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MINISTRY OF LABOUR AND
SOCIAL PROTECTION

DIRECTORATE OF CHILDREN
SERVICES

STANDARD OPERATING PROCEDURES ON ONLINE CHILD SEXUAL EXPLOITATION AND ABUSE IN KENYA



2024

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Bishops Road, National Social Security (NSSF) House

P.O. Box 40326 – 00100, Nairobi

Telephone: +254 (0) 2729800

Fax: +254 020 2726497

<https://www.socialprotection.go.ke/children-services/>

Prepared by: Directorate of Children Services in Kenya



**MINISTRY OF LABOUR AND
SOCIAL PROTECTION**
DIRECTORATE OF CHILDREN
SERVICES

 **Safe Online**



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FOREWORD

The internet has brought about tremendous benefits to society, offering access to information, entertainment, and communication tools beyond what was previously imaginable. However, with these benefits come potential risks, particularly when it comes to the safety and well-being of children. The online world provides an avenue for predators to abuse and exploit children, and the impact of such abuse can be devastating and long-lasting.

To address this issue, it is essential to have clear procedures in place to identify and respond to child online abuse. These Standard Operating Procedures (SOPs) are designed to provide guidance to professionals who may encounter child online abuse in the course of their work, including law enforcement officers, child protection workers, health workers, social workers, prosecutors and other service providers.

The development of these SOPs has been informed by the National Plan of Action to Tackle Online Child Sexual Exploitation and Abuse 2022 – 2026. The Plan tasks the Directorate of Children Services under Outcome 3 to put into place the necessary systems and procedures to strengthen reporting mechanisms, case management and referral pathways. This standard operating procedures will in particular address output 3.2 - to ensure the development and implementation of coordinated SOPs across sectors. They provide a comprehensive framework for identifying, reporting, and responding to child online abuse, and are intended to be used in conjunction with other relevant policies and procedures.

The SOPs details the minimum standards for the management of online child sexual exploitation and abuse cases across sectors. It has been developed in a participatory manner with regards to existing child protection case management guidelines in the country. It also outlines referral procedures for the provision of complementary services for the child victim when the need arises. The development of this SOPs is therefore timely as it accords the Government of Kenya and other stakeholders a standardized approach to online child protection case management. It is my hope that this document will be a valuable reference for protection of the rights of children in the digital environment in the country.

The SOPs will ensure that children are protected from the dangers of online exploitation and abuse and that professionals working in this field have the tools and resources they need to respond effectively to cases of OCSEA. However, we recognize that the landscape of child online abuse is constantly evolving, and therefore, these SOPs shall be reviewed regularly.

Ultimately, the safety and well-being of children remains our top priority. By working together and following these SOPs, shall ensure that children are protected from harm and can enjoy the full benefits of the digital age in a safe and secure manner.

Hon. Florence Bore

Cabinet Secretary

Ministry of Labour and Social Protection

PREFACE

The Ministry of Labour and Social Protection, through the Directorate of Children Services in conjunction with ChildFund, has developed these Standard Operating Procedures as a standard guide for professionals addressing Online Child Sexual Exploitation and Abuse (OCSEA). This document serves as a vital resource for all stakeholders in addressing the complex and evolving issues surrounding OCSEA. As we navigate the digital age, protecting our children from online threats has become an imperative that demands collective attention and action.

The development of this guide has been a collaborative effort of a multisectoral technical working group. In crafting this document, we have drawn upon international best practices, legal frameworks, and the collective wisdom of those actively combating OCSEA.

This SOP document is structured into four chapters: Chapter 1 Introduction to Standard Operation Procedures for OCSEA, Chapter 2 Procedural Legal and Policy Framework Chapter 3 Roles and Responsibilities of Key Duty Bearers in Management of OCSEA and Chapter 4 outlines Standard Operating Procedures as follows:

1. Identification and Documentation
2. Reporting of OCSEA Incidences
3. Collaboration, Referral and Linkages
4. Investigations of OCSEA
5. Prosecution and Trial Process
6. Protection, Care and Reintegration

It is envisaged that these SOPs will guide and standardise approaches among professionals in the identification, prevention, and response to OCSEA incidences by offering clear guidelines and procedures.

I extend my gratitude to all those who contributed to the development of these procedures which will serve as a valuable tool in our shared commitment to creating a safer digital environment for children.

Joseph M. Motari, MBS

Principal Secretary

State Department for Social Protection and Senior Citizen Affairs

ACKNOWLEDGEMENTS

The development of this Standard Operating Procedures on Online Child Sexual Exploitation and Abuse in Kenya was spearheaded by the Directorate of Children Services. It is a key milestone in Kenya's efforts to implement the National Plan of Action to Tackle Online Child Sexual Exploitation and Abuse 2022–2026. In particular, the SOPs will provide guidance to professionals on clear procedures to identify, report and respond to online child abuse cases.

First and foremost, we extend our heartfelt appreciation to members of the multisectoral Technical Working Group on Child Online Protection who shared their insights and extensive knowledge to enrich the content of this SOPs. They were drawn from: Directorate of Children Services, Communications Authority of Kenya, Directorate of Criminal Investigations, Information and Communication Technology Authority, Judiciary, Kenya Film Classification Board, Kenya Institute of Curriculum Development, Kenya Police Service, Kenya Prisons Services, Ministry of Education, Ministry of Health, Ministry of ICT, Office of Attorney General and Department of Justice, Office of Director of Public Prosecutions, Probation and After Care Services, Teacher Service Commission, ChildFund Kenya, Childline Kenya, Lifeskills Promoters, Mtoto News, SOS Children Villages, Sterling Performance, Watoto Watch Network, SUPKEM, National Council of Churches of Kenya, National Parents Association and to our graphic designers and editor. Your invaluable input ensured that the procedures are comprehensive, relevant, and aligned with best practices

Special thanks to the Child Online Protection Department team under the leadership of Director Children Services, Mrs. Josephine Oguye - Assistant Directors Rose Mwangi and Stephen Gitau, Children Officers Vivian Ondeyo, Jackline Ikuwa, Hellen Nduta and Kevin Mwiti for their dedication and diligence throughout the entire process of the development, validation and launch of the SOPs. We are profoundly grateful to other stakeholders involved in the creation of this SOPs. Your unwavering support and commitment to protecting children from online exploitation is commendable.

The Directorate of Children Services appreciates financial support from ChildFund Kenya through the project Safe CLICS – Safe Community Linkages for Internet Child Safety.

I therefore call on all relevant stakeholders to commit to working together to protect the children of Kenya by implementing the coordinated standard operating procedures.

Shem Nyakutu
Secretary Children Services
Directorate of Children Services

ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
AHTCPU	Anti Human Trafficking and Child Protection Unit
BOM	Board of Management
CA	Communications Authority of Kenya
COP	Child Online Protection
CPIMS	Child Protection Information Management System
CSAM	Child Sexual Abuse Material
CSOs	Civil Society Organizations
CSR	Corporate Social Responsibility
DCI	Directorate of Criminal Investigations
DCS	Directorate of Children Services
DNA	Deoxyribonucleic Acid
ICTA	Information Communications Technology Authority
ILO	International Labor Organization
IWF	Internet Watch Foundation
KE-CIRT/CC	Kenya Computer Incident Response Team / Coordination Centre
KFCB	Kenya Film Classification Board
KNHRC	Kenya National Human Rights Commission
KICD	Kenya Institute of Curriculum Development
MDAs	Ministries, Departments and Agencies
NCMEC	National Centre for Missing and Exploited Children
NPA	National Plan of Action
OCSEA	Online Child Sexual Exploitation and Abuse
ODPP	Office of Director of Public Prosecutions
PRC	Post Rape Care
PTA	Parent Teacher Association

SOPs	Standard Operating Procedures
TSC	Teacher Service Commision
TWG	Technical Working Group
UNCRC	United Nations Convention on the Rights of the Child

DEFINITION OF TERMS

App: a short form for application referring to a programme or a software designed for a particular purpose that can be downloaded onto a mobile phone or other device.

Authorized officer: includes a police officer, a chief, a children's officer, a probation officer, a prison officer, a registered medical practitioner, a labour officer, a teacher, or any other officer authorized by the Secretary Children Services or under any other written law for the purposes of the Children Act 2022.

Best interest of the child: means the principles that prime the child's right to survival, protection, participation and development above other considerations and includes the rights contemplated under Article 53 (1) of the Constitution and section 8 Children Act.

Chain of Custody of Evidence: refers to the process of obtaining, processing and conveying evidence through accountable tracking mechanisms (paper trail showing movement of evidence) from the first responder, the health facility, the National Police Service and finally to the court. The investigating officer is the custodian of an evidentiary material.

Child: an individual who has not attained the age of 18 years (Children Act 2022).

Child sexual abuse materials (CSAM)/ Child Pornography: include, but are not limited to, "any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities, or any representation of the sexual parts of a child for primarily sexual purposes", as well as the use of a child to create such a representation. CSAM can be broadened to include sexual exploitation of children in travel and tourism; online enticement; trafficking of children for sexual purposes; child sexual molestation; misleading domain names or words; and solicited or unsolicited obscene material sent to a child.

Cyber/cyberspace/online space: refers to virtual computer world, an electronic medium that is used to facilitate online communication.

Cyberbullying: harassment within the digital space, which can take place on social media, messaging, and gaming platforms and on mobile phones. It is repeated behaviour, aimed at scaring, angering or shaming those who are targeted.

Cyber stalking: threatening or otherwise fear-inducing conduct that involves invasion of a person's relative right to privacy, and manifests in repeated actions over time using digital media. Exposure to pornography: any contact with sexually explicit or erotic media.

Exposure to pornography: any contact with sexually explicit or erotic media.

Informed assent: the expressed willingness of a child and the family to participate in the provision of services.

Informed Consent: the process of getting permission from a caregiver by explaining the purpose, benefits, and potential risks before providing any intervention.

Live-streamed child sexual abuse: refers to video communication from a live broadcast stream in which a child or children consciously interact sexually with another person remotely over the internet without permanent recording the communication.

Obscene materials: includes any book, magazine, film, video or audio tape or print or electronic or social media or other medium which is of a kind targeted at or is likely to fall into the hands of children and which consists wholly or mainly of stories in pictures with or without addition of written matter or video films and cassette tapes which contains pictures or stories which portray harmful morally repugnant or sexually explicit information, such as-

- a. the commission of crime;
- b. acts of violence; or
- c. incidents of repulsive or indecent representation or immoral characters;

Online child sexual exploitation and abuse (OCSEA): refers to all child sexual abuse crimes that are committed using Information Communication Technology (ICT) OR and the internet. The sexual abuse and exploitation can either happen online or offline with the help of the internet.

Online gambling: a form of betting or staking online with the consciousness of the risk and hope of gaining.

Online grooming: means establishing an emotional connection with a child through electronic means, with the aim of manipulating the child. This may facilitate sexual contact or other forms of child abuse that promote, induce or normalize sexual activity or behaviour among or with children.

Online radicalization: a process through which individuals are initiated into adopting extremist beliefs and attitudes through the Internet, social media, and other forms of online communication.

Psychological First Aid (PFA): an evidence-informed approach that aims to reduce stress symptoms and assist in holistic recovery following a traumatic event, natural disaster, public health emergency, or even a personal crisis.

Sexting: sharing of sexual, naked or semi-naked images or videos of themselves or others or sending sexual messages. It is online abuse if a child or young person is pressured or coerced into creating or sending these types of images.

Sexual exploitation: refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual extortion: refers to the blackmailing of a person with the help of images of that person in order to extort sexual favours, money, or other benefits from her/him under the threat of sharing the material beyond the consent of the depicted person.

CHAPTER 1

INTRODUCTION TO STANDARD OPERATING PROCEDURES FOR OCSEA

1.1 Background

The Government of Kenya is signatory to various international conventions, regional charters and protocols on the rights of children. These include the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC) among others. These instruments commit the Government to promote and protect the rights of children. Several initiatives through policy formulation, programming, research, monitoring and evaluation have been put in place to address the plight of children in vulnerable situations.

In 2021 and 2022, the Ministry of Labour and Social Protection launched Guidelines for Child Protection Case Management and Referral in Kenya and the National Plan of Action to Tackle Online Child Sexual Exploitation and Abuse in Kenya 2022 – 2026 respectively. The enactment of the Children Act 2022 is a game changer because it addresses cases of emerging online child abuse and therefore paves way for the development of this Standard Operating Procedures occasioned by the fact that child protection is a multi-sectoral affair.

Inadequate coordination and collaboration of child protection actors leads to ineffective and inefficient identification, prevention and response to OCSEA. The SOPs therefore provide a guide to professionals who respond to cases of violence against children.

According to the Disrupting Harm Survey Kenya 2021 findings, 67% of 12 – 17 year olds in Kenya are internet users. Further, of the internet using children assessed, 48% of their caregivers have never used the internet. This depicts that children are interacting with the online space without their caregivers' guidance or support, therefore leading to the increase in vulnerability to online abuse.

While *Guidelines for Child Protection Case Management and Referral in Kenya 2018* determine the course of action and aim at streamlining particular processes according to defined procedures, they do not address cases of online child abuse.

This document establishes the concept of multi-sectoral response to OCSEA and the general violence against children. It establishes a common methodological framework for professionals who provide interventions, describing clear procedures, roles and responsibilities for each agency in response to OCSEA. It reflects a human-rights based and survivor-centred approach and is designed to be used together with established guidelines and mechanisms related to the response to violence against children in Kenya.

1.2 Purpose

These SOPs seek to improve the quality and consistency of services countrywide for victims / survivors and standardise the response to OCSEA. Moreover, they aim to improve partnership and the effective cooperation between the government, CSOs and other key stakeholders.

Further, they have been developed to operationalise the National Plan of Action to tackle OCSEA under Strategic Area 3 on capacity strengthening. Output 3.2 which addresses the development and implementation of SOPs on OCSEA.

The content of this document is consistent with global best practices and also complements existing child protection case management guidelines by combining the procedural guidance provided in various legal frameworks.

The SOPs provide a harmonised framework of agreed standards, principles and procedures for all child online protection stakeholders to understand each other's roles and responsibilities and create a seamless process. They identify specific procedures to the use of forms, tools and guides by the social service workforce and other key stakeholders. In addition, these SOPs will help to hold stakeholders mutually accountable to each other and the beneficiaries they serve.

OCSEA is a child protection concern that requires the efforts of the broader child protection system which includes laws, policies, guidelines, child protection workforce and the entire child protection infrastructure. This approach encompasses a multidisciplinary/ sectoral approach and therefore the need for a standard tool (SOP) to help regulate the operations of the various players so as to ensure consistency, best practices and harmonisation in service delivery with the end goal of realising efficiency in achieving the overall objective of protecting children, more so in the digital space.

Categorisation of online child abuse cases

- Child Sexual Abuse Material(CSAM)/child pornography
- online grooming
- livestreaming of child abuse
- sexting
- sextortion
- cyberbullying
- cyber enticement
- cyber harassment
- cyber stalking
- online radicalisation
- exposure to pornography
- online gambling

Intended users of the SOPs

These SOPs have been developed for use by all state and non-state actors that provide services to children who have suffered or are likely to suffer various forms of online violence, abuse and exploitation. The users of these SOPs specifically include:

<ul style="list-style-type: none">• Ministry of Labour and Social Protection• Ministry of Education - schools• Judiciary• National Police Service• Ministry of Health• Faith based organisations• Office of Director of Public Prosecution• Teachers Service Commission• Civil Society Organizations• Kenya Prisons Services	<ul style="list-style-type: none">• Probation and Aftercare Services• Office of the Attorney-General & Department of Justice• Kenya Film Classification Board• Communication Authority of Kenya• Industry – ISPs, mobile service providers, social media companies• Information & Communication Technology Authority• Community based structures
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1.3 Vision

Online Child Sexual Exploitation and Abuse is eliminated in Kenya

1.4 Mission

By 2026 children and communities stay safe online and report to a comprehensive multi-sectoral and coordinated child protection system which effectively prevents and responds to OCSEA

1.5 Scope

These SOPs intend to bring harmonisation in prevention of and response to OCSEA cases at whatever level by all players including children, parents/caregivers, teachers, health workers, police, children officers and community level workforce. It stipulates a step by step process on how to handle an OCSEA case starting from reporting to reintegration. All players handling OCSEA cases should use it as a guide to address OCSEA

1.6 Guiding principles

The SOPs are grounded on the following principles:

1. **The best interest of the child:** This refers to the child's overall well-being and provides the basis for all decisions.
2. **Do no harm:** It is the responsibility of child protection practitioners to protect children from harm.
3. **Child participation/ child centred approach:** Children have a right to be consulted, be involved and have their opinions sought and taken into account in decision-making on matters which affect their lives

4. **Informed consent:** This is the process of getting permission from the primary caregiver before providing any intervention to allow for informed decision making regarding their dependents case.
5. **Informed assent:** This is the expressed willingness of a child to participate in the provision of intervention services.
6. **Non-discrimination:** Children have a right to non-discrimination. All children should enjoy their right to effective protection and no child should be a victim of any discriminatory acts based on race, skin colour, sex, language, religion, political opinion, ethnic or social origins, economic status, disability or any other status.
7. **Confidentiality:** Child protection practitioners should ensure that any information concerning a child is treated with utmost respect for the privacy of the child and accessible only to those authorised on a 'need-to-know' basis.
8. **Culturally responsive:** This ensures services are sensitive and respectful towards all people, their family norms and cultures.
9. **Quality delivery of services:** Services delivered in child protection should be aimed at promoting the holistic development and well-being of a child.
10. **Accountability:** Child protection practitioners should be accountable for their actions, decisions and commitments not only to the child but also to other stakeholders.
11. **Ethical standards and professionalism:** When serving children, practitioners should uphold professionally accepted standards of personal behaviour and values.
12. **Multisectoral and collaborative:** Child protection practitioners should work across sectors with all key stakeholders including children and their parents/caregivers in providing enriched interventions and further optimising on stakeholders' strengths and capacities.

CHAPTER 2

PROCEDURAL LEGAL AND POLICY FRAMEWORK FOR OCSEA

2.1. Introduction

Kenya has enacted laws and policies that outline the procedures for handling child online protection cases. These procedures guide the stakeholders on how to swiftly and efficiently handle cases involving children in contact and in conflict with the law.

2.2. Legal Framework

Though not exhaustive, the following is a summary of the main procedural laws and policies that guide stakeholders

a) National laws for OCSEA

- The Constitution of Kenya, 2010
- The Children Act No. 29 of 2022
- Evidence Act, Cap 80 Laws of Kenya
- Criminal Procedure Code Cap 75 Laws of Kenya
- Sexual Offences Act No. 3 of 2006
- Victim Protection Act No. 17 of 2014
- Witness Protection Act No. 16 of 2006
- Legal Aid Act No. 6 of 2016
- Computer Misuse and cybercrime Act No.5 of 2018
- Data Protection Act No. 24 of 2019

Other Acts that may be applicable include:

- Probation of Offenders Act Cap 64 Laws of Kenya
- Community Service Orders Act No 10 of 1998
- Counter Trafficking in Persons Act No. 8 of 2010
- Penal Code Cap 63 Laws of Kenya
- Age of Majority Act of 1974

Table 2.1: National laws addressing OCSEA

Law	Section/ Regulation	Provision
The Constitution of Kenya, 2010	Article 53 Provides for rights of a child	<ol style="list-style-type: none"> (d) Every child has the right:- to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative labour A child's best interests are of paramount importance in every matter concerning the child.
Children Act No. 29 of 2022	Section 2	This section defines a child in conflict with the law as a person who is above the age of 12 years, but below the age of 18 years, who has been dealt with or punished in accordance with Part XV of this Act or any other written law for contravention of the law.
	Section 96	A child who is in conflict or in contact with the law and is below the age of sixteen years has a right to legal representation at the State's expense.
	Section 217 (1)	a Children's Court may try a child for any offence except the offence of murder
	Section 218 (1), (2), (3), (4) and (5)	<ol style="list-style-type: none"> A police officer who arrests, serves a summons or issues a written notice to a child shall notify the parent or guardian of the child and the Secretary or an authorized officer within twenty-four hours; A Children's Officer who receives a notification under subsection (1) shall assess and submit a report to the police officer; A Children's Officer shall assess a child under subsection (1) in an environment that is secure and is friendly to a child. That may include a room in a police station, the Children's Court or the offices of the Secretary; A Children's Officer shall assess a child in a manner that is conducive to ease and comfort a child and shall have regard to the best interest of a child; The assessment of a child for purposes of this section shall be carried out in accordance with the Fifth Schedule.
	Section 219	requires a court to remit any case to a Children's Court for a child in conflict with the law

Section 220	right to privacy at all stages from arrest to the determination of a matter
Section 221	<ol style="list-style-type: none"> 1. Criminal responsibility of a child: A person under the age of 12 years shall not be criminally responsible for any act or omission; 2. A child who commits an offence while under the age of 14 years shall be presumed not to be capable of differentiating between right and wrong, unless the Court is satisfied on evidence to the contrary.
Section 222 (1) and (2)	<ol style="list-style-type: none"> 1. Every child shall be afforded an opportunity to be heard in proceedings affecting the child, either directly or through a representative; 2. Pursuant to the provisions of Article 50 of the Constitution, every child is entitled to the right to a fair trial, which shall include the presumption of innocence, the right to be notified of the charges preferred against him or her, the right to legal representation, the right to the presence of a parent or guardian, the right to present and examine witnesses, the right to remain silent, and the right to appeal at all stages of the proceedings.
Section 223	<ol style="list-style-type: none"> 1. prohibits institutionalisation and detention of a child, unless as a matter of last resort; 2. a child shall be detained under conditions that take full account of the child's particular needs, status and special needs according to their age, gender and type of offence, as well as mental and physical health or disability, and protect them from harmful influence and situations of risk.
Section 224	a child in conflict with the law shall be subject to either diversion or a judicial process in accordance with the Criminal Procedure Code.
Sections 226 and 227	the prosecution and the court to assess whether a child should be diverted
Section 228	requires a preliminary enquiry to be held to determine the age of the child, criminal responsibility, consider diversion, child placement, and referral of the child's case to a Children's Court
Section 229	allows a magistrate to order a medical age assessment or rely on other documents to assess the age of a child

	Section 231	allows a magistrate to identify a children officer, a probation officer and any other person to monitor diversion
	Section 233	summarises the rights of a child in conflict with the law including the right to remain silent, the right to legal representation and the right to have a parent/guardian or close relative or probation officer present
	Section 235	<p>Every child accused of having violated any rule of law shall:</p> <ol style="list-style-type: none"> be promptly and directly informed of the charges against him or her; be provided by the state with legal assistance in the preparation and presentation of his or her defence; have the matter determined without delay; not be compelled to testify or make a confession in respect of the alleged offence; have free assistance of an interpreter if the child cannot understand or speak the language in which the proceedings are conducted; if found guilty of the offence, have the right to apply for review of decisions and any punitive measures imposed by the trial Court; have his or her privacy respected at all stages of the proceedings; if the child has a disability, be accorded reasonable accommodation in respect of his or her special needs and respect for his or her personal dignity on an equal basis with others; and if the child is not released on bond, he or she shall be placed in a Children Remand Home or Child Protection Unit.
	Section 236	requires a court to consider the best interest of the child in all stages with due regard for health, education and maintenance
	Section 237	a) prohibits the use of the words 'conviction' and 'sentence' in relation to a child in conflict with the law requires the court to use the words 'finding of guilt' and 'order on finding of guilt'
	Section 238	prohibits the imprisonment of a child and the death penalty

	Sections 239, 240 and 241	prescribe how to deal with children in conflict with the law
Criminal Procedure Code, Cap 75	Section 88	allows the investigating officer to apply for orders to investigate documents, accounts, forensic evidence, electronic evidence, etc
	Section 137	outlines the process of preparing a charge sheet
	Section 137	outlines the procedure for plea bargaining
	A - 137 O	
Evidence Act Cap 80 Laws of Kenya	Section 106 A-106 I	outlines the procedure for admitting electronic records as evidence
	Section 124	allows the court to rely on the evidence of a victim even when there is no corroboration
Sexual Offences Act, 2006	Section 31	provides for vulnerable witnesses and how the court should treat them
	Section 36	allows for the extraction of DNA samples from victims or accused persons
	Section 39 (13)	provides for the maintenance of a register for convicted sexual offenders by the Court
Victim Protection Act No. 17 of 2014	Section 6 and 7	provide for the preliminary requirements for the protection of victims
	Section 8	protects a victim's privacy and confidentiality from publication, media and any other persons
	Section 9	provides for the right of the victim to bail hearing, plea bargaining and to participate in the trial, including sentencing
	Sections 10 and 11	deal with the protection and security of the victim, including medical, psychosocial support and police protection
	Section 13	allows the court to request for the victim assessment report before sentencing
	Section 15	provides for the right of a victim to participate in restorative justice
	Section 16	requires law enforcement agencies to promptly release a victim's property held as an exhibit
	Section 17	allows a court to declare a victim vulnerable and their rights thereunder

	Section 18	provides for the rights of a child victim including safe custody
	Section 19	A victim has a right to information before, during and after trial.
	Section 23 and 26	provides for the right of the victim to restitution or compensation from the offender
	Section 24	right to compensation from the Victim Compensation Trust Fund
Witness Protection Act No. 16 of 2006	Section 31	provides for the establishment of the Victims Compensation Fund for the restitution and compensation of a victim
	Section 4	establishment of the Witness Protection Program
	Section 4(3)	provides for alternative modes of hearing other than physical hearing and protection of the witnesses' identity
	Section 5	provides for the application for inclusion into the Program by the witness him/herself, a law enforcement agency, prosecutor, a legal representative or an intermediary
	Section 14	requires for the application for inclusion into the Program to be made to the High Court
	Section 24	provides that the identity of a participant not to be disclosed in legal proceedings
Legal Aid Act No. 6 of 2016	Section 35	allows the service to provide legal aid to children matters, both civil and criminal
	Section 36 (1)	provides that a child is eligible for legal aid services
	Section 42	Requires that persons in lawful custody be informed of their right to legal aid
	Section 43 (3)	requires that all children before court should be provided legal representation

b) Policy Framework on OCSEA

- National Plan of Action to Tackle Online Child Sexual Exploitation and Abuse in Kenya 2022-2026.
- International Telecommunications Union Guidelines on Child Online Protection, 2021
- National Prevention and Response Plan on Violence against Children in Kenya, 2019 - 2023
- The National Information Communication Technology (ICT) Policy 2020
- The National Plan of Action against Sexual Exploitation of Children in Kenya 2018 - 2022
- The National Standard Operating Procedures for the Management of Sexual Violence against Children, 2018

- The National Monitoring and Evaluation Framework towards the Prevention of and Response to Sexual and Gender-Based Violence in Kenya, 2014
- The Framework for the National Child Protection System in Kenya, 2011
- The National Children Policy Kenya 2010
- WeProtect Global Alliance- Model National Response Framework

c) Rules and Regulations

Some of the subsidiary legislation in support of, or regulating OCSEA include:

- Kenya Information and Communication (Consumer Protection) Regulations, 2010
- Kenya Information and Communication (Broadcasting) Regulations, 2009
- The Data Protection (Complaints Handling Procedure and Enforcement) Regulations, 2021
- The Data Protection (General) Regulations, 2021
- The Sexual Offences (Dangerous Offenders DNA Data Bank) Regulations, 2008
- The Sexual Offences Regulations, 2008

CHAPTER 3

ROLES AND RESPONSIBILITIES OF KEY DUTY BEARERS IN MANAGEMENT OF OCSEA

3.1 Introduction

This chapter highlights different stakeholders and their key roles and responsibilities in protecting children. The NPA on OCSEA implementation requires a multi -sectoral approach and calls for all key sector players to take responsibility to ensure safety of children in the online space.

Table 3.1: Key stakeholders, their roles and responsibilities

Duty bearer	Roles and responsibilities
National Council for Children Services (NCCS)	<ul style="list-style-type: none">• develop policy, codes of conduct regulating good practice relating to child protection and child welfare• promote, carry out and disseminate research relating to welfare and protection of children matters• formulate, approve, evaluate and monitor implementation of programmes to create public awareness in all matters relating to the rights and welfare of children• advise on technical and support services to state and non-state agencies participating in child welfare programmes• advise the Cabinet Secretary on matters relating to child protection• collaborate with relevant state departments, state and non-state agencies to monitor and evaluate efficiency and effectiveness of all social programs established in the interest of children• monitor and evaluate implementation of public education programs on the rights and welfare of children• establish, Regulate and manage the activities of County Children Advisory Committee to advice on matter relating to the rights, welfare and protection of children

Directorate of Children Services (DCS)	<ul style="list-style-type: none"> • act as the secretariat to the TWG on COP • mobilise and promote action to address gaps in OCSEA prevention and response • implement the NPA on OCSEA (2022 – 2026) • provide statutory case management services to victims of OCSEA • co-ordinate, manage and supervise OCSEA interventions • maintain up-to date records and data on management access of welfare amenities of OCSEA incidences • report and monitor OCSEA cases • identify, formulate and develop programs to mitigate children facing hardships for the consideration of the council • inquire, assess and prepare reports in accordance with the children's act • implement any direction of court including providing social and administrative support • trace, reintegrate or restore a lost or abandoned child who has gone through online child abuse • intervene and rescue a child affected by OCSEA to a place of safety • provide guidance and assistance for a child during proceedings in a court of law • facilitate medical treatment for a child in police custody or a child in remand home • participate in Court users' committees to address matters relating to OCSEA • rehabilitation of OCSEA offenders who are children
Communication Authority of Kenya (CA)	<ul style="list-style-type: none"> • National KE-CIRT/CC coordinates and responds to cybercrime incidences in collaboration with various actors locally and internationally. • The national KE-CIRT/CC is the focal point of contact between Kenya and external operators as well as internal actors. • coordinate and provide oversight to the ICT sector • strengthen reporting and take down procedures of inappropriate content in the online space • create awareness on issues of Online safety of children
ICT Authority	<ul style="list-style-type: none"> • monitor and report suspicious online behavior to relevant authorities • support law enforcement agencies to identify and prosecute individuals involved in child online exploitation and abuse • provide education and awareness to the public on the dangers of OCSEA

Office of the Data Protection Commissioner	<ul style="list-style-type: none"> • exercise oversight on data processing operators on OCSEA investigations • promote self-regulation among data controllers and data processors • receive and investigate any complaints by any person on the infringement of the rights of the children
Kenya Film Classification Board (KFCB)	<ul style="list-style-type: none"> • regulate content disseminated across media platforms by ensuring messaging aligns with the communication regulations • regulate the creation, broadcasting, possession, distribution and exhibition of film and broadcast content in the country • give consumer advice having due regard to the protection of children against sexual exploitation and degradation in films and on the internet • ensure content which depicts ,contains scenes or are of language intended for adult audience is not aired during the watershed period
National Police Service	<ul style="list-style-type: none"> • receive and act on OCSEA cases in a child friendly manner • ensure systems and tools are in place to collect and preserve evidence for prosecution purposes • cooperate with child protection professionals locally and internationally. • conduct forensic examination of OCSEA exhibits • arrest suspects of OCSEA and facilitate prosecution of the same in court • carry out proper case management with the prosecutor to ensure justice is served to the victim
Office of Director of Public Prosecution	<ul style="list-style-type: none"> • partner with DCI and other law enforcement agencies in offering prosecution guided investigations, victim compensation and case management • develop rapid reference guide for prosecutors on OCSEA • ensure that prosecutors are properly trained to handle cases of OCSEA • collaborate with other stakeholders to ensure that necessary protection and victims' rights are upheld at all times • collaborate with witness protection agencies to protect witnesses • participate in Court users' committees to address matters relating to OCSEA
Judiciary	<ul style="list-style-type: none"> • ensure judges, magistrates and other court user committee members are trained on OCSEA and that the necessary systems and tools on child protection during trial are in place • ensure judicial proceedings comply with child protection principles • provide effective and protective victim support and compensation • maintain an up-to-date register of convicted sex offenders • conduct Court Users' Committees to address matters relating to OCSEA

Office of the Attorney General and the Department of Justice	<ul style="list-style-type: none"> • provide legal advice on matters OCSEA Online child sexual exploitation and abuse • represent the state where legal proceedings may arise regarding OCSEA • protect and promote of the rule of law • defend public interest in matters OCSEA • conduct civic education through community structures and media sensitizations on the sexual offences act • draft legislative proposal if and when needed regarding OCSEA • provide legal aid services to indigent, vulnerable and sexually abused children • promote legal literacy • provide special protection to victims of OCSEA • provide victims of OCSEA with information and support services • provide reparation and compensation to victims of OCSEA • offer Mutual Legal Assistance Act No. 36 of 2011 during judicial proceedings relating to OCSEA
Kenya Prisons Service	<ul style="list-style-type: none"> • containment and safe custody of offenders • facilitate administration of justice • treatment of youth offenders in Borstal Institutions (BI) and the Youth Corrective Training Center (YCTC) • build the capacity of Kenya Prisons Service Workforce on requisite knowledge and skills relevant to OCSEA • implements evidence-based treatment and rehabilitation programmes for OCSEA perpetrators • facilitates Mental health and psychosocial needs assessment of offenders and provide appropriate offender support • allocates resources to develop guidelines, assessment tools, data management facilities, create awareness and address offender programmes
Probation and Aftercare service	<ul style="list-style-type: none"> • ensure requisite knowledge, skills and capacities in OCSEA of the relevant workforce • implements evidence-based treatment and rehabilitation programmes for OCSEA offenders • provides community-based reintegration for offenders and intensive supervision for OCSEA perpetrators • facilitates mental health and psychosocial needs assessment of victims and provide appropriate victim support and compensation

	<ul style="list-style-type: none"> • undertakes social crime prevention at community level • allocates resources to develop and address sex offender programmes, guidelines, assessment tools, data management facilities and create awareness • rehabilitates children who are in conflict with the law
MOE and its Semi-Autonomous Government Agencies (SAGAs), TSC	<ul style="list-style-type: none"> • create awareness among institution administrators, leaders, BOMs, PTA, parents, teachers and TSC field officers • capacity build education implementers and parents on OCSEA • identify and Reporting of OCSEA incidences • guidance and counselling teachers to act as focal persons in schools in addressing issues related to OCSEA • ensure active participation of children in awareness creation and activities that protect them online • participate in development of OCSEA education materials • quality assure educational materials developed by other stakeholders/ organizations • strengthen collaborations with MDAs and non-government actors to enforce standards and guidelines on OCSEA • review the school curriculum regularly to incorporate OCSEA matters • promote collaborations between learning institutions and community in preventing and responding to OCSEA
Ministry of Health	<ul style="list-style-type: none"> • identification and reporting of OCSEA cases • provide medical and psychosocial support to victims of OCSEA • offer referral services to victims of OCSEA • supporting investigation of OCSEA cases through provision and interpretation of forensic reports • presentation of medical reports and evidence in court of law
ICT Industry	<ul style="list-style-type: none"> • report OCSEA incidences to relevant authorities • ensure expedited notice and take down procedures are in place • ensure company policies on child protection are in place • promote child safety in product design • comply with existing guidelines on OCSEA • develop a safer and age-appropriate online environment • promote innovative solutions in technology to address online child protection • promote access to information on reporting and services • promote and support OCSEA CSR initiatives

Hospitality Industry	<ul style="list-style-type: none"> • train staff members on identifying potential signs of OCSEA within their working spaces • report suspicious OCSEA activities to the appropriate authorities • conduct background checks on guests and employees to ensure they do not have a history of sexual abuse or related crimes • install filters and firewalls on their networks to block access to illegal websites and prevent guests from accessing inappropriate content • participating in industry initiatives that aim to prevent OCSEA
Media	<ul style="list-style-type: none"> • ethical and accurate reporting, adhering to legal guidelines • generate content on OCSEA and provide information for the public on reporting • sensitization and awareness on OCSEA • advocate for policies that promote online safety of children and lobby for funds allocation for OCSEA programmes • amplify issues of OCSEA through investigative journalism • provide a platform for children's views on ICT OCSEA and COP
Financial Institutions and Digital Payment Platforms	<ul style="list-style-type: none"> • monitor and report suspicious financial transactions • train their staff on identifying potential financial risks linked to OCSEA • support industry initiatives that aim to prevent OCSEA • support investigative agencies by providing evidence • regulation of other digital payment platforms
Civil Society Organizations	<ul style="list-style-type: none"> • create awareness on OCSEA • promote reporting of OCSEA incidences • provide case management services and referrals • coordinate with relevant actors on matters OCSEA • promote advocacy on OCSEA prevention and response • promote child participation on child participation on child online safety • mobilise responses to support online safety programmes
Children	<ul style="list-style-type: none"> • peer to peer education on OCSEA • report OCSEA incidents to relevant authorities • use internet enabled gadgets positively and responsibly • participate in programmes relevant to prevention of and response to OCSEA

National Parents Association	<ul style="list-style-type: none"> • development, dissemination and tracking effectiveness of key messages on online child protection to parents and caregivers • participate in the development of child protection policies and strategies • engagement of Parents Teachers Associations (PTA) and Board of Management (BOM) in assessing risk and mitigation measures on COP • establishment of mechanismS of data collection, reporting and management in schools on COP • collaborate with MOE to ensure COP strategies are integrated into the curriculum • collaborate and partner in organizing events that are geared towards online child protection
Parents and caregivers	<ul style="list-style-type: none"> • equip themselves and their children with the knowledge and skills on OCSEA • familiarise themselves with rules and regulations governing internet usage • support child victims of OCSEA • advocate for prevention of OCSEA • supervise online children activities • report OCSEA incidences to relevant authorities • support reintegration initiatives for OCSEA offenders
Faith Based and Religious Institutions	<ul style="list-style-type: none"> • offer spiritual guidance on moral issues on OCSEA • awareness creation on OCSEA issues • advocacy and policy influence on OCSEA • reporting of OCSEA incidences • provide support to victims of OCSEA
Community Based Structures	<ul style="list-style-type: none"> • raise awareness to communities on OCSEA • report OCSEA incidences • link victims of OCSEA to support services • offer community support rehabilitation programmes for offenders

3.2 Minimum package requirement for management of OCSEA survivors

The table below highlights the minimum standards for reporting, management of OCSEA cases and persons responsible.

Table 3.2 : Minimum Standards of Reporting and Management of OCSEA Cases.

Service	Minimum standard for management of OCSEA survivors	Minimum reporting/ recording requirements	Persons responsible
Rescue and placement/tracing	<ul style="list-style-type: none"> • safe space • basic needs 	<ul style="list-style-type: none"> • case record sheet • OCSEA screening tool • case plan • referral forms • case closure form • court order • after care form 	trained and authorised officers (social service providers)
Medical care	<ul style="list-style-type: none"> • history recording • examination, collection and preservation of forensic evidence • documentation of abuse • treatment • presentation and interpretation of medical evidence in courts 	<ul style="list-style-type: none"> • consent form • PRC form • P3 form • medical treatment notes • laboratory results • medical exhibit forms • chain of custody forms • referral forms and register. • physical exhibits • client referral form 	trained authorised medical personnel
Psycho social support	<ul style="list-style-type: none"> • psychological and social assessment • counselling • debriefing • follow-up • referral 	<ul style="list-style-type: none"> • PRC form part B • trauma counselling form • case record sheet • referral forms • counselling report 	trained and authorised personnel

Legal support	<ul style="list-style-type: none"> • pro bono services • witness protection • victim support • evidence preservation • investigation 	<ul style="list-style-type: none"> • child related cyber incident reporting form • social enquiry reports • needs and risk assesment form • PRC forms • P3 forms • P&C forms • children register • bail reports • committal orders • court orders • case files • exhibit memo forms • certificate under the evidence act • case confrencing report form 	trained and authorised personnel
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CHAPTER 4

STANDARD OPERATING PROCEDURES

SOP 1: Identification and Documentation

1.1 Purpose

To identify and document comprehensive information for case management

1.2 Scope

The procedure applies to an effective identification and documentation of OCSEA case

1.3 Principal responsibility

Child protection stakeholders

1.4 Procedure

The service provider shall:

- ensure the child's safety and minimize further harm or abuse by linking them with relevant authorities for appropriate intervention;
- refer the child for emergency interventions i.e. medical support, psychosocial support, rescue and placement;
- obtain informed consent/assent from the caregiver and child respectively;
- adhere to confidentiality and best interest of the child while handling the case;
- collect as much information as possible on the incident and fill the case record sheet, OCSEA screening tool and assessment forms for appropriate referral. the case record and assessment forms should accompany the child at all the stages of the case referral process;
- ensure proper preliminary evidence preservation, this includes ensuring that the digital evidence is not erased (**digital evidence is highly volatile and the service provider should therefore act in haste especially in relation to referring the matter to the law enforcement officers**);
- undertake the risk assessment to ascertain household risks and online vulnerabilities;
- comprehensively explain the processes and procedures that will take place during the course of case management and referral process.

SOP 2: Reporting of OCSEA Incidences

2.1 Purpose

To inform of available reporting channels and procedures of OCSEA

2.2 Scope

Stipulates who can report a case of online child exploitation and abuse. The scope also looks at to whom the case is to be reported to, and the modes of reporting.

2.3 Principal responsibility

- child for self
- a child on behalf of another
- adults on behalf of child
- a leader, government agency or local authorities
- any other person/institution on behalf of a child.

To whom the reporting can be done:

- parent or guardian
- teachers
- children's officer
- police officer
- probation officer
- administrative officer e.g. chief/asst. chief
- social worker
- religious leader
- a relative or neighbor
- a non - state actor
- Constitutional Commission including Commission on Administrative Justice, KNHRC e.t.c
- any other person who can offer support to a child

Agencies, organizations, and online platforms where cases can be reported include:

- in-app reporting on social media platforms
- National Child helpline call(116), WhatsApp (0722116116)
- children office
- Directorate of Criminal Investigation Anti-Human Trafficking and Child Protection Unit (AHTCPU)
- Directorate of Criminal Investigation (DCI): DCI toll-free line 0800722203

- National KE-CIRT/CC-0703042700/ 0730172700, or CA portal (www.ke-cirt.go.ke)
- Internet Watch Foundation-Kenya- <https://report.iwm.org.uk/ke>
- KFCB 0711 222 204, live chat on www.kfcb.go.ke or info@kfcb.go.ke
- Police Hotlines 112/999
- National Government Administrative Offices (NGAO)

2.4 Procedure

Any member of the public may make or submit a complaint or incident to relevant person/agency/organisation/institution by;

- sending a text message or an email,
- letter, make a call,
- visiting the relevant agency,
- filling out an online complaint/incident form, or download a form fill out and submit a downloadable complaint form.

The officer charged with the responsibility of receiving report shall:

- establish whether the report is about a child;
- determine the nature of the incident, the immediate intervention required and make a determination on the referrals to be made;
- record the incidence with as much information as required to facilitate the resolution of the incidence as provided for in section on incident forms;
- ensure that an appropriate reference number referring to the report is generated;
- acknowledge receipt of the report within a 24 hour period, by use of appropriate medium such as emails, text messages, response letters. the officer shall subsequently inform the complainant of the complaint reference number;
- provide basic advice and needed psychosocial support where necessary;
- validate the report and advise the complainant or refer for specific action;
- provide feedback on the resolution process to the complainant and give information on the next steps;
- where referral for services to another institution or agency is made, inform the complainant that the incident shall be referred and they should anticipate engaging with another institution or agency in the handling of the report.

SOP 3: Collaboration, Referral and Linkages

3.1 Purpose

To liaise with the relevant stakeholders in addressing OCSEA cases

3.2 Scope

This entails the social service workforce forming a case management referral pathway

3.3 Principal responsibility

The social service workforce

3.4 Procedure

The service provider shall:

- assess the needs of the case;
- liaise with all the relevant stakeholders to evaluate the impact on the survivor for effective intervention and referral;
- fill in the referral form and attach it to the case record sheet;
- coordinate a case conference with all the relevant collaborating agencies to deliberate on the most appropriate interventions;
- follow up, link and provide continuous feedback from relevant stakeholders with all parameters considered for case closure.



Figure 1: Collaboration, Referral and Linkages

SOP 4: Investigation of OCSEA

4.1 Purpose

To guide the law enforcement personnel to undertake prompt, professional, and effective investigative procedure for OCSEA

4.2 Scope

Law enforcement officers shall apply these procedures when gathering and preserving evidence to facilitate prosecution of alleged perpetrators of OCSEA

4.3 Principal responsibility

Inspector General National Police Service

4.4 Procedure

4.4.1 Receiving the Report

- Cybertipline reports received from NCMEC, Interpol and Kenya Computer Incident Response Team Coordination Centre (KE-CIRT/CC) are analysed and those which are actionable undergo further intelligence development to identify the perpetrators and the victims.
- Reports received from individual complainant in police stations shall be recorded in the police occurrence book.
- Reports from police hotlines are recorded in the form of a police signal.
- The case is then allocated to an investigating officer who will work out the investigation.

4.4.2 Planning the investigation

The investigator shall:

- commence the investigation by gathering information, identifying possible witnesses and victims, and defining the scope of the investigation;
- collaborate with other relevant agencies or organizations responsible for handling child protection cases like DCI – Anti Human Trafficking and Child Protection Unit or Directorate of Children Services;
- document carefully and preserve any information related to potential evidence such as photos, videos, witness statements and any other relevant evidence.

4.4.3 Identification and interviewing victims and witnesses:

The investigator shall:

- identify and interview victims and witnesses and ensure separate interviews are conducted for victims and witnesses;
- ensure interviews for victims and witnesses are conducted separately;
- ensure the relevant stakeholders are present during the interview;
- record statements.

4.4.4 Search and examination of crime scene

The investigator shall:

- obtain a search warrant and search for any physical or digital evidence that may contain Child Sexual Abuse Material - CSAM;
- engage medical professionals to ensure the documentation of any physical injuries or signs of abuse, collection of forensic samples, initiation of treatment, completion of a medical report, and fulfillment of the Post Rape Care and P3 Form;
- create detailed sketches, take photographs, or record videos to document the scene;
- in the case of online content take screenshots, photos, or videos of the alleged offense to avoid loss of evidence;
- where computers are involved, the investigating officer shall ensure to capture everything that is displayed on the screens before switching off the machine;
- collect all digital evidence, including mobile phones, USB drives, computers, and DVDs;
- collect all passwords and patterns associated with the digital devices;
- prepare an inventory of all the exhibits seized;
- fill out an exhibit memo form in triplicate;
- ensure that any evidence collected from the crime scene is properly labeled, preserved, and forwarded to the National Forensic Lab for analysis.

4.4.5 Arresting and interviewing suspects

The investigator shall:

- upon receiving feedback in the form of a forensic report from the National Forensic Lab, proceed to arrest the suspect;
- proceed to interview the suspect and record his/her statement.

4.4.6 Completing the investigation file and forwarding it to the prosecution counsel

The investigator shall:

- compile all the evidence gathered during the investigation in a case file;
- adhere to the prosecution counsel's guidance in situations where there is insufficient evidence.

4.4.7 Monitoring and follow-up

The investigator shall:

- work with the prosecution counsel to monitor the case and ensure that the offender is held to account for his/her actions;
- observe survivor support services at every stage of the investigation.

SOP 5: Prosecution and Trial Process

5.1 Purpose

To ensure the protection of children in contact with the law, the presentation of best evidence while ensuring the rights of accused persons are upheld

5.2 Scope

The prosecution counsel has a duty to make sure that the rights of the child are respected throughout the trial process and that the process is friendly to the child. A child can be an offender, a victim or a witness to a crime involving child online offences.

5.3 Principal responsibility

Director of Public Prosecutions

5.4 Procedure

5.4.1 Prosecuting online offences against children

i. Decision to charge

The prosecution counsel shall:

- receive a complete file from the investigating officer;
- peruse the file and determine whether the evidence availed by the investigator is sufficient to warrant the institution of prosecution proceedings against a suspect in a Court of law;
- ensure that all the electronic evidence meets the evidentiary threshold of admissibility as per sections 106A through 106I of the Evidence Act;
- determine whether to make a decision to charge governed by the ODPP Decision to Charge Guidelines, the Prosecutors Guide to Children in the Criminal Justice System and the National Prosecution policy;
- prepare or cause to be prepared a charge sheet/information as the case may be in line with section 137 CPC;
- ensure that the child's privacy is protected through the use of initials, ensuring their details including parents' name, school, and residence are not disclosed or published;
- for child offenders, ensure that the preliminary inquiry is carried out under section 228 of the Children Act, 2022;
- in the case of child offenders, determine whether the case is suitable for diversion as per section 224 of the Children Act and ODPP Diversion Policy and Guidelines;
- ensure that the court is made aware of a child offender and that legal representation is duly sought;
- ensure a child is not held for more than 24 hours without leave of the court.

ii Alternatives to Prosecution and Trial

The prosecution counsel shall:

- if diversion is adopted as an option, proceed as per sections 223 through 232 of the Children Act, 2022 and ODPP Diversion Policy and Guidelines;

- consider plea bargain in appropriate cases as under sections 137A through 137O of the Criminal Procedure Code having due regard to the provision of ODPP Plea Bargaining Rules and Plea Bargaining Guidelines.

iii. Determination of age

The prosecution counsel shall:

- liaise with the investigator to ensure that proof of age of the child in contact or in conflict with the law is availed;
- If no documentary proof is availed, move the court for a medical age assessment to be conducted in line with section 229 of the Children Act, 2022.

5.4.2 Procedure in court

i. Plea Taking

If a decision to charge has been made, the suspect will be arraigned in court for plea taking.

ii. Bail and Bond

The prosecution counsel shall:

- liaise with investigators and consider any reasonable grounds for objection to bail and prepare an affidavit of objection to bail where necessary;
- where bail is not opposed, consider appropriate conditions that may be attached;
- where bail is granted and the prosecution is dissatisfied, it shall;
 - notify the court of the intention to review,
 - move the High Court with an application for review,
 - seek stay of the release of the suspect pending the conclusion of the review.
- keep the conduct of the accused under constant review and move the court for review/cancellation for any breaches.

iii Disclosure of Evidence

The prosecution counsel liaising with the investigating officer shall:

- provides the accused person/subject or the accused person's representative with all evidence that the prosecution intends to rely on during trial;
- prepare an inventory of all the documents supplied to the defence for presentation to court;
- take cognizance of any existing exhibits that contain indecent images and prepare an application for 'reasonable access' of the images as opposed to physical supply to the defence.

IV. Trial

- Give opening remarks where necessary.
- Conduct a pre-trial meeting with the witnesses to;
 - explain his/her role as defined by the ODPP Act and the National Prosecution Policy,
 - explain the court processes and procedures and the roles of the various parties during trial,

- prepare the witnesses for their testimony,
- determine the need for witness protection and use of protection measures during trial,
- identify any gaps or missing information in the available evidence and take steps to have those covered/availed.

Roles of the prosecutor during trial

- guide the witnesses through their testimony in court
- give priority to the child, vulnerable and expert witnesses
- work with other relevant agencies to ensure the child is in the right frame of mind and health to testify
- ensure that all exhibits are marked and produced
- use protective measures for vulnerable witnesses
- refrain from and object to any unnecessary adjournments to ensure the matter is dealt with expeditiously
- diligently protect the child witness from offensive, demeaning, or intimidating lines of examination
- before taking plea, make an application in court for legal representation where the child is unrepresented. further, to take steps to revise any ruling directing the matter to proceed with an unrepresented minor.

When dealing with a vulnerable witness the prosecution counsel may:

- make an application before the court to have the witness declared as a vulnerable witness in line with section 31 of the Sexual Offences Act, 2006 and section 17 of the Victim Protection Act;
- make an application before the court to have proceedings heard in camera;
- use of a witness protection box;
- alter the sitting arrangement to safeguard vulnerable witnesses;
- make an application for the appointment of an intermediary;
- make use of identity concealers such as voice distorters and pseudo names;
- make an application for the use of video-link;
- make an application for the media to be excluded or restricted in their coverage.

5.4.3 Child in conflict with the law

The prosecution counsel shall:

- determine whether the child offender is above the age of criminal responsibility that is 12 years;
- where a child is above 12 years and below 14 years, conduct a preliminary inquiry to determine criminal responsibility as under section 228 (3) (ii) of the Children Act;
- consider the following when handling a child in conflict with the law;
 - a child should not be detained unless there are compelling reasons and only as a measure of last resort;
 - if a child is being arraigned in court, ensure that the parent or guardian and the directorate of Children Services have been informed.

- where a matter proceeds to full hearing or the subject admits to the offence, a court shall enter a finding of guilt as under Section 237 of the Children Act 2022 and an order on finding of guilt shall follow as stipulated by section 239 of the Act.

5.4.4 Handling child victims and witnesses

The prosecution counsel shall:

- treat the child with respect to their age, their special needs, maturity and level of understanding bearing in mind any communication difficulties they may have;
- interact with the child with respect and sensitivity;
- allow the child to be accompanied by their parents or, where appropriate, an adult of their choice unless there are reasonable grounds to exclude that person;
- as far as possible, protect the children against images or information that could be harmful to their welfare. This may involve advice from other professionals such as psychologists and social workers;
- adapt Court sessions involving children to the child's pace and attention span; have regular breaks and hearings that don't last too long. Avoid disruptions and distractions during court sessions;
- handle any recantations by the victim with caution and deploy mechanisms to ascertain their root causes. At all times, benefit should be given to the vulnerable witness;
- bring to the attention of the court any reported witness interferences/intimidation and advise the witness to report to the police.

NOTE: *When a child victim is called as a witness in proceedings:*

1. *familiarise the child with the layout of the court or other facilities and the roles and identities of the officials involved;*
2. *instruct persons who are not officers of the court or parties to the case to be excused from court;*
3. *allow a child witness to give evidence in a witness protection box or through an intermediary;*
4. *allow concealing the identity of the child by using pseudo names or by providing testimony via video link;*
5. *declare a child as a vulnerable witness.*

5.4.5 Post-Conviction

The prosecution counsel shall:

- once the accused person has been convicted, apply to suspend the bond/ bail terms given to the accused person pending sentence;
- at the sentence hearing;
 - ensure that a victim impact statement is filed,
 - inform the court of any previous records of the accused/subject,
 - submit on aggravating and mitigating factors.
- where appropriate, may recommend compensation to the victim pursuant to the Victim Protection Act;
- keep the victim informed through the family of any status updates of the case including release on bail of the accused, hearings, mentions, conviction and/or acquittals.

The court may make an order for a probation officer's pre-sentence report. The pre-sentence report shall be supplied to the prosecution counsel and the defence for any response necessary.

5.4.6. Protection and care file

A protection and care file should be opened for the child victim and, where necessary, child witnesses and child in conflict with the law to ensure adequate placement, continuous support including psycho-social support and follow up.

SOP 6: Protection, Care and Reintegration

6.1 Purpose

To ensure comprehensive well-being of the identified child and their family through case management process

6.2 Scope

This covers the following domains of the child and their family in relation to case management, with the ultimate goal of attaining reintegration. These domains include:

- protection and safety
- health and development
- psychosocial well-being and community belonging
- education
- economic stability.

6.3 Principal responsibility

- case manager
- caseworker

6.4: Procedure

The case manager/worker shall:

- develop a case plan for the child and their family in consultation with other key stakeholders guided by the assessment findings and critical information documented throughout the process;
- implement the case plan. This will include provision of support services and material as per the identified needs based on the domains; **Note:** convene a case conference to discuss the case and determine the way forward depending on the nature of the case.
- undertake a structured monitoring and follow-up of the case;
- continuously monitor and document the progress of the case based on monitoring findings and follow-ups;
- upon successful attainment of all the identified needs, close the case.

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Standard Operating Procedures on Child Protection Unit Management

ANNEXES

List of annexes

Annex 1- Initial report

Annex 2- Interviewing victims and witnesses

Annex 3- Examining crime scenes and searches

Annex 4- Forms

Case record sheet

Screening tool for ocsea

Child related cyber incident reporting form

The kenya police medical examination report - p3

Post rape care consent form

Post rape care form (prc)

Child assessment form

Case plan form

Case conferencing report form

Review of care plan form

Form p&c1

MOH- client refferal form

Case referral form

After-care form

Case closure form

Annex 1: Initial Report

This section covers the reporting procedure, case file compilation, and the review procedure.

Procedure

A concerned user on social media reports an image/video/audio to the concerned platform. Electronic Service Provider reviews and forwards to relevant authorities such as but not limited to the National Centre for Missing and Exploited Children (NCMEC), Internet Watch Foundation (IWF), Communication Authority (CA), Directorate of Criminal Investigation (DCI) 0800 722 203 Hotline, Child Helpline 116, Police hotline- 0800 730 999, incidents@ke-cirt.go.ke

Case File Compilation

- Investigating officer compiles all relevant information surrounding a case and places it into a police case file. The file provides the prosecution counsel with the information they require to present to a court of law during the proceedings. The case file provides the proposed charges and evidence against the suspect.
- The prosecution counsel upon receipt, peruses the file and makes the appropriate decision to charge.
- The investigating officer shall identify and collect all evidence and documents and compile a case file;
- The investigating office reviews and establishes that all the case attributes have been fully covered;
- Where gaps in the compiled investigations file have been identified, the investigating officer shall ensure its completeness and avail the required documentation.

Review process

The review process includes:

- confirmation of the elements of the crime;
- identification of witnesses to be interviewed;
- determination of investigative priorities;
- rescue and placement of the victim;
- custody status of the suspect;
- coordination with appropriate agencies.

Planning the investigation

Planning an investigation on online child sexual abuse is a complex process that requires careful consideration of legal and ethical issues, as well as technical and operational challenges.

It is important to note that investigating online child sexual abuse is a highly specialised and sensitive area, and should only be carried out by trained professionals with appropriate expertise and resources.

Procedure for planning an investigation on OCSEA

- define the scope of the investigation
- determine the specific focus of the investigation, such as a particular online platform, region, or type of abuse

- identify key stakeholders such as law enforcement agencies, child protection organizations, technology companies, and legal experts
- establish clear lines of communication and collaboration with these stakeholders
- identify and assess any legal or/and ethical considerations that may impact the investigation, such as data privacy laws, jurisdictional issues, or the need for informed consent and/or assent. Seek legal advice where necessary
- determine the appropriate data collection methods based on the scope of the investigation. This may include web crawling, data mining, and social network analysis
- develop a plan for analysing the collected data, including identifying relevant indicators of OCSEA, analysing patterns and trends, and prioritising cases for investigation
- plan the investigative activities such as conducting interviews with victims and suspects, executing search warrants, and engaging with technology companies to obtain relevant information
- ensure that victims of child sexual abuse are supported throughout the investigation process, including providing access to counselling and other support services
- establish protocols for handling and preserving digital evidence, including maintaining the chain of custody, ensuring data security, and complying with legal and ethical requirements.

Annex 2: Interviewing victims and witnesses

Use of the P.E.A.C.E model in interviewing

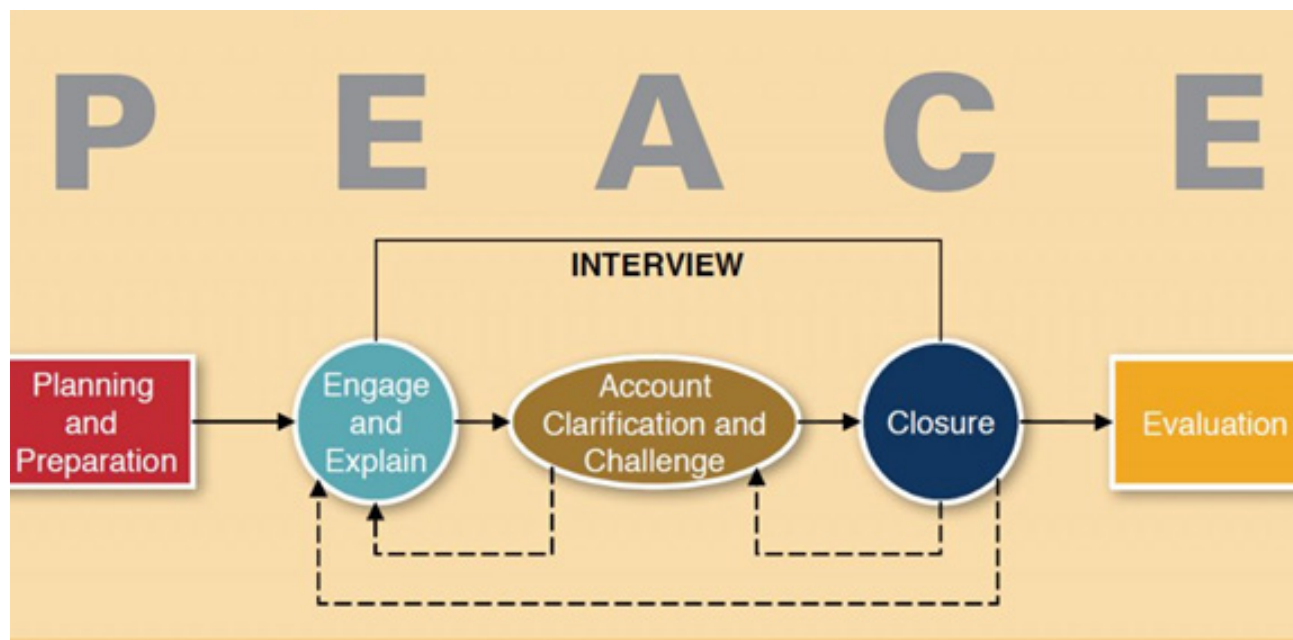


Figure 2: P.E.A.C.E model

Procedure

Planning and preparing for interviews:

The interviewer shall interview the witnesses keeping in mind the following:

- category of witness, vulnerable/intimidated/significant (would they be available for any special measures to improve/maximise the quality of their evidences?);
- competence of the witness - Talk to the witness and make an assessment by asking pertinent diplomatic questions to establish their fitness for the interview;
- assess their current physical, mental, and emotional condition;
- nature of the evidence – Are the witnesses competent to give evidence? – i.e., do they understand questions put to them and can give answers to questions e.g.expert opinion?
- relevance and admissibility – Would the quality of evidence given by the witness be likely to be diminished by reason of fear or distress on the part of the witness in connection with testifying in the proceedings?
- the views of the victim - The child can opt out of the interview;
- determine if the witnesses require an interview intermediary. If so prepare to brief the supporter on their role and consider where they are going to sit;
- language to be used;
- questioning style to achieve the 4WH (When, Where, Who, What, How), Use of open-ended questions elicit a narrative of the incidence;
- closure – thank them for their time and talk about neutral topics to put them back in a good place

so they are not left thinking/worrying about the events they have just spoken about before they leave the interview room (can be done off the tape but tell them what you are doing);

- evaluation of the interview: Consider any notes made by yourself or the witness.

Child victim interviews

Procedure

Stage One: Introduction

The investigating officer shall:

- prepare a child-friendly interview room by ensuring there are sufficient chairs and a table in the room
- coordinate the investigation with officers from the Directorate of Children Services; Interview Introduction
- seek the child's consent on undertaking the interview and further assure them of their right to be interviewed with or without the presence of their caregiver
- be aware of his/her body language and demeanor, she/he should sit in an open positive posture.

NOTE: The victim and their caregiver are informed on whatever they say will be recorded and can be used as evidence in court.

Stage Two: Practice Narrative / Build Rapport

The investigating officer shall:

- attempts to build rapport with the victim and practice open-ended nonleading questioning,
- start by asking an open question and become more focused to elicit more information,
- when appropriate transition, to the topic of concern,
- understand the language of the child and record it as it is.

Stage Three: Narrative/Topic of Concern

The investigating officer shall:

- invite the subject to provide a free narrative of the topic of concern investigation ask questions relating to the topic of concern to elicit a disclosure
- asks questions to corroborate (people, location, actions, times) although keen
- not to interrupt, and pauses between questions
- If there is no disclosure, the interviewer moves into more of an exploratory interview with additional guided questions
- if there is a disclosure, clarify with the child the fact he/she has elaborated in the disclosure.

Stage Four: Closure

The investigating officer shall:

- asks the child if there is something else the child thinks the interviewer should know

- ask the subject if they have any questions
- discuss safety with the child: whether they feel safe, and lastly neutral topic to de-escalate Interviewer
- thank the subject and asks if required will they speak to them again.

Witness interviews

Procedure

When conducting interviews with witnesses to an alleged child abuse and exploitation offense, the investigating officer will follow the list:

- introduce the panelist
- select the right opening questions
- do not interrupt the witnesses when giving an account of the incident
- do not lead the witness into their submissions
- determine the sequence for the witness interviews
- determine the source of the witness's knowledge of the alleged offense
- establish if the witness could be an additional victim
- determine the witness's relationship to the victim
- consider the developmental level of the witness
- determine the relationship of the witness to the suspect
- consider the motivation of the witness
- avoid influencing the witness account of the alleged offense
- consider the possibility of the witness recanting his/her account of the incident due to intimidation, guilt, or repercussion.

Suspect interrogation

Procedure

When conducting an interrogation with the alleged suspect, the investigating officer shall:

- carefully select setting for the interrogation;
- determine the relationship between the suspect (s), witness(es), and victim(s);
- determine if and when the suspect had access to the victim;
- note the demeanor of the suspect at the time of the interrogation;
- encourage the suspect to relate the incident in his/her own words;
- note statements that are inconsistent with other findings and evidence.

Annex 3: Examining crime scenes and searches

Procedure

- maintain chain of custody for all digital evidence,
- ensure that proper procedures are followed for packaging, transporting, and storing electronic evidence to avoid alteration, loss, physical damage, or destruction of data.

i Packaging procedure:

- ensure that all collected electronic evidence is properly documented, labeled, and inventoried before packaging
- pack magnetic media in antistatic packaging (paper or antistatic plastic bags)
- avoid using materials that can produce static electricity, such as standard plastic bags
- avoid folding, bending, or scratching computer media such CD-ROMS and DVDS
- ensure that all containers used to hold evidence are properly labeled.

ii Transportation procedure:

- keep electronic evidence away from magnetic sources. radio transmitters
- speaker magnets and heated seats are examples of items that can damage electronic evidence
- avoid storing electronic evidence in vehicles for prolonged periods of time conditions of excessive heat, cold, or humidity can damage electronic evidence
- ensure that computers and other components are not packaged in containers or secured in the vehicle to avoid shock and excessive vibrations. for example, computers may be placed on the vehicle floor
- maintain the chain of custody on all evidence transported.

iii Storage procedure:

- ensure that evidence is inventoried in accordance with departmental policies
- store evidence in a secure area away from extreme temperatures and humidity
- protect it from magnetic sources, moisture, dust, and other harmful particles or contaminants.

NOTE: Be aware that potential evidence such as dates, times, and systems configurations may be lost because of prolonged storage. Since batteries have a limited life, data could be lost if they fail. Therefore, appropriate personnel (e.g., evidence custodian, lab chief, forensic examiner) should be informed that a device powered by batteries needs immediate attention.

Examination of platform content digital evidence management

This procedure describes the steps necessary to identify, collect, preserve, examine, analyse, and report on the evidence available on online platforms by a digital forensic examiner.

Procedure

- identify and locate the websites, platforms, and social media accounts that contain child abuse content

- document (capture) the links to the sites, platforms, and social media accounts
- this includes screen capture, and downloading the website/content
- acquire legal authority to access and seize the web servers/devices
- execute the orders with the investigations authority to get the platform source code and transaction logs showing the IP addresses of users connected to and downloaded from the website
- examine and analyse the child online abuse and exploitation content reported
- handle the online content as evidence and preserve the same
- prepare the report for prosecution

Examination of electronic devices digital evidence management

Procedure

- identify and locate all the electronic devices that can hold and/or transmit electronic data. e.g., computers, flash disks, hard drives cds, etc
- acquire legal authority to access and seize electronic devices from the suspect and/or the victim
- execute the orders with the investigation authority to the respondents to seize the electronic devices
- conduct triage on the electronic devices to identify the potential exhibit containing the evidence
- preserve the electronic devices to maintain their integrity and avoid potential loss of evidence;
 - put mobile phones on flight mode and preserve them in faraday bags,
 - preserve volatile data from live pages and running programs and switch computers off,
 - place storage drives and other handheld devices in non-static and shockproof handling bags.
- prepare inventories and chain of custody for the confiscated electronics devices to maintain a trail of the people handling them
- storage for electronic devices seized should be done in strong rooms that are fireproof with controlled access, that have all the capabilities to preserve the state of the electronic device
- forward the electronic devices for examination and analysis to the authorized digital forensic lab as soon as possible
- collect the Digital Forensics reports for prosecution

Forensic Examination

Investigating officer should identify the common findings of a forensic examination. They should define the scope of the examination to be performed on a properly filled Exhibit Memo Form to the forensic labs.

For example;

Child exploitation/abuse

- chat logs
- date and time stamps
- digital camera software

- e-mail/notes/letters
- games
- graphic editing and viewing software
- images
- internet activity logs
- movie files
- user-created directory and file names that classify images

Sextortion

- date and time stamps
- e-mail/notes/letters
- history log
- internet activity logs
- temporary internet files
- usernames

Corroboration of a Witness Statement

Attempts should be made to corroborate statements made by the suspect. Use of the following information may help the investigating officer accomplish this task:

- statements by the victim(s)
- statements by a witness(es)
- digital and/or documentary evidence
- prior criminal history data
- prior complaints (about the suspect)

Risks

- Online platforms are volatile in nature and data held in them can be easily lost when taken down by the owners of the social media accounts, platforms and/or guardians.
- Data loss due to the fragile and dynamic nature of digital evidence.
- Legal challenges e.g., privacy issues; unsecured internet hotspots towards digitising the nation

Annex 4: Forms



DIRECTORATE of CHILDREN SERVICES

CASE RECORD SHEET

Rev. Apr'16

This form to be filled whenever a child protection issue is brought before a child protection office, institution or facility

County..... Sub county..... Code: CCO/41/237/5/29

Case Serial No:	eg 0001/2016	Date of Reporting:	27 TH APRIL 2016	Contact Address/email	
Case Reported by (Name):		Relationship to Child:		Telephone:	

PERSONAL DETAILS OF THE CHILD

Name of Child:	First Middle Last			Date of Birth:	dd/mm/yyyy	Sex:	Male [1]	Female [2]
Child in School:	Yes/No	Name of School:		Class:		Category of the school	Formal [1]	Informal [2]
Tribe/Ethnicity:	Name(s) of closest friends of the child ¹			Religion:	Protestant [1]	Muslim [2]	Catholic [3]	Other [4]
Mental Condition	Normal [1]	Challenged [2]	Physical Condition	Normal [1]	Challenged [2]	Other Medical Condition	Normal [1]	Chronic [2]
Hobbies:	Sports [1]	Movies [2]	Music [3]	Dancing [4]	Reading [5]	Child has birth certificate	Yes [1]	NO [2] Refer to CRD

SIBLINGS

No.	Name	D.O.B.	Sex	Name of School	Class	Remarks
1		(dd/mm/yyyy)	(F or M)			
2		(dd/mm/yyyy)	(F or M)			
3		(dd/mm/yyyy)	(F or M)			
4		(dd/mm/yyyy)	(F or M)			
5		(dd/mm/yyyy)	(F or M)			

HOME PARTICULARS OF THE CHILD

County:	eg Kisii	Sub-County:	Gucha	Village/Estate:	Sameta	
Ward:		Nearest Land mark				
Family Status	Parents living together [1]	Parents not living together [2]	Household Economic Status	Low income [1]	Middle Income [2]	High Income [3]

PARENTS PARTICULARS

Name	Relationship	ID No.	Date of Birth	Telephone	Village/Estate	Occupation	Education ²	Alive
	Father		dd/mm/yy					Yes/No
	Mother		dd/mm/yy					Yes/No

CAREGIVER'S PARTICULARS

Relationship: Foster Parent ☐ Guardian ☐ Next of Kin ☐ select as appropriate

Name	Sex	ID No.	Date of Birth	Telephone	Village/Estate	Occupation	Education

¹ Source of Information relatives/teachers

² Indicate highest level of education attained

CASE HISTORY OF THE CHILD

Date of Event/incident	<i>mm/dd/yyyy</i>		Place of Event/incident	<i>e.g. Lukenya, Athi River at the Uncle's House</i>		
Alleged Perpetrator/Offender	<i>name</i>		Relationship to Child			
Case Category:	<i>e.g. Neglect</i>		Specific issue about the case	<i>Denied education or medical care (e.g. For Neglect)</i>		
Nature of Case	One-off event [1]	Chronic/On-going event [2]	Risk Level:	Low [1]	Medium [2]	High [3]
Needs of the Child:	<i>Immediate needs</i>			<i>Long-term needs</i>		
Action Taken (Intervention)						
Referral to:	State Agency: <i>(specify)</i>		Reason for referral			
	Non-State Actors: <i>(specify)</i>					

RECOMMENDATIONS FOR FURTHER ASSISTANCE BASED ON THE BEST INTEREST OF THE CHILD (BIC)

--	--	--	--

Name of Officer		Signature	
Designation		Date	

FOLLOW-UP INFORMATION (INDICATE INFORMATION ON ANY PROGRESS OR FURTHER INTERVENTION GIVEN)

Date	Follow-up Status	Comment	Officer
			Name:
			Designation:
			Signature:
			Name:
			Designation:
			Signature:
			Name:
			Designation:
			Signature:

Screening Tool for OCSEA

Case No:

Name :

Age:

Location:

The social service workforce shall consider the following indicators to determine whether a child is a victim of OCSEA:

1. A change in online habits:

- ☐ Spending more time online
- ☐ Spending less time than usual

2. Seem angry, distant or upset after being online or on request to come off their device

- ☐ Yes
- ☐ No

3. Are secretive about their online habits

- ☐ Yes
- ☐ No

4. Engaging in Risky behaviors online:

- ☐ Sharing of personal information online
- ☐ Sharing sexual explicit materials
- ☐ Chatting with strangers online
- ☐ Accessing age-restricted sites/content
- ☐ Cyberbullying others online
- ☐ Meeting strangers offline
- ☐ Use of sexual explicit language

5. Possess unexplained gifts/money

- ☐ Yes
- ☐ No

6. Constantly disappearing from home/ School

☐ Yes

☐ No

7. Child identified as a victim of:

☐ Defilement

☐ Child sex tourism

☐ Child trafficking

☐ Child Marriage

8. Child manifests

☐ Unexplained sadness

☐ Fear

☐ Anxiety

☐ Low self esteem

Referral to:	State Agency: (specify)		Reason for referral	
	Non-State Actors: (specify)			

Communications Authority

Child Related Cyber Incident Reporting Form

Reporting Party

Name of Reporter (optional):

In order to submit anonymously, please fill in the name Anonymous, in the email - Anonymous@anonymous, in the phone number - anonymous. Please note, that in such case it will be impossible for CIRT team to return to you with incident resolution or comments.

Address (optional):

Email (optional):

Telephone:

Victim Details *

Name(required):

Nickname/Other names used online (optional):

Age (optional):

Present location (optional):

Relationship to reporting party (optional):

Vulnerability of the child due to age, disability or other (expound) (optional):

Language (optional):

Involved Parties *

Platform used (required):

Name /Nicknames used by suspect (optional):

Gender of suspect (required) *:

Other relevant information (optional):

Incident Details *

Date and Time of the incident (required):

Place of Incident (required) *:

Narrative Description (What victim(s) said/what the reporter observed/similar or past incident's involving the victim(s) or suspect) (required)

SUBMIT



**THE KENYA POLICE
MEDICAL EXAMINATION REPORT**

P3

PART 1-(To be completed by the Police Officer Requesting Examination)

From.....Ref.....
.....Date.....
To the.....Hospital/Dispensary
I have to request the favour of your examination of:-
Name.....Age.....(If known)
Address.....Date and Time of the alleged offence.....
.....
Sent to you/Hospital on the.....20.....under escort of.....
.....and of your furnishing me with a report of the nature and
extent of bodily injury sustained by him/her.
Date and time report to police.....
Brief details of the alleged offence.....
.....
.....
Name of Officer Commanding Station Signature of the Officer Commanding Station

**PART 11-MEDICAL DETAILS - (To be completed by Medical Officer or
Practitioner carrying out examination)**

*(Please type **four** copies from the original manuscript)*

**SECTION "A"-THIS SECTION MUST BE COMPLETED IN ALL
EXAMINATIONS**

- Medical Officer's Ref.NO.....
1. State of clothing including presence of tears, stains (wet or dry) blood, etc.
.....
.....
 2. General medical history (including details relevant to offence).....
.....
.....
 3. General physical examination (including general appearance, use of drugs
or Alcohol and demeanour)
.....

This P3 Form is free of charge

**SECTION "B"- TO BE COMPLETED IN ALL CASES OF ASSAULT,
INCLUDING SEXUAL ASSAULTS, AFTER THE
COMPLETION OF SECTION "A"**

1. Details of site, situation, shape and depth of injuries sustained:-
 - a) Head and neck.....
.....
 - b) Thorax and Abdomen.....
.....
 - c) Upper limbs.....
.....
 - d) Lower limbs
.....
2. Approximate age of injuries (hours, days, weeks).....
3. Probable type of weapon(s) causing injury.....
4. Treatment, if any, received prior to examination.....
5. What were the immediate clinical results of the injury sustained and the assessed degree, i.e. "harm", or 'grievous harm'".*

DEFINITIONS:-

'Harm' Means any bodily hurt, disease or disorder whether permanent or temporary.

'Maim' means the destruction or permanent disabling of any external or organ, member or sense

'Grievous Harm' Means any harm which amounts to maim, or endangers life, or seriously or permanently injures health, or which is likely so to injure health, or which extends to permanent disfigurement, or to any permanent, or serious injury to external or organ.

.....
Name & Signature of Medical Officer/Practitioner

Date.....

**SECTION "C"-TO BE COMPLETED IN ALLEGED SEXUAL OFFENCES
AFTER THE COMPLETION OF SECTIONS "A" AND "B"**

1. Nature of offence.....Estimated age of person
examined.....

2. FEMALE COMPLAINANT

a) Describe in detail the physical state of and any injuries to genitalia with
special reference to labia majora, labia minora, vagina, cervix and
conclusion.....

b) Note presence of discharge, blood or venereal infection, from genitalia or on
body externally.....

3. MALE COMPLAINANT

b) Describe in detail the physical state of and any injuries to
genitalia.....

c) Describe in detail injuries to anus.....

d) Note presence of discharge around anus, or/ on thighs, etc.; whether recent or
of long standing.....

This P3 Form is free of charge

SECTION "D"

4. MALE ACCUSED OF ANY SEXUAL OFFENCE

- a) Describe in detail the physical state of and any injuries to genitalia especially penis.....
.....
.....
.....
- b) Describe in detail any injuries around anus and whether recent or of long standing.....
.....
.....
.....
5. Details of specimens or smears collected in examinations 2 ,3 or 4 of section "C" including pubic hairs and vaginal hairs.....
.....
.....
6. Any additional remarks by the doctor.....
.....
.....
.....

.....
Name & Signature of Medical Officer/Practitioner

Date.....

POST RAPE CARE CONSENT FORM

Name Of Facility

Consent Form

Note to the health care provider: Read the entire form to the survivor, explaining that he/she can choose any (or none) Of the items listed. Obtain a signature, or a thumb print with signature of a witness.

I..... (Print name of survivor/care giver/guardian)
authorize the above-named health facility to perform the following (tick the appropriate boxes):

	NO	YES
Conduct a medical examination, including pelvic examination		
Collect evidence, such as body fluid samples, collection of clothing, hair combings, scrapings or cuttings of fingernails, blood samples, and photographs		
Provide evidence and medical information to the and law courts concerning my case; this information will be limited to the results of this examination and any relevant follow-up care provided		

Client's Signature

Date

Name of witness..... Signature

Date.....

Name of Health care provider..... Signature.....

Date



MINISTRY OF HEALTH

POST RAPE CARE FORM (PRC)

MOH 363

PART A & B

County: _____

Sub-County: _____

Facility: _____

Start Date: _____ End Date: _____

POST RAPE CARE FORM (PRC)

PART A

MOH 363

MOH 363

PRC FORM IS **NOT** FOR SALE

Ministry of Health National Rape Management Guidelines: Examination documentation form for survivors of rape/sexual violence (to be used as clinical notes to guide filling in of the P3 form)

Post Rape Care Form



Day	Month	Year	County Code	Sub-county Code	OP/IP No.
			Facility Name		MFL Code
Name(s) (Three Names)			Date of birth	Day	Month
			Year	Male	Female

Contacts (Residence and Phone number)

Disabilities (Specify)	Marital Status (specify)
Orphaned vulnerable child (OVC) <input type="checkbox"/> Yes <input type="checkbox"/> No	Citizenship

Date and time of Examination	Date and Time of Incident	No. of perpetrators
Day Month Year Hr Min AM PM	Day Month Year Hr Min AM PM	

Alleged perpetrators	Male	Female	Estimated Age
<input type="checkbox"/> Unknown <input type="checkbox"/> Known (specify the relationship)			

Where incident occurred
Administrative location: County Sub-county Landmark

Chief complaints: Indicate what is observed
Indicate what is reported

Circumstances surrounding the incident (survivor account) remember to record penetration (how, where, what was used? Indication of struggle?)

Type of Sexual Violence	Use of condom?	Incident already reported to police?
<input type="checkbox"/> Oral <input type="checkbox"/> Vaginal <input type="checkbox"/> Anal <input type="checkbox"/> Other (specify)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> No <input type="checkbox"/> Yes (indicate name of police station)
	Attended a health facility before this one?	Were you treated?
	<input type="checkbox"/> No <input type="checkbox"/> Yes (Indicate name of facility)	<input type="checkbox"/> Yes <input type="checkbox"/> No
		Were you given referral notes?
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Significant medical and/or surgical history

Comments: Indicate additional information provided by the client or observed by clinician

PHYSICAL EXAMINATION [indicates sites and nature of injuries bruises and marks outside the genitalia]
Please use the body map below to indicate injuries, inflammations, marks on various body parts of the survivor

BODY MAP

Anterior View	Posterior view	Comments

Female Genitalia

Male Genitalia

OB / GYN	Parity	Contraception type	LMP	Known Pregnancy?	Date of last consensual sexual intercourse
History				<input type="checkbox"/> Yes <input type="checkbox"/> No	
General	BP	Pulse Rate	RR	Temp	Demeanor /Level of anxiety (calm, not calm)
Condition					

FORENSIC

Did the survivor change clothes? State of clothes (stains, torn, color, where were the worn clothes taken)?
<input type="checkbox"/> Yes <input type="checkbox"/> No
How were the clothes transported? <input type="checkbox"/> a) Plastic Bag <input type="checkbox"/> b) Non Plastic Bag <input type="checkbox"/> c) Other (Give details)

Were the clothes handed to the police?	Did the survivor go to the toilet?
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Long call? <input type="checkbox"/> Short call?

Did the survivor have a bath or clean themselves?
<input type="checkbox"/> No <input type="checkbox"/> Yes (Give details)

Did the survivor leave any marks on the perpetrator?
<input type="checkbox"/> No <input type="checkbox"/> Yes (Give details)

GENITAL EXAMINATION OF THE SURVIVOR-indicate discharges, inflammation, bleeding

Describe in detail the physical status
Physical injuries (mark in the body map)
Outer genitalia
Vagina
Hymen
Anus
Other significant orifices
Comments

Immediate Management	PEP 1st dose	ECP given	Stitching /surgical toilet done	STI treatment given
	<input type="checkbox"/> No <input type="checkbox"/> Yes (No of tablets)	<input type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Yes (Comment)	<input type="checkbox"/> No <input type="checkbox"/> Yes (Comment)

Any other treatment / Medication given /management?

Referrals to

<input type="checkbox"/> Police Station	<input type="checkbox"/> HIV Test	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Legal	<input type="checkbox"/> Trauma Counseling
<input type="checkbox"/> Safe Shelter	<input type="checkbox"/> OPD/CCC/HIV Clinic	<input type="checkbox"/> Other (specify)		

L	Sample Type	Test	Please tick as is applicable	Comments
B	Outer Genital swab	Wet Prep Microscopy	<input type="checkbox"/> National government Lab <input type="checkbox"/> Health Facility Lab	
		DNA		
		Culture and sensitivity		
		High vaginal swab	Wet Prep Microscopy	
O	Urine	Pregnancy Test		
		Microscopy		
		Drugs and alcohol		
		Other		
S	Blood	Haemoglobin		
		HIV Test		
		SGPT/GOT		
		VDRL		
P	Pubic Hair	DNA		
		Nail clippings	DNA	
E	Foreign bodies	DNA		
		Other (specify)		

CHAIN OF CUSTODY

These /All / Some of the samples packed and issued (please specify)

By	Name of Examining Officer (Doctor/Nurse/Clinical officer)	Signature	Day	Month	Year
To	Police Officer's Name	Signature	Day	Month	Year

PSYCHOLOGICAL ASSESSMENT Complete psychological assessment section in Part B

POST RAPE CARE FORM (PRC)

PRC FORM IS **NOT** FOR SALE

PSYCHOLOGICAL ASSESSMENT

MOH 363

PART B

PRC

Post Rape Care Form



MOH 363

-Assess the unconscious world of the child by asking about feelings e.g. ask the child to report the feeling that he/she commonly experiences and ask what makes him/her feel that way

Part B is intended to assess the mental status of a client in order to be able to offer holistic care. This should inform the management and subsequent follow up of the client and hence should be filled in at presentation.

Psychological assessment should be done by trained health care providers including Medical Officers, Nurses, Clinical Officers, Psychiatrists, Psychological Counselors and Medical Social Workers duly recognized by the Ministry of Health.

The Medical Officers and other persons designated by law as expert witnesses in court (Nurses and Clinical Officers) should be the ones to sign off both the Part A and B of the PRC form.

General appearance and behavior

Note appearance (appear older or younger than stated age), gait, dressing, grooming (neat or unkempt) and posture.

Rapport

Easy to establish, initially difficult but easier over time, difficult to establish.

Mood

How he/she feels most days (happy, sad, hopeless, euphoric, elevated, depressed, irritable, anxious, angry, easily upset).

Affect

Physical manifestation of the mood e.g. labile (emotions that are freely expressed and tend to alter quickly and spontaneously like sobbing and laughing at the same time), blunt/ flat, appropriate/ inappropriate to content.

Speech

Rate, volume, speed, pressured (tends to speak rapidly and frenziedly), quality (clear or mumbling), impoverished (monosyllables, hesitant).

Perception

Disturbances e.g. Hallucination, feeling of unreality (corroborative history may be needed to ascertain details)

Thought content

Suicidal and Homicidal Ideation (Ideas but no plan or intent; clear/unclear plan but no intent; ideas coupled with clear plan and intent to carry it out); any preoccupying thoughts.

Thought process

Goal-directed/ logical ideas, loosened associations/ flight of ideas/ illogical, relevant, circumstantial (drifting but often coming back to the point), ability to abstract, perseveration (constant repetition, lacking ability to switch ideas).

(For children use wishes and dreams, and art/ play therapy to assess the thought process and content.

-Through drawing and play (e.g. use of toys). Allow the child to comment on the drawing and report verbatim.

Cognitive function-

a. Memory: Recent memory, long-term and short term memory (past several days, months, years).

b. Orientation: to time, place, person i.e. ability to recognize time, where they are, people around e.t.c.

c. Concentration: ability to pay attention e.g. counting or spelling backwards, small tasks

d. Intelligence: Use of vocabulary (compare level of education with case presentation; above average, average, below average).

e. Judgment: Ability to understand relations between facts and to draw conclusions; responses in social situations.

Insight level: Realizing that there are physical or mental problems; denial of illness, ascribing blame to outside factors; recognizing need for treatment (Indicate whether insight level is; present, fair, not present)

Recommendation following assessment		Referral point/s	
Referral uptake since last visit e.g. other medical services, children's department, police, legal aid, shelter e.t.c.			
By	Name of Examining Officer (Doctor/Nurse/Clinical officer)	Signature	Day Month Year
To	Police Officer's Name	Signature	Day Month Year

National Child Assessment Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF CHILDREN'S SERVICES**

PHOTOS

Paste a white and black one photo here

Physical Appearance:

Height: Weight:

Complexion Colour:

Body Makeup:

Scars and other Marks:

Tattoos:

Attach 1 additional photo here.

Child's Case Number: _____ Child referred from: _____

PART I: SOCIAL HISTORY

A. CHILD PROFILE

Child's name	<i>First</i>	<i>Middle</i>	<i>Surname</i>	Nickname
Date of Birth	Age	Sex: <input type="checkbox"/> M <input type="checkbox"/> F others <input type="checkbox"/>		
School Attending				Class/Form
Status (please check one):	Double orphan <input type="checkbox"/>	single orphan <input type="checkbox"/>	Abandoned <input type="checkbox"/>	Separated <input type="checkbox"/>
Place of birth: County	Sub-County	Location	Sub-Location	Village
Nationality:	Ethnicity:	Language(s):		
Current Location of child:	<i>Type of place (please check one):</i> <input type="checkbox"/> Living with parents/family <input type="checkbox"/> Living with kin <input type="checkbox"/> Living with foster family <input type="checkbox"/> Child-headed household <input type="checkbox"/> Children's home/residential care <input type="checkbox"/> Safe home/transit centre <input type="checkbox"/> Specialized home <input type="checkbox"/> Adoption agency/transition home <input type="checkbox"/> Private home <input type="checkbox"/> Living on the street <input type="checkbox"/> Other			
Person in charge (<i>parent/ guardian</i>):			Contact information:	
Location/address:				
Special Caution: <input type="checkbox"/> Suicidal <input type="checkbox"/> Disobedience <input type="checkbox"/> Sexual Behaviour <input type="checkbox"/> Intimidating Others <input type="checkbox"/> Drug Problem <input type="checkbox"/> Others <input type="checkbox"/> Medical condition (<input type="checkbox"/> Mental, <input type="checkbox"/> Physical)				
B. FAMILY HISTORY (BIOLOGICAL PARENTS)				
Biological parents				
Father's name				
Date of birth:		Nationality:		
Place of birth: County:	Sub-County	Location	Sub-Location	Village
Occupation	Level of education:	Religion:	Status (check one): <input type="checkbox"/> Living <input type="checkbox"/> Deceased <input type="checkbox"/> Missing <input type="checkbox"/> Unknown	
Current or last known location/address:			Contact	
Mother's name				
Date of birth:		Nationality:		
Place of birth: County:	Sub-County	Location	Sub-Location	Village
Occupation	Level of education:	Religion:	Status (check one): <input type="checkbox"/> Living <input type="checkbox"/> Deceased <input type="checkbox"/> Missing <input type="checkbox"/> Unknown	
Current or last known location/address:			Contact	

SIBLINGS AND OTHER RELATIVES SIBLINGS

Relationship	Name	Sex	Age	Status	Occupation	Last address(full details)

Are any siblings currently living in the same place as the child? YES/ NO

If yes, please provide the name(s): _____

C) FAMILY HISTORY: OTHER FAMILY MEMBERS

Name	Relation	Address/contact	Occupation	Condition of relationship / comments

Checklist Concerning Parents/Guardian

<input type="checkbox"/> History of Criminal Offence (s)	<input type="checkbox"/> Uncooperative Parents	<input type="checkbox"/> Mentally Ill Family Members
<input type="checkbox"/> Emotional Distress/Psychiatric Disorders	<input type="checkbox"/> Cultural/Tribal Issues	<input type="checkbox"/> Conflict within Family
<input type="checkbox"/> Drug/Alcohol Abuse	<input type="checkbox"/> Abusive Father	<input type="checkbox"/> Hereditary Problems
<input type="checkbox"/> Marital Conflict	<input type="checkbox"/> Abusive Mother	<input type="checkbox"/> Passed away
<input type="checkbox"/> Financial/Accommodation Problems	<input type="checkbox"/> Significant Family Trauma	<input type="checkbox"/> Others ()

Situation of Neighbourhood:

PART II: REASONS FOR CHILD'S SEPARATION OR LIVING IN ALTERNATIVE CARE

(For this section, interview the person in charge and/or the caregiver)

Date that the child entered current placement (DD/MM/YYYY): _____

Reason for placement: _____

Who brought the child into care? _____

Relation to the child: _____

Contact number: _____

Address/Location _____

Person currently caring for child (if other than person in charge): _____

How long has the child been in your care? _____

What is the last known location of the child with his/her biological parents?

Please provide a brief description of the circumstances of the child's separation from his/her biological parents, relatives or caretaker:

PART IV: CHILD ASSESSMENT (ASSESSING ALL THE DIMENSIONS OF CHILD WELLBEING)

What is the reason for conducting the assessment?

Other contacts made in the community with dates on which the assessment is based

DIMENSIONS OF CHILD WELL-BEING

1. FOOD AND NUTRITION

Does the child and members of his/her household food secure and enjoying good and regular nutrition, adequate for normal growth and development?

2. SHELTER AND CARE

Does the child live in a safe, clean shelter and in a healthy family environment or an alternative care situation that provides adult care and supervision, which ensures the child's well-being and the provision of basic necessities

3. EDUCATION AND SKILLSTRAINING

Is the child currently in school?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Provide information about educational attainment and learning of the child – attendance, achievement, reports, view of teacher (it is vital to contact the child's teacher for this information):	

4. HEALTH: MEDICAL HISTORY AND GENERAL HEALTH OF THE CHILD

IMUNIZATION			
TYPE	RECORD DATES HERE		
DPT (6, 10, 14 weeks)			
OPT (birth, 6, 10, 14 weeks)			
Measles (9 months, 15 months or older)			
Hib (6, 10, 14 weeks)			
Hep A/B (6, 10, 14 weeks)			
BCG (birth)			
Yellow fever (9 months or older)			
Other:			
Worm treatment			

QUESTION	YES	NO	IF YES EXPLAIN
Does the child have any serious medical problems?			
Does the child take any medication?			
Does the child have any special needs?			
Does the child have any known allergies?			
Has the child been involved in any serious accidents?			
Has the child contracted any diseases?			
Has the child undergone any serious medical procedures?			
Does the child have any mental health issues?			
Does the child have any physical disabilities/ distinguishing characteristics?			
Has the child been hospitalized?			
Additional medical information:			

DEVELOPMENT

Is the child reaching his/her developmental milestones? Is he/she walking, speaking, and developing self-help skills appropriate for his /her age? Does he/she present with cognitive development appropriate for age?

5. PSYCHOSOCIAL SUPPORT

SOCIAL HISTORY

Describe the child's social world outside the home, e.g., friends, relationships with teachers, pastor, or other non-family member adults; interests and activities. Any significant recent changes?

BEHAVIOUR

Is the child's behavior appropriate? Does he or she present with aggressive behavior? Appear withdrawn? Exhibit risk-taking behavior? Any recent significant behavior changes?

Does the child have a stable and affectionate relationship with parents or caregivers, good relationships with siblings?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
Is the child able to care for him/herself?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments on child's practical competencies, degree of independence:

Other organizations List the name and purpose of any other organization that is already involved in providing services to the child or family.
--

6. HOUSEHOLD ECONOMIC STRENGTHENING (HES)

Is the household where the child resides in need of increased and sustainable income and other resources to meet their basic needs and ensure the well-being of the child and other siblings

.....

7. PROTECTION

Is there evidence that the child has suffered harm or is likely to suffer harm, neglect, abuse and exploitation?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please state the evidence
Is the child in contact with law enforcement officials (i.e. police)?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what are the reasons for the child being in contact with law enforcement?

8. COORDINATION OF CARE

PART III REFERRAL

Name and contact of the referee	Organization/Institution	Date of referral
Reason for referral		

Dates when information was gathered from all contacts

Date & Time	Details of visit		Name/Signature (of primary person interviewed)	
Home Particulars	County		Away from home	(Usual residence/sleeping place)
	Sub-county			
	Division			
	Location			
	Sub-location		Others	
	Village			
	Periods residing at the above places before referral			

9. SOCIAL PROTECTION

Is the household in need of social transfers to care, protect and support the child and other siblings?

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V. CONCLUSIONS, DECISIONS & ACTION

NB: Now the assessment is completed you need to record conclusions & decisions. Work with the child or young person and/or parent/carer.

People present at assessment decision-making

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What are the challenges that need to be overcome for this child to continue to live with his/her family or with a relative?

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Will the child be at risk of serious harm if he/she continues to live with the parents or family? If yes please describe and provide evidence

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What do you see as the necessary support services and or material support that would enable the child to continue to live in the family or to be re-integrated with his/her family if she/he is living apart from the family?

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Child's comments on the assessment:

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Does the child want to add anything about his or her hopes, dreams and aspirations or general information relevant to the assessment?

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What course of action do the parents and/or relatives favor?

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If there are no living parents, the child is at risk of harm by living with his/her parents, or the family is not ready to care for the child in the interim, what form of care is going to be best for the child? Give reasons and note the length of the placement period.

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What needs to change so that the case can be closed? Describe the desired changes in the child's situation and how you will assess that he or she is no longer at risk of harm.

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What is the Action Plan? Give reasons why you have chosen that course of action and what you want it to achieve

Action	By who

Child or young person's comment and concerns on the assessment and actions identified

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Parent or carer's comment on the assessment and actions identified
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Signed by Parent/Care giverDate

Signed By Person in Charge of HomeDate

Signed by the Child (where possible)Date

Name & Signature of Social Worker

Social Worker Date

Social Welfare Division

Approved: _____

Social Welfare Supervisor

Sources: Government of Kenya, Department of Children's Services, Minimum Standards for Quality Improvement of OVC Programmes and Government of Liberia, Ministry of Health and Social Welfare, Department of Social Welfare, Child Profile and Child Registration form.

To fill in duplicate (Original for case file), copy for the children officer.

Case Plan Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF CHILDREN'S SERVICES**

SECTION 2: CHILD'S DEVELOPMENTAL NEEDS

FOOD AND NUTRITION

GOAL: Child has sufficient food to eat at all times of the year and is growing well compared to others of his/her age.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

SHELTER

GOAL: Child has stable shelter that is adequate, dry and safe.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

CARE

GOAL: Child has at least one adult (aged over 18) who provides consistent care, attention and support.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

ABUSE AND EXPLOITATION

GOAL: Child is safe from any abuse, neglect or exploitation.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

LEGAL PROTECTION			
GOAL: Child has access to legal protection services when necessary..			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
WELLNESS			
GOAL: Child is physically healthy.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
HEALTH CARE SERVICES			
GOAL: Child can access health care services including preventive care and medical treatment when ill.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
EMOTIONAL HEALTH			
GOAL: Child is happy and content with a generally positive mood and hopeful outlook.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
SOCIAL BEHAVIOUR			
GOAL: Child is cooperative and enjoys participating in activities with adults and other children.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
PERFORMANCE			
GOAL: Child is progressing well in acquiring knowledge and life skills at home, school, job training and other appropriate productive activities.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE
EDUCATION AND WORK			
GOAL: Child is enrolled at and attends school or vocational skills training or is engaged in age-appropriate play, learning activities or job.			
IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	PERSON RESPONSIBLE

SPIRITUAL DEVELOPMENT**GOAL: Child is receiving spiritual nourishment and is growing spiritually.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

SECTION 3: PARENTING CAPACITY**BASIC CARE****GOAL: Child's physical needs are met, including dental and appropriate medical care which includes the provision of food, drink, warmth, shelter, clean and appropriate clothing and adequate personal hygiene.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

SAFETY**GOAL: Child is adequately protected from harm or danger which includes protection from significant harm or danger, and from contact with unsafe adults/other children and from self-harm.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

EMOTIONAL WARMTH**GOAL: Ensuring the child's emotional needs are met and giving the child a sense of being specially valued and a positive sense of own racial and cultural identity.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

STIMULATION**GOAL: Promoting child's learning and intellectual development through encouragement and cognitive stimulation and promoting social opportunities.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

GUIDANCE AND BOUNDARIES**GOAL: Enabling the child to regulate their own emotions and behaviour.**

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

STABILITY

GOAL: Providing a sufficiently stable family environment to enable a child to develop and maintain a secure attachment to the primary caregiver(s) in order to ensure optimal development.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

SECTION 4: FAMILY AND ENVIRONMENTAL FACTORS

Family and environmental factors.

IDENTIFIED NEED	PROPOSED INTERVENTION	TIME FRAME	RESOURCES REQUIRED	PERSON RESPONSIBLE

SECTION 5: SUMMARY OF SERVICES TO BE PROVIDED

TYPES OF SUPPORT/SERVICES TO BE PROVIDED:	WHAT NEEDS TO BE PROVIDED?	WHO WILL PROVIDE THIS SERVICE?
Food and nutrition support (food rations, supplemental foods, etc.)		
Shelter and other material support (house repair, clothes, bedding, etc.)		
Care (caregiver has received training, child placed with family, etc.)		
Protection from abuse (Education on abuse provided to child or caregiver, etc.)		
Legal support (birth certificate, legal services, succession plans prepared, etc.)		
Health care services (vaccinations, medicine, ARV, HIV education, etc.)		
Psychosocial support (clubs, group support, individual child and staff counselling, etc.)		
Educational support (fees waived, provision of uniforms, school supplies, etc.)		
Livelihood support (vocational training, microfinance for family, etc.)		
Other		

SECTION 6: PLACEMENT OF CHILD

TYPE OF PLACEMENT	ACTION TO BE TAKEN	WHEN
Reunited with biological parents		
Guardianship		
Foster care		
Kinship foster care		
Adoption		

Notes (can be annexed):

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Name of officer completing form.....

Position/title.....

Telephone.....

Signature.....

Date.....

Case Conferencing Report Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
CHILDREN'S DEPARTMENT**

Child's full name File Number

Date of case conference

Type of case conference

Location of case conference: Child's home Children's Office Other (specify)

Aim of case conference (e.g. during assessment, routine monitoring, support)

.....
.....

Names & agencies of all non-family participants:

- 1
- 2
- 3
- 4
- 5

Names of all family participants and relationship to the child:

- 1
- 2
- 3
- 4
- 5

Key Discussion Points

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2. Key outcomes of meeting

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3. Any observations on dynamics of meeting:

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Did you have the opportunity to speak with the child whose case it is individually? • If yes, what was the outcome of the discussion?

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If not, note date for follow-up visit to child

Next case conference or social worker follow-up: Date:

Type, location, purpose, aim:

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I, _____ (name of child or parent/
guardian, as appropriate) have read / been told the key decisions made at this meeting:

Signature..... Date.....

Case worker signature.....

Date Reviewed and approved by.....

Official stamp..... Date.....

Review of Care Plan Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF CHILDREN'S SERVICES**

COUNTY: **SUB-COUNTY:**

Child's name.....

Case No.....

Age.....

Gender.....

Admission number.....

Caregiver's name.....

Relationship to the child.....

Date.....

SECTION 1

CHILD'S DEVELOPMENTAL NEEDS:

DOMAIN	IDENTIFIED NEED	ACTION TAKEN	COMMENTS ON CHILD'S PROGRESS
1. Food and nutrition			
• Food security			
• Nutrition and growth			
2. Shelter			
3. Care			
4. Child protection			
• Abuse, exploitation, neglect			
5. Health			
• Wellness			
• Health care services			
6. Psychosocial			
• Emotional health			
• Social behaviour			
7. Education and skills training			
• Performance			
• Education and work			
8. Spiritual development			
• Legal protection			

SECTION 2 PARENTING CAPACITY

TYPE OF PLACEMENT	ACTION TAKEN	COMMENTS ON PROGRESS MADE
Child reunited with biological parent/s		
Child given out for guardianship		
Child given out for foster care		
Child given out for adoption		
Other kind of placement		

SECTION 3

FAMILY AND ENVIRONMENTAL FACTORS

DOMAIN	IDENTIFIED NEED	ACTION TAKEN	COMMENTS ON CHILD'S & FAMILY'S PROGRESS

SECTION 4

CHILD'S SITUATION (CARE)

DOMAIN	IDENTIFIED NEED	ACTION TAKEN	COMMENTS ON CHILD'S PROGRESS
Basic care			
Safety			
Emotional warmth			
Stimulation			
Guidance and boundaries			
Stability			

SECTION 5

OTHER SERVICES TO BE PROVIDED

Types of support/services to be provided:	What was provided?	Who provided the services?	Comments on impact of the services on child and family
Food and nutrition support (food rations, supplemental foods, etc.)			
Shelter and other material support (house repair, clothes, bedding, etc.)			
Care (caregiver received training, child placed with family, etc.)			
Protection from abuse (education on abuse provided to child or caregiver, etc.)			
Legal support (birth certificate, legal services, succession plans prepared, etc.)			
Health care services (vaccinations, medicine, ARV, HIV education, etc.)			
Psychosocial support (clubs, life skills training, group support, individual counselling, etc.)			
Educational support (fees waived, provision of uniforms, school supplies, fees paid etc.)			
Livelihood support (vocational training, microfinance support for family, etc.)			
Other			

Name of officer completing form

Designation

Telephone

Signature

Date

Form P&C1



REPUBLIC OF KENYA

IN THE CHILDREN'S COURT AT

PROTECTION AND CARE NO.

APPLICATION FOR AN ORDER UNDER SECTIONOF THE CHILDREN ACT

C.O/S.NO.....

Police Case No.

Date to Court.....

Protection and Care No.

Child's Particulars

Name of Child.....

Apparent Age..... Gender..... Nationality.....

County.....Language(s) Religion..... Disability.....

Special needs (list any needs that the child may have)

.....

Parent(s)/Guardian(s) Particulars

Name 1.

2.

Telephone/mobile

Physical / Home Address.....

Postal Address.....

Relationship with the child

CATEGORIES OF CHILDREN IN NEED OF CARE AND PROTECTION

(tick as appropriate) A child who/whose,

has no parent/guardian

has been abandoned by his parent or guardian,

is destitute

found begging or receiving alms

parent has been imprisoned

parents or guardian find difficulty in parenting

- parent or guardian does not or is unable or unfit to exercise proper care and guardianship
- is truant or is falling into bad association

is prevented from receiving education

- is subjected or is likely to be subjected to female circumcision or child marriage or to customs and practices prejudicial to the child's life, education and health
- is kept in any premises which, in the opinion of a medical officer, is overcrowded, unsanitary or dangerous
- is exposed to domestic violence
- is pregnant

is terminally ill,

parent(s) is terminally ill

has a disability and is unlawfully confined and or is ill treated

- has been sexually abused or is likely to be exposed to sexual abuse and exploitation including prostitution and pornography
- Is engaged in any work likely to harm his/her health, education, mental or moral development

Is displaced as a consequence of war, civil disturbances or natural disasters

- Is exposed to any circumstances likely to interfere with his/her physical, mental and social development;

Is engaged in the use of, or trafficking of drugs

- Any of the offences mentioned in the Third Schedule to the Children Act; (includes assault, unnatural offences and offences within the sexual offences Act)
 - o committed against him
 - o or if he is a member of the same household as a child against whom any such offence has been committed or
 - o is a member of the same household as a person who has been convicted of such an offence against a child

BRIEF FACTS

As being in need of Protection and care under sectionof the Children Act No. 8 of 2001

Applicant.....

Appendix IX ' MO

Appendix IX ' MOH Client referral form

M.O.H



MINISTRY OF HEALTH

Client Referral Form

☐ Emergency ☐ Urgent ☐ Routine (Tick appropriate)
☐ Local ☐ Inter-county ☐ Overseas (Tick appropriate)

Date Time Facility code

Clients Details:

Name Age Sex: Male ☐ Female ☐
IP/OP number ID number
NHIF Number Telephone Number(s)
Physical Address County
Sub County Sub Location
Assistant Chief Telephone Number(s)

Next of Kin Details:

Name Relationship to client

Telephone Number(s)

Referring from Facility/Department

Referral to Facility/ Department

History/Investigation

Diagnosis :

Reason for Referral:

Referring Officer Details:

Name Telephone Number(s)
Designation Signature

Referral Back Details (Tracking Slip):

Name of the Facility or

Department.....

Data Client Reported Referred from Facility/Department

Clinical Details

Clinician Name Telephone Number(s)

Designation.....

Signature Date

Case Referral Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF CHILDREN'S SERVICES**

FORM FOR CASE REFERRAL TO OTHER AGENCIES / SERVICE PROVIDERS, CHILDREN'S INSTITUTIONS, CPVs AND OTHER OFFICES

COUNTY.....SUB-COUNTY.....

Name of the referring officer.....Designation.....

Contact of the referring officer.....date of referral.....

FROM: Name of referring organization.....

TO: Name of the receiving organization.....

I. PARTICULARS OF THE CHILD/CHILDREN

NAME	AGE	SEX	SCHOOL/CLASS	CASE NO
1.
2.
3.
4.

II. REASON FOR REFERRAL (tick appropriately)

1. By Court Orders 2. Supervision 3. Social protection support: (i) Transportation Assistance (ii) Food Assistance (iii) Grant Preparation (iv) Re-integration

4. Education: (i) Bursary or other financial or material support (ii) Vocational training (iii) Early Childhood Development
(IV) Support to return to school / homework support

5. Health support: (i) HIV-related care and support (ii) Reproductive health / sexual Health services (iii) Nutritional support (iv) Support related to primary care (v) Disability Support (vi) Mental health support (vii) Psychiatric Services (viii) Substance abuse services (ix) Psychosocial support /counselling (x) Support group

6. Legal advice: (i) Birth registration / civil registration

7. Others (specify)

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1. Case Record Sheet
2. Written promise
3. Social Inquiry Report
4. Any other document e.g. Medical Report/ Birth Certificate/Report book
5. Court Order
6. Individual Treatment Plan/care plan
7. Monthly progress report.

Tel.....Date.....Sign.....

NAME OF RECEIVING OFFICER.....DESIGNATION.....

Tel.....date.....sign.....

SERVICES OFFERED.....

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After-Care Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR SOCIAL PROTECTION
DEPARTMENT OF CHILDREN'S SERVICES**

[illegible]

Case Closure Form



**MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT OF SOCIAL PROTECTION
CHILDREN'S DEPARTMENT**

Date of completion..... Child's full name.....

File Number.....

Child's current address.....

Child's previous address if different from current.....

Case opening date..... Case closure date.....

Reason for case closure:

1. All or most objectives agreed in the case plan have been met
2. Change in circumstances means child no longer in need of care and protection
3. The child and / or family no longer willing to participate (give details below)
4. The child has moved and case transferred to (note county or sub-county, social worker)
5. The child has been lost to follow-up

(Tick the reason for case closure/transfer appropriately)

Summary from Case worker of reasons for case closure

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Continued services (mention them if any)

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.....

People involved in final case closure meeting:

- 1relation to the child
- 2relation to the child
- 3relation to the child
- 4relation to the child
- 5relation to the child

Child and/or child's parent/guardian have been involved in decision to close case, or informed of decision if not present: YES / NO (TICK YES OR NO as appropriate)

and/or child's parent/guardian have been informed of where to go in case of further problems and have information about where to go: YES / NO (TICK YES OR NO as appropriate)

I, (name of child or parent/
guardian, as appropriate) have read / been told the Key decisions made at this meeting:

Signature Date

Case worker signature Date

Case Manager Signature Official Stamp

Date

ACKNOWLEDGEMENTS

List of Contributors

DIRECTORATE OF CHILDREN'S SERVICES

Shem Nyakutu
Charles Ondogo
Maurice Tsuma
Josephine Oguye
Peter Kabuagi
Hoyd Isadia
Rose Mwangi
Stephen Gitau
Rose Barine
Winifred Kaluku
Gabriel Kitili
Emily Msengeti
Jackline Ikuwa
Vivian Ondeyo
Hellen Nduta
Kevin Mwiti
Charles Kariuki

DIRECTORATE OF CRIMINAL INVESTIGATION

Wycliffe Jefwa

COMMUNICATIONS AUTHORITY OF KENYA

George Aringo

OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

Caroline Karimi

MINISTRY OF INFORMATION, COMMUNICATION AND THE DIGITAL ECONOMY

Mary Musasia

MINISTRY OF HEALTH

Dr. Rose Waruguru

MINISTRY OF EDUCATION

Martin Kungania

KENYA FILM AND CLASSIFIED BOARD

Emma Irungu
Faith Musyoka

KENYA POLICE SERVICE

Florence Anyim

KENYA INSTITUTE OF CURRICULUM DEVELOPMENT

Judith Njuguna

OFFICE OF THE ATTORNEY GENERAL- DEPARTMENT OF JUSTICE

Nancy Chepkwony

KENYA PRISONS SERVICES

Vane Kerubo

PROBATION AND AFTERCARE SERVICES

Dennis Kwinga

JUDICIARY

Hon. Lewis Gatheru

TEACHERS SERVICE COMMISSION

Irene Mutua

SUPKEM

Abdalla Kamwana

SOS CHILDREN'S VILLAGES KENYA

George Warari

WATOTO WATCH NETWORK

Lillian Kariuki

Ivy Wamuyu

EDITOR

Scholar Akinyi

CHILDLINE KENYA

Joachim Kamau

CHILDFUND KENYA

Eunice Kilundo

Beatrice Muema

David Mariba

Selestine Okubo

Messy Sum

Maureen Mutua

MTOTO NEWS

Liz Amandla

LIFESKILLS PROMOTERS

Beverly Komen

Margaret Ngotho

**NATIONAL COUNCIL OF CHURCHES OF
KENYA**

Imelda Namayi

**INFORMATION AND COMMUNICATION
TECHNOLOGY AUTHORITY**

Joshua Opondo

NATIONAL PARENTS ASSOCIATION

Onesmus Kauwi

STERLING PERFORMANCE AFRICA

Dr. Margaret Njihia

GRAPHIC DESIGNERS

Noah Matui

Cynthia Njuguna

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