CHILD FRIENDLY HUMAN RIGHTS TRAINING GUIDE FOR SCHOOLS IN KILIFI COUNTY

HAKI CLUBS GUIDE

(MAY, 2024)











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LIST OF ACCRONYMS AND ABBREVIATIONS

ACRWC African Charter on the Rights and Welfare of the Child

CRC Convention on the Rights of the Child

CREAW Centre for Rights Education and Awareness

CSOs Civil Society Organizations

FGM Female Genital Mutilation

FMC Forced Male Circumcision

GBV Gender Based Violence

IAS International Aid Services

KES Kenya Shilling

UDHR Universal Declaration of Human Rights

UN United Nations

UNCRC United Nations Convention on the Rights of the Child

UNDP United Nations Development Program

UNICEF United Nations Children's Education Fund

USA United States of America

SGBV Sexual and Gender Based Violence

PREAMBLE

This guide helps in running Haki Clubs in schools. Haki Clubs are special groups where children learn about their rights and how to stay safe. International Aid Services (IAS) Kenya helps make these clubs stronger and supported the establishment of new ones in schools that didn't have them. Teachers and students learn together and join these clubs to make sure everyone is protected.

Haki Club members do fun and important activities like talking about staying healthy, learning about good behavior, and teaching each other about safety. Schools are not just for classes and grades; it's also a place to explore interests through clubs. Joining these clubs helps students come to school more often, behave better, and do well in their studies.

Schools have had clubs for a long time, but Haki Clubs are special because they focus on stopping child abuse and making schools safe. Before, children didn't have much say in what happens at school, but Haki Clubs changed that. These clubs make schools safe and exciting places to learn.

With technical and financial support from the Embassy of the Kingdom of Netherlands and UNDP-led Civil Society and Democratic Governance Facility (Amkeni WaKenya), IAS Kenya established ten Haki Clubs in Kilifi County with the support of 20 teachers. Haki Clubs teach children how to spot, stop, and report abuse. They also help kids develop new skills, have fun, and grow to become confident, happy adults.

The Guide is designed to address key topics identified by project teams and teachers, incorporating case studies from the experiences of patron teachers. It is user-friendly and includes engaging activities and exercises to facilitate teacher interactions during training sessions, encouraging them to seek more knowledge and apply it to support child protection within schools.

ABOUT THIS GUIDE

This Haki Club guide was developed based on the extensive practical experience of IAS Kenya school-based programs across the country. Over the years, IAS Kenya has engaged in awareness creation interventions in various schools, interacting with teachers, stakeholders, and children themselves. This continuous engagement highlighted the need for a comprehensive guide to establish and manage Haki Clubs and life-skills programs aimed at preventing child abuse, essential for sustaining child protection interventions.

The development of this guide involved consultative forums with various stakeholders, including children in schools, members of child-led groups such as health clubs and rights

clubs, patron teachers, head teachers, the Teachers Service Commission, Civil Society Organizations, and teachers. These consultations provided valuable responses, lessons learned, and practical experiences regarding the operation of child rights clubs, which informed the content of this guide.

This guide outlines the necessary steps to form Haki Clubs at primary school learning level while also applicable at secondary, and higher learning levels. It details the aims, specific learning outcomes, code of conduct, life skills information, and potential activities for Haki Club members. Additionally, it provides guidance on monitoring, supporting, and mentoring Haki Club members and emphasizes the importance of resource mobilization.

The primary audience for this guide includes patron teachers, school authorities, government entities, CSOs, and other individuals committed to child protection.

AGKNOWLEDGEMENT

This training guide on Haki Clubs was developed through the collaborative efforts of IAS Kenya staff under the leadership of Executive Director, Mary Githiomi, and project partners. The successful completion of this training guide on the establishment and management of Haki Clubs was attributed to the immense contributions of local stakeholders' efforts on child protection in collaboration with partners.

The International Aid Services in Kenya expresses its deepest gratitude to the partners and stakeholders engaged throughout the project implementation and the joint development of training materials in child protection. This notable work with teachers and children would not have been possible without the steadfast support from development partners, the Teachers Service Commission, schools, and other duty bearers engaged in child protection initiatives in their respective areas of operation.

We extend our heartfelt thanks to the project funders, the Embassy of the Kingdom of the Netherlands, and UNDP Kenya, as well as the pilot schools in Kilifi County for providing information and materials crucial to the development of this guide.

IAS Kenya appreciates the critical role played by all the teachers and schools that will utilize this training guide in their day-to-day implementation of Haki Clubs.

BACKGROUND AND RATIONALE

Violence against children is a significant and apparent challenge facing governments worldwide in the 21st century. Kenya is no exception to this menace. Despite being recognized as a major violation of children's rights under Kenyan law, violence against children continues unabated. Many issues affecting children in Kenya are rooted in the

widespread poverty that engulfs much of the population. The triple threats faced by the children, which includes in the order of severity for Kilifi County adolescent pregnancies, sexual and gender-based violence and HIV and AIDs, has exacerbated the situation; leaving millions of children without parents and others in child-headed households¹. The HIV and AIDS epidemic has exacerbated the situation, leaving millions of children as Orphans.

Schools, which should be safe havens for learning, have unfortunately become hotspots for gender-based violence (GBV)². The limited capacity of school administrators to address such issues effectively remains a significant barrier. Violence against children by teachers has become a common and troubling aspect of daily life in Kenya. Gender-based violence in Kenya has reached a level that can be termed a disaster. This pervasive issue is a major concern for the average Kenyan, with media reports frequently covering shocking incidents of sexual and gender-based violence (SGBV) against children both at home and in schools.

There is a growing danger that society may become fatigued and begin to normalize such incidents, especially in some coastal communities. A particularly troubling aspect is the widespread impunity for perpetrators of violence against children, often due to cultural and political reasons.

Studies conducted on SGBV in Kenya have consistently reported similar findings. For instance, research by Action Aid Kenya (2006), CREAW (2009), UNICEF (2010), and the National Commission on Gender and Development (2011) all highlight the forms and causes of violence against children. These studies identify poverty, ignorance, and a lack of robust systems for dealing with offenders as key factors contributing to the problem. According to UNICEF study, 32% of females and 18% of males experienced sexual, 66% of females and 73% of males experienced physical violence, and 26% of females and 32% of males experienced some form of violence as children³.

All these studies emphasize the urgent need for action to stem the tide of violence against children. Addressing this issue requires comprehensive and coordinated efforts from all sectors of society to protect children and uphold their rights.

HOW TO USE THIS GUIDE

This manual serves as a reference document for patron teachers, particularly focusing on life skills development and the establishment and management of Haki Clubs. It is designed to be flexible, usable in any setting, and can be disseminated in parts. However, it is crucial for all patron teachers to undergo intensive and comprehensive full training prescribed for

¹ https://nsdcc.go.ke/end-tripple-threat/

² file:///C:/Users/Administrator/Downloads/Gender-based-violence-in-primary-schools-Kenya-FINAL%20(1).pdf

³ UNICEF Kenya, CDC, & Kenya National Bureau of Statistics (KNBS). (2012). Violence Against Children in Kenya: Findings from a 2010 National Survey. Nairobi, Kenya: UNICEF Kenya

Beacon teachers; a child protection system pioneered by Plan International Project towards educating the community on the crisis of sexual abuse of school children by teachers in Kenya and to make sure children have an anchor so they have someone they can fall back to.

A Beacon Teacher is one who has demonstrated a strong commitment to protecting learners from all forms of violence through their previous interactions with learners and child protection systems both inside and outside the school. Their conduct has been validated, and they are prepared to elevate child protection efforts by any means necessary, adhering to the movement's objectives. The manual includes dedicated topics on life skills, advocacy, communication, and the establishment and management of Haki Clubs.

Session 1: Children's rights, Universal Declaration of Human Rights and the Convention on the Rights of the Child.

Key learning points

- Grasp the fundamental concepts of human rights and children's rights.
- Recognize the significance and relevance of these rights in working with children
- Gain knowledge about the Universal Declaration of Human Rights.
- Understand its principles and its impact on global human rights standards
- Learn about the Convention on the Rights of the Child.
- Familiarize yourself with its Optional Protocols and their purposes.
- Comprehend that these international instruments impose binding obligations on state parties.
- Acknowledge the duty of states to respect, protect, and fulfill children's rights under these instruments.



Overall time needed: 2 hours

To start this session, facilitate a discussion among participants on the meaning of the terms 'human rights' and 'children's rights' and why these concepts are important when working with children. For example, you can ask the following questions to facilitate the discussion

- What are 'human rights?
- What are children's Rights? Up to what age is a person regarded as a 'child?
- Why do we have children's rights?
- Why are children's rights important? Do children rights create obligations and entitlements for anyone? If so, who?

1.1 What are Human Rights?

- Human rights are the basic rights everyone has, like the right to live and the right to education
- A government has the responsibility to ensure that human rights are respected, protected, and fulfilled for all individuals within its territory. This commitment involves three key elements:
- i. Respect for human rights: The government must refrain from interfering with or denying individuals their right to enjoy their human rights.
- ii. Protection of human rights: The government must take proactive measures to protect people from violations of their human rights, even if the violators are not affiliated with the government.
- iii. Fulfillment of human rights: The government must proactively take positive actions to facilitate the enjoyment of human rights by individuals.

1.2 Children's Rights



"The child, by reason of his physical and mental immaturity needs special safeguards and care, including appropriate legal protection, before as well as after birth."

UN Declaration of the Rights of the Child, 1959

1.2.2 Children's rights

Children's rights are special human rights for anyone under 18, ensuring they are safe and happy

Every child has special rights called children's rights. These rights are for anyone under 18 years old. They are very important and apply to all children everywhere. These rights help make sure children have everything they need to grow up safe, happy, and healthy.

The UNCRC, established in 1989 and accepted by 196 nations, acknowledges children as active participants in society with their own rights. It sets forth comprehensive guidelines for the well-being, nurturing, growth, safeguarding, and involvement of all children.

1.2.3 Why should we focus on persons who have not reached 18 years from birth?

"A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State..."

Article 20, CRC

We need to take care of children because, in our country, we have a responsibility to ensure that kids under 18 don't suffer from poverty, lack of food, poor health, or other problems. At the same time, it's a chance for our government to focus on children because they are our future. By giving them good nutrition, health care, education, and protection, our country can create strong future leaders. This means that our government and leaders should always consider children's needs when making plans for the country's growth.

1.3 What are the Basic Human Rights that Translate into Essential Rights for Children?

Human Rights: Human rights are a set of internationally-agreed, legally-binding norms and standards to which all people, including children, are entitled. These rights define the basic standards of human dignity and identity and are rooted in every culture, religion, and tradition throughout the world. Human rights are critical to the sustainable and equitable development of all human beings, including children.

Basic Human Rights:

• The Right to a Life Full of Dignity: This includes freedom from slavery, torture, and bonded labor.

- The Right to Good Health and Nutrition: Access to healthcare services and adequate nutrition is essential.
- The Right to Education and Development: Every individual should have access to education to foster personal and professional growth.
- The Right to Freedom of Thought and Expression: Individuals have the right to freely express their thoughts and opinions.
- The Right to Basic Amenities: Access to food, clean water, and sanitation is fundamental for a decent standard of living.



Child Rights: Children are among the most vulnerable groups in society, making it crucial that their basic rights are protected and accessible. The principles of the rights-based approach encompassing all human rights mirror the four guiding principles of the United Nations Convention on the Rights of the Child (UNCRC), which constitute the 'Child Rights' approach. These principles include:

- Survival: Ensuring that children have the basic necessities for survival, including healthcare, nutrition, and a safe living environment.
- Development: Providing children with the opportunities to grow, learn, and reach their full potential through education and other developmental activities.
- Protection: Safeguarding children from all forms of abuse, exploitation, and neglect.
- Participation: Empowering children to express their views, be heard, and participate in decisions that affect their lives.

By upholding these principles, we can create a world where children thrive and contribute to a sustainable and equitable future for all.

Ask participants what, in their opinion, are the key principles which should guide behavior when working specifically with children

- These principles include:
- Right to non-discrimination
- Best interest of the child as a primary consideration
- Right to life, survival and development
- Right to be heard
- They are called the 'general principles' because, not only are they rights which must be respected, protected and fulfilled in their own right, but they are also the foundation for all other children's rights.

- These principles are fundamental to international human rights law, ensuring that essential human rights are protected regardless of the situation.
- Children are entitled to the rights without discrimination of any kind, irrespective of
 the child's or his or her parent's or legal guardian's race, color, sex, language, religion,
 political or other opinion, national, ethnic or social origin, property, disability, birth
 or other status.

Universal Declaration of Human Rights and the UN Convention on the Rights of the Child



- Universal Declaration of Human Rights. Universal Declaration of Human Rights (UDHR) is a document that acts as a global road map for freedom and equality, protecting the rights of every person, everywhere. It was the first-time countries agreed on the freedoms and rights that deserve universal protection in order for every person to live their lives freely, equally and in dignity. It was adopted by the newly established <u>United Nations</u> on 10 December 1948. This declaration is based on the following principles: -
 - "All human beings are born free and equal in dignity and rights" (Article 1)
 - "Everyone has the right to life, liberty and security of person." (Article 3)
 - "No one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment (**Article 5**)
- The UN Convention on the Rights of the Child (also referred to in this handbook as the 'CRC') is a human rights treaty setting out a range of children's rights. CRC demands that governments which are party to the CRC under international law to:
 - Respect, protect and fulfil the full range of rights in the CRC for all children within its jurisdiction without discrimination of any kind.
 - Always Respect Rights: These rights must be respected at all times and cannot be ignored, even during wars or national emergencies.
 - Widespread Agreement: As of July 31, 2023, 196 countries have agreed to the Convention on the Rights of the Child (CRC), making it the most accepted human rights agreement globally. The only country that hasn't joined is the USA.
 - Universal Application: Every country must apply these rights to all children within its borders, unless they have specific exceptions in place.

- Definition of a Child: According to Article 1 of the CRC, a child is any person under the age of 18, unless the law in their country says they become an adult at a younger age.
- In some states, children can reach legal majority before turning 18. Regardless, they should still be entitled to rights under the CRC (Convention on the Rights of the Child).
- The age of majority is different from the age of sexual consent or the legal driving age, though in some states, these ages may be aligned.
- An in-depth examination of international standards for these minimum ages is beyond the scope of this training.

OPTIONAL PROTOCOLS TO THE CRC

- The CRC has three Optional Protocols, which states may also become party to:
- Involvement of Children in Armed Conflict
- Sale of Children, Child Prostitution, and Child Pornography
- Communications Procedure;
- (a) Allows individuals or groups to submit complaints (called 'communications') about violations of their rights under the CRC.
- (b) An international committee, the UN Committee on the Rights of the Child (CRC Committee), investigates these complaints.
- (c) The CRC Committee can also investigate serious or systematic violations of children's rights unless the state has declared otherwise.
- Monitoring by the CRC Committee. Functions;
- (a) Investigates complaints and conducts inquiries under the third Optional Protocol.
- (b) Issues guidance and recommendations (called 'General Comments') on how to apply the CRC. These are not legally binding but help guide the implementation of the CRC.
- (c) Reviews state party reports and shadow reports from civil society and other organizations to assess how well the CRC is being implemented.
- (d) Issues 'concluding observations' with recommendations to states on improving their implementation of the CRC.



Understanding of what these rights mean in practice

- Right to non-discrimination; discrimination can occur in two main forms: direct and indirect.
- Indirect Discrimination; this happens when a law, policy, or practice applies to everyone but places an individual or group with a protected characteristic at a particular disadvantage.
- Direct Discrimination; This occurs when a person or group is treated less favorably than someone else in a comparable situation due to a protected characteristic. Protected characteristics can include age, nationality, ethnicity, religion, sexual orientation, and more. Example: A judge may unfairly give less weight to evidence from a child with a physical disability compared to a child without a disability due to incorrect assumptions about the child's capacity.
- Challenges of Non-Discrimination:
- Unintentional Discrimination: Discrimination can occur without any intention to discriminate or even awareness by the discriminator.
- Bias and Socialization: Our upbringing and socialization often contribute to biases that justify inequalities between groups.
- Self-Reflection and Institutional Practices: It's essential to identify and challenge these biases, our institutional practices, and long-held beliefs. This means constantly reflecting on and questioning our opinions and practices to ensure they align with the principle of non-discrimination.

Best interest of the child as a primary consideration; child's best interests entail:

- The child's views

- The child's identity, bearing in mind:
- (a) Sex: Biological differences and gender identity.
- (b) National Origin: The country or culture a child comes from.
- (c) Religion and Beliefs: The faiths and values a child follows.
- (d) Sexual Orientation: A child's personal sexual preferences or orientation.
- (e) Cultural Identity: The customs, traditions, and values a child identifies with.
- (f) Personality: Individual traits and behaviors unique to each child
- Preservation of a family environment
- Care, protection and safety of the child
- Whether or not the child has a disability and the child's corresponding needs
- Situation of vulnerability, for example, the child is living in a street situation, or is a victim of abuse
- The child's health situation and right to health
- The child's educational needs and right to education
- Other statuses including migration status or situation of statelessness, refugee status, etc.

BEST INTEREST ASSESSMENT

- Case-by-case Basis: Each assessment must be tailored to the specific child's circumstances and needs in the given situation.
- Purpose: Ensure the child effectively enjoys their rights under the CRC and supports their holistic development
- **Adaptable Concept:** The best interest is dynamic, flexible, and can adapt to changing circumstances.
- **Evolving Nature:** As the child grows and their situation changes, the assessment of their best interest may also evolve.



To decide what is in the child's best interests, you should:

Speak to the child - what does the child say she/he needs? What are the child's views, wishes and feelings?



- Speak to the child's parents / legal guardians to understand their views on the child's needs.
- Consult with an expert e.g. a social worker or psychologist who has spoken with the child and ask them for their opinion.
- Make your own expert decision based on this information

Right to life, survival and development:

This right is known as an absolute right. It takes priority over any other concerns, and any possible violations must be addressed immediately

- Children have the inherent right to life, and it is the responsibility of the state to ensure their survival and development to the fullest extent possible. This involves creating a safe and nurturing environment that supports their physical, mental, and emotional well-being.
- This right means more than just staying alive. Countries must help children live and grow in the best way possible.
- Growing up means many things. It includes taking care of a child's body, mind, emotions, friendships, culture, beliefs, and learning.

The right to be heard;

The views of the child being given due weight in accordance with the age and maturity of the child' makes it clear that the views of a child who has the requisite capacity must be 'seriously considered,' and that it is not sufficient to simply listen to those views without taking them into account in the decision-making process

Session 2: Key Child Rights in Kenya and how they are protected



Key learning points

- Develop knowledge and understanding of Key Child Rights
- Develop understanding of how children's Rights are protected

Overall time needed: 2 hours

2.1 Key child rights

The Revised Children Act, 2022 gives children certain rights to make sure they are safe, healthy, and happy. Here are the rights every child should have: **These include:**

- a) No Discrimination (Section 9). Every child should be treated equally. No one should be treated differently because of their skin color, religion, or anything else. This means that all children have the same rights and should be treated with respect.
- b) Parental Care (Section 11). Every child has the right to be taken care of by their parents. However, sometimes a child may have to be separated from their parents for safety or other important reasons. The law makes sure that children are cared for properly even when they cannot be with their parents
- c) Special Rights for Certain Groups of Children in the Revised Children Act, 2022. The Revised Children Act, 2022 also makes sure that all children are treated fairly and have special rights, especially for those who might need extra care. Here are the special rights and protections for certain groups of children:
 - i. Children with Disabilities (Section 20). Children with disabilities have the right to be treated with respect. They should receive free medical care, special care, education, and training to help them grow and learn like other children. It's important that they are supported in every way they need.
 - ii. **Intersex Children (Section 21).** Intersex children have the right to a safe and supportive environment. Being intersex means having physical traits of both males and females, but this should not affect their rights. The law



- makes sure that intersex children are treated with dignity and are given the same medical care, special attention, education, and training as other children. They are also considered a special group that needs extra protection.
- iii. **Protection from Abuse (Section 22).** All children must be safe from harm or abuse. If someone hurts a child or makes them feel bad on purpose, they can be punished with jail for up to five years or fined up to two million shillings, or both. It's very important that children feel safe and secure in their homes, schools, and communities.
- iv. **Online Safety (Sections 22 (3), (4), (5), (6)).** Children should be safe when using the internet and other online spaces. The law protects them from being hurt or treated badly online. Anyone who breaks these rules and harms children online will face serious consequences.
- **d) Protection from Harmful Cultural Practices (Section 23).** The Revised Children Act, 2022 makes sure that children are protected from harmful cultural practices. These are practices that can hurt children or make them feel unsafe. Here are some harmful cultural practices that children are protected from:

- i. **Forced Male Circumcision.** No boy should be forced to undergo circumcision if he doesn't want to. It should be a choice made safely and without pressure.
- ii. **Female Genital Mutilation (FGM).** Female Genital Mutilation is a harmful practice that involves cutting or injuring a girl's private parts. It is illegal and very dangerous. Girls have the right to be safe and protected from this practice.
- iii. **Child Marriage.** Children should not be married before they are old enough. They should be free to enjoy their childhood and not be forced into marriage.
- iv. **Virginity Testing.** Virginity testing is a practice where girls are tested to see if they are virgins. This is a private matter and should not be done to any child. It is harmful and disrespectful.
- v. **Girl Child Beading.** Girl child beading is a practice in some communities where young girls are promised for marriage and given beads as a symbol. This practice can put pressure on girls and take away their childhood.
- vi. **Penalties for Breaking the Law.** If someone forces a child into any of these harmful practices, they can be punished with at least three years in prison, a fine of at least five hundred thousand shillings, or both. This law is in place to keep children safe and ensure they grow up without being harmed by these practices.

e) Protection from Drugs and Substance Abuse (Section 24).

- i. **Staying Away from Drugs:** Children have the right to be protected from harmful drugs and substances. Using drugs can be very dangerous and can hurt a child's body and mind. This law helps keep children safe by making sure they stay away from these harmful things.
- ii. **Penalties for Breaking the Law:** Anyone who gives or sells drugs to children will face serious punishments. The penalties have been made stronger to ensure children are kept safe.

e) Detention of Children in Conflict with the Law (Section 26)

i. **Special Places for Children:** If a child does something against the law, they might need to be kept in a detention center. However, they must be kept separate from adults. This means that children will stay in special places just for them, even when being transported, to ensure they are safe and looked after properly.



- ii. Separate Spaces for Boys, Girls, and Intersex Children (Section 26 (7)): Boys, girls, and intersex children should each have their own separate facilities. This ensures privacy and safety for everyone.
- iii. **Care for Children with Disabilities:** Children with disabilities should be held in places that can meet their personal needs, taking into account their specific conditions. These facilities should be designed to help them feel comfortable and cared for.

iv. **Detention as a Last Resort:** It's important to remember that putting children in detention is only used as a last resort. This means it happens only when there are no other ways to help the child learn from their mistakes.

f) Right to Privacy (Section 27)

- i. **Keeping Things Private:** Every child has the right to privacy. This means that their personal information, belongings, and communications should be kept safe and not shared with others without a good reason.
- ii. **Feeling Safe and Respected:** This right helps children feel respected and secure in their personal space, allowing them to have a sense of control over their own lives.

2.2 Responsibilities of children

Children have certain responsibilities towards their families, society, the government, and the international community. Depending on their age and ability, and within the limits outlined in the UN Convention on the Rights of the Child, outlined in this Charter, children have the duty to:

- Family Cohesion: Work for the unity of their family, respect their parents, superiors, and elders at all times, and assist them when needed.
- National Service: Serve their national community by contributing their physical and intellectual abilities.
- Social Solidarity: Preserve and strengthen social and national solidarity.
- Cultural Values: Maintain and promote African cultural values in their interactions with others, fostering a spirit of tolerance, dialogue, and consultation, and contribute to the moral well-being of society.
- National Integrity: Preserve and strengthen the independence and integrity of their country.
- African Unity: Contribute to the promotion and achievement of African Unity to the best of their abilities at all times and at all levels.



Kenya has in place child rights protection measures which include:

- Kenya, in 1998, ratified the Convention on the Rights of the Child (CRC) which states:
 - **Protection from Abuse**: Governments must ensure laws and systems are in place to protect children from any kind of physical or mental violence, injury, abuse,



- neglect, maltreatment, or exploitation, including sexual abuse. This applies to children under the care of parents, guardians, or anyone responsible for them.
- **Support and Prevention**: Effective procedures should be established, including social programs to support children and their caregivers. This also involves prevention measures, as well as systems for identifying, reporting, investigating, treating, and following up on cases of child maltreatment. When necessary, judicial involvement should be included.
- Kenya is also signatory to the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflict (Sept. 2000) and the Optional Protocol to the Convention to the Rights of the Child on the Sale of Child Prostitution and Child Pornography
- Kenya ratified the 1990 African Charter on the Rights and Welfare of the Child (ACRWC) in July 2000. Similar to the Convention on the Rights of the Child (CRC), the Charter calls for member states to take specific legislative, administrative, social, and educational measures to protect children from all forms of torture, inhuman or degrading treatment, and especially physical or mental injury or abuse, neglect, or maltreatment, including sexual abuse, while in the care of the child
- The Revised Children Act, 2022 enacted to implement its obligations under CRC and ACRWC. The Act includes numerous provisions designed to protect children from abuse and neglect. It defines the term "child abuse" to include "physical, sexual, psychological and mental injury".
- Safeguards for the Rights and Welfare of Children; makes the principle of the best interest of the child the primary driver of all decisions and actions involving children:
- Provides that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
- Provides that all judicial and administrative institutions, and all persons acting in the name of these institutions, where they are exercising any powers conferred by this Act shall treat the interests of the child as the first and paramount consideration to the extent that this is consistent with adopting a course of action calculated to
- o Safeguard and promote the rights and welfare of the child
- Conserve and promote the welfare of the child
- Secure for the child such guidance and correction as is necessary for the welfare of the child and in the public interest
- O Accords children protection from child labor and involvement in armed conflict. It states that a child must be protected from "economic exploitation and any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. It bars the involvement or recruitment of children in armed conflicts. Whenever children are victimized by an armed conflict, the act makes it the responsibility of the government

"to provide protection, rehabilitation care, recovery and re-integration into normal social life.

- The Act accords children protection from and treatment for abuse whenever they fall victim to it. It states that a child is "entitled to protection from physical and psychological abuse, neglect and any other form of exploitation including sale, trafficking or abduction by any person. Whenever a child falls victim to any of these abuses, he or she must be "accorded appropriate treatment and rehabilitation"
- It protects children from harmful cultural practices and sexual exploitation, barring anyone from subjecting a child to "female circumcision, early marriage or other cultural rites, customs or traditional practices that are likely to negatively affect the child's life, health, social welfare, dignity or physical or psychological development. It also states that every child must be "protected from sexual exploitation and use in prostitution, inducement or coercion to engage in any sexual activity, and exposure to obscene materials.
- The Act provides that children are "entitled to protection from the use of hallucinogens, narcotics, alcohol, tobacco products or psychotropic drugs and any other drugs that may be declared harmful by the Minister of Health and from being involved in their production, trafficking or distribution.
- In addition, the Act accords certain key protections to children suspected or convicted of a crime, stating that: -
- No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty.
- Notwithstanding the provisions of any other law, no child shall be subjected to capital punishment or to life imprisonment.
- A child offender shall be separated from adults in custody.
- A child who is arrested and detained shall be accorded legal and other assistance by the Government as well as contact with his family.
- In addition to penalties that may be imposed under other laws, anyone who violates any of the above-described provisions willfully or negligently commits a crime that, on conviction, is punishable by a custodial sentence not exceeding one year and/or a fine of up to 50,000 Kenya Shilling (KES) (about US\$493).
- Further, the Act provides that "[n]o child offender shall be subject to corporal punishment



• Kenya also promulgated constitution in 2010 which was "a major milestone for the children of Kenya. It recognizes some fundamental human rights. Some of the provisions of the Constitution of Kenya on the Rights of the children include:

- **Article 21 A**: Right to free and compulsory elementary education for all children in the age 6-14 years
- **Article 24:** Right to be protected from any hazardous employment till the age of 14 years
- **Article 39(e):** Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength
- **Article 39 (f):** Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity, and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment
- **Article 45:** Right to early childhood care and education to all children until they complete the age of six years
- Various other Kenyan laws include provisions aimed at advancing child rights and protecting children from abuse and neglect. These include:
- The Prohibition against Female Genital Mutilation Act, 2011. Act. The Act makes it illegal to perform FGM on anyone, including children. If an FGM procedure causes death, the person responsible is liable, on conviction, to life imprisonment.
- Provides broader coverage in that, in addition to criminalizing FGM and punishing those with intimate involvement, it holds accountable anyone who participates in any capacity. It criminalizes the performance of FGM on anyone, including children. If the performance of an FGM procedure causes death, the person responsible is, on conviction, liable to life imprisonment. Also criminalized under the Act are the following acts or omissions:
- a) Aiding and abetting FGM
- b) Procuring a person to perform FGM in a foreign country
- c) Allowing the use of one's premises for FGM
- d) Possession of FGM tools
- e) Failure to report FGM
- f) Use of derogatory or abusive language towards someone for not having undergone FGM
- g) A person who commits an offense under this Act is liable, on conviction, to a custodial sentence of at least three years and/or a fine of KES 200,000 (about US\$1,973)
- The Employment Act; prohibits the "worst forms of child labor. It states that "[n] notwithstanding any provision of any written law, no person shall employ a child in any activity which constitutes [the] worst form of child labor. The term "worst form of child labor" includes:
- a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory recruitment of children for use in armed conflict;

- b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of the child;
- e) Violation of this provision is a crime punishable, on conviction, by a fine of up to KES 200,000 and/or a custodial sentence of up to one year. If the child dies during his or her employment, the person responsible would also be subject to an additional fine of up to KES 500,000 (about US\$4,932), some or all of which may be used to compensate the child or the child's family, and/or a custodial sentence of up to one year.
- the Sexual Offences Act (2006); an act "which cause penetration or indecent acts" or rape *in the presence of* a child is an offense under the Sexual Offences Act and on conviction is punishable by a minimum ten-year custodial sentence. An indecent act includes "an unlawful intentional act which causes any contact between any part of the body of a person with the genital organs, breasts or buttocks of another, but does not include an act that causes penetration [or] exposure or display of any pornographic material to any person against his or her will." An indecent act *with* a child is an offense punishable on conviction by a minimum ten-year custodial sentence. However, it is a valid defense if the accused can prove that the "child deceived [him/her] into believing that such child was over the age of eighteen years at the time of the alleged commission of the offence, and [he/she] reasonably believed that the child was over the age of eighteen years. This defense does not apply to cases where the victim and the accused are related. The Act also criminalizes defilement, "an act which causes penetration with a child. The punishment for this offense on conviction varies depending on the age of the victim, as follows:
- a) If the victim is under the age of eleven, the applicable punishment is a custodial sentence for life.
- b) If the victim is between the ages of twelve and fifteen, the punishment is at least a twenty-year custodial sentence.
- c) If the victim is between the age of sixteen and eighteen, the penalty is at least a fifteenyear custodial sentence.
- the Trafficking in Persons Act, 2012; this Act criminalizes trafficking in persons, which includes the acts of recruiting, transporting, transferring, harboring, or receiving a person for the purpose of exploitation through one of the following means:
- o Threat or use of force or other forms of coercion
- Abduction

- o Fraud
- o Deception
- Abuse of power or of position of vulnerability
- o Giving payments or benefits to obtain the consent of the victim of trafficking in persons; or
- Giving or receiving payments or benefits to obtain the consent of a person having control over another person. According to the Act, recruiting, transporting, transferring, harboring or receiving a child for the purpose of exploitation amounts to trafficking in persons regardless of whether it was accomplished through any of the above listed means. The Act provides a no exhaustive list of acts considered exploitative, which includes;
- Keeping a person in a state of slavery
- Subjecting a person to practices similar to slavery
- o Involuntary servitude
- o Forcible or fraudulent use of any human being for removal of organs or body parts
- o Forcible or fraudulent use of any human being to take part in armed conflict
- Forced labor
- o Child labor
- Sexual exploitation
- Child marriage
- o Forced marriage
- a) A person convicted for the primary offense faces:
- Custodial Sentence: A minimum of thirty years in prison.
 This is a severe penalty indicating the seriousness of the offense.
- Fine: At least KES 30 million, which is approximately US\$296,109. This substantial fine serves as a deterrent against committing the offense.
- Recidivism: if the person reoffends (commits the same offense again), the penalties are even more severe:
- Life Imprisonment: this highlights the legal system's effort to prevent habitual offenders by removing the possibility of reoffending.
- Participation in the Offense; even those who do not directly commit the offense but are involved in other ways face similar penalties:
- o Financing: Providing financial support for the offense.
- o Controlling: Exercising control over the operation or planning of the offense.
- o Aiding or Abetting: Assisting or encouraging the commission of the offense.
- These participants face the same penalties as those who commit the primary offense, emphasizing that all forms of involvement are taken seriously and punished. In addition, the Act criminalizes what it calls the "promotion of child trafficking." This



includes procuring or attempting to procure a child for the purpose of trafficking in persons through adoption, fosterage, or guardianship arrangements, or offering a child for adoption, fosterage, or guardianship for the same purpose. A person convicted on this charge is subject to a custodial sentence of at least thirty years and/or a minimum fine of KES 20 million (about US\$197,408); a second conviction on the same charge is punishable with life imprisonment. If a person convicted under any of the provisions of the Act had adopted, fostered, or had a child in guardianship, any such arrangement would be rescinded.

- the Penal Code, the Marriage Act, 2014; the Code criminalizes the act of supplying children with substances that can be harmful to their health and wellbeing:
- a) Any person who supplies or offers to a child
- b) any petroleum distillate, glue or other substance consisting of or containing matter having stupefying or hallucinogenic properties; or
- c) any substance which the Minister responsible for health has declared, by notice published in the Gazette, to be a substance to which this with intent that the child should inhale, consume or otherwise abuse the substance, or knowing or having reasonable cause to suspect that the child is likely to do so, is guilty of a misdemeanor and liable to imprisonment for three years.
- d) If a woman, due to mental disturbance caused by childbirth or lactation, willfully causes the death of her child under twelve months of age, she will be guilty of infanticide. This offense, while severe, is treated differently from murder, being instead punished as manslaughter.
- e) The Code also makes it a crime to kill an unborn child, stating:
- i. any person who, when a woman is about to be delivered of a child, prevents the child from being born alive by any act or omission of such a nature that, if the child had been born alive and had then died, he would be deemed to have unlawfully killed the child, is guilty of a felony and is liable to imprisonment for life
- ii. In addition, the Code makes kidnapping or abducting a child of a certain age with the intent to steal from its person a crime, stating that "[a]any person who kidnaps or abducts any child under the age of fourteen years with the intention of taking dishonestly any movable property from the person of such child is guilty of a felony and is liable to imprisonment for seven years
 - Marriage Act (2015); bars child marriages. The general provisions section of the Act, which is the part of the legislation applicable to all forms of marriage, including Islamic and customary marriages, states that "[a] person shall not marry unless that person has attained the age of eighteen years. Another provision, in the same section of the legislation makes a marriage in which one or both of the parties is under the age of eighteen void, stating that "[a] union is not a marriage if at the time of the making of the union ... either party is below the minimum age for marriage.

- Significantly, the Act criminalizes marriage with an underage person; anyone convicted for this offense is liable to a custodial sentence of up to five years and/or a fine of up to KES 1 million (about US\$9,870)
- The Protection against Domestic Violence Act (2015). The Act in relations to any person, means violence against that person, or threat of violence or of imminent danger to that person, by any other person with whom that person is, or has been, in a domestic relationship. Violence means abuse, which includes child marriage, FGM, virginity testing, defilement, economic abuse, and emotional or psychological abuse. It is considered a psychological abuse of a child if anyone:
- o causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship; or
- o puts the child or allows the child to be put at risk of seeing or hearing the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship, but the person who suffers the abuse shall not be regarded as having caused or allowed the child to see or hear the abuse or as having put the child, or allowed the child to be put, at risk of seeing or hearing the abuse. In situations of domestic violence in which children are victimized, courts may intervene to provide relief in the form of a protective order. The Act permits a child to apply for a protective order through the help of any of the following persons or institutions:
- 1. parent or guardian
- 2. a children officer
- 3. the Director of Children's Services
- 4. police officer
- 5. a probation officer
- 6. a conciliator
- 7. any other person with the leave of the court;
- 8. social welfare officer:
- 9. a person acting on behalf of (a) a church or any other religious institution; or (b) a non-governmental organization concerned with the welfare of victims of domestic violence; or
- The Evidence Act, 1963 The Evidence Act has an important amendment concerning evidence given by children in criminal matters, particularly those involving sexual offenses. Prior to a 2006 amendment, the Act required that evidence from children in such cases be corroborated. However, the amendment introduced a significant change: when the case involves a sexual offense where the child is both the alleged victim and the only witness, the court is now allowed to receive the child's testimony and can proceed to convict the accused if the court is satisfied that the child is telling the truth, with reasons for this decision recorded in the proceedings. This amendment is crucial for protecting children from sexual abuse. Often, these offenses occur in private settings where only the child victim and the perpetrator are present. Before

- this change, many offenders escaped conviction due to the strict corroboration requirement. The amendment acknowledges the unique circumstances of child sexual abuse cases and aims to provide justice by relying on the testimony of the child when it is deemed truthful by the court.
- The Basic Education Act, 2013. Basic Education Act, The Act lists various values and principles that must be used as guides in the provision of basic education. Among the listed values and principles is the "elimination of gender discrimination, corporal punishment or any form of cruel and inhuman treatment or torture. Also included are the "protection of every child against discrimination within or by an education department or education or institution [sic] on any ground whatsoever" and "non-discrimination, encouragement and protection of the marginalized, persons with disabilities and those with special needs
- The Alcohol Drinks Control Act, 2010. One of the objects and purposes of the Alcoholic Drinks Control Act is to "protect the health of persons under the age of eighteen years by preventing their access to alcoholic drinks. To that end, it bars anyone who has a license to manufacture, store, or consume alcoholic beverages from allowing anyone under the age of eighteen "to enter or gain access to the area in which the alcoholic drink is manufactured, stored or consumed. Anyone who commits an offense is punishable on conviction by a maximum fine of KES 500,000 (about US\$4,928) and/or a custodial sentence of up to three years
- The Refugee Act, 2021. The Refugee Act provides that one of the functions of a refugee camp officer is to "protect and assist vulnerable groups, women and children. It states that the Commissioner for Refugee Affairs must make sure that "specific measures are taken to ensure the safety of refugee women and children in designated areas. It also states that the Commissioner must make certain that "a child who is in need of refugee status or who is considered a refugee shall, whether unaccompanied or accompanied by his parents or by any other person, receive appropriate protection and assistance. The Commissioner must assist an unaccompanied refugee child in tracing and reuniting with his or her parents or other family members. If no family member is located, "the child shall be accorded the same protection as any other child permanently or temporarily deprived of his family.

Session 3: Child and Access to Justice

Key learning points

- Learn about the components of a child-friendly justice system and why it's crucial for the protection of children's rights.
- Gain knowledge of key international and regional standards that underpin child-friendly human rights and legal aid
- Learn about specific measures and practices to support these children and ensure their rights are protected



Overall time needed: Between 1 hour 30 mins - 2 hours

- **Definition**: Access to justice means children can seek and get fair solutions when their rights, including those in the CRC (Convention on the Rights of the Child), are violated. This includes being recognized by the law and having a fair trial, with equal access to courts.
- **Empowerment**: Every child should be legally empowered, considering their age, maturity, and evolving capacity.
- **Child-Friendly Justice Systems**: To ensure children can access justice, justice systems should be designed to respect and implement all children's rights effectively. These systems should be:
- **Accessible**: Easy for all children to reach.
- **Age-Appropriate**: Suitable for children's ages.
- **Gender-Responsive**: Consider the needs of children of all genders.
- **Speedy**: Resolve issues quickly.
- **Diligent**: Thorough and careful.
- **Child-Focused**: Adapted to and centered on the needs and rights of the child.
- **Respectful of Rights**: Uphold the child's rights to due process, participation, understanding the proceedings, privacy, family life, integrity, and dignity.

Session 4: Child Participation



Specific Learning Outcomes

- 1. Define Child participation
- 2. Discuss the principles of child participation
- 3. Discuss benefits of child participation
- 4. Explain ways of ensuring children/learners participate in different activities within the school
- 5. Effectively engage children/learners in their different learning activities

Overall time needed: Between 1 hour 30 mins - 2 hours

4.1 Definition of Child Participation

Child participation refers to the involvement of persons below the age of 18 either physically or otherwise; in planning and implementation of any programmes that affect them either in the short term or in the long term

Activity 1 in group of 5

- Identify ways children/learners might participate in school activities including the teaching/learning ones
- What are some of the barriers to effective child participation?
- Identify three main types of disabilities among children/learners
- How are these disabilities likely to affect the specific children/learners' participation in school activities and in education generally?

Note to facilitator

- The activity should take no more than 45 minutes
- Allow 20 minutes for plenary presentations and a brief debate on ways of enhancing child/learner participation in schools.

Child participation means that children have a right to be involved in decisions that affect them. Here are some key ideas about this:

1. **Article 12: Speaking Up** - Children have the right to express their views and be heard.

- 2. **Article 15: Making Friends and Gathering** Children have the right to meet and play with others. They can create their own games and activities, as long as they are safe and respectful.
- 3. **Best Interests** Decisions about children should consider what is best for them. This means thinking about their age, gender, and culture. Sometimes, it can be hard for children to know what they want, and adults need to help them express their wishes.
- 4. **Participation** When children take part in decisions, they feel more in control of their lives and understand how they fit into situations.
- 5. **Non-Discrimination** All children should be treated equally, no matter their culture, religion, economic status, or abilities. This includes children with disabilities.
- 6. **Do No Harm** When children share their stories, it should be done carefully to avoid making them feel upset or stressed by repeating their experiences multiple times.
- **7. Accountability** Adults should be honest and responsible to ensure that help is given efficiently and effectively.
- **8. Coordinate and Collaborate** Working together with all the people and organizations involved in child protection helps avoid delays. For example, a Beacon Teacher should follow the proper steps in the Case Management system.

4.2 Benefits of Child Participation

To the child

- Faster development
- Acquaintance with wider societal issues
- Feeling of belonging
- Motivation of child/learner
- Building resilience an opportunity for a child/learner to express self in an adult dominated world changes the child's/learner's worldview. It is a way of building their self-confidence and resilience



To community

- When children/learners participate, they learn lessons that they can use to support their communities. They can participate in disaster prevention, enhancing security, supporting fellow children/learners' initiatives etc.
- Healthier decision making
- Sustainability of initiatives targeting children/learners.
- Children/learners can make their school attractive
- Quick, more effective decision making

4.4 Ways of ensuring Children/learners participate in different scenarios

Ensuring children/learners participate effectively in various scenarios can be achieved through several strategies:

• Incorporating Participation in Policy and Checklists:

- Make children's participation a fundamental aspect of policies and include it in the checklists for planning, execution, and monitoring and evaluation of all programs.

• Establishing Child/Learner Groups:

- Form groups of children/learners to work with, which helps in identifying key areas for their participation. These key areas refer to specific points within the program where their input is valuable.

• Engaging Children/Learners in Program Development:

- Involve children/learners in designing aspects of programs, such as developing positive discipline alternatives. Their involvement ensures that solutions are practical and realistic, addressing the challenge of over or underestimations.

Activity 3: Case Study (Insert Photo/Image)

Annie walked into the head-teacher's office wearing a face of distress. She had a special request to make. She needed her son Maurice to leave boarding school and go to a school near her home. Her reason for this request was related to the demise of her husband. His dying wish was that Maurice marries his best friend's daughter Karani. Now that they were through with the mourning season, she needed Maurice to go and marry to fulfill the wish and to also be looking after the cows even as he goes to school

Note to facilitator: Have the participants in groups of 7 to discuss the key issues for consideration in this case. Allow 10 minutes for presentations

Session 5: Child/learner friendly communication

Specific Learning Outcomes

- Define Child/learner friendly communication skills
- Describe channels of effective communication in child/learner protection
- Identify barriers to effective communication in child/learner protection cases
- Describe the importance of effective communication skills in child/learner protection



Overall time needed: Between 1 hour 30 mins - 2 hours

5.1 Meaning of Child/learner friendly communication

Child/learner friendly communication involves sharing information that respects and upholds the rights of children and learners. This type of communication considers all stages of planning, design, implementation, monitoring, and evaluation according to child rights provisions in law. It includes input from both boys and girls, including children with disabilities and special needs.

Children and learners have a right to clear, interesting, and child-centered communication. As children develop, their needs, interests, and learning styles vary, necessitating a variety of genres and content. Effective child-friendly communication is not just about using child-like characters or formats like animation or comics. It requires careful consideration of word choice, sentence length, and context.

Even in countries with limited resources, it is possible to produce low-cost, appropriate communication materials for children and learners. By doing so, they can adhere to the letter and spirit of the Convention on the Rights of the Child, ensuring that each age group receives suitable content.

5.1.1 Importance of Effective Communication Skills in Child/Learner Protection

- Empowers children/learners to report threat or actual abuse
- Empowers children/learners to report threat or actual abuse
- Mitigates against misunderstanding(s)
- Helps the children/learners to negotiate effectively
- Aids timely response to child abuse prevention, detection and protection
- Help children/learners to assist their peers in case of a problem or child abuse



5.2 Principles of Effective Communication

According to UNICEF (2011), communication with children should follow these four key principles:

a) Principle 1: Age Appropriate

Child/learner-friendly communication techniques should be tailored to different developmental stages, considering factors such as gender and disability. Simply using comics, cartoons, and pictures does not inherently make communication child/learner-friendly, as many cartoons contain violent messages. Similarly, using a tiny pencil does not automatically make communication appropriate for a child or learner.

b) Principle 2: Address the Child Holistically

Laura Berk (2002) emphasizes that all aspects of child development—physical, social, emotional, and cognitive—are interconnected. A child may be intellectually gifted but still suffer from neglect or abuse. Conversely, a child who is well-nourished may still crave love, and a loved child might still be physically or emotionally fragile.

c) Principle 3: Positive and Strengths-Based Communication

Every child/learner possesses strengths and potential that need nurturing. Communication should aim not only to educate but also to build resilience and coping capacities. Effective communication helps nurture the inherent strengths in children.

d) Principle 4: Inclusive Communication

Effective communication should positively portray children/learners from diverse cultures, ethnic backgrounds, and socio-economic statuses. It must also consider the needs of children with disabilities, those who have experienced trauma or grief, and those living through emergencies or in especially difficult circumstances.

Recall the discussions on child/learner participation and see how they fit into communication

Activity 1: Think of a new policy on child/learner protection in your school that you would like to communicate to the learners from different classes. Package the message for class 5 learners

Several factors such as:

- a) *Age of the child/learner*: Children/Learners are only able to synthesize information that uses words that are familiar to them unless additional support such as use of gestures or pictures is provided. Otherwise, the information would not make sense. Importantly, children/learners, unlike adults, are not able to cross-reference, read between the lines or infer. Children/learners in the early years prefer communication in each word clearly distinguished. Speaking too fast to a little child/learner does not add value.
- b) **Sex of the child/learner**: Depending on the kind of people around a child's/learner's life, a child/learner might pick communication faster from those similar with family members. For instance, if a child/learner comes from a *women-only* house, he/she

- might take some time to get used to the booming voice of a male thus affecting communication.
- c) *Culture:* can be a barrier especially when it comes to choice of words or use of gestures
- d) *Language of communication*: if the language used by the communicator is not the same as the one a child/learner is used to.
- e) *Environment*: can grossly impair communication with children/learners. Some environments can be threatening for children/learners. If a child/learner does not feel safe, they are least likely to understand what is communicated.
- f) Choice of content: it is not enough to have children/learners appear in television or radio programmes, book illustrations, posters, or another form of media in order to make the materials "child/learner-friendly" Messages need to be tailored for the specific child/learner audience, and have to include their needs, perspectives and points of view in order to relate to them in effective and helpful ways4. The accumulated knowledge from years of studying children/learners and media demonstrates that children/learners are active users of media: They react to, think, feel and create their own meanings out of them. They bring to their media encounters a host of predispositions, abilities, desires and experiences. They watch television or listen to stories in diverse personal, social and cultural circumstances that also influence what they get out of the experience. We must never assume that what we as adults need and take from media (such as television programmes, magazine articles, oral stories, card games, posters), is the same as what children/learners will get out of it.
- g) Medium of communication: The path through which we choose to communicate to children can be a barrier. Some media are designed more for adults. The voice and tone of communication is as important as the content which includes the choice of words.
- h) **Physiological state of the child**: status of the child such as health or hunger can affect effective communication.

5.3 Channels of Effective Communication in Children/Learners

• Face to face or personal communication. This is a direct communication with a child/learner (one on one)

- Speak out boxes for children/learners who are shy; they can drop their written materials to a box in order to pass information
- Audio visual communication. This is done through videos, films and projectors
- Written communication letters, brochures and posters may be written to convey information
- Use child/learner helpline numbers to report and or seek help
- Use of total communication; comprehensive to include gestures, visual expressions, panto-mimes, mimes, etc.
- Digitized reporting system for all schools linked to security apparatus.

Activity 2: Using the topic **Oral hygiene**, in groups of 5, come up with

(i) A communication slogan for learners and ii) Work out a simple poem to communicate to learners at age 5 on the same topic

Session 6: Establishing and Managing Haki Clubs in Primary Schools

6.1 Introduction

Haki Clubs are designed to provide a structured, engaging environment where primary school pupils can develop essential life skills, learn about their rights, and foster a sense of responsibility and community. These clubs should be inclusive, pupil-centered, and focused on creating a supportive atmosphere for learning and personal growth. The aim should ensure creating supportive environment where learners can express themselves, gain new knowledge, share their issues, and find collective solutions.

Session 6.2 Understanding Haki Clubs



Key learning points

- **Understanding Rights and Responsibilities**: Pupils will learn about their basic rights and responsibilities as children and citizens.
- **Leadership Skills**: Development of leadership skills through active participation and club management.
- **Ethical Awareness**: Understanding the importance of honesty, fairness, and respect in everyday interactions.
- **Community Engagement**: Encouraging Pupils to engage in community service and understand the value of helping others.
- **Critical Thinking**: Enhancing Pupils' ability to think critically about social issues and develop solutions.

Overall time needed: 2 hours.

Materials Needed for Training

- Training manuals on children's rights and responsibilities
- Activity guides and worksheets
- Posters and visual aids
- Flip charts
- Notebooks and pens for Pupils
- Audio-visual equipment for presentations
- Games and props for interactive activities
- Masking tapes
- Marker pens

Role of Haki Clubs

The primary aim of Haki Clubs is to empower Pupils with knowledge about their rights and responsibilities, promote ethical behavior, and develop leadership skills. The clubs also aim to create a space for dialogue on important social issues, fostering a sense of community and civic responsibility among young learners.

6.3 Haki Club Structure

6.3.1 Characteristics of Haki Club

- Inclusive Membership; open to all pupils with a focus on inclusivity and diversity.
- Regular Meetings; scheduled meetings to discuss topics, plan activities, and reflect on learning.
- Interactive Activities; engaging activities that promote learning through play and participation.
- Community Projects; initiatives that encourage pupils to apply their learning in real-world contexts.
- Reflection and Feedback; regular sessions for pupils to reflect on their experiences and provide feedback.
- Conducive Environment; an environment conducive to building self-esteem and fostering a learner's sense of self-worth, self-regard, self-respect, self-love, and selfintegrity. This foundation is crucial for developing confidence and the belief in a bright future.
- Volunteerism; encouraging community service from an early age instills the importance of selfless service for community development. Activities should be community-focused and supervised by club patrons, ensuring safety and adherence to guidelines.



6.3.2 Steps in Forming the Clubs

Steps in Forming the Clubs	Description
Initial Planning	Discuss the idea with school administration and
	gain approval.
Resource Gathering	Collect necessary materials and resources for the
	club.
Awareness Campaign	Inform Pupils and parents about the club and its
	benefits.
Facilitators Selection	Select two patrons (one male, one female) trained
	in child protection.
Recruitment	Encourage Pupils to join the club through
	meetings and posters.
First Meeting	Conduct an introductory meeting to establish the
	club's purpose and activities.
Elections	Facilitate the election of group officials without
	influencing choices
Set Goals	Work with Pupils to set short-term and long-term
	goals for the club.
Inauguration	Formally inaugurate the group and commence
	activities.

6.3.3 Membership to the Clubs

- Open Enrollment: Any student interested in the club's activities can join.
- Commitment: Members are expected to attend meetings regularly and participate actively in club activities.
- Diversity: Encourage a diverse membership to ensure a wide range of perspectives and ideas.
- Membership numbers should ideally range from 20-30 per group, with adherence to a code of conduct ensuring committed membership.

6.3.4 Haki Clubs Code of Conduct

- 1. **Respect**: All members must treat each other with respect.
- 2. Participation: Members should actively participate in meetings and activities.
- 3. **Responsibility**: Members should take responsibility for their actions and contribute to the club's success.
- 4. **Confidentiality**: Sensitive topics discussed within the club should remain confidential.

5. **Positive Attitude**: Members should maintain a positive attitude and support each other.

6.3.5 Leadership Structure of Haki Clubs

A simplified and supportive leadership structure is key to the success of Kings and Queens Clubs, helping young members to develop their leadership skills in a fun and engaging way. By clearly defining these roles and responsibilities, the club can operate smoothly and achieve its goals while providing a nurturing space for all its members. The roles and responsibilities of each position are outlined below to ensure clarity and effective governance within the clubs.

Club President

Role:

The Club President is the leader who helps guide the club and ensures everyone works together harmoniously.

Responsibilities:

- Meeting Leadership: Leads club meetings, making sure they are fun and productive.
- Activity Coordination: Helps plan and organize club activities.
- Representation: Represents the club during school events and interactions with teachers.
- Support: Assists club members with any issues and promotes teamwork.

Vice President

Role:

The Vice President supports the President and steps in when they are not available.

Responsibilities:

- Assisting the President: Helps the President with planning and organizing activities.
- Leadership Substitution: Takes over the President's duties when they are absent.
- Project Support: Helps lead special projects or events.
- Communication: Acts as a bridge between the President and other club members.

Organizing Secretary

Role:

The Organizing Secretary is responsible for keeping the club organized and managing communication.

Responsibilities:

- Record-Keeping: Takes notes during meetings and keeps attendance records.
- Documentation: Manages important club documents.
- Communication: Sends out meeting reminders and updates to club members.
- Information Management: Keeps an organized record of club activities.

Treasurer

Role:

The Treasurer looks after the club's money and ensures it is used wisely.

Responsibilities:

- Financial Management: Keeps track of the club's money and spending.
- Budgeting: Helps plan how to use the club's funds for activities.
- Reporting: Shares simple financial updates with club members.
- Fundraising: Assists in organizing fundraising events.

Committee Members

Role:

Committee Members lead specific projects or activities within the club.

Responsibilities:

- Project Leadership: Takes charge of a specific club activity or project.
- Team Support: Works with other members to ensure the project is successful.
- Updates: Shares progress and updates with the club.

6.4 Selection of Facilitators for Haki Clubs

The selection of facilitators for Haki Clubs is a critical process that ensures the clubs are guided by qualified and supportive educators. Facilitators play a key role in mentoring pupils, providing structure, and enhancing the overall club experience. Qualified facilitators with strong skills set, relevant experience, and a commitment to student development play a vital role in guiding the clubs. By fulfilling their responsibilities effectively, facilitators help create a supportive and enriching environment where pupils can thrive and develop valuable skills.

Below is an outline of the selection process, qualifications, and roles and responsibilities of facilitators.

6.4.1 Selection Process

Nomination and Application:

Teachers interested in becoming facilitators can either be nominated by their peers or can apply themselves. This ensures a pool of motivated and capable candidates.

Selection Criteria:

Candidates are evaluated based on their qualifications, teaching experience, and demonstrated commitment to student development.

Appointment:

Selected facilitators are officially appointed by the school administration. An orientation session is conducted to familiarize them with their roles and responsibilities.

6.4.2 Qualities

- Enthusiastic, approachable, organized, knowledgeable about children's rights, and committed to the club's goals.
- A proven track record of dedication to student growth, development, and extracurricular involvement is essential.
- Communication skills and the ability to lead and motivate students are crucial for effective facilitation.

6.4.3 Roles and Responsibilities

Role	Description				
Guidance and Mentorship	Provide mentorship to club members, helping them develop				
	leadership skills and fostering a positive, inclusive environment.				
Activity Coordination	Assist in planning and organizing club activities, ensuring they are				
	educational, engaging, and aligned with the club's objectives.				
Meeting Facilitation	Support club meetings by guiding discussions, helping to maintain				
	order, and ensuring that meetings are productive and goal oriented.				
Support to Club	Offer support and advice to club leaders helping them fulfill their				
Leadership	roles effectively.				
Record-Keeping	Oversee the maintenance of accurate records of club activities,				
	meetings, and finances, in collaboration with the Secretary and				
	Treasurer.				
Conflict Resolution	Assist in resolving any conflicts that arise within the club, ensuring				
	a harmonious environment.				
Communication with	Act as a liaison between the club and school administration, keeping				
School Administration	them informed of club activities and any issues that need				
	addressing.				
Encouraging	Promote the club within the school to encourage student				
Participation	participation and involvement.				
Professional	Engage in ongoing professional development to stay updated on				
Development	best practices in student mentoring and extracurricular leadership				

6.5 Training Needs for Haki Club Facilitators

Facilitators of Haki Clubs are pivotal in guiding and nurturing primary school children within the club setting. To effectively carry out their roles and provide meaningful support, facilitators require specialized training tailored to the unique needs of Haki Clubs. Here are the key areas of training needs for Haki Club facilitators:

1. Child Protection and Safety

Training Content:

- Understanding child protection policies and procedures.
- Recognizing signs of abuse and knowing how to respond appropriately.
- Creating a safe and secure environment for club activities.

2. Club Management and Coordination.

Training Content:

- Understanding the objectives and structure of Haki Clubs.
- Learning effective strategies for planning and organizing club meetings and activities.
- Managing club resources, including materials and budgeting for training sessions.

3. Rights-Based Education

Training Content:

- Understanding the rights of children as outlined in international conventions and national legislation.
- Incorporating child rights principles into club activities and discussions.
- Empowering children to advocate for their rights and act against injustices.

4. Social and Emotional Learning (SEL)

Training Content:

- Implementing SEL strategies to support children's emotional well-being and social development.
- Teaching skills such as empathy, self-awareness, and conflict resolution.
- Creating a supportive and inclusive club environment where children feel valued and respected.

5. Leadership and Mentorship

Training Content:

- Developing leadership skills to empower children to take on leadership roles within the club.
- Providing mentorship and guidance to club members, fostering their personal and leadership growth.

• Encouraging children to voice their opinions and participate actively in decision-making processes.

6. Communication and Facilitation Skills

Training Content:

- Enhancing communication skills to effectively engage with children and facilitate meaningful discussions.
- Using age-appropriate language and activities to convey important concepts and messages.
- Creating a participatory and interactive learning environment within the club.

7. Conflict Resolution and Peer Mediation

Training Content:

- Equipping facilitators with strategies for resolving conflicts and disagreements among club members.
- Teaching children how to negotiate and find peaceful solutions to conflicts.
- Empowering children to act as peer mediators and promote positive peer relationships.

8. Child-Centered Learning Approaches

Training Content:

- Familiarizing facilitators with child-centered learning methodologies that prioritize children's active participation and engagement.
- Encouraging inquiry-based learning, critical thinking, and problem-solving skills among club members.
- Creating hands-on learning experiences that cater to children's interests and learning styles.

9. Career Talk, Counseling, and Human Rights Education

Training Content:

- Conducting career talks to expose children to various career paths and opportunities.
- Providing basic counseling skills to support children facing personal challenges or difficulties.
- Educating children about human rights principles and the importance of respecting the rights of others.

6.6 Possible Topics for Discussion in Haki Clubs

The topics below provide a starting point for engaging discussions within Haki Clubs, allowing children to explore important issues, share their perspectives, and develop critical thinking skills. Facilitators can adapt and expand on these topics based on the interests and needs of club members, creating a dynamic and enriching learning environment.

Children's Rights: Understanding and Advocating for Their Rights

- Exploring the rights of children as outlined in international conventions and national legislation.
- Discussing the importance of knowing and advocating for your rights as a child.

Community Service: Planning and Participating in Service Projects

- Learning about the value of giving back to the community through service projects.
- Discussing ways to identify community needs and plan impactful service initiatives.

Environmental Awareness: Promoting Sustainability and Environmental Stewardship

- Raising awareness about environmental issues such as pollution, deforestation, and climate change.
- Discussing practical actions to promote sustainability and protect the environment.

Health and Well-being: Discussing Physical and Mental Health Issues

- Exploring topics related to physical health, such as nutrition, exercise, and personal hygiene.
- Discussing mental health issues such as stress management, coping strategies, and seeking support.

Understanding Gender Equality, Diversity and Inclusion

- Celebrating diversity and discussing the importance of inclusivity.
- Exploring topics related to culture, ethnicity, religion, and social justice.

Conflict Resolution and Peer Mediation

- Learning strategies for resolving conflicts peacefully and respectfully.
- Discussing the importance of empathy, listening, and compromise in conflict resolution.

Financial Literacy: Money Management and Responsible Spending

Teaching basic concepts of money management, budgeting, and saving.

• Discussing the importance of financial planning and responsible spending habits.

Digital Citizenship: Responsible Use of Technology and Social Media

- Promoting responsible use of technology and social media platforms.
- Discussing online safety, cyberbullying, and digital etiquette.

Leadership and Empowerment

- Fostering leadership skills and self-confidence among club members.
- Discussing ways to make a positive impact in the school and community through leadership.

Career Talk

- Introducing children to different career options and opportunities.
- Discussing skills, interests, and aspirations related to future career paths.

Counseling

- Providing basic counseling skills to support children facing personal challenges or difficulties.
- Offering a supportive space for children to discuss their emotions and seek guidance.

Human Rights Education

- Exploring fundamental human rights principles and values.
- Discussing real-life examples of human rights violations and advocacy efforts.

Haki Clubs Meetings

- Frequency: Weekly or bi-weekly meetings to ensure consistent engagement. The schedule should not conflict with teaching periods.
- Format: A mix of discussions, activities, and planning sessions.
- Agenda: Clear agenda for each meeting, including time for reflection and feedback.
- Documentation: Keep detailed minutes of each meeting to track progress and decisions.

Haki Clubs Core Activities

The club's activities, aligned with its pillars, may include:

- Self-Esteem: Drama, debates, career talks, advocacy visits, cultural shows.
- Security: Sports, role modeling, negotiation skills, discussions.
- Life Skills: Vocational training, fundraising, role modeling.
- Social Interaction: Drama, debates, cultural shows, music, sports.

• Volunteerism: Community service, advocacy visits, campaigns.

6.7 Expected Outcomes

For Club Members	For School/Community
 Enhanced knowledge of rights and self-confidence 	Improved learning environmentAction against child abuse
 Increased participation in school and community activities 	 Increased role modeling and participation from children
 Improved leadership skills 	
Economic self-reliance	
Enhanced self-defense capabilities	

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man	GIUD	TATO		,, ,,,		1

After fac	cilitating each CRC sessio	n with the children, ple	ase answer to the	following questions
Name of	School: ildren attending the sess		Date: ·ls Total =	
A. What	was the topic discussed	during the session?		
	willing were the children willing and 5 being very v	•	he activity? [On a	scale of 1-5, with 1 being
closed, s		participatory or not, ju	dgmental, childre	de as observed: calm, happy, n laughing at each other's, ne patrons):
D. What	did the children like and	not like about the activ	rity?	
E. What	would you improve for t	he next session?		
F. Attach	photo of the activity.			
ATTENE	DANCE REGISTER			
No. Name		Gen		Class
		M	F	
Number	of Children in attendanc	e: Girls Boy:	sTotal	
Number	of Adults in Attendance:	Women Men.	Total	
Name of	Haki Club patron(s) sup	ervising:		
Signatuı	e			

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- International Covenant on Economic, Social and Cultural Rights (ICESCR):
- Convention on the Rights of the Child (CRC):
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):
- Convention on the Rights of Persons with Disabilities (CRPD):
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT):

Children's rights

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- League of Nations and the Geneva Declaration (1924):
- United Nations and the Universal Declaration of Human Rights (1948):
- Declaration of the Rights of the Child (1959):
- Convention on the Rights of the Child (1989):
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Online Resources and Toolkits

- Child Rights International Network (CRIN).
- Plan International: Child Rights Education Toolkit.
- Save the Children: Child Rights Programming Handbook.
- UNICEF: Rights, Education, and Development (READ) Initiative.

