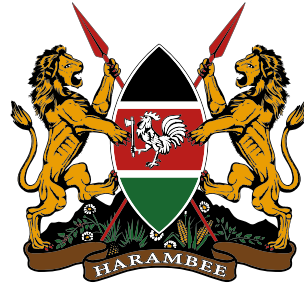




A Qualitative study on the status of Online Child Sexual Exploitation and Abuse of Children in 4 sub-counties of Kiambu and Nairobi counties in Kenya

This study was conducted in partnership with:

REPUBLIC OF KENYA



ChildFund®



Google



Africa Online Safety Fund

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List of Acronyms

| | |
|---------------------|--------------------------------------------------------------------------------------------|
| AHTCPU - DCI | Anti-Human Trafficking Child Protection Unit of the Directorate of Criminal Investigations |
| ANPPCAN | African Network for the Prevention and Protection Against Child Abuse and Neglect |
| CA | Communications Authority |
| CF | ChildFund |
| CP | Child Protection |
| CSAM | Child Sexual Abuse Material |
| CSOs | Civil Society Organizations |
| ECPAT | End Child Prostitution and Trafficking |
| FGD | Focus Group Discussions |
| ISPs | Internet Service Providers |
| KICD | Kenya Institute of Curriculum Development |
| KII | Key Informant Interviews |
| MoLSP | Ministry of Labour and Social Protection |
| NGOs | Non-Governmental Organizations |
| OCp | Online Child Protection |
| ODPP | Office of the Director of Public Prosecutions |
| OSEAC | Online Sexual Exploitation and Abuse of Children |
| UNICEF | United Nations Children Fund |
| WHO | World Health Organization |

Terminology and Definitions

| | |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Child/Minor | An individual who has not attained the age of eighteen years. ¹ |
| Child Abuse | All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment, or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development, or dignity in the context of a relationship of responsibility, trust or power. ² |
| Child Sexual Exploitation | Type of child abuse that happens when a child is performing and/or another or others are performing sexual activities in exchange for something (e.g., food, accommodation, drugs, alcohol, cigarettes, affection, gifts, or money). ³ |
| Child Sexual Exploitation Material | Any visual or audio (and/or any combination thereof) representation of minors under the age of 18 engaged in sexual activity or minors engaging in lewd or erotic behavior recorded, produced, and/or published to arouse the viewer's sexual interest. ⁴ |
| Internet Service Provider (ISP) | An internet service provider (ISP) is a company that provides a connection to the internet alongside a range of internet services, such as email, e-commerce, e-learning, and access to the World Wide Web. ⁵ |
| Online Sexual Exploitation and Abuse of Children (OSEAC) | Refers to situations involving digital, internet, and communication technologies at some point during the continuum of abuse or exploitation. For example, OCSEA can occur fully online or through a mix of online and in-person interactions between offenders and children. ⁶ |
| Perpetrator | A person alleged to have committed an act of online sexual exploitation of children that led to their arrest. ⁷ |
| Sextortion | Blackmail in which sexual information or images are used to extort sexual favors and/or money from the victim. |

¹The Constitution of Kenya, 2010

²WHO guidelines resources and publications

³Interagency Working Group on Sexual Exploitation of Children (2016) Terminology guidelines for the protection of children from sexual exploitation and Abuse <https://www.unicef.org/media/66731/file/Terminology-guidelines.pdf>

⁴IJM 2020 https://osec.ijm.org/documents/19/IJM-Aftercare-Reintegration_research-2021.pdf

⁵What-to-know-about-the-Internet-Services-Brochure.pdf (ca.go.ke)

⁶ECPAT, INTERPOL and UNICEF. (October, 2021). Disrupting Harm in Kenya: Evidence on online child sexual exploitation and abuse. Global Partnership to End Violence against Children

⁷Ibid 4.

Executive Summary

Online sexual exploitation of children (OSEAC) has become a major threat to the wellbeing of children in across the world. Globally, the number of reported child sexual abuse materials (CSAM), including photos, images and files, received by the U.S. National Center for Missing and Exploited Children (NCMEC) grew nearly tenfold in three years, from 1.1 million in 2014 to 10.2 million by 2017. This number almost doubled in 2018, with 18.4 million online child sexual exploitation and abuse (CSEA) reports received in that year alone. The Internet Watch Foundation also reported that in 2017 alone, online photos and videos with sexual abuse of children increased 37 percent as compared to 2016.⁸

This report presents assessment status of OSEAC carried out in Nairobi and Kiambu Counties in Kenya between August and September 2021. The study relied on qualitative data collection techniques, which included a review of relevant materials, key informant interviews (KII) with project stakeholders, and focus group discussions (FGDs) with children and caregivers.

The analysis is based on guidelines and definitions adopted by the Interagency Working Group on Sexual Exploitation of Children, which defines OSEAC as; *all acts of a sexually exploitative nature carried out against a child that have, at some stage, a connection to the online environment. It includes any use of ICT (Information & Communications Technology) that results in sexual exploitation or causes a child to be sexually exploited or that results in or causes images or other material documenting such sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted.*⁹

Available literature affirms that Kenya has seen exponential growth in digital devices because of increased urbanization and the development of internet infrastructure across the country.¹⁰ This has meant that more people, including children and youth, can access the internet. However, though the internet is highly beneficial in educating, communication and entertainment, a significant consequence is the increased risk of online abuse of children. In Kenya, however, the increased access to the internet fails to match up to measures developed and executed to ensure a safe environment for children while online.¹¹

A 2021 report on Disrupting Harm in Kenya¹² shows that between 5 and 13% of internet-using children aged 12-17 reported experiencing online child sexual exploitation and abuse (OCSEA) in the year preceding the study. This number is likely higher as many children do not disclose.

⁸ Internet Watch Foundation

⁹ Interagency Working Group on Sexual Exploitation of Children (2016). Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse

¹⁰ The Dark Side of the Internet for Children, TdH 2018 <https://www.datocms-assets.com/22233/1600704755-tdh-nl-ocse-in-kenya-research-report-feb-2018.pdf>

¹¹ UNICEF 2017, The State of the World's Children 2017, <https://www.unicef.org/reports/state-worlds-children-2021>

¹² <https://www.end-violence.org/sites/default/files/2021-10/DH%20Kenya%20Report.pdf>

¹³ Ibid 7

Furthermore, the report shows that 7% of children had their sexual images shared with others without their consent. At the same time, another 7% said they had been offered money or gifts in return for sexual images or videos of themselves in the same reporting period¹³. These findings amplify the extent of OSEAC especially during the COVID-19 pandemic. According to the report, 4% of the children had been threatened or blackmailed online to engage in sexual activities in the reporting period, noting that these threats were made to both boys and girls. Unfortunately, the report indicates that less than 5% of children subjected to OSEAC in the year preceding the study said that they reported to police or a national helpline. Perpetrators are most often someone the child already knows.

Study findings mirror the findings reported above. Following the COVID-19 outbreak, children spent close to 10 hours online compared to about 20 minutes pre-COVID. The prolonged access to the internet led to increased risks of children experiencing abuse. To affirm this, in June 2020, Kenya's Anti-Human Trafficking and Child Protection Unit (AHTCPU) raised a red flag over the alarming and sudden spike in online trafficking, recruitment, and online exploitation of children in Kenya.

The use of electronic gadgets to access the internet differed in Kiambu and Nairobi. Caregivers in Kiambu observed that most of their children had no passwords on their gadgets, unlike Nairobi, where most children (especially youth) preferred to set up passwords, making it harder for caregivers to monitor their internet access. While all youth who participated in this study (15-24 years) from both counties have an active social media account over the COVID 19 period, the common social media platforms for youth in Nairobi were WhatsApp, Facebook, Instagram, YouTube, and TikTok, while in Kiambu Twitter, Instagram, Snapchat, Tik-Tok and Telegram were the most mentioned. Children in both counties mentioned WhatsApp, Facebook, and YouTube as the common platforms. However, children (ages 6-12 years) do not belong to any social media platform, particularly Kiambu County.

KIIs acknowledged low reporting and prosecution as a key challenge in managing OSEAC. This is because Kenya is yet to advance in procurement, analysis, and usage of online evidence to prosecute OSEAC cases. KIIs also noted that the police lack adequate capacity to investigate and prosecute cases thoroughly.

Findings show different efforts in place to address OSEAC in Kenya. A national plan of action on the prevention of OSEAC was, for example, underway. The Computer and Cyber Crime Act and the Sexual Offences Act are the main relevant pieces of legislation that address OSEAC. Child Protection System Guidelines were in place to guide actors at the county level to deliver more coordinated and professional services for children. Non-governmental organizations have championed efforts to create awareness of OSEAC through publications and sensitization in different forums.

Recommendations

Community- Children, youth, and caregivers

- All actors on the OSEAC space ought to step up efforts towards awareness creation on OSEAC at the community level and among the law enforcement agencies.
- All actors on the OSEAC space ought to specifically target children and youth with information on the dangers and risks of unsupervised internet use to ensure they can identify and report OSEAC cases.
- Actors in the OSEAC space in the target counties supported by relevant government agencies ought to sensitize parents and caregivers on ways to monitor their children's online activities, *using applications such as Qustodio, Mama Bear, Our pact and Kaspersky Safe Kids*.
- Through the respective boards of management, community members supported by CSO actors in the OSEAC space and the relevant government ministries ought to support schools with setting up a guidance and counseling department where children and caregivers can report OSEAC cases and receive professional help.
- School management supported by CSO actors ought to establish and strengthen a reporting system at schools and community level to manage OSEAC and fully enforce the law, including establishing speak-out boxes for anonymous reporting.
- Through the development planning meetings, community members ought to push for the inclusion of budgetary allocations to address OSEAC.

State actors

- The Ministry of Interior, supported by CSOs, ought to support the mass sensitization of police on identifying and investigating OSEAC.
- The Office of the Director of Public Prosecutions (ODPP), supported by CSO actors in the OSEAC space, ought to support massive sensitization of prosecutors on gaps in the prosecution of OSEAC cases and available opportunities within the existing laws to support prosecution.
- The Ministry of Education, supported by CSO actors, ought to build the capacity of teachers to sensitize children and youth on ways to stay safe while they are online.

- The Department of Children Service (DCS) ought to lead and promote adopting a harmonized stakeholder approach by the government, CSOs, the private sector, and the community to curtail OSEAC.
- The Communications Authority (CA) should lead efforts in engaging internet service providers to develop and enhance up-to-date guidelines which can be used to regulate and monitor OSEAC.
- The DCS ought to spearhead and support the full implementation of the newly developed National Plan of Action on Prevention of Online Sexual Exploitation of Children.
- The Anti Human Trafficking and Child Protection Unit focusing on online child protection with an office in Nairobi and Mombasa ought to be replicated in other counties/regions for a faster and more coordinated response.
- The national and county governments need to increase their budgetary allocations to address OSEAC amidst an increased risk of OSEAC.

Non-state Actors

- Actors in the OSEAC space ought to promote sharing and dissemination of information on OSEAC to one another.
- CSOs should support efforts towards teaching children and youth ways to stay safe while online, including risks of unsupervised internet use.
- CSOs and other non-state actors ought to strive to share and disseminate lessons and experiences on OSEAC with community members and all actors through regular forums.
- CSOs and government actors need to offer technical support to Nairobi and Kiambu Counties to develop relevant policies and laws to address OSEAC.
- CSOs ought to support the enhancement of teachers, parents, and other players in the education system to better empower children on risks of OSEAC from an early age.
- CSOs ought to support establishing and strengthening a reporting system at schools and community levels to manage OSEAC and ensure practical linkages to the relevant referral pathways for action.
- CSOs ought to continue to lobby and advocate for developing relevant policies and laws at the national and county level and for increased budgetary allocations towards addressing OSEAC.

1. Background

1.1. ChildFund Overview

ChildFund is a child-focused international development organization whose vision is a world in which all children realize their rights and achieve their potential. The organization's mission is to build the capacity of deprived, excluded, and vulnerable children, improve their lives, help them become leaders who bring a lasting and positive change to their communities, promote societies whose individuals and institutions value, protect, and advance the worth and rights of children. ChildFund works with communities in enabling them to lead changes that address the conditions that prevent children from realizing their full potential. ChildFund is founded upon the belief that communities hold the key to their children's protection needs. The organisations' Child protection approach entails supporting communities to map existing community-based protection structures and engage with relevant stakeholders to understand better the factors that expose children to protection risks, including online sexual exploitation. Communities are also supposed to identify gaps in prevention and response programs, lead integrated interventions that entail sensitization on OSEAC, household economic strengthening, rescue and reintegration for affected children, and promotion of children agency.

1.2 Introduction

Kenya's history of internet connectivity can be traced back to 1994, when the African Regional Center for Computing was set up to offer full internet connectivity in the country. Later, this was followed by the launching of the National Taskforce, which was mandated to provide a suitable environment for electronic trade in the country. In 2000, statistics revealed that the internet connectivity in Kenya was between 30,000-50,000 users, with the service providers (ISPs) standing at thirty-four.¹⁴ The increased access to the internet has meant that children are not left behind and bringing in risks such as exposure to OSEAC. This study established that OSEAC occurs on online platforms such as Facebook and WhatsApp designed to enhance communication and interactions between groups of people. While children and youth in Nairobi and Kiambu Counties are aware of the dangers posed by OSEAC, this crime is an emerging issue. Hence, all stakeholders need to develop a comprehensive approach (government, CSOs, private sector, and the community) to be entirely curbed.

According to CA statistics, Kenya has a mobile connection of 52.06 million, equivalent to 98% of the population as of January 2020. This number increased by 4.2 million (8.7%) between January 2019 and 2020.¹⁵ An exponential increase in the internet, smartphone and mobile network usage over the past decade has created extraordinary new opportunities for socio-economic development for Kenya and Africa at large. However, the opportunities brought forth by the internet have also been accompanied by a myriad of challenges, especially for children and youth.

¹⁴ Ochara, N.M., Belle, J. van, and Brown, I. (2008). Internet Diffusion in Kenya and Its Determinants: A Longitudinal Analysis. Communications of the Association for Information Systems

The rapid growth in internet use among the younger population has created a range of safety concerns, including identity theft, bullying and harassment, sex trafficking, hate crimes, terrorist recruitment and promotion, mis or disinformation, and financial scams. Despite these challenges, the internet has opened a world of possibilities, including educational opportunities and virtual schooling throughout COVID-19.

Findings from a 2018 survey by Safe Online Safe on Land¹⁵ on what children and youth engage in online revealed that close to a third (26.53%) watch movies, while 15.82% are unsupervised and view adult content, including downloading pornographic content. To counter this, ChildFund is implementing the Tuchanuke Online project to combat OSEAC in Nairobi and Kiambu Counties. To establish the baseline status of key project goals, ChildFund commissioned Social Policy and Development Consulting (SPDC) Limited to conduct a baseline study assessing the status of OSEAC in these counties. This report provides a detailed analysis of the findings and offers recommendations from participants interviewed in both counties.

1.3. Tuchanuke Child Online Protection Project Overview

With numerous online channels available to potential abusers to access children, police and other officials often find it difficult to track illegal behavior. This is especially apparent in low-income areas in Nairobi, considered the hub of OSEAC in Kenya, and Kiambu County, which often serves as a “supplier” of trafficked children for purposes of OSEAC. To combat this, ChildFund, together with local partners, launched the Tuchanuke Online Child Protection project, which aims at achieving three-pronged objectives;

- i. To increase the understanding of online child protection risks among caregivers in Nairobi and Kiambu counties.
- ii. Improve stakeholders’ commitment in combating OSEAC.
- iii. Improve the implementation of relevant policies and legislation on OSEAC by stakeholders.

The project targets 3,000 caregivers, 800 youth, 40 community volunteers, 30 government officials, and 400 children with various interventions including community outreaches, life skills, and peer education training, media programs, workshops with government and other key stakeholders to foster dialogues and using research and short studies to inform strategies on OSEAC prevention. The project will be implemented from April 2021 to April 2022 in Starehe and Kasarani sub-counties and Kiambu Central and Kikuyu sub-counties of Nairobi and Kiambu Counties, respectively.

¹⁵ CA website <https://www.ca.go.ke/>

¹⁶ Beyond the Net Project, 2018 <https://staging.internetsociety.org/wpcontent/uploads/2018/08/safeonlinesafeonlandreport-1.pdf>

1.4. Objectives of The Study

This study had the primary goal of assessing the status of OSEAC in Nairobi and Kiambu Counties. Accordingly, the study was conducted through a detailed review of secondary and primary data in responding to the following study objectives:

1. Establish the extent of online child protection in urban settings pre and during the COVID-19 pandemic.
2. Identify the short-, medium- and long-term effects of risks associated with OSEAC.
3. Explore general understanding by children, youth, and adults' knowledge and skills of OSEAC and OCP.
4. Establish the current efforts by national, county government, NGOs, and stakeholders in combating OSEAC.
5. Give recommendations for best strategies for stakeholders, specifically communications authority on gaps in legal framework and policies and other stakeholders on scaling up initiatives in the two counties and urban settings nationwide.

2. Approach and Methodology

The OSEAC study employed a qualitative approach to gain deeper perspectives and opinions on OSEAC in the target counties. Data analysis was carried out at the project level targeting both counties. The study team conducted a secondary data review that informed the interview guide design used to conduct the KIIs and the FGD. A total of 15 Key Informant Interviews (KIIs) were conducted with persons of interest and relevant stakeholders, including government, community leaders, and civil society organizations (CSOs) in the child protection space identified through consultation with ChildFund. Another 46 individuals participated in six FGDs targeting children (boys and girls of 6-14 years), youth (male and female of 15-24 years), and caregivers (male and female of 25-60 years). While the study targeted children aged 6-14 years, only children aged 10 and above were mobilized and interviewed. Equal participation of both genders across all the FGDs was ensured. The table below provides a breakdown of the FGDs conducted in the two target counties; Nairobi and Kiambu.

| Technique | Target Data source | No. of Participants | Location |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------|---------------------|----------------|
| Focus Group Discussions (FGDs) | -One FGD with children in Starehe -One FGD with youth in Kasarani -One FGD with caregivers in Kasarani | 8 7 6 | Nairobi County |
| | -One FGD with children in Kikuyu -One FGD with youth in Kiambu Central -One FGD with caregivers in Kikuyu | 8 9 8 | Kiambu County |

A 50-50 participation ratio was observed to ensure gender balance.

Data generated from the KIIs and FGDs were thematically analyzed to complement and augment the secondary data. Experienced local qualitative researchers from SPDC facilitated FDGs. The researchers were taken through a one-day rigorous training held on August 27, 2021. All the researchers required a bachelor's degree in social sciences and at least five years of research experience with children. The lead consultants designed the training ahead of the fieldwork to create a platform to understand the Tuchanuke project and the scope of the study. The training covered the following:

- i. Detailed overview of the project and the scope of the study.
- ii. Review of data collection tools and consent forms used for data collection.
- iii. Discussions on the ethical considerations and principles in research that would guide the study.
- iv. Review and signing of ChildFund and SPDC Child Safeguarding policies.
- v. Review the evaluation matrix used to guide the development of the research questions.

2.1. Study Phases

2.1.1. Inception Phase

An initial half-day orientation meeting between ChildFund and SPDC was held before the commencement of the study. The meeting created a platform for an in-depth discussion of the baseline study objectives and expectations. Other matters discussed included the study approach, methodology, the work plan, and the sampling framework. SPDC then developed the draft inception report, which was shared with the project team for review and input.

2.1.2. Desk Review and Design of Data Collection Tools

This phase involved a review of relevant reports, including the project proposal, Tuchanuke Online Child Protection Project Theory of Change, results framework, and program documents on OCP as provided by ChildFund. The study team also conducted a systematic online search of other literature on OSEAC published online. The literature review entailed a rigorous analysis of available and relevant reports on Online Child Protection (OCP) and laws and legislation on OSEAC in Kenya published between the year 2016-2021. The study's objectives guided the review, and the list of reviewed literature has been provided in the reference section of this report. The desk analysis further informed the design of the data collection tools, which were developed and shared with the project team on August 3, 2021. The data collection tools included.

- i. FGD Guide for Children and Youth.
- ii. FGD Guide for Caregivers.
- iii. Key Informant Interview Guide for Stakeholders.
- iv. In Loco Parentis Consent Forms for Children.

2.1.3. Sampling and Consent

Given the prevailing government restrictions on gatherings and social interactions at the time of this study, FGD participants were mobilized based on a pre-specified criterion to ensure full representation in terms of age and gender. Children were, for example, mobilized from the catchment areas of the main target schools in the target sites. Youth and adults

were sought from the project localities based on pre-determined guidelines of age, gender, and, where possible, persons with disability. The selection of all the study participants involved working with ChildFund project staff in the two target counties. Informed consent was administered to all adults.

The caregivers accompanying the children signed consent forms for their children, following which a verbal assent was sought from the children before the interviews began. Consent and assent statements emphasized the rights of respondents, including the right to refuse to participate or to answer any question they did not want to, the right to stop the interview at any time, a guarantee of confidentiality, risks of participating in the study, how the data will be used and the estimated time of the interview. The KIIs were largely virtual, and consent for any recording was sought at the start of the interview.

2.1.4. Primary Data Collection

Data collection was carried out using FGDs and KIIs with the identified stakeholders. The FGD interviews were conducted physically in small groups of 6-9 respondents. Six FGDs were conducted; three in Kiambu and three in Nairobi County. The meetings occurred in community halls in line with the guidance provided by ChildFund project staff in the target sites. Each FGD was facilitated by two research assistants and lasted for 1-1.5 hours. The FGDs observed all the COVID-19 protocols as per the Ministry of Health (MOH) guidelines, including hand washing with soap/sanitizing, proper wearing of face masks, and social distancing.

The facilitators sought signed informed consents from all adult respondents and verbal assent from children at the beginning of each FGD. In addition, FGDs with children were convened over the weekend to avoid interruptions of school schedule of activities and comply with the Ministry of Education regulations not to allow visitors in schools. Respondents for KIIs were purposively selected in consultation with ChildFund. Fifteen key informants were interviewed in this study area. Interviews were virtually done using Zoom, Microsoft Teams, and telephone platforms. A list of respondents by category is annexed.

2.1.7 Ethical Considerations

SPDC was conscious of the heterogeneity of the general population targeted by the study. Therefore, high ethical standards were maintained throughout the study by observing the following:

- **Seeking informed consent and assent** (verbal and/or written) from all study participants. This was achieved by signing of written consent by the youth and caregivers. The guardians accompanying the children signed written consent on behalf of the children before proceeding with the discussions. The children also gave verbal assent before any discussion began, and their voices were captured in the recording as they unanimously said yes to agreeing to participate.
- **Respecting the study participants** was done by clearly stating that all opinions were valid and that there was no right or wrong answer at the beginning of the discussion. Participants were urged to respect each other's views and reminded that everyone

could air their views without fear. Where questions were not clear, participants were encouraged to seek further clarification before responding.

- **Confidentiality and safe data custody;** The research team ensured that all data collected was carefully transcribed and stored in password-protected devices. All the data was labeled and organized ahead of sharing it with ChildFund.
- **Desisting from any act of commission or omission** that can cause harm to any respondent, community, and the reputation of ChildFund and its Consortium partners was achieved by reading and signing the ChildFund child protection policy at the commencement of the study.

2.1.8 Study Limitations

The study team could not hold KIIs with the Kiambu County government officials at the county and sub-county level. The Tuchanuke project team was still pursuing entry-level meetings with the county leadership. Despite the prolonged presence of Child Fund in Kiambu County. New County staff needed to be appraised about the project at the time of this study. This limited the extent of data collected in relation to the plans by the county government to manage OSEAC.

The information gathered during the FGDs with children in Kikuyu sub-county was largely scanty compared to information collected during the children FGD in Nairobi County. The research team observed that children in the Kikuyu sub-county were rather shy and seemed less open to discussing OSEAC. When asked to give scenarios, they would mostly nod and look down with little to discuss. This was quite different with Starehe sub-county, where the children were active and highly responsive to the questions. This could be due to environmental factors; Kikuyu sub-county is a mix of rural and semi-urban compared to Nairobi sub-counties which are purely urban.

Virtual interviews used for the KII limit observation of body language, which could assist the researcher in contextualizing the interview and possibly draw more insights. This could have limited the depth of interviews.

3. Findings

Data collection was carried out using FGDs and KIIs with the identified stakeholders. The FGD interviews were conducted physically in small groups of 6-9 respondents. Six FGDs were conducted; three in Kiambu and three in Nairobi County. The meetings occurred in community halls in line with the guidance provided by ChildFund project staff in the target sites. Each FGD was facilitated by two research assistants and lasted for an hour to an hour and a half. The FGDs observed all the COVID-19 protocols as per the Ministry of Health (MOH) guidelines, including hand washing with soap/sanitizing, proper wearing of face masks, and social distancing.

3.1. Establishing the extent of online child protection in urban settings pre- and during the COVID-19 pandemic.

The effects of the COVID-19 pandemic continue to impact millions of people across the globe. While the pandemic did not physically impact many children, their lives have changed in different ways, with a significant concern being their mental health and well-being. Studies by UNICEF indicate that globally, 1 in 7 children has been directly affected by the lockdowns witnessed in Kenya and other parts of the world. In addition, UNICEF reported that more than 1.6 billion children had suffered some loss of education, with at least 463 million unable to access remote learning due to other reasons linked to poverty.¹⁷ Months into the pandemic, UNICEF further estimated that 2 in every 5 children in Sub-Saharan Africa were out of school in 2020 (physically and remotely), translating to a loss in learning, routines, extra-curricular activities, recreation, and loss of opportunities for social and emotional development.¹⁸

Whereas some children and adolescents have been able to recover learning with support from their caregivers, school closures meant increased pressure on caregivers. They were expected to supervise the learners even as some schools, largely private, moved to remote learning. Moreover, while laptops, tablets, and iPads were once a pastime luxury, they have since become an educational necessity for children, increasing the risks of OSEAC. This was seen when the Kenyan government unexpectedly closed all schools and colleges in March 2020 nationwide in response to the first positive test of Covid-19, therefore disrupting learning for nearly 17 million learners countrywide.

In June 2020, Kenya's Anti-Human Trafficking and Child Protection Unit (AHTCPU) raised a red flag over the alarming and sudden spike in online trafficking, recruitment, and exploitation of children in Kenya, amid concerns that the trend will continue.¹⁹ The COVID-19 pandemic, and measures introduced to curb its spread, affected the lives of untold numbers of children and families worldwide. UNICEF, for example, estimated that more than 160 million children globally were completely cut off from learning for one year.²⁰ While children were primarily not the main face of the pandemic, UNICEF reports that children of all ages across the globe were at a higher risk of being the most prominent victims even as the global economy plunged into a recession. According to 2020 economic projections, the global socio-economic impact of the pandemic is likely to push more than 142 million children into poor households if mitigating policies are not developed and implemented with urgency, particularly in developing countries.²¹ In relation to OSEAC, this study established that children were spending close to 10 hours online, a significant increase in hours spent from the pre-COVID era. In Nairobi, for instance, caregivers observed that their children could only spend about 20 minutes pre-COVID in the evening surfing the internet after school. But following COVID-19 school closures and national lockdowns, children could stay online for close to 10 hours. This was reported by more than two-thirds of all youth and caregivers interviewed.

During an FGD session in Nairobi, a parent commented:

“My child would spend about 20 minutes online pre-COVID, but since the pandemic, they can even spend more than 10 hours a day mostly accessing movies and playing games; it's crazy!” (A caregiver in Kasarani)

Another parent in Kiambu commented;

“Children would play online games for about 30 minutes but the teenagers are always online chatting especially when schools were closed one could be online 3 straight hours, they cannot hear what the parent is saying, even when cooking in the kitchen the food ends up burning as they are online.” (A caregiver in Kikuyu)

Almost all children interviewed in Nairobi county and about half of those interviewed in Kiambu county reported spending more time on the internet since the outbreak of COVID-19 which led to schools closure.

When it comes to controlling what their children did while online, caregivers observed that it is generally easier to control children accessing the internet (those below 12 years) more than teenagers (13 years and above). Adolescents are more proficient with the devices and can easily set passwords that deter their caregivers from accessing their phones. However, children in Kiambu reported more restrictions in using the internet than those in Nairobi. Children in Nairobi further mentioned that they tended to spend more time on the internet doing homework. Mostly they accessed the internet unsupervised. A caregiver in Kasarani, for example, noted ;

“Their phones and other apps are secured with passwords, and they reset their phones once you show interest to access their online content.” (FGD participant Kasarani)

Another participant added

“For the younger ones, you can easily detect what they do online because they lack skills in installing protective features like passwords.” (FGD participant, Kasarani)

However, in Kikuyu sub county, most caregivers differed from those in Kasarani by observing that their children would access the internet openly without necessarily using passwords on their gadgets. About 60% of the participants indicated that their children were not keen on passwords as they felt that there was nothing to hide from their guardians. They were also unsure what they would do when children's gadgets were password protected. This was a worrying trend, given that caregivers purchase or provide access to electronic gadgets for their children but cannot monitor their use. Children in Kiambu similarly indicated that their parents controlled how they accessed the internet. This suggests that children in Nairobi and possibly across the urban areas were prone to online abuse due to a higher tendency to use the internet unsupervised than their counterparts in Kiambu county and other counties.

All the youth who participated in this study (15-24 years) in both Nairobi and Kiambu Counties have an active social media account. The leading social media platforms mentioned were

WhatsApp, Facebook, Instagram, YouTube, and TikTok for Nairobi and Twitter, Instagram, Snapchat, TikTok, and Telegram for Kiambu County. The use of social media platforms for youth in both counties is mainly for entertainment and communication purposes. Communication is mainly between peers they meet online and actual friends they know personally. For example, in Nairobi youth mentioned that they use the internet primarily to watch movies, communicate with friends and family, and play games.

¹⁷ SOWC-2021-full-report-English.pdf (unicef.org)

¹⁸ ibid 8

¹⁹ <https://allafrica.com/stories/202006020452.html>

²⁰ UNICEF 2020, Covid-19 and School Closures; one year of Education disruption <https://data.unicef.org/resources/remote-learning-reachability-factsheet/>

²¹ <https://data.unicef.org/covid-19-and-children/>

Other reasons for access to the internet were mentioned to be searching for fashion trends/ ideas, receiving the latest news updates and current affairs, communicating with peers, and conducting online classes. For Kiambu County, the top reasons for accessing the internet were receiving updates on political affairs, marketing, selling products, playing music, and getting informed on current trends in fashion and culinary skills. This study established that the children (ages 6-12 years) do not belong to any social media platform, particularly Kiambu County. Children in Nairobi County mentioned WhatsApp, Facebook, and YouTube as the common platforms they use whenever they have access to the internet.

Caregivers in Kiambu County acknowledged that the internet is highly beneficial but can negatively affect children if left unsupervised. Benefits listed include the use of the internet for learning purposes, games, communication, and listening to music. Adverse effects of the internet were mentioned to be the danger of communicating with strangers that can easily lure one to OSEAC, visiting pornographic sites, behavioral change due to peer pressure to engage in acts such as drug abuse, copying of unrealistic celebrities' lifestyle and posting of inappropriate photos and nudes. The ECPAT 2021 report similarly identified social media, messaging, watching the live stream, and school work as everyday activities children engage in when they are online. Older children- adolescents engage in a broader range of online activities than younger children. Gaming is the most common activity amongst younger children.²²

Regarding rules and regulations in accessing the internet, caregivers agreed that the rules do not do much to prevent the children from risks associated with OSEAC. Caregivers in both counties observed it's relatively challenging to manage adolescents' activities. At the same time, they are online as most want to access the internet privately and have set up passwords restrictions only known to them. With the increased use of the internet and electronic gadgets during the pandemic, it was apparent that children faced more risks of online abuse, given that they are largely unsupervised and uncontrolled, especially when it comes to adolescent children. This study established that caregivers continue to face the challenge of controlling what their adolescent children did while online and at the same time striking a balance not to over-control them. A caregiver observed the following during one of the FGD discussions.

“I didn’t know that there is the internet since I was busy with my work, but one day what I found when he left the phone - I don’t know if I have the courage to say this - I saw naked people doing that thing, from then I don’t give out my phone.” (Caregiver in Kikuyu)

A KII from ChildLine Kenya informed this study that the COVID-19 pandemic has undoubtedly increased the number of cases reported daily on OSEAC. While the reporting is relatively low due to issues of stigma, fear, and poor response from the authorities, ChildLine Kenya observed that there had been a general increase in OSEAC cases reported since the onset of COVID-19. It was further observed that reporting is commonly done by girls more than boys. This is mainly due to issues around socialization where girls are more aware of OSEAC due to constant engagements by their parents/caregivers on dangers associated with OSEAC.

²² ECPAT, INTERPOL and UNICEF. (October, 2021). Disrupting Harm in Kenya: Evidence on online child sexual exploitation and abuse. Global Partnership to End Violence against Children.

“From the data in 2018, OSEAC cases have increased. We had 16 cases of children who had been exposed online and were victims of OSEAC. Then in 2020, the number shifted to 189, which is a huge number.” (ChildLine Kenya)

A report on OSEAC by ANPPCAN revealed that children have become more susceptible to various forms of child abuse since Covid-19 was declared a pandemic[5]. The report reveals that most of the children (80%) and parents (87%) reported being victims of OSEAC. In addition, parents and caregivers (75%) also reported experiencing child abuse or violence against children during the pandemic.²³

3.2. Short, medium, and long-term effects of risks associated with OSEAC.

The consequences of OSEAC can be severe and cause long-lasting emotional, mental, and physical harm to the victims. Adverse effects of OSEAC can be categorized as physical, cognitive, emotional, and social. Risks affecting both children and teenagers majorly include harassment, cyberbullying, identity theft, hate speech, incitement, and racism. Online attackers tend to target children and adolescents who publish personal information online, revealing their age and information on their sexuality.²⁴ While the internet is highly beneficial for purposes such as education and communication, there remain dangers associated with unsupervised access to the internet for children and youth.

Caregivers in Nairobi and Kiambu counties acknowledged that they often use the internet less than their children. However, managing their access to potential OSEAC content is limited, especially for adolescents who seem to have more privacy settings and set up passwords for limited access by their guardians. The recently launched ECPAT report mirrors the findings of this study. The report reveals that more than two-thirds of the children interviewed have not been taught how to stay safe on the internet. Their awareness of the risks and effects of OSEAC vary, with some children having very minimal information on OSEAC.²⁵ This study

established the following as some of the cited effects of OSEAC as mentioned by youth and children in Nairobi and Kiambu Counties;

²³ Impact of COVID-19 on Children in Busia, Loitoktok, Marsabit and Nairobi, ANPPCANN 2021 <https://static1.squarespace.com/static/5bd9f8a7710699aaf0e28fc6/t/607eda02747c8c4c849ef9f5/1618926103187/Study+on+the+Impact+of+Covid+19+on+Children+in+Kenya.pdf>

²⁴ Zilka, G. C. (2017). Awareness of eSafety and potential online dangers among children and teenagers. *Journal of Information Technology Education: Research*, 16, 319-338. Retrieved from <http://www.informingscience.org/Publications/3864>.

- The internet can be a distraction when conducting online learning - When the children are on the internet, some may experience pop-up screens with images or pictures of nudes that easily capture their attention and distract them from their studies. This was widely reported to have affected some private schools in Nairobi at the onset of online learning around April and May 2021.
- Peer pressure and influence - Negative peer pressure and the fear of losing out potentially encourage children to participate in OSEAC to afford a particular lifestyle like their peers.
- Behavioral change - Physical abuse and development of aggressive behavior for children involved in OSEAC.
- High anxiety is expressed through behavior changes and substance use as a coping mechanism.
- The internet can be a platform where adolescents can easily pick up the vulgar language as they come across it while online or when listening to secular music through channels such as YouTube.

In 2013, TdH-NL conducted a study on OSEAC that examined survivors' psychological impact. It showed that even though child victims of the Office of Child Support Enforcement seemed to gain some pride from having a foreign "friend," their underlying feelings about their involvement, especially in forms of live OCSE such as webcam sex shows, were negative. Children who participated in the study expressed being dirty, ashamed, and embarrassed. Additionally, they felt afraid of being caught, arrested and worried that their pictures would be visible on the internet forever.²⁶

The impact of OSEAC on children can be experienced in the short and long term, and measures such as psychosocial support are critical for such victims. The study by TdH (Terre Des Hommes) revealed that the lack of such support is likely to exacerbate difficulties that children and adolescents experience in the form of OSEAC, leading to mental, emotional, sexual, and physical repercussions that can persist into adulthood.²⁷ Aside from the benefits posed by the internet, respondents acknowledged that schools play a crucial role in curbing OSEAC through awareness creation and offering psychosocial support for OSEAC victims through the counseling department. At the same time, this study established that the community has a role in curbing OSEAC through prevention, identification, and reporting of OSEAC cases. While children are well aware of the risks associated with OSEAC, they agree that sometimes the OSEAC content is 'forced' onto the child even when they are intentional in doing the right thing when they are online.

“Distracting screen pop-ups can lead one to stray away from what they were looking for on the internet. You could be looking for an assignment given by the teacher, and then pornographic pictures start to pop up, and that diverts your mind from what you were looking for.” (Youth, Kiambu).

²⁵ IECPAT, INTERPOL and UNICEF. (October, 2021). Disrupting Harm in Kenya: Evidence on online child sexual exploitation and abuse. Global Partnership to End Violence against Children.

²⁶ Terre des Hommes Netherlands (2013). Webcam Child Sex Tourism. Becoming Sweetie: a novel approach to the global rise of Webcam Child Sex Tourism

²⁷ Ibid, 20.

3.3. General understanding by children, youth, and adults' knowledge and skills of OSEAC and OCP.

Children's online safety relates to a range of activities including online privacy, cyberbullying, exposure to violent content, exposure to content that foments exclusion and hatred, contact with online strangers, and coarse language. In addition, there is a sense of invisibility on the internet, making it easier for people to commit offenses than in person quickly. Children in the target counties demonstrated some understanding of what OSEAC entails. Findings revealed that children and adolescents could describe what OSEAC meant to them and identified the parents/caregivers and schools as the main source of knowledge for understanding OSEAC.

“It means to engage in sex on the internet by showing the predators you're naked.” (Child, Kikuyu)

In Nairobi, children described OSEAC to be the following;

“Watching pornography and later being lured to having sex offline with the people you meet online, some strangers.” (Child, Starehe)

Furthermore, children and youth respondents understood they are vulnerable to OSEAC and identified the below factors as some of the reasons they are likely to be vulnerable to OSEAC;

- The mode of dressing can make one a target. If a child dresses inappropriately, they are likely to be an OSEAC target, especially when they post pictures online.
- Holding conversations with strangers online can make one easily prone to OSEAC. The strangers might engage the child on OSEAC and offer incentives such as cash stipends.
- Poverty and lack of basic amenities in the family can easily make children engage in OSEAC, such as sending nude pictures in return for some pay.
- Poor morals - children with destructive behaviors are easily prone to OSEAC due to the way caregivers and their level of self-esteem raise them.
- Peer pressure was also identified as a contributing factor to OSEAC. This happens when children want to keep to a particular lifestyle as their peers on social media.
- Poor parenting - If parents do not make time to teach and counsel their children on the dangers of OSEAC, they become prone to online abuse due to a lack of openness.

Mirroring the above reasons, the below verbatim goes to qualify the vulnerability of children further when online;

“Low self-esteem makes one vulnerable to OSEAC For instance, there are people who would like and comment on certain pictures and videos online, so those people that comment good, makes the child feel good as well, their esteem has gone up, and then they start visiting the site to improve their self-esteem.” (Youth in Kiambu)

While schools have made efforts to create awareness, participants in this study agreed that more can still be done for a greater reach and increased knowledge on OSEAC. Caregivers cited that the schools have awareness initiatives through the counseling and guidance department. In Nairobi County, some caregivers observed the following;

“Yes, every end of term, parents are requested not to give their smartphones to their children.” (Caregiver, Kasarani)

A second participant added;

“Yes, every week schools hold guidance and counseling sessions on issues including online safety.” (Caregiver, Kasarani)

Local police were identified as the first point of reporting by caregivers if they experienced any form of OSEAC. While the caregivers established that law enforcers are doing not much in prosecuting offenders of OSEAC, they still recognized the police as the main point of contact whom they would report to if their child is exposed to OSEAC. Children and youth identified the school guidance and counseling department as their first point of contact if they experienced any form of OSEAC. Anonymous reporting via the suggestion box in schools was identified by the youth as a channel to report OSEAC while at the same time avoiding any form of stigma.

“If I found inappropriate content in my child's phone, I would copy the particular message and report to the police for further action. I would also block the sender so that they cannot continue communicating with my child.” (Caregiver, Kasarani)

The participants of this research agreed that they each play an essential role in curbing OSEAC. For example, the youth in Kasarani identified their main role in curbing OSEAC to be speaking up against it and raising their voice against the vice. For example, this can be done by creating youth football clubs where they come together to play sports and raise awareness amongst the community against OSEAC. On the other hand, children in the two counties acknowledged that reducing the time they spent online would effectively reduce the risk posed by OSEAC. They ascertained that when their parents/guardians set passwords to restrict them from accessing specific sites, they would be less exposed to OSEAC as they will use the internet solely for purposes such as learning. The findings of this study established that reporting rates for OSEAC cases are low due to low prosecution rates and weak reporting channels at the community level. A key informant observed the following.

“Most of the online child abuse cases are not reported. Only about one out of fifty cases are reported. Children are suffering at home, and unfortunately, their parents or caregivers do not know what is happening behind the scenes.” (KII, Judiciary)

Discussions with key informants sought to highlight the reasons behind low reporting and prosecution. Notably, it was observed that Kenya was yet to advance in procurement, analysis, and usage of online evidence to prosecute cases of online sexual abuse. In addition, key informants noted that the threshold required to prosecute a case of online sexual exploitation was high, and often police cannot consolidate cases. In some instances, the abusers may be in other far parts of the world beyond the authority of the Kenyan police. Although they work with Interpol, such a case would undoubtedly take a lot of resources and time to resolve.

3.4. Current efforts by National, county government, non-Governmental organizations (NGOs), and stakeholders in combating OSEAC.

Like many other countries globally, Kenya has continued to achieve notable milestones in its efforts towards curbing OSEAC and enhancing Child Protection frameworks. So far, Kenya has ratified international instruments aimed at ensuring OCP. These include;

- i. Ratification of the United Nations Convention on the Child’s Rights (UNCRC,1989) in 1990.
- ii. Ratification of the African Charter on the Rights and Welfare of the Child (ACRWC,1990) in 2009.
- iii. Adoption of the Declaration and Agenda for Action arising from the World Congress against Commercial Sexual Exploitation of Children (CSEC).
- iv. Recognizing Commercial Sexual Exploitation of Children (CSEC) as a Worst Form of Child Labour (WFCL) as defined in ILO (International Labour Organization) Convention 182. Kenya ratified ILO (International Labor Organization) Convention 182 in 2001.

To further strengthen its commitment to CP, Kenya has developed local frameworks, laws, and policies as per the following:

- i. The Constitution of Kenya 2010
- ii. The Children’s Act (2001)^[6]
- iii. The Sexual Offences Act (2006)^[7]
- iv. The Employment Act (2007)^[8]
- v. The Computer Misuse and Cybercrimes Act (2018)^[9]
- vi. The Counter-Trafficking in Persons Act (2010)^[10]
- vii. The Kenya Information and Communication Act No.2 of 1998.
- viii. Kenya Information and Communication (Amendment) Bill, 2019.
- ix. Data Protection Act.
- x. Protection Against Gender Violence Act.
- xi. National Prevention and Response Plan on Violence Against Children.

The above Acts of parliament are complemented by policies that Kenya has put in place to combat child abuse, including:

- i. The National Children Policy Kenya 2010^[11]
- ii. The Framework for the National Child Protection System in Kenya 2011^[12]
- iii. The National Plan of Action against Sexual Exploitation of Children in Kenya 2013-2017^[13]
- iv. The National Standard Operating Procedures for the Management of Sexual Violence against Children (2018)^[14]
- v. The National Monitoring and Evaluation Framework Towards the Prevention of and Response to Sexual and Gender-based Violence in Kenya.^[15]
- vi. The National Plan of Action Against Sexual Exploitation of Children in Kenya 2018 - 2022^[16]

Similar to the ECPAT 2021 report, a review of the OCP legislation in Kenya revealed that The Computer and Cyber Crime Act and the Sexual Offences Act are so far the main relevant pieces of legislation that tackle OSEAC. The Computer and Cyber Crime Act defines CSAM and details its activities, while the Sexual Offences Act sets the age of sexual consent for children to be 18 years. Whereas the above laws and policies have been put in place by the Kenyan government towards curbing OSEAC, this study established that more awareness creation at the community level needs to be done as there is limited knowledge from the caregivers, children, and youth on firstly identifying and reporting OSEAC and the existing laws that are available to protect children from any form of child abuse. When asked to mention some of the laws and policies on CP, both the children and the youth could barely mention any laws they were aware of. Key informants working directly in the justice system made the following observation;

“The justice system does not know how to handle the cases (OSEAC). For example, recently, a magistrate released an accused person because there was no provision for the conviction of the accused, reasoning that defiling involves penetration. Still, the Sexual Offences Act includes coercing the child to view pornographic material.” (KII, UNICEF)

A literature review further shows that Child Protection System Guidelines were developed to address the fragmented response to child protection in Kenya and guide actors at the county level to deliver more coordinated and professional services for children and their families. The guidelines set out a plan for coordinated action at the county level and provide work practice direction for all formal and informal actors to deliver more coordinated and professional services within the realm of child protection systems. This guarantees more sustainable actions and responses towards children and their families. It was, however, noted that these guidelines do not contain substantive legal provisions on sexual exploitation and abuse. Still, it's a road map to guide players and stakeholders in child protection in general at the county level on response to child protection issues.

Article 185 (2) of the Constitution empowers a county assembly to make any laws necessary

for, or incidental to, the adequate performance of the functions and exercise of the powers of the county government. Kenya's counties experience different forms of sexual and gender-based violence (SGBV) in varying proportions; as such, counties are free to develop custom-made policies and laws to address their unique though universal challenges in respect of SGBV.

Despite the increasing cases of SGBV and especially OSEAC, only a few counties have developed policies and enacted laws on the prevention and response. These include Nairobi County, which had developed the Nairobi City County Sexual and Gender-Based Violence Management and Control Bill, 2019, which was pending its signing into law by the governor. However, the bill focuses on gender-based violence in general and is not specific in any section on issues around OSEAC.

²⁸ ECPAT, INTERPOL and UNICEF. (October, 2021). Disrupting Harm in Kenya: Evidence on online child sexual exploitation and abuse. Global Partnership to End Violence against Children.

²⁹ <https://citizentv.co.ke/news/alarm-as-gbv-and-rape-cases-in-kiambu-rise-to-third-highest-in-the-country-342885/>

³⁰ <https://www.datocms-assets.com/22233/1600704755-tdh-nl-ocse-in-kenya-research-report-feb-2018.pdf>.

However, it is worrying that despite the increasing cases of sexual and gender violence cases against children and women in Kiambu, the county does not seem to have enacted any law or developed any policy to address these issues. Data compiled from national hotline 1195 in 2020 showed that Kiambu County had the third-highest rates of GBV (Gender-Based Violence) and rape after Nairobi and Kisumu counties. Other counties such as Meru and Migori have made efforts to develop some relevant policies. However, the policies and laws at the county level do not specifically address OSEAC. Instead, they deal with sexual exploitation and abuse of children in general.

Non-governmental organizations including Terre des Hommes, Kenya Association of Professional Counselors, Plan International, Childline Kenya, UNICEF, Watoto Watch Network, Cradle, The Children's Foundation, and SafeHouse have championed efforts to create awareness on OSEAC through publications and sensitization in different forums. For example, these organizations have supported the publication of a guide to Child Online Protection, and Terre des Hommes has published a report on the Dark Side of the Internet for Children.

Coordination of actors was noted to be a challenge by key informants. For example, it was noted that a few CSOs were implementing interventions around OSEAC independently. Most were noted to only meet to share updates, but few worked together. There seemed to be no harmonization of efforts by CSOs towards curbing OSEAC. Since 2018, a technical working group is currently being chaired by DCS and CA, whose role is to ascertain combined approaches/strategies in curbing OSEAC. Notable efforts were seen in the publication of government guidelines, co-supported by different organizations. According to stakeholders, this should also be seen at the organizational level and in government programmes. The national plan of action that is underway could lead to proposing practical organizational coordination structures.

4. National Government efforts in curbing OSEAC

Findings from this study established that while the government has put in efforts towards curbing OSEAC, there remain challenges that need to be addressed as per the following;

- Weak reporting, case management, and law enforcement mechanisms across the board- from the community to the law enforcers level. This was mentioned in the two counties, Kiambu and Nairobi. Children, Youth, and Caregivers identified this to be a challenge.
- The current legislation, such as the Children's Act and the Cyber Crime Act, are unclear on OCP. The law is not explicit on OSEAC- While there are efforts to review the same, there are long delays and cracks that need to be filled. This was identified by state and non-state actors KILs.
- Limited awareness of OSEAC among children, youth, and caregivers in Nairobi and Kiambu county. This is mainly due to low prosecution of cases even after reporting. Identified by the community and non-state actors' stakeholders.
- Low resource allocation and budget support for OSEAC cases. There is no budget support and political goodwill in implementing laws and policies on OSEAC. Identified by Non-state actors.
- Lack of coordination among stakeholders working to curb OSEAC- duplication of efforts and lack of harmonization in developing strategies and interventions on OSEAC. (State and non-state actors)
- Weak justice system; Most cases are dismissed at reporting level and do not escalate to the conviction level, which discourages people from reporting. Identified by state and non-state actors.
- Gaps in the existing provisions for Child Protection. For example, the Children's Act is unclear on OSEAC in terms of definition, enforcement, and prosecution. Identified by State and Non-state actors.
- The current Legislation in Kenya focuses more on the perpetrator and not the victim.

7. Summary and Conclusion

Although the Kenyan government has adopted a few measures to reduce OSEAC, this study established that critical gaps remain that need to be addressed, such as the review, streamlining, and full enforcement of the current legislation on OSEAC. General findings from this study established that underage children have access to inappropriate content mainly through screen pop-ups as opposed to deliberately searching for sexually explicit content. Children in Nairobi who were mainly not supervised faced a more significant risk of abuse. It is evident through this study that adolescents particularly have access to social media accounts where they have friends they know in person and those they do not.

These interactions put them at a higher risk of OSEAC and other dangers such as child trafficking. Overall, caregivers are well aware of risks associated with unsupervised access to the internet by their children but believe that it is easier to control the younger ones than control and monitor the adolescents who are often more digitally competent than their parents. Reporting and prosecuting OSEAC offenders remains the main challenge across the board, with both the state and non-state actors citing this as a critical gap towards curbing OSEAC. Although a seamless measure of the prevalence of OSEAC was not found through this study's efforts, the findings of this baseline study can guide programming and policy decisions to further improve law enforcement responses to OSEAC crimes and the provision of social services for OSEAC victims. Further research, increased awareness, and improved estimates of the prevalence of OSEAC are needed to inform stakeholders' future interventions better.

7. Recommendations

Community- Children, youth, and caregivers

- All actors on the OSEAC space should step up efforts towards awareness creation on OSEAC at the community level and among the law enforcement agencies. This can be achieved through campaigns, outreach, and advocacy messages which can be disseminated using the mainstream media. In addition, the awareness campaigns can adopt different channels such as online campaigns, stakeholders' forums, and school outreaches.
- All actors on the OSEAC space ought to specifically target children and youth with information on the dangers and risks of unsupervised internet use to ensure they can identify and report OSEAC cases. When the young people are knowledgeable and aware of the dangers of OSEAC, they can identify perpetrators and their tactics, hence eluding the risk of being a victim. There is also the need for increased awareness-raising amongst children and caregivers on available reporting platforms such as 116.
- Actors in the OSEAC space in the target counties supported by relevant government agencies should sensitize parents and caregivers on ways to monitor their children's online activities, using applications such as *Qustodio*, *Mama Bear*, *Our pact* and *Kaspersky Safe Kids*.
- Through the respective boards of management, community members supported by CSO actors in the OSEAC space and the relevant government ministries should support schools with setting up a guidance and counseling department where children and caregivers can report OSEAC cases and receive professional help. Where the departments are already in existence, there's a need to train the staff on

- managing cases of OSEAC without stigmatizing the victims.
- School management supported by CSO actors should be supported to establish and strengthen a reporting system at schools and community level to manage OSEAC and fully enforce the law, including establishing speak-out boxes for anonymous reporting.
- Through the development planning meetings, community members should push for the inclusion of budgetary allocations to address OSEAC.

State actors

- The Ministry of Interior, supported by CSOs, should support the mass sensitization of police on identifying and investigating OSEAC.
- The Office of the Director of Public Prosecutions (ODPP), supported by CSO actors in the OSEAC space, should support massive sensitization of prosecutors on gaps in the prosecution of OSEAC cases and available opportunities within the existing laws to support prosecution. UNICEF has worked on training packages for the justice actors this far.
- The Ministry of Education, supported by CSO actors, should build the capacity of teachers to sensitize children and youth on ways to stay safe while they are online. This is against the backdrop of increased internet use for education purposes.
- The Department of Children Service (DCS) should lead and promote adopting a harmonized stakeholder approach by the government, CSOs, the private sector, and the community to curtail OSEAC. The effort by all actors should be complementary rather than competitive, repetitive or overlapping.
- The Communications Authority (CA) should lead efforts in engaging internet service providers to develop and enhance up-to-date guidelines which can be used to regulate and monitor OSEAC
- The DCS should spearhead and support the full implementation of the newly developed National Plan of Action on Prevention of Online Sexual Exploitation of Children
- The Anti Human Trafficking and Child Protection Unit focusing on online child protection with an office in Nairobi and Mombasa ought to be replicated in other counties/regions for a faster and more coordinated response.
- The national and county governments need to increase their budgetary allocations to address OSEAC amidst an increased risk of OSEAC.

Non-state Actors

- Actors in the OSEAC space should promote sharing and dissemination of information on OSEAC to one another. This could be achieved through county level and national level working for groups on the prevention of OSEAC.
- CSOs should support efforts towards teaching children and youth ways to stay safe while online, including risks of unsupervised internet use.
- CSOs and other non-state actors should strive to share and disseminate lessons and

experiences on OSEAC with community members and all actors through regular forums.

- CSOs and government actors need to offer technical support to Nairobi and Kiambu Counties to develop relevant policies and laws to address OSEAC.
- CSOs ought to support the enhancement of teachers, parents, and other players in the education system to better empower children on risks of OSEAC from an early age. This can be done through creating outreach programs and discussion forums that involve stakeholders to interact and speak to the children on OSEAC as an emerging issue.
- CSOs should support establishing and strengthening a reporting system at schools and community levels to manage OSEAC and ensure practical linkages to the relevant referral pathways for action.
- CSOs should continue to lobby and advocate for developing relevant policies and laws at the national and county level and for increased budgetary allocations towards addressing OSEAC.

Notes

This image shows a single sheet of white paper with horizontal green ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

A Study Report on Online Sexual Exploitation and Abuse of Children in Kiambu and Nairobi Counties



Contacts

-  Off Waiyaki Way - Westlands
-  P.O. Box 14038-00800, Nairobi
-  Tel: +254 20 4444890/3 +254 20 4444425
-  +254 722 236916, +254 735 429312
-  ChildFund Kenya
-  @ChildFundKenya
-  ChildFund Kenya