

ANPPCAN UGANDA CHAPTER



Child Abuse and Neglect Situation Analysis Report 2019.



Date: 27th January 2020

1 . Executive Summary

This report is pursuant to objective 2.4 of the organization's constitution, ANPPCAN is committed to the protection of children's rights through collection, review, analysis and dissemination of information on the situation of child abuse and neglect as reported by various authorities on a periodic basis.

The situation analysis took a retrospective approach, focusing on cases of child abuse that were either directly reported to ANPPCAN offices or referred by other actors between January and December 2019. Child neglect was ranked the highest on the list of the violation of children's rights, while, sexual violence (defilement emerged second. Physical violence, Property rights and Children in conflict with law follow in that order. By gender, the female victims dominated with 53.9% against 46.1% males. Generally , boys were the victims of beatings and physical punishment more often than girls, while girls dominated as victims of sexual abuse and educational neglect. In most cases of child abuse, the abuser was someone the child knew; religious instructors, teachers, parent, relative, or family friend.

There were generally three seasons in the year with a rise in cases of child abuse and neglect.

i) April - May peak, was associated with discrimination of children in candidate classes based on cognitive competencies ; ii) July - August peak, was associated with crop harvesting, with seasonal increase in child labour demands. The dry season redundancy (July -August) tend to be a driver to child abuse especially sexual abuse. Increased farm based income and corresponding expenditures propel some adults to behave inappropriately towards children. iii) October - November peak, was associated with climate change realities, heavy rains with greater risk of floods and landslides, water contamination, flood damaging homes and gardens as well as water born diseases. At school level , this is period when PLE , UCE and UACE candidate that didn't measure up to standard of the schools were transferred to other UNEB school centers they had been sold to.

Young children (Babies and Toddlers) were most victims of physical abuse, while the highest rates of sexual abuse were found among children who had reached puberty or adolescence stage. Central Uganda dominated in reported cases of abuse and neglect followed by Eastern Uganda. Kampala and Wakiso districts dominated in Central region followed by Jinja and Iganga in Eastern region. In peripheral districts , Arua dominated. There was urban dominance in cases of child abuse and neglect. Give the multifaceted drivers of child abuse and neglect, integrated, holistic programming is

critical – one that focuses on issues child protection 9policy and legal enforcement), livelihoods (economic empowerment and knowledge/skills), employment and social norm change.

1.0 About ANPPCAN Uganda Chapter

The African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN) Uganda Chapter is part of the Pan-African organization with country chapters in 27 African countries and a Regional office based in Nairobi Kenya. ANPPCAN Uganda Chapter was launched in 1992 and registered in 1995 as a local national, child protection agency. In pursuit of her vision of a Ugandan society that upholds the rights of children and is free of child abuse and neglect, the organization has over the last 28 years become the leading national child rights advocacy and protection organization in Uganda.

ANPPCAN's mission is to work with duty bearers and children to build a society that upholds the rights of children, enables them to realize their potential, and nurtures them into responsible citizens. ANPPCAN's core program areas are Research, Communications and Policy Advocacy, Child Protection, Community Empowerment and Capacity Strengthening, Organizational Development and Monitoring and Evaluation.

1.1 Back ground to the study

Pursuant to objective 2.4 of the organization's constitution, ANPPCAN is committed to the protection of children's rights through collection, review, analysis and dissemination of information on the situation of child abuse and neglect as reported by various authorities on a periodic basis. It is in light of this mandate that , ANPPCAN conducted an annual situational analysis and consequently hereby report on the state of child abuse and neglect in the country for the period, January – June 2019.

There is some good amount of data generated by OVC – MIS and Uganda Police Directorate of Research in line with child abuse and neglect in Uganda but each unit runs an independent data system that does not communicate with each other.

There are other many cases of violence against children that are settled long before reaching the judicial systems or are settled outside court system. Indeed there are many cases that

would have died a natural death without entering the judicial system if it was not the child right activists or print and electronic media exposing them for other parties to pick interest and start following them up.

Uganda is a signatory to both local and international child protection tools. In August 1990, she signed and ratified the United Nations Convention on the Rights of the Child (UNCRC), followed by the African Charter on the Rights and Welfare of the Child. Children's Act (2016), has established various implementing bodies such as the National Children Authority. The Family and Child Protection Unit (FCPU) of the Uganda Police Force Authority under the Ministry of Internal Affairs; The Family and Children's Courts and their related facets at different levels. She has also has several provisions in the Supreme law of the land-The 1995 Constitution of the Republic of Uganda with children considered as a special vulnerable group with unique rights.

The constitution further calls upon the civil society to get involved in the protection of the rights of the vulnerable sections of the population including children. The government of Uganda has further opened up space for the civil society to establish and implement programs geared towards offering special protection to children in all situations as spelt out the NGO Amendments Act 2006 as well as The 1995 Uganda Constitution.

Despite the fact that these structures are in place, the problem of child abuse and neglect is increasingly depriving children of their rights. This implies that, as a system, one or if not most of its organs are not functioning well for its whole wellbeing. There is therefore a need to establish the levels of the child rights violations, the cause, and the gaps in child protection systems to enable the state to respond with evidence based child protection systems strengthening initiatives.

1.2 Objectives:

The broad objective of the situation analysis is to generate information that can be utilized in public education; Policy and Legislative advocacy on the problem of child rights violations in Uganda with special reference on current trends; influence public opinion about this problem and put child rights issues on the agenda of planning and development at all levels.

1.2.1 Specific Objectives:

- **1.2.1.1** Identifying the nature and magnitude of child abuse and neglect cases by December 2019.
- **1.2.1.2** Outlining various categories of abusers and victims including relationships between them in the context variables such as age, sex and geographical distribution.
- **1.2.1.3** Recommending areas to focus child rights policy and legislative advocacy at local, national and International level

1.3.0 Methodology

The study took a retrospective approach, focusing on cases of child abuse that were either directly reported to ANPPCAN offices by walking in clients or referred by other actors between January and December 2019.

Source of information

SOURCE OF INFORMATION	No. of cases
Walk in client	380
Child Helpline	4
Community	114
Hospital	6
Local council	23
Schools	220
Mapped clients	48
Police	95
Family	204
Other organizations	130
Media	916
Not indicated	34
TOTAL	2,174

All cases of abuse and neglect reported to ANPPCAN are received and entered into child protection data base. The data base captures all basic information about the victim of abuse, including the immediate caregiver, social economic vulnerability factors and some efforts done before reporting the case to ANPPCAN. The basic information about the abuser is also captured. Services to be offered are recorded and referral needs also identified and

recommended. The child abuse cases reported in print media were collected by University Interns attached to ANPPCAN under direct supervision of ANPPCAN Senior Program Officer.

- i. To ensure reliability and validity of the study, two interns were assigned one daily news paper for review. Their findings for the cases and stories were cross checked and reconciled.
- ii. They read the news paper to fish out the child abuse and neglect related cases.
- iii. They recorded the paper issue date, page number, form of violence, district of abuse, and abuser. The identified pages in print media photocopied and filed to make tallying and analysis easier. The SPO edited to check for omissions and consistency. The Program manager analyzed the data with support of a volunteer statistician.

1.4.0 Data Analysis

Data was entered into the computer and analyzed basing on sub - themes and categories developed from the study objectives. The collected data showed the nature, perpetrators, age and sex of abused children, geographical location and the date of abuse.

1.4.1 Limitations

Information collected in print media outlets, only considered New Vision, Monitor and Bukedde media houses. Over 103 cases did not indicate the gender and the age of the victims of child abuse. This is especially where the victims were reported as the group of children.

Secondly, this situational analysis is based on reported cases of child abuse and neglect which were captured in ANPPCAN database. There are so many cases that are resolved at the village level in Local Council Courts as well as outside courts bearing in mind that quite a number of child abuse cases in Uganda are not reported due to several structural and cultural constraints.

1.5 Findings

1.5.1 Nature and magnitude of child abuse forms

Nature	Rate	%
Sexual Abuse	228	10.5
Neglect	916	42.1
Physical Abuse	174	8.0
Murder	2	0.1
Children affected by AIDS	10	0.5
Emotional abuse	13	0.6
Property Rights	66	3.0
Conflict with the law	86	4.0
Orphans in a Very Vulnerable Situation	352	16.2
Need Alternative Care	213	9.8
Child Exploitation	48	2.2
Need extensive Medical support	66	3.0
TOTAL	2,174	100%

- 1) Child neglect is ranked highest on the list of the violation of children's rights that were committed in Uganda last year. Many children, particularly those living in rural areas were abandoned by their parents, denied school fees, medical services /fees and in extreme cases, denied access to food and shelter. Children of divorced parents, are denied the right to be looked after by their mothers even when they have capacity to do so. Under step mothers they are abused. Mothers dont know their rights that PSWO or court can grant custody of the child to them (mother).

Despite education being free under UPE, hidden costs (such as uniforms, mid-day meals and school materials) continue to create barriers for children whose parents cannot afford them. There is lack of parental and community involvement in education programmes, and communities not having the power or the avenues to demand good-quality education

- 2) The second most common form of violation of children's rights was sexual violence especially defilement of **girl children (94.7%) boy children 5.3 %**). This includes early marriages perpetuated by negative cultural practices. In Uganda, barely a day passes without reports on cases of defilement, or other forms of sex related crime against children. Children are being subjected to sexual abuse within their communities, schools and homes yet these are the very places they should feel the most secure and safe. Teenage pregnancy is an important contributor to school dropout and a top

cause of death among adolescent girls when they tend to abort. It was important to note, that child to child sex was also in increase.

Drivers of sexual abuse

Low levels of perpetrator apprehension enable impunity, allowing perpetrators to continue harmful practices and exacerbating the sexual violence faced by children.

Barriers to access Justice

- Victims being required to pay for medical services.

High burden of proof for defilement cases

The Evidence Act especially with respect to judging defilement cases is too demanding for cases involving children given Uganda's poorly resourced criminal investigation capacity, in a year approximately 5 % of cases are concluded.

This provision places a high burden of proof on the accused.

Only a small proportion of sexual violence cases are concluded.

- Long and unnecessary adjournments.
- Taking long to cause list cases for trial.
- Victims being required to pay for medical services.
- The reporting mechanism of these cases at police with victims at times not availed privacy causes them to shun reporting to police.
- Lack of a witness protection legislation.
- There is also no law to guarantee the protection of victims' rights.

Lengthy Court procedures

- Defilement cases take up to 4 years to be resolved.
- Indeed, as noted above, a substantial proportion of backlogged cases relate to sexual offences involving children.
- After time passes, defilement victims may not show up in court or may be unwilling to testify in court because they have moved on with their lives or overcome the trauma.

- Courts normally lose interest and dismiss cases due to the unavailability of witnesses. Defilement victims are often afraid to give testimony in open courts due to intimidation and fear.
- Because victims are reluctant to testify openly in courts, cases may also be dismissed on these grounds.

Having the Government Analytical Laboratory limited to Kampala is a challenge because a lot of samples are piled up with a long queue and priority is given to samples submitted years earlier. These are at times not worked on by the time of the trial.

- Limited referral pathways to victims of sexual violence.

Defilement cases referred by the UPF to the ODPP, about 60% were sanctioned i.e. where the State Attorney was satisfied that evidence on the case file was sufficient to sustain the charge in Courts of Law.

- Capacity building in respect of officers handling Sexual violence crimes to ensure proper investigation of cases

Recommendation

- Building positive self esteem, Communication, Assertiveness, Refusal skills, Self control etc.,
- A survivor-friendly court environment should be ensured by making provisions for victims to testify behind screens or on camera,
- Providing government-funded legal aid services, temporary shelters for survivors seeking justice, especially those most vulnerable to secondary abuse. The media has done well in publishing reports and incidents of defilement, this must continue for parents and communities to know the extent of the problem and the dangers it poses.
- Provision of free medical services to all victims of defilement.

- 3) Physical violence is another major concern in Uganda and is largely normalized and practiced in the context of disciplining a child. High levels of violence (in school and at home) is disastrous to the development of the children as it discourages children from attending school. It dominates in private schools. A substantial amount of harsh

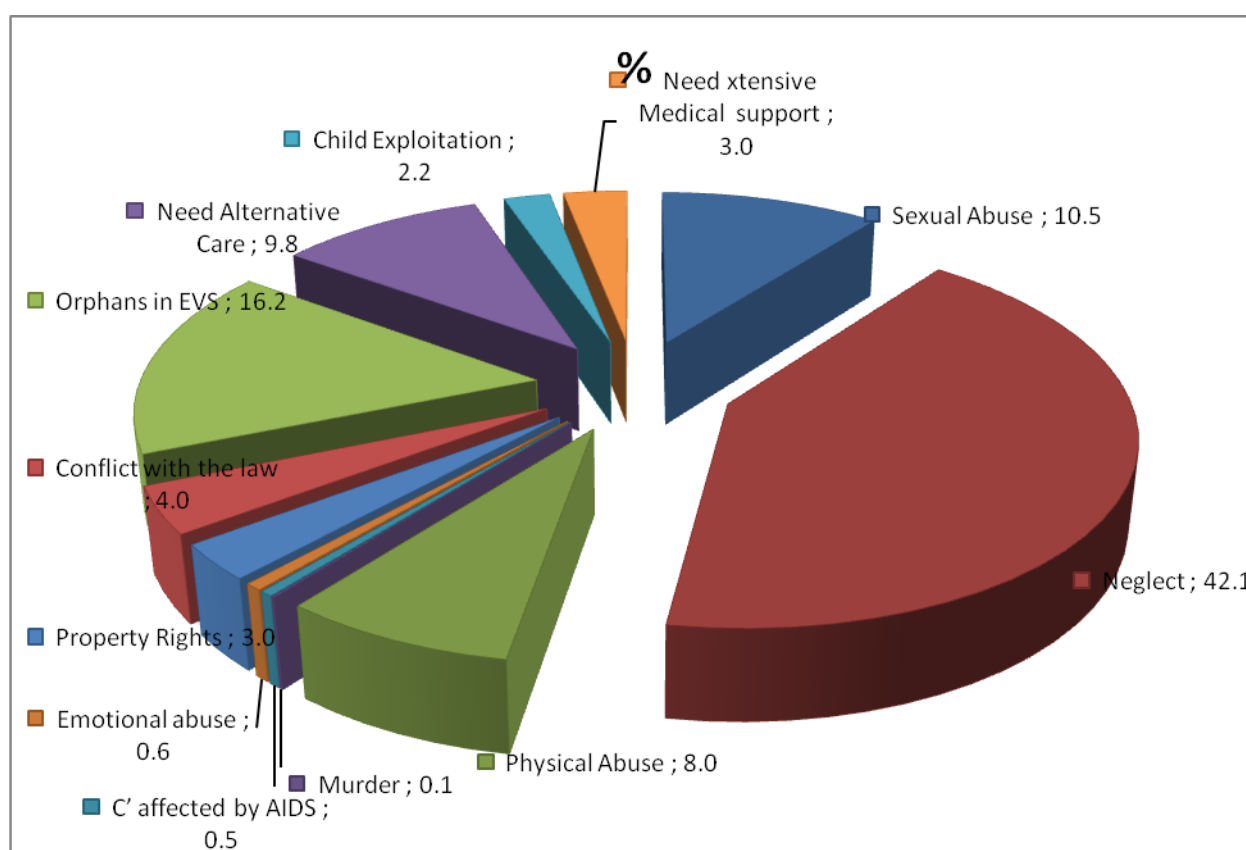
punishment was in the form of hitting, punching, kicking or beating at both schools and home.

- 4) Need of medical extensive support. Despite user fees having been abolished in 2001, households continue to bear most of their children's health care costs. Because of prevalent low income levels of many rural based households, are unable to take children to a health facility or afford prescribed medicines when ill.
- 5) Property rights; Even though Ugandan law states that a woman has equal inheritance rights, and children must be protected, these rights are not widely known in remote areas and they frequently conflict with traditional and religious practices. While Uganda's Succession Act clearly entitles widows to 15 percent of the estate regardless of a will, and 75 percent for the biological children, those provisions only apply to women who are legally married. Widows are often denied the right to inherit their deceased husband's property, especially land. Sometimes they are even denied the right to look after their own children. Sometimes widows are chased out of the matrimonial home or deprived of the right to use the family land to grow food for their families. Girl children are sometimes denied the right to inherit their father's property.
- 6) Rights to participation and Information gaps; Only 32% Girls and 37% Boys knew of a place to seek help including National Toll Free child helpline. . Generally 65% of children lack any source of information at home and so are considered severely information deprived. They don't have at least a radio set at home and for those that have them have no access to them. More informed children can make better decisions affecting their lives.
- 7) Children in conflict with law: There is increasing of cases of the children, in Uganda, who are exposed to high levels of crime and physical, sexual and emotional violence, which is often condoned by society or considered culturally acceptable based on gender inequalities and power relations between adults and children. Exposure to crime has an impact on the social and psychological wellbeing of a child, even if the crime committed is not a violent one.

- 8) Most Vulnerable Children emerged to be the children with multiple vulnerability including those with disabilities while were orphans on top of being HIV positive. They were discriminated against in various aspect of life. They were among the most disadvantaged groups in society, and are particularly at risk of experiencing multiple forms of violence, abuse, neglect and exploitation. Other factors that increase a child's vulnerability to abuse include: being raised by a single parent or by very young parents (child parenting a child) without the support of an extended family and in violent relationships.

Note: Children raised by single parents are vulnerable but interestingly most common with parents who are reasonably educated (University students, certificate, diploma and degree holder).

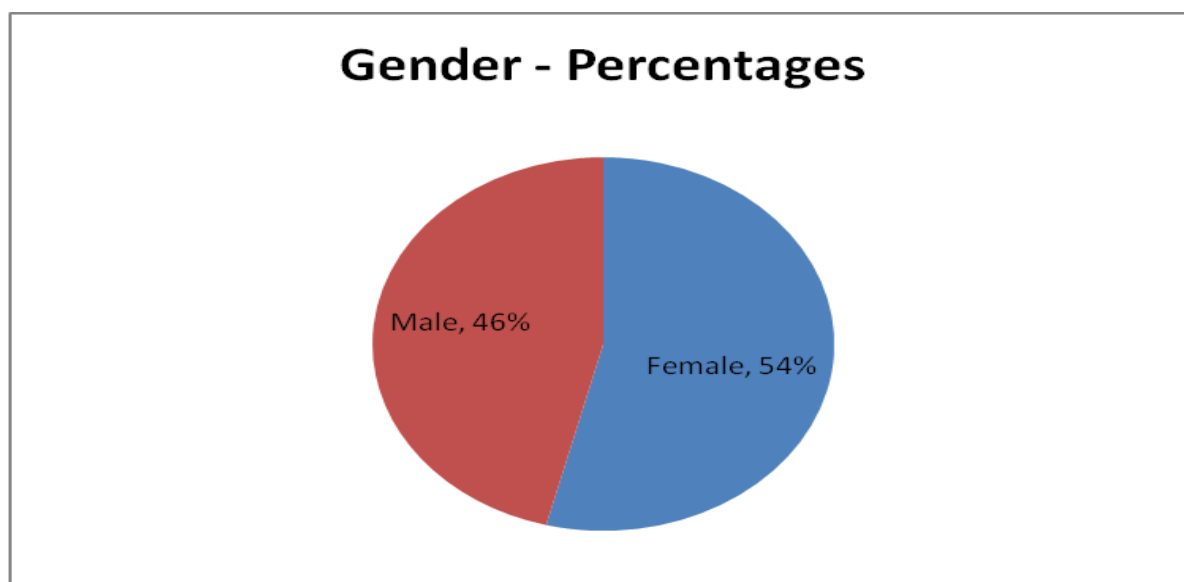
- 9) Alternative Care; With high prevalence of child abuse and neglect, not all children are assessed fit to re-join their families especially if the abuser was the family member. Children may therefore need other forms of temporary care whilst permanent family homes are found for them especially abused, displaced or children in conflict with law. This includes kinship care, short and long term foster care, smaller residential care facilities and supervised independent living.



1.5.2 Victims of abuse and neglect by gender

GENDER	NO- of cases	
Males	1,002	46%
Females	1,172	54%
TOTAL	2,174	100%

The girls dominated with 53.9% against boys (46.1%) among the cases that indicated the names and gender. However there were over a 103 cases that did not indicate the names and gender.



Generally , boys were the victims of beatings and physical punishment more often than girls, while girls were victims of sexual abuse, forced prostitution, and educational neglect. Children between the ages of 6 and 14 years who were not in school, 60% were girls.

1.5.3 Perpetrators of child abuse

In most cases of child abuse, the abuser was someone the child knew; Religious leader (instructors), teachers, parent, relative, or family friend.

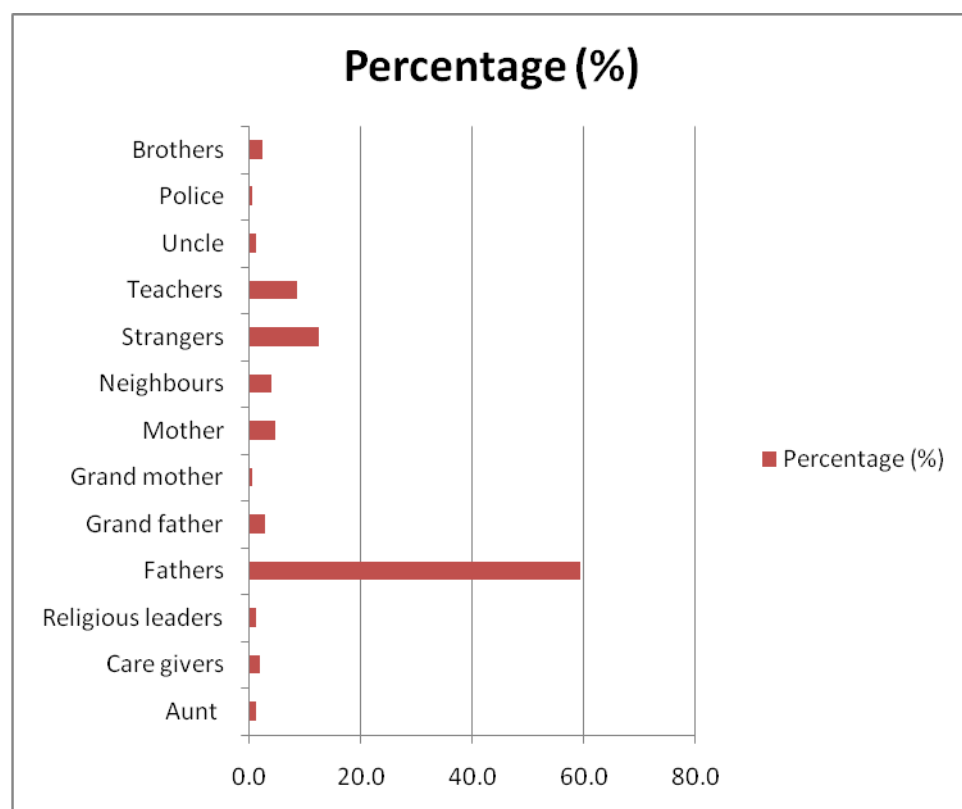
Relationship	No_	%ge
Aunt	27	1.2
Caregiver	39	1.8
Religious Leaders	26	1.2
Father	1,290	59.3
Grand Father	59	2.7

Grandmother	11	0.5
Mother	102	4.7
Neighbour	83	3.8
Stranger	269	12.4
Teacher	186	8.6
Uncle	24	1.1
Police	8	0.4
Brother	50	2.3
TOTAL	2,174	100

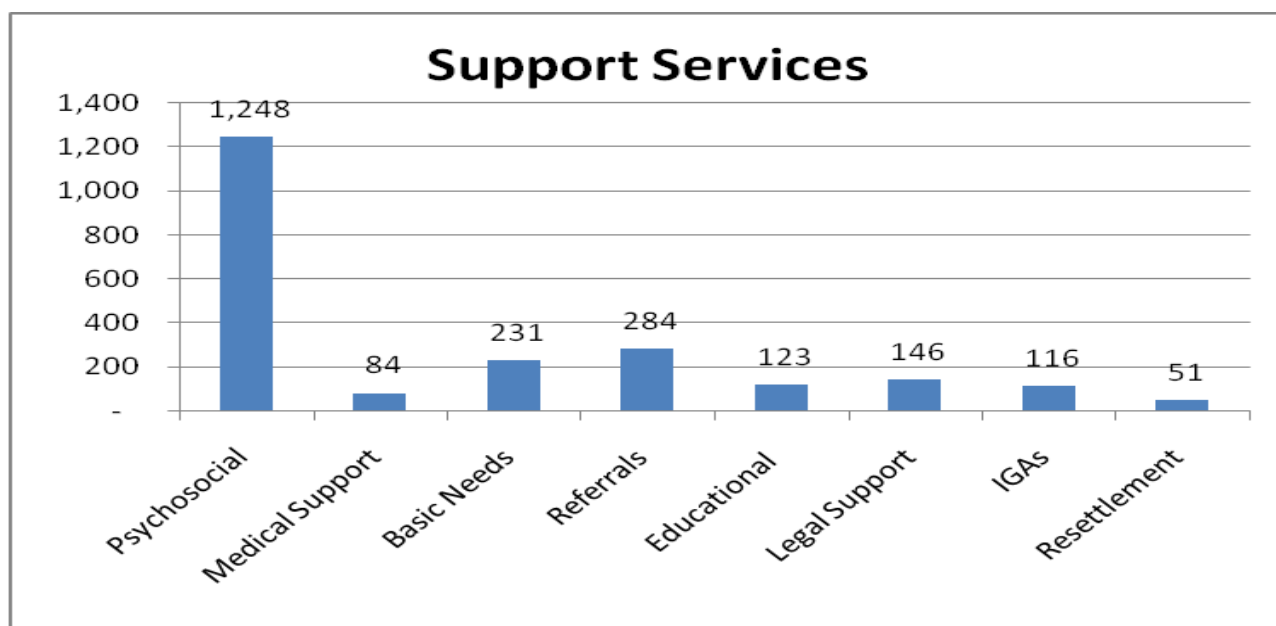
It emerged that the immediate care givers of children turned out to be abusers both at home and school.

At school, most abuses occurred during PLE, UCE and UACE registration and writing as well as in the school holidays under guise of coaching by school management and teachers .

Private school dominated in physical and emotional abuse. Sexual abuse was more rampant in government aided school than private school. It is surprising that the head teacher who are supposed to ensure enforcement of child protection policies in school are not only involved sexually in abusing the children but also abusing their participation rights when registering them for PLE, UCE and UACE. Innocent children who were under religious instruction were mercilessly abused by religious instructors.



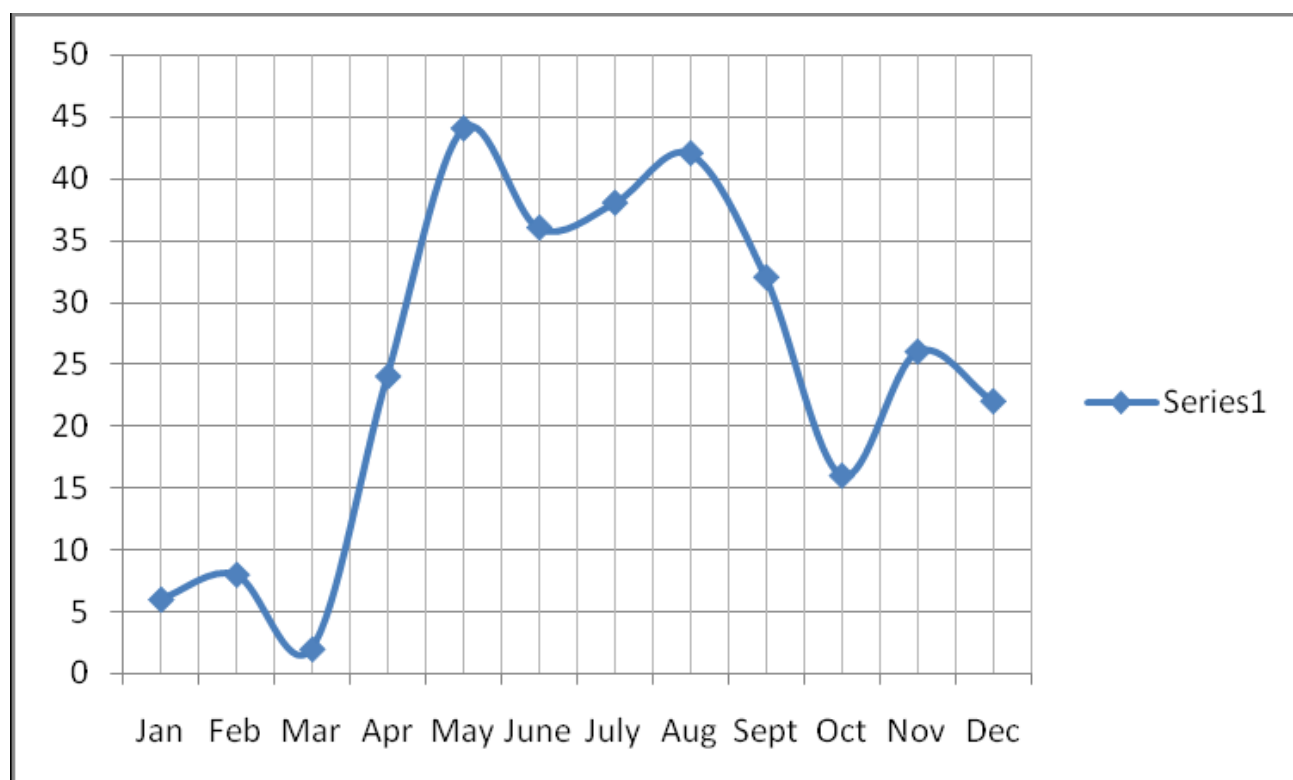
1.5.4 Support Given by ANPPCAN to reported cases of abuse and neglect



Out of 2, 283 children that were directly reached through service delivery, psychosocial support accounted for 55%, referrals 12%, basic needs 10%, legal 6% while IGA and educational support were both 5%.

Given the multifaceted drivers of child abuse and neglect, integrated, holistic programming is critical – one that focuses on: child protection (policy and legal enforcement), issues of livelihoods (economic empowerment and knowledge/skills) and employment.

1.5.5 Period of the year



There were generally three seasons in the year with a rise in cases of child abuse and neglect recorded. They are: i) April - May, ii) July - August and ii) October - November.

i) April - May: This was a period when children in candidate class were registering for PLE, UCE and UACE. Children were subjected to pre registration exams to winnow out those that would qualify to register with the school centre and those that don't measure up are "sold off" to other centers with relatively poor performance grades.

ii) June - July peak, was associated with crop harvesting, with seasonal increase in child labour demands. The dry season brings in redundancy as there is little work in the gardens. This redundancy (July -August) tends to be a driver to child abuse especially sexual abuse. On the other hand, increased farm based income and corresponding expenditures propel some adults to behave inappropriately towards children.

iii) October - November peak, was associated with climate change realities, heavy rains with greater risk of floods and landslides, water contamination, flood damaging homes and gardens as well as water born diseases. At school level, this is period when PLE, UCE and UACE candidate that didn't measure up to standard of the schools were transferred

to other UNEB school centers they had been sold to.

iii) October - November: With climate change realities, heavy with greater risk of floods and landslides, led to the deaths of children in Bugisu sub region. Children were further adversely affected by water contamination, damaged homes and diseases. At school level , this is period when PLE , UCE and UACE candidate that dont measure up to standard of the schools are transferred to other UNEB school centers.

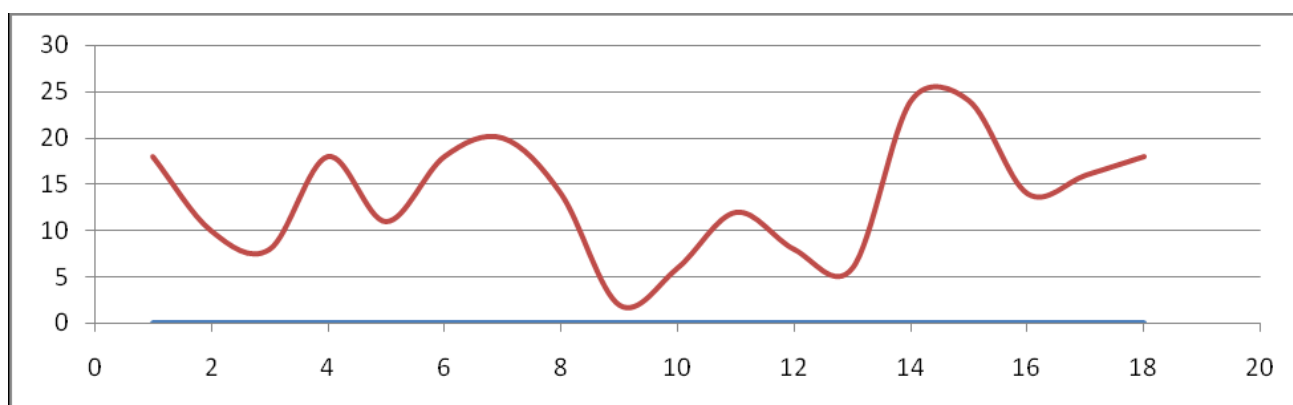
It was further reported that higher rainfall increased the likelihood of school drop out for older children. Children from poorer households were increasingly not attending school when rainfall is high. Among younger children, school drop-out is likely to be the result of poor, unhygienic living conditions and the heightened transmission of diseases like malaria and diarrhoea. For older children, households were benefitting from pulling their children out of school as an extra labour supply.

1.5.6 Age vulnerability :

Vulnerability to child abuse – whether physical, sexual or through neglect – depends in part on the child’s age and sex. Young children were most victims of physical abuse, whereas the highest rates of sexual abuse were found among children who had reached puberty or adolescence.

Early Teenagers (13 and 14 years) dominated the age bracket when abused were more predominant. The second peak was around 6 years which the age of admission into primary school. Age 8 and 9 years recorded the lowest incidence of child abuse case victims.

The rising trend at around age 13 and 17 coincide with the average age candidates register and write their PLE and UCE. This when children are subjected to pre- registration examination to asses those who qualify to register with school's UNEB center or sold off to other schools of low grades. Discriminated against children based on their cognitive development during examination registration process and exercise, is a huge violation of their rights.



1.5.7 Geographical prevalence - Region/ Districts

- Region: Central Uganda dominated in reported cases of abuse and neglect followed by Eastern Uganda.
- District: Kampala and Wakiso districts dominated in Central region followed by Jinja and Iganga in Eastern region.
- In peripheral districts , Arua dominated.

Urban verses Rural prevalence.

There was urban dominance in cases of child abuse and neglect. Poor urban households are less likely to own or have access to productive assets such as land and animals, which limits their income-generating opportunities and access to food. Children and adolescents in urban areas were found exposed to particular risks, with young urban males citing drugs and alcohol as their biggest health risks while adolescent girls identified violence from other people, unsafe sexual activity, early pregnancy and defilement as the biggest threats.

1.6 Recommendations

- 1) Give the multifaceted drivers of child abuse and neglect, integrated, holistic programming is critical – one that focuses on: child protection (policy and legal enforcement), issues of livelihoods (economic empowerment and knowledge/skills) and employment.
- 2) With Uganda's wanting health care system, mobilize and support investment in Preventive health care, with a motive of helping children stay healthy and access prompt treatment when necessary. This will help reduce overall medical expenses which children from economically vulnerable household dont have.

- 3) Mobilize and support community-based initiatives to tackle the problem of child abuse and neglect. While some can be either family or school-based – instructing children how to recognize threatening situations and providing them with skills to protect against abuse. Increase knowledge and awareness on child abuse and neglect.
- 4) Strong partnership with the media. It is a key partner in prevention campaigns that to stimulate community action and change behavioral patterns by exposing child abuse and neglect cases.
- 5) Health care professionals have a key role to play in identifying, treating and referring cases of abuse and neglect and in reporting suspected cases of maltreatment to the appropriate authorities.
- 6) By general consensus, Uganda has the required laws and policies to deal with the child abuse and neglect. This view is confirmed by the review of existing laws and policies on child protection Vis-à-vis defilement, gender equality, education and sexual and reproductive health issues. However, weakness in government institutions and the justice systems especially corruption hampers effective enforcement of the law on defilement. In this regard,
 - It is recommended that strengthening these institutions with interventions to deal with corruption and build peoples' confidence in utilizing the institutions be prioritized.
 - There is urgent need for a policy for teenage mothers to return to school that specifies the time when the pregnant girl should be sent away and allowed to back in school.
 - Misinterpretation and lack of understanding of the law on defilement and its link to child marriage was evident. This therefore calls for massive education about the child protection law and its provisions – for both the law enforcement officers and the community members both young and old.
- 7) Government to populize the new diversion guidelines, which will ensure that minors who commit petty offences are diverted from the formal justice system through procedures, structures, and programmes that help reconcile them with the aggrieved

through non-judicial bodies, thus avoiding the negative effects of formal judicial proceedings

- 8) The central and local government should increase the budget of Probation and Social Welfare Officer who are the institutional child protection cornerstone to execute their mandate.
- 9) All district should recruit substantive labour officers to check the problem of child labour and trafficking.
- 10) There is a need of strengthening the family economic capacity through income generating activities, reunification of the street children to their families/relatives.
- 11) Most students are abused during holidays under holiday coaching program. The Ministry of Education should work with the law enforcement office to enhance compliance to MoE&S policies particularly banning holiday coaching program.

1.7 Conclusion

- Child abuse is a national problem that is deeply rooted in cultural, economic and social practices
- Deaths are only the visible tip of the problem. Millions of children in Uganda are victims of non-fatal abuse and neglect.
- This situational analysis strongly shows that child abuse and neglect is common in communities with high rates of poverty and fewer neighborhood support systems that have been shown to protect children.
- In most cases of child abuse, the abuser was someone the child knew; teachers, parent, relative, or family friend.
- Apart from physical injuries such as bruises and welts, burns and scalds, lacerations and fractures, child maltreatment is associated with a number of other consequences, including: alcohol and drug abuse, cognitive impairment and developmental delays, delinquent, violent and other risk-taking behaviours, eating and sleep disorders, poor school performance, poor relationships, reproductive health problems, post-traumatic stress disorder, depression and anxiety, suicidal behaviour and self-harm. Many of these problems, in turn, increase the likelihood of several major adult forms of illness and disease.

Definitions

Physical abuse: the intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child’s health, survival, development or dignity. This includes hitting, beating, kicking, shaking, biting, strangling, scalding, burning, poisoning and suffocating. Much physical violence against children in the home is inflicted with the object of punishing.

Emotional abuse: refers to a parent or caregiver's inappropriate verbal or symbolic acts towards a child and/or a pattern of failure over time to provide a child with adequate non-physical nurturing and emotional availability. Such acts of commission or omission are likely to damage a child's self-esteem or social competence.

Child Neglect: includes both isolated incidents, as well as a pattern of failure over time on the part of a parent or other family member to provide for the development and wellbeing of the child – where the parent is in a position to do so – in one or more of the following areas: health, education, emotional development, nutrition, shelter and safe living conditions.

Child Sexual Abuse: The involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society. Children can be sexually abused by both adults and other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power over the victim.