

## Child Abuse in Busia Uganda: Causes, Magnitude and Consequences



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### ABSTRACT

**Purpose:** The purpose of the study research was to describe the causes, magnitude and consequences of child abuse in Busia Uganda.

**Methodology:** The researcher used a cross-sectional research design which mainly involved qualitative in-depth interviews, FGDs and questionnaires as well as a descriptive and analytical study. Qualitative and descriptive methods were used to obtain exhaustive information on causes, magnitude, consequences and possible suggestions to curb child abuse in Busia district. The study involved a sample size of 110 people selected in Busia municipality and the sub counties of Buteba, Busitema and Sikuda. The data collected was sorted and edited for completeness, inconsistency and correctness of information given by the respondents. Qualitative data was grouped into themes and sub themes of the study to determine emerging patterns and generate interpretations and notes from respondents analyzed from large volume to meaningful components to respond to research objectives/questions into small units.

**Findings:** the study found out that Poverty, poor parenting and attitude towards child protection, poor enforcement of laws, domestic violence, alcohol and drug abuse and urbanization as some respondents claimed that ignorance of the law was the cause of child abuse in Busia district.

**Conclusion:** The study concluded that child abuse remains prevalent in the district despite various legislations and mechanisms locally and globally to combat the same. The vice continues to deprive many children in the world of their rights and freedoms and compromises their well-being and development due to the various physical, psychological, emotional and health impacts associated to it.

**Recommendation:** The study recommended that government should adopt a multi-faceted approach to child abuse incorporating a combination of educational, behavioral, psychosocial, legal and economic interventions to holistically address the problem.

**KEYWORDS:** Child abuse, causes, Magnitude, consequences.

### 1.0 INTRODUCTION

#### 1.1 Background of the study

Children have specific human rights derived from the United Nations (UN) Bill of rights, and specifically the UN Convention on the Rights of the Child (CRC) which was adopted and ratified in 1989 by all UN members except the United States of America (USA) and Somalia<sup>1</sup>.

The report further estimates that between one hundred thirty-three (133) and two hundred seventyfive (275) million children worldwide witness domestic violence annually in form of physical, emotional and sexual abuse, including child neglect. In Africa, the case is not any different and estimates reveal that about thirty-eight million children in sub-Saharan Africa witnessed violence in their homes. The African child policy forum 2006 shows that more than 84% of girls in Ethiopia, 94% in Uganda and 99% in Kenya reported physical abuse, 42% of girls in Uganda, 40% in Nigeria and Burkina Faso, 30% in Ethiopia and Cameroon, 27% in democratic republic of Congo, 26% in Kenya, 27% in Senegal reported to have been victims of defilement or rape. The above is largely associated with harmful traditional practices leading to about 425 of children in Africa being forcefully married where 70-80% of girls in Chad, Mozambique, Mali and Niger marry before the age of eighteen and in some regions of Nigeria; girls marry on an average after their eleventh birth day<sup>2</sup>.

The African Union charter on the rights and welfare of the child (1990) at the continental level provides a basis for legislation and protection of children against abuse by gazetting the day of the African Child which is celebrated every 16th day of June annually

<sup>1</sup> Katie w., *theories and practices of development*, 2<sup>nd</sup> edition, Routledge, London, 2011, p 157

<sup>2</sup> ANPPCAN, *Feasibility study on viability of a regional mechanism to respond to child rights violations in east African region*, ANPPCAN, Nairobi, 2011, P 8.

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throughout the African continent with the main objective being promotion of the rights of children so as to enable or facilitate children to realize their full potential.

The constitution of Uganda has provisions to safe guard the rights of children in its articles 34 and 35 and a child specific law the Children's Act enacted in 1997 as well other legislations like the penal code Act, Cap 120, the employment Act, Act 6 of 2006, the Education Act, 2008, the Persons with disability Act, 2006, the succession Act, cap 162 and the local council courts Act, Act No 13 of 2006 all designed to promote the rights and welfare of children at national level<sup>3</sup>.

According to media reports (Daily monitor,18/01/15) Statistics released by United Nations Educational, Scientific and Cultural Organization (UNESCO) 2014 revealed that 700,000 children have no access to school, ranking Uganda 11th in the world with the highest number of children out of school. Statistics from a 2010 to 2012 UNICEF and Uganda Demographic and Health Survey (UDHS) report show that 21 per cent of teenage girls have experienced sexual violence and half the population of children are being married off by age 18 and the 2013 police report pushes that figure further, showing a 16 per cent increase of defilement cases from 2012.<sup>4</sup>

According to ECPAT international citing a sectoral study conducted by Uganda Youth Development Link and commissioned by the International Labour Organization (ILO) and the Ministry of Gender, Labour and Social Development found that various forms of commercial sexual exploitation of children (CSEC) exists and is on the rise in Uganda. Evidence suggests that children are abducted, trafficked and forced into prostitution and also sexually abused by adult men who seek young girls with the belief that they are free from HIV. CSEC despite the hidden nature of the problem makes it difficult to establish concrete statistics in Busia. ECPAT International quoting a survey conducted by ECPAT Uganda reports that the number of children exploited in commercial sex in the Kabarole, Lira, Mbale and Busia districts of Uganda is between 7,000 and 12,000<sup>5</sup>. This finding on child sexual exploitation and commercial sex is confirmed by the 2010 world vision annual report which argues that children in Busia are at risk as the district is known for its cross border trade, child trafficking and child prostitution<sup>6</sup>.

The above suggests that children in Busia are trapped in abuse which has far reaching effects on the social wellbeing and personal development of children.

### 1.2 Statement of the Problem

Cases of child abuse remain high in the country as society is not sensitive to the multiple effects both physical, psychosocial, economic and health which impact children's wellbeing despite enactment of relevant legislation and policies coupled with numerous awareness campaigns by government agencies and development partners/ civil society organizations on child protection. Children continue to suffer abuse and neglect in various environments by people who in most cases are supposed to care and provide for them; including parents, relatives, teachers and other adult members of the family thus the need to establish its causes, magnitude and consequences.

## 2.0 THEORETICAL REVIEW

The study was based on Bronfenbrenner's ecological systems theory/ model (Violence against Children in South Africa, 2012). The theory /model highlights that individuals, including children, influence their social environments and that the various contexts of the social environment influence each other, provides a framework for understanding the factors that increase or decrease a child's risk for violence by considering the complex interplay between individuals and their spheres of influence or the places they inhabit at multiple levels individual, relationship, community and society throughout their life time. It depicts the different contexts in a child's life that a child is influenced not only by the home and family but also by the school, while the home and school contexts are influenced by the community in which they are situated and the community is situated within a broader society influenced by macro-level factors<sup>7</sup>.

Individual level identifies biological and personal history factors like; age, sex, education, income, substance use, or history of abuse. For example, younger children tend to be more at risk of physical violence than older children. Girls are at higher risk of sexual abuse and exploitation and harmful traditional practices than boys while boys are more at risk of physical abuse, substance

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<sup>3</sup> ANPPCAN, *Feasibility study on viability of a regional mechanism to respond to child rights violations in east African region*, ANPPCAN, Nairobi, 2011, p 11-12.

<sup>4</sup> Kitembo, D, *Is Uganda losing its gains on Child welfare*, Sunday monitor, 18/01/15 available at <http://www.monitor.ug.co/arts/culture/reviews/is> accessed on 18/01/15.

<sup>5</sup> ECPAT, *Global Report on the status of action against commercial sexual exploitation of children*, ECPAT International, 2007, p11.

<sup>6</sup> World Vision Uganda, 2010 annual report ,partnering for improved child wellbeing, p 20

<sup>7</sup> DSD, DWCPD and UNICEF, *Violence against Children in South Africa*, Pretoria: Department of Soc Development/Department of Women, Children and People with Disabilities/UNICEF, 2012, p 5.

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abuse by parents interferes with their ability to care for and monitor their children and children can be abused by peers or perpetrators in the community and society<sup>8</sup>.

The relationship level examines close relationships that may increase the risk of or protect from experiencing violence as a victim or perpetrator. A person's closest social circle peers, partners and family members influences their behaviour, and contributes to their range of experience<sup>9</sup>. The community level explores the various settings shown such as schools and neighborhoods, in which social relationships occur<sup>10</sup>. There such dangers as towns were they are exposed to liquor, long distances for fetching water or poorly lit neighborhoods and corporal punishment, cruel and humiliating forms of psychological punishment, sexual and gender-based violence and bullying.<sup>11</sup>

The societal level looks at the broad societal factors that help create a climate in which violence is encouraged or inhibited like social and cultural norms and other societal factors including health, economic (poverty and unemployment), educational and social policies that help to maintain economic or social inequalities between groups in society<sup>11</sup> thus largely influencing one's individual development and experience as laws and attitudes and belief systems of the wider society.<sup>12</sup>

### 2.1 Literature review of the study

#### 2.1.1 Causes of child abuse

Culture, values and the inter-active arguments by Jay Belsky ecological framework for child maltreatment explains why children are abused because of what parents bring to their families out of socialization, at family or at micro level, ecosystem level, macro level.<sup>13</sup> The argument that abuse is an interactive process where children are believed to be taking part in their abuse is echoed by an adolescent boy interviewed by UNICEF in Latin America that, "It's partly our fault for not obeying our parents. They want to help us by punishing us"<sup>14</sup>

#### 2.1.2 Magnitude of child abuse

UNICEF-Chile report argues that child abuse is like an epidemic which affects all children whether boys or girls without regard to their ethnicity, social class or gender. Its magnitude can only be traced through medical and legal documents, the media only through those victims who have been severely abused and most of the abuse especially the psychological is rarely reported. The report believes that not much has changed in the causes of child abuse since 1962 when Dr Henry Kempe a pediatrician in Denver USA described the battered child syndrome in the world because child abuse is largely caused because; "The parents have histories of psycho-affective deprivation, neglect or physical, sexual abuse as children, the child is perceived as not deserving love, there is a family crisis and the family is nuclear and detached from community support system"<sup>15</sup>.

#### 2.1.3 Consequences of child abuse

Children who are abused face several consequences which are both short term and others manifest in the long run during their adulthood and can have direct effect on the child as an individual or those around them. Child abuse is associated with short term effects like poor or low self-esteem as the children feel they are not valued and are not good enough to do anything, use of illicit drugs, eating disorders, alcohol abuse and delinquency. Abused children suffer emotional disturbances, physical consequences, sexual disturbances and social disturbances like lack of concentration at school, running away from home early marriages<sup>16</sup>. The children then drop out of school, turn to the street, drop of school where they are further exploited and end up getting exposed to HIV/AIDS and other STI's.

#### 2.1.4 Strategies /Interventions to curb child abuse

Strategies have been put in place to provide a legal basis and frameworks to protect children from abuse globally and to ensure that children grow up in safe environments and to enjoy the right to physical and psychological integrity, and to protection from all

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<sup>8</sup> Ibid, p 6

<sup>9</sup> Ibid, p 6

<sup>10</sup> O'Donnell G, *Mastering Sociology*, Fourth edition, New York, PALGRAVE, 2002, PP 268-272. <sup>11</sup>Krug, G, E., Dahlberg, L, L., Mercy, J, A., Zwi, A, B. and Lozano, R, World report on violence and health, Geneva, WHO, 2002, p 13

<sup>11</sup> Krug, G, E., Dahlberg, L, L., Mercy, J, A., Zwi, A, B. and Lozano, R, World report on violence and health, Geneva, WHO, 2002, p 13.

<sup>12</sup> Strong, B, De Vault, C and Cohen T,F, *The marriage and family experience; Intimate relationships in a changing society*, ninth Edition, USA, Thomson Wadsworth, 2005, pp 35-36.

<sup>13</sup> Mignon S.I, Larson C.j., and Holmes W. M., *Family abuse, Consequences, theories, and responses*, 2002, Boston, Allyn and Bacon, pp 144-145.

<sup>14</sup> Larrain, S and Bascunan, *Child abuse: A painful reality behind closed doors*, UNICEF-Chile, 2009, p 3

<sup>15</sup> Larrain, S and Bascunan, *Child abuse: A painful reality behind closed doors*, UNICEF-Chile, 2009, p 10

<sup>16</sup> Strong, B, De Vault, C and Cohen T,F, *The marriage and family experience; Intimate relationships in a changing society*, ninth edition, USA, Thomson Wadsworth, 2005, p 449.

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forms of violence with primary role lying on the states then parents and caregivers and various countries have domesticated the international conventions and protocols in their national laws as enshrined in the Universal Declaration of Human Rights.

The above is particularly addressed by Article 19 of the Convention on the Rights of the Child (CRC) adopted by the United Nations in 1989 demands States parties 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, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child... as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement”<sup>17</sup>.*

### 3.0 METHODOLOGY OF THE STUDY

The researcher used a cross-sectional research design which mainly involved qualitative in-depth interviews, FGDs and questionnaires as well as a descriptive and analytical study. Qualitative and descriptive methods were used to obtain exhaustive information on causes, magnitude, consequences and possible suggestions to curb child abuse in Busia district from the respondents as it enabled the researcher to probe further and analytical methods were considered in order to give a clear description of data collected to ease understanding from a layman's perspective.

The study involved a sample size of 110 people selected in Busia municipality and the sub counties of Buteba, Busitema and Sikuda. The researcher used purposive and random sampling techniques. Purposive sampling targeted respondents who are knowledgeable and deal with child related matters in their course of duty thus their responses match the objectives of the study and this majorly include the police, district and sub-county leaders, probation officer, the NGOs working with children-key informants. Random sampling technique further targeted the children aged 12-18 and the parents and members of the child protection committees and or LCs in charge of children affairs to narrow down the number of respondents selected for the study.

The study covered both primary and secondary sources to come up with relevant information. The following data collection methods and or instruments were used to obtain primary data; key informant interviews, focus group discussions, questionnaires through the help a research assistant and observation. Desk review was a major source of secondary data used to support and back up literature review, arguments and findings.

The data collected was sorted and edited for completeness, inconsistency and correctness of information given by the respondents. Qualitative data was grouped into themes and sub themes of the study to determine emerging patterns and generate interpretations and notes from respondents analyzed from large volume to meaningful components to respond to research objectives/questions into small units as presented in the final report and the words of the respondents transcribed and extracted used as quotations.

## 4.0 RESULTS OF THE STUDY 4.1 Causes of child abuse in Busia district

### 4.1.1 Poverty

The common theme which cut across the interviews, FGDs and questionnaires leading to increased child abuse in the district was poverty and economic hardships or pressures. Interviews confirmed that poverty and economic hardships in many families have largely motivated child sexual abuse, Commercial sexual exploitation, child labour and many respondents cited children pushing disabled peoples wheel chairs in cross border trade and smuggling of goods as well as forced and early child marriages that have led to the increased vulnerability of the girl-child to child abuse.

A religious leader narrated;

*“I visited two families this week to follow up on two girl vulnerable children who are supported by His Lord Bishop Rt Rev Egesa of Bukedi Diocese. I got one 13 yr old girl who is in P.4 in a miserable state, pregnant, looked desperate and dressed in a tight short cloth instead of a maternity dress, I do not think she can even give birth normally given her age and body size but when I asked the parents what action they took, they told me that she is already pregnant and the responsible person is taking care of her there is no need to report to authorities. I visited the home of the second girl in Okame village and the mother told me the girl had left home but directed me where I can find her and I got her with a pregnancy of 8 months, this is all due to the need to gain pride price or money to support the families' basic needs and disregard of children's rights and reporting cases of abuse”<sup>18</sup>*

### 4.1.2 Poor parenting/ attitude to child protection

Child abuse was cited due to poor parenting and attitude towards child protection and this was revealed by respondents across the board.

The LC V explained that there is lack of commitment by parents to look after their children and they just do not want to fulfill their roles.

<sup>17</sup> Article 19, Convention on the Rights of the Child, General Assembly resolution 44/25 of 20 November 1989.

<sup>18</sup> Interview with a religious leader on 09/04/15.

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*“Most of the parents of the children who are victims do have time to idle in trading centres, drink “Malwa” local millet brew, local jin “waragi”, buy cigarrates, eat pork, “Muchomo”, eggs among others on daily basis in drinking joints at the expense of their children welfare, wellbeing and development as they starve and lured into sexual abuse by those who offer them small gifts”.*<sup>19</sup>

The secretary for education and health said

*“Parents do not value the health, education and development of the children, the district leadership, police, NGOs sensitize them on child protection and they seem to agree but when we (district team and partners) leave they practice the contrary”*<sup>20</sup>.

The district probation officer asserts that unless parents take up their primary duty to maintain their children and change their attitude of thinking that children belong to the government and

NGOs working with children not much will be achieved towards improving children’s wellbeing.

*“I always hear the parents say that this are children of Museveni, World Vision, Compassion, Child Fund...when i go to the field or complains are brought to my office and I wonder what will happen when projects and government support is withdrawn then abuse will escalate due to lack of sustainability”*<sup>21</sup>. This view is shared by the managers of child fund and world vision the NGOs that partner with BDLG on child protection.

### 4.1.3 Domestic violence

Family breakdown, high rate of domestic quarrels, fighting, misunderstanding, divorce and separation of couples was reported as one factor where children are left to become vulnerable to abuse during the study.

The O.C CFPU explained that most of the cases they receive of child desertion, neglect and physical abuse are a result of domestic violence and mothers abandon children while escaping from abusive spouses<sup>23</sup>.

An LC official working as a child protection mobilizer and a peer educator on Sexual gender based violence in the municipality explained;

*“Domestic violence is a common practice here in the community and many children who are neglected are also victims of domestic violence due to unequal power relations, fights and quarrels among parents result in denial of paternity to their children, an legalized marriages and mobile families, there are instances where some mothers abandon children as young as one month to their fathers, in most cases fathers abandon their child rearing roles to the mothers in situations of domestic violence as some men engage in polygamous marriages and carry multiple roles to different wives and their children”*<sup>22</sup>.

The district chairperson explained that,

*“traditional practices like “Kadodi” dance which involves children moving for festivities day and night for over a month and funeral rites “olunyanyo” which last for days spoil children in communities as the ceremonies attract local people of all ethnic inclinations and minors are left by themselves moving and dancing for long distances and at night and the festivities take a number of days”*<sup>23</sup>.

The manager Child Fund revealed that the practice of children sleeping in separate cottages promotes abuse as the children can do dubious things in their house unnoticed.

Girls are not valued in the Samia culture as they are looked as inferior and property for another family she will marry and therefore no need to waste resources on them.

*“Most girls are not given equal opportunities in education as they will be asked to stay home in preference to the boys when the parents do not have school fees and end in lower primary where they are pushed into early marriages and other forms of abuse”*<sup>26</sup>.

### 4.2 Magnitude of child abuse in Busia district

Study findings show that child abuse is high in the district due to the main issues or activities which characterize Busia district as discussed in the brief presentation of the district, background and the literature review. The police, the probation office, the medical records, the media, civil society and local councils are mainly the ones which take and maintain records of the cases of abuse in the district whereas most cases remain undocumented for various reasons.

According to observation, findings and reports from development partners especially FHRI and World vision Busia ADP, abuse like child trafficking, commercial sexual exploitation and child labour, torture are prevalent as cited by respondents across the board. Children are seen on daily basis pushing disabled persons who are involved in cross border trade and over 100 children are involved in picking, sorting and winnowing cereals in Busia market daily, hundreds are involved in washing gold stones in the gold mines and many are exploited sexually by long distance truck drivers and in entertainment and hotel industry as well as in homes were they serve as domestic workers.

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<sup>19</sup> An interview with the district chairperson on 09/04/15.

<sup>20</sup> An interview with the secretary of health and education On 08/04/15.

<sup>21</sup> An interview with Senior Probation officer BDLG on 08/04/15. <sup>23</sup>An interview with CFPU officer on 29/12/14.

<sup>22</sup> An interview with LC 1 official on 30/12/14.

<sup>23</sup> An interview with the district chairperson on 09/04/15. <sup>26</sup>An interview with child fund official on 30/12/14.

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Findings show that the location of the district as a border district, the forests, rivers and lakes has made the child abuse an important phenomenon where children continue to be exploited in all forms of abuse as seen by testimonies of respondents in explaining causes of abuse.

One senior official explained;

*“Children continue to be exposed to all forms of abuse in the district as compared to the neighbouring districts and the country due to the high push and pull factors like its location, the gold mines, Busitema forest, lake Victoria and the presence of rivers and swamps the produce market among others which is a worrying trend if not checked.”*<sup>24</sup>

This is why the district is ranked high and always in the news over high rates of abuse in the eastern region and always referred to as a recruitment, transit and destination area for child trafficking and commercial sexual exploitation. Thus all the above factors present avenues for child abuse as children are lured or compelled to forego their fundamental rights thus showing how important child abuse phenomenon in the district.

**Table 1. Cases reported the probation office in five financial years (FY) 2009-2014**

Sub - county	FY 2009/2010	FY2010/2011	FY 2011/2012	FY 2012/2013	F Y 2013/2014
BMC	85	125	122	101	28
Dabani	25	48	38	25	14
Masafu	18	19	23	06	07
Bulumbi	18	12	11	12	07
Busi tema	19	11	18	09	02
Masaba	10	08	15	10	05
Lumino	10	05	13	07	07
Lunyo	08	06	07	-	03
Buhehe	09	05	04	08	05
Buteba	14	05	12	10	10
Sikuda	4	06	12	11	04
Busiime	2	04	07	04	04
Buyanga	2	07	08	06	02
Majanji	-	04	05	-	03
Masinya	-	-	21	-	02
<b>Total</b>	<b>224</b>	<b>265</b>	<b>316</b>	<b>215</b>	<b>103</b>

The probation officer explained; there are many agencies in the district where child abuse is reported as per the existing structures. Cases of abuse that are reported and the cases which top the district list of abuse include child neglect, physical abuse, land or property grabbing and domestic violence involving children. The statistics show that more than half the cases reported come from the Busia municipal council (BMC). He stresses that the above are a few cases reported but thinks that some go unreported and others are reported to other agencies and the cases of abuse which top district list abuse are failure to provide necessities and child sexual exploitation or abuse<sup>25</sup>.

Records in Busia Magistrates court show that cases of abuse of children are registered in court weekly and sexual offences of defilement and child to child sex, child trafficking are common in the criminal courts with children being victims as well as perpetrators. The G.1 Magistrate in Busia handling FCC said cases of maintenance and custody and care order top the division and the division receives a minimum of two (2) cases of negligence or maintenance order application on each working day.<sup>26</sup>

The police (CFPU and crime investigation) and RSA during interviews revealed that child physical, sexual abuse, neglect that is failure to provide necessities and abandonment are common in the district. The RSA noted that there are a lot of cases of child to child sex and she attributes to the amendment of the law to charge both female and male minors involved in sexual intercourse before the age of 18 years but notes that the girl child remains vulnerable in cases of prosecution where girls get pregnant and sentenced to imprisonment their living conditions are affected<sup>27</sup>.

<sup>24</sup> An interview with Senior Probation officer BDLG on 08/04/15.

<sup>25</sup> An interview with Senior Probation officer BDLG on 08/04/15.

<sup>26</sup> An interview with G.1 magistrate on 09/12/14.

<sup>27</sup> An interview with the RSA on 09/04/15

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### 4.3 Consequences of child abuse and interventions that is likely to reduce child abuse in Busia Uganda

#### 4.3.1 High school dropout rate

The findings of the study revealed that very many children had dropped out school due to various factors fuelling abuse but most especially the girl child is dropping out of school at a high rate in the district. This is mainly attributed to increased cases of early pregnancies due to defilement therefore affecting the children's chances of obtaining education.

Cases were cited in FGDs as follows;

*"most children drop out of school to mine and wash gold stones, some boys go to Kenya to rear cattle and four girls in P.6&7 got pregnant and left school last year alone"*<sup>28</sup> and the head teacher of the school confirmed that, "school attendance is seasonal and not regular and that mostly girls above 15 years get pregnant and marry."<sup>29</sup>

The above was also emphasized by the DEO,

*"there is a lot temporary drop out of children from schools across the district but most especially in fishing communities along the lake shore, gold mining areas, along the border line and in rice growing areas which is not well document but he confirmed that the only clear cases of drop out which is well known is of girls dropping out of school due to pregnancy and those who have been married off though more girls are enrolled in UPE than boys in the district".*<sup>33</sup>

#### 4.3.2 Early marriages and unwanted teenage pregnancies

The program manager of World Vision Busia ADP in an interview noted;

*"the effects of child abuse are detrimental to the health and well-being of children with emphasis on how sexual abuse like defilement and forced early marriages have severe health consequences such as severe abdominal pain, STDs, premature delivery, miscarriage, abortion, social breakdown, increased number of child mothers and are also at high risk of contracting HIV/AIDS infection."*<sup>30</sup>.

The girl child is further faced with the dominance and controls of their husbands or boyfriends who keep them as prisoners which results in depression and post-traumatic stress disorder due to their ignorance, inexperience and vulnerability.

During the group discussions and interviews, the children, adults and key informants themselves noted that the child brides usually have lower levels of education than girls who get married at an older age. Their education is terminated upon marriage and with repeated pregnancies and a lot of time spent on household chores, they lose the opportunity to go back to school and cannot make personal decisions about their life and as a result the safety and dignity of such a child is eroded, traumatized and rendered helpless mostly for the rest of their lives.

#### 4.3.3 Increased number of street children

The study showed that there has been a steady increase in the number of street children in Busia district especially in the Municipality.<sup>31</sup> Although, this is attributed to various factors, respondents identified child neglect, torture by parents and particularly step mothers, unemployment of parents, orphans, children living with HIV/AIDS, disabled, the karamojong children and child sexual abuse as contributing factors to this problem. An interview with an LC official at the border line explained that "prostitution (CSE), smuggling across the border, perceived good life in the district, relatively cheap prices of food stuffs and other commodities on the Ugandan side compared to the Kenyan side has led to increasing numbers of street children in the district who are both Kenya and Ugandan nationalities".<sup>36</sup>

Given the above, many of the young mothers are unable to look after their children, children are bread winners in their families or rejected by their families, many of the children are forced to the street where they fend for themselves as well as families and this only exposes them to further abuse at individual, family and community levels by those who are supposed to protect them and the guidelines developed to deal with children rarely being observed.

#### 4.3.4 Contraction of HIV/AIDS and Sexually transmitted diseases

Child abuse generally and sexual abuse in particular exposes children to sexually transmitted diseases including HIV/AIDS. This is most common especially for children engaging in commercial sex, who have little control of the use of protection by their abusers. The district officials KIIs suggest that there is high HIV prevalence in the sub counties the study targeted and in the southern part of the district along the lake shores because children are lured or pushed to sexual activities because the men have readily available money from proceeds from fishing, gold mining and other products whereas most children need money or are trapped in activities where they get abuse or they as well abuse others.

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<sup>28</sup> FGD of children at Tiira P/S on 10/04/15.

<sup>29</sup> An interview with H/M Tiira P/S on 10/04/15. <sup>33</sup>An interview with the DEO on 09/04/15.

<sup>30</sup> An interview with world vision Busia ADP official on 09/04/15.

<sup>31</sup> There is common sight and dwelling places of this street children sleeping or hanging around the busia produce market, restaurants, pubs, lodges, at the no man's land in the main border between Uganda and Kenya, in the verandahs along Tororo road, Customs road, Jinja road, Capital road and their lives and health is at risk as they exposed to cold and harassment for older street children and criminal who search them to grab money they earned. <sup>36</sup>An interview with LC 1 official on 30/12/14.

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### 4.3.5 Criminality/ delinquency

The study findings suggest that most children who are abused end up being criminals or delinquents in the society because they become hardened and use all means to survive. The secretary for education and health said that such children turn in a common and public nuisance and will not be responsible citizens in society.

This re-enforced by a statement by an LC of Sofia A in the municipality,

*“The ‘chokoras’ a term for street children are a threat to security as they grab handbags and other property from people especially women, defile, rape women, take opium, petrol and aviation fuel among many things.”*<sup>32</sup>

A visit to court confirmed that children were mostly arraigned to court on charges of child to child sex, defilement, stealing cattle, breakings and thefts as juvenile offenders. The Grade 1 magistrate confirmed that children are treated in accordance with the law thus given bail or remanded as per sections 90 and 91 of the children’s Act but he cited lack of a remand home in the district as a challenge in handling juvenile offender so they remain as conduits of crime as children are mostly released save in capital cases where they are transferred to remand homes in other district which increases public expenditure and costs.<sup>38</sup>

### 4.4 Strategies to curb down child abuse in Busia district

#### 4.4.1 Sensitization on child protection

Continuous awareness raising in matters of child protection<sup>33</sup> and especially the dangers of child abuse in order to jointly fight child abuse through community sensitization, engagement, involvement and mobilization. The respondents and particularly the district chairperson commended the various departments like the police, probation, LCs and NGOs as well as CBOs like World vision, Child fund, Compassion, Institute of Social Research and development partners USAID, Sunrise to mention but a few for efforts to educate the community. It is argued that there is need to sensitize the parents on their duties and responsibilities as most of them have left or think it is the state, school authorities, security agencies, local council officials and development partners who have the primary responsibility to protect children and most time parents blame agencies who sensitize the community on child protection and government to allegedly spoil their children through child rights campaigns.

Some respondents suggested that government should use the same zeal and commitment to eradicate child abuse in the same way it is doing in campaigns to fight HIV/AIDS on radios, televisions, newspapers, dramas at all levels and environments and respondents think and believe that sensitization for instance on children rights will go a long way in influencing the way people relate with and treat children.

This is emphasized by thoughts from child rights activists that,

*“Until our leaders, the president, cabinet, members of parliament, local council leaders, etc speak up on a consistent basis with regards to child abuse, little may be achieved. To move the needle on this issue, a coherent message on child protection and child abuse prevention need be developed and effectively delivered in all functions, electronic and print media in form of advertisements, important information be disseminated for the benefit of parents and communities. Furthermore, children need a constant reminder, in the classroom, to distinguish between good, bad and questionable touching, and their right to control who touches their bodies and where they are touched. Children also need to know that their leaders have got a plan to protect their welfare, and that they can report cases of abuse if they are victimized.”*<sup>34</sup>

#### 4.4.2 Enforcement of laws and policies

The study revealed the need for the law enforcement agencies especially the police, the prosecution, courts of law, the law council officials, the duty bearers in the government structures to enforce the enforce laws and policies on child abuse as this is the only way perpetrators can be punished and the children protected.

As noted earlier, Uganda has ratified and signed various international conventions and declarations and progress made to domesticate the laws and frameworks and policies on protecting children. There is need for commitment by all relevant sectors to enforce these laws and to devise ways of monitoring and supervising their staff so that institutions dealing with justice, law and order<sup>35</sup> can be trusted by the public who believe that it is a waste of time to report cases as cases of mistrust exist on allegations of bribery, corruption and unprofessionalism. The above shortcomings coupled with poor investigations and negotiation of cases out of court promote impunity as offenders are not prosecuted or released for want of prosecution.

#### 4.4.3 Developing the human and non-human resource capacity (training/equipment)

The respondents think that the police especially CFPU and staff in the various sectors of health, education, community services, justice law and order sectors among others need to be trained to gain appropriate knowledge, skills and attitudes for responding

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<sup>32</sup> An interview with LC 1 official on 30/12/14. <sup>38</sup>An interview with G.1 magistrate on 09/12/14.

<sup>33</sup> The sensitization was suggested to cover the various legislation on children’s rights, government policies of universal primary, secondary and post primary technical education, poverty alleviation, reporting and referral systems and social welfare.

<sup>34</sup> Omara M, *The cry of the abused and neglected child*, <http://spookyNewsUG>, VOL 1, November 26<sup>th</sup> 2012

<sup>35</sup> The justice, law and order sectors include; the police, the directorate of public prosecution, the judiciary and the prisons services.



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appropriately to child abuse cases so as to engender victim friendly community social services, victim friendly health services, victim friendly police services and victim friendly courts. The people also suggest that funding as well as personnel of the CFPU, probation officers and social service providers be increased to enable them carry out their work effectively and efficiently and be motivated as well.

According to the senior probation officer BDLG,

*“There are no officers in the community affairs department focused on child protection due to need for survival due to lack of motivation and adequate facilitation and limited number of personnel to cover all police stations and sub county headquarters”<sup>36</sup>.*

Suggestions rotated around the need to empower and strengthen the capacity of individual and institutional actors such as local council leaders, the police and courts of law to understand and later enforce existing against child abuse.

### 4.4.4 Economic empowerment

Poverty, unemployment, lack of income generating activities was one to the reasons the respondents observed to be the leading factors that has made the vice of child abuse to thrive in the community. The low economic base among families has therefore aggravated the situation as children have to fend for themselves and their families and it was noted it is worse for orphans and those living with sick parents, care givers or parents. The district senior probation and welfare officer explained,

*“there is need to address the high levels of poverty in the community to sustain the efforts on child protection and government poverty alleviation programmes like NAADS beneficiary conditions should be designed to benefit the OVCs and mapping of the most needy and or poor families be done on merit and not political influence otherwise there will be no impact and the children will continue to be trapped in a cycle of abuse due to poverty.”<sup>37</sup>*

Most respondents think that by addressing household poverty and vulnerability, factors that predispose and increase children engagement in activities that culminate into different forms of abuse such as child labour, child trafficking, early marriages among others will be progressively eliminated.

### 4.4.5 Networking and collaboration

The study respondents think that one of the ways to enhance and or improve the standard of living of the children in Busia district is through close networking of all stakeholders in child protection right from parents, children, teachers, LCs, NGOs, Para-socials and the community generally to protect, handle, report, refer and co-operate with law enforcement agencies to enable prosecution. The KIIs respondents emphasized the need to work and network with the authorities in Busia Kenya since most children are trafficked, engaged in CSE, prostitution, child labour on the Kenyan side and cross border smuggling. Generally, respondents believe that one way to fight child abuse is through cross border networking, enforcement or operations by Uganda and Kenya as networks between service providers and partners will facilitate the sharing of information, lessons learned and preventative measures to minimize and curtail impunity on the side of perpetrators. This implies that networking and collaboration should be embraced to intervene at different levels including; the individual, the household or family, community, the institutional and policy level bringing together a number of actors and relevant stakeholders from the government, members of the civil society and the private sector as well. Therefore, stronger partnerships and coordination are necessary to strengthen synergies for an effective response to child abuse in the district.

### 4.4.6 Enactment of ordinances and bye-laws

Enactment of ordinances at all levels in the district by the district and lower councils to re-enforce the international and national laws, policies and frameworks on child protection is a strategy which can improve the living conditions of children in the district. Respondents think that this would go a long way in ensuring compliance of the ordinances as they would be a sense of ownership and participation of the local communities in drafting and passing of this ordinances as opposed to those legislations made at national levels. They suggested ordinances on child labour, dressing code for children, drinking alcohol, feeding children at school/ mid-day meals, school attendance, regulation on video halls, pubs and disco halls among others so that parents, caregivers and guardians who default in their duties and responsibilities can be sanctioned. The people think that ordinances would strengthen compliance and adherence to national laws and empower and protect LCs, child protection committees and Para-socials in curtailing child abuse in the district.

### 4.4.7 Formalization of child protection structures

The formalization, strengthening, coordination and creation of a forum to bring together all actors in the fight against child abuse to avoid contradictory messages, confusion, competition, division and duplication of services in the district was one of the strategies people think can curb child abuse. There are many structures<sup>38</sup> created under the constitution, the local governments Act, the MLSD

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<sup>36</sup> An interview with Senior Probation officer BDLG on 08/04/15.

<sup>37</sup> An interview with Senior Probation officer BDLG on 08/04/15

<sup>38</sup> Some of the structures in the district include crime preventers supervised by the police, Para-socials supervised by the local governments, the child protection committees supervised by NGOs, children’s councils, domestic violence peer educators and Religious leaders.

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and various civil society organization dealing with matters of children lack a forum and guidelines from the line ministries and department of child welfare to jointly identify gaps and come up with solutions as opposed to the current practice were such structures operate under different guidance either of government or NGO guidance.

### **5.0 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS 5.1 Summary**

#### **5.1.1 Causes of child abuse in Busia district**

The common theme which cut across the interviews, FGDs and questionnaires leading to increased child abuse in the district was poverty and economic hardships or pressures. Interviews confirmed that poverty and economic hardships in many families have largely motivated child sexual abuse, Commercial sexual exploitation, child labour and many respondents cited children pushing disabled peoples wheel chairs in cross border trade and smuggling of goods as well as forced and early child marriages that have led to the increased vulnerability of the girl-child to child abuse.

#### **5.1.2 Magnitude of child abuse in Busia district**

Study findings show that child abuse is high in the district due to the main issues or activities which characterize Busia district as discussed in the brief presentation of the district, background and the literature review. The police, the probation office, the medical records, the media, civil society and local councils are mainly the ones which take and maintain records of the cases of abuse in the district whereas most cases remain undocumented for various reasons.

#### **5.1.3 Consequences of child abuse in Busia district**

The findings from the study indicate that child sexual abuse has negative effects on the child, the community and the country as a whole. The consequences were physical, emotional and psychological and covered both short term and long term.

### **5.2 CONCLUSIONS**

The study objective was to describe the causes, magnitude and consequences of child abuse in Busia district as well as suggest strategies of improving the wellbeing of children in the district. The findings revealed factors such as poverty, poor parenting and attitude to child protection, domestic violence, harmful or negative cultural practices, poor enforcement of laws and policies, drug and substance abuse and urbanization facilitate the vice to thrive in the district as perpetrators went court free largely due to mistrust between law enforcement authorities (police) and the community and negotiation of cases out of court mostly by parents.

The magnitude of abuse is high in the district due to the push and pull factors discussed in background, literature review and findings with child labour, sexual offences including commercial sexual exploitation, child trafficking and child neglect being the most prevalent forms of abuse. It was noted that some cases remain unreported to authorities for various reasons among others fear of reprimand by perpetrators and maintenance of social cohesion since abuse mostly takes place in the family or community settings. The consequences of child abuse as being physical, emotional and psychological like high school dropout rate, early marriages and unwanted teenage pregnancies, increased number of street children, contraction of HIV/AIDS and Sexually transmitted diseases, criminality or delinquency, death, trauma, depression and forgetfulness among others. On the strategies for improving the lives of children in the district, most people advocate for a combination of educational, behavioral, psychosocial, economic and legal interventions to address child abuse and neglect. Sensitization, household poverty and vulnerability, law enforcement, capacity building, networking and collaboration, enactment of ordinances and bye-laws and formalization of child protection structures are suggested to curb child abuse.

### **5.3 RECOMMENDATIONS**

Government should adopt a multi-faceted approach to child abuse incorporating a combination of educational, behavioural, psychosocial, legal and economic interventions to holistically address the problem. This approach should incorporate interventions that address child abuse at various levels including the household, institutional and policy levels through strengthening institutional partnerships and coordination so as to build synergies towards an effective child abuse response in the district.

There is need to design interventions at different levels including the individual, the household, the institutional and policy level bringing together a number of actors and relevant stakeholders from the government, members of the civil society and the private sector as well to tackle child abuse and neglect as child cantered interventions in isolation will not bring about the desired change.

There is need to strengthen the capacity of institutions mandated to protect the rights of children such the Police Child and Family protection unit and the Probation and Social Welfare department to effectively execute their duties by the police and BDLG.

There is need to continue raising awareness on the vice by all stakeholders. The police should further emphasize community policing as public partnership with the police to prevent child abuse.

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The researcher recommends the need for government institutions especially the JLOS and district local councils 1-5 to make operational and enforce the relevant laws and policies as well as enact district ordinances so as to make strides towards achieving the millennium development goals and child protection as per international standards.

The researcher recommends cross border and local networking and collaboration between the two countries especially the Busia Uganda and Busia Kenya government agencies and development partners dealing with child protection at district and national level. There is need the line government ministry which is the ministry of labour and social development and the Uganda Police to support development of a national wide information system to track child abuse cases country wide at all levels as it appears that many cases are never captured while reporting statistics.

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