



DISRUPTING HARM

# PROTECTING KENYA'S CHILDREN FROM ONLINE SEXUAL EXPLOITATION AND ABUSE: LOOKING FORWARD

## Context and considerations

**Children in Kenya are confronted with the risk and reality of online child sexual exploitation and abuse (OCSEA). But public awareness about this kind of abuse is low, efforts to prevent it are limited, victims receive little support, and few offenders are brought to justice. The government, public institutions, frontline workers, industry, and caregivers can all do more to respond to this crime and disrupt the harm it is causing to children in Kenya.**

According to *Disrupting Harm in Kenya*, a joint research project conducted by the global ECPAT network, INTERPOL and UNICEF, 67% of children aged 12-17 in Kenya are internet users. Of a nationally representative sample of internet-using children, 7% had been offered money or gifts in return for sexual images or videos of themselves and 3% had been threatened or blackmailed online to engage in sexual activities in the past year. Threats and requests like these are made to both boys and girls, often via social media. While most children refuse these attempts, some children comply and this can have serious consequences. In the past year, 7% of children have had their sexual images shared with others without their permission. Most children who experienced some form of online sexual exploitation and abuse had also experienced in-person physical, sexual or emotional abuse.

While the Kenyan National Police could not provide figures for the overall number of online child sexual exploitation and abuse (OCSEA) cases reported to authorities, their specialized unit, the Anti Human Trafficking and Child Protection Unit of the Directorate of Criminal Investigations alone handled 3,160 cases in 2018 and 4,133 in 2019. The unit also received an average of 13,572 CyberTips per year via the US National Center for Missing and Exploited Children (NCMEC) between 2017 and 2019, mostly

concerning detection, upload or dissemination of child sexual abuse materials (CSAM) on online platforms.

Some forms of OCSEA such as live streaming of child sexual abuse and sexual extortion are not explicitly criminalised in Kenyan law and most incidents go unreported, most commonly due to stigma. When children do tell someone about their experiences, they are most likely to tell someone they know rather than using formal reporting mechanisms. When formal reports are made, the law enforcement, justice and social services systems are often unable to shield victims from further distress in justice processes due to procedural impediments, financial resources and training for people dealing with these challenging cases.

Combating OCSEA and strengthening victim support requires comprehensive and sustained actions from everyone who is responsible to tackle this growing problem, including government duty-bearers, law enforcement agencies, justice and social support service professionals, internet providers, the tech industry, communities, teachers, and caregivers. To respond, *Disrupting Harm in Kenya* provides a series of evidence-based recommendations, spanning legislation, law enforcement, legal processes, social services, public awareness, and education programmes and lay out a practical and actionable blueprint to disrupt harm to children.

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## Recommendations

*Disrupting Harm in Kenya* proposes detailed actions based on the key insights derived from the evidence presented in the report. In brief, these call on the Government of Kenya and its partners to act, fund, and educate. Specifically:

### Act

- Strengthen and diversify mechanisms for children to disclose concerns, report incidents and seek help and advice, including through simple, child-friendly, online methods.
- Ensure that all responses to OCSEA refrain from blaming the child.
- Develop and implement guidelines on interviewing children during the criminal justice process, seeking to avoid them having to be interviewed repeatedly.
- Provide all children reporting sexual exploitation and abuse, and their caregivers, with a standard information package about their rights, including any right to compensation, and the procedures that will be followed.
- Develop operating procedures and conduct training in order to implement child-friendly justice as envisaged in the Children Act in all cases of child sexual abuse and exploitation.
- Adopt recommendations for preparing children for court proceedings, preventing them from having to face offenders. Expand the use of victim impact statements.
- Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and accede to the Convention on Cyber Security and Personal Data Protection adopted by the African Union in 2014.
- Adopt the upcoming Children Bill 2021 and turn into law. Properly define and criminalize all forms of OCSEA including online grooming and sexual extortion.
- Adopt the proposed National Plan of Action on Online Child Sexual Exploitation and Abuse and/or National Strategy on Child Online Protection.
- Introduce legislation and policy that will ensure social media platforms and other internet services

actively contribute to the safety of children on their platforms, through data retention, removal of access to child sexual abuse materials, detection and reporting of incidents and promptly complying with law enforcement warranted requests for information.

### Fund

- Invest in the training of police officers, prosecutors, judges/magistrates, lawyers, courtroom staff, child protection officers and frontline social support workers on OCSEA and how to respond to it effectively and sensitively.
- Provide public financial support to the national children's helpline Childline Kenya to ensure its sustainability and improve its ability to provide psychosocial support to children, including for OCSEA related issues.
- Expand the Anti-Human Trafficking and Child Protection Unit (AHTCPU) to more regions and strengthen the links between the AHTCPU and Directorate of Criminal Investigations offices at the county level.
- Increase the number of child protection units in police stations with trained female and male personnel capable of delivering child-friendly support and provide the physical spaces and equipment needed to do so.
- Mobilize the Victim Protection Trust Fund to provide victim support services such as counselling and meet victims' logistical expenses. Take steps to implement the existing right to free legal aid for children.
- Provide adequate funding for all agencies involved in tackling OCSEA.
- Ensure the connection to INTERPOL's International Child Sexual Exploitation (ICSE) database is supported and maintained.

### Educate

- Inform the public of the topic of online child sexual exploitation and abuse – including the role of technology – through effective, widespread programmes.
- Teach caregivers to talk to children about their lives online, and challenge taboos that prevent children and adults from talking about sex or from seeking help.

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- Inform all children of the safe ways they can use to disclose difficult experiences and obtain support outside of their family or community members.
- Equip and train police officers to report internet content hosted abroad and refer cases of OCSEA to global platforms like Facebook.
- Teach children digital safety so that they can

avoid or navigate dangerous situations online. Incorporate education about OCSEA into age-appropriate sex education in schools.

- Provide ways that children can access information about sex, personal boundaries, risks via technology – and work with them to safely navigate online interactions and the digital environment.

### Key insights

*Disrupting Harm in Kenya* outlines a number of insights found through the unique project research. Specifically:

- Internet-using children in Kenya are subjected to Online Child Sexual Exploitation and Abuse (OCSEA). According to children who were subjected to OCSEA and frontline workers, most offenders are someone the child already knows. These crimes can happen while children spend time online or in person but involving technology.
- Many children in Kenya do not tell anyone about their OCSEA experiences. When they do it is most often only to a someone they know and trust. Few turn to formal reporting mechanisms like helplines or the police.

- Among children who were subjected to OCSEA through social media, Facebook and WhatsApp were the most common platforms where this occurred.
- Law enforcement, justice, and social support systems need more awareness, capacity, and necessary resources to respond to cases of OCSEA. Children who went through the justice process noted several challenging and hurtful experiences, which might make them reluctant to formally report again.
- Some important OCSEA-related legislation, policies and standards are not yet enacted in Kenya.

**The full report and complete list of recommendations can be found at:**  
[www.end-violence.org/sites/default/files/2021-10/DH Kenya Report.pdf](http://www.end-violence.org/sites/default/files/2021-10/DH%20Kenya%20Report.pdf)

### About Disrupting Harm

*Disrupting Harm in Kenya* is part of an unprecedented large-scale multi-country research project into OCSEA that draws on the research expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their networks of both national and global partners. It is supported by the [Fund to End Violence Against Children](#), through its Safe Online initiative, and focuses on 13 countries in Eastern and Southern Africa and Southeast Asia.

Data collection took place from early 2020 through to early 2021 with the cooperation of the Government of Kenya and a wide range of public bodies and other organizations active in the country. A comprehensive analysis was made of the

legislation, policy and systems addressing OCSEA in Kenya. A range of statistical data was gathered for 2017-2019. Surveys were conducted with internet-using children, their caregivers and frontline service providers from the private and civil society sectors. Interviews were held with high-level government officials, law enforcement officials, justice professionals, and child victims of OCSEA and their caregivers. In addition, trauma-informed expert practitioners led a number of unstructured one-on-one conversations with survivors of OCSEA. All the information was then analyzed and triangulated. The analysis for *Disrupting Harm in Kenya* was finalized in May 2021. The recommendations were discussed further at a national consultation in Nairobi in June 2021.

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