questionnaires for the quantitative part of the study. Interview schedules were used for qualitative data from purposely sampled participants. Qualitative data were analysed and presented verbatim as narrations, while quantitative data were analysed using SPSS version 25. Descriptive analysis, such as mode and frequencies, was employed to summarise the data, which was then presented using tables and figures.

4. Results and Discussion

A total of 280 respondents were reached (female 62.5% and male 32.5%). More than half (57%) of the respondents were above 40 years, with those aged between 40 – 49 years being the majority (36.1%) and the other 22.9% being above 50 years The study also found that the majority (68.6%) of the respondents had a secondary and above level of education. Of these, 38.3% had completed secondary school education, while 30.4% had a university education level. Another 4.3% had an incomplete primary level of education, and an additional 27.1% had some secondary education. The study further found that about 58% were married, and the rest, 41.1% and 1.1%, were single and separated or divorced, respectively. Over two-thirds (68%) of the respondents sampled from Mukuru Kwa Njenga informal settlement were Christians, with Muslims 27.5% and 3.6% being traditionalists. This implies that most of the respondents believe in one God. In terms of occupation, more than six-tenths (64.7%) were either in small-scale businesses or in hawking. Of these, 32.9% were in small-scale businesses, and 31.8% were in hawking. Those respondents doing casual jobs were 22.5%, with the least being 7.9% of the respondents being employed in salaried employment.

One of the variables of the study was to find out, "What makes child abuse or mistreatment go unreported?" The question elicited six responses, as presented in Table 1

Table 1: Why Child Abuse Cases Go Un-Reported

Reasons	Frequency	Per centage
Do not know where to report	68	24.3
Perpetrator well known	5	1.8
No action likely to be taken	60	21.4
Fear of victimization	101	36.1
Do not care attitude	7	2.5
It is normal	39	13.9
Total	280	100.0

Source: Survey Data 2019

From Table 1, incidents of child abuse were not reported if the perpetrator was well-known 1.8% at the time. Table 1 also reveals that 2.5% and 13.9% of respondents, respectively, cited a "do not care attitude" and "it is normal" as additional excuses for failing to report incidents of child abuse. The greatest deterrent to reporting was the fear of victimisation, which accounted for 36.1%. Following that, they did not know where to report (24.3%), and there was a high possibility that nothing would be done (21.4%).

It was established that some community members did not know where to report (24.3%) due to a lack of knowledge

on where to report either civil or criminal matters. Even the child protection framework does not have a specific definition or mandate that is given to the chiefs and village elders in resolving child abuse cases. This has meant the creation of various structures to resolve disputes in the community. That is, different child methods have been devised for handling the different violations with considerations given to the context of the abuse. For example, child neglect. Certain contexts are, "Is the child of a single parent or has both parents?", "What is the income level of the family?" and "What is the age of the parent(s)?", among others.

There is also the notion that a person reporting some of the types of abuses children face in the informal settlement is assigned more work to do. According to FGD held,

> "...the police will tell you...go and find out why the children have not been taken to hospital, or 'how do you know the children have been neglected'. Alternatively, if the children lack food, 'why don't you go and buy them food?"
> FGD 006.

Another had this to say,

> "if a child has been sick and has lacked medical attention……one is told, 'Why don't you take the child to hospital?"
> FGD 002.

The above two findings show that sometimes police officers tend to usurp the role of magistrates by dismissing cases of child maltreatment at the investigation level. This was especially true in cases of incest, child labour, neglect, and abandonment. According to the study respondents, such cases were often referred to the local leaders for settlement and resolution.

The study also found that most of the child abuse interventions in the slums required the person reporting to spend money that they had not planned to spend on a neighbour's child. On top of that, there were those child abuse incidences that were age and gender sensitive. For example, defilement or teenage pregnancy. If a young man went to report such a case, instead of the police taking the appropriate action (receiving and recording the information), he would be seen as a potential perpetrator. In other child abuse cases, when the reports were received and recorded, there was very little or nothing that was done about them unless they were incidences of defilement or abandonment.

A discussion with police respondents laid bare the challenges that they faced in handling child abuse incidents. The challenges ranged from spending money from their own pockets to buy food for children left unattended to or lack of transport from their police stations to the locations where the incidences were reported. One of the police officers handling the gender desk said the following,

> "…… sometimes I do receive reports of children who have been found abandoned in the slums, and most of the abandoned children are the newly born babies…the children may not even have any clothes. If the child is brought to the station before taking it to a children's home, he/she has to have some clothes

> on. Alternatively, at least to have some wrappers around it,"

She pauses and asks, "What do I do?" a rhetorical question.
She continues,

> "In this case, I will solicit donations from my colleagues and hope it is enough to buy the necessary things, or I will have to top up money from my own pockets, or I will get the items donated to me by fellow officers who had small babies and are no longer using those clothes, or alternatively it becomes my sole problem and get what the baby needs all by myself; you see unless I do that the child will continue to suffer" KII 003.

Other officers said that the process of seeking justice for mistreated children is a long and tedious one, which makes would-be witnesses fail to report incidences if they come across them. The process starts with taking their statement on what they witnessed and up to reporting. After they have filed their statements, they must appear in court several times. The initial times could be by using their own money or being facilitated to appear in court. However, the problem is that court cases take a long time before the hearing of the cases commences. Due to the severity of the punishment for those found guilty, the perpetrators and their lawyers tend to make deliberate efforts to have the court cases drag on for a long time. This is done by asking for postponements, which the courts always give. This frustrates the witnesses as they cannot continue to afford the fares to attend court when needed. This makes the would-be witnesses by reporting fail to report these incidents. One participant in a FGD demonstrated this when she said,

> "Sometimes it is hard to get a perpetrator to court because there is no money to do so. It is not easy to go to court sometimes because it has so many complications. There is the frequent going to the courts and coming back several times until the survivor or witness feels like there is no reason to spend so much money for a process; they are not seeing any progress, and they feel they would rather leave it alone" FGD 003.

Apart from the frustration of the length of time taken by the formal justice systems in addressing child maltreatment and intimidation by the police, the situation gets more compounded in instances where children stay in the same place with the perpetrators of the violence as they live in relatives. Once the perpetrators, who are relatives of the

children, get a free bond, they return home, where they end up repeating the abuse or causing more harm to the children. The bonded perpetrators may also inflict more harm on the family member who made the report to the police in the first instance. This is also another reason for not volunteering to report any child violation one witness. The bonding of child abuse perpetrators and the risks they pose once out on bond frustrates the community. This kind of delay for survivors of child abuse cases in having their cases resolved and or settled by the formal systems has made the community mete out instance justice to perpetrators of child abuse. The meted justice ranged from scolding a mother who was seen to be neglecting their children or not taking them for medical care to the members of the public lynching suspected perpetrators of sexual abuse instead of taking the cases to the police. In one of the FGDs, a participant said,

"Nowadays, most community members tend to think mob justice is the best option for some offences. This way, they are assured that at least something has been done since most of them lose interest once the cases have gone to the police as most of them tend to lose interest except when they get summoned to record their statements……. they do not keep on following up on the cases, so they do not know whether the perpetrators get to prison or not." FGD 005.

In most of the FGDs conducted, it was felt that the formal justice system was in favour of perpetrators of violence against children more than the survivors, especially in cases where the perpetrators have much influence in the area or money. In addition, the burden of proof, which is heavily placed on the accuser to prove their case against the perpetrators on what they are saying, is what really happened. This is the mismatch between the Kenyan Constitution, 2010, and the sexual offences act. The constitution stipulates that all suspects are innocent until proven guilty and, therefore, are entitled to a bond, whereas the sexual offences act stipulates that the courts of law have a responsibility to protect all vulnerable witnesses. This leads community members to not testify in the courts against perpetrators of certain abuses like defilement and child trafficking, which have stiff penalties and sentences as they are not assured of their safety.

The CBCPSs, in all manner of forms, are expected to be readily available in the informal settlements and respond to child abuse incidences. However, due to the environmental living conditions, the study established that religious and sometimes the cultural aspects of the community force cases of child abuse to go unreported. These could be due to the tendency to avoid discussing sensitive subjects that are sometimes seen as private matters and or the secrecy kept between members of the family. For example, among

Muslims and especially Arabs, the way parents rear their children is considered a private matter such that outsiders are expected not to interfere. It is also acceptable for a parent to physically punish a child and yell at it, as this is considered a normal way of rearing them (Chavis et al., 2013; Khamis, 2000). As far as sexual abuse cases are concerned, the tendency is to hide them due to the stigma that the families identified to have had such abuses get (Khamis, 2000). Even though many cultural practices are observed in the informal settlements, any form of abuse identified must be reported without any delays.

However, various barriers that prevent reporting must be surmounted for reporting rates to increase. Among these is the fear for one's safety and their families. This is supported by scholars like Lazenbatt and Fremann (2006), who have documented this as one of the main reasons for not reporting child abuse in the UK. It is also supported by Piltz and Wachtel (2009) in their integrative review of reasons nurses failed to report suspected incidences of child abuse when seeking healthcare services. They found that reporting incidences of child abuse in small communities was difficult as there was the likelihood of assumption of the person who made the report to the authorities.

Besides, there is the fear of the family being pushed away from the same services that could be beneficial to the abused children, and the feeling that to report such cases is to betray the family where such abusive cases are taking place (Nayda, 2002). The aim of this was to protect the children and their families from more abuse in future. According to Feng and Levine (2005), people's past experiences with law enforcement agencies have resulted in many would-be reporters of child maltreatment being hesitant to report such. This stemmed from the fear of overburdening the system, and the interventions provided have not always been beneficial to the children.

In other instances, child maltreatment cases could go unreported if the documentation of similar incidences of child abuse of the same survivors is non-existence. In such situations, those who would be witnesses would not report. This is supported by Limandri and Tilden (1996). Their study on reporting rates among nurses found that nurses were more likely to document incidences of abuse if past abuses were recorded. Similarly, nurses' limited knowledge and skills are needed to identify the various kinds of child abuse. Proper identification and reporting were hampered by the different perceptions and meanings of child abuse (Lee & Hoaken, 2007). According to them, the meaning of child abuse is shaped by one's background and the meaning attached to it, which also dictates its response. The process of identifying abuse is further complicated by contextual factors, which include societal and cultural norms. This also affects the ability to ask the

right questions in the right manner to get the details of the abuse (Nayda, 2004). From their background, shaped by their socialisation, people are likely to be uncomfortable, anxious, and fearful of the consequences of their actions when dealing with certain types of child abuse (Lazenbatt & Freeman, 2006). Others might consider it an ethical obligation to address child abuse and, therefore, adopt a supportive role for advocacy for the survivor (Peckover et al., 2013). On the other hand, child abuse is seen as a family or a personal issue that should be handled at the personal and or family level (Reijneveld et al., 2008). Increased workload, management, and colleague support would determine whether a person like the nurses will identify and report child abuse (Piltz & Wachtel, 2009).

As much as the child protection structures are in place, different scholars have shown that follow-up strategies and regulations that affect the identification of the abuses and reporting of the same are not very clear (Flaherty et al., 2000; Sidebotham, 2000). They think that the presence of clear protocols and practice guidelines enhances the effective detection of child abuse and reporting of cases. A smooth and effective collaboration between and among the different sectors and agencies in abuse detection is considered a cornerstone to restrict this phenomenon in the community (Feng et al., 2010).

5. Conclusion and Recommendations

5.1 Conclusion

The study reveals that child maltreatment is still prevalent in Kenya, particularly in informal settlements. It was noted that there was a need to intensify, expand, empower, and scale up efforts against child maltreatment. It was also noted that while lesser risks like negligence are often addressed through warnings to perpetrators, more severe cases such as sexual defilements receive greater attention. However, it has been observed that due to the severe penalties associated with sexual abuse cases in court, some family members of perpetrators would attempt out-of-court settlements. Cases involving sexual abuse and exploitation require prompt handling due to the numerous risks faced by all parties involved (survivors, witnesses, and prosecution personnel). This would encourage potential witnesses to child maltreatment, who are often reluctant to engage with the legal justice system due to the lengthy and complex court processes be willing to testify.

5.2 Recommendations

The study recommends that efforts should be intensified mostly on raising awareness about children's rights and the consequences of child maltreatment. Cases involving severe forms of child maltreatment, such as sexual abuse and exploitation, should be handled expeditiously. Stakeholders involved in child protection, such as NGOs and community leaders, should be empowered with the necessary resources and support to address child maltreatment cases effectively.

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