

UNIVERSITY OF NAIROBI

FACULTY OF ARTS

DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK

**CHILDREN'S PARTICIPATION IN PROGRAMMES THAT PROTECT THEM
FROM SEXUAL EXPLOITATION IN TOURISM**

BY

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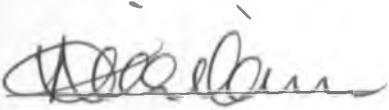
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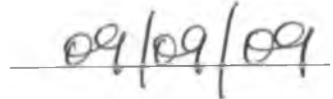


DECLARATION

This research project is my original work and has not been presented for a degree in any other university.



AGNETTA MIRIKAU

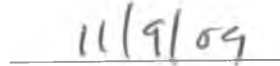


DATE

This research project has been submitted for examination with my approval as the university supervisor.



Dr. AGNES ZANI



DATE

DEDICATION

This project is dedicated to my children Sarah and Jushi, whose faith in me was my greatest encouragement in undertaking the work.

ACKNOWLEDGEMENTS

I thank God for His abundance grace that saw me through my studies and the completion of this project. I take this opportunity to sincerely thank all the people who offered me invaluable help towards the successful completion of this work.

To my supervisor Dr. Agnes Zani; thank you so much for your patience, understanding, guidance and very constructive criticisms that went along way to refine this work. Thank you for believing in me.

To Birgithe Lund-Henriksen, thank you for your understanding and support during the difficult time of completing this project. May God bless you abundantly.

LIST OF ABBREVIATIONS

ACRWC	African Charter on the Rights and Welfare of the Child
AIDS	Acquired Immuno Deficiency Syndrome
CA	Children Act
CSEC	Commercial Sexual Exploitation of Children
CST	Child Sex Tourism
ECPAT	End Child Prostitution in Asian Tourism
GOK	Government of Kenya
IEC	Information Education and Communication
ISPCAN	International Society for the Prevention of Child Abuse and Neglect
NGOs	Non Governmental Organizations
STD	Sexually Transmitted Diseases
UNICEF	United Nations Children's Fund
UNCRC	United Nations Convention on the Rights of the Child
WHO	World Health Organization
ILO	International Labour Organization
STI	Sexually Transmitted Disease

ABSTRACT

The focus of this study was to find out if children are participating in programmes which are aimed at protecting them from sexual exploitation in tourism in Mombasa District of the Coast Province as it has been a major concern. Participation is the process of respecting the right of children to express their views and have those views taken into account. Due to growth of child sex tourism in Kenya there is need to involve children as part of the solution to the problem. There is inadequate information on children's participation within programmes and misconception about children's participation as a strategy for protection.

The specific objectives were: to establish the effect of children's level of education on their participation; to establish the effect of the activities undertaken in rehabilitation programmes on children's participation; to find out the effect of the presence of parents in a child's life on his or her participation; to determine the influence of programme staff on children's participation and to find out the level of children's awareness of their right of participation in rehabilitation programmes.

The study was guided by two theories namely; Rational choice theory as espoused by George Homans and Symbolic interaction theory which was founded by George Hebert Mead. The rationale for using these theories is explained by their relevance to the subject of the study. Rational choice theory explains that there are several factors which influence the child, leading him or her to exercise or not exercise the right of participation. Symbolic interaction theory explains that the meanings which children give to situations and the interpretations that they make of social actions and events are crucial to their participation.

Both quantitative and qualitative data were used whereas primary data was collected using personal interviews to get quantitative data and Key informant interviews and focus group discussions provide qualitative data. Secondary data was obtained through desk research and review of literature related to children's participation.

This study was undertaken in Mombasa district which selection was based on its high population of girls below eighteen years who are in child sex tourism. The target population for this study was child sex workers in the tourism sector who are in rehabilitation programmes which were purposively selected from the Mombasa District Action Plan on Preventing and responding to child sex tourism 2008-2010.

The study employed both simple random sampling and purposive sampling to select children who had been exposed to sexual exploitation as they were the subject of this study. The total target population was 300 children out of which only 257 children were interviewed. Data was analyzed using Statistical Package for Social Sciences (SPSS) software.

Findings from the study reveal that; the level of children's education has an impact on vulnerability to sexual exploitation. Children with primary level of education are more vulnerable, which can be attributed to their limited capability of making informed decisions to protect themselves due to their limited life experiences. The level of education is significant in children's participation signified by their expression of opinion. The activities in which the children participate while in the rehabilitation programmes influence their participation in the programmes. Most of the children in the programmes were participating in both educational and non-educational activities. The staff in the programmes contribute to the decisions made by children in that their effectiveness and efficiency determines children's participation. Age more than level of education played a pivotal role in knowledge about children's rights including their right of participation.

TABLE OF CONTENTS

DECLARATION	i
DEDICATION	ii
ACKNOWLEDGEMENTS	iii
LIST OF ABBREVIATIONS.....	iv
ABSTRACT.....	v
LIST OF FIGURES	xii
CHAPTER ONE: INTRODUCTION.....	1
1.1 Background.....	1
1.1.1 Policy and Legislative Framework	2
1.1.2 Government of Kenya Institutional and Administrative Strategies.....	2
1.1.3 Strategies by Civil Society Organizations	3
1.1.4 Children’s Participation	3
1.1.5 Children’s Participation as a Right	5
1.1.6 United Nations Convention on the Rights of the Child	6
1.1.7 African Charter on the Rights and Welfare of the Child	6
1.1.8 Children Act 2001 Laws of Kenya	6
1.1.9 Child Sex Tourism	7
1.2 Statement of the Problem.....	8
1.3 Study Objectives	11
1.4 Justification.....	11
1.5 Scope of the Study	13
1.6 Limitation of the Study	14
1.7 Definitions of Key Terms	14
CHAPTER TWO: LITERATURE REVIEW.....	16
2.1 Introduction.....	16
2.2 Children’s Participation	16
2.3 Degrees of Participation.....	18
2.4 Children’s Participation and Development.....	23

2.5 Capacity to Promote Children’s Participation	26
2.6 Children’s Awareness of their Right of Participation.....	28
2.7 Children’s Participation in their Protection	29
2.8 Child Sexual Exploitation	31
2.9 Child Sex Tourism	34
2.10 Theoretical Framework	35
2.10.1 Introduction.....	35
2.10.2 Rational Choice Theory	35
2.10.3 Symbolic Interaction Theory	36
2.11 Hypothesis.....	40
2.12 Operationalization of Variables	40
CHAPTER THREE: RESEARCH METHODOLOGY	42
3.1 Research Design.....	42
3.2 Description of Study Site.....	42
3.3 Target Population.....	44
3.4 Unit of Observation.....	44
3.5 Unit of Analysis	44
3.6 Sampling Design.....	44
3.7 Sample Size.....	45
3.8 Method of Data Collection.....	47
3.8.1 Primary Data	47
3.8.1.1 Personal Interviewing	47
3.8.1.2 Key Informant Interviewing	47
3.8.1.3 Focus Group Discussions.....	48
3.8.2 Secondary Data	48
3.9 Data Analysis	48
3.10 Ethical Considerations	49
3.11 Challenges Encountered in the Field	49

CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS.....	50
4.0 Introduction.....	50
4.1 Social Demographic Characteristics.....	52
4.1.1 Distribution of respondents according to gender.....	52
4.1.2 Distribution of Respondents According to Age.....	52
4.1.3 Distribution of respondents according to whether they had attained education or not.....	53
4.2 The effect of education on children’s right of participation in rehabilitation programmes.....	54
4.2.1: The level of education versus vulnerability to sexual exploitation	54
4.2.2 Children’s level of education versus participation.....	55
4.2.3 Education versus knowledge of Children Act	57
4.3. Effect of the activities undertaken in the programmes on children’s participation.	58
4.3.1 Activities in the Programmes.....	58
4.3.2 Educational Activities.....	60
4.3.3 Non-educational activities	60
4.3.4 Both educational and non-educational activities	60
4.3.5 Information on Purpose of Activities.....	61
4.3.6 Source of Information about Purpose Activities.....	62
4.3.7 Frequency of Attending Programme Activities.....	63
4.4 The effect of the presence of parents on the children’s participation in rehabilitation programmes.....	65
4.5 Influence of programme staff on children’s participation in rehabilitation programmes.....	67
4.5.1 Provision of Information to Children.....	68
4.5.2 Flow of information	68
4.5.3 Communication Channel	70
4.5.4 Description of respondents' treatment in the programmes and rating of programme by the respondents.....	72
4.6 Children’s awareness of their right of participation in rehabilitation programmes.	74
4.6.1 Learning about Children’s Rights in the Programmes.....	74

4.6.2 Level of education for in and out of school children versus knowledge of the Children Act.....	75
4.5.3 Age versus knowledge of Children Act.....	76
4.7 Hypothesis testing.....	76
4.7.1 Children’s level of education has an effect on their right of participation in rehabilitation programmes.	77
4.7.2 Programme staff have an influence on how children participate in rehabilitation programmes.....	77
4.7.5 There is a relationship between children’s awareness of their rights and their participation in rehabilitation programmes.....	78

CHAPTER FIVE: SUMMARY OF THE FINDINGS, CONCLUSION AND

RECOMMENDATIONS.....	80
5.1 Social Demographic characteristics.....	80
5.1.2 The effect of education on children’s participation in rehabilitation programmes.....	80
5.1.3 Effect of the activities on children’s participation in the rehabilitation programmes..	81
5.1.4 The effect of the presence of parents in a child’s life on the child’s participation in rehabilitation programmes.	82
5.1.5 Influence of programme staff on children’s participation in rehabilitation programmes.....	83
5.1.6 Children’s awareness of their right of participation in rehabilitation programmes.	83
5.1.7 Hypothesis Testing.....	84
5.2 Conclusion	84
5.3 Recommendations.....	85
5.4 Suggestions for further research	86
REFERENCES	87
APPENDICES	91
APPENDIX I: INTERVIEW SCHEDULE FOR CHILDREN	91
APPENDIX III: FOCUS GROUP DISCUSSION GUIDE	100

LIST OF TABLES

Table 2.1: Correlation of the ladder of participation and the four participation indicators ...	22
Table 3.1: Respondent distribution	46
Table 4.1: Rehabilitation programmes.....	51
Table 4.2: Level of education for school going children versus expression of opinion.	56
Table 4.3: Level of education for out of School children versus expression of opinion.	57
Table 4.4: Children’s level of education versus knowledge of the Children Act.....	58
Table 4.5: Activities Undertaken.	59
Table 4.6: Cross tabulation of Organization, Age and Type of activities done.....	61
Table 4.7: Purpose of Activities offered in the Programme.	62
Table 4.8: source of information on purpose of activities.	63
Table 4.9: frequency of attendance of activities.	64
Table 4.10: Respondents’ fathers’ level of education.....	66
Table 4.11: If the staff seek children’s opinion about activities in the programme.....	68
Table 4.12: How children’s opinion in programme is sought.	69
Table 4.13: The kind of question asked by the staff.....	70
Table 4.14: How children convey their ideas to the staff in the programme.....	71
Table 4.15: Description of respondents’ treatment in the programmes versus their rating of the programmes..	73
Table 4.16: Level of education for in and out of school children versus knowledge of the Children Act.....	75
Table 4.17: Level of education and Children’s opportunity to meet and discuss their issues.	77
Table 4.18 Influence of programme staff versus children’s of participation.....	78
Table 4.19: children’s awareness of their rights versus how they convey ideas at the centres.	79

LIST OF FIGURES

Figure 2.1: Ladder of Children's Participation	18
Figure 2.2 : Conceptual Framework of Child Participation.....	39
Figure 4.1: Distribution of respondents according to gender	52
Figure 4.2: Distribution of respondents according to age.....	53
Figure 4.3: Distribution of respondents according to whether they had attained education..	54
Figure 4.4: Knowledge about activities offered.....	64
Figure 4.5: Level of education of respondent's mothers.	65
Figure 4.6: The person who respondent lives with.	67
Figure 4.7: Age versus children act	76

CHAPTER ONE: INTRODUCTION

1.1 Background

This was an explorative research on children's participation in programmes that protect them from sexual exploitation in tourism. It did not however evaluate the effectiveness of the programmes in regard to protection as this would involve a more extensive study. Participation is a child right which empowers children as individuals and members of society by giving them an opportunity to influence the actions and decisions that affect their lives. The legitimacy of child participation is drawn from the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), both of which Kenya is a signatory to and has domesticated in the Children Act 2001 Laws of Kenya.

The above instruments define participation as having the opportunity to express an opinion, having that opinion taken into account, receiving information and having the freedom of association. This study explores if children in the identified programmes are enjoying this right. The researcher chose to carry out the research in programmes that protect children from sexual exploitation in tourism because child sexual exploitation is a grave abuse of children and it would be useful for future research to establish the extent to which children's participation contributes to the effectiveness of those programmes.

Each year, more than one million children are exploited in the global commercial sex trade. According to UNICEF, many children and women are subjected to commercial sexual exploitation all over the world. Estimates from selected countries are as follows: India 400,000, Taiwan 100,000, Thailand 200,000, Philippines 100,000, United States 244,000 – 325,000, Eastern and Central Europe 175,000, Brazil 100,000 and West Africa 35,000 (www.unicef.org)

Sexual exploitation of children in tourism is a major concern on the Kenyan Coast, which is the hub of tourism in Kenya. A study carried out in Mombasa, Kilifi, Kwale and Malindi districts in the Coast Province on the extent and effects of sexual exploitation of children in tourism estimated that the involvement of girls who live around the tourism resort areas in sex work and sex tourism is between 10, 000 to 15, 000 making up 25% -

30% of the girls out of a population of 40,000 -50,000 female children who live in those areas (UNICEF, 2006). The same study found that there was greater disapproval of boy's involvement in sex tourism than of girl's (36.45% compared to 20% for that of girl's). This attitude therefore encourages female children to engage in child sex tourism more than boys (UNICEF, 2006).

1.1.1 Policy and Legislative Framework

Kenya has many policies and laws in place that protect children from sexual exploitation either directly or indirectly. These include international Instruments which Kenya has acceded to such as the United Nations Convention on the Rights of the Child and its Optional Protocol to prevent the Sale of Children, Child Prostitution and Child Pornography. Other instruments are the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons and the African Charter on the Rights and Welfare of the Child.

The Sexual Offences Act 2006 Laws of Kenya is an important law that came into effect in 2006. It sets stiff penalties for sexual offences.' Among the offences is defilement, trafficking of children for sexual purposes, using children in commercial sex (including sex tourism), pornography and other sexual offences. In order to bring its legislation in conformity with international standards, Parliament enacted the Children Act in 2001 (Republic of Kenya, 1997). The Act provides protection from sexual exploitation, including prostitution and pornography among other offences. The Children Act also provides for the protection of children from sexual exploitation.

1.1.2 Government of Kenya Institutional and Administrative Strategies

The government Cash Transfer Programme for orphans and vulnerable children, which provides funds to poor families who are caring for orphans and vulnerable children in order to keep them within the families and provide them with basic social services as well as education and to prevent them from going to the streets or being institutionalized in children's homes, free primary education and Constituencies Development Fund are other efforts by the Kenya Government which address the conditions that expose children

to harm, such as sexual exploitation. Although these particular approaches do not specifically target sexual exploitation of children, they reduce the vulnerability that would expose many children to this vice. The Department of Children's Services in the Ministry of Gender, Children and Social Development in Mombasa district manages programmes for the rehabilitation and reintegration of child offenders into their communities and protection for those who have been abused and exploited. The Department has a Rehabilitation School for boys in Mombasa where they are provided with guidance and counseling and some education. The Ministry of Labour combats child labour by rescuing children from employers in the District and working with other agencies such as ILO to provide alternatives for child workers including those in the category that ILO refers to as worst forms of child labour like sexual exploitation (Republic of Kenya, 1997).

1.1.3 Strategies by Civil Society Organizations

Non-governmental organizations working in Mombasa district implement various projects that focus on protecting children from commercial sexual exploitation directly or indirectly. These include Solidarity With Women in Distress (SOLWODI), Solidarity With Girls in Distress (SOLGIDI), Mahali pa Usalama; Child Welfare Society of Kenya; Tononoka Child Protection Centre; Mombasa Beach Girls Rehabilitation Self-help Group; Family Health Options Kenya and WEMA Centre. The programmes include rescuing of girls who are involved in sexual exploitation, counseling, vocational training; income generation, return to school for children of school going age; treatment of sexually transmitted diseases, feeding and, shelter. Others are Drop in services; games; Clinical and laboratory services; Voluntary Counseling and Testing for HIV (VCT); Rehabilitation and care for orphans and vulnerable children. All these efforts either directly or indirectly address child sex tourism.

1.1.4 Children's Participation

For all the above mentioned programmes to be effective in protecting children, the children should exercise their democratize right of participation. The purpose of children's participation is to empower them as individuals and members of society. It is

to give them an opportunity to influence the actions and decisions that affect their lives and society at large. At programmatic level, children's participation improves programme effectiveness in design, implementation, monitoring and evaluation. Participation gives children power to shape both the process and the outcome and hence improving the effectiveness and impact of a programme. This study intended to find out if children are participating in programmes that are aimed at protecting them from sexual exploitation in tourism known as child sex tourism (CST).

Participation is the term that has been widely adopted to describe the process of respecting the right of children to express their views and have those views taken seriously. Because the word participation has a general meaning in common parlance, as well as this adopted meaning, there is often a lack of clarity about what is meant when the children's rights community talk about participation. (Lansdown G, 2005). The process of respecting the right of children to express their views and have those views taken seriously is what is meant by child participation. Although children participate in a range of activities in their daily lives like taking part in play, sports activities, conversations, lessons and religious activities, in the context of their human rights, participation means more than 'taking part'. Taking part in a sporting activity organized by an adult for example is not participation. Being provided with the space to create a game, decide on respective roles and when and where the game will be played is participation. Lansdown G (2005) sums up the concept of participation as the process of sharing decisions which affect one's life and the life of the community in which one lives.

Children's participation is their involvement in matters concerning them as a process of social interaction. It is a process aimed at addressing and overcoming barriers that hinder involvement of all categories of children. Children's participation involves their independent thinking, expressing their views and interacting positively. It is voluntary, open and involves children in decision making and sharing their views with Adults and amongst themselves. It is an ongoing process which is dependent on the child's age and maturity. There are various International Child Rights Instruments that emphasize the need for children's participation as discussed below.

Children's participation improves services for children as they are enabled to influence the choices made in the provision of those services. Participation greatly enhances the fulfillment of the right of children to survival, development, non-discrimination, best interests of the child and child protection. Paulo Sergio Pinheiro, the UN Secretary General's Special Rapporteur for the United Nations Study on Violence against Children which was carried out in 2006 underscores the critical role that participation of children has to play in their own protection by reiterating the 2001 statement of the UN Committee on the Rights of the Child that; In conceptualizing violence against children, the critical starting point and frame of reference must be the experience of children themselves. Therefore children and young people must be meaningfully involved in promoting and strategizing action on violence against children (2007). This means that children must participate in their protection by having a voice. Hence they should be able to express their opinions and have those opinions taken into account, impart and receive information and have freedom of association which is the basis of this study.

1.1.5 Children's Participation as a Right

The legitimacy of child participation is drawn from the two International and Regional instruments on the rights of the child; namely the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), both of which Kenya is a signatory to.

Participation is about having the opportunity to express an opinion, influencing decision-making and achieving change. Participation is an informed and willing involvement of all people including the marginalized and those of different ages and abilities in any matter that concerns them (ISPCAN, 2007).

Lansdown G (2005) explains that a meaningful and effective participation of children requires an ongoing process of expression and active involvement in decision making at different levels in matters that concern them. This involves information sharing and dialogue between children and adults based on mutual respect and sharing which gives power to children to shape both the process and outcome leading to acknowledgement that children's evolving capacity, experience and interest play a key role in determining the nature of their participation.

1.1.6 United Nations Convention on the Rights of the Child

Participation is defined in the UNCRC as expressing ones opinion freely and having that opinion taken into account; obtaining information and having freedom of association. These are enumerated as child's opinion where the child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

Secondly, freedom of expression where the child has the right to express his or her views, obtain information, make ideas or information known, regardless of frontiers, subject to the respect of the rights or reputations of others, protection of national security or public order or public health or morals.

Thirdly, freedom of association where the child has a right to meet with others and to join or form associations subject to conformity with the law and interests of national security or public safety, public order, protection of public health or morals or the protection of the rights and freedoms of others.

1.1.7 African Charter on the Rights and Welfare of the Child

Children's participation in the fulfillment of their rights is guaranteed in the African Charter on the Rights and Welfare of the Child (ACRWC) under the following Article VII and VIII. In article VII states that every child who is capable of communicating his or her own views shall be assured the rights to express his/her opinions freely in all matters and to disseminate his/her opinions subject to such restrictions as are prescribed by laws. Article VIII states that every child shall have the right to free association and freedom of peaceful assembly in conformity with the law.

1.1.8 Children Act 2001 Laws of Kenya

Kenyan Law provides for the right of children to participation by domesticating the UNCRC and the ACRWC provisions on participation in the Children Act 2001 Laws of Kenya (CA) under Part II Article 4(4) on safeguards for the rights and welfare of the child.

The Act states that in any matters of procedure affecting a child, the child shall be accorded an opportunity to express his opinion, and that opinion shall be taken into account as may be appropriate taking into account the child's age and degree of maturity (Republic of Kenya, 2001).

In a guidance note to stakeholders, the National Council for Children's Services, which is the child rights advisory body for the government of Kenya spells out children's right to participation as follows:

First, children have a right to be listened to, to freely express their views on all matters that affect them, and to freedom of expression, thought, association and access to information. Secondly, measures should be put in place to encourage and facilitate their participation in accordance with their age and maturity. Thirdly, all children have equal rights to participation without discrimination and lastly, all children have a right to feedback/outcome of the participation process.

This guidance, coupled with the above instruments, clearly demonstrates that children's participation can not be overemphasized. It should be institutionalized as a matter of course and not as a marginal or events-based activity or stand-alone project. Child participation can be used to great effect to combat violence against children and this should apply to child sex tourism, which is a gross violation of children's rights.

1.1.9 Child Sex Tourism

Child sex tourism is sexual exploitation of children in tourism. It is a form of Commercial Sexual Exploitation of Children (CSEC) or child prostitution. CSEC is sexual abuse accompanied with remuneration in cash or kind to the child or a third person or persons (ECPAT, 2007). CSEC often precipitates CST. Sexual exploitation of children is one of the most serious forms of violence against children. ILO (2006), describes CSEC as one of the worst forms of child labour. Pinheiro (2006) underlines that exploitation of children under 18 years in prostitution, in child and adolescent pornography or sex shows, constitutes violence against children. Making children perform sexual acts or acts with sexual overtones, or providing a child to someone else to use in any sexual way is a violation of child rights and criminalized throughout the world.

Child sex tourism is the commercial exploitation of children by men or women who travel from one place to another usually from a richer country to one less developed, and there engage in sexual acts with children (ECPAT, 2005). It further stresses that child sex tourism should not restrict understanding to tourism organized specifically around commercial sexual exploitation or simply focus on the prior intention of the traveler as that of sexual exploitation. It needs to cover situational exploiters as well as the variety of legal and illegal business operations that contribute to tourism industries within which children are sexually exploited.

1.2 Statement of the Problem.

Children's participation is not clearly understood and hence it is not adequately promoted which is a great opportunity lost because children's participation empowers children as individuals and members of society and enhances programme effectiveness. Programmes to protect children from sexual exploitation do not adequately involve children as part of the solution to the problem. Children's meaningful involvement can be realized through their participation.

The magnitude of child sex tourism in Kenya is growing at an alarming rate and is detrimental to the overall development of children. There has been inadequacy in exploration of children's participation within programmes that protect them from child sex tourism. Although awareness of children's rights has been picking up a steady momentum in Kenya, there is clearly a misconception about participation as one of the rights and more specifically participation in their own protection from abuse and exploitation.

During the 2006 ISPCAN International Congress which was held in York, professionals expressed great frustration and disenchantment for unsatisfactory youth participation where it was regretted that;

Most programmes of child participation have an artificial and superficial one-off nature especially when children or youth are quickly brought together and put to work to give the appearance of participation (ISPCAN, 2006).

No efforts should therefore be spared in protecting children from sex tourism, which is a form of abuse and exploitation. Children's participation is not clearly understood or promoted generally and this is a great opportunity lost because people's participation in programmes enhances sustainability.

Sexual exploitation of children in tourism is a major concern on the Kenyan Coast, which is the hub of tourism in Kenya. A study carried out on the extent and effects of sexual exploitation of children in tourism on the Kenyan coast estimated that the involvement of girls who live around the tourism resort areas in sex work and sex tourism is between 10,000 to 15,000 making up 25% - 30% of the girls out of a population of 40,000 -50,000 female children who live in those areas (UNICEF, 2006). Such a magnitude calls for innovative approaches for combating child sex tourism. Child participation has been identified as one key strategy for implementing programmes to protect children. However, Children generally lack opportunities for participation thus impeding their access to decision-making processes in matters concerning them. This is a sign of lack of awareness on the part of programme workers about the importance of children's participation in programmes affecting them.

Child sex tourism grossly impedes the development of children. The hazards associated with child sex tourism are many. According to Kenya's first periodic report on implementation of the UNCRC which is the latest, covering the period 1998 to 2004, drug and alcohol abuse are believed to contribute heavily to child sexual exploitation. At the same time, children in sex work are known to resort to drug and alcohol abuse to help them cope with the practice.

ILO (2007) cites the NGO called SOLWODI as intimating that girls in prostitution consider that they have no options but to obtain earnings from sex work. According to the study, some parents justify their children being in sex work because of the need for every family member to contribute towards sustaining the family. The study states that while 69% of the children use the proceeds of sex trade to bring food home, most of the

decisions on expenditure of the earnings are made by family members who are in full knowledge of where the money comes from.

The report also talks of attacks on the children by gangsters when they are returning home from work in the early hours of the morning. It further reports violence among the child sex workers themselves in the process of guarding their turf when business is low and it mentions attacks from clients' spouses and girl friends. The fear of contracting STDs including HIV is also very real for these children. Many adults seek out young girls for sex in the mistaken belief that they are free from HIV and easy to please and control. Drug abuse is another risk identified (ILO 2007).

Children in prostitution also face the risk of social condemnation. Regardless of how the children may have been recruited into prostitution, the stigma of being sexually active makes it very difficult for many of them to be accepted by family and the society at large. Children in the sex industry are largely not even aware that they are the victims and not the offenders. The shame and guilt that they feel makes it difficult for them to seek help (ECPAT, 2003).

Kenya's first periodic report on implementation of the UNCRC also states that child sexual exploitation is fuelled by retrogressive cultural practices, prevailing poverty especially due to HIV/AIDS that has resulted in many child-headed families, broken families, and lack of sensitization among community members and children on issues of sexual abuse. It also states that there are inadequate efforts in place to rehabilitate child survivors of sexual abuse.

ECPAT recognizes that sex tourists are not exclusively holiday-makers but include business people, transport workers, and military personnel among others. Therefore sex tourists are not necessarily foreigners but also those persons who are traveling away from home in their own country. It is therefore very easy for children around tourist destinations like Mombasa to be exploited sexually by the people involved directly or indirectly in the industry hence the need for rehabilitation programmes to employ all possible strategies to prevent or respond to child sexual exploitation in tourism. This

study explores the practice of children's participation in programmes that protect them from sexual exploitation. The study was guided by the following key questions;

1. What is the effect of children's level of education on their participation in rehabilitation programmes.
2. What is the influence of program staff on children's participation in rehabilitation programmes?
3. What is the children's level of awareness about their right of participation in rehabilitation programmes?

1.3 Study Objectives

The main objective of the study was to determine children's participation in programmes that are aimed at protecting them from sexual exploitation in tourism. The specific objectives are to:

1. Establish the effect of children's level of education on their participation in rehabilitation programmes.
2. Establish the effect of the activities undertaken in rehabilitation programmes on children's participation.
3. Find out the effect of the presence of parents in a child's life on his or her participation in rehabilitation programmes.
4. Determine the influence of programme staff on children's participation in rehabilitation programmes.
5. Find out the level of children's awareness of their right of participation in rehabilitation programmes.

1.4 Justification

Participation is described as influence on one's own life conditions which is essential to being fully human and being a rights bearing person. ISPCAN special report (Issue No. 1 – 2007). Despite the emphasis in child rights instruments on children's participation in matters affecting them, many child protection officials are not aware of, or do not value

children's participation in their own protection. This is evidenced in the recommendations given by child protection officials in an ILO study when responding to questions regarding how to combat the CSEC problem (ILO, 2007). They emphasized operationalization of the Sexual Offences Act; awareness creation; sensitization of the community and children but failed to mention child participation. This study fills in the knowledge gap on children's participation.

Participation has been identified not only as one of the key strategies of programme implementation in general but also for the protection of children in particular. Participation of people in matters that concern them is a fundamental human right. It is a key strategy in development as it ensures sustainability of programmes. Children's participation in the promotion of their rights not only contributes to the development of their communities but prepares the children for responsible adult life as well. Participation in development means taking an active role in their communities through expression of their opinions, having a say in all matters that affect their lives, being free to join associations and to assemble peacefully. The extent of this participation increases with the evolving capacities of the children. Participation of children as stated above ensures that they develop their personal and social potential in all stages of life.

Participation of children is recognized as one of the four pillars of the UNCRC and further underscored as one of the Convention's four underlying general principles which are fundamental values that are relevant to the realization of children's rights. According to the National Guidelines for child participation in Kenya, Children's participation is a process of child development that provides an opportunity for children to be involved in decision making on matters that affect their lives and to express their views in accordance with their evolving capacities (www.unicef.org). It involves children engaging with other people around issues that concern their individual and collective life conditions. The study will provide additional information, which is still very scarce on children's participation in programmes that protect them from sexual exploitation in tourism in Kenya.

In 2001, the UN Committee on the Rights of the Child recommended that “in conceptualizing violence against children, the critical starting point and frame of reference must be the experience of children themselves”. Involving children therefore requires them to fulfill their right of participation. The ISPCAN International Congress (2006) expressed dissatisfaction at the lack of child participation and recommended that child participation must be approached developmentally and become fully integrated and sustained in the infrastructure and systems of child protection. This study was viable as it established whether children exercise their right of participation in programmes that protect and rehabilitate them from sexual exploitation. Child participation has been emphasized in the UNCRC, the ACRWC and the Children Act 2001 Laws of Kenya. The Act has domesticated these child rights instruments thus signifying Kenyan State’s recognition of the rights stipulated therein.

As already stated, participation of children is a core pillar of the UNCRC as well as an underlying general principle and these are critical to the realization of children’s rights as participation in matters that concern one is a human right. There are gaps in information which the study provides to help demonstrate the importance of children’s participation and hence persuade such programmes to make it an integral part of their strategies. Many child protection officials do not fully appreciate the value of children’s participation in protection against violence including child sex tourism which this study brought to attention.

1.5 Scope of the Study

The study focused on the participation of children in programmes that rehabilitate and protect them from child sex tourism. That participation is understood to mean the children having the space to express their opinions and have those opinions taken into consideration, being able to obtain information and the right to association. The study was not concerned with participation as commonly understood to mean merely taking part in activities. It looked beyond forms of participation which take place in one-off instances or special occasions in workshops and seminars for children. It focuses on every-day substantive involvement of children in programmes that rehabilitate them from sexual exploitation in Mombasa district. The study did not however explore the extent to

which that participation relates to the children's protection as that would be the subject of a different more extensive study.

1.6 Limitation of the Study

The topic of children's participation is very wide and it was therefore not possible to study it in depth.

Although the study explored children's participation in rehabilitation programmes, it did not explore the extent to which that participation contributed to the children's protection as the scope was limited to participation only.

Due to lack of availability of funds and time to carry out research in all cities and towns in Kenya, the study focused on the children in programmes in Mombasa, which protect and rehabilitate them from sexual exploitation.

Further, due to lack of availability of funds this study only interviewed two hundred and fifty seven respondents (children in the programmes) who were consequently used as a representative sample of all the children involved in the incidences of child sex tourism and who are within the programmes.

1.7 Definitions of Key Terms

Child: Is every human being below the age of eighteen years according to the Children Act 2001 Laws of Kenya.

Participation of children: Being able to express an opinion and having that opinion taken into account, being free to obtain information and to impart information and having freedom of association.

Expression of opinion: It is having the right to express ones view.

Freedom of expression: It is being in a position to express ones views, obtain information and be able to make ones ideas or information known without harassment.

Freedom of association: Having a right to freely meet with others and to join or form associations and be able to air ones views in those associations.

Rehabilitation: To remedy a situation

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CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

Article 12 of the UNCRC demands a fundamental shift in the conventional approach of casting children as passive recipients of adult protective care. It requires a recognition of children as active agents, entitled to participate in decisions that affect their lives (Lansdown G, 2005). The greater the age and capacity of the child, the more seriously their views should be taken. It is explained that expression of views is not restricted to formal language. Lansdown asserts that views can be expressed through emotions, drawing, painting, singing and drama (2005).

One sure way of supporting best interests of the child is to realize that children do not only need special protection, but that they have valid insights into their well being, valid solutions to their problems and a valid role in implementing those solutions (Lansdown G, 2005). This acknowledges children not merely as beneficiaries of intervention by adults but as competent social agents in their own right.

Save the Children Alliance asserts however that this does not mean that the protection of children should be left solely to themselves. Children must not be expected to perform or take responsibility at levels beyond their capacity. They should only be entitled to take responsibility and participate in those decisions and activities over which they do have competence depending on their evolving capacities.

The UNCRC provides for children to receive special protection because of their relative inexperience and immaturity. Article 19 of this Convention calls upon States to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse (Lansdown G, 2005).

2.2 Children's Participation

Save the Children Alliance defines child participation as situations where children and young people are actively involved in decision-making processes and practical actions that directly affect them. The organization argues that for this to succeed, it is important that children are enabled and encouraged to think for themselves, express their own views

and interact in a positive way with other people. They say if children are to be able to participate, ways should be found of providing them with the knowledge they need. In other words, child-friendly information has to be made available.

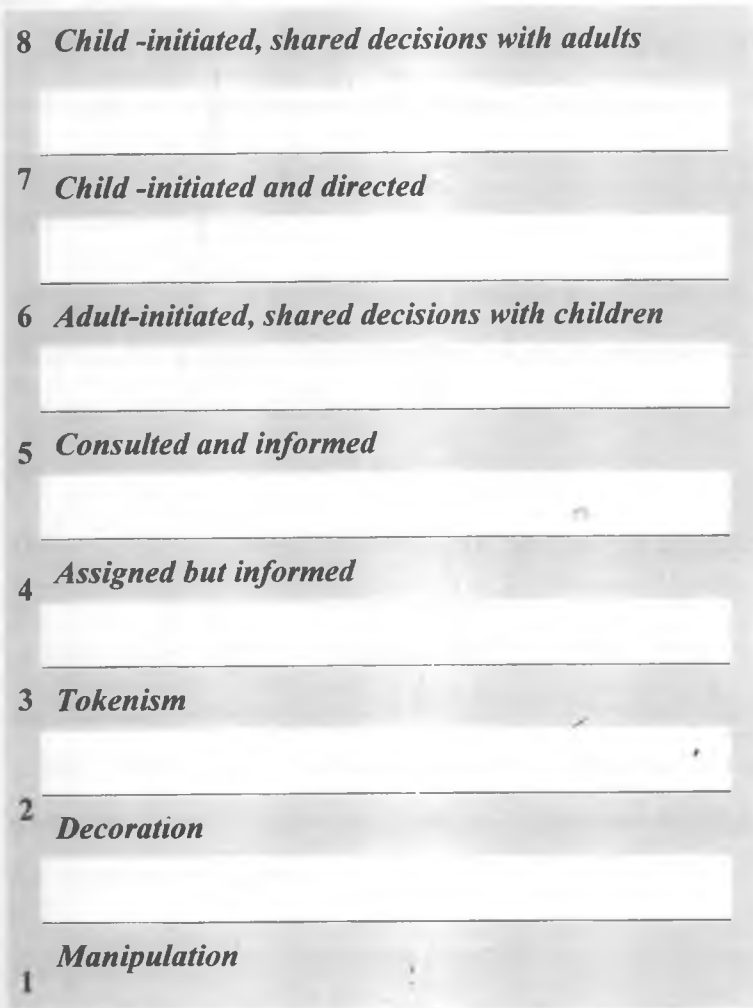
Save the Children further argues that the core purpose of children's participation is to empower them as individuals and members of the society thus giving them the opportunity to influence their own lives. The NGO states that children can do this as individuals or in organized groups and that they can participate through speaking out to expose abuse, to complain about services, to ask questions, to raise awareness of a problem or to press for a change in policy. They can also participate through involvement in decision-making for example in assessing needs, designing projects or programmes, sharing in school management, drawing up policy guidelines, developing legislation or evaluating services. They say it can be through practical action like peer education, setting up child-led organizations, carrying out research or preparing a children's radio programme (Save the Children Alliance, 2005).

The UNCRC which emphasizes children's participation came into being following concerns about child rights during and after the Second World War when it was recognized that children needed to be treated, not as lesser human beings but as people entitled to full human rights, which would ensure not just their survival but their development and protection as well (Cantwell, 1995).

In an ISPCAN special report (Issue No. 1 – 2007), participation is described as influence on one's own life conditions which is essential to being fully human and being a rights bearing person. The report also states that if a child is to be protected, issues to be taken into consideration should include; what does the child know, what does the child think, what does the child feel, what does the child need and desire, and more importantly, what can the child contribute?

2.3 Degrees of Participation

Figure 2.1: Ladder of Children's Participation



(Adapted from: Roger Hart's Ladder of Participation in Children's Participation: From Tokenism to Citizenship, UNICEF)

The ladder - Figure 2.1 depicts the degrees of children and young people's participation. The ladder was developed by a sociologist, Roger Hart (1992). He adapted the ladder from Sherry Arnstein's 1969 Ladder of Citizen Participation which depicts citizen involvement in planning processes in the United States of America. The ladder of participation is a model for thinking about children and youth participation. It has 8 rungs, each of which describes different degrees of child or youth involvement in

programmes. The bottom three rungs describe involvement that is not true participation whereas the top five rungs describe true participation.

Hart suggests that the last three rungs are non-participation and people who work on children's development programmes ought to be aiming to get out of these lower rungs and think of ways to genuinely engage children and youth (1992). He argues that we do not necessarily have to be at the top rung all of the time as it would depend on the project or programme.

Rung 8) Child -initiated, shared decisions with adults is when projects or programs are initiated by children and decision-making is shared among children and adults. These projects empower children while at the same time enabling them to learn from the experience and expertise of adults (Hart R, 1992).

Hart R (1992) explains that the goal here is not children's power but rather it is about children feeling sufficiently competent and confident to understand the need for collaboration and that in asking adults for their input, the project may be strengthened. Adults here serve as sounding boards. An example is given of young people wanting to create a nature trail in an area where they hang out in their neighbourhood. Part of their planning would include consultations with some of their parents and teachers and other people who are experts.

Rung 7) Child -initiated and directed is when children initiate and direct a project or program. Adults are involved only in a supportive role. They do not necessarily make any decisions with the children. Here the children do not have the benefit of learning from the decision making of adults. Hart explains that this comes second on the rung because it is a case in which children take the lead completely and do not have the benefit of adult insight (Hart R, 1992).

Rung 6) Adult-initiated, shared decisions with children is when projects or programs are initiated by adults but the decision-making is shared with the young people. Children are involved to some degree in every part of the process even though the project was initiated by adults (Hart R, 1992).

Rung 5) Consulted and informed is when children give advice on projects or programs that are designed and run by adults. Children are informed about how their input will be used and the outcomes of the decisions made by adults. The children's views and opinions are taken seriously. An example is that of a survey designed to gather young people's input into a school garden. The children would be informed of the purpose, they may be asked to volunteer in the setting up of the garden and they would be informed of the results of the survey (Hart R, 1992).

Rung 4) Assigned but informed is where children are assigned a specific role in the project and informed about how and why they are being involved. The children have a chance to critically reflect on it and form their own opinions.

Rung 3) Tokenism according to Hart R (1992) is where young people appear to be given a Voice when in fact they have little or no choice about what they do or how they participate. This happens in cases where adults are genuinely concerned about giving children a voice but they haven't thought carefully about the approach for this. Hart points out that this is unfortunately very common. The children's involvement here is symbolic. It is not actual engagement or involvement. For example adults may select charming articulate children to talk about the project or aspects of it at a public function but the children may not have had the opportunity to critically reflect or consult with their peers. So in actual fact, when the children gather and address a forum in such a manner, they aren't participating because the views they are expressing are not theirs and they do not understand them. Even the coming together, the talking about the project has been directed by adults so it is really not freedom of expression and association.

Rung 2) Decoration is where children or young people are used to help or "bolster" a cause in a relatively indirect way, although adults do not pretend that the cause is inspired by children. The children may for example quite literally be decorated with T-shirts having messages or they may be made to sing songs about the project. It may even appear like they wrote the songs or that they were involved in organizing the function, when in fact they were not. They may have no involvement or understanding of the project or activity (Hart R, 1992).

1) Manipulation is where adults use children to support causes and pretend that the causes are inspired by children. For example, using them in demonstrations while carrying placards with messages that they do not understand (Hart R, 1992). Child protection workers and other development workers are very guilty of this. It happens all the time.

Table 2.1: Correlation of the ladder of participation and the four participation indicators

	To be informed	To express an informed opinion	To have ones opinion taken into account	Freedom of association
8 Child -initiated, shared decisions with adults	X	X	X	X
7 Child -initiated and directed	X	X	X	X
6 Adult-initiated, shared decisions with children	X	X	X	X
5 Consulted and informed	X	X	X	X
4 Assigned but informed	X	X		
3 Tokenism				
2 Decoration				
1 Manipulation				

Source: Researcher (2009)

Table 2.1 depicts the four indicators of involvement that represent participation as defined in the UNCRC and their correlation with the 8 rungs in Roger Hart's Ladder of Participation. All the 4 indicators are complimentary to each other thus depicting full participation but at the same time each one on its own represents a degree of participation. Ideally all the 4 indicators should be exercised at all the top 5 rungs of Roger Hart's ladder of children's participation in Table 2.1. The top 5 rungs represent true participation while the bottom 3 rungs represent non participation. In practice, children are mostly involved only at the bottom 4 rungs. At the bottom 3 rungs there is non-participation as explained by Roger Hart. There are no participation indicators evident at this level. Rung number 4 from the top which depicts the child being assigned but informed is likely to have only two indicators of participation being evident. That is being informed and expressing an informed opinion. .

2.4 Children's Participation and Development

Over the past 2 decades, it has been noted that despite the great advances that have been made in the realization of children's rights, their situation has deteriorated. Reviews which were carried out around the world to assess the progress made since the World Summit for Children, which was held at the UN in 1990 in New York revealed that some of the goals which were set by Heads of State at the Summit were not met. While the major causal factors were poverty and HIV/AIDS, the reviews revealed that countries did better if they involved children in programmes concerning their survival, development and protection (www.unicef.org). In The State of the World's Children 2002 report, it is observed that, eleven years since the Children's Summit in 1990, reviews of progress made show the record to be a mixture of conspicuous achievement and dispiriting failure which is attributed partly to lack of children's participation (UNICEF, 2003). The report recognizes the importance of children's participation in promoting their survival, development and protection.

The report views commitment and action as being called for, from community activists, entrepreneurs, artists and scientists, from religious leaders and journalists and from children and adolescents themselves and notes that the achievements made over the

period 1990-2002 would have been far much greater if children had been more involved as one of the strategies (UNICEF, 2003).

In examining the legal and policy framework regarding freedom of expression for children, Kenya's second periodic report on the implementation of the UNCRC 1999-2004 points out that the Children Act 2001 Laws of Kenya provides that in any matters of procedure affecting the child, the child shall be accorded the opportunity to express his opinion and that opinion shall be taken into account as may be appropriate taking into account the child's age and degree of maturity (Republic of Kenya 2006). The report goes on to state that this policy is implemented to some extent in some schools where children elect their prefects, take part in formulation of school rules and participate in clubs of their choice where these exist. Some children are involved in decision making at the family level the report says. It further states that over 10 child-centered non-governmental organizations have developed manuals which caregivers and other workers in the children's sector employ in the implementation of child participation approaches in their work.

The Department of Children's Services in the Ministry of Gender, Children and Social Development has also developed regulations which include guidance on how children should participate in the programmes of Charitable Children's Institutions. The State of the World's Children 2002 report which views children through the lens of the UNCRC portrays them as active and contributing members of families, communities, and societies. It states that children's participation changes thinking and alters the design of projects and programmes yet the systematic soliciting of children's and adolescent's opinions has until now been rare (UNICEF, 2003).

Despite the progress made, a lot more work needs to be done in terms of expanding participation of children in their protection. Although awareness of children's rights has been picking up a steady momentum in Kenya, there is clearly a misconception about participation as one of the rights. In general though, development workers have for a long time been conscious of the importance of people's participation in their own development. Participation in development has been defined to mean the active

involvement of people in decision making processes, in implementing programmes, involvement in efforts to evaluate the programmes and sharing in the benefits of development programmes. This approach involves people in planning and taking action aimed at improving their living conditions. Chitere P (1991) notes that participation of the local community in project identification ensures that investments reflect community priorities and ownership, a major pre-requisite for long-term sustainability of any project. Kabwegyere T and Adholla M (1983), denote that participation is tapping the local people's knowledge and starting from what they know and what they have.

The same right of participation for children has only recently begun to be appreciated. Development programmes have tended to give charity to children without recognizing the potential of children to do things for themselves. This study also looks at whether development workers understand and respect the right of children to have a voice in programmes aimed at protecting them from child sex tourism.

According to Baetz (1984:2) edited by Chitere P (1994), participation is how individual members of a community are not only guaranteed a fair and equitable share of the benefits of development, but also how they can be assured the opportunity of contributing to their fullest capacity and in ways most meaningful to them. This means taking an active part in the decisions governing their development, greater avenues for full self-realization are opened and a sense of independence and spirits of community are created.

Chitere P (1994), further notes that participation tends to reduce alienation. Alienation prevents members of a community from identifying with their communities. Chitere P (1994) quotes Warren (1963:18) in an article about youth who become delinquents and rebellious as a result of alienation. We can compare child sex workers to the youth in the article in as far as the feeling of alienation is concerned. Child sex workers feel alienated, shunned and despised. They are considered to be 'loose' and immoral. So they retreat into the world of sex work, which the public misunderstands to be of their own choice. In this world, the children imagine that they are in control because their continued involvement in sex work appears to give them the only semblance of 'being in charge'

even though studies show that they often do not have a say on who to sell sex to, where or when and whether it will be protected or not (Cantwell, 1995)

Awareness of children's rights has been picking up a steady momentum in Kenya but there is clearly a misconception about participation as one of the rights. The right to participate supports the transformation of children and adolescents from beneficiaries or recipients of implemented programmes to partners in the process (www.unicef.org).

Childhood and adolescence are stages of the life cycle where many opportunities to participate in society are determined. Both knowledge and basic skills are acquired that subsequently facilitate children's adequate incorporation into society and enable them to take part in the construction of a society founded on the principle of democracy (www.unicef.org). The importance of acquiring these skills for personal development is recognized in the UNCRC.

2.5 Capacity to Promote Children's Participation

Children generally lack access to decision-making processes and people in positions of power. Adults therefore have the responsibility of creating the spaces where children's opinions and voices can be heard in genuine and meaningful ways (www.unicef.org)

Child protection workers are described as being responsible for creating, implementing, and overseeing interventions to eliminate/reduce occurrence of mistreatment and its negative developmental impact on children. To fulfill this responsibility the ISPCAN report says they must have the knowledge, attitudes, and competencies necessary to gather information, perspectives and cooperation from children directly and indirectly in ways that assure children that they are respected, and likely to benefit (UNICEF, 2003).

At the ISPCAN International Congress that took place in York in 2006, professionals expressed "great frustration and disenchantment for unsatisfactory youth participation". They expressed the fact that most programmes of child participation have an artificial and superficial one-off nature especially when children or youth are quickly brought together and put to work to give the appearance of participation. The Congress recommended that

child participation must be approached developmentally and become fully integrated and sustained in the infrastructure and systems of child protection.

Following are various perspectives on children's participation as presented by experts in the ISPCAN special report on the Congress:

Advocacy for and by children – Advocacy should be informed by voices and priorities from the target group. The messages are targeted at duty bearers because they represent institutionalized power and authority to make positive change for children. The state is listed as the primary duty bearer according to the CRC and other duty bearers are the community leaders, family members and the media (The ISPCAN International Congress, 2006)

Involving children in advocacy – The report says child led advocacy does not mean leaving children and young persons by themselves. They should not be overburdened or put into harmful situations in the name of advocacy. In order to involve children and young persons, they should be provided with relevant information, including knowledge on policies and laws. The information should be presented in a child friendly format, taking into consideration their ages, languages and abilities (The ISPCAN International Congress, 2006). Duty bearers can also learn from children themselves on what is the best way to support them. They should find out how children prefer to advocate, what are the experiences of child advocates, how do they get together and advocate, etc. Some children may chose art, theatre or any other medium for their advocacy. Others may be involved in campaigns.

Some of the suggestions for supporting children in advocacy include promoting and ensuring a safe environment for advocacy by creating supportive networks and atmospheres, establishing and nurturing partnerships with child-focused Organizations that will continuously support child-led activities or initiative/projects (The ISPCAN International Congress, 2006). Making adults aware of child participation and empowering young people to take action in building children's capacity on the issues and in the techniques of advocacy.

There is a need to consult children on how they would like to be involved and be supported where they need to be perceived as partners and agents of change hence allowing them to speak for themselves. Lastly, people should accept children's capacity and potential where children's agenda should drive the process. There is a need to support peer involvements, child led organizations and initiatives and promote active, meaningful and ethical participation in advocacy (The ISPCAN International Congress, 2006)

The report goes on to state that child led advocacy has numerous benefits which include, bringing ideas from children's reality hence enabling adults to see the problem and the solutions from the children's perspectives; promoting children's ownership of the solutions; visibility for children and an acceptance of children as social actors and active citizens; children learning new skills which are likely to strengthen their self-confidence; and finally that when children act, it generates more commitments from adults.

2.6 Children's Awareness of their Right of Participation

Kabwegyere T and Adhola M (1981) emphasize people's participation in development in their argument that participation is critical as it creates ownership and sustainability. Sustainability of development programmes for children can greatly be enhanced by children taking part in their implementation. This includes having a say on how things should be done. The children however must be aware of what participation is all about and they must know that they have a right to participate in order for them to demand that right. The UNCRC, ACRWC and the Children Act 2001 Laws of Kenya provide the ethical, political and legal framework that commits all societies to providing opportunities for all children to develop their personal and social potential in all stages of life by participating in matters that affect them.

It is important to note that promoting children's participation in their protection from violence does not mean burdening them with the full responsibility of addressing the problem of violence. This is the responsibility of the state and the adult community as explained by Save the Children Alliance, an international NGO, which stresses that the

important thing is to recognize that in working to provide better protection of children against violations of their rights, opportunities should actively be found, promoted and supported to include them (The ISPCAN International Congress, 2006). They advise that adults have a responsibility for creating the spaces where children's opinions and voices can be heard in genuine and meaningful ways.

Lansdown G (2005) argues that many children come into contact with institutions in which decisions affecting their lives are made where the officials in these institutions can all exercise power over the children. Lansdown G further stresses that too often power is exercised without appropriate reference to children's capacities. The tendency is to underestimate the capacities of children and in so doing, there is a failure both to respect the rights of children and to capitalize on the expertise and perspectives children can contribute (2005).

Lansdown G (2005) recommends the training of professionals on the UNCRC and children's rights including the right to participate in decision making, involving children in the development, implementation, monitoring and evaluation of policies, strategies and programmes for all aspects of protection.

There is need to develop models that provide opportunities for children to play a key role in their own protection, in order to enhance their resilience, self-esteem, self-efficacy and self confidence. The children have a psychological need of recognition therefore accepting that there is a role which children can play in their own protection as well as the protection of others.

A major benefit for organisations when children and young people are encouraged and supported to participate in decision-making processes is that children will influence the design and delivery of the service making it more relevant for the children.

2.7 Children's Participation in their Protection

Children's parliaments in Yemen, peer mediation programmes (650 model schools) in Sri Lanka, involvement in campaigns to ban violence against children in Romania, Theatre

for development in Pakistan, children influencing Canadian policy makers to increase support and understanding of child participation, village children's councils in Cambodia and child rights clubs and school debates in Zambia are some activities which children are involved in positively (The ISPCAN International Congress, 2006).

Child participation requires information sharing and dialogue between children and adults as well as among children themselves. Based on mutual respect and power sharing, genuine participation gives children the power to shape both the process and outcome of programmes.

Some examples by Save the Children in working with children in South Asia illustrate how effective children's participation can be. In Orissa, India, Save the Children working with NGOs and members of the legislative Assembly of the Government of Orissa facilitated meetings to discuss the dire consequences of physical and humiliating punishment on children. The meetings with adults were a culmination of numerous consultations and dialogue among children, village education committees and district officials. In all these discussions, children demanded and got a platform to share their opinions and views on the current education system (The ISPCAN International Congress, 2006). The immediate result of the discussions was a government order banning corporal punishment in the state of Orissa in August 2004.

In a discussion in Nepal on challenges facing girls, the girls highlighted some challenges as heavy workloads, restricted mobility, early marriage, and fears for their personal safety. Both school going and non- school going girls were involved in the initiative. The girls formed a group and met regularly to collect information and do an analysis of safe and unsafe spaces. They found the following to be unsafe: traveling to school, collecting fire wood, or water, going to markets, festivals or relatives' houses on foot or by bus. They identified their molesters as boys, neighbours, police and teachers (The ISPCAN International Congress, 2006). This analysis, their new found knowledge and understanding of gender and the increased self esteem that they gained through participation in the project led the girls to negotiate for change.

The girls met with community members and authorities to raise awareness and call for action to bring about the changes in behavior, attitude and service delivery required to transform unsafe spaces to safe ones, to improve girls' mobility and provide access to public services and opportunities (www.csecworldcongress.org). The girls were so empowered that they continued to protest against any incident of harassment or abuse. The girls' group eventually developed strong links with village and district level child rights club networks, the district child welfare committee, the local police, teachers, and women's groups as well as the local decision-making body. Save the Children Alliance reports that all of these actors now recognize the group as a crucial agent for improving the lives of girls in the community. The girls' initiative has resulted in positive behavior and attitude changes among teachers, boys, parents, and community members towards girls. The girls it is reported have also become more confident, articulate and able to negotiate for necessary changes in their families and communities (The ISPCAN International Congress, 2006).

According to the findings of Save the Children, children's participation brings about their recognition as social actors thus bringing about more respect of their views, challenging discrimination in the family, school and community and hence attitude change amongst adults (The ISPCAN International Congress, 2006).

2.8 Child Sexual Exploitation

Poverty, state of orphan hood, early adult responsibilities, early pregnancy or marriage and peer influence have been found to lead to children's engagement in commercial sex work. Profiles of children in sex work include young ages (from 14 years for girls) and (from 15 years for boys), majority come from underprivileged backgrounds including being orphans and having low levels of education especially girls (ILO, 2007)

A GOK/UNICEF study on the extent and effects of sexual exploitation of children in tourism on the Kenyan coast (2006) found that the involvement of girls who live around the tourism resort areas in sex work and sex tourism is from 10,000 to 15,000 making up 25% - 30% of the girls. This is out of a population of 40,000 -50,000 female children who live in those areas (Republic of Kenya 2006). The study was undertaken in Malindi,

Kilifi, Mombasa and Kwale. The number of those found to be engaging in sex tourism as a full-time, year- round commercial activity was between 2,000 and 3,000. A number of those children were involved in NGO programmes which attempt to offer them alternatives to sex work. Such alternatives include going back to school and vocational training. Whether the children have a say in such programmes is the subject of this study. According to the Declaration of the First World Congress against Commercial Sexual Exploitation of Children held in, Stockholm in August 1996, children have themselves condemned this form of earning, speaking of the sex trade as a criminal activity, not to be confused with other types of work (www.csecworldcongress.org)

According to the world report on violence against children (2006), which explores violence based on the environments or settings in which childhood is spent such as home, school and community, violence against children dates back to ancient civilizations. The report states that violence occurs in every country in the world in a variety of forms and settings and is often deeply rooted in cultural, economic and social practices. It further states that sexual abuse is a form of violence which occurs in all settings and that girls suffer considerably more sexual violence than boys. Child sex tourism is one of the forms of sexual abuse. Further, girls' greater vulnerability to violence in many settings is largely a product of the influence of gender-based power relations within society. It states that exposure to violence in one setting may well be reflected or compounded by violence in another setting.

Article 34 of the UNCRC entrenches the child's legal right to protection from all forms of sexual exploitation and sexual abuse including prostitution and pornography. This is supplemented by the Optional Protocol to the UNCRC on the sale of children, child prostitution and child pornography. Kenya is a signatory to this Optional Protocol. Section 15 of the Children Act Laws of Kenya provides for the protection of children from sexual exploitation and defines this to include child prostitution and child pornography, possession of child pornography and use of children in other unlawful sexual practices.

Child sex tourism is a global phenomenon. Tourists engaging in CST take advantage of their anonymity and the availability of children in commercial sex work. Other factors fuelling the spread include weak enforcement of laws, corruption, the internet and ease of travel. The vice is perpetrated by people from various socio-economic backgrounds. Child sex tourism is common in certain developing countries that have a thriving tourism industry. Over the past few years, the phenomenon has increased, fuelled by a variety of factors, key among them being poverty. Unemployment is a major challenge for their families. It is therefore normal for the children to be involved in various jobs to supplement the family income. Many children work as house helps, cleaners, scavengers, guards, hawkers, tea girls etc at minimum wages. Some of them work in the sex industry part of the time or all of the time. It was found that no other type of work provides more income for the children than sex work does. ILO estimated that 1.8 million children were involved in prostitution and pornography (2005). According to ILO (2007), 30,000 girls under the age of 19 years are engaged in prostitution in Kenya.

ILO (2007) indicates that in 2004, 218 million children were involved in child labour. Of these, more than 60% (126 million) were deemed to be in hazardous work which makes up the majority of worst forms of child labour, which includes child sex work which is prohibited by ILO Convention 182. ILO estimates that 8.4 million children are employed in these forms of labour with 1.8 million being in prostitution and pornography (2007).

Save the Children Alliance suggests that child sexual exploitation is increasing with evidence of growing criminal activities related to trafficking of children for sexual purposes, exploitation by tourists and travelers and pornography and internet related crimes (International save the Children Alliance 2004). South East Asia in the Global report indicates that around one-third of those used in prostitution are thought to be under 18 and the average age of girls from Nepal entering the sex trade dropped from 14-16 years in the 1980s to 12-14 in the 1990s (International save the Children Alliance 2004).

UNICEF (2000) report on Domestic Violence against Women and Girls states that some girls are introduced into prostitution by traffickers and recruiting agents who promise

them golden opportunities. In West Africa thousands of children from destitute families are reportedly sent to the Middle East each year, many ending up in prostitution.

Child sex tourism has existed for a long time but the problem did not receive global attention before the 1980s. As a result of international campaigns and efforts by governments, NGOs and UN agencies, some of the tourists sending countries have now enacted extra laws to protect children.

According to ECPAT, Kenya officially acknowledges child sex tourism as a problem requiring greater awareness, implementation of new legislation and a coordinated effort to protect and promote the rights of children. At a workshop organized by the government to disseminate the report on child sex tourism on the Kenyan Coast in March 2007, the Minister for Tourism called on all hotels to sign the International Code of Conduct to protect children from sexual exploitation in travel and tourism, failure to which he would have their licenses cancelled. While there is no legal or policy basis in Kenya to support such cancellation of licenses, the Minister's pronouncement was a tremendous expression of political support for the protection of children from sex tourism. A report released by the US government placed Kenya on an international watch list as a transit point for women and children smuggled from other African countries as sex slaves. The report indicated that Kenya is a country of origin, destination and transit point of people smuggled across borders for sexual exploitation. It indicates that women and children are trafficked from Burundi and Rwanda to coastal areas in Kenya (www.unicef.org). Children's involvement in sex tourism on the Kenyan coast has therefore been a major concern for the Kenya government and its partners.

2.9 Child Sex Tourism

It is incumbent upon the duty bearers who include the Government, civil society organizations and communities to take all necessary measures to protect children from child sex tourism. This study is influenced by the growing magnitude and concern about child sex tourism on the Kenyan Coast. Child sex tourism which is a form of child abuse as stated earlier is growing at an alarming rate and there is therefore the need to strengthen intervention programmes.

Child sex tourism exploits the innocence and fragility that defines childhood. It is an assault on the dignity of children and affects them in many ways. The effects of such abuse continue to influence the behaviour of the children throughout their lifetime. The violence associated with sexual exploitation is compounded by exposure to additional physical or psychological abuse, to which the youngest are most vulnerable. In the UN Study on Violence against children, an ILO/IPEC study is cited as indicating that:

In Vietnam, 12 percent of children who are used in prostitution said that they had been subjected to torture, beaten up by customers, or by pimps for being disobedient; also that they underwent repeated abortions, even having an abortion in the morning and receiving a customer in the afternoon. In Mongolia, 33% of girls exploited in prostitution indicated that they had been raped. In Jamaica, boys in prostitution reported that they were at risk of violence from individuals who abhor homosexuals and think they should be eradicated. Cases were reported in Honduras where people pretending to be prospective customers abducted sexually exploited children and tortured or murdered them (Pinheiro P, 2006).

2.10 Theoretical Framework

2.10.1 Introduction

According to Kombo D and Tromp D (2006) Theoretical framework is a collection of interrelated ideas based on theories and accounts for or explains phenomena. In this study rational choice and symbolic interaction theories will be used to clarify how children's participation comes about. Below is a discussion of each theory.

2.10.2 Rational Choice Theory

Rational choice theory was proposed by George Homans (1961) and states that human beings are purposive and goal oriented in their preferences that are set hierarchically in the society. It begins with the assumption that men have different wants, goals and values and they live in a world of scarcity and therefore must select between alternative courses of action that lead towards the most preferred goal (Health A, 1976:3). Ritzer G (1992) asserts that rational choice theory assumes that in choosing between alternative actions, a person will choose that one which is perceived by him at the time to have the greatest

value. People examine and make calculations involving various alternative actions open to them and compare the level of rewards associated with each course of action and likelihood of receiving the reward. In rational choice theory the highly valued rewards will be devalued if the actor thinks that they will be impossible to attain them while enhancing the lesser valued rewards if the actor considers them to be attainable.

In making choices, people make rational calculations with respect to the utility of alternative lines of conduct, preference hierarchy, intellectualization and the cost of each alternative in terms of utilities foregone and the best way to maximize utility. The theory asserts that such phenomena that arise from rational choices constitute a set of parameters for subsequent rational choices of individuals. This is because they determine the opportunities for the lines of behaviour and the nature of norms and obligations in a situation.

Rational choice theory can be applied to children's participation in rehabilitation programmes in that there are several factors which influence the child, leading him or her to participate or not participate. These factors include the influence that the staff of the programmes and the parents have on the child, the provision of information to the child, the activities undertaken in the programmes by the children and the child's level of education. The choice made by the child is dependent on the above factors. If the child is provided with information, is encouraged by the staff of the programmes to participate and has some education and the child feels that his or her opinion is taken into account, the child feels that it would be highly rewarding to participate. Thus the child would make the rational choice to participate with confidence. These factors influence the choices that the child will make in terms of participation. For example if the children feel that there are no rewards in their participation, they will not express their opinion and this would lead to the alienation of the child in the programme hence reduced chances of rehabilitation.

2.10.3 Symbolic Interaction Theory

Symbolic interaction theory was founded by George Hebert Mead (1863-1931). He had the view that human thought, experience and conduct are essentially social (Haralambos

M and Holborn M, 1990). Mead H tended to concentrate on the interaction between individuals and small groups rather than relate the behaviour of individuals to larger, social, economic and political structures as Weber M did (Thompson Z and Priestley J, 1996). The theory focuses on the individual and how the individual is made into the kind of person he or she becomes through interaction with others. It focuses on the nature of interaction, the dynamic pattern of social action and social relationships. Societies are composed of interacting individuals who not only react but perceive, interpret, act and create where an individual is a dynamic and changing actor (Abraham F, 1982). Mead notes that without symbols there would be no human interaction and no human society (Haralambos M and Holborn M, 1990). According to symbolic interaction theory, human actions are based on the meanings we attribute to things and these meanings emerge through social interaction (Andersen M and Taylor F, 2006). This meaning is constantly reconstructed as people act within their environments.

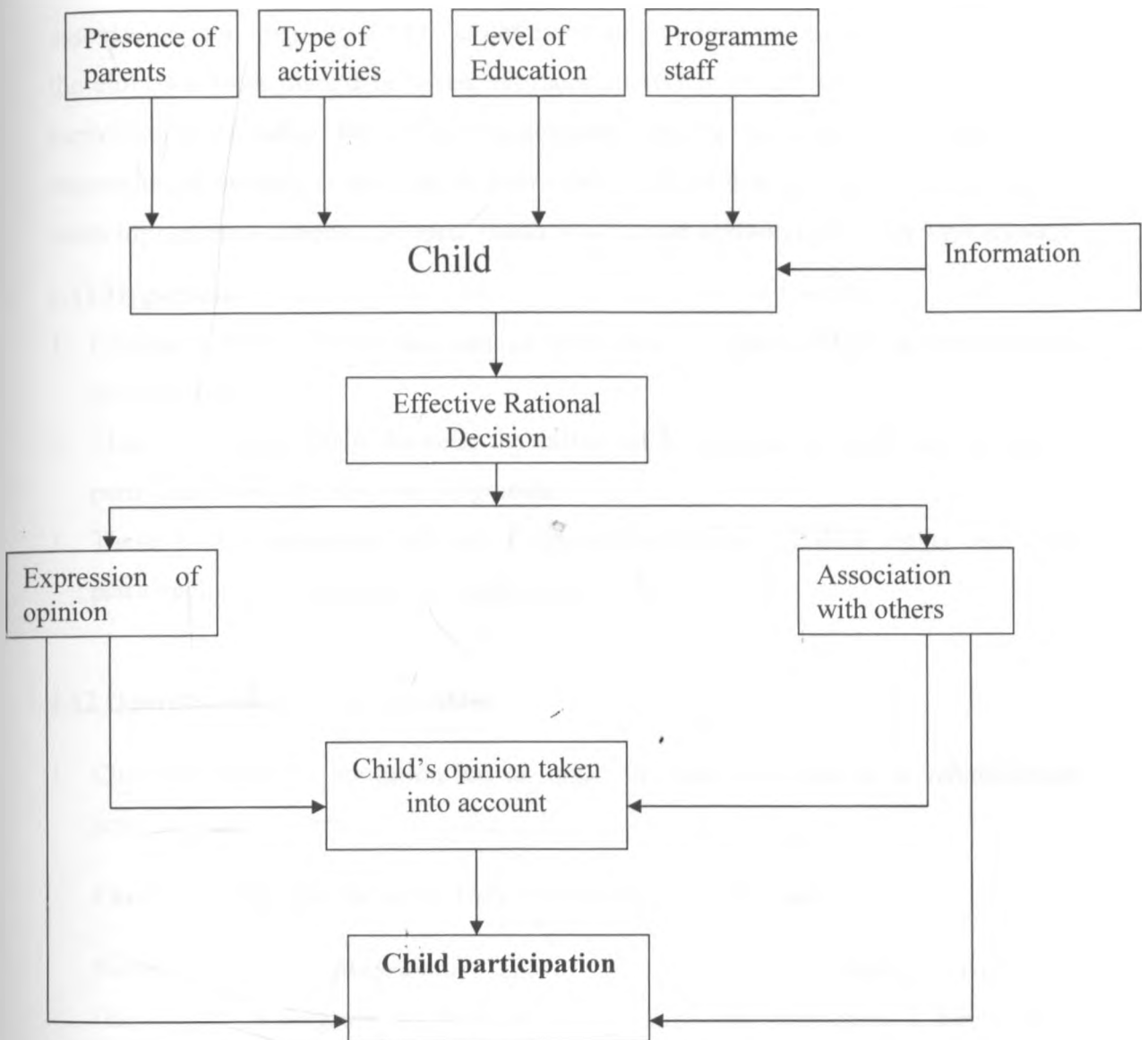
Blumer added that symbolic interactionism rests on three basic premises. The first premise was that human beings act on the basis of meanings, which they give to objects and events rather than simply reacting to external stimuli. The meanings arise from the process of interaction rather than simply being present at the outset and shaping future action. Meanings are created, modified, developed and changed within interaction situations rather than being fixed and performed. Lastly meanings are the result of interpretive procedures employed by actors within interaction contexts. By taking the role of the other, actors interpret the meanings and intentions of others. The individuals may opt to modify or change their definition of the situation, rehearse alternative courses of action and consider their possible consequences (Haralambos M and Holborn M, 1990). Blumer maintains that the society must be seen as an ongoing process of interaction, involving actors who are constantly adjusting to one another and continuously interpreting situations (Haralambos M and Holborn M, 1990).

Symbolic interaction theory emphasizes that human beings make conscious and meaningful adaptations to their environment. The basic principles of the theory are that human beings unlike lower animals are endowed with capacity for thought, which is shaped by social interaction. In social interaction, people learn the meaning and the symbols that allow them to exercise their distinctively human action and interaction. In

this case people are able to modify or alter the meanings and symbols that they use in action and interaction on the basis of their interpretation of the situation. Where they examine possible courses of action, they assess the relative advantages and disadvantages and then choose one (Ritzer G, 1992).

The meanings that children give to situations and the interpretations that they make of social actions and events are crucial in their participation. When children in programmes of rehabilitation are given information and when they are able to voice their opinions and those opinions are taken into account, they are able to understand the purpose of the programme, appreciate it and feel encouraged to participate. The interaction among children, between children and parents as well as between children and programme staff will affect their level of participation in the programmes of rehabilitation. There will be total participation of the children in the programme if they interpret the interaction they experience in the rehabilitation programmes as being positive and relevant to them. The more they are able to interpret the interaction positively, the more they will participate. A conducive environment for the children in the rehabilitation programmes will encourage their participation. According to Ritzer G (1992), in symbolic interaction theory the actor has some autonomy and he is not completely constrained therefore he is capable of making unique and independent choices. This statement can be applied to children in the rehabilitation programmes because they are capable of making choices based on the kind of interaction that is existing resulting from the presence and influence of parents in their lives, the types of activities that they are engaged in and the influence of the programme staff on them, and then of course whether they are receiving information that is relevant to what they are doing and if their opinions are being taken into account.

Figure 2.2 : Conceptual Framework of Child Participation



Source: Researcher (2009)

There are several factors that affect children's right of participation in programmes of rehabilitation as discussed in this paper. These are the presence of parents in the child's life, types of activities undertaken in the rehabilitation programmes, the child's level of education and the influence of the programme staff. A child also needs to obtain information in order to fully exercise his or her right of participation.

Once all this is in place, the child is able to make a rational choice based on alternatives which are present. In terms of participation the choices include expression of opinion and association with others. In the process of expressing opinion and association with others, the child's opinion should be taken into account which would lead to the child's full participation. However the child's participation can be realized just by his or her expression of opinion or association with others without that opinion necessarily being taken into account although the ideal situation is for that opinion to be taken into account.

2.11 Hypothesis

1. Children's level of education has an effect on their participation in rehabilitation programmes.
2. There is a relationship between the influence of programme staff and children's participation in rehabilitation programmes.
3. There is a relationship between children's awareness of their rights and their participation in rehabilitation programmes.

2.12 Operationalization of Variables

1. Children's level of education has an effect on their participation in rehabilitation programmes.

Children's level of education: The class that they have attained.

Participation in programme: Their involvement in existing programme (Rehabilitation program) by being informed, expressing their opinion, having their opinion taken into account and having freedom of association.

2. Programme staff have an influence on how children participate in rehabilitation programmes.

Influence of Programme staff: If those In charge of the programme provide information and seek opinion of the respondent

Participation in programme: Their involvement in the programme (Rehabilitation program) by being informed, expressing their opinion, having their opinion taken into account and having freedom of association.

3. There is a significant relationship between children's level of awareness of their rights and their participation in rehabilitation programmes.

Children's level of awareness of their rights: Children's knowledge of their rights

Participation in programme: Their involvement in existing program (Rehabilitation program) by being informed, expressing their opinion, having their opinion taken into account and having freedom of association.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Research Design

This chapter presents the research design. According to Yin, the main purpose of the design is to help avoid a situation where evidence does not address the initial research questions (1990:29). The research design used in this study was survey where children's participation in programmes that are aimed at protecting them from sexual exploitation in tourism was explored by focusing on children in rehabilitation programmes in Mombasa. Triangulation method was used to collect the data. Interviews with children using structured interview schedules provided quantitative data. Key informant interviews with policy makers from the government and NGOs as well as Focus Group Discussions with children were carried out to provide qualitative data. A comprehensive literature review of published and unpublished documents as well as internet research was undertaken.

3.2 Description of Study Site

This study was undertaken in Mombasa district which is the provincial headquarters of the Coast Province in Kenya. Mombasa is the second largest town in Kenya following Nairobi. It has a major sea port and has an international airport. The town is the centre of the coastal tourism industry. It has a population of about 900,000 situated on an island which is connected to the mainland by the Nyali Bridge in the North, to the south by the Likoni Ferry/channel and to the west by the Makupa Causeway. Alongside the causeway runs the Kenya Uganda Railway. Mombasa is also home to and a transit point for military and commercial shipping activities.

The selection of Mombasa as a study site was based on its high population of girls below eighteen years who are in child sex tourism. As mentioned earlier, it was found that 25% - 30% of girls below 18 who live around the tourism resort areas in the 4 districts of Mombasa, Kwale, Kilifi and Malindi are involved in sex work and sex tourism (Republic of Kenya:2006).

Mombasa district is the centre of the coastal tourism industry which is its major income earner, the others being, fishing, hotel industry, agriculture, and commercial activities including shipping. Hotels along the Mombasa coastline form a major tourist attraction. As an illegal economic activity, commercial sex is practiced by adults and children alike. Mombasa has one of the largest harbors serving Eastern and Central Africa. This and a number of manufacturing industries have attracted a large influx of people seeking employment in Mombasa. As an urban cosmopolitan centre, the district also has a large population of people employed in the informal sector including domestic work which attracts mainly children from the district, the larger coast province as well as from other areas of the country. As already indicated by literature, many of the children who come to the coast, especially to the four districts of Mombasa, Kwale, Kilifi and Malindi have been promised jobs not only as domestic servants but as salonists, and even sex workers.

The level and acceptance of sexual exploitation of children in Mombasa like in many of the coastal districts puts many of the children in Mombasa at risk. It is highest during the peak tourist seasons and when the low season sets in, the local market for child sex workers keeps the trade going.

Mombasa district is among the poorest in Kenya. The percentage of individuals below the poverty line is 44% (Republic of Kenya, 2002a). The number was expected to increase rapidly as the pace of urbanization accelerates and population increases (Republic of Kenya, 2002b).

This has turned out to be a causal factor for sexual exploitation of children in tourism. Additionally, the high turnover of tourists who take advantage of beach holidays in an exotic location to experience sex with the local population including children is another causal factor. Despite the district being the centre of coastal tourism, there is insufficient income from tourism flowing to the local community and there is high unemployment, making sex work an easy alternative. It has therefore been argued that tourism may, in fact, be a cause of impoverishment for Mombasa like many of the other coastal districts.

3.3 Target Population

The target population for this study was child sex workers in the tourism sector who are in rehabilitation programmes. The rehabilitation programmes were purposively selected from the Mombasa District Action Plan on Preventing and responding to child sex tourism 2008-2010. The Action Plan was developed alongside those of Kilifi, Malindi and Kwale by the Department of Children's Services and her partner organizations at the coast. The sampling frame was therefore all the children in the identified programmes.

3.4 Unit of Observation

The unit of observation is the subject, item, or entity from which we measure the characteristics or obtain the data required in the research study (Mugenda O and Mugenda A, 2003). The information is obtained from an individual person but the results obtained from the analysis relate to the composite unit. In the case of this study, the unit of observation was the children in rehabilitation programme

3.5 Unit of Analysis

According to Babbie E (1994), a unit of analysis is the object of attention. In this study, the unit of analysis is the participation of the children in the programmes that rehabilitate them from sexual exploitation.

3.6 Sampling Design

Sampling is the process of selecting a representative group from a population (Mugenda O and Mugenda A, 2003). The study employed purposive sampling as well as random sampling. According to Kisilu D and Tromp D (2006), purposive sampling is using cases that have the required information with respect to the objectives of the study. The reason for using purposive sampling was in order to get only those children who had been exposed to sexual exploitation as they were the subject of this study and the programmes had both children who had been exposed to sexual exploitation in the tourism industry and those who had not been exposed. Also purposive random sampling was used to select the programmes that had children who had been exposed to sexual exploitation.

In the case of this study, the intact group was the organizations or programmes in Mombasa District which rehabilitate children from child sex tourism. This group was selected from an already existing list which was compiled by the Department of Children's Services in the Ministry of Gender, Children and Social Development in the Mombasa district Action Plan to prevent and combat child sex tourism. The Action Plan identifies 21 organizations, both from government and civil society covering the categories of policy development, advocacy, capacity building, service delivery, research, monitoring and evaluation. Most of the organizations appeared in two or more of the categories with service delivery having majority of the organizations followed by capacity building.

From this list of 21, nine organizations, which are based in the district, were purposively selected. From the 9 organizations, children who had been exposed to sexual exploitation in tourism were selected. The total target population was 400 out of which 300 children were randomly selected. Therefore, not all the children in the selected organizations were included in the sample as units of observation. The researcher obtained consent of seven organizations and was denied access in two organizations which were Mombasa Beach Girls Rehabilitation Programme and Grandsons of Abraham. In the case of Grandsons of Abraham, the organization kept on postponing the appointments giving excuses that the head of the organization was out of Mombasa and the interviews could not take place without her. As for Mombasa Beach Girls Rehabilitation Programme, the excuse was that the children were not available. Eventually the researcher run out of time.

3.7 Sample Size

The nine organizations had 1,456 children from which 400 who had been exposed to sexual exploitation were purposively sampled. Out of these 400 children, 300 were randomly selected although only 257 children were eventually interviewed because two organizations ended up not availing their children for interview as shown in table 3.1.

Table 3.1: Respondent distribution

Institution/Programme	Children exposed to sexual exploitation	Expected children for interview	Number of Children not interviewed	Number of children interviewed	Total child population in the programme
Likoni Secondary School. (Kick Aids out of Kenya programme)	25	19	-	19	50
Likoni Rehabilitation School	56	44	-	44	72
Mahali pa Usalama	50	44	-	44	61
Solidarity with Girls in distress (SOLGIDI)	46	38	-	38	500
Solidarity with Women in Distress (SOLWODI)	63	55	-	55	100
Tononoka Drop-in Centre	48	42	-	42	408
Olives Rehabilitation Center	53	42	-	42	115
Grandsons of Abraham	40	31	31	-	100
Mombasa Beach Girls Rehabilitation Program	19	12	12	-	50
Total	400	300	43	257	1, 456

3.8 Method of Data Collection

The study used multiple sources of information, both primary and secondary (referred to as triangulation) to ensure validity and reliability of the data collected.

3.8.1 Primary Data

Primary data was collected using personal interviewing, key informant interviewing and focus group discussion as discussed below.

3.8.1.1 Personal Interviewing

Structured interviews with the children who had been exploited sexually and are in programmes which are implemented by the sampled organizations to rehabilitate them were undertaken where 257 questionnaires were administered.

The heads of the institutions were informed that their institutions were purposively selected because they had children who had been sexually exploited. The children were assured of confidentiality, they were informed that they would be interviewed about their right of participation in the programmes. Their circumstances as relates to child sex tourism were not discussed at all. Their names were not written down either.

3.8.1.2 Key Informant Interviewing

Key informant study guide was used to collect information from key informants. A key informant is anyone who has special knowledge regarding the research problem. They were selected purposively by virtue of their knowledge and understanding of the target group. The key informants included three government officials, namely the Director of Children's Services, the Provincial Children's Officer (Coast Province) and the Manager, Likoni Rehabilitation School. Those from the NGO sector were the Executive Director of Kenya Alliance for Advancement of Children, and the Heads of the following organizations – SOLWODI, SOLGIDI, Tononoka Drop-in centre, Olive Rehabilitation Centre.

3.8.1.3 Focus Group Discussions

Two focus group discussions were carried out involving a carefully planned discussion, designed to obtain in-depth information of the study. They were carried out with children from the same programmes that were sampled. One focus group discussion was held in an NGO that targets girls only and the other one in a government institution for boys only. The discussion was exploring their participation in the programmes. The focus group discussions were divided into two, one for boys and the other for girls to ensure homogeneity. Each group had 10 children.

3.8.2 Secondary Data

The secondary data was obtained through desk review by analyzing documents related to children's right of participation. The researcher consulted the United Nations and UNICEF libraries at Gigiri, Kenya National Bureau of Statistics library (Herufi house), Jomo Kenyatta Memorial Library, Sociology department library and Institute of development studies library at the University of Nairobi.

3.9 Data Analysis

Two types of data were collected. That is quantitative data and qualitative data. Inferential statistics were done to indicate whether relationship exists between the variables of interest.

The study used inferential statistics to analyze and present quantitative data, which contained numerical information. This technique is concerned with determining how likely it is for the results obtained from the sample to be similar to the results expected from the entire population (Mugenda O and Mugenda A, 2003). Data was coded and analyzed using Statistical Package for Social Sciences (SPSS) software. Analysis was done using frequency and cross tabulations to show emerging relationships, the analyzed data was presented in tables.

For the Qualitative data, data collected through key informant interviewing and focus group discussions was categorized and summarized into themes. Content analysis was

undertaken to reduce the data to a more manageable and intelligible set of observations, which was then appropriately coded. An analysis of the emerging patterns, themes and relations was then done trying to deduce information and the meaning they conveyed in a more organized manner.

3.10 Ethical Considerations

All interviewees especially the children were assured of confidentiality. They were informed of the aims of the study and their consent sought. They were asked to freely give the information on their right of participation in the programmes. The respondents were assured of confidentiality to avoid impinging on their right of privacy. They were interviewed in the absence of the programme workers. Permission was sought from Staff of the Organizations for the children to be interviewed.

3.11 Challenges Encountered in the Field

One of the challenges encountered included change of appointments by some of the organizations thus necessitating adjustment of the programme; two of the organizations which had agreed to have their children interviewed ended up refusing to grant the interviews after a lot of time had been spent following them up. This resulted in only 257 children being interviewed instead of the planned number of 300.

It was not possible to collect data from Information Education and Communication (IEC) materials which are used in the target organizations for review because they were not available. Only one organization provided a few samples which in any case did not provide useful information on children's participation.

CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

4.0 Introduction

The seven organizations in table 4.1 were selected to provide respondents for this study. All the seven organizations undertake programmes that either directly or indirectly protect or rehabilitate children from child sexual exploitation. These organizations were selected from the Mombasa district action plan to combat child sex tourism. The programmes cover the 3 categories of, advocacy, capacity building and service delivery. Education which is offered by most of them is part and parcel of the service delivery.

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Table 4.1: Rehabilitation programmes

Organization Name	Advocacy and policy Development	Capacity building	Service delivery
SOLWODI	Advocacy for protection of children and women from sexual exploitation.	Life skills training, vocational skills training, training community workers and Peer Counselors	Counseling, rescue
SOLGIDI	Lobbying for gender equality and child friendly policies.	Providing education for child sex workers and former child sex workers,	Counselling children & parents, providing basic services to child sex workers, referrals for treatment of STIs. Basic education, feeding, rescue
Mahali pa Usalama			Rescue ,Counselling, referral
Tononoka Child Protection Centre		Life skills training, referral for vocational skills training.	Drop in centre, counseling, feeding, referrals for other services like medical, sports, education
Olive Rehabilitation centre			Education, counseling
Likoni Secondary School (Kick Aids out of Kenya Programme)			Education, counseling
Likoni Rehabilitation School			Counseling, education, sports, rehabilitation

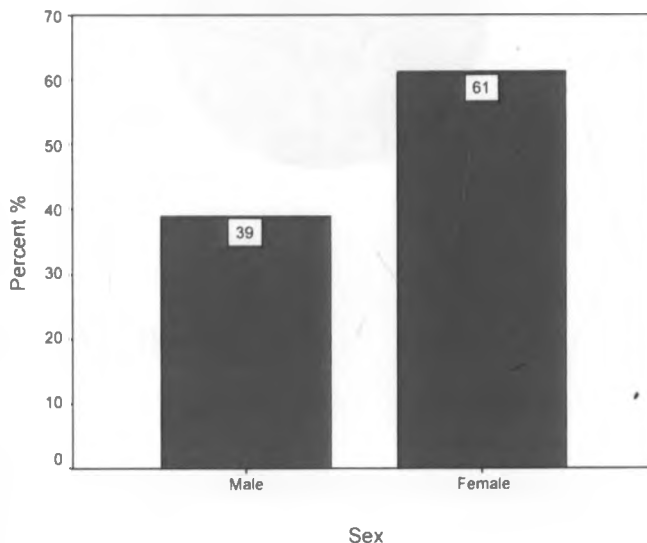
Source: Survey data

4.1 Social Demographic Characteristics

4.1.1 Distribution of respondents according to gender

The total respondents, in this case children who are vulnerable to sex exploitation in the tourism industry were distributed as follows; 61.1% female and 33.9 % male as shown in figure 4.1. This implies that the female gender is more vulnerable to sexual exploitation compared to their male counterparts. This can be attributed to gender discriminations which disadvantage the female children thus making them more vulnerable.

Figure 4.1: Distribution of respondents according to gender



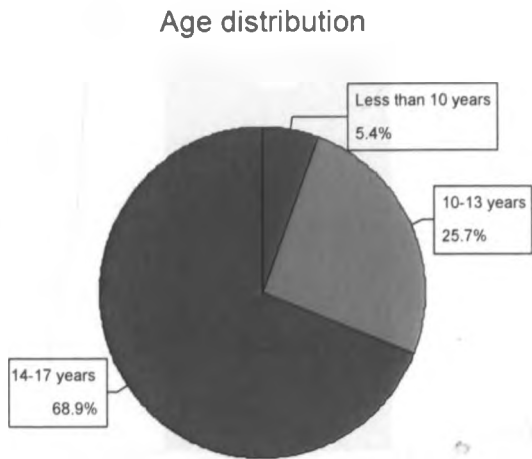
Source: Survey data

4.1.2 Distribution of Respondents According to Age

The age bracket of 14-17 years is the most affected (68.7%) of the respondents. The second most affected were children that fall in the age bracket of 10-13, with 25.7%. Children aged below 10 years (5.4%) were the least affected as shown in figure 4.2. The vulnerability of children in the age bracket of 14-17 can be attributed to adolescence and the adventuring nature of children at this age. They are prone to peer pressure that affects them as adolescents. This is also an age when many vulnerable children drop out of school after primary school thus being exposed to many risks. Children in the age bracket of 10-13 years were less vulnerable compared to those within the range of 14-17 years.

Children aged less than 10 years were the least vulnerable because they are mainly still under the care of their parents or guardians.

Figure 4.2: Distribution of respondents according to age

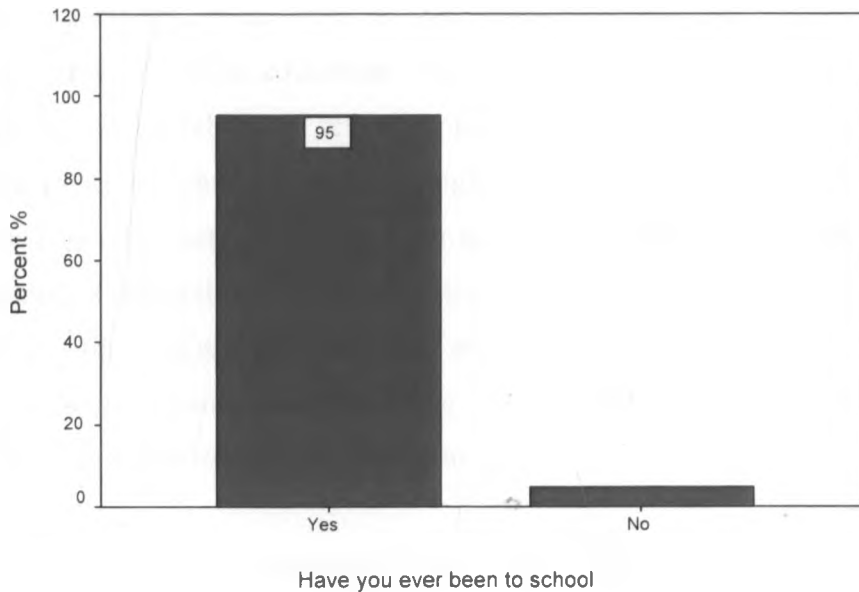


Source: Survey data

4.1.3 Distribution of respondents according to whether they had attained education or not

Respondents were distributed according to whether they had attained education or not to determine the effect of education on their vulnerability to sexual exploitation and to their right of participation in rehabilitation programmes. The respondents who had been to school at some point in their life were 95% while 5% had never been to school as shown in figure 4.3. Most of the children in the rehabilitation programmes therefore had attained some level of education probably due to the free primary education programme.

Figure 4.3: Distribution of respondents according to whether they had attained education



Source: Survey data

4.2 The effect of education on children’s right of participation in rehabilitation programmes.

4.2.1: The level of education versus vulnerability to sexual exploitation

As shown in figure 4.3, 95% of the respondents had been to school at some point in their life while 94.9% of that total were currently in school and only 5% had never been to school. In considering the school-going children, those in upper primary (standard 5-8) were found to be the most affected that is, 40.3%. Next to this group were the children in lower primary school representing 28.0% followed by children in secondary school with 16.1% in junior forms and 14.5% in senior forms. This pattern implies that the level of education has an impact on the level of vulnerability to sexual exploitation. Children with primary level of education are the most vulnerable, which can be attributed to the fact that children at that level have limited capability of making informed decisions to protect themselves due to their limited life experiences hence rehabilitation programmes should have targeted approaches that appeal to such age groups. Participation is one key approach.

For the children who were not in school, the highest educational level attained was Std 5-8 at 41.3%. Children who dropped out of school while in lower primary were 19% while 25.4% dropped out at secondary school level (9.0% and 14.3%) from junior and senior forms respectively. There were no out of school children in the programmes who had attained tertiary level of education. This implies that the level of education is significant in children's vulnerability to sexual exploitation. For those who had attained primary and secondary school education, those in higher classes were the most affected. Since higher classes generally correspond with older ages, this finding indicates that age is significant in children's vulnerability to sexual exploitation. The children's sense of independence at older ages pre-disposes them to sexual exploitation. It shows that older children who are out of school are more vulnerable than younger ones; hence rehabilitation programmes should be designed to respond appropriately.

4.2.2 Children's level of education versus participation

Most of the respondents who were in school and indicated that they were able to express their opinion in the programmes were in between class 5-8 (33.3%) while the least (1.1%) were in tertiary institutions. Others are shown in the table 4.2. This was an indication that the freedom of expression grew with the level of education as children in secondary school were also doing well in terms of participation. Those in tertiary education were the least in percentage as they were also the least in number in the rehabilitation centres.

Table 4.2: Level of education for school going children versus expression of opinion.

Level of education for school going children	Expression of opinion			
	Yes		No	
	Frequency	%	Frequency	%
Std 1-4	33	17.7%	19	10.2%
Std 5-8	62	33.3%	13	7.0%
Form 1-2	27	14.5%	3	1.6%
Form 3-4	25	13.5%	4	2.2%
Total	147	79%	39	21%

Source: Survey data

The respondents who were out of school but had attained a level of education of between std 1-4 was 25.4% and those who had reached std 5-8 were 41.3%. No respondents in this group had reached tertiary level of education. Most of the respondents (23.8%) who had reached std 5-8 said they were able to express their opinion in the programmes as opposed to 17.5% who said they were not able to express their opinion. Those who had reached std 1-4 and were able to express their opinion were 11.1% against 14.3% who were not able to express their opinion. Again, here, level of education contributed to participation. Others are shown in table 4.3.

Table 4.3: Level of education for out of School children versus expression of opinion.

Level of education for out of school children	Expression of opinion			
	Yes		No	
	Frequency	%	Frequency	%
Std 1-4	7	11.1%	9	14.3%
Std 5-8	15	23.8%	11	17.5%
Form 1-2	9	14.3%	3	4.8%
Form 3-4	6	9.5%	3	4.8%
Total	37	58.7%	26	41.3%

Source: Survey data

The two tables above show that the level of education mattered a lot in regard to the respondents' participation signified by their expression of opinion.

4.2.3 Education versus knowledge of Children Act

The School going children were asked about their knowledge of the Children Act as one of the indicators of knowledge on child rights and therefore knowledge about the right of participation. Most of the respondents 15.1% were in school at the level of std 5-8 and had knowledge of the Children Act. The respondents who had the same knowledge in form 1-2 and form 3-4 were 7.5% each. This was an indication that most of the respondents as shown in table 4.4 (65.5%) of the whole population did not have knowledge regarding the Children Act. Others are shown in table 4.4.

Table 4.4: Children’s level of education versus knowledge of the Children Act

Level of education	Knowledge of Children Act			
	Yes		No	
	Frequency	%	Frequency	%
Std 1-4	7	3.8%	45	24.2%
Std 5-8	28	15.1%	47	25.3%
Form 1-2	14	7.5%	16	8.6%
Form 3-4	15	8%	14	7.5%
Total	64	34.4%	122	65.6%

Source: Survey data

There were higher percentages of children at the higher levels of education who had heard of the Children Act as opposed to those in the lower levels of education. However, there were more children from the lower levels of education in the rehabilitation programmes. Therefore the children at the lower levels of education need information on the Children Act more than the ones at the higher levels of education. This is critical because the children at the lower levels of education are the younger ones and at the same time, they are very vulnerable to sexual exploitation judging by the magnitude of their presence in the rehabilitation programmes.

4.3. Effect of the activities undertaken in the programmes on children’s participation.

4.3.1 Activities in the Programmes

The type of activities in which the children participate while in the rehabilitation programmes influence the children’s participation in the programmes. The activities which were offered in the programmes included life skills training, formal education, singing and dancing, counseling, drama, vocational skills training and income generation.

These were categorized into two; educational and Non educational activities. The educational activities included formal and non-formal education while non-educational activities included life skills training, singing and dancing, counseling, vocational skills training, drama and income generation. Most of the respondents 57.6% were engaged in both educational and non-educational activities while the least 7.5% were only engaged in educational activities as shown in the table 4.5.

Most of the children in both boys and girls Focus Group Discussions said they take part in activities such as sports, debates, looking after livestock, working on the school farm and helping with the cooking. Some of them said they meet within their boarding houses on weekly basis to discuss their issues. Counseling is another activity that all the children said they undergo.

Table 4.5: Activities Undertaken.

Type of activity	Frequency	%
Both educational and non-educational activities	147	57.6
Non-educational activities only	89	34.9
Educational activities only	19	7.5
Total	255	100

Source: Survey data

4.3.2 Educational Activities

SOLGIDI had the highest percentage of respondents 31.6% who were only involved in educational activities. In the same organization, 21.1% were in between 14 – 17 years, 10.5% were in between 10-13 years while there were no respondents below 10 years. Olives Rehabilitation Centre was the only organization which had children of less than 10 years undertaking only educational activities. Almost all organizations had children in the age bracket of 10-13 years who were involved in educational activities only. Olives Rehabilitation Centre did not have respondents of age bracket 14-17 years involved in educational activities only.

4.3.3 Non-educational activities

Only SOLWODI had children of less than 10 years (2.2%) who were involved only in non-educational activities. It was also the organization which had the highest percentage (37.1%) of children aged between 14-17 years. SOLWODI had the highest percentage of children who were involved in non-educational activities only (44.9%). The Kick AIDS out of Kenya programme had the least percentage of children (5.6%) who were involved only in non-educational activities as shown in table 4.6. Olives Rehabilitation Centre did not have children of the age bracket 14-17 years involved in non-educational activities only.

4.3.4 Both educational and non-educational activities

Likoni Rehabilitation School had the highest percentage (22.4%) of respondents undertaking both educational and non-educational activities followed by Mahali pa Usalama (20.4%), SOLGIDI (17%) while the least (7.5%) were found in the Kick AIDS out of Kenya programme. Others are shown in table 4.6.

Olives Rehabilitation Centre did not have children aged above 13 years because the Centre operated mainly as a school up to standard four after which they were transferred to local schools as indicated by one of the key informants.

Table 4.6: Cross tabulation of Organization, Age and Type of activities done

TYPE OF ACTIVITY	ORGANIZATION	Age					
		Less than 10 yrs		10-13 years		14-17 years	
		Frequency	%	Frequency	%	Frequency	%
Both educational and Non-educational activities	Kick AIDS out of Kenya	0	0%	1	7%	10	6.8%
	Likoni Rehabilitation School	0	0%	9	6.1%	24	16.3%
	Mahali Pa Usalama	6	4.1%	15	10.2%	9	6.1%
	Solgidi	1	7%	4	2.7%	20	13.6%
	Solwodi	0	0%	1	7%	12	8.2%
	Tononoka Social Hall (CYP)	0	0%	4	2.7%	19	12.9%
	Olives Rehabilitation Centre	4	2.7%	8	5.4%	0	0%
	Total	11	7.5%	42	28.6%	94	63.9%

Source: Survey data

4.3.5 Information on Purpose of Activities

The respondents were asked if they know the activities which were offered in their centres. 90.7% said that they knew while only 9.3% said they did not know. The 9.3% could be attributed to children who had recently joined the programmes or they had just not been informed about the activities. The children were asked if they knew the purpose of the activities offered in the programmes as a way of assessing if they are exercising their right of participation in terms of receiving information. The children's understanding of the purpose of the activities has an impact on their participation. Children are likely to find it beneficial if they have been informed of the purpose of the activities offered in the programme. That information contributes towards their meaningful participation.

The study looked at the children’s perception of the purpose of the activities in the programmes, which is based on whether they are provided with information on why those activities are provided. If they have the information, then they can participate. Most of the respondents (65%) said that the purpose of the activities was education while the least (0.4%) said it was income generation. There are those respondents who said they did not know (7.6%), which was an attribution of lack of information as shown in table 4.7.

Table 4.7: Purpose of Activities offered in the Programme.

Purpose of activities	Frequency	%
Education	145	65%
Vocational skills training	33	14.8%
Don’t know	17	7.6%
Recreation	14	6.3%
Counseling	13	5.8%
Income generation	1	0.4%
Total	223	100%

Source: Survey data

4.3.6 Source of Information about Purpose of Activities.

For the children to participate fully, they require to be provided with information concerning the purpose of the activities in that program. The access of information and the nature of the available information will determine the willingness of their participation in the program. This provides the children with an opportunity of evaluating the importance and relevance of the program and it also empowers them to make an input in terms of ideas. There are various channels through which the respondents were provided with information concerning the purpose of the activities offered in the programmes. The channels are provided in table 4.8;

Table 4.8: source of information on purpose of activities.

Source of information	Frequency	%
Informed by staff of the centre	105	50.2
Heard from other children	98	46.9
Heard from the Police	4	1.9
Read from written literature at the centre	2	1.0
Total	209	100

Source: Survey data

Majority of the children heard about the purpose of the program from the staff of the centers (50.2%) and from their peers at the centre (46.9%). Posters and other sources of information contributed less than 3%. The high percentage of information from fellow children on the purpose of the activities further confirms that many children had received information about the activities and were therefore confident enough to pass on the same information to their peers. Confidence in the activities of the program therefore has a positive impact on participation. The staff of the centres on the other hand have a big role to play in informing the children why those activities are being offered.

4.3.7 Frequency of Attending Programme Activities.

As mentioned earlier, a large number of respondents were attending school meaning that the activities that are offered in the centers were mainly supplementary to school activities which implies that the centres recognize the importance of school. The table 4.9 shows their frequency of participation.

Table 4.9: frequency of attendance of activities.

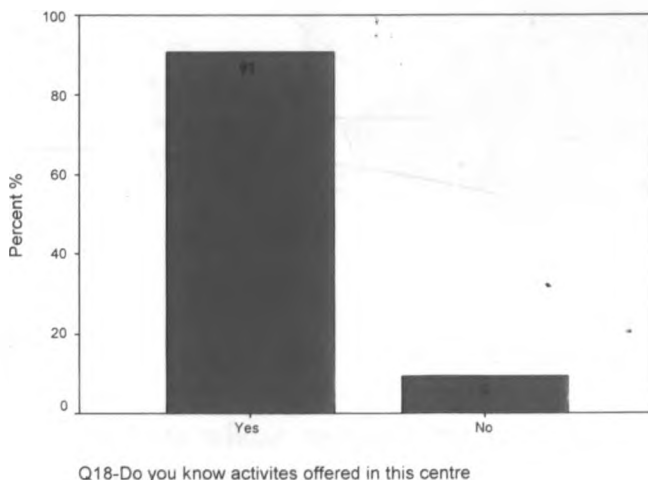
Frequency of attendance	Frequency	%
After School Monday to Friday	99	38.5%
A few times per week	76	29.6%
Full time Monday to Sunday	37	14.4%
Occasionally	24	9.3%
Once a week	20	7.8%
Once a month	1	0.4%
Total	257	100%

Source: Survey data

38.5% of the respondents participate in activities of the centres after school from Monday to Friday, 29.6% participate a few times per week and 14.4% participate on a full time basis from Monday to Sunday.

Awareness of the children about the activities of the programmes and the purpose boosts the frequency of attendance in these activities. Children should be aware of the various activities, the purpose, time at which they happen and the venue, otherwise these activities are likely to go unnoticed. From the results attained from the respondents, 90.7% of them knew the activities offered by the centers as provided in the figure 4.4.

Figure 4.4: Knowledge about activities offered.



Source: Survey data

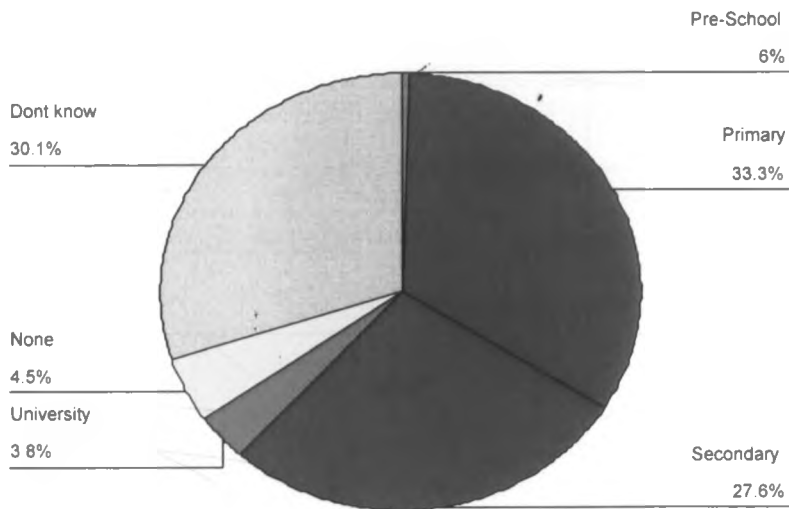
This is a clear indication that the programmes had made necessary efforts to inform the children about their activities, which in turn promoted the children's participation.

4.4 The effect of the presence of parents on the children's participation in rehabilitation programmes.

Most (59.8%) of the respondents had a living mother while 35% did not have a mother. The least 5.1% did not know whether their mother was alive or not.

For the respondents whose mothers were alive, 33.3% of those mothers had received primary education. 30.1% of the respondents did not know their mothers' level of education. 3.8% indicated that their mothers had received university education. Others are shown in figure 4.5.

Figure 4.5: Level of education of respondent's mothers.



Source: Survey data

The respondents whose mothers had received university education probably lacked quality time with their mothers, just like the case of many others whose parents may have been too busy to provide proper care for their children despite whatever level of education that they may have. This point was emphasized by the answers to the questions

which asked about their parents' occupation. The highest percentage, 37.2% of the mothers were in business which could signify an aspect of lack of time for their children hence having no influence over them. Only 3.2% did not know the occupation of their mothers.

Most of the respondents (48.6%) had living fathers while 44.4% had lost them. When asked about the level of education of their fathers, 32.3% of the respondents said they had attained secondary level of education. However, most of the children (37%) did not know their father's level of education. Among the male parents, 34.9% were on wage employment, while 30.2% were on casual labour. Others are shown in the table 4.10.

Table 4.10: Respondents' fathers' level of education

Father's level of education	Frequency	%
Don't know	47	37.0%
Secondary School	41	32.3%
Primary School	24	18.9%
University	12	9.4%
None	3	2.4%
Total	127	100%

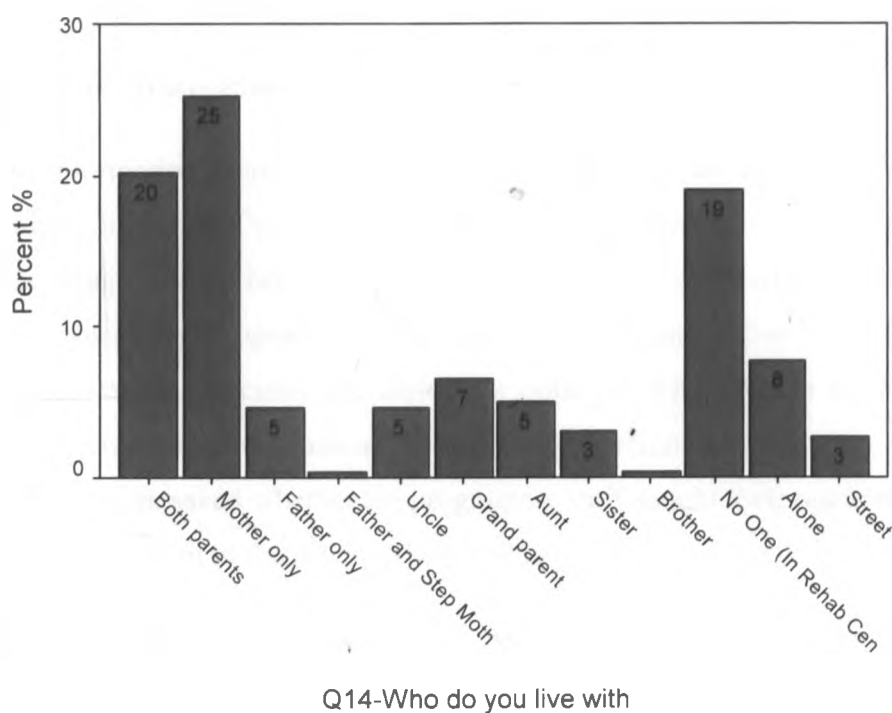
Source: Survey data

Half of the children lived with at least one parent. Most of the respondents (25.3%) lived with their mothers while 20.2% lived with both parents and 5% lived with their father only while 19.15% lived in the rehabilitation centres. The environment where children live contributes to the decisions that they make. Whether children lived with their parents or not contributed to how children participated in the rehabilitation programmes in different ways. 7.8% of the children lived on their own which meant that their decisions about participation depended on self. 19% lived in the rehabilitation centres. There were

2.7% who lived on the streets which meant that their participation was mostly influenced by the street environment. This is illustrated by a statement by one of the children in the focus group discussions who said, *“I don't even know the face of my mother, I first lived with my uncle but after growing up I run away because of beatings which I used to get from him any time I tried to raise an issue”*;

Others are shown on the figure 4.6.

Figure 4.6: The person who respondent lives with.



Source: Survey data

4.5 Influence of programme staff on children's participation in rehabilitation programmes.

Despite the significance of children's participation in the rehabilitation programmes, the effectiveness and efficiency of the program staff impacts on that participation. Effectiveness and efficiency of program staff determines if the children will feel that they have the space to participate or not.

4.5.1 Provision of Information to Children

Most children (82%) were provided with information concerning the purpose of the activities at the centres while 18% were not. Program staff are expected to provide children with the necessary information that will enable them to know what activities are offered and the reason for participating in those activities. They should provide them with information concerning the logic behind all the activities so as to enable them to realize the importance of participating. This was established by asking the respondents whether the staff tell them the reason why they engage them in such activities. This is an important factor which will enable the children to have confidence and to feel valued.

4.5.2 Flow of information

Flow of information is an important factor in determining the success of any organization in attaining its goals. Communication breakdown is certain to undermine coordination and encourage unruly behavior that will undermine the efforts of programmes from attaining objectives. Program staff are expected to encourage free flow of information in the centres, more especially the children's opinions. The opinion of the children will enable effective decision making within the programmes. To ascertain this, the respondents were asked whether the programme staff sought their opinion concerning the activities undertaken in the center. The result is provided in table 4.11.

Table 4.11: If the staff seek children's opinion about activities in the programme

Staff seek children's opinions	Frequency	%
Yes	198	77.0
No	59	23.0
Total	257	100.0

Source: Survey data

Majority of the respondents (77%) said that they were asked for their opinion. This is a positive and professional trait that is a sure way of promoting the participation of children in the programmes.

The manner in which an opinion is sought is also important. It should be requested in a manner that will encourage the children to give the opinion. Children can be encouraged to give their opinions individually, in groups or even to give their opinion anonymously. This was established by asking for the ways in which opinions were sought from the children by the staff of the programmes. Most of the respondents (60.3%), said that the staff in the programmes ask for their opinion in groups while the least (0.5%) said that they were asked to write down their ideas without giving their names. The findings implied that the staff employed different methods of obtaining children's opinions on the programmes as shown in table 4.12.

Table 4.12: How children's opinion in programme is sought.

How opinion is sought	Frequency	%
In groups	162	81.4
Individually	36	18.1
Write down opinion	1	0.5
Total	199	100.0

Source: Survey data

Seeking opinion in groups implies that children have the freedom of association. Seeking opinion from the children individually implies that the children's individual capacities and concerns are recognized and there is freedom of expression between the staff and the children. All this promotes the participation of children. The kind of questions that were frequently asked concerning the children's opinion of the activities are provided in table 4.13.

Table 4.13: The kind of question asked by the staff.

Kinds of questions asked	Frequency	%
Suggestions about the activities	95	47.7
If child likes the centre	56	28.1
Preferred activities	45	22.6
Knowledge about why child was brought to centre	3	1.5
Total	99	100

Source: Survey data

4.5.3 Communication Channel

The nature of the communication channel chosen by an organization impacts on whether an idea or a message will be conveyed, be timely or useful. Organizations that adopt long chains of communication normally experience delay in conveying information. To establish the communication channels adopted by the various programmes, the following study findings were attained as shown in table 4.14.

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Table 4.14: How children convey their ideas to the staff in the programme

How children convey ideas	Frequency	%
Through designated member of staff	179	69.9
Through designated child	61	23.8
Have no opportunity to convey ideas	7	2.7
Through regular forums	5	2.0
Through suggestion box	4	1.6
Total	256	100.0

Source: Survey data

The dominant method (69.9%) that was used was to tell a designated member of staff. This was followed by the method of telling a designated child representative who then conveys the idea to the staff in the programmes (23.8) while 2.3% of the respondents said that they did not have any opportunity to express their opinion in the programmes which is a negative aspect as far as participation is concerned. Key informants (75%) talked of consultations between the children and the staff and 25% said that there are children's representative bodies like councils through which children convey their issues to the management of the programmes. They said this creates a conducive environment to address the needs of the children thus promoting their participation in rehabilitation programs.

4.5.4 Description of respondents' treatment in the programmes and rating of programme by the respondents

Most of the respondents (61.7%) rated the programmes as good while the least (2.8%) rated them as poor as shown in the table 4.15. The majority of respondents (35.7%) felt that they were free to join groups where they can express themselves and rated the programmes as fair. This signified that most of the respondents were happy with the programmes.

Most of the respondents who felt that they were fully exercising their right of participation , signified by the feeling that their opinions were being taken into account, said they were able to give their opinion to the staff, were free to join groups and express themselves, were able to hold discussions with their peers and lastly, they were provided with information. This group which accounted for 61.7% and 29.8% appraised the programmes as good or very good respectively as shown in table 4.15. This showed that most of the respondents were happy with the programme because they had the space to exercise their participation.

Table 4.15: Description of respondents' treatment in the programmes versus their rating of the programmes.

Description of respondents treatment in programme	Rating of programme by respondents							
	Very good		Good		Fair		Poor	
	Frequency	%	Frequency	%	Frequency	%	Frequency	%
Respondents opinion taken in to account	15	6.0%	38	15.3%	3	1.2%	1	0.4%
Respondent able to give opinions to the staff	22	8.9%	45	18.1%	2	0.8%	1	0.4%
Free to join groups and express oneself	13	5.2%	27	10.9%	5	2.0%	0	0.0%
Able to hold discussions with fellow children	17	6.9%	36	14.5%	2	0.8%	3	1.2%
Provided with information on matters concerning oneself	7	2.8%	7	2.8%	2	0.8%	2	0.8%
Total	74	29.8%	153	61.7%	14	5.6%	7	2.8%

Source: Survey data

4.6 Children's awareness of their right of participation in rehabilitation programmes.

4.6.1 Learning about Children's Rights in the Programmes

When the respondents were asked whether they learn about children's rights in the programmes, most (73.2%) confirmed that they learn about child rights in their programmes while 26.8% said that they do not. This was confirmed by 75% in both boys and girls Focus Group Discussions who said they are aware of child rights.

For those who learned about their rights, when they were asked to name them, 67% mentioned the right to life and 26.1% mentioned the right to education. This can be attributed to every child's wish to go to school and the challenges that are blocking many children from going to school despite the free primary and secondary school education policy. Other rights mentioned were the right to be cared for (23.6%) probably because of the experiences of abuse and exploitation that they have undergone.

Most (99%) of the key informants said that following the issuance of the guidance on child participation by the government in 2008, efforts are being made by the government and non-governmental organizations to sensitize children about their right of participation through channels like teaching, group counseling and workshops and they are also beginning to give them space to air their views in matters concerning them. Most of the respondents (73.2%) said that they were taught child rights in the rehabilitation programmes, which confirms the key informants' assertion that efforts are being made to sensitize children on their rights. Children who are aware of their rights are more likely to exercise their right of participation than those who are not aware. Most of the girls (90%) in the focus group discussions appeared to be more informed about child rights than boys' Focus Group discussions where only about half exhibited knowledge of child rights.

4.6.2 Level of education for in and out of school children versus knowledge of the Children Act

More respondents who were in school at the level of standard five to form two had more knowledge of the Children Act than those who had reached the same level but were out of school. The in-school respondents who were in form 3-4 and had knowledge of the Children Act were 21.9% against 32% who were out of school but with the same level of education as shown in table 4.16. This could be attributed to the fact that children who are out of school and are in the rehabilitation programmes have more time and opportunity to learn about children's rights in the programmes or they may have been more exposed to the justice system like being taken to court, which may have provided them an opportunity to hear about the Children Act. On the other hand, the in-school children do not have as much time to spend in the rehabilitation programmes and their being protected from abuse and exploitation by being in school ironically denies them the opportunity to hear about the children Act as much as the out of school children do. Knowledge of the Children Act is indication that the children have some knowledge of child rights.

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Table 4.16: Level of education for in and out of school children versus knowledge of the Children Act

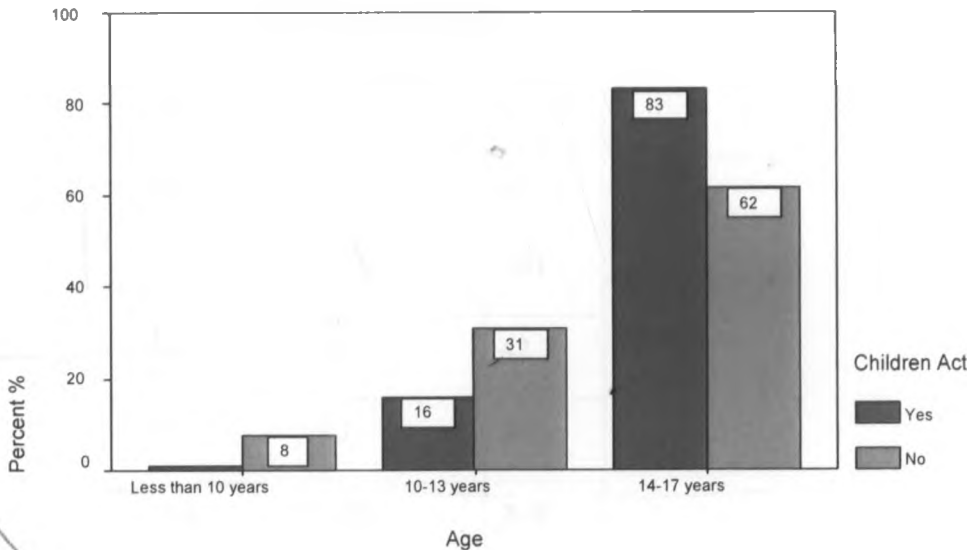
Level of education	Children with knowledge of Children Act			
	Yes		No	
	Frequency	%	Frequency	%
Std 1-4	3	12.0%	7	10.9%
Std 5-8	10	40.0%	28	43.8%
Form 1-2	4	16.0%	14	21.9%
Form 3-4	8	32.0%	15	21.9%
Total	25	100.0%	64	100.0%

Source: Survey data

4.5.3 Age versus knowledge of Children Act

The least percentage of respondents (1.1%) in the age less than 10 years had heard about the Children Act, with 7.7% in that age who had not heard about it. Most of the respondents (83%) within the age 14-17 years had knowledge about the Children Act. This signified that the age rather than level of education played a pivotal role in knowledge about the Children Act. Knowledge of the Children Act is knowledge of child rights. Others are shown in the figure 4.7.

Figure 4.7: Age versus children act



Source: Survey data

From the key informants (100%) confirmed that the government and child rights organizations are now striving to give more and more space to children to manage their affairs like during children's events such as the Day of the African Child and others with adults giving a supportive role instead of leading the process. However this is event based as opposed to child participation being an integral part of programmes involving children.

4.7 Hypothesis testing

There are three hypotheses which were set forth in this study. The following is their statistical tests showing the relevance of various variables in explaining children's participation in rehabilitation programmes. The study employs Chi Square test which is a

significance test that determines whether a relationship exists between categorical variables if the null hypothesis is true.

4.7.1 Children’s level of education has an effect on their right of participation in rehabilitation programmes.

The variables used were level of education and Children’s opportunity to meet and discuss their issues.

Table 4.17: Level of education and Children’s opportunity to meet and discuss their issues.

Level of education	Opportunity to meet and discuss their issues		
	Yes	No	Total
Std 1-4	40	28	68
Std 5-8	77	24	101
Form 1-2	36	6	42
Form 3-4	31	7	38
Total	184	65	249

$$\chi^2 = 7.815, df=3, p<.05$$

Source: Survey data

The critical value of Chi Square for 3 degrees of freedom at 0.05 level of significance is 7.815. The calculated value of Chi Square is 13.039 which is higher than the critical value. We therefore accept the alternative hypothesis that there is a relationship between the level of education and children’s participation.

4.7.2 Programme staff have an influence on how children participate in rehabilitation programmes.

The variables were; if staff seek children’s opinions on activities of the programme and children’s knowledge about participation.

Table 4.18 Influence of programme staff versus children's participation

If staff seek children's opinion on activities of the programme	Children's knowledge about participation		
	Yes	No	Total
Yes	53	144	197
No	11	48	59
Total	64	192	256

$\chi^2 = 3.841, df = 1, p < .05$

Source: Survey data

The critical value of Chi Square for 1 degree of freedom at 0.05 level of significance is 3.841. The calculated value of Chi Square is 12.286 which is higher than the critical value of the chi square at 1 degree of freedom and accept the alternative hypothesis that there is a relationship between the influence of the programme staff and children's right to participate in rehabilitation programmes.

4.7.3 There is a relationship between children's awareness of their rights and their participation in rehabilitation programmes.

To test this hypothesis, these variables were used; if children learn about child rights at the centres and how children convey ideas to staff at the centres. This was measured by asking whether the children conveyed ideas through members of staff, through other children or whether they had no opportunity to convey their ideas to the members of staff.

Table 4.19: children’s awareness of their rights versus how they convey ideas at the centres.

How children convey their ideas at the centres	If children learn about child rights		
	Yes	No	Total
Through a designated member of staff	128	51	179
Through a child representative	48	13	61
No opportunity to convey ideas	11	5	16
Total	187	69	256

$\chi^2 = 5.991, df = 2, p < .05$

Source: Survey

The critical value of Chi Square for 2 degrees of freedom at 0.05 level of significance is 5.991. The calculated value of Chi Square is 1.112 which is lower than the critical value of chi square for 2 degrees of freedom. Therefore there is no relationship between children’s awareness of their rights and their participation in rehabilitation programmes. This test result was a surprise to the Researcher as the literature has shown that when children are made aware of their rights, they take an active role by participating in the realization of those rights. It was also evident from the two Focus Group Discussions. The girl’s group which appeared to be more informed of child rights were more critical about their participation in that 65 Percent of them felt that they were not participating adequately. The boys group on the other hand appeared to be less informed about child rights and 70 percent of them felt that they have the freedom of participation in the programmes.

CHAPTER FIVE: SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATIONS

This chapter is divided into the following sub-headings: summary of the findings, conclusion and recommendations. Suggestions for further research have also been made.

5.1 Social Demographic characteristics

Female children are more vulnerable to sexual exploitation compared to their male counterparts which is attributed to gender discriminations that disadvantage the female children.

Children in the age bracket of 14-17 years are the most affected by sexual exploitation (68.7%) which can be attributed to the adventuring nature of children at this age and the fact that they are more prone to peer pressure that affects them as adolescents. Children aged less than 10 years were found to be the least vulnerable because they are mainly still under the care of their parents or guardians. Most of the respondents had attended school to some level.

5.1.2 The effect of education on children's participation in rehabilitation programmes.

School-going children in upper primary (standard 5-8) were found to be the most affected (40.3%) followed by children in lower primary school (28.0%). Children in secondary school from junior forms and senior forms were 16.1% and 14.5% respectively. This pattern showed that the level of education has an impact on the level of vulnerability to sexual exploitation where children with only primary level of education are more vulnerable, which can be attributed to the limited capability of making informed decisions to protect themselves because of their limited life experiences. Also it implies that education is significant in children's vulnerability to sexual exploitation.

Most of the school going children who were able to express their opinion were in between class 5-8 while the least were in tertiary institutions which is an indication that the freedom of expression grew with the level of education. Also the level of education

mattered a lot in regard to the respondents' participation which was signified by their expression of opinion. There were higher percentage of children at the higher levels of education who had heard of the Children Act as opposed to those in the lower levels of education. Therefore children at the lower levels of education need information on the Children Act more than the ones at the higher levels of education. This is critical because the children at the lower levels of education are the younger ones and are very vulnerable to sexual exploitation judging by the magnitude of their presence in the rehabilitation programmes. Information on the Children Act will increase their awareness about their right of participation, hence promoting their participation and in turn contributing to their feeling of fulfillment in the rehabilitation programmes.

5.1.3 Effect of the activities on children's participation in the rehabilitation programmes.

The activities offered in the programmes were categorized into educational and non-educational activities. The educational activities comprise formal and non-formal education while non-educational activities are life skills training, singing and dancing, counseling, vocational skills training, drama and income generation. Most of the respondents engaged in both educational and non-educational activities.

SOLGIDI had the highest percentage of respondents (31.6 %) involved in educational activities. Olives Rehabilitation Centre was the only organization which had children of less than 10 years undertaking only educational activities. It is also the only programme which did not have respondents in the age bracket of 14-17 years. The Centre operated mainly as a school up to standard three and the children were transferred to local schools after completing that level.

The respondents were asked if they knew the activities which were offered in their centres and 90.7% said they knew while 9.3% said they did not know. We could attribute the lack of knowledge by the 9.3% of the respondents to the fact that these children had either just recently joined the programmes or they were not informed.

The high percentage of children who said they received information from fellow children in the programmes on the purpose of the activities confirms that many children had received information about the activities and were therefore confident enough to tell their peers about them.

Most of the respondents were attending school mainly as supplementary to other activities which imply that the centres recognize the importance of school as a way of protecting children from sexual exploitation while 38.5% of the respondents participated in activities at the centres after school from Monday to Friday, 29.6% participated a few times per week and 14.4% participated on a full time basis from Monday to Sunday. There were 90.7% respondents who knew the activities offered by the centers. This indicates that the programmes had made necessary efforts to provide the children with information about the activities. More of the children who took part in both educational and non-educational activities were able to voice their opinions, join in groups and received information about their rights and about the programmes hence they were participating more than the children who took part only in educational activities or non-educational activities.

5.1.4 The effect of the presence of parents in a child's life on the child's participation in rehabilitation programmes.

Most (59.8%) of the respondents said their mothers were alive while 35% said they had lost their mothers. Some respondents did not know whether their mothers were alive or not. Half of the children lived with at least one parent. Most of the respondents (25.3%) lived with their mothers while 20.2% lived with both parents and 5% lived with their father only while 19.15% lived in the rehabilitation centres.

The different environments contributed differently to the decisions that children made in regard to exercising their right of participation in the programmes.

5.1.5 Influence of programme staff on children's participation in rehabilitation programmes.

The effectiveness and efficiency of the program staff impacts on children's participation in rehabilitation programmes. It determines if the children will feel that they have the space to participate or not.

Most children (82%) said they were provided with information concerning the purpose of the activities at the centres. Program staff are expected to provide children with the necessary information that will enable them to know what activities are offered and the reason for participating in those activities to enable the children to have the confidence and interest to participate.

Majority of the respondents (77%) said their opinions were sought concerning the programmes. This indicated therefore that there was shared decision making between the children and the staff of the centres hence making the programmes more effective. The respondents were asked whether the programme staff sought their opinion concerning the activities undertaken in the center. It was noted from the findings that the staff employed different methods of obtaining children's opinions on the programmes

To establish the communication channels adopted by various programmes it was noted that the dominant method (69.9%) used was to tell a designated child representative or designate member of staff. The designated person then conveyed the idea to the staff in the programmes which creates a conducive environment to address the needs of the children thus promoting their participation in rehabilitation programs.

5.1.6 Children's awareness of their right of participation in rehabilitation programmes.

Respondents were asked whether they learned about children's rights in the programmes and 73.2% confirmed that they did while 26.8% said they did not. For those who learned about their rights, when they were asked to name them, 67% mentioned the right to life. 26.1% mentioned the right to education and 23.6% said that children have a right to be cared for.

The in-school respondents in form 3-4 who had knowledge of the Children Act were 21.9% against 32% who were out of school but with the same level of education which can be attributed to the fact that children out of school but in the rehabilitation programmes have more time and opportunity to learn about children's rights. In-school children have less time to spend in the rehabilitation programmes and further they are protected from abuse and exploitation by being in school.

Most of the respondents (83%) in the age group 14-17 years had knowledge about the Children Act while 1.1% aged less than 10 years had heard about the Children Act. This showed that the age, more than level of education played a pivotal role in knowledge about the Children Act.

5.1.7 Hypothesis Testing

Two Hypotheses were accepted. These were: Children's level of education has an effect on their participation in rehabilitation programmes and programme staff have an influence on how children participate in rehabilitation programmes.. The chi square test found no relationship between children's awareness of their rights and their participation in rehabilitation programmes.

5.2 Conclusion

Female children are more vulnerable to sexual exploitation than their male counterparts and children in the age bracket of 14-17 years is the most affected which can be attributed to the adventuring nature of children at this age and peer pressure while children aged less than 10 years are the least vulnerable because they are mostly under the care of their parents or guardians.

School-going children in upper primary (standard 5-8) are the most affected followed by those in lower primary school. The level of education has an impact on the level of vulnerability to sexual exploitation. All together, children with primary level of education are more vulnerable because of their limited capability of making informed decisions and limited life experiences. Education is significant in children's vulnerability to sexual exploitation as well as in their right of participation.

The types of activities in which the children participated in the rehabilitation programmes had an effect on their decision making in respect to exercising their right of participation in the programmes

Most of the children lived with at least one parent. A few were living on their own or living at the centres. These different environments contributed to the decisions made by the children in regard to exercising their right of participation. Who the child lived with had an influence on the child's participation in the rehabilitation programmes. They were certain to provide the children with incentives or disincentives as far as exercising their right of participation in the programmes was concerned. Those who lived with their parents are the ones who exercised their right of participation most.

The effectiveness and efficiency of the program staff impacts on children's participation. The respondents who felt that their opinion was sought were 197 out of which 53 said they had knowledge of participation and 144 said they did not have. This signifies that the children who had knowledge of children's rights did not feel strongly that their opinions were being sought compared to the children who did not have knowledge of child rights. This is true of democracy in the sense that when people are ignorant of their rights, they demand less than when they are aware of their rights.

The most common communication channels by the programmes was through a designated child representative or designate member of staff who then conveyed the idea to the staff in the programmes. This created a conducive environment to address the needs of the children.

5.3 Recommendations.

This study has led to the following recommendations;

- Children who are attending rehabilitation programmes and have no parents should be provided with alternative care through foster parents.
- The staff of programmes that protect children from sexual exploitation in tourism should be sensitized on the importance of children exercising their right of participation as a way of improving the effectiveness of the programmes. They should be encouraged to give children the space to participate.

- Education promotes participation and hence is key to protecting children from child sexual exploitation in tourism therefore all efforts should be made to ensure that all children attend school.
- Government policy should clearly promote children's participation as an integral part of children's protection rather than as an event based activity.

5.4 Suggestions for further research

More research should be undertaken in the following areas;

- The relationship between children's knowledge of their rights and their protection from child sex tourism.
- The role of education in protecting children from sexual exploitation in tourism.
- The extent to which orphans and vulnerable children are affected by sexual exploitation in tourism.
- Extent to which government policy on children's participation has contributed towards protecting children from sexual exploitation.

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APPENDICES

APPENDIX I: INTERVIEW SCHEDULE FOR CHILDREN

DATE OF INTERVIEW: _____

NAME OF INTERVIEWER: _____

NAME OF ORGANIZATION OR INSTITUTION: _____

SCHEDULE NUMBER: _____

I am carrying out a study as part of my university research project to see how children participate (*Wanavyoshirikishwa*) in programmes that protect them. You are one of the children who have been selected for interview in this research. The information you provide will be confidential and you will not be identified as a respondent in this research.

GENERAL INFORMATION ABOUT THE RESPONDENT

1. What is your age? (circle one)

- 1) Less than 10 yrs
- 2) 10-13 yrs
- 3) 14-17 yrs

2. Sex

- 1) Male
- 2) Female

3. Have you ever been to school?

- 1) Yes
- 2) No (*if no, move to 7*)

4. Are you currently in school?

- 1) Yes
- 2) No (*if no, move to 6*)

5. If you are currently in school, what level are you in?

(if answered move to 8)

- 1) Std 1-4
- 2) std 5-8
- 3) Form 1-2
- 4) Form 3-4
- 5) Tertiary level (Specify) _____

6. If you ever went to school and stopped, what is the highest level of education that you attained?

- 1) std 1-4
- 2) std 5-8
- 3) Form 1-2
- 4) Form 3-4
- 5) Tertiary level (Specify)

7. If you are not in school, what are you doing?

- 1) Staying at home
- 2) staying on the streets
- 3) Working (specify) _____
- 4) Nothing
- 5) Other (specify) _____

8. Is your mother alive?

- 1) Yes
- 2) No (*if no, move to 11*)
- 3) I don't know (*If don't know, move t 11*)

9. If your mother is alive, what is her level of education?

1. Pre -school
- 2) Primary
- 3) Secondary
- 4) University
6. None
7. Don't know
8. Other (specify) _____

10. What is her occupation? (Kazi)

- 1) Farming
- 2) Trading
- 3) Casual labour
- 4) Wage employment
- 5) Other (Specify) _____
- 6) None
- 7) Don't know

11. Is your father alive

- 1) Yes
- 2) No (*If no, move to 14*)
- 3) Don't know (*if don't know, move to 14*)

12. If he is alive, what is his level of education?

- 1) Pre -school
- 2) Primary
- 3) Secondary
- 4) University
6. None
7. Don't know
8. Other (specify) _____

13. What is his occupation? (Kazi)

1. Farming
2. Trading
3. Casual labour
4. Wage employment
5. Other (Specify) _____
6. None
7. Don't know

14. Who do you live with?

- 1) Both parents
- 2) Mother only
- 3) Father only
- 4) Other (specify) _____

SPECIFIC PROGRAM INFORMATION

15. How long have you been in this centre?

- 1) 0 to 6 months
- 2) 7 months to 11 months
- 2) 1 year to 1 ½ years
- 3) 1 year 7 months to 2 years
- 4) Over 2 years

16. What activities do you do at the centre? (tick the most appropriate)

- 1) Play
- 2) Education,
- 3) Vocational skills training, (*Skills – ufundi/ujuzi/ustadi*)
- 4) Life skills training (*Life skills – ujuzi wa kuendeleza maisha*)
- 5) Income generating activities. (*shughuli/harakati za kuzalisha mapato*)
- 6) Undergo counseling (*Kupewa mawaidha/mashauri*)
- 7) Other (specify _____)

17. The type of activities carried out?

- 1) Educational activities
- 2) Non-educational activities
- 3) Both educational and non-educational activities
- 4) Other (specify) _____

18. How often do you attend those activities? .

- 1) Monday to Sunday
- 2) Once a week
- 3) A few times a week
- 4) Monday to Friday
- 5) Other (Specify) _____

PARTICIPATION INFORMATION (TICK ALL THE RELEVANT ANSWERS)

19. Do you know the activities that are offered in this centre?

- 1) Yes
- 2) No (*if no, move to Q 22*)

20. If yes, tick the most appropriate. .

- 1) Play
- 2) Education,
- 3) Vocational skills training, (*Skills – ufundi /ujuzi/ ustadi*)
- 4) life skills training (*Life skills – ujuzi wa kuendeleza maisha*)
- 5) Income generating activities. (*shughuli/harakati za kuzalisha mapato*)
- 6) Undergo counseling (*Kupewa mawaidha/mashauri*)
- 7) *Don't know*
- 8) Other (specify _____)

**21. What is the purpose (*kusudi/azma*) for those activities? (*shughuli/harakati*)
(*tick the most appropriate*)**

- 1) Education
- 2) Recreation (*starehe/kuburudika*)
- 3) Vocational skills training (*Skills – ufundi /ujuzi/ ustadi*)
- 5) Income generation (*shughuli/harakati za kuzalisha mapato*)
- 6) Counseling (*Kupewa mawaidha/mashauri*)
7. Other (specify) _____

**22. How did you find out the purpose of those activities?
(*tick the most appropriate*)**

- 1) I heard about it from other children
- 2) The staff at the centre told me
- 3) From posters and other written materials at the centre
- 4) Other (Specify) _____

23. Do the Staff of the centre tell you the reason why they involve you in any of the activities at the centre?

- 1) Yes
- 2) No

24. Do the Staff of the centre ask for your opinion (*maoni/dhana/fikara*) concerning the activities undertaken in this centre?

- 1) Yes
- 2) No (*if no, move to 26*)

25. If yes, how do they ask you? (*tick the most appropriate*)

- 1) They ask us individually
- 2) They sit with us in groups and ask us
- 3) They ask us to write down our ideas without giving our names
- 4) They ask us individually and in groups
- 5) Other (specify) _____

26. Give one example of what the Staff ask you about?

- 1) If I like the place
- 2) Which activities I prefer
- 3) My suggestions (*mashauri yangu*) about the activities
- 4) Other (Specify) _____

27. Do you get an opportunity at this centre to meet in groups of children alone to talk about things that concern you?

- 1) Yes
- 2) No (*if no, move to 29*)

28. If yes, what kind of groups do you meet in? (tick the most appropriate)

- 1) Debating groups (*vikundi vya majadiliano*)
- 2) Theatre groups (*Vikundi vya maigizo/ vikundi vya michezo ya kuigiza*)
- 3) Singing and dancing
- 4) Child rights Club (*Vikundi vya haki za watoto*)
- 5) (Specify) _____

29. How often do you participate in such groups?

- 1) Once a week
- 2) More than once a week
- 3) Once a month
- 4) Other (Specify) _____

- 1) I go to a designated member of staff and tell him/her
- 2) I tell a designated child representative who then conveys the idea to the
- 3) I wait to say it in the regular forums.
- 4) I have no opportunity to say it
- 5) Other (specify) _____

30. Do you learn about child rights at this centre?

- 1) Yes
- 2) No (*If no, move to 32*)

31. If yes, name one.

- 1) Right to life
- 2) Right not to be discriminated,
- 3) Right to be cared for by parents,
- 4) Right to education
- 5) Right to health care
- 6) Right to be protected from child labour
- 7) Right to have a name and nationality (*uraia*)
- 8) Children with disabilities (*kilema/ulemavu*) have a right to be protected
- 9) Right to be protected from violence (*madhara*) abuse (*shutumu/tukana/matusi*) and exploitation, (*dhaluma/utumwa/unyonyaji*) including sexual abuse
- 10) Right to be protected from harmful cultural practices like early marriage and female circumcision (*tohara*) (*vitendo vya kitamaduni vinavyo thulumu/leta mathara*)
- 11) Right to play
- 12) Right to privacy (*faragha*)
13. Right to protection from abuse (*kuteswa*)
14. Right to protection from abuse of drugs (*kutumia madawa ya kulevya*)

32. Have you heard about the Children Act?

- 1) Yes
- 2) No (*If no, move to 34*)

33. If yes, State one thing that the Act says

34. Out of the following statements, which one do you feel best describes how you are treated at this centre

- 1) My opinion (*maoni*) is usually taken into account
- 2) I am able to give my opinion (*maoni*) to the staff at the centre
- 3) I am free to join groups where I can express (*tamka/peana*) my views (*opinion*).
- 4) I am able to hold discussions with my fellow children
- 5) I am provided with information on (*habari kuhusu*) matters that concern me (*mambo yanayonihusu*)

35. Have you heard of child participation?

- a. Yes
- b. No (*If no, move to 37*)

36. What is child participation? (*Ushirikishwaji wa watoto/ kushirikishwa kwa watoto*)

37. What do you see as your role in the preparation of the programme activities at this centre?

- 1) Don't know
- 2) None
- 3) Giving my ideas
4. Other (Specify) _____

38. What do you see as your role in the implementation of the programme activities at this centre?

- 1) I don't know
- 2) None
- 3) Giving my ideas
- 4) Other (Specify) _____

39. Overall, how would you rate this programme?

- 1) Very good
- 2) Good
- 3) Fair (*sawa*)
- 4) Poor (*uhaba/hafifu/mbaya*)

Thank you for your time

APPENDIX II: KEY INFORMANT GUIDE

DATE OF INTERVIEW: _____

NAME OF INTERVIEWER: _____

UNIVERSITY OF NAIROBI
EAST AFRICANA COLLECTION

NAME OF ORGANIZATION OR INSTITUTION: _____

QUESTIONNAIRE NUMBER: _____

NAME OF PERSON INTERVIEWED: _____

TITLE OF THE PERSON INTERVIEWED _____

I am carrying out a study as part of my university research project to see how children participate in programmes that protect them. I have identified you as one of the key informants for the study.

I would appreciate if you could take time to answer this questionnaire.

1. What is the relevance of children's participation in the protection of their rights?

2. What is the government policy on participation of children in the fulfillment of their rights?

3. What structures have been put in place to implement this policy?

4. What is the role of children's participation in the planning of child protection programmes in Kenya?

5. What is the role of children's participation in the implementation of child protection programmes in Kenya?

6. What would you consider to be the level of success in child protection programmes that incorporate children's participation and programmes that do not incorporate children's participation?

7. What would you say is the level of children's participation in child protection programmes in Kenya?

8. What are the obstacles to children's participation in child protection programmes in Kenya?

APPENDIX III: FOCUS GROUP DISCUSSION GUIDE

I am carrying out a study as part of my university research project to see how children participate in programmes that protect them. You are some of the children who have been selected for interview in this research. The information you provide will be confidential and you will not be identified as a respondent in this research.

I would like to hold a brief discussion with you about this issue

1. What does it mean to allow children to express their views?
2. Are you aware of child rights?
3. Name some children's rights that you know
4. Please name some ways in which children express their views in this centre
5. Do you take part in any of the activities at this centre?
6. What is the importance of children giving their opinions in a centre like this one?
7. Why do you think children should express their views or opinions concerning programmes like the ones at this centre?

Thank you for allowing me to discuss this issue with you.

UNIVERSITY OF NAIROBI
EAST AFRICANA COLLECTION