

**THE CRISIS OF SEXUAL ABUSE OF SCHOOL CHILDREN BY
TEACHERS IN KENYA; A STUDY OF PRIMARY SCHOOLS IN
MAKUENI DISTRICT, MAKUENI COUNTY.**

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E/83/11061/06


**A RESEARCH THESIS SUBMITTED IN FULFILLMENT OF THE
REQUIREMENT FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN
EDUCATIONAL COMMUNICATION AND TECHNOLOGY IN THE
SCHOOL OF EDUCATION OF KENYATTA UNIVERSITY**

NOVEMBER, 2014

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DEDICATION

I dedicate this work to the almighty God, my beloved mother Janet Nduleve Kiema and to my children Victory Musuviwa Ngunnzi and Emmanuel Baraka Ngunnzi and to my newly adopted son Joseph Kiema (Mbuyu). May they always find inspiration in this work and may the Lord for ever sustain them, Amen!

ACKNOWLEDGEMENT

The task of writing this Thesis was made possible by the invaluable assistance of individuals and institutions whose contributions I wish to acknowledge. I wish to express my sincere appreciation to my two supervisors Prof Samson Muthwii and Dr. Samson Ondigi for their willingness to be my supervisors, for their expert guidance, patience and attention that made the completion of this research possible. I give special recognition to the Teachers Service Commission for giving me research break and for allowing me to access critical information from the depths of the organization. I thank Mr. Simon Kavisi, my Director, Administration in a special way, for supporting me with data analysis, critiquing my work and for walking with me through the journey to this piece of work. My special gratitude also goes to Joshua Muthangya for coding my data and for stepping in to assist me even at short notice, whenever I needed him. I am especially beholden to Professor Henry Ayot and Monica Katheu Kilonzo for challenging me to complete my studies. I thank my brother Abraham Kenya Kiema in a special way for his financial support during my research. Special appreciation goes to Agnetter Omusullah and my Bishop Apostle Joseph Taiti, for their prayers and for keeping me on my toes. I wish to single out Mr. Leonard Ruto, my colleague who started calling me DOC as soon as I enrolled for the course, thus making it impossible for me to retreat. Special gratitude goes to Mr. Ibrahim Gedi Mumin; my immediate boss who kept reminding me of my work-life balance and for giving me peace throughout my final leg.

Finally I thank all the lecturers and the support staff in the department of Educational Communication and Technology for their unwavering support. Glory and Honour be to God for this far he has been my Ebenezer. Amen.

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ABBREVIATIONS/ACRONYMS

ANPPCAN-African Network on Protection of Children Abuse and Neglect

BEA -Basic Education Act

CEDAW-Convention on Elimination of All forms of Discrimination Against Women

CK-Carnal Knowledge

CORT-Code of Regulations for Teachers

CSA- Child Sexual Abuse

FGD-Focus Group Discussions

FSAV-Female Sexual Abuse Victim

HIV-Human Immunodeficiency Virus

MDG-Millineum Development Goals

MCL –Male Councillor

MRL-Male Religious Leader

NGO-Non Governmental Organizations

KNUT- Kenya National Union of Teachers

SH-Sexual Harassment

TSC-Teachers Service Commission

SOA- Sexual Offences Act

UNCRC- United Nations Convention on the Rights of the Child

ABSTRACT

The study sought to examine the crisis of sexual abuse of school children by teachers in public primary schools in Makueni district, Makueni County against five main objectives (i) Establish the prevalence of Child Sexual Abuse by teacher in public primary school in Makueni district ii) Establish factors catalyzing sexual abuse of school children by teachers in Makueni district (iii) Evaluate the policy and legislative provisions for protecting children from sexual abuse in Kenya (iv) Assess Teachers Service Commission administrative systems for dealing with child sexual abuse cases committed by teachers (v) Recommend interventions for redressing the situation. The study was descriptive, utilizing both quantitative and qualitative methods of data collection. The study was carried out among 837 pupils in 15 primary schools within Kee, Kaiti and Wote divisions of Makueni district, Makueni County; The study was descriptive, utilizing both quantitative and qualitative methods of data collection. The focus of the study was the school, with children aged between 10 and 19 being the key respondents. A total of 837 respondents were involved in the study. Out of these, were 500 school children from 15 primary schools out of whom 51.8% were male while 47.8% were female? Among them were also 5 female sexual abuse victims. The secondary respondents were 5 parents of sexual abuse victims, 216 teachers, 15 head teachers, 46 parents, 3 officials from the Ministry of Education, Science and Technology, 10 TSC officials, 7 School Management Committee members, 10 religious and 8 civic leaders, and two officers from the Provincial Administration. And 2 officers from the Department of Children's Services

The data collection instruments which included questionnaires, Focus Group Discussion Guides, Observation Schedule, in-depth Interview schedule, and secondary data collection schedule were piloted for validity and reliability and thereafter data collected. The quantitative data was later coded and analysed using SPSS computer program; while the qualitative data was categorised, coded and analysed using Maxqda computer program. The study findings are broadly categorized against the objectives. Under the first objective, the study found a high prevalence of sexual abuse of school children by teachers as rated by 57.6% of the pupils. Under the second objective, it was established that poor school administration, apathy, collusion by officials on the teacher discipline continuum, fear of societal stigma, lenient punishments for sexual offenders by the Commission, and limited requisite technical skills for dealing with sexual offences by TSC officers were factors sustaining sexual abuse in schools. Under the third objective, the study established that the law was not being fully utilized by the Commission to protect children from sexual abuse. Under the fourth objective, the study established that the TSC administrative systems were porous and convoluted with bureaucracy. The researcher therefore recommends a review of the policies, administrative procedures and systems related to the management of sexual abuse cases and a creation of synergy between TSC and other duty bearers as it builds its personnel capacity and works to intensify staff integrity. It is further recommended that the government provides adequate funding to TSC for managing teacher discipline and establishes a Safeguarding and Child Protection authority to oversee child protection across all government sectors.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Safety is key to every individual's physical and psychological wellbeing and to a large extent determines a society's developmental achievements. Seldom will an insecure environment produce creative beings as all the mental resources are consumed building psychological deflectors. Thus, safety tends to form much of every individual's concerns. We yearn for safety in all our areas of operation; in the home, on the road, at work or at school. Thus, Marslow (quoted in Beverly et al, 1987) recognized this in his famous classification of a human being's hierarchy of needs; placing security closely following food and shelter. As the world evolves with its 21st century inventions, so have humanity and social interactions been transformed; covertly causing an insatiable desire to venture into an endless abyss of social evils. One such evil that the world has had to content with is violence. This has become common not only in the wider society but also in schools. According to Hand & Sanchez (2000), cases of shootings, strikes, arsons, kidnappings and hostages have become common occurrences in learning institutions in America, which have left both students and teachers as victims. However, these forms of violence may be easier to comprehend. People are at ease for instance expressing that a person ran amok and shot so many dead or a distressed person clobbered his/her spouse with a metal bar.

As society struggles to come to terms with the ordinary violence that has become commonplace, it has forgotten the silent form of violence that has been slowly seeping into society but seldom given attention—sexual violence. For its nature and subtleness, sexual violence has exploded into almost unmanageable proportions. Indeed, the vice has become a menace in society. Although this is happening to both men and women, police reports all over the world indicate a rising trend in rape cases involving women and girls. There has been every indication that a lot of sexual violence has been going on in learning institutions where parents expect utmost protection for their children. Studies globally have indicated occurrence of sexual violence against pupils by teachers. For instance, Croninger, & Chen (1996) showed that in America, out of 1,203, 8th – 11th graders, 83 percent of girls and 60 percent of boys of the sample had received unwanted sexual attention in school. A survey conducted in America by the American Association of University Women (AAUW, 2002) on 2064 students in 8th through 11th grades concluded that Sexual Harassment (SH) was common at every stage of education. In fact, the report indicates that by the time they are through with 11th grade, 78% of girls have been sexually harassed, 83% of boys have been sexually harassed with 38% of the students being harassed by teachers or school employees.

In another study in educational settings in Ecuador, the World Bank (2001) established that 22 percent of the adolescent girls reported being victims of sexual abuse. In Sub – Saharan Africa, a study in Cameroon in the city of Yaoundé (Mbassa, 2001) revealed that about 16% of the 1,688 surveyed students reported being sexually abused. While in Botswana, out of 422 girls interviewed, 38 percent reported that they had been touched in

a sexual manner without their consent. In Ethiopia, low enrolment rates in, and high drop-out rates from secondary schools was attributed to bullying and sexual harassment in schools (Terefe & Mengistu, 1997).

A survey carried out by the Human Rights Watch in schools across South Africa; and released on March 27, 2001 indicates that thousands of girls of every race and economic group are encountering sexual violence and harassment that impede their access to education. This has made girls in South Africa think that sexual violence and abuse are an inescapable part of going to school every day causing many to drop out of school.

In a similar study carried out by Plan International (2009) in schools in Ghana, it was established that sexual abuse was pervasive in the schools but little attention was given to the vice.

Available data indicates 3,153 cases in 2005, 3,525 in 2006, 3,676 in 2007 reported in Kenya's police stations (Sunday Standard, 8, March 2009, p 11). This trend is replicated in schools where the same violence is meted against unsuspecting learners either through coercive sex achieved by applying extreme physical violence in the form of corporal punishment as a conditioning tool.

Indeed one incidence in Kenya that will remain in the minds of all is that which dominated both print and television media in 1991. At St. Kizito secondary school in Meru of Kenya's Eastern Province; where 19 girls were killed and 71 raped by fellow students in one night. In this incident, the deputy headteacher's reaction when

interviewed by the press sums it all. *The boys did not want to kill the girls. They merely wanted to rape them* (Ministry of Education, 2001). The deputy was expressing the mind of the community on matters of sexual violence. It would be difficult to achieve any form of disciplinary action against the perpetrators with this attitude.

In their survey across several districts in Kenya Chege, & Ruto (2006), posit that sexual harassment is pervasive in Kenyan schools. In a similar Survey dubbed *Policies Systems and Structures used by the Teachers Service Commission to Address Sexual Abuse of Students by Teachers* carried out by the Teachers Service Commission (2009), it was established that about 12,660 girls could have been abused by teachers over a five year period; pointing to the fact that some teachers abuse up to twenty girls before the cases reach the Commission. This was corroborated in the National Prefects Conference (2009) where students complained of sexual harassment by teachers.

1.2 Statement of the Problem

The challenge of sexual abuse of school children in public schools demeans education and creates emotional stress on parents. This vice poses danger to the teaching/learning processes thus affecting learning outcomes as children live in fear of sexual molestation by their teachers.

According to the Kenya Demographic Health Survey (2009), the majority of Kenyans still live under the poverty line. Therefore, they have to rely on government institutions which are heavily subsidized; for their children's education. Thus 9.9 million children in

our primary schools (MoEST administrative data 2012) are in danger of sexual molestation by teachers. Their retention, transition and performance remain in jeopardy- their welfare and future at stake.

Kenya has made good overall progress in expanding access to education through building schools and improving infrastructure, thus improving enrolment from 8.56 million in 2008 to 9.97 million in 2012 with 4.96 million and 5.01 million girls and boys respectively. However, school completion rates remain low and many children are not achieving minimum levels of literacy and numeracy (MoEST Administrative data 2011). Part of the problem can be attributed to sexual violence against school children by teachers. According to (Adams, Kottke, and Padgitt, 1983; Benson and Thomson, 1982; Dziech and Weiner, 1990, victims of sexual harassment suffer a range of consequences, from lowered self-esteem and loss of self-confidence to withdrawal from social interaction, changed career goals, and depression . This means that sexually abused children cannot perform optimally as they distance themselves from the social interactions that catalyse learning and add spice to school life.

The education sector receives over 20% of the budget on average and 70% (about 165 billion) is spent by the Teachers Service Commission on Teacher Management. Teacher Discipline is one of the Mandates of the Teachers Service Commission (TSC Act. 2012). The government is not therefore receiving value for its money when teachers engage in sexual abuse of children instead of nurturing them to be useful future adults.

The government, under the Constitution of Kenya, 2010, is obligated to provide quality education and to protect children from all forms of abuse-but sexual abuse of school children by teachers blurs this vision. The vice diminishes access, retention, transition and completion rates; while it also increases delinquency, thus making it difficult for children to achieve quality education. The future of sexually abused children also hangs in the balance as the effects have been identified as debilitating.

Over the years a lot of focus has been placed on statistics of abused children at the expense of the factors catalyzing this vice.

While there is common understanding that sexual abuse exists in Kenya's primary schools, there has been little attention focused on the factors that motivate the teachers to commit such acts rather than nurture the children placed under them; the identification of these factors would form the basis for designing remedial systems. There has also been a general assumption that boys are not sexually abused.

1.2.1 Purpose

The purpose of this research is to raise societal consciousness on the challenge of sexual abuse of primary school children by teachers and to elicit action on the vice.

1.3 Objectives

The Specific Objectives of this study are to:

- i) Establish the prevalence of Child Sexual Abuse by teachers in public primary schools in Makueni district
- ii) Investigate the factors that catalyze Sexual Abuse of pupils by teachers in public primary schools in Makueni District

- iii) Evaluate the existing laws and policy provisions for the protection of children from sexual abuse
- iv) Examine the actions effected by TSC for prevention and response to sexual abuse of school children by teachers
- v) Establish challenges facing the Teachers Service Commission in the management of sexual abuse of pupils by teachers
- vi) Recommend interventions for redressing the situation.

1.4 Research Questions

Kisilu (2006:48) posits that Research *questions guide the research process by addressing the variables of the study*. This study will attempt to respond to the following questions:

- a) How far does Child Sexual Abuse by teachers in public primary schools in Makueni exist?
- b) What factors catalyze the perpetration of Child Sexual Abuse of school children by public primary school teachers in Makueni district?
- c) To what extent are existing legislative and Policy Provisions useful for safeguarding children from sexual abuse by their teachers?
- d) How far has the Teachers Service Commission instituted measures towards curbing sexual abuse of pupils in public primary schools by teachers?
- e) What challenges face the Teachers Service Commission in the management of sexual abuse cases of primary school children by teachers?

- f) To what extent does the TSC discipline adjudication system respond to protection of children from sexual abuse?
- g) What challenges does the Teachers Service Commission face in dealing with cases of sexual abuse of school children by teachers?
- h) What would be the appropriate interventions for curbing child sexual abuse in public primary schools in Kenya.

1.5 Rationale

A UN study conducted in Kenya and Tanzania in 2002 recommends research on Child Sexual Abuse in Kenya. The Public Primary schools make a good starting point owing to the age of the children and their obvious vulnerability to sexual abuse by teachers. In addition, it is at primary school level where children should acquire the life skills, which will determine their survival in later life. The children's experiences at this level therefore must be well guided and guarded to ensure they develop a positive image of society so as to enhance their emotional and psychosocial development. This is what will count in the long term. All effort should therefore be made to give them a smooth transition to the next level in the education cycle. This research will inform the TSC discipline policy and the Ministry of Education Quality Assurance policy.

CSA by teachers in Kenyan primary schools is under-researched. In fact, most of the information available on the topic is in bits and pieces gathered by non-governmental organizations like the *African Network on Protection of Children Abuse and Neglect* (ANPPCAN) and individuals whose focus may be far from the mere collection of facts.

This study is thus overdue as it will add to the little existing academic *lacuna* in the subject of CSA by teachers.

The TSC will benefit from more solid procedures for dealing with discipline cases. The reduction in time and other resources spent in adjudicating CSA cases at district level will definitely have positive impact on TSC expenditure. Improved disciplinary procedures which have given it a bad name in the public eye will enhance the Commission's image. The Commission will also benefit from a cohesive workforce borne of the improved discipline. A cohesive teaching fraternity will deliver more in the classroom thus boosting the TSC image and enhancing the achievement of its Vision *Effective Service for Quality teaching*. Additionally, the Ministry of Education (MoE) will benefit from more cohesive institutions and improved provision of education to children in the country will most likely boost the access, retention, transition, completion and performance; towards achieving the Gender equity at primary school level.

In the long term, a reduction of CSA cases will translate to improved social life in the country which has inherent implications on economic development. CSA has been seen as a catalyst for later life delinquency and crime involvement especially where the effects include Post Traumatic Stress Disorders (PTSD). The nation will benefit from a psychologically sound lot of citizens who will have gone through school without the negative impact of CSA. The result is a healthy nation with better focus on development. The parents will also benefit through reduced stress occasioned by the fear of CSA of their children in schools. The study will inform Teacher Training institutions so as to

develop training programs to make teachers compliant with the challenges of interacting with children in a hypersexual society. The envisaged increase in teacher responsibility and accountability cannot be overemphasized.

1.6 Delimitation and Limitation

The study was limited first of all by location as it only focused on fifteen schools in Makueni district, Makueni County. It was also limited by target group. It focused on children between class four and class eight and not all the children in the target schools. It was also limited by the fact that information given by respondents could only be taken as it was even in situations where the researcher's experience dictated otherwise. There was also the limitation of the researcher not being able to ask literally everything that would be necessary, partly for ethical reasons and the fear of interfering with the respondent's psychological boundaries. Then there was the challenge of the age of some of the participants who found it uncomfortable discussing issues of CSA. The fact that most of the information could only be collected from the schools also limited this study. One would have liked a situation where all and sundry would participate which would have made it very interesting hearing ideas of people who had no interests to safeguard and vice versa.

The research was limited to Makueni district which had been recording a high number of CSA cases by teachers compared to most of the other districts over the years and the fact that it had posted a number of shocking CSA cases that had been widely publicized by the media (TSC administrative data-2011).

The study was however delimited in that it focused on both boys and girls even though there had been more cases reported on sexual abuse in schools involving girls compared to boys. However, some of the cases that had been reported on the sexual abuse of boys were bizarre in nature and were considered possibly the tip of the iceberg.

The study was also limited by the fact that only about 10% of cases is ever reported to the Commission thus it did not benefit from the many cases that happen in schools.

Teachers in public primary schools and NOT secondary schools were the interest of this study. This was for the fact that children in primary school are younger than those in secondary school. They were therefore considered likely to be more gullible and vulnerable to sexual abuse by teachers.

Children in primary school also form the majority of school-going population in any country. More government resources are therefore spent here more than in other levels of education which makes it an important area. The education sector accounts for 30% of the total recurrent budget equivalent to 6.4% of GDP. The education sector receives over 20% of the budget on average and 70% is spent on teacher salaries (MoEST administrative data). On the same note, primary school education forms the foundation for later life development and success. If the foundation is shaky, the child's entire life is bound to follow that course.

1.7 Assumptions of the study

First, the study assumed that primary school teachers have a high propensity for perpetrating CSA and that it is impossible to deal with the situation under current systems. This assumption was based on the fact that there was a Code of Regulations for teachers which forbade them having sexual relations with pupils, and the law also considers sexual abuse of children as a criminal offence-yet teachers still go ahead to perpetrate this vice. Further it assumed that teachers included in the study sample, presented by TSC as perpetrators actually did commit the offence; even though it has been mentioned that the existing systems of adducing evidence are not foolproof and that sometimes headteachers frame their juniors to settle old scores. It was also assumed that all the girls that were involved in CSA were innocent and the teachers merely took advantage of their innocence.

The researcher assumed there would be cooperation from the respondents despite the sensitivity of the subject. It was also assumed that records of reported CSA cases at TSC headquarters and district level were accurate and available. Since the research was coming hot on the heels of the new Constitution (2010), it was assumed that the topic would draw a lot of interest prompting more candid discussions during the FGDs. It was also assumed that girls who have been victims of CSA and the perpetrators would be willing to discuss the details. The researcher also assumed that TSC would allow her to make observations during the hearing of CSA related discipline cases.

1.8 Theoretical and Conceptual Frameworks

Theory can be seen as the axis around which research revolves. Theory also forms the foundation for practice. In this context, the following section will examine three key theories relevant to the study. These include: The systems Theory, The Theory of Aggression and the Feminist Theories.

1.8.1 Systems Theory

Parsons (1973), posits that the main functions of a system are: *maintenance- the preservation and reproduction of system's essential characteristics*. Essential characteristics in a school would include standards of morality and discipline, hard work and integrity, which form the basis for high academic performance. Systems have goals for survival. Parsons calls this *adaptation*. Here, the goals for survival can be interpreted as ways through which the school ensures access, retention, transition and performance of pupils. In a school setting, this would mean that the school community including learners, teachers, school workers and parents would need to take certain approaches to ensure the purpose of having children in school is achieved. This would ideally include approaches for ensuring prevention, detection and response to sexual abuse of the children. For instance, if a child encounters CSA, he/she knows the protocol for reporting and will do so without the slightest prompting. On the same note, the head-teacher will automatically adopt an approach widely accepted in the school to deal with the offending teacher.

The third tenet of the theory is *integration*, requiring that various parts of the system's ability must cope with changes in the environment, goal attainment (systems have goals for survival) and that various parts of the system work in harmony (Ritzer,1983). The curricular, co-curricular, and discipline management systems have to coalesce for any school to be effective. For children to be protected from sexual abuse, the Commission's policies around its mandate including; teacher recruitment, deployment, promotion and discipline must all focus on protecting children from sexual abuse. The implementation of these policies and the administrative landscape must be congruent. The school internal systems must also be in sync with the Commission's systems which must also respond to the wider legislative requirements to effectively deal with any sexual abuse cases. In this regard, CSA cases would have to be managed by the school, the TSC and the wider judicial systems for maximum benefit to the victims and the entire society. In the past, this integration has been haphazard; left to the parent to decide and the school administrations staying away from the brawl. Effective management of CSA cannot divorce the school discipline approaches from the judicial systems. If there is discordance in the system, the sexual offenders would hibernate in the confusion. The theory recognizes the importance not only of interdependence between the parts of the system but also that of the individual contributions to the proper functioning of the whole system. Each system must therefore be strong enough to standfirm but also be appropriately anchored onto a bigger system which nourishes it. It follows that in an organisation like the TSC, the teacher discipline management approaches for dealing with sexual offenders at the school level; must be well harmonized with those at TSC headquarters which must in turn be effectively anchored on the wider judicial systems.

The key principle in this theory is that individuals depend on the system in their immediate social environment for satisfactory life and thus the children in any school depend on the internal systems (which draw their strength from external systems) to boost their wellbeing and learning. The internal systems of a school are cross-pollinated and sustained by the checks and balances provided by the external systems including the judicial and social support systems. In this regard, school managers in public institutions depend on the Commission to manage difficult discipline cases. The theory premises that agencies may fail to achieve the desired goals because of difficult interactions. This means that any faults within the TSC system can cause the school system to malfunction, creating fertile grounds for impunity and the attendant fertile grounds for child sexual abuse by teachers.

The trauma and other psychiatric sequel caused by sexual abuse have been recognized as major causes of poor performance among many children. The existence of unresolved sexual abuse cases in an institution may also disrupt peace and good working/learning relationships; important for the survival of any school.

1.8.2 Theory of Aggression

According to Moyer (1968), aggression is a complex phenomenon that is composed of a number of more specific types of behaviour. This research will focus on the third type of aggression called the *Irritable aggression* which is aggression induced by frustration and directed against an available target.

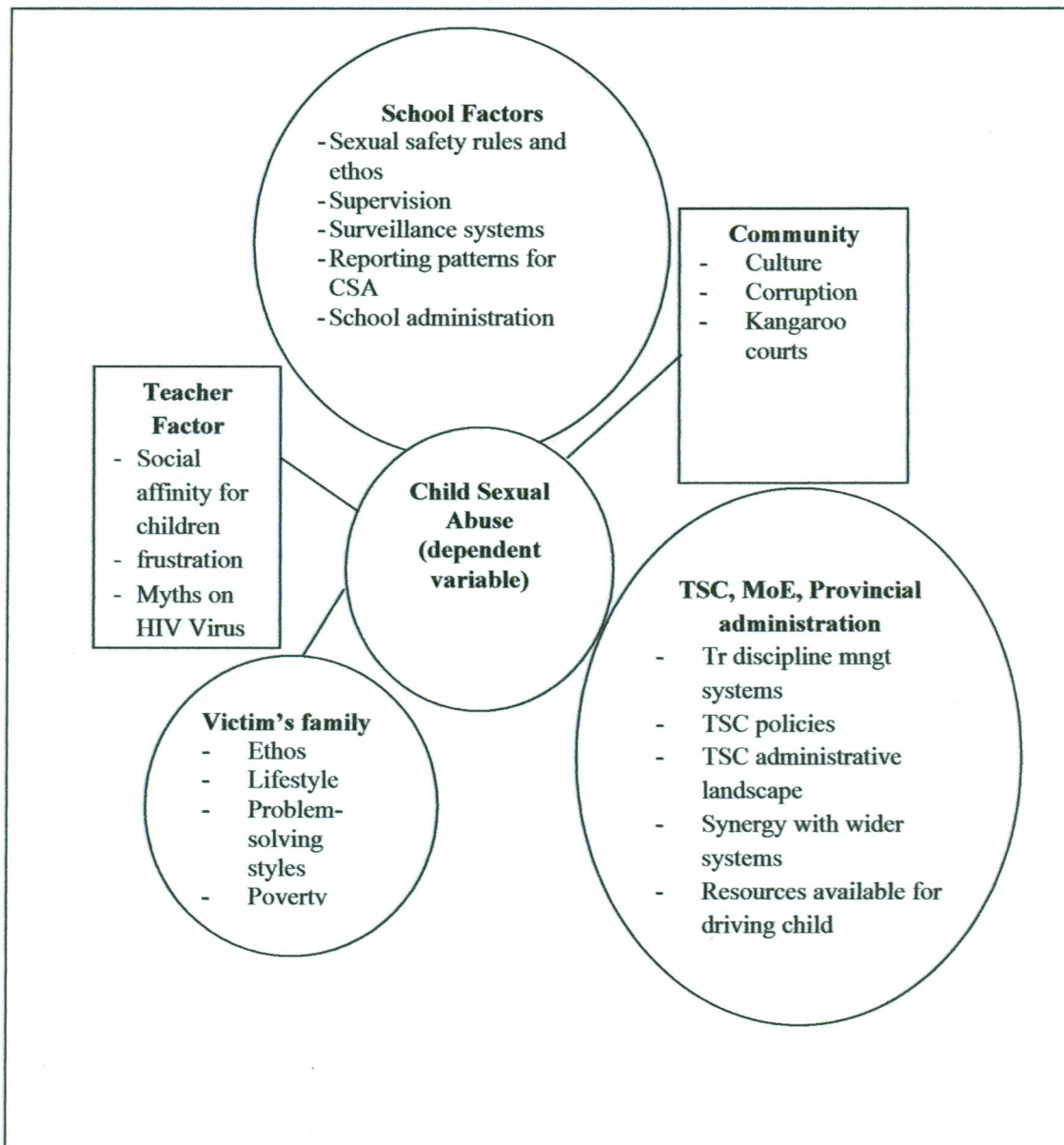
There is a sense in which *Irritable aggression* links with the CSA cases in Kenyan schools. Most public primary schools in Kenya are located in rural areas where infrastructure is either dilapidated or underdeveloped. Many of the teachers have to trek many kilometres daily, to their workstations. Primary school teachers are also rated lowly in the profession owing to their lowly training. It is worse for the men whom society expects to achieve better than women. The frustration of being perceived as low achievers and having to work among children may be propelling male teachers to commit CSA. In addition, many of the primary school teachers seldom get promoted owing to their low academic status. These are sources of frustration that can lead to aggression according to this theory. The pupil happens to be the nearest target.

1.8.3 The Feminist Theory

This Theory proposes that society is predominantly patriarchal. Women are therefore subject to men. They are expected to remain silent when men talk and when or if they eventually speak, they must only do so in total compliance with men's propositions. Ortner, (Quoted in Haralambos, (1985), argues that society devalues women in the manner in which it handles issues relating to women and that unequal gender relations exist between men and women. Social vulnerability to sexual violence has been framed in the context of these unequal gender relations. Whether the sexual violence is perpetrated against a boy or a girl, the perpetrator, it can be argued, is acting from a psychological standpoint that the receiver of his actions is weaker and therefore helpless, a position designated for women and girls in a patriarchal society.

According to Rachel (2006), vast gap between the status of men and boys on one hand and women and girls on the other explains much of the climate of relative tolerance. Consequently, the power differentials between a teacher and his pupil cause the children to easily comply with the teachers' demands. Indeed, many children merely obey the teacher as is expected of them by society which seems to maintain- *a man's request is the woman's command*. The power games are extended to dealing with cases where a teacher has sexually abused a child. First, our courts are full of men who may see little sense in punishing a fellow man for a matter so mundane in a society where cultural factors have curtailed any efforts to chart out boundaries between girls and women when it comes to sex matters. Worse still, many of the sexual abuse cases are handled in *kangaroo courts* (*fake community courts where village elders pose as judges*). Women usually do not participate in these courts. The victims will seldom be given hearing. This has created a vicious cycle. The study is conceptualized as indicated on figure 1.1.

Fig 1.1. Conceptual Framework.



1.9 Operational Definitions

Some of the terms used in this research will be defined below for purposes of clarifying their meanings as used in the study:

- **Sexual Abuse-** any form of contact with sexual connotations, gestures, sounds, pictures, games, conversations, pornography, insinuations that have any relevance to sex directed towards a minor, including penetration of genital area either naturally or unnaturally
- **Child-** person below the age of eighteen and enrolled in an educational institution.
- **Child Sexual Abuse-** sexual abuse (as defined above) perpetrated against a person below eighteen years who is in an educational institution
- **Teacher-** Any person engaged for the sole purpose of providing regular instruction to children in a school.
- **Perpetrator-** teacher who indulges in Child Sexual Abuse
- **Offender-** any teacher accused of committing the offence of sexual abuse
- **Panel-** Team of TSC Commissioners and officers sitting for the sole purpose of adjudicating teacher discipline cases
- **Adjudication of discipline cases** - management of discipline cases of teachers by TSC officers across the discipline continuum.
- **Sexual implications-** that which arises as a result of sex. Consequences of sexual abuse
- **Surveillance systems-** systems of watching over the teacher to ensure he/she did not have any sexual contact with pupils

- **Integrity**- living up to the expected standards of discipline
- **Income levels**- economic and financial abilities
- **Victim**- Any child who has been sexually abused by a teacher
- **Myths on HIV**- people's unfounded beliefs on the Human Immunodeficiency Virus

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); (1979), and the Beijing Conference (1995) stipulated a number of strategic issues to be addressed so as to enhance Gender equity and Gender Parity in education. Importantly, from these platforms; governments realized just how little they had done towards increasing opportunities for girls in education and ensuring their survival to the end of the education cycle. This failure relegated girls to third place leaving them out of long term effective socio-economic participation. The forum also recognized that for a long time, it had been each government's prerogative to deal with its girls and women. Draconian laws, Social Darwinism and retrogressive cultural practices among other factors; all converged to create economically and socio-culturally untenable socio-economic survival templates for the girl and woman. In congruence with the recommendations of these platforms, two of the Millennium Development Goals, namely Goal 2: *Achieve Universal Primary Education (UPE)* and Goal 3: *Promote gender equality and empower women* were developed. By the same token, the *elimination of gender disparities in primary and secondary education preferably by 2005 and at all levels of education no later than 2015* became targets for most governments in the developing world at the turn of the century. These targets are pertinent international development indicators for assessing progress towards gender equity. Unfortunately, a

UNICEF Report (2008) indicates 38 million children are out of school in Sub-saharan region with the majority being girls.

Babbie (1995) argues that “because every research should be placed in the context of the general body of specific knowledge, it is important to indicate where your report fits in that picture.” He notes that having introduced the reader to the general Purpose of the study, “you should then bring the reader up to date on the previous research on the area, pointing to the general agreements among the previous researches”. This is the basis upon which literature will be reviewed in this chapter.

In order for the Literature Review to be easily intelligible, the study has been organized under the following topics:

- 1) Definitions of CSA
- 2) Types and prevalence of Child Sexual Abuse (CSA)
- 3) Causes of Child Sexual Abuse by teachers in schools.
- 4) Socio-economic effects of CSA by teachers on a) the girl and b) the teachers
- 5) Policies and legislation relating to CSA
- 6) Interventions to the challenge of CSA .

2.2 Definitions of Child Sexual Abuse

The term *Child Sexual Abuse* has been used in the psychological literature to describe virtually all sexual interactions between children or adolescents and significantly older persons, as well as between same-age children or adolescents when coercion is involved.

The indiscriminate use of this term and related terms such as *victim* and *perpetrator* has

been criticized because of concerns about scientific validity (Kilpatrick, 1987; Nelson, 1989; Okami, 1990; Rind & Bauserman, 1993). Kilpatrick argues that researchers have often failed to distinguish between "abuse" as harm done to a child or adolescent and "abuse" as a violation of social norms, which is problematic because it cannot be assumed that violations of social norms lead to harm.

Sexual abuse is viewed through different lenses causing a discrepancy in the definitions. However, to a large extent these definitions dictate the way CSA cases are addressed. As the study explores the meaning of CSA, it is worth noting that all existing definitions have any points of convergence.

This study defines CSA as the consensual or non-consensual handling or directing of a child's body or emotions towards sexual acts. This may include fondling, caressing, touching of genitals or any sexual sensationalization of any part of the body; or the use of words or gestures with sexual insinuations, deliberately showing pornographic pictures, and penetration of the genital organ by perpetrator, where the victim is a minor according to the laws of the land.

2.3 Prevalence of CSA by teachers in Public primary schools in Kenya

Available data indicates that CSA is pervasive in schools in Kenya. For instance, a report released by the Center for the Study of Adolescence on May 6th 2008 suggests that most teenage pregnancies in primary schools could have been caused by teachers. The report states that in most cases the perpetrators go unpunished and this was corroborated by TSC officials who estimated reporting rate at about 10%. Studies in other parts of the

world have proven high prevalence of CSA by teachers and therefore this study will prove whether the same situation obtains in Kenya or the public hullabaloo has been unfounded.

The TSC Survey on Systems, Policies and Procedures addressing sexual abuse of school children (2009) indicates high prevalence but low reporting at only 10% of cases. Indeed, the report postulates that between 2003 and 2007, 633 girls were sexually abused in our schools. The data tabulation for the 10% cases in the report is as indicated below:

Table 1.1 Number of reported sexual abuse cases to TSC-2003-2007

2007	2006	2005	2004	2003	TOTAL
123	144	100	139	127	633

Source: TSC Report 2009.

This data can be extrapolated to 6330 sexually offending teachers for the period. The implication from the report is that unknown number of children are sexually abused every year. Indeed, the data is inconsistent in the sense that it does not give a clear trend. The report also says that one teacher can abuse as many as twenty children. The fact that the TSC declares in this report that only about 10% of cases are received means the unreported cases could be far beyond this percentage.

Records held at the TSC, indicate a moderate prevalence but the public outcry sends a different message all together. While the TSC records may not raise any alarm, the manner in which the CSA cases are recorded sends different signals. The *one teacher one count* system (same punishment irrespective of the number of children a teacher has abused) gives a totally different tally of abused children from the reality. For instance, out of the 13 CSA cases reported to TSC in 2010, one teacher had abused 20 girls. There is

also every indication that many teachers charged with sexual abuse will have usually abused more than one child. Unfortunately, the Commission does to focus on collating data on abused children in its discipline adjudication and documentation.

2.3.1 Current Problem in Schools

According to Bass & Davis (1988), one out of three girls, and one out of seven boys, in America are sexually abused by the time they reach the age of eighteen. In many cases, a person closely related to the girl or a teacher perpetrates this abuse.

A report carried on Kenya's Daily Nation (14th May 2007) describes an incident where a 33 year old teacher in Machakos district, Kenya, abducted his own class five pupil, forced her into a *matatu* (mini-bus) and took her about eight kilometers away from her home where he confined her, defiling her for four days before she could flee while he was away at work. This scenario just indicates how desperate the challenge of CSA has become. It could also be a pointer to a rotting teaching profession.

Although these are just a few examples, a good look at the events indicates an ailing school system. For instance, for a teacher to be able to assault 12 girls, there must be something incongruent in both the school management, the school community and the overall teacher management system; hence the challenge for this study.

2.4 .0 Causes of CSA

2.4.1 Cultural Values

Traditionally, among some communities in Kenya, a grandfather refers to his granddaughters as his *wives* and is actually free to fondle, caress or do anything with the

girl. It is rumoured that in the Kamba community of eastern Kenya, whenever the grandfather wants to get sexually aroused, he could get his granddaughter to fondle his genitals. This fondling at times culminates to carnal knowledge. Much as these arrangements may have had their cultural benefits, they must have created a certain degree of emotional discordance among girls. Incidentally, the grandfather-granddaughter closeness sometimes has resulted to CSA by grandfathers but unreported except where there is much injury of the child warranting hospitalization. The fondling, caressing, kissing, fingering, touching by the grandfather may be interpreted as an indirect way of psychologically preparing the girl early in life for her expected role in providing sexual satisfaction to the male. The difference in age between the little girl and her grandfather in a way sets the latitude for future sexual molestation, with the grandfather coming at the extreme end.

This way, the girl may subconsciously be expecting the same treatment (which she now interprets as a measure of love) from any male around her and the teacher only comes in as an expected guest. If he goes beyond the fondling and caressing (which ideally is bad enough), she might think he is being nice to her. To such a girl, it makes little sense to punish a teacher for CSA. If the girl's mother happens to have grown through the same system, it becomes futile to expect such a mother to launch a complaint against a teacher who treats her daughter as a sex object.

The Daily Nation (17th May 2007) carried a report on a 70 year old man in Nyeri district who had been having a sexual relationship with his granddaughter. The granddaughter had several children with him. The community expressed they were well aware of the

relationship all along. In such scenario, the matter is complicated by the fear of offending a neighbour, and the fact that communities do not recognize incest as illegal.

2.4.2 Challenges relating to Disclosure

A study by Kumalo, (2003), carried out in KwaZulu-Natal, South Africa revealed that many children did not disclose cases of sexual abuse. According to the study, *purposeful disclosure* accounted for only 30% of cases, *indirect disclosure* were 9% of cases, *eyewitness detection* 18% of cases, and *accidental detection* 43% of cases. The report revealed that the victim's age, the nature of the victim-perpetrator relationship, the offender's age, the frequency of abuse, and reporting space available determined how often children disclosed sexual abuse. Thus, in cases where the victims are very young, closely related to the perpetrator, there may be no reporting at all. Additionally, when children are frequently abused, this is normalized and the chances of reporting minimized, while the lack of reporting channels may further aggravate the problem.

It is plausible to argue that the patterns of disclosure have implications on primary prevention and forensic interviewing practice. In the Kenyan context, one of the biggest challenges is the poor disclosure by CSA victims. This happens either for fear of victimization, stigma, ignorance of long term consequences and the small available space for such disclosures. One would wish to find out which of the above patterns are common and how for instance purposeful disclosure can be intensified and how the latency for disclosure can be enlarged. This may in a way deter the perpetrators of CSA; and the victims would assist the prosecution and help schools in curbing the problem.

2.5 Socio-economic effects of CSA

2.5.1 Effects on girls

The most glaring of the social effects of CSA in schools are those related to education. According to a report by Center for the Study of Adolescence (2008), about 10,000 girls drop out of school every year due to CSA related causes, occasioning loss of an estimated 60 million of government revenue. A similar report by World Health Organization (WHO, 2004), cites more than one million cases of adolescent abortions. Although the government established a Return-to School Policy for school girls who fall pregnant, this has faced challenges of acceptance. The question of who looks after the baby while the girl goes back to school and who really is ultimately responsible for taking her back to school; and which school, coupled with issues of stigma relegate this policy to the periphery. It is worth pointing out that in terms of the long term economic independence, girls who drop out of school stand a lower chance of succeeding.

Kendler, (2000), observes that young girls who are forced to have sex are three times more likely to develop psychiatric disorders or abuse alcohol and drugs in adulthood, than girls who are not sexually abused. Sexual abuse may lead some girls to become sexually active at an earlier age and seek out older boyfriends who might, in turn, introduce them to drugs. One may wonder whether the increase in cases of drug abuse in the country may have their roots in sexual abuse.

According to *Tsai, & Wagner, (1984)*, if the child victim does not resolve the trauma, sexuality may become an area of adult conflict. This scenario points to a situation where society might have to content with many personality disorders of such girls in their later

lives. In fact, one may hasten to point out that the increased cases of marital conflicts and divorce in society might have their genesis in CSA.

These findings should be a concern in that they point to the reality that abused children are never likely to be themselves in life. Society, by letting loose child molesters, and by creating conducive environments for CSA is ideally killing the great future that all children and society should aspire to.

According to Browne, & Finkelhor (1986), long term person effects of child abuse include fear, anxiety, depression, anger, hostility, inappropriate sexual behaviour, poor self-esteem, tendency toward substance abuse and difficulty with close relationships. By the same token, Tsai, & Wagner,(1978) opine that adult victims of sexual abuse have such problems including problems in interpersonal relationships associated with an underlying mistrust. Generally, adult victims of incest have a severely strained relationship with their parents that are marked by feelings of mistrust, fear, ambivalence, hatred, and betrayal. These feelings may extend to all family members. This does not give much hope to the building of happy families and a thriving society.

2.5.2 Effects of CSA on the teachers

Teachers who commit CSA run the risk of being imprisoned as this is a criminal offence. In fact, cases have been known where such teachers have been subjected to mob-justice leaving them physically injured in addition to the embarrassment.

The Teachers Service Commission has been dismissing teachers who commit CSA. While this is laudable effort towards curbing CSA in our schools, the lopsidedness of it is that many of the teachers getting dismissed have been listed as excellent in the classroom.

This is perhaps one factor that causes the children to like them to the extent of allowing them to molest them. While it takes a few minutes to dismiss such a teacher, to train another takes more than four years. The obvious effect is a loss of good teachers to both government and society, and the loss of government revenue spent on training the teachers. The losses to such a teacher are incalculable.

While teachers involved in CSA acquire themselves stigma and low self-esteem, they also suffer the economic loss of income. Such teachers are likely to be taunted by both colleagues and community while they stand the danger of being left by their spouses. Needless to say, such teachers may find themselves unable to engage in meaningful economic activities and the temptation to engage in further CSA or other social deviance activities is extended.

2.5.3 Effects on Parents

Anything that has negative effects on a child is bound to affect the parent. According to a report by UNICEF (2000), parents in Zambia; upon realizing that teachers were sexually abusing children, opted to keep their girls from school at the expense of losing out on education. The fear of having their girls sexually abused by teachers far outweighed the benefits of education. The vice is likely to create stress, fear, loss of confidence in educational institutions and minimize parental support on a school.

2.6 Policies and Legislation relating to Child Sexual Abuse

2.6.1 The Constitution of Kenya (2010)

The Constitution of Kenya has made provisions for protecting children from violence and all forms of abuse. Under Article 53, the Constitution makes specific provisions for protection of children including obligating the state to fulfil socio-economic rights of the child, to deliver healthcare, education and shelter to all children as it introduces the universally acclaimed principle of *the best Interest of the child*. The new Constitution extends boundaries for litigation and sets the stage for enhancing jurisprudence on child protection matters. The Constitution also makes quality education a basic human right. This means that teachers engaging in sex with children can ideally be charged with affecting a child's quality of education. However, what everyone should be asking themselves is what has changed? Knowledge on the constitution still remains with the courts and the lawyers. The fact that majority Kenyans are illiterate means that they will never be able to read the law on their own. It is also one thing to have the provisions in the Constitution and another to have these implemented.

2.6.1 The Sexual Offences Act (2006).

The Sexual Offences Act largely draws from the provisions of the Sexual and Gender Based Violence (GBV) provisions as stipulated in the: United Nations Convention on the Elimination of all Forms of Discrimination Against Women, the United Nations Convention on the Rights of the Child, and the African Charter on the Rights of the Child. The Act provides for the prosecution of any persons who commit: sexual harassment due to positions of authority and the person's position of trust, sexual

relationships which predate position of authority or trust, deliberate transmission of HIV or any other life threatening sexually transmitted disease. The Act further provides for the collection of forensic evidence to be used in prosecution. However, this Act remains largely unread and many lay- persons; who are unfortunately the majority victims of GBV by nature of their habitation and socio-economic engagements (Gender Violence Recovery Centre, 2011), will require interpretation to make sense of its expectations. Worse still, a lot of what the Act expects in terms of collection of forensic evidence requires the largely lacking skills, goodwill of the victims as well as travel resources including expenses for carrying out the forensic laboratory work.

2.6.2 TSC Code of Regulations for Teachers.

The TSC Code of Regulations for Teachers (CORT), the document that guides teacher discipline has had its fair share of challenges. First, the document lacks synergy with other existing legislation particularly SOA. In addition, CORT does not disaggregate the offence of Sexual Harassment (SH), Infamous Conduct (IC), Infamous Behaviour (IB), Flirtation. Consequently, these terminologies are used interchangeably, in many cases diminishing the seriousness of sexual abuse. This makes the adjudication of cases difficult. Worse still, there is no clear stipulation of the evidence that may be produced before the panels for the various charges. This leaves the panels to rely mainly on witnesses accounts particularly placing cases of Carnal Knowledge precariously untenable juxtaposed with the wider legal procedures. To add insult to injury, the TSC maintains a one wo(man)-one count system whereby a teacher charged with several cases of CSA would get the same punishment as the one charged with one. This system

encourages the perpetrators to abuse as many victims as possible. Finally, the CORT does not provide a maximum period within which CSA cases should be concluded in spite of the attendant effects of delays in the adjudication of such cases. One may also point out that the procedures for reporting CSA to the TSC are self-defeating. They cause delays and create loopholes for perpetrators to *buy innocence*. The CORT is yet to be read by the majority of teachers not to mention that it is not accessible to the majority even within the city center since TSC management has not focused on disseminating the CORT. This is also attributed to the little understanding of most teachers of the need to understand their terms of engagement and their over-reliance on the Kenya National Union of Teachers (KNUT) for representation in any disputes with TSC.

2.6.3 Gender Policy in Education.

Gender Policy in Education (2007), provides for the unconditional re-admission of school girls who fall pregnant which is laudable. However, this has been largely challenged by the lack of goodwill from some parents and negative school administrators who feel this re-admission may encourage promiscuity. Worse still, the great competition for good schools makes it untenable for girls who fall out of good schools to access other good schools.

Although the Gender Policy in Education was developed in 2007, its impact is yet to be felt. Worse still, the policy does not chart a clear direction for dealing with GBV. Instead it confines itself to *Mainstream policies that address GBV, Establish Modalities for*

dealing with the same, and Develop and Implement clear anti-sexual harassment and anti-gender-based –violence policies... in the meantime, it is business as usual.

2.6.4 Interventions to the challenge of CSA.

In Kenya. Some of the response has come from the individuals who have been themselves victims and their families, other response is from the government and Non Governmental Organizations (NGOs). For instance, Organizations like Action Aid Kenya, Plan Kenya, Girl Child Network, The Cradle, Kenya Alliance for the Advancement of the Children Rights (KAACR) and Childline Kenya; have individually spend huge amounts of resources in an attempt to curb sexual abuse of girls in schools.

However, the efforts of these parties have been watered down by the lack of synergy in their efforts and the pressing need for each organization to stand out in an attempt to attract donor resources for future work. Over the years, these organizations have seldom worked in consultation with government so their efforts have been trivialized. The enactment of the Children Act (2001) and the Sexual Offences Act (2006) is great effort by the government towards dealing with CSA. It charts direction for prevention and response to CSA as it charges duty bearers to act on offenders. Unfortunately, the law remains largely inaccessible and unintelligible to most children and majority rural communities, owing to high illiteracy rates (KDH Survey, 2009) and the government's failure to customize such laws in spite of their importance to child protection.

The Teachers Service Commission has tried to address the challenge of ACSA. First, the existence of a CORT to chart direction for teacher behaviour is a commendable effort. Unfortunately, the CORT remains unread by many teachers. There has not been any efforts at disseminating the document and many teachers do not consider it priority document for their nature of business. Secondly, the fact that the Commission actually went out of its way to carry out a Survey on its systems addressing sexual abuse of children by teachers, as highlighted earlier in the Literature Review, is indicative of its concern over the vice. The Commission however did not benefit much from that much publicized survey as its systems for discipline adjudication have remained the same.

The Commission established a Customer Relations Management System and a Database for Teacher Sexual offenders, but the full benefits are yet to be realised.

In 2010, the Commission released its TSC Circular 3/2010 which seeks to protect children from sexual abuse by teachers and calls upon all teachers to report such cases even directly to the Commission Secretary. However, the implementation of this circular has remained a challenge as the TSC did not make appropriate administrative arrangements to adopt the change. Cases reported directly by teachers have not been readily accepted and such teachers have found themselves in trouble with their supervisors. The monitoring of the Implementation of the Circular has also remained *ad hoc* making little difference.

This research will therefore focus on addressing the gaps identified from the Literature Review under the following objectives:

- 1 Establish the prevalence of Child Sexual Abuse of public primary school children in Makueni district by their teachers
- 2 Investigate the factors that exacerbate Sexual Abuse of pupils by teachers in public primary schools in Makueni District
- 3 Evaluate the effectiveness of Teachers Service Commission's policy and administrative systems for dealing with sexual abuse cases
- 4 Establish challenges facing the Teachers Service Commission in the management of sexual abuse of pupils by teachers
- 5 Recommend interventions for redressing the situation.

2.7 Summary of Literature Review

The Literature Reviewed indicates CSA as a threat to society's survival today. CSA is common in many countries and in Kenya in particular. Several causes of CSA in our schools have emerged which include laxity on the part of the government, TSC and child protection authorities, lack of clear structures for adjudication of CSA cases by teachers, cultural constraints, ignorance on the part of parents and guardians as well as the lack of collaboration between the various authorities dealing with the offenders. In addition, the existing laws and regulations have inherent gaps and are sometimes defeatist. The Literature reviewed also indicates gaps in teacher- training and teacher- management which exacerbates the problem.

CSA has affected the girl, the perpetrator, the educational achievements and outcomes contrary to the requirements of the Millennium Development Goals (MDGs), the entire society in general and the victim in particular.

Literature reviewed indicates deep physiological effects which are more dangerous to the individual and society in the long term; compared to the physical. The effects on society have been isolated as detrimental to effective societal survival and to development and the individual's socio-economic well-being. Some of these effects include the consumption of drugs, promiscuity which exposes the individuals to the Human Immunodeficiency Virus (HIV), the emergence of terror gangs that threaten individuals, society and foreign investors. This has far reaching effects on the country's development.

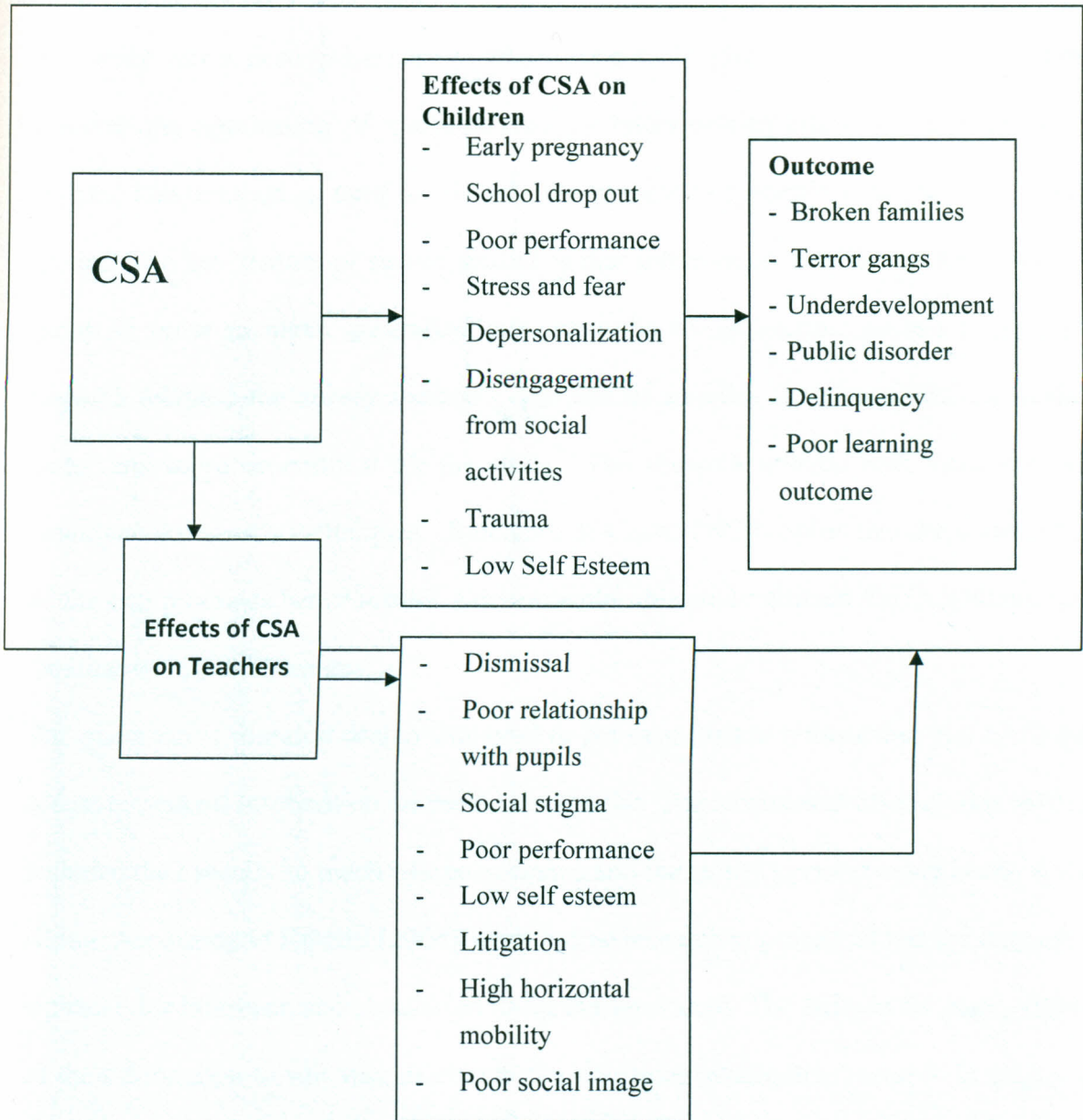
Even though a lot of research has been done on sexual abuse of children in schools by teachers, there are a number of issues that emerge that would be considered as research gaps. First, there is no academic research done in Kenya, focusing on sexual abuse of children in schools by teachers. Secondly, the researchers have failed to focus on the teacher as a caregiver, with moral responsibility to protect children; and the factors that catalyze the vice. Thirdly, there has been an overconcentration on issues outside of the school such as poverty and the children's backgrounds, seen as the key drivers of sexual abuse of children by teachers an approach that tends to sanitize the vice, ignoring the fact that teacher behavior should be controlled by their employers and should never be dictated by factors in the children's homes. Fourthly, previous studies have also failed to focus on the teacher discipline management systems which should ideally make it

difficult even for the most proficient pedophile to molest a child within the school. Noteworthy, none of the researchers has focused on rehabilitation of the teacher sexual offenders as their dismissal from work only relocates them to another space within the society.

Previous research also did not focus on the characteristics of teachers likely to sexually abuse children. It would be important for school administrators and the children as well, to understand the likely perpetrators so that they remain alert.

Regarding the prevention of CSA, the Literature reviewed points to primary and secondary strategies. These are preventive, curative and reparative. Most of the strategies currently in place have been curative as they focus on the CSA cases already committed at the expense of prevention. Among the approaches suggested is the harmonization of the Laws and regulations dealing with CSA cases so as to ensure effective systems that are acceptable across the board. The Literature thus reviewed is summarized in Figure 2.1

Fig 2.1 The Trajectory of CSA



Source: Self

The effects of sexual abuse are both short term and long term. The challenge is that CSA affects both the victims and the rest of the pupils as well as the teachers themselves.

CHAPTER THREE

METHODOLOGY

3.1 Research Design

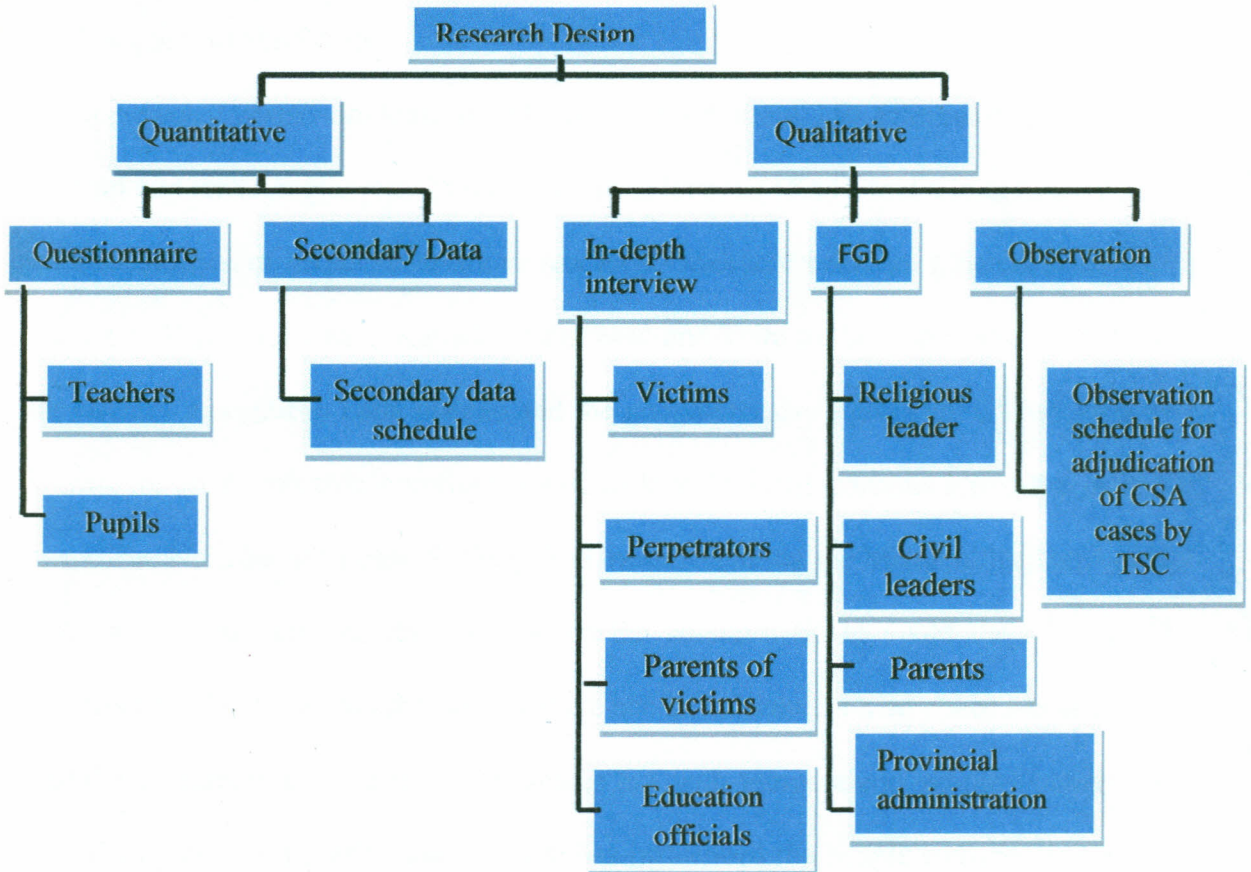
The study was a descriptive survey. According to Singleton (1988:7), survey research involves the application of questionnaires or interviews to relatively large groups of people. This method is used to identify the presence of certain characteristics among groups. The key feature of survey studies is that information is collected from part of a group in order to make generalizations about the whole group. In this respect, this research adopted the survey method. The use of samples for generalizations made it easier and more economical for the study. The research utilized both qualitative and quantitative research techniques. Reichardt & Cook, (1979) opine that the combination of the two produces better results. Consequently, this study utilized the Quantitative and Qualitative research designs.

The quantitative research design was used to get quantitative information that facilitated access to general information on the research topic. The advantages of using this method included the capacity to reach a large audience and the ability to cover many issues at one sitting. According to Kothari (2004), quantitative research approach allows the researcher a chance for inference and simulation using the same data. The latitude for manipulation of the information to suit various circumstances places quantitative research in a class of its own.

For purposes of this study, the approach was useful for establishing factors that catalyze sexual abuse of pupils and for identifying possible redress mechanisms. The qualitative

research design was used in mainly gathering qualitative information that facilitated in-depth understanding of the perceptions and suggestions for addressing CSA in schools. According to Nachmias & Nachmias (1996), qualitative Research method derives from the *verstehen* (empathy) tradition where researchers are encouraged to see issues from the eye of the affected. The two argue that qualitative research tries to understand behaviour and institutions by getting to know the persons involved and their values, rituals, symbols, beliefs and emotions. In this study, the use of in-depth interviews and Focus Group Discussions (FGDs) to collect information is indeed in the *verstehen* spirit expressed by the two scholars. The research took the design shown in *Figure 3.1*:

Fig. 3.1: Research Design



3.1.1 Variables

A variable is a measurable characteristic that assumes different values among the subjects (Mugenda and Mugenda, 2003). In this research, the independent variables were those factors that were perceived to catalyze CSA. These included laws and TSC policies governing the management of sexual abuse cases, TSC systems administrative systems dealing with CSA, TSC CSA policies, staff knowledge of the laws and policies, discipline adjudication systems, corruption, nature of punishments given to offenders, available spaces for abuse within the school and the characteristics of likely offenders, attitude of TSC staff, education officials. The dependent variable was Child Sexual Abuse.

3.2 Location of the Study

The research focused on Makueni district situated about 150 kilometers south east of Nairobi and stretching across 24,000 km² along latitude 37.64E and a longitude of 1.91S; with an altitude of about 300ft above sea level. Makueni borders Machakos district to the north, Kitui to the east, Kajiado to the west and Taita to the south. The district holds the country's beautiful Yatta plateau and the geographically significant Chyulu hills well known for their volcanic eruptions spewing lava in large portions along the southern areas. The Nairobi/ Mombasa Railway line meanders along the Makueni/Kajiado boarder making a detour into the district towards the southern tip to avoid the Chyulu hills. Importantly, the Tsavo West National Park occupies Makueni's southern boundary with Taita. The climate in Makueni is generally hot with temperatures ranging between 23° and 33°degrees Centigrade. This climate has influenced the people's economic activities

making them predominantly peasants with small scale farming in livestock and cereals, especially maize and beans. The district is also well known for the production of the sweetest citrus fruits in the country.

Makueni district carries an adult population of 771,542. Out of these, 372,639 are males while 398,906 are females. The district has 205,937 primary school going children disaggregated as 102,353 and 103,584 girls and boys respectively. The district is inhabited by the Kamba people who are mainly agriculturalists. The Kamba people are famous for their hospitality and generosity save for the frequent droughts and famine in the area. Makueni district is divided into seven educational administrative zones as shown in *Fig. 3.2 (appendix 1)*.

According to Kenya's Economic Survey (2003), the district suffers gender imbalances in favour of boys in most schools; recording the highest in class 8 in 2002. It is plausible to argue that the gender imbalances at class 8 may be a result of girls dropping out due to pregnancy or to sexual abuse related stigma as indicated by the report of the Center for Adolescence Studies (2008:29).

3.2.1 Justification of the Study Site

The Teachers Service Commission was purposefully selected for the following reasons.

- i) The TSC is legally mandated to register, recruit, deploy, remunerate and discipline teachers in all public schools. The buck therefore stops at TSC.

- ii) The likelihood that teacher indiscipline affects TSC more than any other organization.
- iii) CSA cases have been putting TSC on the spot and the threat of litigation by abused children and disenchanted stakeholders is real under the expanded spaces for public scrutiny under the new Constitution.
- iii) Makueni district was purposefully sampled as the focus of this study for the following reasons:
 - iv) The district recorded the highest cases of CSA in 2006 and there was no proof that the situation had changed by the time of the study (TSC Administrative data, 2006-2009). Although recorded cases may have gone down, this does not preclude reduction in cases. There are chances that teachers may have devised better ways and means of circumventing the law.
 - v) TSC records (2009-2011) indicate that Makueni district has had some of the most bizarre cases of sexual abuse of school children by teachers
 - vi) Makueni district has the highest population of primary school going children in eastern Kenya (MoEST administrative data 2011)

3.3 Target Population

The study population was 207,995 that is, 2,058 teachers and 205,937 pupils between class four and eight registered in the seven divisions of Makueni district out of whom 102,353 were girls and 103,584 boys. The sample included both those that had been and that had not been involved in CSA cases. The teachers included both males and females;

According to Cooper & Emory (1995), a sampling frame is a list of elements from which the sample is actually drawn. In this regard the teacher lists at the District Education Officer's office and class registers in the schools were used as the sampling frames. The teacher lists were stratified and then random sampling utilized within the zones so as to include each zone taking care to balance gender. The researcher also used TSC discipline records and snowballing method to identify the CSA victims and perpetrators.

The summaries for the pupils per zone and the total population are indicated in *Table 3.2*

Table 3.2 Sample size

S/No	Pupils					Teachers			
	Population In sampled schools	Boys	Sampled Girls	Girls	Sampled Girls	Male population	Male sample	Female	Female sample
1.	459	234	24	225	23	73	7	60	6
2.	167	90	9	77	8	82	8	106	11
3.	714	395	40	319	40	68	7	78	8
4.	194	88	9	106	11	97	10	102	10
5.	466	236	24	230	23	82	8	84	8
6.	272	140	17	132	14	75	8	81	8
7.	263	114	11	149	15	135	14	162	16
8.	411	210	21	201	26	69	7	58	6
9.	337	172	18	165	17	109	11	98	10
10.	505	281	29	224	23	75	8	48	5
11.	372	188	19	184	19	92	9	67	7
12.	488	258	30	230	30	98	10	59	6
TOTAL	4,648	2,406	251	2,242	249	1,055	107	1,003	109

3.4.2 Sample Size

The study sampled 10% of the schools in each zone out of which 10% of the pupils were identified. In total, the sample consisted of **837** respondents; thus: **500** pupils, **216** teachers and **116** of other categories. The details of the sampling Grid are given in Table 3.3.

Table3.3: Sampling Grid

S/No	Category of respondent	Sample
vii)	CSA perpetrators	5
viii)	SMC	07
ix)	CSA Victims	05
x)	Parents of CSA victims	05
xi)	Teachers	216
xii)	Pupils	500
xiii)	Parents Head-teachers	46
xiv)		15
xv)	Education officials from the district	3
xvi)	TSC officials	10
xvii)	Ministry of Education officials	3
xviii)	Clergy	10
xix)	Provincial administration	2
xx)	Officials from Department of Children's Services	2
xxi)	Civic leaders	8
xxii)	Total	837

3.5 Research Instruments

The study employed a variety of research instruments including: Questionnaires Interview Guides, FGD Guide, Secondary Data Collection Schedule and an Observation schedule. The questionnaires were designed differently for the three groups involved in the study to provide for their differences.

The Interview and Focus Group Discussion Guides were divided into three main categories and contained general information relating to sexual abuse of school children by teachers, perceptions on the study variables and suggestions for redress of the situation respectively. The Secondary Data Collection Schedule captured information on the study variables that was in TSC and district education records; while the Observation Schedule captured information during the proceedings of the discipline cases. The information focused mainly on the interrogation of offenders and victims, utilization of investigation reports, arguments of offenders in mitigation and verdicts reached in these cases.

All the instruments were designed in a simple straight forward language making it easy for the respondents to follow.

3.5.1 Questionnaire

A questionnaire is a research instrument that gathers data over a large sample (Kombo & Tromp, 2006) and is one way to elicit self-values (Sproul, 1988). As CSA is a sensitive topic, a questionnaire provided the necessary anonymity, and accorded the respondents the freedom to give honest responses to the questions. The questionnaires consisted of both open-ended and closed ended questions and were designed specifically for each category of respondents in line with the research objectives (See appendices 2-4). There were three types of questionnaires to cater for the different categories of respondents thus, for the teachers, one for the pupils and one for TSC officials.

3.5.2 Interview Guide

According to Kothari (2004:97), the interview method of collecting data involves presentation of oral- verbal stimuli and reply in terms of oral-verbal responses. In this regard, Interview Guides were used during the In-depth interviews. There were three Interview Guides which carried general questions. The instruments were structured in such a way as to cover all the study objectives while paying attention to the specific variables. Through these guides, the researcher was able to delve deep into the informants' experiences, perceptions, attitudes and opinions on issues of CSA. Here, the individual understands and experiences with CSA were accessed in detail. The Interviewer paraphrased the questions and came up with probing questions as was appropriate during the interviews thus delving deeper into the informants' minds to gain as much information as was possible on the target objectives. This tool was used with parents, Civic and religious leaders, CSA victims, CSA offenders, TSC officials, MoEST officials and officers from the provincial administration.

3.5.3. Focus Group Discussions (FGDs)

The researcher held FGDs using the FGD Guide to explore cases of CSA in primary schools in Makueni. On the same note, FGDs provided a free forum for the participants to air their views without the fear that the information could be personalized. Thus the use of FGDs in this research was a motivating factor to the participants. These FGDs also facilitated free discussions on the research concerns and helped in identifying the specific groups' perceptions of CSA and their proposed panacea for the CSA menace. A

total of 18 FGDs were conducted across teachers, head teachers, pupils, parents, SMCs, Civic and religious leaders and TSC officials.

3.5.4 Observation Schedule

Participant Observation is, according to Nachmias & Nachmias (2003), a method of data collection whereby the investigator attempts to attain some kind of membership in or close attachment to the group that he or she wishes to study. In this context, the Observation Schedule was used to capture information during TSC discipline cases. In particular, the researcher was keen to capture both verbal and non-verbal communication during the hearing of CSA cases. The researcher assessed the interrogation processes, handling of victims and their witnesses, utilization of medical and investigation reports, the way evidence was adduced, the application of policies and verdicts reached in each case. The essence of this was to establish the balance between the decisions reached on sexual abuse cases *vis a vis* the evidence presented; and collate the alleged perpetrators' arguments in mitigation. The Observation schedule was also important in standardizing observations during the hearing of discipline cases. The questions asked during interrogation by the adjudicating panel were also captured and the general attitude of the discipline panelists. These were necessary in determining the capacity of the TSC to handle CSA cases and in assessing the efficacy of TSC discipline procedures in dealing with CSA.

3.5.5 Secondary Data

A secondary data collection schedule was also one of the research instruments used to collect information. This was designed to collect information from existing TSC records. This entailed going through the TSC discipline records and isolating CSA cases recorded at TSC's discipline division, the Gender Unit and the CRM system. The researcher scrutinized the records for consistency in the framing of CSA cases, the witnesses' statements, the evidence adduced and the verdicts reached by discipline panels as well as the implementation of those verdicts. The researcher was keen to establish the levels of consistency in the judgments in congruence with the findings of related investigation reports and evidence presented during the hearing of such cases. The study also dug deep into the offenders' personal files to establish the backgrounds of the teachers and any records on similar offences. Other TSC records from the Integrated Personnel Payroll Data (IPPD) were utilized to check the age, grade levels of the offending teachers, their marital status, length of service and the academic qualifications. The secondary data was used to assess the effectiveness of the administrative system in managing cases of CSA reported to the Commission.

3.6 Pilot Study

All the instruments were piloted to ensure that they would collect the intended information. This also helped to minimize errors and ensured that there were no repetitions or ambiguities. According to Mugenda & Mugenda (1999), pretesting eliminates errors on reliability and validity. The researcher piloted the instruments in Matuu division of Yatta district.

The pilot study was carried out in two schools in Matuu division which is far from Makueni but with similar characteristics as the target district; to avoid leakage which could cause unnecessary anxiety among the target group. Thirty pupils and sixteen teachers were randomly sampled from these schools to complete the questionnaires. Of the sixteen teachers, seven completed the questionnaire for teachers; two were involved in the In-depth Interviews while the other seven were engaged in a Focus Group Discussion. Out of the thirty pupils, seven of them were involved in a Focus Group Discussion while the rest responded to the questionnaire. All the respondents were given a chance to ask for any clarifications concerning the items contained in the research instruments. The head teachers from the two schools were also interviewed using the Interview Guide.. Piloting the instruments gave the researcher an opportunity to assess their reliability and validity. Thereafter, the researcher analyzed the data, reviewed the instruments accordingly and was satisfied that the study instruments were adequate for collecting the intended information.

3.6.1 Validity

Validity is the degree to which a test correlates with accepted criterion of the behaviour being measured (Ekstrand:1981:505). Mugenda., & Mugenda., (2003) define validity as the degree to which the result obtained is from the analysis of the data actually representing the phenomenon under study. In this study, validity was measured against construct and content of the instruments. As the pilot data was analyzed, it was easy to establish whether they yielded responses answering the research questions. The

instruments were thereafter reviewed to fit the need of the research thus ensuring validity. The instruments' validity was further ensured through consulting with experts and professionals in studies of sexual violence and harassment, gender experts and researchers who had participated in similar studies. The researcher also discussed the instruments with her supervisors, faculty members in the department and fellow PhD students and made relevant amendments on the instrument.

3.6.2 Reliability

According to Mugenda and Mugenda (2003:95), reliability is a measure of the degree to which a research instrument yields consistent results or data after repeated trials. By the same token, (Frankel & Wallen 2000), posit that the reliability of a measurement instrument is determined by its capacity to provide consistent information after several tests. In other words the instrument must consistently yield the same results when repeated measurements are taken under the same conditions. In this study, the test-retest method was used during piloting of instruments to test their reliability. This was done by repeating the pilot study with the same group of people three months after the initial pilot. The fact that the repeat pilot results were consistent with the initial ones was proof of reliability.

3.7 Data Collection Techniques

A cover letter requesting for cooperation and honest answers from the respondents, and assuring them of confidentiality was attached to each questionnaire. Respondents in the

same institution were congregated in the same room, briefed and requested to fill the questionnaires at the same time. The respondents were assured of utmost confidentiality and all effort made to make them comfortable during the data collection exercise. This reduced chances of the respondents influencing one another's responses.

The researcher used self-administered questionnaires, Interview and FGD Guides Observation Schedule and Secondary Data Collection Schedule to collect research information. In particular, the Observation Schedule was used to record observations along the research variables during discipline case proceedings. The Secondary Data Collection Schedule recorded data accessed from TSC records at both district and the headquarters.

3.7.1 The Questionnaire

Three different questionnaires were used for collecting data from the various target categories: The Questionnaires had been designed to meet the specific objectives of the study and consisted of both, closed-ended and open-ended questions. These questionnaires were administered to the sampled teachers and pupils of each school at the same time.

One type of questionnaire was used to collect data from the pupils not affected, the other from the teachers not affected. The third questionnaire was given to TSC officials (involved in adjudication of discipline cases). The researcher gave the questionnaires to the respondents in each category together with an envelope for placing the questionnaire

after completion. This was important towards ensuring confidentiality particularly where arrangements were required to collect the questionnaires from one central point.

3.7.2 In-depth Interview Guide

The questions contained in the In-depth Interview Guide were fashioned after the study variables. The interviews, which mainly focused on the variables of the research, gave the researcher a chance to ask, clarify and probe as much as possible to gain insight into the prior relationships between the victims and the offenders. They also provided an appropriate way of establishing vulnerability points, feelings, opinions and the experiences before, of the informants during and after the abuse. In addition, the researcher further tried to establish the victim coping strategies and any support systems available within the school, particularly in the instances where they had resumed studies; and their impressions of the discipline adjudication processes.

Prior arrangements were made for the interviews and this reduced on time wastage. Explanations were offered to clarify or rephrase any questions the informants did not feel comfortable with. Interviews for CSA victims and their parents were conducted in different venues as per the individual's comfort including homes, social places, and other discreet venues; while those with pupils, teachers, head teachers and the SMCs were conducted in school and in some cases in church offices and hotels. On the other hand, TSC, MoE officials, provincial administration officials, were interviewed at their places of work.

3.7.3 Focus Group Discussion Guides

Focus Group Discussions were organized for homogenous groups. Thus, the pupils had their own FGDs while the civic and religious leaders, parents, teachers and head-teachers had their own separate ones.

The researcher selected seven pupils from class seven and eight in two of the participating schools since these were perceived as more mature and who would most likely find the topic interesting and therefore be readily willing to participate. The researcher introduced herself and let the participants do self-introduction. The researcher then explained to the participants the gist of the discussion and did some ice-breaking activities to break tension as the topic of discussion was a *no go zone*. She then led the participants by posing the questions one at a time as listed in the FGD guide and giving the participants a chance to discuss while recording the proceedings and controlling the discussions. It was during the pupils' FGDs that some of them mentioned girls they knew in other schools that had been sexually abused by teachers. Here they were also able to come out candidly and express their impressions of CSA as well as ask questions.

3.7.4 Observation Schedule

This was used to capture information relating to the adjudication of CSA cases in discipline panels. In particular, the schedule was designed to pick information on the categories of sexual abuse cases presented to TSC discipline panels, relevance of interrogation questions, offenders' arguments in mitigation and the way such arguments were construed by the panels, treatment of victims and their witnesses in view of the Witness Protection Act (2006), the types of evidence tabled during such cases, the

prosecution's interrogation points and the panelists' attitude as well as the verdicts reached; to assess congruence.

3.7.5. Secondary Data Collection Schedule:

The researcher used a Secondary Data Collection Schedule specially designed to fit in the different pieces of information desired. This was in the form of a table against which the researcher captured the relevant parameters of the cases from the TSC file records. The researcher read the case files held in the discipline division regarding cases of sexual abuse that had been reported to the TSC. From these, Ages of the offenders, nature of sexual abuse, places of abuse and ages and classes of the abused children were extracted. Other details on the offenders were extracted from the Integrated Payroll Personnel Data (IPPD) and the Customer Relations Management (CRM) systems of the TSC. These details included ages of the offenders as well as their educational qualifications, marital status, grade levels and length of service which were details the research felt might have some bearing on their involvement in CSA. Discipline history of the individual teachers was also obtained from the files. The secondary data was useful in assessing response to reported sexual abuse cases. In particular, this provided insights into the durations taken to finalize a case, the levels of response, the types of verdicts reached implementation of those verdicts and feedback mechanisms to the victims.

3.8 Data Analysis

The researcher used the Statistical Package for Social Science (SPSS for Windows) to analyze the quantitative data. On the other hand, qualitative data was analyzed using the Maxqda computer program.

Data was analyzed along the objectives of the study. This yielded descriptive data. First, data collected using questionnaires was analyzed quantitatively whereby closed-ended questions were coded and data entered into the Statistical Package for Social Statistics (SPSS) Computer Program and analysed. On the other hand, data collected from the open-ended questions, In-depth Interviews and FGDs was categorized, themes established, the information coded and entered into the MAXqda computer program and analysed. Both the quantitative and qualitative data were descriptively analyzed to generate frequencies, means, standard deviations and percentages. Cross Tabulation analysis was done to compare the opinions of the different groups interviewed in the study on the study variables. In particular, the understanding of teachers on sexual abuse, their perceptions on its prevalence in schools, targets of abuse, places of abuse and impressions on who should be blamed for the vice were cross tabulated with those of the pupils and TSC officials. Regression analysis was then carried out to establish the critical factors catalyzing sexual abuse of school children by teachers

Based on the findings of the descriptive analysis, further analysis was done including Correlations and Chi squares to establish the relationship between both the independent and dependent variables. Additionally, regression analysis was done to establish the

critical factors influencing CSA among teachers in primary schools. After data analysis, there was reporting and discussions on the findings with the two supervisors.

3.8.1 Unit of analysis.

The unit of analysis is the entity around which a researcher seeks to make generalizations (Singleton, 1998). In this study, there were several units of analysis thus the Teachers Service Commission, the teacher, the school. The main goal, as elaborated earlier in chapter one, was to study the TSC processes in as far as policy presence, usefulness and congruence with wider relevant laws, utilization of such policies and the organization's administrative processes for dealing with sexual abuse of school children. The target group for this study was the teacher. The TSC being the employer of teachers and mandated by the Kenya Constitution (2010) and TSC Act Cap 212 to maintain discipline among teachers; was also a target to provide records on reported CSA cases by teachers and the verdicts reached on each case.

3.8.1.2 Quantitative data analysis.

Quantitative data collected from the field was analyzed by use of statistical package for Social Sciences (SPSS, 9.0). Here, both descriptive and inferential statistical methods of data analysis were applied.

3.8.2 Descriptive statistics.

These are simple statistical methods concerned with organizing and summarizing data to make it more intelligible (Singleton 1998). This was done through formulation of tables,

percentages, frequency distribution tables and coming up with measures of central tendencies including the Mean, Mode and Median; SPSS readily calculated these. This was done specifically to reduce the huge mounds of data into small meaningful quantities. Secondly, the descriptive analysis made it easy for the researcher to identify the existing relationships and variations between the dependent and independent variables of the study.

3.8.3 Inferential Statistics.

These are statistical methods that deal with the kinds of inferences that can be made when making generalizations from data to effect the entire population. Inferential statistics were used to give true data characteristics. For Inferential statistics to yield the desired results, cross tabulations, chi-squares and regression analysis were utilized. Chi-squares were also used to check the distribution for paired observations (where P value was less than X, the hypothesis was rejected) and test goodness of fit for variables that did not follow the normal curve respectively. For open-ended questions, content analysis was used. Here, the data collected in text form was affixed to codes that were developed along the along the response patterns. The Codes were later transformed to categorical labels. The materials were then sorted by the categories identifying similar statements, patterns of arguments, similarities and differences in the patters across different respondents. Patterns that were identified were then considered along the study variables and generalizations arrived at. The frequency with which a concept appeared in the text determined the degrees of agreement or disagreement on the subject in question.

The t-test analysis of variance was used to analyse the teacher perceptions on the prevalence of sexual abuse of pupils by teachers against those of the pupils themselves. Similarly, the same test was used to check the perceptions of the TSC officials on the effectiveness of the Commission's policy and administrative systems addressing sexual abuse of school children against those of teachers, head teachers, parents.

3.8.4 Qualitative data analysis.

Qualitative data collected were grouped into themes and summarized accordingly then analyzed. Data collected in this study consisted of three flows on concurrent activities viz. data reduction, display and conclusion drawing or verification (Miles and Huberman 1994). In data reduction, the process included selecting, simplifying and transforming the data that appeared in form of written field notes and transcriptions from the recorded information during interviews in discipline panels. The information was categorized into themes through the same process as the field notes. Although these processes are not uniquely used in qualitative research, they were not used in the quantitative data analysis discussed above. This exercise was continuous throughout the research. The aim of data reduction was to sharpen, sort, focus, discard, collate and organize the huge mounds of data from the field in such a way that the data could be used for giving preliminary conclusions. Data reduction was done through processes such as: selection, making summaries and /or paraphrasing.

In data display, the data was compressed to simple forms of charts, graphs and tables for easy comprehension. The goal of data display was to organize the information into

visible, legible, intelligible and compact form so that correlations could be isolated and explained easily. This also made reading more interesting. The data was analysed using the Maxqda computer program. After the analysis, the researcher made summaries, drew conclusions and made generalizations.

3.9 Logistical and Ethical Considerations

Clearance for the research was obtained from the School of Education, Department of Communication and Technology, Kenyatta University. The researcher used this letter of clearance to obtain a Research Permit from the Ministry of Research Science and Technology which formalized her research and enabled her obtain authority to collect data from Makueni district, Makueni County on the study. As the study touched on a sensitive topic (in fact taboo in many communities), the researcher took time to sensitize the respondents and informants on the essence of her research. This motivated them to participate in the study. She also assured the respondents of confidentiality and did her best to maintain such throughout the study period and thereafter. In order to ensure that confidentiality and anonymity were maintained:-

- (a) Access to the teachers' personal and discipline case files was restricted to herself
- (b) No uniquely identifying information was entered in the data base
- (c) All research files and records were maintained under lock and key at all times, and
- (d) The dissemination of research findings would be restricted to aggregated data. This is because CSA information has the potential to harm an individual's integrity and has high propensity for litigation.

All the data collected and any related information remained under lock and key and the computer files password protected. The researcher was also careful not to cause emotional trauma to those she interviewed in the course of her research and especially the key informants whom she asked very personal and sensitive questions. The researcher, who has some background training in Counselling, was able to look out for any instances of distress among her informants and provide appropriate debriefing. She also worked with research assistants who were well versed with child psychology and whom she inducted on the possible challenges way ahead of the study and equipped them with basic skills to detect and respond to stress.

The researcher designed a Parental-consent form which was filled by the parents of all child participants in the study ahead of time. This entailed communicating with the institutions involved in advance and getting the parents of the sampled children well ahead of the commencement of data collection exercise to have them fill the consent forms. This helped the researcher gain support and builds the confidence of those involved. In addition, it also minimized chances of any litigations in future relating to the research.

In order to take care of the interests of the child, the researcher allowed children who did not feel ready to participate in the study, to stay away even though their parents had signed the Parental Consent Forms. Therefore, the children who participated in the study did so of their own volition.

CHAPTER FOUR

DATA PRESENTATION, INTERPRETATION AND DISCUSSION

4.1 Introduction

The study sought to investigate the crisis of Sexual Abuse of Primary School Children by Teachers in Makueni District of Makueni County. Data was collected from fifteen primary schools across three divisions of Makueni district from a sample of 837 respondents; thus: 500 pupils, 216 teachers and 116 of other categories. Thereafter, data was analyzed using the Statistical Package for Social Statistics (SPSS) computer program. Quantitative data was coded and entered into the SPSS computer program for descriptive and inferential analysis. The qualitative data was transcribed, categorized, themes established, then coded and entered into the Maxqda computer program for qualitative analysis.

4.2 Biographical Data

4.2.0 Introduction

The biographical data has been reported along the subtopics of: sex, age and grade for pupils while the teachers' and the Commission officials' bio data included length of service under the Teachers Service Commission.

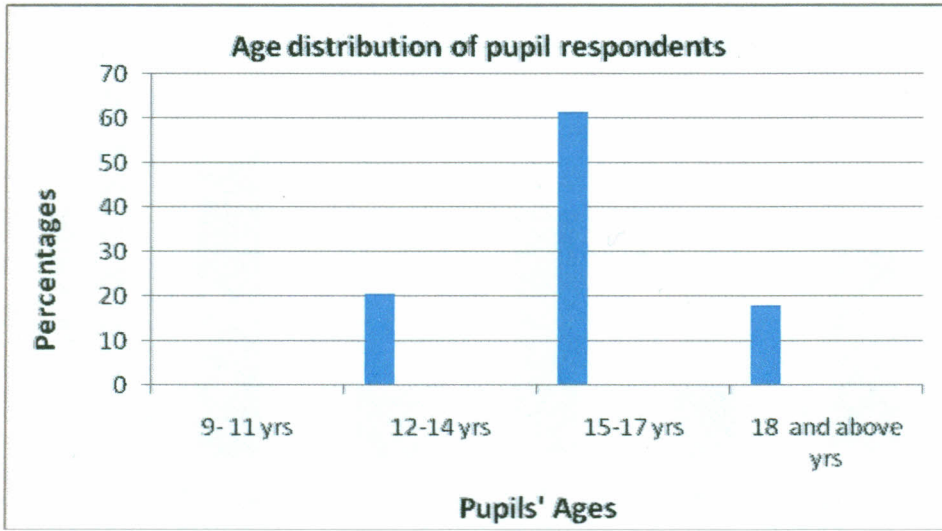
4.2.1 Sex

Out of the study sample of 500, pupils 51.8% were male while 47.8% were female. However, 4% of the pupils did not indicate their sex. The study therefore observed gender balance.

4.2.2 Age of respondents

The study had three sets of respondents for its questionnaires covering pupils, teachers and TSC officials. The rest of the respondents: the Civic and Religious leaders, the CSA victims parents, the MoEST officials, the Provincial Administration officials were involved in the In-depth Interviews, and Focus Group Discussions. Of those pupils sampled, 60% were aged between 15 and 17 years while 15% were aged 18 and above. The presence of over 18 year olds in primary school is unusual but it was understood to emanate from the Free Primary Education as some children who had previously dropped out of school for lack of fees found their way back.

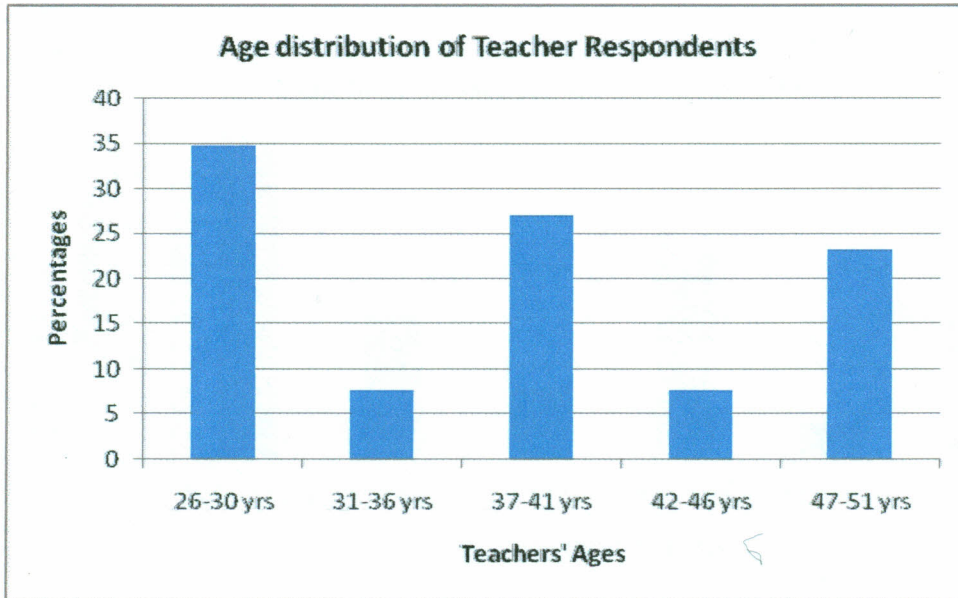
It is noteworthy that the 15% aged above 18 would ordinarily fall outside the bracket admissible for any prosecutions under defilement in the legal system. This is a challenge for both the TSC and the wider judicial system as the offenders tend to argue that the abused is a consenting adult and therefore no one should question their sexual relationships as these amounts to an interference with their human rights. Additionally, a person at the age of 18 could also have bad influence on those below this age if such a person happened not to be morally upright. Such persons could also easily target fellow pupils or even teachers. The age distribution of pupils is given in Fig. 4.1.

Fig.4.1 Age distribution of pupil respondents

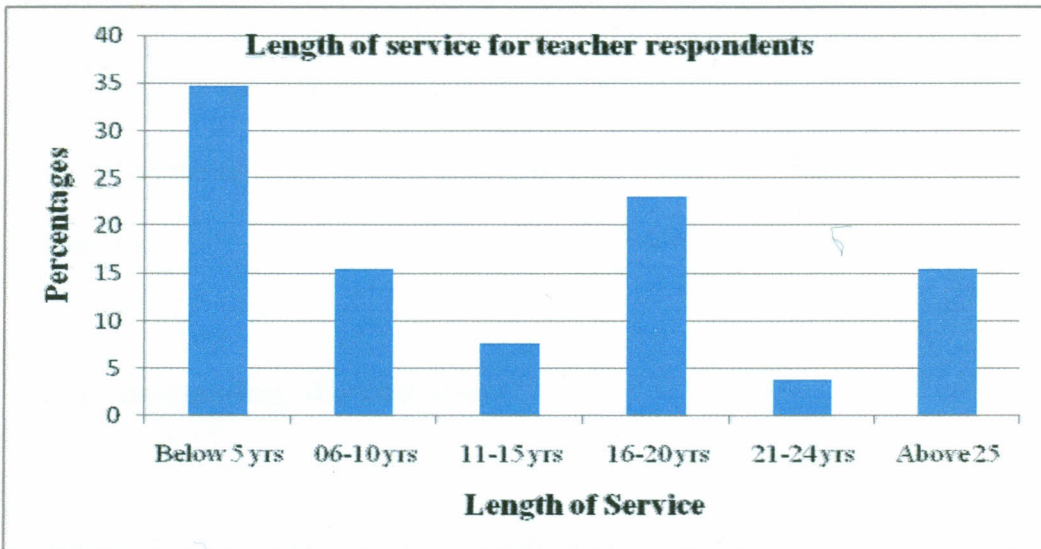
4.3 Socio-demographic Characteristics of teacher respondents

The study attempted to capture Socio-demographic characteristics of the adult respondents regarding their sex, age, level of education, qualifications, marital status and length of service under the Teachers Service Commission. This information was important in analyzing attitudes and correlating education levels, length of service and opinions on child sexual abuse across different respondents. Of the teacher respondents, 46.2 were females and 53.8 were males.

The age distribution of the teachers is given in Figure 4.2.

Fig 4.2 Age Distribution of Teachers

The study established that 34.6% of the teachers had been on employment by TSC for less than five years, 23.08% had served for between 16 and 20 years, 15.38% had served between 6 and 10 years with a corresponding percentage having served for between 21 and 24 years. The minority 3.8% had served above 25 years. The huge population of young teachers (below 5 years) against the rest of the population could pose serious challenges in the management of Sexual Abuse cases as their termination from the teaching service gives them a chance to build a different career elsewhere. This could in a way be transferring the problem from one end of society to another. The summary on length of service for the teachers is presented in Figure 4.3.

Fig. 4.3. Length of service for Teacher Respondents

The fact that the majority of those who participated in the research had below ten years of service was construed to be telling on the majority culprits of child sexual abuse as the older teachers. These were seldom willing to participate in the study and remained aloof. Indeed, the study established that teachers beyond fifty years of age were more likely to commit sexual offences compared to the younger ones as will be discussed later in this chapter.

This chapter is organized in three parts; Part 1 reports on objectives whose content has been discussed under the various sub-topics. Part 2 presents a discussion on legal provisions and policies regarding sexual abuse of children; part 3 discusses the role of the Teachers Service Commission in dealing with teacher sexual offenders and challenges related to this vice, while part 4 provides recommendations for redress of the situation.

4.3.1 Reporting on the Findings

4.4. Prevalence of Child Sexual Abuse by their teachers

Under this first objective, the study sought to establish the prevalence of sexual abuse of school children by teachers. First, the researcher assessed the respondents' understanding of sexual abuse of CSA, so as to ascertain their clarity on what the prevalence of the vice referred to.

4.4.1 Understanding of sexual abuse

First and foremost, the researcher sought to know the respondents' understanding of sexual abuse as a starting point. The data analysed indicates that both the pupils and the teachers were in concurrence on the meaning of sexual abuse. Indeed, 100% of the pupils, just as their teachers, viewed sexual abuse as happening only when there is penile penetration. All the teachers, 92% of parents, 76% of civic and religious leaders involved in the FGDs and those interviewed in the In-depth Interviews agreed with this view. None of these considered other forms of sexual abuse such as flirtation, sucking of the penile organs, fondling, kissing, indecent exposure or pornography, touching of bottoms. However, upon probing, it emerged that all the groups were aware of other forms of sexual abuse but had never considered them punishable. The study established that these forms of sexual abuse were seldom reported and that even when they were reported, the authorities rarely treated them with the seriousness they deserve being forms of sexual abuse.

However, during the Focus Group Discussions with the various groups including civic leaders, parents, religious leaders, pupils, teachers, headteachers, education and TSC officials and parents, the participants identified other forms of sexual abuse prevailing including: fondling, milking of boys, fondling of boy's genitals by female teachers, fingering of girls, teachers asking children to suck their penile organs, teachers sodomizing boys or male teachers asking boys to perform anal sex on them. Sexual offences affecting girls were identified as fondling of girls' breasts, peeping at naked girls in the bathrooms, touching girls' bottoms, *surfing children's networks* (touching children's private parts), exposing children to pornographic materials, using sexual language and sexual gestures, voyeurism with others perfecting the art of pulling girls' knickers.

In spite of a TSC Circular 3/2010 which had been distributed to education officials, head teachers and teachers in the district; and which stipulates the tenets of sexual abuse, none of the head teachers interviewed in the study had paid any attention to the details in the circular. The teachers in the district had been exposed to the Circular but it would appear that they had not taken it seriously even though the Commission had made copies available to each teacher as was later established from TSC records. The children had never heard of the Circular.

The limited understanding of sexual abuse meant that apart from penetrative sex, the other forms would remain normalized and unreported. There is research evidence that other forms of sexual abuse have the same potential to inflict psychological injuries as the carnal knowledge.

4.4.2 Prevalence of sexual abuse in schools

When asked to rate the prevalence of sexual abuse of pupils by teachers in the district, 57.6%, of the pupils viewed sexual abuse as high while 10.2% gave a low rating. These could be the quiet and reserved lot that hardly gets to know what goes on in the schools.

The pupils' ratings are tabulated in Table 4.1

Table 4.1 Pupil ratings on the prevalence of Child Sexual abuse

Responses	Frequency	Percent
Very High	80	16.0
High	208	41.6
moderate	161	32.2
Low	51	10.2
Total	500	100.0

Notably, the pupil ratings are based on cases of penile penetration. Other forms of sexual abuse therefore remain largely unaccounted for.

Interestingly, when teachers were asked to rate the prevalence of Sexual Abuse cases in the district; the majority 46.1% gave a low rating; while 7.69% said there was no sexual abuse of school children by teachers in the district.

However, In-depth Interviews with TSC officials, and Focus Group Discussions with Civic, Religious leaders and head teachers indicated a high prevalence of the vice. In fact, 90% of the participants said the vice had reached astronomical levels. Some of the Civic leaders reported that they had organized a demonstration against one of the schools

in the district where nine girls had fallen pregnant in one term. Their impression was that some of the teachers may have been responsible for the girls' pregnancies. The leaders indicated that they would be pushing for the closure of the school the week following the discussions. In the words of one male civic leader (MCL7) *alimu ma kuu Makueni maandikawa ma kuya syana vati wia ungi mesi!* (teachers in this district are employed to feast on the pupils. They know no other job!)

In- depth- Interviews with some of the District Education Officials confirmed the allegations of the stakeholders. In fact, some of them expressed frustration at the state of affairs in the schools in the district. The print and television media had also reported a number of high profile sexual abuse cases from schools in the district. It was therefore concluded that the low ratings on the vice; given by teachers could have been motivated by fear for their jobs.

The findings here confirm the report by Action Aid carried out in 2006 which indicated that sexual abuse of school girls was rife in schools in eastern province.

4.3 Sexual abuse of school boys

The further established that sexual abuse of boys by teachers was happening in the district. A whopping 65.3% of the respondents said that cases of sexual abuse of school boys by teachers were uncommon, while 15.3% rated the offence as common. In depth Interviews with some TSC officials exposed one of such cases which involved a head teacher who had allegedly sodomized eight boys in his school. The rating of 15.3% on

prevalence of sexual abuse cases against boys could also be indicative of worse things yet to be unearthed.

The large number of teachers that denied the offence could be sensing danger or reacting from the fear of being asked for further details. The topic on sodomy is also uncomfortable for many people and this could have led to the teachers' reactions. During the focus group discussions with parents, civic and religious leaders, there was heated debate to the effect that teachers in the district had *gone Sodom* to quote one distraught male participant (M1). The participants expressed fear that the vice was spreading across schools in the district and that their sons were likely to *graduate with extra grades* (negative knowledge based on experiences around sodomy) the parents had not paid for.

During the In-depth Interviews with education officials and head teachers, it emerged that the vice was common especially perpetrated by head teachers but many parents were embarrassed to raise it with education officials; while others knew fully well that it was a battle they could not win. The majority of the participants felt that it was acceptable to ignore such cases *since boys don't get pregnant anyway*.

The emergence of sexual abuse of boys by head teachers gives a new twist to the fight against child sexual abuse in Kenya. Noteworthy, head teachers are expected to be at the helm of child protection. It is difficult within the school system, to deal with such cases as the protocol assumes piety of school administrators. As a result, cases of head teachers molesting children go unreported. Head teachers also function as the bridge between the school and the education officials creating a cocoon to be exploited by wayward heads.

If it was a moment of vivid insight for you, it may well be a breakthrough for your audience. (Hubbard and Power, 1993. P. 113). The researcher's moment of vivid insight was during an In-depth Interview with one of the education officials in the district, the officer retorted;

we cannot work like that. We cannot focus on all those forms of sexual abuse. If we move at that speed, there will be no teachers left in our schools.

The researcher interpreted the statement in two ways: - that sexual abuse of school children by teachers had reached astronomical levels, and the official felt helpless about dealing with the situation, or the officer had depersonalized the problem and wanted to be left alone to concentrate on other less stressful issues. The other interpretation to the response was that the officer might have been compromised and did not wish to have deeper discussions on the matter. Whichever way one may look at it, this statement is indicative of the magnitude of the problem.

4.4 Causes of sexual abuse of pupils by teachers

Under the second objective, the study was keen to find out why teachers sexually abuse their pupils; yet they are morally obligated as care-givers. From the data analysed, 46% of the pupil respondents attributed the behaviour to the fact that nothing is done to sexual abusers; while the lowest rating of 18.8% attributed the problem to fear of HIV. The data is summarized in Table 4.2

Table 4.2. Pupil opinions on Causes of sexual abuse by teachers

Responses	Frequency	Percentage
Drug abuse	38	7.6
Indisciplin	34	6.8
Poverty	101	20.2
Lack of official action on offenders	230	46.0
Fear of HIV	94	18.8
Helplessness of children	3	6
TOTAL	500	100

Interestingly, asked why they thought teachers sexually abused pupils, the teachers and TSC officials had totally different opinions that bordered on exonerating their lot and blaming women for the mess. Indeed, 34.6% of the respondents blamed it on denial of conjugal rights by the teachers' wives to their husbands. This argument was corroborated in the FGDs by the Civic leaders and the religious leaders. Indeed, senior officials from provincial administration interviewed in the In-depth Interviews agreed with this opinion. One of male officials (MPA1), upon being asked the question, had this to say:

you women are funny You hear a woman telling her husband akiuliza hiyo kitu eti wacha tabia mbaya. Kazi yao ni kuoga na kuelekea kwa ile kyama ya wamama mpaka usiku. Kama si hivyo ni kanisani. Kama mwanaume unawachwa tu na watoto. Utafanya nini?

(when he asks for that thing that it is bad manners. Their business is to shower and disappear to women group meetings till the night falls. If not so, they disappear to church. As a man you are only left with children and that is the only place you can help yourself).

Asked the same question, one male participant in the FGDs (CLM2), posed:

Mo alimu meyosaa tamo aau. Ithyi tikakomaa na maveti makulu namo makikomasya syana!

Interpreted as *who do the teachers think they are that they should be having sex with young girls while we are left with only old worthless women?!* This question could be interpreted in three ways. One that the rest of the men in the community try very hard not to sexually abuse school children -that to them it is a huge sacrifice. Secondly, that the rest of the men see some deep psychological value in having sex with children and actually envy teachers for their work which makes it possible for them to access the girls without being punished. The third interpretation is that, there could be something seriously wrong with the marital lives of many men in this community and that sexual satisfaction can only be attained through school children.

According to the pupils interviewed in the FGDs and In-depth Interviews, when reports of abuse are given and nothing happens to the abusers, this gives more courage to potential abusers to actualize their potency. Indeed, during the FGDs with the civic and religious leaders their biggest concern was the same as that of the children. In the words of one male civic leader.

Ithyi tuseng'aa muno tweew'a ai mwalimu kuvutiwe mundu wa kuvukya kana. Usu ethwaa e vaati nthuku. Kuu kusie mbuliili iivawa ni silikali;

meaning; in fact we get surprised when we hear a teacher has been dismissed for sexual abuse of pupils. Such a teacher is only considered unlucky. This place is full of defilers who are on government payroll....

Interestingly, this was the same position taken by some of the education officials interviewed during the In-depth interviews as they viewed their supervisors as the ones responsible for cover-ups. Indeed, it emerged that in majority of cases, junior officers had done their work in investigating reported cases of pupil sexual abuse by teachers but never got to hear from their superiors once the reports were submitted to them. *The irony is that such teachers even come around boasting that they have enough networks to keep them securely on the job*; lamented one officer. Another officer interjected:

Hata kuna mwengine wa CK alikuwa anatembea hapa jana na juala imejaa pesa akitafuta mtu wa kuhonga.

(there was even another alleged child sexual abuser walking around our corridors yesterday with a paperbag full of money looking for someone to bribe); said the officer.

Some of the victims interviewed confirmed this position. Plate 4.1 is the picture of such witness whose head-teacher impregnated her and sexually abused others but was only transferred to a bigger school.

Plate. 4.3 Witness to official impunity. Her abuser was transferred to a better station



The question of poverty featured prominently in the FGDs and among those interviewed in the In-depth interviews. In the words of one participant in the FGDs,

mnyonge hana haki (a poor man has no rights). Haijalishi kama mtoto amenajisiwa. Mwalimu anajua mkienda kotini atachukua lawyer na mkienda TSC atajipanga.

(It doesn't matter that a pupil has been sexually abused. The teacher knows if you go to court he will get a lawyer; If you report to TSC he will organize himself-meaning he will buy his way out). This was corroborated during an In-depth interview with a pupil (FSAV4) who had been sexually abused by a headteacher.

Ithyi tweekite kesini na twathi twambiia utetw'a ta tweekite makosa. U mwalimu niwe waandikaa syindu ila syaneeniwe syonthe vau. ona vai undu waaikwa niw'aa akuniwe kalanzivaa...

(We were called to the case. The education officials came but treated us as though we were the offenders. The head-teacher who had sexually abused us is the one who took minutes during the case. Nothing was done to him. I hear he was transferred to...)

In the words of the mother to one of the victims who reported she had got blood pressure upon learning of the abuse of her daughter by the headteacher ...

onandyendaa kwisilya uvoo usu... yila twaendie kesini naseng'ie

muno endimaster akiandika Miniti sya ikoani nake niwe tusikatite. Kuma vu ona tutyaaanya undu kwaendie nesie kwiw'a niwakuniwe kalanzivaa athi sukulu ingi nene kwi ino yaitu...

(I hate to think of it. When we went for the hearing with the School Management Committee, I was shocked to see that the accused was the one writing Minutes of the proceedings. After that we never got to know what transpired but I later learnt that the head-teacher had been transferred to a larger and better school).

The researcher established from the district education records that investigations had been carried out which pointed to the fact that the said headmaster had molested the girls. It was confirmed that the head-teacher was in a bigger school. None of the officers could explain why the offending head-teacher had not been disciplined. Upon perusing TSC records, the researcher confirmed that the case had never been reported to TSC but had been hidden by one official in the district.

This scenario was repeated in another case where, where two teachers were alleged to have been sexually abusing pupils in a boarding school a barely two Kilometres from the district education offices. The case was investigated and the report submitted but nothing happened. This state of affairs creates apathy and disenchantment among parents and community members. It negates the essence of the TSC Circular 3/2010 which, with enthusiasm, asked teachers to report all cases to the Commission within twenty four hours.

The fact that the majority of pupils considered failure of official action on the teachers who offend children as the greatest factor exacerbating the problem could be a pointer to

disillusionment. It is normal for people to give up pursuing cases if they know the end result is likely to be unfair judgement. The opinions of the pupils were corroborated in the FGDs with the teachers, head teachers, TSC and education officials, religious and civic leaders. The implications here are a highly divided system where the offenders on one end carry out their acts with impunity, the good officers in the middle doing everything they can, the bad officers on the TSC discipline continuum, getting the offenders to pay handsomely for their freedom. Plate 4.2 provides an exhibit of a product of sexual abuse of one pupil by her teacher.

Plate . 4.2 A seven month old baby. Product of sexual abuse of a pupil by her teacher



i) Grade levels of pupils popularly targeted for sexual abuse

The researcher, under this objective, further sought to establish the grade levels of pupils usually targeted for sexual abuse by teachers as a way of further deepening investigation on the causes of the vice. The majority of pupil respondents (83.0%) viewed class 7-8 as the key targets while 10.8% viewed class 5-6 as the most endangered. Surprisingly, 2.4%

viewed class 3-4 pupils as prime targets above those who viewed class 1-2 as the key focus for offenders at 3.8%. Table. 4.3 tabulates the pupil responses.

Table: 4.3 Grade levels of pupils most likely to be targeted by teachers for sexual abuse

Responses	Frequency	Percentage
Class 1-2	19	3.8
Class 3-4	12	2.4
Class 5-6	54	10.8
Class 7-8	415	83.0
TOTAL	500	100

Surprisingly, teacher opinions on sexual abuse targets were totally different from those of pupils. Indeed, a staggering 96.2% pointed to class 5-6 pupils as the most vulnerable. Only 3.8% of the teachers considered class 7-8 as targets. This position was confirmed by the Civic and religious leaders interviewed during the FGDs. However, data on reported cases obtained from the Teachers Service Commission indicated that there was 60% of abuse of class 7-8 pupils as compared to the lower classes rated at 15% for class 5-6. The pupil opinions on the sexual abuse targets were therefore confirmed.

The contradiction in opinions of teachers and pupils in the targets for teacher sexual abuse; create further curiosity on the real state of affairs. One would for instance want to ask why the opinions of children and teachers are in absolute contradiction. The fact that teachers view the class 5-6 as most vulnerable raises concern. It is an indication that

more children at this level could be getting abused without anyone paying attention as the focus has largely been on the class 7 and 8 pupils. Children between class 5-6 lie in the middle- neither too young to raise *innocent alarm* nor old enough to *fight back*. Plate 4.3 is an exhibit of a class 6 victim of teacher sexual abuse.

Plate. 4.3. Exhibit of results of teacher sexual abuse of a class 6 girl.

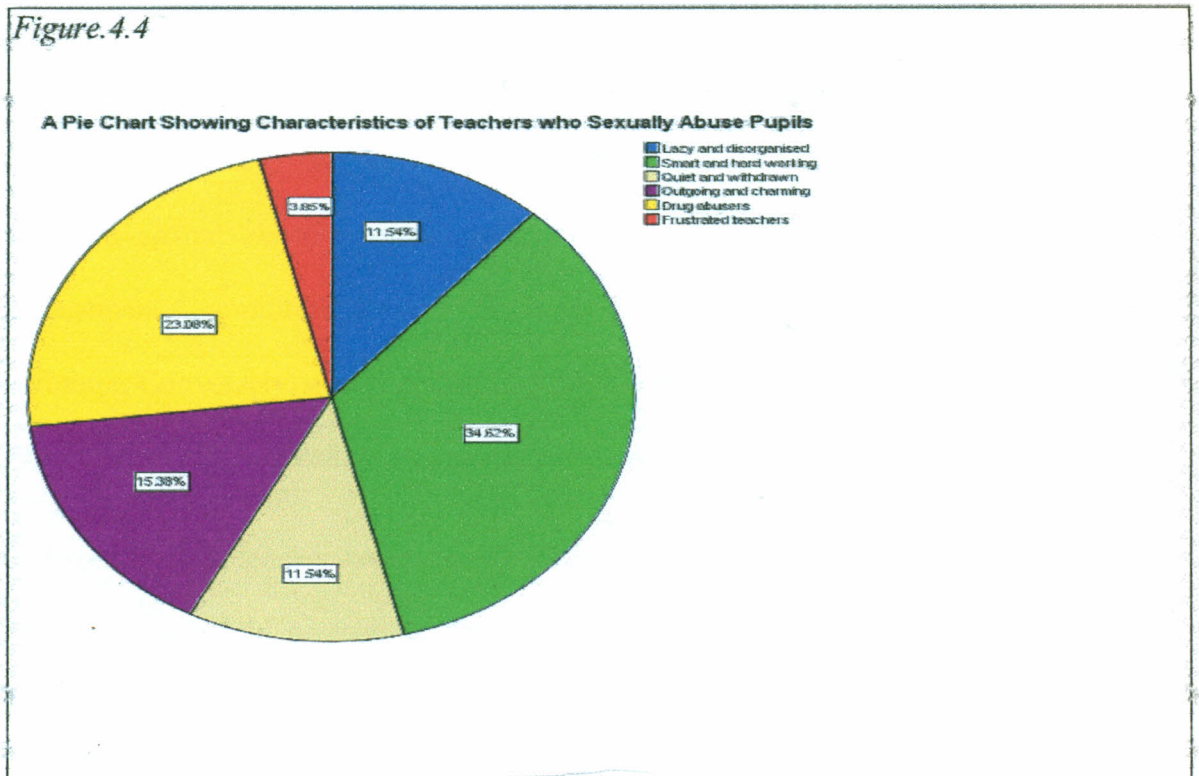


ii) *Characteristics of teachers who abuse their pupils*

Under the second objective, the study also sought to establish the characteristics of teachers who sexually abuse pupils. This was important towards zeroing in on the causes of sexual abuse of children by teachers and an attempt to understand whether there were any distinguishing characteristics of the abusers that could be utilised as red-flags. The data analysed from pupil respondents indicates that smart and hardworking teachers have the highest propensity for abusing their pupils with a rating of 34.8%; while teachers who always look bored were rated as the least likely to abuse their pupils at 12.4%. This is contrary to popular belief that teachers who are bored are likely to entertain themselves with pupils. Interestingly, the opinions of the teachers agreed with those of pupils in the ratings for the most likely abusers. The TSC officials, parents, civic and religious leaders interviewed in the FGDs agreed

with this proposition. This is a big challenge to teacher discipline management. The Teachers Service Commission would be keen to retain teachers who produce results. The revelation that these same teachers produce negative benefits threatens the teaching profession. Fig 4.4 summarizes the pupils' ratings.

Figure.4.4



The challenge that emerges is that school academic performance is sustained by the smart and hardworking teachers who unfortunately are rated as the highest likely abusers. These pose a big challenge to the school administrators in pushing discipline cases against such teachers. Indeed, cases were cited by TSC officials during the FGDs where education officials pursuing cases of such teachers had been physically assaulted by parents and school community members for trying to interfere with good performance of

their schools. By social acclamation therefore, the sense of guilt would be transferred from the offending teacher to the victim.

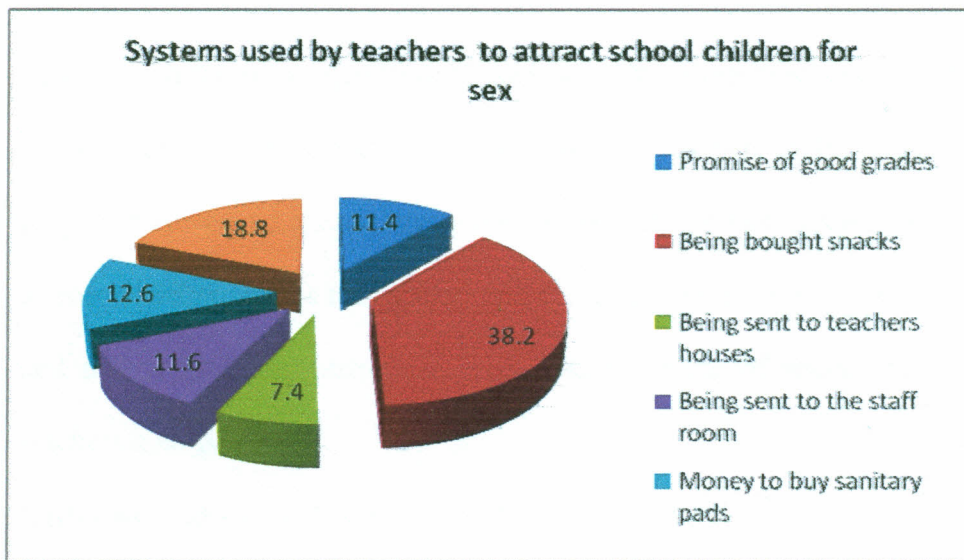
It is also worth noting that children would naturally be attracted to a smart and hardworking teacher and would be shy to report abuse by such teachers. In many instances, no one believes such children. Parents and School Management Committees would seldom believe negative reports on good teachers. In a society that is *grade and mean-score* oriented, coupled with the high levels of competition for mean-score, managing sexual abuse by well performing teachers becomes a challenge. School Management Committees are also more likely to forgive such a teacher than a poor performer. Conversely, a well performing teacher is likely to get a job in a private school without much effort which creates another expansion of the child abuse stream.

Noteworthy, head teacher promotions by TSC focus more on the school mean-grade at the expense of child protection. This therefore means that headteachers would rather ignore cases of abuse as these diminish their chances of survival as school heads.

iii) Systems used by teachers to lure children for sex

The researcher sought to know what systems teachers were using to entice children to sex. The majority of respondents at 38% had the opinion that children were attracted with snacks, while 11% of the respondents saw money to buy sanitary towels, being sent to the staffroom and being given good grades respectively, as key issues. Figure 4.5 summarizes this information.

Fig. 4.5 Systems commonly used by teachers to attract pupils for sexual abuse.



The fact that the pupils recognized snacks as a major catch for pupils by teachers should be a source of concern as teachers are among the few good income earners in rural communities. It is not easy to dissuade children from the attraction to snacks and children given this form of incentive are easily compromised. The fact that teachers freely give snacks to their pupils is an indication of lack of tight controls by the school administrations, telling of poor management of schools.

It is worth noting that 19% of the respondents indicated being spared of beatings as a motivator for sexual relations with teachers. While the practice goes against the tenets of the Constitution of Kenya (2010), it emerges that child sex predators continue unabated.

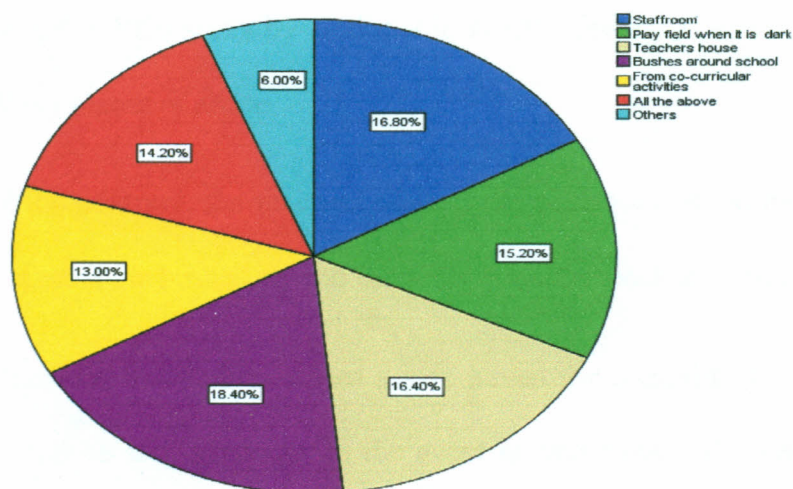
The researcher's view is that the traditional assumption that all people, particularly teachers are good and are well meaning to children is what ails schools. Part of Africans

tradition is sharing; particularly of food items. The children's interpretation of a snack given by a teacher cannot be any different from that of other members of the community. Teaching children to reject snacks and any gifts from teachers would paint a negative picture on the teachers, and to generalize that all teachers giving children snacks target to prey on them would also be erroneous. However, the fact that teachers would use snacks to woo children means that society must reassess its generosity and sharing architecture, and that school administrations must make giving of snacks to school children by teachers a *no go zone*.

iv) Places of abuse within the school

When the pupils were asked where sexual abuse of pupils was likely to happen within the school, 18.4% identified the bushes around the school as the most likely place of abuse, compared with 12.5% who identified the classroom as the most dangerous places in the school. The pupil ratings on the most likely places of abuse within the school are summarised in Figure. 4.6.

Fig. 4.6 Places in the school compound where sexual abuse is likely to happen



The pupils views that the bushes around the school are prime areas for sexual abuse by teachers greatly disparages the teacher image. Indeed, it is disheartening to imagine that teachers would find the courage to not only sexually abuse their pupils but also to commit such offence in a bush. This is also a pointer to the teachers' diminished image and low self-esteem. Indeed, this was corroborated with the data obtained from the TSC records which indicated that 32% of reported cases had happened in the bush. In another case accessed in TSC records, a teacher had on several occasions sexually abused a class six girl in the bushes less than ten metres behind the school's class four block. During an In-depth Interview with one TSC official, it was reported that in another similar case, a teacher was having sex with a class- three - girl under a guava tree while a class four boy was eating guavas on top of the same tree.

The pupil's identification of the bushes around the school as prime areas of abuse also point to a possibility that the offence is committed while the children are leaving school or during sporting activities when they have a chance to wander around the school compound for long hours. The pupil ratings on dangerous places within the school reflect there are very many dangerous places within the school. These ratings resonate with the 2006 study by Action Aid Kenya, discussed earlier, which identified bushes as likely places of abuse.

In the contrary, the teachers viewed the staffroom as the most likely place with 38.4%, but rated the bushes around the school and the teachers' houses at 19.2%.

Notably, the bush provides a safe haven for committing sexual abuse and the teacher would be sure to escape in the event he was found. The researcher established that the

bush, was traditionally, the meeting ground for boys and girls at puberty in the community, like many others, and therefore teachers might have had an easier bargain convincing children to meet them at the bush rather than in a building. The bush also provides a good camouflage for the teacher as he/she can take one end of the bush and leave unnoticed after his actions while it provides a meeting venue free of charge!

During the In-depth interviews with sexual abuse victims, one of the girls (FSAV3) told the researcher that she had had sex with her class teacher in the bushes a few metres behind her classroom for several weeks before she fell pregnant. They were never caught. Much as this was shocking, it calls our attention to the blatant blindness of school authorities and the degree of depersonalization cannot be overemphasized. It would appear like teachers are let loose to do as they wish. There is also the possibility that the teacher's activities were known but no one wanted to be involved for fear of repercussions.

It is worth noting that most staffrooms are located in isolated spaces within the school making it easy for teachers to carry out their activities without being noticed. In addition, the staffroom is usually out of bounds for pupils and is only accessed with permission from the teachers for specific purposes. This space is also almost *sacred* making pupils feel privileged to access it. This creates a soft landing ground for the teachers to abuse pupils. An invitation to the staffroom is considered a privilege.

The researcher gathered that the most staffrooms are usually vacated after school hours. Teachers with ill motives are therefore able to get back unnoticed and to perform their malpractices without fear. In addition, teachers on duty spent many hours on their own in

the staffroom after others have left. This is worse in boarding schools where such teachers remain in the staffroom way into the dark hours of the night. This means that they can comfortably abuse pupils and go unnoticed. In any case, the school system does not provide for pupils to appraise their teachers on duty on a daily basis. Pupil/ teacher interaction is also more of instructional-slave/ servant kind of approach as opposed to mentor/mentee approach. This means that when a teacher gives instructions, the pupil has no choice but to comply. In the words of one victim (FSAV1):

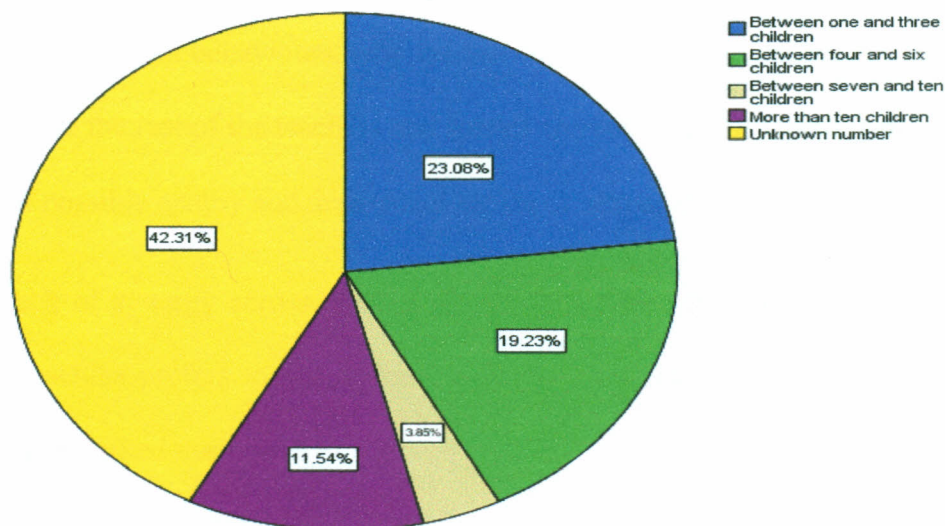
the teacher asked me to go to his house, I complied because he is the teacher. Upon getting to his house, he asked me to get into his bedroom. Since he is the teacher, I could not refuse. When I got to the bedroom, he asked me to take off my clothes. I had no way of refusing since he is my teacher; so I complied. After he defiled me, he told me not to talk about it or else...I could therefore not talk about it...

The victim's argument in this case is not uncommon. She has been nurtured in a system that reverses teachers and she understands well that any negative projection on the teacher would be tantamount to irreverence which could attract punishment even from the home front. This ties well with the study by Rachel (2006) cited in the Literature Review.

xi. Average number of pupils sexually abused by one teacher

The study further sought to establish the average number of pupils usually sexually abused by one teacher. The majority 42.3% opined that the number of pupils abused by one teacher were too many and difficult to tell while 3.8% said one teacher could abuse between seven and ten pupils. The pupil responses are presented in Figure 4.7.

Fig 4.7 Pupil ratings on the number of pupils usually abused by one teacher in a school



The pupil ratings were corroborated in the FGDs with teachers, head teachers, TSC officials, Civic and Religious leaders. In the words of one religious leader (MRL2) interviewed in the In-depth Interview

wacha tu. Siwezi kusema. Watoto wanaonajisiwa na waalimu ni wengi kabisa-unajua mwalimu mmoja anaweza kunajisi darasa lote hata watoto hamsisni bila kujulikana.

(I cannot explain. The children affected in teachers sexual abuse are too many. One teacher can even defile a whole class of fifty without being noticed.)

Indeed this situation was confirmed during the FGDs with parents, civic and leaders where a head teacher in the district was reported to have sexually abused twenty girls in one day. Chances are that more than double the number disclosed may have been abused by the same school head considering that the majority heads enjoy autonomy.

This situation could be indicative of a lack of appropriate communication channels between school children and their teachers or parents. The question that dogs one's mind is why the children do not raise the alarm, why no one in the school suspects such teachers' indecent behaviours, why the rest of the children in the school do not complain, and where the rest of the teachers and school workers are when all this happens. This also tells of possible apathy and depersonalization of sexual abuse issues.

The lack of synergy across various players place the child in a precarious position, as good teachers prefers to watch from a distance for fear of repercussions. As one male teacher remarked during the FGDs;

sasa ni kuamua kama utaprotect watoto wa wengine na wako walale njaa ama utavumilia mateso ya hedi.

Meaning; you have to choose between protecting other people's children and letting yours go hungry.

The teacher was alluding to the prevailing situation where reporting such a case could cost your job as the head teacher would do anything to crush you owing to the convoluted justice system. In short, the situation was pathetic and teachers felt helpless.

The study established that some schools in the district maintained some form of dialogue systems with the children; although they were few. Even so, children still find it difficult to express themselves on this subject. Indeed, a check with Childline Kenya, one of the local organizations that has been campaigning on child protection through *speak out boxes* confirmed that in some primary schools, the children filled the speak out boxes with soil as a sign of protest against *lack of action on reported cases*. The fact that one

teacher had the leeway to abuse more than one pupil in one institution casts serious aspersions on existing child protection systems within the school and community.

Upon checking with the Teachers Service Commission and the Department of Children's Services, it emerged that the two institutions did not have clear statistics on abused children. In its 2009 survey referred to earlier in this Thesis, the Commission admits it has not been possible to establish the number of abused children as the vice was shrouded in secrecy and stigma causing victims to minimize disclosure; and that about only 10% cases are reported to the teacher employer.

The current scenario portents a larger disaster as more and more children get swallowed in the chasm that sexual abuse has become.

The secondary data obtained from TSC headquarters indicated that some of the teachers were abusing as many as twenty pupils in a single school and that only 10% of the cases were reported. Indeed, in one of the cases reported during the FGD with TSC officials, civic and religious leaders, it emerged that a certain head teacher in the district had abused twenty (20) pupils in his office in one day. This situation was confirmed by both TSC and education officials during the In-depth Interviews.

The head of institution is the highest authority, and therefore carries greater moral responsibility for protecting children from abuse. In an instance where he/she becomes the perpetrator of abuse, this opens wider spaces for those under him/her to emulate his actions. The implication here is that abuse of children in such an institution would go on unabated. It is also plausible to argue that such a head teacher must have been increasing

the numbers of his targets over a period to the point he raised his confidence to astronomical levels as to defile twenty pupils in a day. The actions of the said head teacher also point to a failure in Teacher Management systems. Upon probing, it was reported in the FGDs that head teachers enjoy absolute power and that it is difficult for a teacher to pull through with a case against a head teacher. In any case, the tradition has been that all communication to the Commission must be made through the head teacher.

Even though the Teachers Service Commission in its Circular 3/2010 asks teachers to report such cases directly to the Commission Secretary, this has had its own challenges. The lack of goodwill across the teacher discipline continuum- the TSC staff, education officials, the School Management Committees and the school heads coupled with the lack of clear systems for witness protection in the implementation of the said circular had dealt the TSC a big blow; thus defeating the good intentions of the Circular.

Indeed, In-depth Interviews with two officials from the Department of Children's Services; which has responsibility for welfare of all the children in the country, indicated that the systems were discordant. The absence of clear statistics on abused children in schools diminishes the seriousness of the problem and poses challenges to planning and management. Additionally, the current scenario portents a larger disaster particularly in the face of HIV and AIDS.

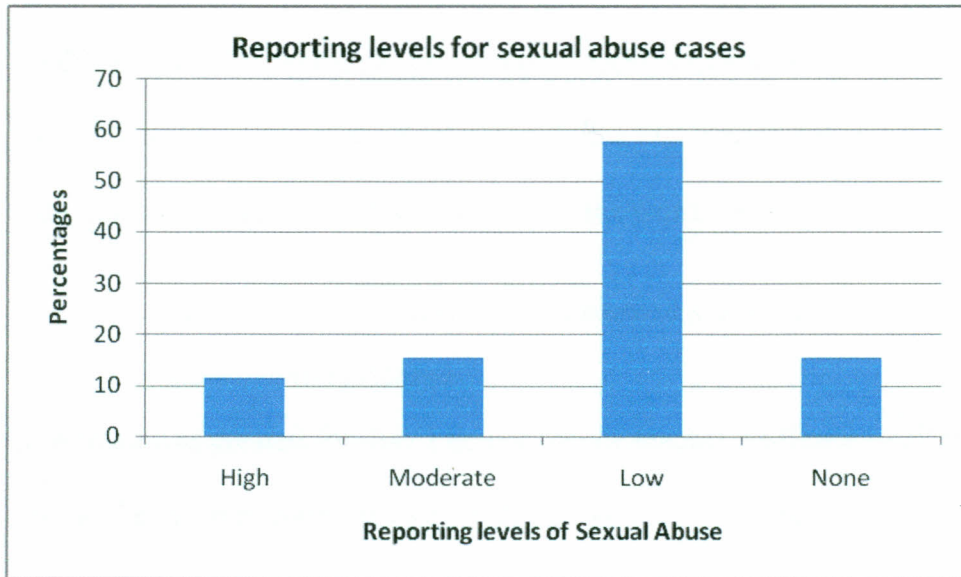
4.6 Examine existing laws and policy provisions for dealing with sexual abuse by the Teachers Service Commission

Under the third objective, the study evaluated Teachers Service Commission's policy and administrative systems for dealing with sexual abuse of school children by teachers. The effectiveness was measured against reporting levels and the parties reporting the case, timeliness in responding to reports on sexual abuse cases, the nature of punishments given to offenders, the skills and commitment of officers assigned to deal with such cases along the discipline adjudication continuum and the Monitoring and Evaluation systems to sustain integrity.

4.6.1 Ratings for reporting of sexual abuse cases

The study further sought to find out the reporting rates for cases of sexual abuse to the Teachers Service Commission. Out of those who responded, 57.7% said it was low compared to the 11.5% who rated the reporting as very high. The total of those who considered poor ratings sums up to a whopping 73.1%. This resonates with the TSC Survey on *Systems, Policies and Structures addressing sexual abuse of school girls* which rated reporting rates at a paltry 10%. Figure 4.8. Summarises the findings:

Fig. 4.8 Reporting levels for sexual abuse cases.



The challenge with low disclosure rates of sexual abuse is that this gives courage to more abusers to come on board. In any case, it is common knowledge that without the enforcement of the law, the situation could deteriorate further. Yet, it is the responsibility of every child protection institution to fish out abusers and bring them to book.

During the various FGDs with parents, TS officials, Civic and Religious leaders, the same opinions on low reporting rates were expressed. The researcher probed for reasons why sexual abuse cases were not being reported. It emerged that the failure to report cases was occasioned by the lack of confidence in existing systems of redress and the fact the majority of parents did not have resources for the likely protracted battles in litigation. It was also reported that most parents preferred local settlements as they lacked the motivation to follow the official channels that ultimately left them empty-handed. While this could be a factor of poverty, it was also correlated with the failure by TSC to take appropriate actions on reported cases.

This idea that a parent should get something for his/her child's defilement also raises moral questions. For instance, one would be keen to know whether some of the parents could be coaching their children to entice teachers to abuse their children so they can get paid. However, some of the participants in the FGDs considered it despicable to pursue a case against a teacher on sexual matters. In the words of one parent;

*mundu muka oombiwe oou. Yu makosa ma mwalimu no kwambiia kana ke
kanini indi tyokeiana*

(a woman was created for that. I do not see the teacher's offence in all this except may be the fact he has introduced the girl to the works too early. But she will grow ...)

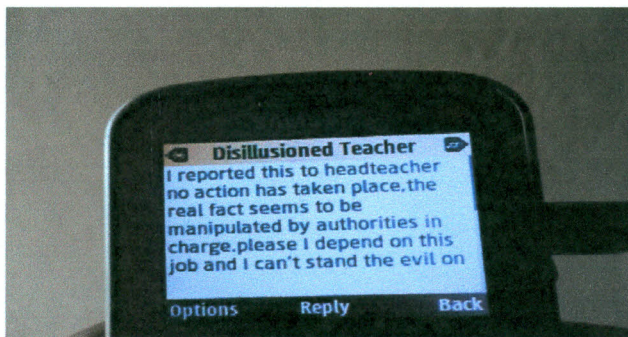
4.6.2 Parties reporting most cases

The researcher was keen to find out the parties reporting most cases of pupil sexual abuse by teachers to the Teachers Service Commission. The question was only posed to teachers, education and TSC officials as it was viewed to be outside the understanding of the pupils. When teacher respondents were asked to rate the various parties reporting sexual abuse cases of pupils by teachers to the TSC, it emerged from the data that community members reported most cases with a rating of 38.5% ; followed by parents and guardians at 23.1%; fellow pupils reporting at 15.4% while head teachers and teachers were rated at 3.8% respectively. The discussions in the FGDs with various groups agreed with the ratings- citing head teachers and teachers as the least in reporting such cases.

The fact that the head teachers and teachers had a similar low rating raises serious questions of integrity on the two groups. Children spend close to 80% of their time in school. The fact that the headteachers and teachers do not bother to report cases of sexual abuse could be an indicator of the attempt at sanitizing schools by the authorities. It is also an indication of lack of clear monitoring and evaluation systems as the head teachers know that chances of the cover ups being discovered were low. This is also a testimony on the aloofness of teachers on the matter. It was also interpreted as a message that both teachers and the head-teachers were committing the offence and therefore none of the two could raise a finger against the other.

In-depth interviews with some TSC officials confirmed that some teachers had actually heeded the call in TSC Circular 3/2010 for all teacher to report sexual abuse cases. indicated Plate 4.4 is a message from a teacher who had heeded the call, displayed on the officer's phone .

Plate 4.4. A teacher's telephone message to a TSC official reporting sexual abuse of a school girl

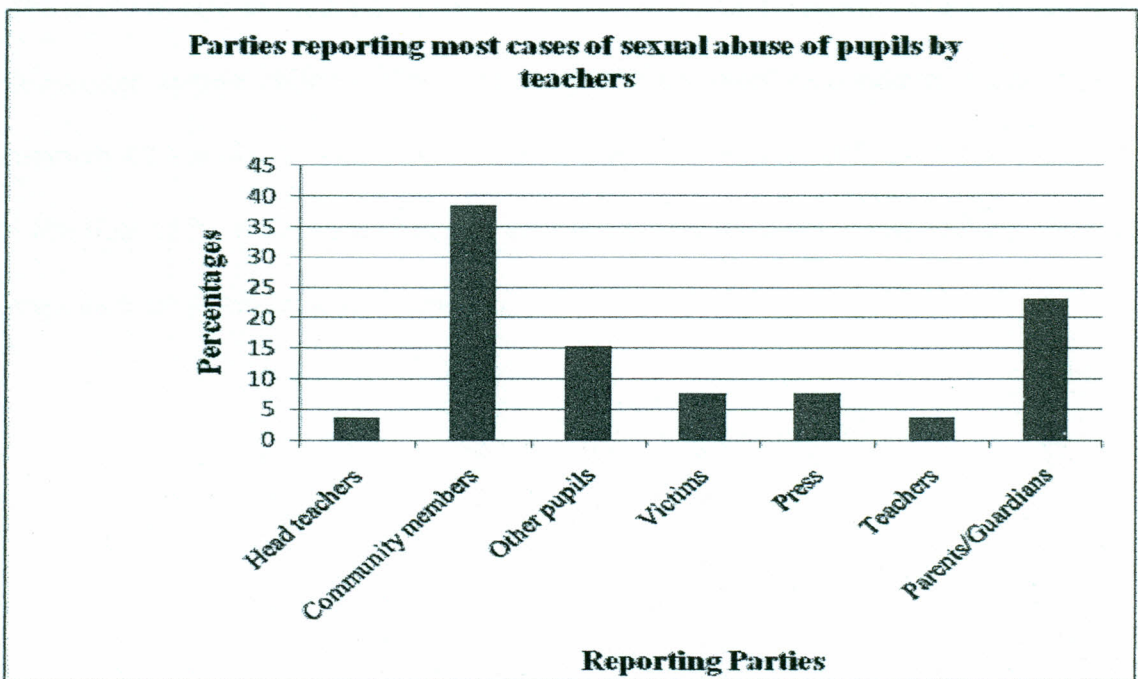


However, the officer reported that teachers who had gone out of their way to report such cases had been chastised not only by school authorities but also by some education and TSC officials. In three of the cases accessed, such teachers had ended up being interdicted on drummed up charges around insubordination.

Upon probing, the officials attributed this situation to the lack of clear systems for protecting witnesses. The majority of those who participated in the FGDs blamed the situation on corruption and localization of teachers, a concern raised by all TSC officials interviewed in the In-depth interviews; although this was not the focus of the study.

Figure.4.9 gives the details on the parties reporting sexual abuse cases.

Fig. 4.9 Parties reporting most cases of sexual abuse of pupils by teachers to TSC

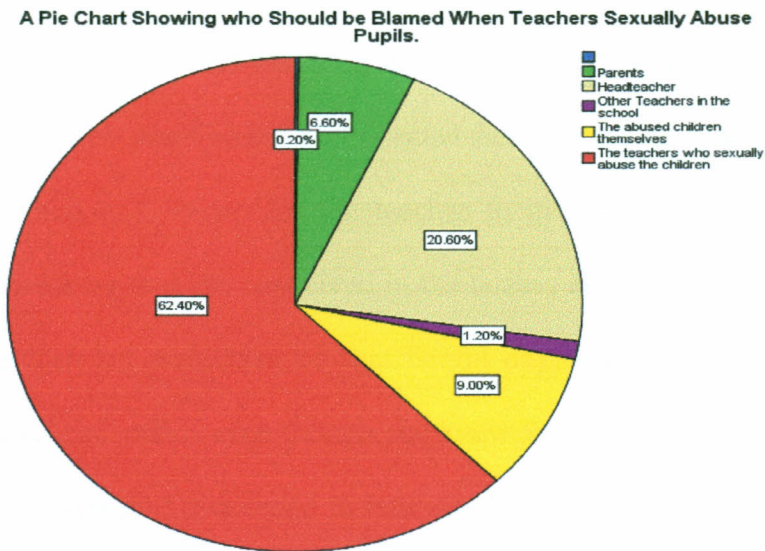


Whatever the cause of poor reporting, the implication here is that abused pupils and their guardians would avoid making official complaints to teachers and the head teachers for fear of negative reactions from them and the feeling that nothing would be done to such teachers. It is also plausible to argue; based on this finding, that our primary schools could be hoarding criminals in the name of teachers and that children might be living in fear of molestation by this lot. This way then, Kenya's schools could be the sinking ground for children-bringing together children and exposing them to abusers in the name of teachers.

4. 6.3 Who should be blamed when pupils are sexually abused?

The study sought to establish perceptions on who should be blamed when sexual abuse is committed against children. The data analysed from pupil respondents indicates that the majority 62.4% placed blame on the teachers who commit the offence; while the minority 6.6% blamed it on the abused pupils themselves and the parents respectively. The pupil responses are summarize in figure 4.10.

Fig. 4.10. Pupil responses on who should be blamed when they are sexually abused by teachers.



The pupils' responses are an indicator of the great amount of trust they have in their teachers and their knowledge that teachers have the full responsibility of protecting them from harm. They also understand that the head teachers have full authority to manage the discipline of teachers under them. Only 9% of the pupil respondents thought pupils have responsibility over their sexual safety themselves. The challenge with this scenario is that the children seem to suffer some form of learnt helplessness-believing that they can do nothing to protect themselves. They would view everyone else as responsible for their own safety except themselves. This is perhaps why the children in many cases walk into the teacher's traps and later on report when it is too late.

In fact, the five victims of sexual abuse interviewed in this research had all presented themselves for abuse. In the case of female victim FSAV3, she accepted fifty shillings

from the teacher which she used as motor bike fare to his home more than forty kilometres away. She did this several times before she got pregnant. She never reported the abuse until she was discovered to be four months pregnant. As for FSAV5, she complied with the teacher's instructions to visit him in the nearby bushes after school. She even went ahead and cheated her parents on a Sunday so she stayed away from church and waited for the teacher to pick her from home on his motorbike. It was thereafter that she conceived in the bushes about 500 metres from where the teacher had hidden his motorbike on that fateful day. Victim FSA V2 accepted to go to the head teachers' office even though she knew fully well of his intentions. Even when he lifted her dress and threatened to examine her genital areas, she did not protest or raise the of alarm.

However, the teacher respondents had totally different views on who should be blamed for child sexual abuse. On their part, the teachers viewed child protection as the main responsibility of school administrators. Indeed, 34.62% expressed this opinion, while in equal percentages; 11.54% considered it the responsibility of the children themselves, the church, the TSC and other teachers in the school respectively. The fact that the teachers rated their level of responsibility in protecting pupils from sexual abuse at the same range with the church and the children themselves raises concern. In fact, it is an indication of aloofness and lack of commonness of purpose between the TSC and the teachers. While the buck stops at the head teacher, the responsibility for the safety of pupils in the school must be shared between both administrators and teachers; who spend most time with the

pupils and would ideally be better placed to detect and respond to any cases of sexual abuse.

The researcher's view is that the position taken by the pupils is that of absolute dependency and naivety on their own safety and wellbeing. This stand creates higher vulnerability for the pupils when they imagine that they are not themselves responsible in any way for their own safety and that there is nothing they can do to prevent sexual abuse by teachers. It also is an indicator of disempowerment to the extent the pupils do not see themselves as important players in their own safety. This explains the stand of helplessness adopted by all the victims interviewed in this study. For all the cases, the children could have saved themselves from abuse if only they fully comprehended their role in prevention of sexual abuse by teachers.

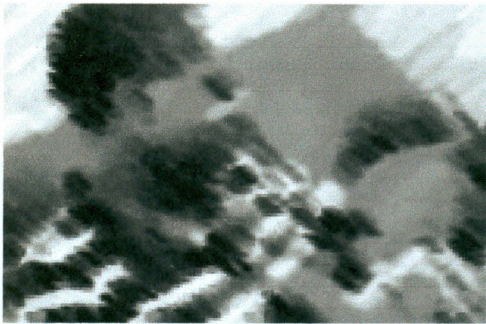
4 6.4 Official action on teacher sexual abusers

The study sought to establish the respondents' opinions on authority response to the problem of sexual abuse of pupils by teachers. Of the 500 pupils who responded, 39.0% viewed the authorities as doing an excellent job; while 10.8% felt the authorities were doing nothing about the vice. The high percentage of pupils who felt the authorities were doing a good job in dealing with sexual offenders could be informed by the pupils' world view and the fact the pupils may not have the bigger picture of the goings-on in other institutions. It is also an indicator that the once in a while efforts of the authorities towards curbing the vice were well appreciated by the pupils. However, the fact that a big percentage of pupils and teacher respondents expressed negative opinions on the subject

is an indication that there is nothing convincing about what the authorities have done to stem sexual abuse of pupils and if any, there were still gaps to be addressed.

The confirmation of official action on sexual abusers in the teaching fraternity is exemplified in the statements of FSAV3 on plate 4.5.

Plate. 4.5. Witness to official action on teacher sexual offenders. FSAV3's abuser was dismissed and removed from the Register of Teachers.



Asked the same question, 72.4% of the teachers disagreed with the pupils' assessment on official action on sexual offenders while the minority 11.5% expressed that the authorities were on course in dealing with sexual offenders. Incidentally, the teachers, the education and TSC officials all felt that the Commission had not done its best to stem sexual abuse of pupils in primary schools. This opinion was corroborated during the FGDs with civic and religious leaders who saw sexual abuse of pupils as resulting from the inertia of authorities across the crime and discipline management continua. Table 4.4 summarizes the ratings on the respondents' opinions.

Table 4.4 Pupil ratings on TSC action on teacher sexual offenders

Responses	Frequency	Percentage
Excellent	195	39.0
Very Good	79	15.8
Good	60	12.0
Neutral	112	22.4
Nothing	54	10.8
TOTAL	500	100

The data accessed at TSC headquarters indicated that of the about 10% of the cases received at the Commission, out of the 10% reported cases, 70% of the teachers were either dismissed or retired in the public interest; while the rest were recycled to the system without any form of alerts to the institutions. During the In-depth Interviews with 15 of the TSC officials, it emerged that there was a general lack of consistency in the way discipline panels handled the cases.

From the secondary data collected from TSC, out of a sample of 38 f discipline cases finalised between 2010 and June 2012, 20.4% of offenders aged 50 and above had been retired in the public interest; thus allowing them all the retirement benefits. This approach could be caused by the fact that the majority of TSC Commissioners were over 55 years; so they could have interacted with the cases for so long that they had depersonalized the subject. This could also be interpreted that they were protecting their own, while it cannot be discounted that there could have been personal interests attached to the cases as

expressed by two of the officials interviewed during the In-depth interviews. Noteworthy, 26.5% of the cases were pending decisions for over two years and the officials could not explain when these were likely to be finalised. Table: 4.5 summarize TSC discipline panel decisions on sexual offenders between 2010 and June 2012.

Table. 4.5 Summary of decisions arrived at over teacher sexual abuse cases between 2011 and 2012

S/No	Nature of sexual abuse	No of cases	TSC Action on sexual offenders					
			WR	D	DRR	S	UD	RV
v)	IB	8	5	1			1	
vi)	FLRT	4	1				3	
vii)	CK	26	4	3	8	1	9	1
viii)	Total	12	10	4	8	1	13	1
Percentage			20.4	8.1	32.6	4	26.5	4

Key: IB- Immoral Behaviour

S- Suspended

RV-Revoked

FLRT- Flirtation

D- Dismissed

CK- Carnal Knowledge

UD- Undecided

DRR- Dismissed and Removed from the Register

RV-Re-invite

WR- Warned and retired under 10/50 yr rule

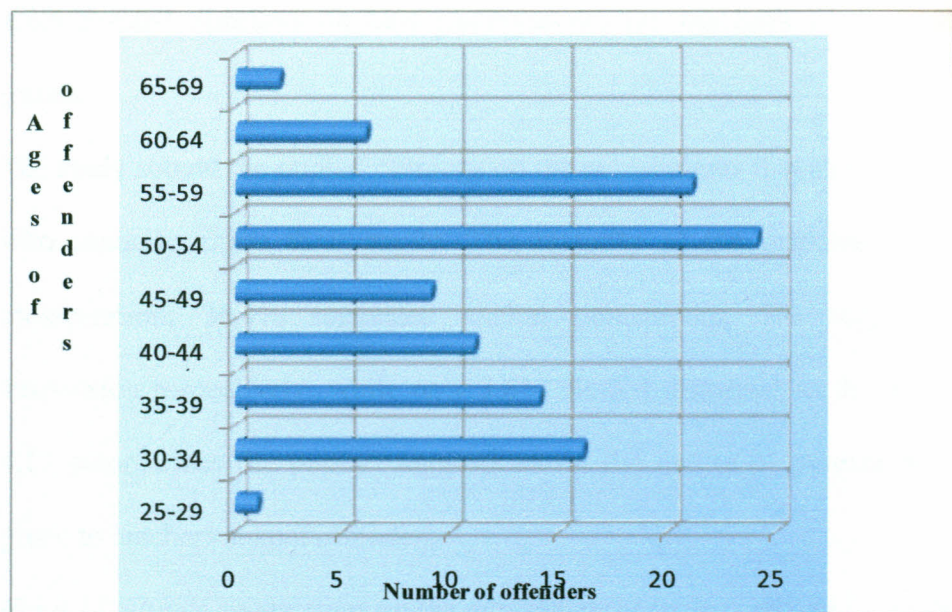
The data accessed at TSC indicated that only about 10% of the cases were received at the Commission. Out of a sample of 49 cases obtained from the Commission, about 32.6% had been charged with Immoral Behaviour, 14.2% flirtation and 53% Carnal Knowledge.

The data obtained from TSC records indicates that the majority of teachers who were committing sexual abuse of school children were actually aged between 50 and 65 years. As much as 60 years is the retirement age, it would appear like some of the offenders were way past retirement age but for reasons that the study did not concern itself with, they were still on the TSC payroll. The fact that older teachers were majority offenders could be resulting from the lenient punishment given by the Commission to older teachers.

Interestingly, 40% officials interviewed on the leniency on punishments given to sexual offenders were empathetic to the offenders and all expressed the feeling that it would be too harsh to dismiss an *old man*. To them, retirement in the public interest was a punishment enough. However, the younger officials seemed to have divergent views on these decisions and felt the older lot was protecting those of their pact. During the In-depth Interviews, one male officer had this to say *it hurts me... 'actually traumatizes me to hear some of those decisions. But who am I to raise a finger...this whole system should be overhauled! Hakuna kitu wanafanya hapa!* (there is nothing they are doing here) referring to some discipline panelists. However, the researcher noted that the wide latitude for decision making provided in the CORT was wreaking largely the part of the problem. The panels had a variety of choices but no clear guidelines for decision making. Fig 4.11 summarizes the ages of teachers commonly committing sexual abuse

from a sample of 104 cases obtained from the Commission's records on teacher discipline.

Fig: 4.11 Average age of teacher child sexual abusers



Source: TSC administrative data in the TSC CRM system

The researcher established from TSC records that most of the older teachers (50 and above), upon being found guilty of committing sexual abuse, were retired in the public interest. The system was therefore more lenient to older teachers upon whom clemency was exercised a lot of times and this could explain why the majority sexual offences are older teachers.

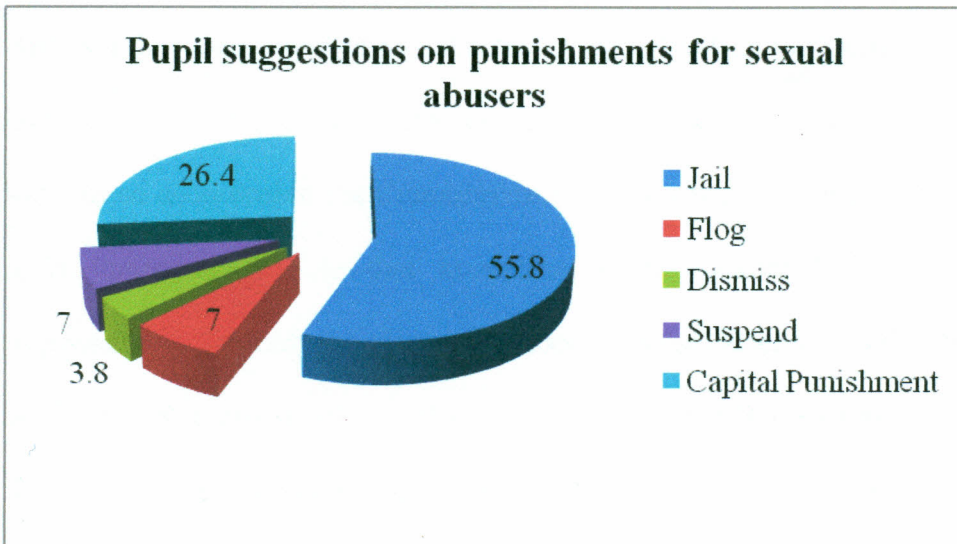
The researcher's opinion is that the situation is dire because older teachers are expected to be more settled, role models to the younger teachers. They have more experience on the job and form the majority of school heads. They are the fortification for the teaching

profession. The fact that they continue to commit the worst offences calls for urgent action to save the children. It could also be an indicator of things gone wrong at family level.

4.6.5 Pupils' opinions on best punishments for teachers who sexually abuse their pupils

The study sought the pupils' opinions on the punishments that should be given to teachers who sexually abuse their pupils. The majority of the respondents at 55.8% opined incarceration, 26.4% suggested capital punishment, 7% suggested flogging and suspension respectively, while only 3.8% viewed dismissal as the best punishment. Fig 4.12 summarizes the pupils' suggestions on the nature of punishments that should be given to teachers sexual offenders.

Fig 4.12: Pupils suggestions on the punishments teachers should be given for child abuse



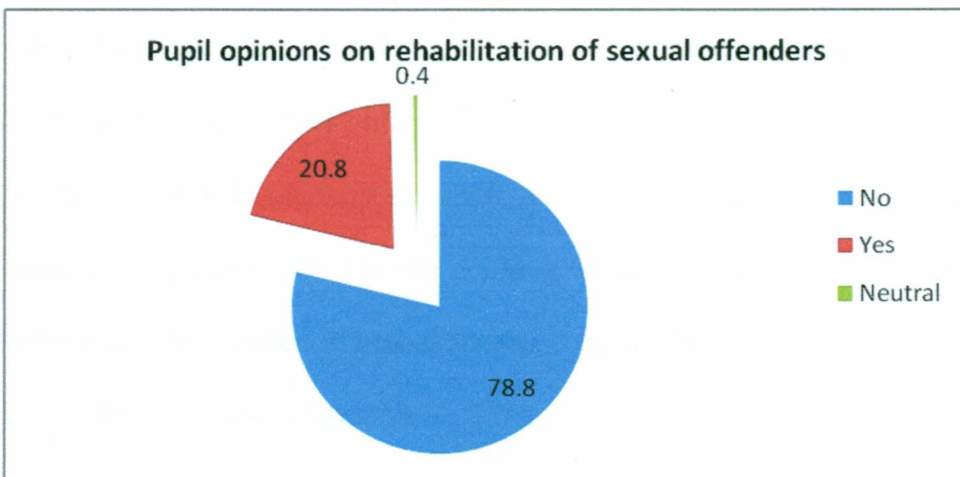
The pupils' opinions are clearly far from what has been happening. From their opinions, it is clear that the pupils do not actually consider dismissal as a punishment. This is perhaps why when asked why they thought teachers abuse pupils, their response was almost unanimous that the teachers molested pupils *because they knew nothing will be done to them*. The pupils' suggestions for jail and capital punishment also show the seriousness to which they attach the offence of sexual abuse and the deep emotions this offence elicits among them. Notably, the majority of the pupils who suggested jail as the best option actually added *for ever and ever* to emphasize their seriousness on this kind of punishment.

The parents, teachers, head-teachers civic and religious leaders interviewed seemed to agree with the pupils' opinions. Indeed, during the FGD with head-teachers, the majority 62% of participants opined that imprisonment, capital punishment and publishing of the names of such offenders should be considered urgently. Upon examining TSC records, it emerged that the suggested punishments were not within the Commission's mandate but could only be achieved if systems were reviewed and synergy created with wider judicial systems so as to enable the Commission hand over the offenders to the courts. However, it is important to note that according to the Sexual Offences Act (2006), life imprisonment can only be given to sexual offenders affecting children below 11 years, while capital punishment is not prescribed. The fact that majority of those conducted found these punishments most appropriate indicates the seriousness attached to the offence and is also an expression of dissatisfaction with the existing punishments.

4.6.6 Pupil opinions on rehabilitation and reintegration of teacher sexual offenders

The researcher tried to find out the pupils' opinions on the rehabilitation and reintegration of teacher sexual offenders. This is because when teachers are disciplined by the Commission, they are still released back to another space in the society from where they can continue perpetrating the vice. A whopping 78.2 % of the pupils viewed the suggestion as untenable, while 20.8% considered this a good idea. Fig. 4.13 tabulates the opinions.

Fig: 4. 13 Pupil opinions on rehabilitation and reintegration of teacher sexual offenders



The majority 78% of pupils were against rehabilitation and reintegration of teacher sexual offenders. The pupils were convinced that such teachers would likely offend other children in the other schools. During the FGDs, the children expressed that since such teachers had already the *bad manners*, there was no way they could change. Similar sentiments were expressed during FGDs with Civic Leaders and TSC officials respectively. In the words of one TSC official, irked by the suggestion, *hakuna haja ya*

kuhurumia hawa mahayawani (there is no need to empathise with those beasts). They are useless! Kama ni mimi serikali napeleka hawa castration mara moja (If I were the government I would send all of them for castration!). The situation is complicated by the fact that, as earlier indicated, the majority offenders were some of the best teachers as earlier highlighted in this Thesis. The failure to rehabilitate them means that the education sector would continue losing good teachers and the fear that eventually, only inefficient teachers might remain in the system cannot be dispelled.

The kinds of emotions poured out in the discussions on rehabilitation clearly indicate the disillusionment of the people. The fact that majority of those interviewed were not interested to have teacher offenders rehabilitated could be partly caused by the frustration of seeing them offending children and getting away with it. It could also be a pointer to the lack of faith in the existing systems to the extent that the rehabilitation may end up being mere *paper-work*. On the contrary, failure to rehabilitate the offending teachers creates another chance for them to abuse more children since punishment only moves them from one locale to another.

4.6.7 Legal and Policy provisions addressing sexual abuse of school children by teachers

Under the second objective, the research analysed legal provisions, policies of the Teachers Service Commission, as well as systems and procedures utilised for addressing sexual abuse of pupils by teachers in public primary schools.

i) The Constitution of Kenya (2010)

The Constitution of Kenya has made provisions for protecting children from violence and all forms of abuse. Under Article 53, the Constitution makes specific provisions for protection of children including obligating the state to fulfil socio-economic rights of the child, to deliver healthcare, education and shelter to all children as it introduces the universally acclaimed principle of the best Interest of the child. The new Constitution extends boundaries for litigation and sets the stage for enhancing jurisprudence on child protection matters. The Constitution also makes quality education a basic human right. This means that teachers engaging in sex with children can ideally be charged with affecting a child's quality of education.

ii) The Sexual Offences Act (2006).

The Sexual Offences Act largely draws from the provisions of the Sexual and Gender Based Violence (GBV) as stipulated in the: United Nations Convention on the Elimination of all Forms of Discrimination, the United Nations Convention on the Rights of the Child, and the African Charter on the Rights of the Child. The Act provides for the prosecution of any persons who commit: sexual harassment due to positions of authority and the persons position of trust, sexual relationships which predate position of authority or trust, deliberate transmission of HIV or any other life threatening sexually transmitted disease. The Act further provides for the collection of forensic evidence to be used in prosecution. However, this Act remains largely unread and many lay- persons (who are unfortunately the majority victims of GBV by nature of their habitation and socio-economic engagements), will require interpretation to make sense of its expectations.

Worse still, a lot of what the Act expects in terms of collection of forensic evidence requires the largely lacking skills, goodwill of the victims as well as travel resources including expenses for carrying out the forensic laboratory work.

iii) Gender Policy in Education (2007).

The Gender Policy in Education states that the government will work with partners to:-

1. Mainstream policies that address Gender Based Violence at all levels of education and to:
2. Establish modalities for dealing with sexual and Gender-Based Violence.
3. Develop a framework for coordination of stakeholders involved in efforts of providing a safe learning and teaching environment
4. Develop and implement clear anti-sexual harassment and anti-gender-based-violence policies at all levels in the MoE and all educational institutions (p37).

The Policy is an important benchmark for managing sexual abuse of school children. The requirements should make every learning institution a sexual-violence –free environment.

The researcher established that the Ministry had put in place some of the strategies listed in the policy document. Indeed, provision of sanitary towels for school girls in difficult areas was reported to have assisted a lot in reducing cases of sexual abuse of school girls- particularly where the lack of these facilities had been a cause of abuse. The policy had also been well utilized in getting back-to school, girls who had fallen pregnant.

Officials from the Ministry interviewed on the policy were non-committal and emphasized that some of the strategies listed in the policy document could not be implemented due to financial and logistical challenges.

In spite of these commitments, the research established that little progress had been made towards addressing sexual abuse of school children by teachers. First the Ministry did not have clear policy implementation operational protocol. .

The Policy also fails to provide clear direction on the management of sexual violence in schools and skirts around the subject promising to:

- ix) Establish mechanisms and capacity building of education managers to establish and support anti-gender-violence-support programmes
- x) Institute empowering programmes for girls and boys...
- xi) Institute Monitoring, Evaluation and Accountability measures for accountability and impact assessment.

First the policy was largely unavailable in the institutions surveyed. All the teachers interviewed expressed they had never heard of the policy. Similarly, 90% of the TSC officials involved in the In-depth interviews had scanty knowledge of the policy, while none of the pupils, civic or religious leaders were aware of its existence. The efforts made towards achieving these targets were short of coherence and at most failed to involve key players like the Teachers Service Commission. The Ministry also lacked clear mechanisms for Monitoring implementation of the policy and had no evaluation criteria for the same. It was further established that there was no clear linkages on child

protection matters with other players except for sporadic initiatives that made little difference.

Notably, even though there has been serious public outcry about high school- drop -out rates which have been correlated with sexual abuse and subsequent pregnancies, the Ministry had focused on the reactive approach of bringing girls back to school after delivery, rather than prevention.

The pupils' responses about which ones of their lot are regularly targeted for sex by teachers, earlier discussed in this Thesis, indicates high prevalence in the upper classes (7-8), which resonates with the high dropout rates in Standard 7 and 8 which stood at 24% (MoEST administrative data 2012).

The African charter on the rights & welfare of the child (1990) specifically urges states to intensify efforts to protect children living under discriminatory practices (racial, ethnic, religious) and to eliminate cultural practices that are not in the best interests of the child. It also requires that children be taught responsibility. By the same token, the UN guidelines for the prevention of juvenile delinquency (Riyadh Guidelines) require states to come up with programs that would prevent juveniles from indulging in delinquency, such as:

- xii) Empowerment of the family socially and economically
- xiii) Educational curricular that enhances the moral wellbeing of children.
- xiv) Community based initiatives that tap into youth potentials & steer them away from crime.

The study established that these provisions provided good fortification for players in education sector. The teacher plays a critical role in changing attitudes and in so doing creates new focus on the individuals he/she interacts with. Social and economic empowerment is one way of getting the parents to play their role in protecting children from sexual abuse. Kenya's curricular also provides for the enhancement of moral wellbeing as stipulated in these statutes. Indeed, the establishment of the Social Studies subject in the curriculum goes a long way to help teachers provide moral direction to learners in Kenya.

iv) TSC Act (2012), Sexual Offences Act (2006)

The two documents against which the TSC charges teachers for sexual offences however are in contravention of the Constitution of Kenya (2010) and the Sexual Offences Act which is the broader legislation covering all forms of sexual offences. While the Sexual Offences Act has clearly disaggregated sexual offences, the TSC Act 2012 trivializes such offences labeling them as immoral *Conduct*. Under schedule 34, the Commission forbids teachers from having sexual intercourse and makes no mention of sexual abuse of children. The Act therefore creates confusion in this sense.

The TSC Act, 2012 provides for reinstatement to the Teacher Register without exception. This means that even in cases where teachers have sexually abused children and been dismissed, they would still have a right to get back their certificates and continue practice. This provision is contradictory of the provisions of the it has positioned itself for protracted court battles with teachers; particularly sexual offenders.

TSC Act, further states that the Commission shall *act on general evidence or statements relating to the character or conduct of the teacher concerned and shall not be bound to receive or consider only evidence admissible in a court of law.*

This approach is excellent in view of the fact that teachers are expected to observe highest moral standards. Indeed, it gives the Commission the leeway to dismiss teachers on the basis of professional misconduct even where the court of law would declare them innocent on criminal counts around sexual abuse. However, the TSC approach was risky for sexual abuse cases and had on many occasions attracted litigation by teachers who felt that the system had not been foolproof in proving their guilt.

Accepting general evidence or statements on cases of sexual nature also leaves the teachers precariously under the mercies of the head teachers. In the event that one wants to settle old scores with a teacher, they could easily succeed with the current arrangements. Indeed, cases were cited during focus group discussions where head teachers maliciously leveled false accusations of sexual abuse against teachers they perceived as competitors. In one instance, a headteacher had actually succeeded in getting a teacher dismissed for an offence he had not committed; only for the Commission to learn the truth from distraught community members six years later. Even though the teacher had been reinstated, which is indicative of the Commission's good sense of justice, the damage was colossal on both parties.

Whereas the Witness protection Act provides for protection of children as vulnerable witnesses, the Commission was yet to consider this. Consequently, children were subjected to multiple interviews in the boardrooms in the process of hearing the cases across the various levels on the discipline management continuum. In some cases, they shied away and declined their own statements. One of the TSC officers interviewed during the In-depth interviews, cited an incidence where a fifty eight (58) year old teacher had sexually abused a class three girl, the victim remained mum throughout the hearing of the case. The discipline panel declared the teacher innocent, oblivious of the child's traumatic state. The discipline panel had failed to take necessary precautions thus creating further distress to the child and parents.

The researcher deciphered that this kind of approach could have been occasioned by the lack of understanding of the traumatic effects of sexual abuse upon the victim on the part of the discipline panel. The officer opined that this approach was causing some parents/guardians to avoid reporting cases..

v) TSC Circular 3/2010

The TSC sent out TSC Circular 3/2010 requiring all teachers to be at the forefront of protecting school children from sexual abuse. Indeed, the Circular went as far as asking teachers to report cases of sexual abuse of school children including those perpetrated by people other than teachers even if this did not happen within the school. The study established that while some teachers came out to report such cases, they found themselves in deeper problems than those that had committed the offence. Indeed, a number of those interviewed in the in-depth interviews complained of harassment by the

education officials, TSC officers, the head teachers and even threatened with dire consequences. In another instance, the teacher was harassed by the head teacher, the union officials, the education officials, and physically attacked and injured. Her report was given little attention and she ended up interdicted and suspended on drummed up charges.

All except one of the officers interviewed in the study did not seem familiar with the Witness Protection Act and where they had some knowledge, they did not see how this Act relates to their work.

4.7 TSC Code of Regulations for Teachers

The TSC Code of Regulations for Teachers (CORT) is the document used in all prosecutions in the TSC discipline adjudication. The CORT was found to have inherent challenges. For instance, it did not define what constitutes sexual abuse. In some instances, there was a general approach terming cases of *Carnal Knowledge* as *immoral conduct* or infamous behaviour; thus trivializing the offence. Consequently, some teachers received penalties far below what they should have if the offences were appropriately stated.

The failure by the CORT to disaggregate sexual offences as they are in the Sexual Offences Act creates a big challenge in dealing with offenders. Worse still, the punishments given to sexual offenders are also tenable in other minor offences which are

not in any way related. For instance, the punishment of suspension goes for all minor offences. Yet, this punishment was also applicable to sexual offenders.

Stiff penalties are needed to punish and deter sexual violence. The ultimate punishment given by TSC for sexual offences has been dismissal and removal from the teacher register. However, dismissed teachers were allowed to apply for reinstatement back into the Teacher Register after two years of dismissal. This reinstatement was not pegged on any plausible criteria.

The researcher established that there was no specified punishments for sexual offenders and that the latitude for decision making was wide. The discipline panels were also independent of one another. Consequently, it was possible to have two teachers committing sexual offences but getting different punishments ranging from warning to dismissal and removal from the register.

The study further established that while the Commission had the mandate to ensure only teachers with Registration certificates were engaged for the job, modalities for ensuring this were lacking.

The CORT states in part: *Upon receiving allegations against a teacher, the agent (PDE, DEO, BOG, SMC) is expected to carry out investigations and assemble evidence to establish whether the teacher has a case to answer.* This statement leaves it upon the agent to finalize a case without even informing the Commission that there was an

allegation against such a teacher. This makes the system porous especially in the event of a wayward agent, and with the prevailing high degrees of corruption reported in the country. The CORT also does not require the agent to preserve the evidence gathered even when there is no sufficient proof that the teacher had committed the alleged offence. This means that in instances where complaints on the same case reach the Commission much later, it becomes difficult to handle especially where the agent has left the station. Agents are also not expected to submit reports on countermanded cases just as a way of maintaining checks and balances.

On the same breath, the CORT was not explicit on the protocol to be followed in dealing with cases of sexual violence by teachers and there are no specified precautions to be taken in spite of the sensitivity of such offences. The CORT for instance provided that teachers could only be interdicted upon investigation of cases. This meant that an offending teacher continued to attend classes until such a time when investigations were completed.

The TSC approach differs from the judicial system where as soon as a crime is reported, the offender is arrested as investigations commence. The CORT also failed to provide for protection of vulnerable witnesses as per the Sexual Offences Act (2006), in spite of the sexual abuse offence falling under criminal offences category of the law. Worse still, the CORT presupposes that head teachers cannot themselves be perpetrators of sexual abuse of school girls. For instance, it lists the head teacher as the one to assist the PDE/DEO in assembling evidence for a discipline case but says nothing about what

should happen in the event that it is the head teacher who has committed the offence. Considering that head teachers wield a lot of power at the school level, an offending head teacher can go unreported.

The Teachers Service Commission (TSC) does not recognize the head teachers as potential sex offenders and this creates psychological fortification for the same head teachers to commit these offences. The study further established that there was no clear protocol on how to deal with cases of sexual offences committed by head-teachers. Indeed, it was established that there were instances when the TSC had written to head-teachers to investigate their own offences. On the same note, there was no clear guideline on how to deal with cases of teachers who commit sexual abuse of children in different schools from those in which they teach which further complicates the discipline management processes. Whenever this happens, such teachers tend to go unpunished as none of the two head teachers would wish to pursue the matter. During the in-depth interviews with TSC officials, it emerged that head-teachers seldom forwarded such cases as they feared being looked upon as malicious.

4.8 TSC Discipline Policy

The TSC Discipline Policy was analysed for its efficacy in the management of cases of sexual abuse of school children by teachers.

The TSC Code of Regulations for Teachers (CORT), the document that guides teacher discipline has had its fair share of challenges. First, the document lacks synergy with

other existing legislation particularly SOA. In addition, CORT does not distinguish the offence of Sexual Harassment (SH), Infamous Conduct (IC), Infamous Behaviour (IB), Flirtation. This makes the adjudication of cases difficult. Worse still, there is no clear stipulation of the evidence that may be produced before the panels for the various charges. This leaves the panels to rely mainly on witnesses accounts particularly placing cases of Carnal Knowledge precariously untenable juxtaposed with the wider legal procedures. To add insult to injury, the TSC maintains a one wo(man)-one count system whereby a teacher charged with several cases of CSA would get the same punishment as the one charged with one. This system encourages the perpetrators to abuse as many as possible. Finally, the CORT does not provide a maximum period within which CSA cases should be concluded in spite of the attendant effects of delays in the adjudication of such cases. One may also point out that the procedures for reporting CSA to the TSC are self-defeating. They cause delays and create loopholes for perpetrators to *buy innocence*. The CORT is yet to be read by the majority of teachers not to mention that it is not accessible to the majority. This is attributed to the little appreciation of most teachers of the need to understand their terms of engagement and their over-reliance on their Teacher Unions for representation in any disputes with TSC.

The study further established that the policy does not capture the offences as given in the CORT but instead introduces an offence called Immoral Behaviour. Discipline records accessed by the researcher indicated contradictions at implementation level as teachers are charged with additional offences neither captured in the CORT nor the Policy such as: *sexual harassment, carnal knowledge, flirtation*. Worse still, there was a big concern

over the definitions of these offences as different officers gave different explanations. This leaves room for different interpretations, manipulation and divergent approaches to the adjudication of cases of sexual offences. The different definitions could be effectively utilized to defeat justice. The TSC Discipline Policy (pp.5) states that ... *after the preliminary hearing, the agent may impose any one of the following decisions:*

- xv) *No case to answer*
- xvi) *Warn the accused administratively*
- xvii) *Interdict the accused*

There was no indication that number (i) above only applied to those found NOT guilty, and the nature of offences for which one may be warned administratively were not stipulated. As such, the agent had the latitude to still apply (i) and (ii) above for sexual offenders. Indeed, TSC officials interviewed during the In-depth discussions pointed to cases where cases of sexual offences had been handled in this manner. The discipline policy therefore made it easy for an officer with vested interests to circumvent the regulations. The idea that a teacher who had committed a sexual offence could get away with a warning or suspension was disturbing. Indeed, some of the records availed to the researcher (appendix 3) showed cases where teachers had been given varied punishments for the similar sexual offences. Much as these decisions were within the requirements of the existing regulations, there were obvious contradictions.

Other challenges identified in the TSC policies and regulations include:

xviii) There are contradictions in the Discipline Policy and the CORT, and the TSC Act. For instance, in one interdiction schedule, the Discipline Policy quotes Regulation 16 instead of Regulation 15. In other places it refers to sections rather than regulations. For instance, in its *Fourth Schedule Revocation of Interdiction*, the schedule quotes *section 30(4)* instead of *Regulation 30(4)*. This lack of consistency tells of lack of seriousness on discipline matters.

Clearly, the CORT does not disaggregate the kind of offences upon which this rule may apply. It also does not expressly demand that teachers found guilty of committing sexual offences be dismissed and removed from the register which is the highest punishment the Commission can give. Instead, it makes it the prerogative of discipline panels to give whichever punishment they may deem necessary. Consequently, teachers charged with sexual offences are given different punishments even after being proven guilty. The variation in the decisions reached on the same offences by different panels creates discontentment among officers and at best creates scenarios that cause the panels to avoid at all costs meting the highest punishment of dismissal and removal from the register to sexual offenders for fear of being labeled malicious. Secondary data obtained over a five year period (2007-2011) confirmed this position.

xix) Regulation 66 (6) b, of the CORT provides that' *the name of the teacher, notwithstanding that he/she is guilty of the allegations made against him/her be not removed from the register but he/she either be:-*

i) warned

ii) suspended---

iii) dismissed---

iv) retired in the public interest

Under the CORT, the TSC defines Carnal Knowledge generally. A teacher who commits this offence is charged with *Immoral Character* or said to be *Guilty of Infamous* conduct. This diminishes the seriousness of the offence. The survey noted that some of the charges like Sexual Harassment, Flirtation were being used yet they were not in the CORT. The fact that officers could go ahead and create their own terminologies to deal with such a serious matter is indicative of discordance in the discipline management system. It was also creating conflict among the officers adjudicating discipline cases. It was difficult to establish how the officers arrived at decisions on offences that were not stipulated in the CORT. This was also a pointer to the inconsistencies existing in the discipline management system which serves well to sustain discontentment and depersonalization of operations.

4.9 Knowledge of legal and regulatory provisions on sexual abuse

The survey sought to find out how well acquainted with the legal provisions the discipline officers were. It was revealed that only 40% of the discipline officers had read the Sexual Offences Act (2006) and the Children Act (2001). However, more than 72.7% had read the CORT. The 27,3% who were not conversant with the provisions of the CORT were likely to either mislead or drag behind the panels during discipline cases. This failure to acquaint themselves with such serious documents is indicative of a lack of seriousness among the officers and by the Commission's administration. Surprisingly,

even though the majority discipline officers had read the CORT (as indicated above), when asked on pertinent issues regarding punishment for sexual offenders, 32.3% were not sure of some of the provisions contained in the CORT. It is therefore plausible to argue that the Commission lacks a clear support system to ensure the officers remain informed.

A look at the documents maintained on sexual abuse cases indicated some gaps. While the Commission would be lauded for taking a bold step towards managing data on sexual offences through its *Database on Teacher Sexual Offenders* (DTSO) established in 2011, there was evidence of apathy towards the system. 56% of the discipline officers conducted through the Indepth interviews protested against the system and argued that it had been introduced prematurely. Upon probing, the officers argued that the system had been imposed on them and it was a trap by the administration.

The CRM system is exposing too much. We can hardly breath, he retorted.

said one male respondent. Consequently, there was resistance and most of the officers seldom inputted the relevant data into the system. A lot of the information was still maintained in manual records making data storage and retrieval difficult. This means that it is difficult to track cases and as a result, many of them remain unattended as was established from the records in the Gender Unit.

Furthermore, while there were standard forms for preparing prosecution notes, there seemed to be no standard format for recording the proceedings of the cases at the hearing stage. In-depth interviews with three top TSC officials indicated that the Commission

was yet to develop Standard Procedures for the hearing of discipline cases. The absence of standard procedures increased the latitude for varied decisions on sexual abuse case and minimized the chances for effective evaluation of decisions.

From the information collected through the Focus group discussions with TSC officials, it emerged that there was a gap in the documentation of proceedings. Indeed, there were conflicting records on the same cases existing under different files. For instance, in one CK case, the teacher had been recorded in one document as *found guilty of carnal knowledge and suspended for six months* while a different record indicated *there was no sufficient evidence on the case*. The teacher, in his late fifties and whose record indicated had previously committed the same offence in 1984 and had been reinstated through court action. The record availed to the researcher indicated the teacher had on this occasion defiled a class three child. Other records accessed by the researcher showed confirmed that many decisions made on the discipline cases were seldom implemented. There were many teachers whose records indicated had been dismissed but they were still on the payroll.

4.10 Mechanisms put in place by TSC for addressing Child Sexual Abuse

In its fourth and last objective, the survey was interested in the measures that may already have already been taken by TSC to address sexual abuse of school children. It was established that starting from July 2007; the Commission had made it mandatory for all sexual abuse related cases to be dispensed within three months. While this is laudable, it emerged that the rule was implemented without the

requisite review of the systems that previously caused the delays. One of these was the delays in carrying out investigations which was occasioned by lack of resources and bureaucratic procedures.

It emerged that TSC discipline officers had invented a system of beating deadlines by going out to carry out investigations themselves where investigation reports for cases of sexual abuse were not forthcoming from district officials. While this is commendable, it compromises the discipline adjudication process as the prosecutor also becomes the investigator. This approach also diminishes the credibility of the system as it goes against the rule of natural justice.

It also emerged that some of the cases were finalized only for purposes of meeting targets. According to one TSC official who took part in the FGD,

sometimes it is not easy to reach the officials on the ground, have them carry out effective and efficient investigations and finalize the case within the three months. When the officials have been compromised they take all the time so that we are left with no option other than to dismiss the case for lack of evidence or to keep rescheduling it which disadvantages the complainants. Sometimes; the prosecution is forced to make do with scanty information which disadvantages the victim.

This statement tells of the degree of lack of commitment and discordance in the TSC administrative systems. Indeed, the researcher accessed ten cases that had been reported between 2010 and 2011 but were yet to be followed up. In three of the cases, the record only indicated that district education officials had been conducted to confirm the details.

The researcher also gathered that the Commission had also established within the Corporate Communications office *a child abuse press brief capture system*. Under this, the officers read through the main dailies and isolated reports on sexual abuse. These were included in the press brief to the Commission Secretary which was copied to the heads of Gender and Discipline for action. Upon probing, the officers in Gender and Discipline informed the researcher that once the briefs are received, they would get in touch with district education officials to establish the status and brief the Commission Secretary and a decision would be made on the next steps. In some cases where the district officials were caught unawares, they would be requested to investigate and provide feedback.

This feedback sometimes does not come and so we start quarrelling kama kawaida (as usual). Once in a while we are given fake reports but we also have other means of following up for instance through the Children's Officers and Civil society organizations on the ground although this depends on the commitment of the officer in charge of the region.

The Commission was also working in partnership with a number of Civil Society organizations including: Childline Kenya, the Gender Violence Recovery Centre, UN Women, Plan International and Girl Child Network. In particular, Plan International, through Childline Kenya, had funded the Database on Teacher Sexual Offenders. It was also established that the Commission and Childline Kenya were collaborating on investigation of sexual abuse cases.

The rest of the organizations were supporting teacher sensitization programmes. It also emerged that the Commission was a member of the Africa UNiTE initiative of the UN Women, towards eliminating violence against girls and women. Plate 4.6

shows TSC officials taking part in the Africa UNiTE walk to end Violence against Girls and women.

Plate 4.6 TSC officials participating in the Africa UNiTE walk to end violence against girls and women in 2012.



The study noted that the TSC had started sensitization programs in the districts. However, while this is laudable, there was the concern of lack of personnel for the sensitization and limited resources. In the words of one disillusioned officer in the FGD:-

we only spend one day in each district. It does not make sense as this gives us very little time to interact with the teachers. Worse still, we have only been focusing on teachers in the schools leaving out the children and community members yet community members report to us most cases of sexual abuse. The children are also ignorant and without reaching them, we are doing zero work (MOP3).

The researcher also established that the Commission had tried hard to induct key stakeholders on matters relating to sexual abuse of school children by teachers.

Plate 4.7 Participants in a TSC Gender and Child Protection Sensitization Forum pose for a photo



4.10.1 Gender and Child protection Unit

The Commission had in place a Gender Unit that was charged with the responsibility of dealing with all cases of Gender Based Violence including violations against children by teachers. In particular, the Unit was expected to sensitize all TSC staff on Gender matters and to spearhead investigations on all cases of sexual abuse of school children by teachers. However, the unit had challenges in financing the targets as there was no line budget for such work, which complicated the matter.

While the officers provided evidence on spearheading investigations on child abuse, these were too few at only 20% of the total cases received. The officers explained that they mainly relied on external funding by partners to accomplish this target. This was

indication that the subject of child protection was yet to take the right perspective not just in the TSC but as priority for government funding. Further, the researcher gathered that the Commission was in the process of developing a Child Protection Policy.

The situation was compounded by the lack of proper synergy between the discipline division which ultimately managed the discipline cases. In essence, some cases were investigated and finalised without any input from the child protection technical officers.

There are moments we have contested decisions reached by discipline panels. This has made us the enemies of the people, but we keep working hoping for a better tomorrow.

Complained one officer. The officer confirmed the management commitment to address their concerns whenever they expressed discrepancies in the discipline panel decisions; even though redress actions took much longer than would be expected.

There was also evidence of some of the work the unit had been doing in sensitizing teachers on child abuse issues. The officers availed sensitization records and distribution records for the TSC *Circular 3/2010 on Protection of Children from Sexual Abuse by Teachers*. Although the record showed the Circular had been distributed to about 70% of the schools in Makueni, the officers hinted they had difficulties carrying out sensitization of teachers on the Circular owing to lack of resources. In the contrary, all the teachers interviewed in the study confessed they had never seen the circular. The researcher construed this to imply that the teachers were resisting the circular.

The study established that the TSC had put together a task force to review the CORT one month before the interviews. However, this was yet to be accomplished. Some members

of the taskforce seemed least interested in the whole business. In the words of one of TSC officer interviewed during the In-depth Interviews:

we are merely obeying instructions. Nobody told us what we need to do to prepare. We do not even know what we are reviewing. They (TSC management) also expect us to do the work along with our regular work which is next to impossible.

While the particular officer may have been cynical about the review of the CORT, it was noted as a major step towards redressing the challenge of sexual abuse of school children by teachers, particularly since, as a subsidiary legislation, the new CORT would have to be harmonized with the new Constitution (2010) in as far as provisions for child protection refer.

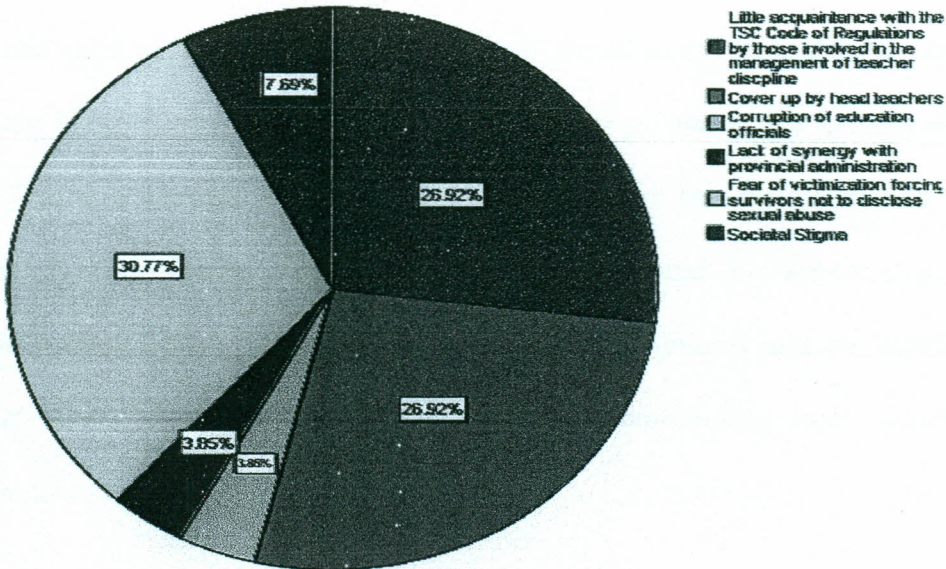
4.10.2 Annual Child Protection Exhibitions

The researcher gathered that the Commission had established child protection exhibitions which were mounted every year during the national head teachers' conferences. While the officers in the Gender Unit praised the event as a big step towards sensitizing head teachers on child protection issues, they expressed concern that the Commission was unable to fund the activities and that they had relied on external support since 2011 when this was established. The researcher's interpretation was that the Commission was not keen to allocate resources to the events as they were seen as falling outside of its mandate. It was further established from the finance department that child protection was never one of the Commission's items in the line budget.

4.11 Challenges in the management of sexual abuse cases of school children by teachers

The study sought to find out challenges facing the management of CSA cases by the TSC. Out of those sampled, 30.7% opined that the greatest challenge was lack of disclosure by victims, while 3.8% blamed lack of synergy with provincial administration and corruption of education officials respectively. Figure 4.14 summarizes the challenges.

Fig. 4.14 Challenges affecting TSC management of sexual abuse cases



The fact that the respondents identified lack of disclosure as the biggest problem corroborates the TSC Survey of 2009 where this was seen as a great challenge causing only 10% of the cases to be reported. The lack of disclosure can be viewed through various windows. First, the disillusionment caused by the failure of existing justice systems leaves victims and guardians with little motivation for reporting. Secondly, and as determined during the In-depth Interviews with some victims, the lack of tangible

benefits or support accorded to the victims after cases are reported complicates the matter. It emerged that there was more motivation for silence as the offenders provided incentives for this.

Discussions around sex remain taboo in the community, particularly between adults and children. Parents are shy to discuss this topic and this remains a hinderance to reporting of cases. The fact that the topic is shrouded in mystery makes it difficult for a child to speak out not only to a teacher but also to a parent or guardian.

The low rates of disclosure could also be attributed to the lack of clear communication systems in the school. While school administrators are aware that this is a difficult topic; and that sexual abuse of pupils exists, little effort has been made to increase the communication spaces within the school. It would be appreciated that school administrators remain part and parcel of the wider community and are therefore drenched in the same cultural challenges that derail the communities from focusing on child protection.

During the FGD with religious leaders, it emerged that even when cases of sexual abuse were presented to them with all the graphic details, they only prayed for God's peace upon the victims and for forgiveness of the offenders. They avoided the legal and administrative systems for fear of getting themselves into trouble.

I do not want to be called as a witness. I do not want to be chastised. You report the case and give all the graphic details. The next day the offender is at your door spitting on you. He says to you NAYU?

(meaning: what have you gained from reporting the case against me?); said one religious leader.

The fact that head teachers were identified as the next big challenge in cover ups raises pertinent questions. The head teachers on their part, confronted during the FGDs, blamed the education officials. They expressed frustration at the many cases presented and nothing was happening. In the words of one male participant;

hata ukipeleka mbele ni bure. The next day unakutana na mwalimu akitoka shule nyengine. Hakuna mtu anakwambia chenye kiliendelea. Lakini tunajua pesa zinaongea.

(It is useless to report. A few days later, you see the same teacher

emerging from another school. No one tells you anything but we know money talks).

The disillusionment expressed by head teachers tells of an ailing system. While they are at the contact point with cases of abuse, the progression of the case to TSC headquarters remains beyond their boundaries. Notably, The TSC does not have a system of ensuring that all cases arising at the school level reach the head office. Even though in its Circular 3/2010 it emphasizes that all cases must be reported to the Commission Secretary within twenty four hours, this is yet to happen.

During the FGD with TSC officials, it emerged that they were equally concerned about the attitude of head teachers, and that many head-teachers remained silent on sexual abuse cases happening in their schools, and that many reports were received through the media.

The media has really been helpful otherwise some of these cases would never have come out, said one female participants.

In their opinion, head teachers were behaving that way due to compromise and intimidation by the teacher unions; said to come out strongly to defend wayward teachers irrespective of the nature of offence. The researcher noted that within the reporting arrangements, it was unclear who should report the case if the head teacher was the one offending.

The official's sentiments were echoed during a stakeholders' forum to discuss sexual abuse of school children by teachers with union officials from all the counties; held in Nairobi in 2012. When stakeholders complained of interference by the union in sexual abuse cases, one of the union officials retorted...

what is the big deal here? Our business is to defend teachers! Period...I have Personally forced an education official to transfer a teacher who had defiled six girls in a primary school and he is settled in his new station...

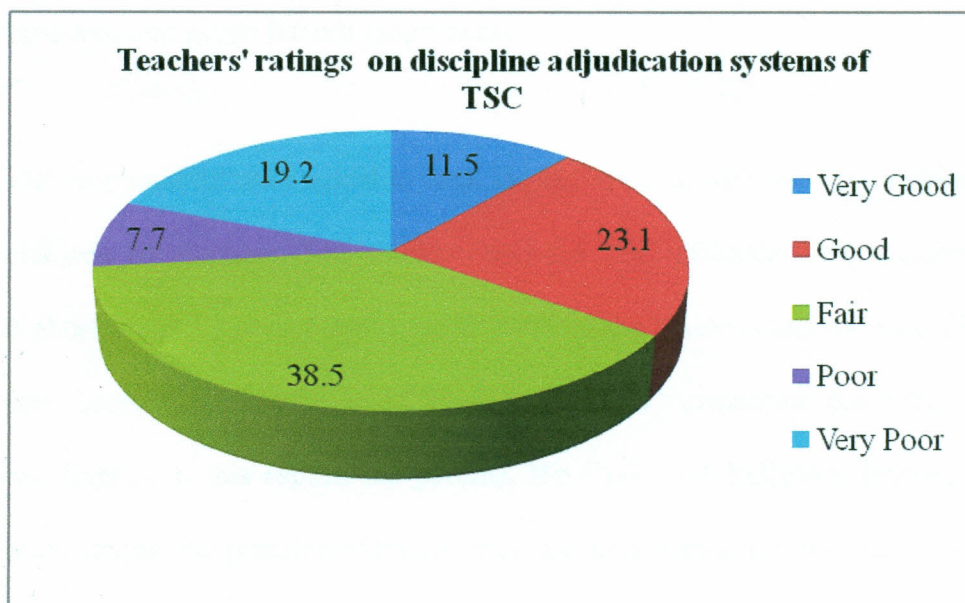
While this reaction raises moral questions, it is also a pointer to the fact that the responsibility of reporting of sexual abuse cannot be left to the headteacher alone, and if that should happen, there must be adequate measures to ensure that reports are received.

Surprisingly, it emerged during the In-depth Interviews with the parents of Victims that none of them had reported the abuse to the police. In the words of one male participant; *nyie neesi headmaster nukutavya polisi tondu niwe wi ovisini (I assumed the headteacher would report the matter to the police since he is a government officer)*. The fact that the parents remain ignorant of their responsibility to report to the police also gives the offenders leeway to carry out further abuse.

During the In-depth Interviews with TSC officials, it emerged that there was no clear head teachers. Their appointments were mainly focused on academic qualifications leaving out considerations on conduct and integrity. These were seen as some of the other factors causing the cover ups.

The study further was keen to find out the teacher's impressions of the discipline adjudication systems. The majority 38.5 % rated the system as fair while only 23.1% rated it as good. The fact that the majority viewed the system as fair indicates that the Commission has not dealt well with reported cases and the people's dissatisfaction could be one of the reasons for poor reporting as earlier discussed in this Thesis. This also resonates with the children's impressions on why they think teachers sexually abuse children; *they know nothing will be done to them* was the response from the majority of children respondents as discussed earlier. Fig 4.15 gives the details.

Fig. 4.15 Ratings for Teacher opinions on the discipline adjudication systems of TSC



Of the 46 parents interviewed, 69% felt that the systems were not in any way effective.

Aii vau no vandu vatindwa (oh, that is a useless effort) quipped one of the female respondents during an In-depth Interview.

This was echoed by TSC officials interviewed during the In-depth Interviews. 70% of the officials expressed that the discipline adjudication system was faulty as it lacked the necessary checks and balances and was easily compromised. The officials cited cases where some of the teachers who had committed sexual offences had got away with suspension. The position was corroborated from the secondary data accessed from the discipline records which clearly showed cases of teachers who had been merely suspended after having been found guilty of sexual offences. As earlier discussed, the data also showed that offenders beyond 55 years were favoured and given lenient judgements.

The respondents were asked to rank the factors exacerbating sexual abuse of school children by teachers. The teachers and the TSC officials were unanimous on the highest factor as corruption. Indeed, 67% of the teachers and 60% of TSC officials saw corruption as the most important factor sustaining the vice. As earlier highlighted in this report, the parents, the Civic and Religious leaders were up in arms against the practice of transferring teachers who commit sexual offences rather

than dismiss them. Indeed, the statement by the distraught mother of one of the victims *ni vandu vatindwa* (it is useless effort) sums it all.

The researcher's view is that corruption has many implications. It creates fear for victims as they are not assured of justice. This explains the low reporting rates highlighted earlier. It also resonates with the finding that most cases are reported by community members and not teachers or head teachers who fully comprehend the operations of the system.

The second most important factor was identified as lenient sentences. Out of the 26 teacher who responded to the questionnaire, 58% viewed this as an important factor while a similar percentage of 56.3% of the TSC officials agreed with this position. As discussed earlier, data obtained from the finalised cases (2010- June, 2012) showed great discrepancies; with the older offenders (over 55 years) only retired in the public interest, thus according them all the retirement benefits instead of being dismissed. Upon probing during the In-depth Interviews, TSC officials expressed that dealing with cases of sexual abuse was a very emotional affair and sometimes decision making was impaired by such emotions. Unfortunately, the offenders seemed always better prepared to argue their cases out than the victims who would sometimes fail to respond to questions. Indeed the researcher was referred to one case where the victim had remained quiet throughout the proceedings while the offender utilised all the time available convincing the panel of his innocence. The case had been revoked and the offender posted back to the same school even though there was evidence the offence had been committed.

The other two factors identified as important were the fear of societal stigma and localization of teachers respectively. In fact, 55% teachers and 53.9% of the TSC officials opined that societal stigma attached to sexual abuse was a big challenge to the management of the cases while the two groups rated localization of teachers as the other factor. The TSC officials interviewed in this study confirmed to the researcher that the recruitment of teachers was county based thus; teachers were recruited and posted to their counties and even locations, particularly for primary schools.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents a summary of the research findings, makes conclusions on the findings and proposes remedial action on the issues of concern in the form of recommendations to the various players in the child protection arena.

5.2 Summary

The study sought to examine the crisis of sexual abuse of school children by teachers in public primary schools in Makueni district, Makueni County. This study was carried out in 15 schools within Kee, Kaiti and Wote divisions of Makueni district, Makueni County. The study was descriptive, utilizing both quantitative and qualitative methods of data collection. The focus of the study was the school, with children aged between 10 and 19 being the key respondents. A total of 822 respondents were involved in the study. Out of these, were 500 school children from 16 primary schools out of which 51.8% were male while 47.8% were female? Among them were also 5 female sexual abuse victims. The secondary respondents were 5 parents of sexual abuse victims, 216 teachers, 15 head teachers, 46 parents, 3 officials from the Ministry of Education, Science and Technology, 10 TSC officials, 7 School Management Committee members, 10 religious and 8 civic leaders, and two officers from the Provincial Administration.

The study findings portray a panorama of confusion and discordance in both school and TSC management systems for protection of children from sexual abuse by teachers; The

existing policies and administrative systems for the management of teacher discipline are inundated with loopholes that are being exploited by all the players in the teacher discipline management continuum.

While the Commission has official mandate for registration and discipline of teachers, it has failed to effectively utilize its constitutional right to curb sexual abuse of children in schools. In particular, the study notes that there has not been any effort at assessing teachers entering the service for any criminal history, particularly on sexual abuse. The identification of school heads is also largely based on academic qualifications at the expense of integrity. The impression of this study is that there is enough latitude given to the Commission by the law but largely unutilized.

The failure to provide requisite incentives for prevention and reporting of cases; coupled with disillusionment resulting from corruption and lack of clear witness protection systems creates a panorama of apathy. The lack of jurisprudence further aggravates the situation. The many cases of sexual abuse of school children by teachers that remains pending for prolonged periods give the abusers greater space to defile more children. The TSC lacks effective structures and mechanisms for prevention and response to sexual abuse of school children by teachers. Indeed, its systems are cocooned in negative attitudes of officers, many of whom have depersonalized the problem and lack the requisite commitment and skills for dealing with such a huge assignment.

The government of Kenya stands to lose billions of shillings in restitution under sexual abuse related litigation by victims should they wake up one day and decide to sue as happened with such victims in America in 2007(referred to earlier in this Thesis).

Noteworthy, the Sexual Offences Act (2006) and the new Constitution of Kenya (2010) provide wide latitude for public scrutiny.

The Ministry of Education, Science and Technology has ignored the colossal losses occasioned by sexual abuse of school children by teachers on education sector by the vice, maintaining a non-committal position and concentrating resources on infrastructure and supply of teaching/learning materials at the expense of institutionalizing child protection which touches the very core of the child's wellbeing.

In spite of having the largest population of government employees totalling to 237,920 (Kenya Economic Survey, 2010) working with close to ten million school children, the Commission inadvertently provides hiding grounds for child molesters, thus spending government revenue on a faulty course.

Lack of clear policies, inadequate administrative systems, lack of resources for effective management of the teacher discipline function, collusion by the TSC employees along the teacher discipline continua, impunity, lack of requisite skills by TSC staff and lack of synergy with other duty bearers, coupled with lack of clear Monitoring and Evaluation systems; are key drivers of sexual abuse of school children by teachers.

The TSC has failed to recognize its core business and survival as anchored on effective - child protection within the school and so this is relegated to the periphery compared to registration, recruitment and deployment which have been foregrounded in TSC business. While the TSC mandate does not include Child Protection, this remains a critical area for the Commission's future survival

5.3 Implications of the findings

The implications of the study findings cut across prevention, detection, and response to sexual abuse of children in schools by teachers. First, sexual abuse of children by teachers has been seen as pervasive but it has been normalised and trivialised both at the school front and the TSC head office. This means that people will seldom be enthusiastic to report or even follow up such cases. The high prevalence of the vice also tells of the failure by the Commission to sustain appropriate systems for checking on teacher behaviour. It also tells of poor school administration and implies the lack of commitment for protecting children on the part of those the Commission has entrusted with the responsibility.

Secondly, the causes of sexual abuse of children by teachers have been established as cutting across poor school administration, availability of a wide latitude for abuse within the school, collusion by officers on the teacher discipline continuum, culminating to lenient decisions by the TSC and the fear of societal stigma by victims and parents. Technically, the Teachers Service Commission takes the largest share of blame. By failing to assess teachers for morality at the point of engagement, by not having child protection included in the teacher and staff employment contracts, by failing to sustain effective systems for monitoring teacher behaviour, by mismanaging the reported cases and assigning lenient sentences to offenders, compounded with failing to forward the offenders to the wider judicial systems for custodial sentences, the Commission remains culpable. This is particularly so because the Commission has been given enough powers by the Constitution to manage teacher discipline. In addition, the fact that the TSC has been dismissing teachers and not presenting the cases to the wider judicial system for

prosecution could be construed as collusion and an attempt to defeat justice. This puts the Commission in a precarious position with the law.

The Commission is lying on a time bomb. The threat of massive litigations is real from the many disenchanted stakeholders. As earlier mentioned, the Kenya Constitution (2010) has expanded litigation space for issues affecting children to members of the public.

By mismanaging reported cases, the Commission has diminished public confidence in its capacity to deal with teacher discipline issues and this has made schools breeding grounds for sexual abusers. Additionally, even though the Commission is the curriculum implementing agency it is clear that it is ill aware of the damage sexual abuse causes on its efforts to effectively implement curriculum. As earlier discussed, the traumatic effects of sexual abuse on children make it difficult for effective learning. The Commission's challenge is therefore to move quickly to restore public confidence and redeem its dented image. The fact that no one believes in the usefulness of the punishments given to teachers for sexual abuse challenges the Commission to rethink its stance.

Thirdly the existing legal provisions are adequate for dealing with sexual abuse. However, the Commission has developed subsidiary legislation that falls far short of the provisions of the law. The CORT has inherent gaps as discussed earlier that defeat the course of justice. Tied to this is the Commission's administrative system for dealing with sexual abuse that jeopardizes justice making villains of the victims. The existence of

discordance between the various players makes it difficult for effective management of cases. It is clear to this study that the lack of relevant checks and balances in the system to ensure efficiency and effectiveness have dealt child protection a big blow hence the implications for effective Monitoring and Evaluation systems.

The children in Kenya are endangered. The fact that teachers are supposed to be the models for morality, their indiscipline means they will churn undisciplined children to society. The situation portends of a disaster in waiting. The education sector is also unlikely to ever achieve its targets particularly for girls' education as sexual abuse takes too on retention, transition and performance.

5.4 Conclusions

The study concludes that sexual abuse of school children by teachers is pervasive and largely a factor of poor focus by the Teachers Service Commission, the Ministry of Education, Science and Technology and the government in general. The TSC has official Mandate to register and discipline teachers in her service. This means that the Commission is solely responsible for offences committed by its employees against children. While the TSC carefully scrutinizes teachers to ascertain their pedagogical aptitude, nothing is done about assessment for integrity and love for children. Monitoring, appraising and determining teacher's worth in the service remain the Commission's responsibility. However, the TSC has sustained a reactive approach; only waiting for children to be abused and then dismissing the teacher's letting them lose, rather than pushing for their prosecution. Additionally, the Commission lacks the

capacity to follow up those teachers it has dismissed to ensure that they do not get to teach again.

The Commission is therefore hanging precariously and sitting on a time bomb as the public intensifies scrutiny on state departments; and as child protection takes center stage in the international community.

As earlier noted in the Literature Review, it took Phil Fontana more than thirty years to decide to sue the US government for sexual abuse committed during his high school education. With the new Constitution, no one can discount the possibility that thousands of children and their parents could soon come up and sue the Commission and the government in general on Vicarious Liability charges.

The researcher established that several cases of this nature had already happened. For instance, Children in one primary school in Naivasha had already sued their teacher a Mr. Stanley Stariko, for sexual abuse and enjoined the Commission Secretary and the Attorney General in the lawsuit. This may have opened a can of worms for the Commission. Worse still, according to the Sexual Offences Act (2006), cases of sexual abuse do not expire. This means that children abused in schools over the period after the passing of this Act have a chance to come up many years later as adults and to institute litigation against the Commission and the government in general. The financial burden in restitution could actually bring the Commission to its knees.

Even though the government has enough mechanisms to bring to book sexual offenders most of them are yet to be charged in courts of law. The fact that rural communities remain largely ignorant of the provisions of the law on child abuse does not help the situation either.

The Commission has mandate to ensure discipline among all teachers. Unfortunately, the lack of clear focus, coupled with convoluted policies and wanting operational arrangements, lack of effective teacher appraisals, and poor Monitoring and Evaluation systems have created mayhem in the schools challenging intelligibility, and effective child protection within the setting. Consequently, this has created apathy, fear and disillusionment among teachers and school children as educational access, retention, transition and performance become likely casualties to the pandemonium. It therefore remains incumbent upon the Commission to institute urgent measures towards the vetting of teachers both in service and those entering the service as part of prevention and response to sexual abuse of school children.

Having studied all the relevant details, this study concludes that there are three main factors sustaining child sexual abuse by teachers in Makueni District, Makueni county namely: ignorance, official reticence. This reticence is demonstrated in the failure by government and TSC to anchor strategic resources for prevention and response to sexual abuse of school children, in sustaining inadequate administrative systems, and the failure to institute stringent efficient and effective teacher discipline management systems across schools.

The existence of wide latitude for decision making among TSC officials and the fact they exist in pseudo-autonomy further aggravates the problem. Even though the Commission, in its 2009 survey published that only 10% of the sexual abuse cases occurring in schools were being reported, actions towards improving the situation have been minimal not only by the TSC but by government in general. Child protection remains largely peripheral in the government's Strategic Plans including Vision 2030.

This final chapter provides some recommendations and suggestions on the way forward towards curbing sexual abuse of school children by teachers. The researcher therefore makes a blend of socio-legal propositions for effective prevention and response to the vice.

5.4 Recommendations:

Following the findings of this study, the researcher makes the following recommendations for a three pronged approach towards redressing the challenge of sexual abuse of school children by teachers in Makueni district, Makueni County.

A. Recommendations to the Teachers Service Commission

- i) The study recommends a pro-active approach, reaching school children; teachers and communities with sensitization programs to educate them on the law, both short term and long term effects of sexual abuse of children as well as prevention and response measures.
- ii) The study further recommends utilization of ICT to increase reporting and enhance documentation of cases

- iii) Establishment of incentives to motivate victims to pursue official redress.
- iv) Delocalization of teachers to minimize on cases of compromise and improve stakeholder confidence as community members are shy to have their own sons and daughters dismissed from work even for the most grievous offences.
- v) Establishment of Strategic Partnerships with key state and non- state actors to strengthen the child protection campaigns
- vi) Review the discipline adjudication procedures to incorporate effective data management, protection of vulnerable witnesses, implementation of decisions of discipline panels and minimize collusion
- vii) Publish names of teachers who are dismissed and removed from the Teacher Register as a way of increasing public confidence in the organization and to deter potential private employers from engaging them
- viii) Build Capacity of TSC officers for effective management of child sexual abuse
- ix) Review the Code of Regulations for Teachers to clearly disaggregate sexual abuse and provide for distinct punishments, effective investigation and reporting protocols for such cases
- x) Review all TSC employees employment contracts to include a *child-protection clause*
- xi) Forge closer working relations with the wider judicial systems so as to submit all sexual abuse reports to the Director, Public prosecutions for legal action.
- xii) Expand, strengthen and maintain the database on teacher sexual offenders and their victims and enable online reporting of cases. In addition, facilitate all the

officers to utilize the system at all times to enable data capture, effective storage and retrieval.

- xiii) Strengthen the annual child protection exhibitions, expand them to all counties and incorporate strategic partners into the events. This makes a good platform for engaging with head-teachers and assessing progress on child protection initiatives
- xiv) Establish a joint Monitoring and Evaluation team with the relevant state and non-state actors to strengthen child protection in schools
- xv) Review criteria for identification of school heads and all officers on the discipline continuum to enhance integrity

B. Recommendations to Ministry of Education

- i) Review criteria for identification of District / County Education Officials to ensure responsiveness to child sexual abuse issues
- ii) Review school safety Manual to enhance sexual safety component
- iii) Enforce the Rule on extra coaching/tuition by sensitizing parents against sending their children to school outside of official hours. Also, strengthen school monitoring systems to ensure the practice is minimized.
- iv) Review Quality Assurance and Standards Manual to incorporate and strengthen important aspects of sexual safety such as sensitization of children and the documentation of incidences that threaten the children's wellbeing
- v) Establish formidable mechanisms for empowering school children on sexuality matters such as compulsory induction upon admission, class *bunges* (parliaments) to discuss sexuality issues at least once a month.

C. Recommendations to the Kenya Government

- i) Re-define *child* in the context of the school as there are many pupils beyond the age of 18 resulting from the Free Primary provision by the government. The sexual abuse cases of such pupils become difficult as the law recognizes their capacity to consent for sexual relations.
- ii) Establish a Child Protection authority to oversee the implementation of the laws governing child protection, oversee the development of policies and procedures for child protection across government institutions, provide legal aid and psychosocial support to abused children along with other critical services for effective child protection.
- iii) Allow the TSC to utilize the accrued pension for dismissed teacher sexual offenders to support victims of sexual abuse. This is likely to enhance reporting and restore hope for the victims
- iv) Provide TSC with resources for training of school administrators, sensitization of teachers and investigation of sexual abuse cases; within the main budget, for effective mitigation of the challenge.
- v) Translate Sexual Offences Act (2007), Children Act (2001), the Constitution and disseminate to all communities.

5.5 Suggestions for Further Research

This study recommends that further research be carried out in the following areas:

1. Research into the Cost of sexual abuse of school children by teachers to TSC and the education sector in general.

2. Research into the impact of sexual abuse on the rest of the children and teachers within the school
3. Research into the impact of localization of teachers on the management of sexual abuse in schools
4. Research on Culture and child sexual abuse of pupils in primary schools in Kenya
5. Research on teacher sexuality.

REFERENCES

- Abu-Ghaida, D., & Klansen, S. (2003). The costs of missing the millennium Development goal on gender equity. Munich: Econmica Department of Economics, University of Munich.
- ACORD (1998). The Development of the Total Child, A pilot programme for Aminius, Omaheke Region, ACORD Southern Africa
- Ahmad, R.& Salleh, N. M. (eds) (1997) Bullying and violence in the Malaysian school, Paris: UNESCO/IBE.
- Aikman, S. & Unterhalter, E. (2005). Beyond Access: Transforming Policy and Practice for Gender equality in Education. London: Oxford
- Alloy, G. (2005) Abnormal Psychology New York: Macgrraw Hill
- Akiba, M., LeTendre, G.K. Baker, D.P,& Goesling, B (2002). School victimization: national and school system effects on school violence in 37 nations American Educational Research Journal, 39, 4, 829-853.
- Ames, A, & Houston, D. A (1990). Legal, social, and biological definitions of pedophilia. Archives of Sexual Behavior, 19 (4), 333-342.
- Anderson-Levitt, K.M, Bloch, ., & Soumaré, A. M (1998) Inside classrooms in Guinea: girls' experiences, in K.M Bloch, J.A. Beoku-Betts, and B.R.Tabachnick (eds) Women and Education in Sub-Saharan Africa, London: Lynne Rienner.
- Appiah, C.D.& Cusack, K. (eds) (1999) Violence against Women and Children in Ghana: report of a national study on violence. Accra: Gender Studies and Human Rights Documentation Centre.
- Awiti, G. (2007). Why our children won't grow. Daily Nation, pp.6.

- Babbie, A. (1995), Social Research. New York: Harper & Row, Publishers.
- Bass, E. & Laura, D. (1988). The Courage to Heal: A Guide for Women Survivors of Child Sexual Abuse. New York: Harper & Row, Publishers.
- Bendera, S. E., Maro, E. & Mboya, M. (eds) (1998). A gender perspective on violence: its form and consequences for the education of primary school pupils in Tanzania. Dar Es Salaam: Dar Es Salaam University Press.
- Beverly, G (1987). Sociology. London: Routledge.
- Blume, E. S. (1990). Secret Survivors: Uncovering Incest and Its Aftereffects in Women. New York: John Wiley and Sons.
- Bennell, P., Hyde, K., & Swainson, N. (2002). The Impact of the HIV/AIDS Epidemic on the Education Sector in Sub-Saharan Africa. Brighton: University of Sussex.
- Branyon, J. B. (2005). Education for All: Gender Equity in Kenya. Delta Kappa Gamma Bulletin. 71(2), 8-11.
- Brenner, M. (1998). Gender and Classroom Interactions in Liberia, in K.M. Bloch, et al. (eds) Women and Education in Sub-Saharan Africa. London: Rienner/Boulder.
- Browne, D., & Finkelhor, R. (1986). Child Sexual Abuse. U.S.A: Free Press.
- Bunwaree, S. (1999). Gender inequality: the Mauritian experience, in Heward, C. and Bunwaree, S. (eds) Gender, Education and Development: Beyond Access to Empowerment London: Zed Books.
- Butler, J. (1990). Gender Trouble, Feminism and the Subversion of Identity. London: Routledge.

- Casely H. L. (2001). The Needs of Female Teachers in Rural Deprived Areas of Ghana.
Accra: Ministry of Education/Ghana Education Service.
- Center for the Study of Adolescence (2008). Annual Report. Nairobi. Publishers.
- Chege, R. & Ruto, S.J. (2006). Violence against girls as a structural barrier to her right to an education. A National Study. Unpublished.
- Chianu, E. (2000). Two deaths, one blind eye, one imprisonment: child abuse in the guise of corporal punishment in Nigerian schools, Child Neglect and Abuse, 24, 7,1005-1009.
- Chilisa, B. (2002). National policies on pregnancy in education systems in sub-Saharan Africa, Gender and Education, 14, 1, 21-35.
- Commonwealth Secretariat (2002a) Promoting an Integrated Approach to Combat Gender-based Violence. London: Commonwealth Secretariat.
- Commonwealth Secretariat (2002b) Gender Mainstreaming in HIV/AIDS: Taking a Multi-sectoral Approach. London: Commonwealth Secretariat.
- Community Information Empowerment and Transparency Foundation (CIET) (2000) Beyond Victims and Villains: the culture of sexual violence in South Johannesburg. Johannesburg. Dankum Publishers
- Corper, F., & Enory, D. (1995). Violence Against Children. U.S.A: Bright Printers
- Croninger, & Chen (1996). Violating the Innocence of Children. New York. Broadbased publishers.
- De Bruyn, M., France, N. (2001). Sex or Gender: Who Cares? USA:Chapel Hill.
- Dramaide www.id21.org/education/gender_violence/index.html

- Dreyer, A. (2001). What do we Teach the Teachers? Addressing Gender-based Violence in the Primary School Curriculum. SA: University of Western Cape.
- Dunne, M., et al. (2003). Schools as Gendered Institutions: the Impact on Retention and Achievement, London: DfID.
- Dziech et al (1990). The Lecherous Professor: Sexual Harassment on Campus. Chicago: Illinois: University of Illinois Press.
- Ekstrand, B. (1981). Sexual Assault. London: Zed Books
- Finkelhor, D. (1984). Child Sexual Abuse: Newyork: New Theory & Research. Free Press,
- Fox, C. (1999). Girls and women in education and training in Papua New Guinea, in Heward C., and Bunwaree, S. (eds) Gender, Education and Development: Beyond Access to Empowerment. London: Zed Books.
- Frankel, J., & Wallen, H. (2000). Sexual Violence. New York. Best Buy Publications
- Gordon, R. (1995). Causes of Girls' Academic Underachievement: the Influence of Teachers' Attitudes and Expectations on the Academic Performance of Secondary School Girls. Harare: HRCC, University of Zimbabwe
- Haralambos, M. (1973). Sociology. New York: Greenberry Printers
- Harber, C. (2001). Schooling and violence in South Africa: creating a safer school, Intercultural Education, 12, 3, 261-271.

- Hershkowitz, I., Horowitz, D., & Lamb, M.E. (2005). Trends in children's disclosure of abuse in Israel: A national study. *Child Abuse & Neglect*, 29, 1203-1214.
- Homel, R. (1999). Preventing Violence – A Review of the Literature on Violence and Violence Prevention. New South Wales: Attorney General's Department, www.lawlink.nsw.gov.au/cpd.nsf/pages/violreport_index. (accessed on 27 May 2011)
- Human Rights Watch (1999) Spare the Child: Corporal Punishment in Kenyan Schools, New York: Human Rights Watch.
- Human Rights Watch (2001). Scared at School: Sexual Violence against Girls in South African Schools. New York: Human Rights Watch.
- Human Rights Watch (2002a). Suffering in Silence: the Links Between Human Rights Abuses and HIV Transmission to Girls in Zambia, New York: Human Rights Watch.
- Hyde, K., Ekatan A., Kiage, P. and Barasa, C. (2001). The Impact of HIV/AIDS on Formal Schooling in Uganda, Brighton: Centre for International Education, University of Sussex.
- International Lesbian and Gay Association, www.ilga.org/information/legal_survey/americas/brazil.htm , (accessed on 27 May 2010).
- www.actionaid/stratshope/feedback.html (accessed on 26 May 2010).
- Jewkes, R., et al (2002). Rape of girls in South Africa. *The Lancet*, 359, 319-320.
- Khoza, V. (2002). Schools: safe havens or sites of violence? Agenda: Empowering Women for Gender Equity. Special Issue: What Future Can we Make: Education, Youth and HIV/AIDS, 53, 75-80.

- Kim, D., Kim, K., Park, Y., Zhang, L., Lu, M. and Li, D. (2000). Children's experience of violence in China and Korea: a transcultural study, Child Abuse and Neglect,
- Kombo, D., & Tromp, D., (2006). Proposal and Thesis Writing. An Introduction. Nairobi: Pauline Publications
- Kothari, C.R. (1990). Research Methodology. Methods & Techniques. India: New Age. International (P). Limited Publishers
- Kuleana (Children's Rights Centre) (1999) Does Corporal Punishment Bring about Discipline?, Dar-es-Salaam.
- Kumalo, M., (2003). Sexual Abuse. London, Smart Printers.
- Kutnick, P., Jules, V. and Layne, A. (1997). Gender and School Achievement in the Caribbean, Education Report No 21, London: DfID.
- Leach, F., et al. (2003). An Investigative Study into the Abuse of Girls in African Schools, London: DfID.
- Leach, F. & Machakanja, P. (2000). A Preliminary Investigation into the Abuse of Girls in Zimbabwean Junior Secondary Schools, DFID Education Research No. 39, London: DFID.
- Lloyd, C. B., El Tawila, S., Clark, W. H. and Mensch, B. S. (2001). Determinants of Educational Attainment Among Adolescents in Egypt: Does School Quality Make a Difference?, New York: Population Council.
- LoveLife, www.lovelife.org.za (accessed 27 May 2010).
- Luke, N. and Kurz, K. M. (2002). Cross-generational and Transactional Sexual Relations in Sub-Saharan Africa, Washington D C: International Center for Research on Women.

- Mac an Ghail, M. (1994) The Making of Men: Masculinities, Sexualities and Schooling, Buckingham: Open University Press.
- Martin, Brian. (1993) Campus sex: a cause for concern?. EEO Sexual Harassment Subcommittee Pamphlet, Australia: University of Wollongong.
- Melson, B. (1989), Child Abuse. New York: The Population Council
- Mensch B.S., et al (1999). Premarital Sex and School Dropout in Kenya: Can Schools Make a Difference? Policy Research Division Working Paper No 124, New York: The Population Council.
- Miles, T. & Huberman, G. (1995). Child Abuse. New York: The Population Council
- Mirembe, R. and Davies, L. (2001). Is Schooling a Risk? Gender, Power Relations, and School Culture in Uganda, Gender and Education, 13, 401-416.
- Mirsky, J. (2003). Beyond Victims and Villains: Addressing Sexual Violence in the Education Sector. London: Panos.
- Miske, S. and Van Belle-Prouty, D. (1997). Schools are for Girls Too: Creating an Environment of Validation. Washington D C.: USAID, Bureau for Africa, Office of Sustainable Development.
- Mlamleli, O. (2001). Opening Our Eyes: Addressing Gender-based Violence in South African Schools, Pretoria: Canada-South Africa Management Programme.
- Morrell, R (1998). Gender and education: the place of masculinity in South African Schools, South African Journal of Education, 18, 4, 218-225.
- Mugenda, O.M. & Mugenda A.G. (2003). Research methods: quantitative and qualitative approaches. Nairobi: ACT Press.
- Muthoni. T. (2007). Stop this sex menace Daily Nation, pp.6.

Nachmias, C., & Nachmias, D.(1996). Research Methods in Social Sciences. London: NW1 3DH Publisher: St Martins Press.

www.crim.org/docs/resources/treaties/crc.28/NCCCR.2.pdf

Niehaus, I. (2000). Towards a Dubious Liberation: masculinity, sexuality and power in South African Lowveld Schools, 1953-1999. Journal of Southern African Studies, 26, 3, 387-407.

Njung'e, C. (2007). Sexual harassment: Where do you draw the line? Daily Nation, Saturday Magazine,pp6-7. Nairobi:

Ohsako,T. (1997). Violence at School: Global Issues and Interventions, Paris: UNESCO/IBE.

Omale, J. (1999). Tested to their limit: sexual harassment in schools and educational institutions in Kenya, in Mirsky, J. and Radlett, M. (eds) No Paradise Yet: the World's Women Face the New Century, London: Panos.

Ombati, C. (2009, 8th March). Sexual Offences Act fails to deter rapists. The Standard Newspaper.

Poudyal, R. (2000). Alternative masculinities in South Asia: an exploration through films for schools. IDS Bulletin 31, 2, 75-78.

Republic of Kenya, (2001). The Children Act. Nairobi: Government Printer

Republic of Kenya, (2001). Report of the Taskforce on Student Indiscipline. Ministry of Education. Government Printers, Nairobi, Kenya.

- Republic of Kenya, (2005). Code of Regulations for Teachers. Nairobi: Government Printer
- Republic of Kenya, (2006). The sexual offences Act. Nairobi: Government Printer
- Republic of Kenya (2007). Vision 2030. Nairobi: Government Printer
- Rind,R., & Bausserman, G (1993). Effective Research. U.S.A: Bright Publishers
- Ritzer, J. (1983). Sociology. U.S.A: Bright Publishers
- Safe Spaces. Available at www.id21.org/education/gender_violence/index.html
- Sey, H. (1997). Peeking Through the Windows: Classroom Observations and Participatory Learning for Action Activities, Arlington, VA: Institute of International Research.
- Shumba, A. (2001). Who guards the guards in schools? A study of reported cases of child abuse by teachers in Zimbabwean secondary schools. Sex Education, 1,1, 77-86.
- Singleton, R. (1987). Social Research. New York. Apprentice Hill
- Storyteller Group. Available at www.id21.org/education/gender_violence/index.html
- Swainson, N., et al. (1998). Promoting Girls' Education in Africa: The Design and Implementation of Policy Interventions, London: DfID.
- Tafa, E. (2002). Corporal punishment: the brutal face of Botswana's authoritarian schools, Educational Review, 54, 1, 17-26.
- Terefe, D.,& Mengistu, D. (1997). Violence in Ethiopian schools: a study of some schools in Addis Ababa, in T. Ohsako (ed) Violence at School: Global Issues and Interventions, Paris: UNESCO/IBE.
- Tsai, D. & Wagner, D. (1978). Dealing with Sexual Abuse. U.S.A: Bright Publishers
- Tonje. R. (2007). Is this the school we want? Daily Nation, pp.8.

USAID (1999). Promoting Primary Education for Girls in Pakistan, Washington DC: USAID.

Webb, D. (1999) The Institute of Education and Health: A Model of Integrated Reproductive Health Services for Adolescents in Peru, London: Save the Children.

Welbourn, A. (2000). Gender, Sex and HIV: How to Address Issues that No-one Wants to Hear About. Available at www.stratshope.org/feedback.html

Welsh, P. (2001). Men aren't from Mars: Unlearning Machismo in Nicaragua, London: Catholic Institute for International Relations.

Wood, K., & Jewkes, R. (1998). Love is a Dangerous Thing: Micro-dynamics of Violence

in Sexual Relationships of Young People in Umtata, Pretoria: Medical Research Council Technical Report.

World Health Organisation (2002) World Report on Violence and Health, Geneva: World Health Organisation.

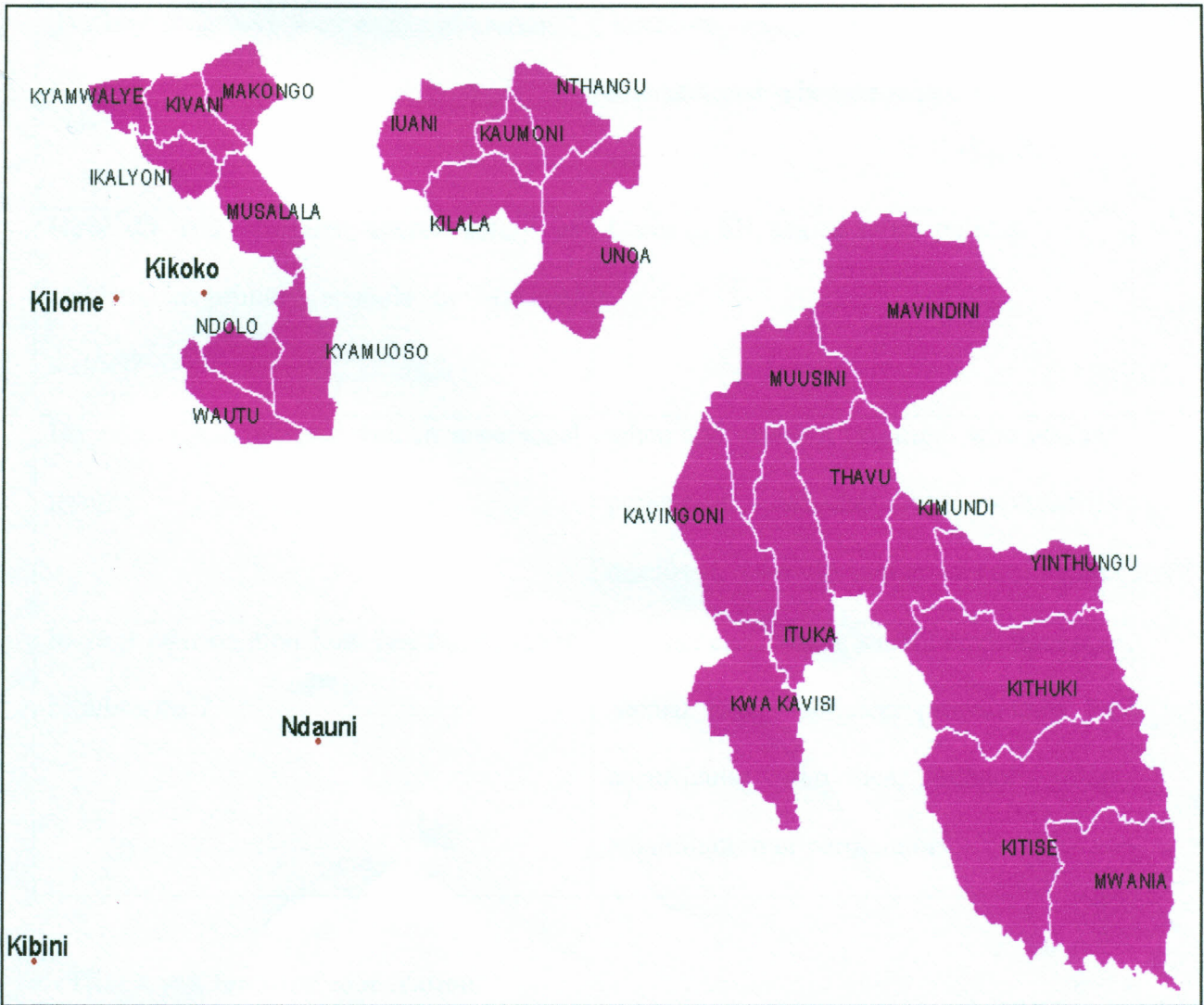
Youssef, R. M., Attia, M. S., & Kamel, M. I. (1998). Children experiencing violence II: prevalence and determinants of corporal punishment in schools, Child Abuse and Neglect, 22, 10, 975-985.

Zeira, A., Astor, R.A., Benbenishty, R. (2002) Sexual harassment in Jewish and Arab Public Schools in Israel, Child Abuse and Neglect, 26, 2, 149-166.

Zero Tolerance Trust. Available at www.zerotolerance.org.uk

APPENDIX 1

Makueni District Administrative boundaries



APPENDIX 2:**The Interview Guide for CSA survivors**

Questions	Probe for...
For how long have you been in this school?	Year of entry, reasons for transfer, interpersonal relations with other teachers etc
How do you consider sexual safety of children in primary schools in Makueni district?	Cases of SH, sexual safety policies
How has CSA affected you at a personal level?	when and where it occurred, who was the perpetrator, whether she voluntarily disclosed, how the matter was dealt with
In your own opinion how can this problem be alleviated?	Teacher curriculum, school environment, sexual safety policies, programmes for cocurricular activities, school rules, rehabilitation of perpetrators

Thank you for your cooperation.

APPENDIX 3:**The Interview Guide for Teachers CSA perpetrators**

Questions	Probe for...
For how long have you been a teacher?	Year of entry, reasons for transfer, interpersonal relations with other teachers etc
What is your impression of CSA in Makueni district?	Cases of SH, sexual safety policies
What is your impression of the CSA related case adjudication systems of TSC?	Guidelines, panels, investigation, interrogation, witnesses etc
How has CSA affected you at a personal level?	when and where it occurred, who was the victim, whether she/he eventually admitted how matter was concluded
In your own opinion how can CSA be alleviated from primary schools in Makueni district?	Teacher curriculum, school environment, sexual safety policies, programmes for cocurricular activities, school rules, rehabilitation of perpetrators

Thank you for your cooperation.

APPENDIX 4

Questionnaire for pupils

Factors exacerbating Child Sexual Abuse by Teachers in Primary Schools, in Makueni District, Kenya:-

This questionnaire seeks to collect information on Child Abuse in schools in Makueni district . The data will be used for purposes of addressing any emerging gaps for the improvement of safety in our schools. Please take your time to respond to the questions as best as you can.

Part I. Biographic Data

1a) Gender M F

1b) Age – i)16-25 yrs ii) 26-35 yrs iii) 36-45 yrs Above 45 yrs

1c) Length of service in your current station Below 5 yrs 6-10yrs 11-15 yrs

16- 20 yrs Above 25

Part 2. Extent of cases of Child Sexual Abuse in primary schools in Makueni

2) How would you rate the prevalence of sexual abuse cases against school children in primary schools?

- 6. Very high
- 7. Moderate
- 8. Low
- 9. None

3). On average, how would you rate the reporting of sexual abuse cases to the TSC by its agents?

- 10. Very high
- 11. Moderate
- 12. Low
- 13. None

4) From your experience, which of the following parties reports most cases of CSA to TSC?

- 14. Headteachers
- 15. Concerned citizens
- 16. The press
- 17. District education officials

18. Teachers
19. Parents/Guardians

5) Who among the following has been the greatest hindrance to reporting CSA cases happening in schools to TSC?

20. Headteachers
21. Parents of affected children
22. District education officials
23. Affected children
24. Other (please explain) _____

6) Would you consider sexual abuse of school children by teachers (whether male or female) a common problem in schools in Makueni?

- i) yes
- ii) No

Explain your answer -----

7) From your experience with CSA discipline cases, what grade levels of children are most commonly targeted for CSA in primary schools?

25. class 1-2
26. class 3-4

27. class 5-6

28. class 7-8

8) Most teachers who sexually abuse school children end up with a certain number before they are caught. Which of these is the most likely?

29. Between one and three children

30. Between four and six children

31. Between seven and ten children

32. More than ten children

33. Unknown number

9). What do you consider the three key characteristics of teachers who sexually abuse school children? Number the appropriate responses in order of priority.

34. Lazy and disorganized

35. Smart and hard working

36. Quiet and withdrawn

37. Outgoing and charming

38. Old teachers who have nothing to lose

39. Wealthy teachers who can afford to bribe their way out

vii) Other (Specify

Part III. Causes of CSA

10) In your opinion, why do teachers sexually abuse school children? (List from the most common reason to the least)

- 40. They believe no one will find out
- 41. Teachers fail to recognize themselves as care givers
- 42. They have little knowledge of the Code of Regulations
- 43. The disciplining systems are faulty
- 44. Belief that having sex with a virgin cleanses the HIV virus
- 45. Other (please explain)_____

Part III Factors contributing to sexual abuse of school children by teachers

11. On the following scale, rate the factors contributing to teacher sexual abuse of school children. **Strongly Agree (SA)** is the highest indicating most serious while **Strongly Disagree (SD)** indicates the least serious.

Statements on factors exacerbating sexual abuse of school children by teachers		Levels of Agreement				
S/No		SA	A	N	DA	SD
1.	Pedophiles					
2.	Poor school administration					
3.	Lenient sentences by TSC					
4.	Failure to have the teacher child sexual abusers prosecuted in courts of law					
5.	Corruption					
6.	Cultural factors which trivialize sexual abuse					
7.	Religion which insists on forgiveness					
8.	Fear of societal stigma					
9.	Poverty					
10.	Ignorance of parents					
11.	Frustration of teachers by employer					
12.	Fear of HIV making children better option					
13.	Poor social adjustment of teachers making them unable to approach adult women					
14.	Drug abuse					
15.	Lack of school surveillance systems on teacher discipline					
16.	Lack of government commitment on child protection					
17.	Attempts by HIV infected teachers to cleanse themselves of the virus					
18.	Existence of kangaroo courts at community level which settle the cases for cheap options					
19.	Having teachers working in their home areas					

Key:

SA- Strongly Agree

A-Agree

N-Neutral

D-Disagree SA-Strongly disagree

31 a).Would you say the TSC is doing everything possible to curb CSA in primary schools?

i). Yes

ii). No

31b) Explain your response in 31a) -----

Part IV. Adjudication of CSA cases by SMCs

32). How long have you been a teacher in Makueni district?

i) 0-5years

ii) 6-10 years

iii) 11-15 years

iv) 16-20 years

v) Other (specify) _____

33). How would you rate the adjudication of discipline cases by SMCs in general?

i). Very good

ii). Good

- iii). Fair
- iv). Poor
- v). Very poor

34). How would you rate School Management Committee adjudication of cases related to sexual abuse of school children by teachers?

- i). Very good
- ii). Good
- iii). Fair
- iv). Poor
- v). Very poor

36) Which of the following skills and competencies do you consider most important for effective management of CSA cases in the Commission? (*Rank them in order of importance starting with the most important to the least important*)

- i) Excellent knowledge of TSC Code of regulations
- ii) Excellent interrogation skills
- iii) Excellent Public Relations skills
- iv) Confidentiality
- v) High Integrity and impartiality

37) Which of the skills listed in 22) above do you think are lacking in some of the officers involved in the adjudication of discipline cases? (*Rank them in order of importance starting with the most important to the least important*)

- i) Excellent knowledge of TSC Code of regulations
- ii) Excellent interrogation skills
- iii) Excellent Public Relations skills
- iv) Confidentiality
- v) High Integrity and impartiality

37). In your opinion, what is the greatest challenge facing the adjudication of discipline cases relating to CSA in the school?

- i) Corruption
- ii) Negative attitude of some SMC members on issues related to sexual abuse
- iii) Lack of interrogation skills by some panel members
- iv) Lack of investigation skills by SMC members
- v) Poor documentation of evidence
- vi) Little understanding of legal provisions and TSC Code of Regulations
- vii) Fear of repercussions

38). Which of the following arguments do teachers accused of CSA commonly raise in mitigation? (*you may tick more than one response*)

- i) He did not think he could be caught
- ii) He did not know it was a serious offence

- iii) He is a good teacher who has been producing excellent results
- iv) He is old and about to retire
- v) His wife is uncooperative in conjugal matters
- vi) The girl is not pregnant
- vii) He is the only bread winner

39) Which of the following arguments are usually favourably considered for lenient decisions by SMCs?

- i) He did not think he could be caught
- ii) He did not know it was a serious offence
- iii) He is a good teacher who has been producing excellent results
- iv) He is old and about to retire
- v) His wife is uncooperative in conjugal matters
- vi) The girl is not pregnant
- vii) He is the only bread winner

40). Many cases of sexual abuse of children by teachers go unreported due to:

- i) Unwillingness of school administrators to report the matter
 - ii) Unwillingness of parents to pursue the case
 - iii) Fear of repercussions by the victims
 - iv) School Management committees are reluctant to deal with sexual abuse cases which they view as spoiling the school name
- v) Collusion between school administrators and the perpetrators

41). Many cases of sexual abuse against teachers are usually lost due to:

- i) Lack of evidence
- ii) Unwillingness of parents to pursue the case
- iii) Failure of witnesses to cooperate with the prosecution
- iv) Failure of victims to cooperate with the prosecution
- v) School Management committees are reluctant to deal with sexual abuse cases
- vi) Collusion between education officials and the perpetrators
- vii) Loopholes in TSC guidelines
- viii) Other (please explain _____)

42). Rank the following statements in order of priority, concerning challenges in TSC discipline procedures for dealing with CSA cases?

- i) The procedures are prone to abuse by headteachers and education officials
- ii). The procedures cause delays in the adjudication of cases
- iii) The procedures are cumbersome and time consuming
- iv). The procedures are untenable in a court of law
- v). The procedures are inadequate for proving guilt
- vi) The procedures are not in tandem with those of the wider legal systems

Part VI. Knowledge of Policies addressing CSA

43) Which of these Policies and legal provisions have you read? (Tick appropriately)

i)	Sexual offences act	
ii)	Children act	
iii)	Gender policy in Education	
iv)	TSC Code of Regulations	
v)	Public Officer Ethics Act	
vi)	TSC Code of Conduct and Ethics	

Part VII. Improvement of TSC discipline systems

44) Rank the following possible measures for TSC towards reducing cases of CSA starting with the most important and ending with the least important.

- i) Improve on evidence collection systems
 - ii) Improve on discipline adjudication approaches for CSA
 - iii) Enhance synergy with wider legal systems
 - iv) Build capacity of all officers involved in the adjudication of CSA cases
 - v) Disaggregate sexual offences and the penalties
 - vi) Provide stiffer penalties for CSA offenders
 - vii) Other (please explain) _____

45). In what ways does the TSC Code of Regulations for Teachers hinder the effective adjudication of CSA cases?

46). What suggestions would you make for the improvement of the TSC Code of Regulations for Teachers in relation to the management of sexual offences? _____

47). What are your suggestions towards improving existing systems of reporting CSA to the TSC?

48) What suggestions would you make for the improvement of the reporting systems for CSA to TSC?

49) What suggestions would you make towards rehabilitating teachers who commit sexual abuse against school

children? _____

50) How do you think schools can assist the children who get sexually abused?

Thank you for your cooperation

APPENDIX 5

Questionnaire for TSC officials

Factors exacerbating Child Sexual Abuse by Teachers in Primary Schools in Makueni district, Kenyan

This questionnaire seeks to collect information on Child Abuse in Primary Schools in Makueni district, Kenyan. The data will be used for purposes of addressing any emerging gaps for the improvement of safety in our schools. Please take your time to respond to the questions as best as you can.

Part I. Biographic Data

1a) Gender M F

1b) Length of service in the Commission Below 5 yrs 6-10yrs 11-15 yrs

16- 20 yrs Above 25

1c) Other certificated training apart from Dip/Ed, B/Ed or M/Ed _____

Part 2. Extent of cases of Child Sexual Abuse in primary schools in Makueni

2) How would you rate the prevalence of sexual abuse cases of school children in primary schools in Makueni?

- v) Very high
- vi) Moderate
- vii) Low
- viii) None

3). On average, how would you rate the reporting of sexual abuse cases by teachers in Makueni district to the TSC by its agents?

- i) 80% and above
- ii) 70%-79
- iii) 60%-69%
- iv) 50%-59%
- v) Below 50%

4) From your experience, which of the following parties reports most cases of sexual abuse of school children by teachers in Makueni district?

- i) Headteachers
- ii) Concerned citizens
- iii) The press
- iv) District education officials
- v) Communities

5) From your experience with CSA discipline cases, where is the vice reported to most likely happen within the school?

- i) staffroom
- ii) play fields when it is dark
- iii) teacher's houses
- iv) in the bushes around the school
- v) on the way from co-curricular activities
- vi) All the above
- vii) Other (please explain)_____

6) From your experience with CSA discipline cases, what grade levels of children are most commonly targeted for CSA in primary schools?

- i) class 1-2
- ii) class 3-4
- iii) class 5-6
- iv) class 7-8

7) In most cases, the children involved in the CSA cases are lured by the teachers through:

- i) Promise of good grades
- ii) being bought snacks
- iii) being send to teachers house to do chores
- iv) being send to the staff room after school to take books for the teacher

v) Money to buy sanitary pads

8) On average, would you say teachers reported to TSC for sexual abuse have violated:

i) Between one and three children

ii) Between four and six children

iii) Between seven and ten children

iv) More than ten children

v) Unknown number

9). Would you consider sexual abuse of school children by teachers:

i) Extremely common

ii) Very common

iii) Common

iv) Uncommon

v) Very uncommon

vi) Extremely uncommon

Part III Factors contributing to sexual abuse of school children by teachers

10. On the following scale, rate the factors contributing to teacher sexual abuse of school children. **Strongly Agree (SA)** is the highest indicating most serious while **Strongly Disagree (SD)** indicates the least serious.

Statements on factors exacerbating sexual abuse of school children by teachers		Levels of Agreement				
S/No		SA	A	N	DA	SD
1.	Pedophiles					
2.	Poor school administration					
3.	Lenient sentences by TSC					
4.	Failure to have the teacher child sexual abusers prosecuted in courts of law					
5.	Corruption					
6.	Cultural factors which trivialize sexual abuse					
7.	Religion which insists on forgiveness					
8.	Fear of societal stigma					
9.	Poverty					
10.	Ignorance of parents					
11.	Frustration of teachers by employer					
12.	Fear of HIV making children better option					
13.	Poor social adjustment of teachers making them unable to approach adult women					
14.	Drug abuse					
15.	Lack of school surveillance systems on teacher discipline					
16.	Lack of government commitment on child protection					
17.	Attempts by HIV infected teachers to cleanse themselves of the virus					
18.	Existence of kangaroo courts at community level which settle the cases for cheap options					
19.	Having teachers working in their home areas					

Key:

SA- Strongly Agree

A-Agree

N-Neutral

D-Disagree

SA-Strongly disagree

29 a).Would you say the TSC is doing everything possible to curb CSA in primary schools?

i). Yes

ii). No

30b) Explain your response in 33a) -----

Part IV. Adjudication of CSA cases at TSC

14). How long have you participated in the adjudication of discipline cases in TSC?

i) 0-5years

ii) 6-10 years

iii) 11-15 years

iv) 16-20 years

v) Other (specify) _____

31). How would you rate the adjudication of TSC discipline cases in general?

i). Very good

- ii). Good
- iii). Fair
- iv). Poor
- v). Very poor

32). How would you rate the adjudication of cases related to sexual abuse of school children?

- i). Very good
- ii). Good
- iii). Fair
- iv). Poor
- v). Very poor

33) Which of the following skills and competencies do you consider most important for effective management of CSA cases in the Commission? (*Rank them in order of importance starting with the most important to the least important*)

- i) Excellent knowledge of TSC Code of regulations
- ii) Excellent knowledge of the provisions of the Sexual Offences Act
- iii) Excellent communication skills
- iv) Excellent interrogation skills
- v) Excellent Public Relations skills
- vi) Confidentiality

34) Which of the skills listed in 22) above do you think are lacking in some of the officers involved in the adjudication of discipline cases? (*Rank them in order of importance starting with the most important to the least important*)

- i) Excellent knowledge of TSC Code of regulations
- ii) Excellent knowledge of the provisions of the Sexual Offences Act
- iii) Excellent communication skills
- iv) Excellent interrogation skills
- v) Excellent Public Relations skills
- vi) Confidentiality

35). In your opinion, what is the greatest challenge facing the adjudication of discipline cases relating to CSA in the TSC?

- i) Corruption
- ii) Negative attitude of some panel members on issues related to sexual abuse of
- iii) Lack of interrogation skills by some panel members
- iv) Lack of investigation skills by those charged with the responsibility that renders evidence untenable
- v) Fear of repercussions

36). Which of the following arguments do teachers accused of CSA commonly raise in mitigation? (*you may tick more than one response*)

- i) He did not think he could be caught
- ii) He did not know it was a serious offence

- iii) He is a good teacher who has been producing excellent results
- iv) He is old and about to retire
- v) His wife is uncooperative in conjugal matters
- vi) The girl is not pregnant
- vii) He is the only bread winner

37). Many cases of sexual abuse of children by teachers go unreported due to:

- i) Unwillingness of school administrators to report the matter
- ii) Unwillingness of parents to pursue the case
- iii) Fear of repercussions by the victims
- iv) School Management committees are reluctant to deal with sexual abuse cases which they view as spoiling the school name
- v) Collusion between school administrators and the perpetrators

38). Many CSA cases of sexual abuse against teachers are usually lost due to:

- i) Lack of evidence
- ii) Unwillingness of parents to pursue the case
- iii) Failure of witnesses to cooperate with the prosecution
- iv) Failure of victims to cooperate with the prosecution
- v) School Management committees are reluctant to deal with sexual abuse cases
- vi) Collusion between education officials and the perpetrators
- vii) Loopholes on the prosecution guidelines

viii) Other (please explain _____)

39). Rank the following statements in order of priority, concerning challenges in TSC discipline procedures for dealing with CSA cases?

- i) The procedures are prone to abuse by headteachers and education officials
- ii). The procedures cause delays in the adjudication of cases
- iii) The procedures are cumbersome and time consuming
- iv). The procedures are untenable in a court of law
- v). The procedures are inadequate for proving guilt
- vi) The procedures are not in tandem with those of the wider legal systems

40. Would you consider data and information management on teacher sexual abuse cases

- i) Extremely well managed
- ii) Very well managed
- iii) Well managed
- iv) Somehow well managed
- v) Poorly managed

41. With current arrangements, would you say data and information on sexual abuse cases of school children is treated with:

- i) Utmost confidentiality
- ii) A lot of confidentiality
- iii) Some Confidentiality

- iv) Little confidentiality
- v) No confidentiality

42. Would you say the current TSC systems protect officers dealing with sexual abuse Cases by teachers considering the seriousness and the severity of the consequences on the culprits?

- i) Extremely well
- ii) Very well
- iii) Well
- iv) Somehow
- v) Not at all

Part V. Knowledge of Policies addressing CSA

43) Which of these Policies and legal provisions have you read? (Tick appropriately)

i)	Sexual offences act (2006)	
ii)	Children act (2001)	
iii)	Gender policy in Education (2007)	
iv)	TSC Code of Regulations (Rev 2005)	
v)	Public Officer Ethics Act (2003)	
vi)	TSC Code of Conduct and Ethics (2003)	

Part VI. Improvement of TSC discipline systems

44) Identify what you consider the three most critical factors for TSC towards reducing cases of CSA.

- i) Improve on evidence collection systems
- ii) Improve on discipline adjudication approaches for CSA
- iii) Enhance synergy with wider legal systems
- iv) Build capacity of all officers involved in the adjudication of CSA cases
- v) Disaggregate penalties for CSA offenders

- vi) Provide stiffer penalties for CSA offenders
- vii) Sensitize teachers, school children and communities on sexual abuse
- viii) Other (please explain)_____

45). What suggestions would you make for the improvement of the TSC governance structures towards addressing sexual abuse of school children?

46). What would you suggest to the TSC towards improving existing systems for managing CSA?

47) What is your impression on the rehabilitation of teachers who commit sexual abuse of school children?

48) What would you suggest to TSC towards assisting the survivors of CSA by teachers?

APPENDIX 6:**Interview Guide for Key Informants-CSA victims, CSA victims' parents, TSC officials**

S/No	Questions	Probe for...
1	What is your impression of CSA in primary schools in Makueni	Impression of prevalence of CSA, those involved, attitude to CSA
2	How do you handle cases of CSA?	procedures and penalties, etc
3	What do you think should be done to curb CSA in primary schools?	sexual safety policies, timings for co-curricular, disclosure, reporting and disciplinary procedures, any suggestions for rehabilitation etc
4	What role do you think the church/TSC/Govt/MoE (Whichever is applicable for the particular informant) can play towards reducing CSA?	Probe for suggestions from a religious perspective
5	What are the major challenges in dealing with CSA involving teachers?	Probe for guidelines, systems and procedures, corruption, attitude, culture
6	Would you vouch for rehabilitation of teachers who commit CSA?	Probe for attitude, suggestions on rehabilitation, concern on recycling of abusers to the same society

APPENDIX 7**Focus group discussion guide for head-teachers, teachers, parents, pupils, civic and religious leaders, school management committees**

1. What is your impression of child sexual abuse?
2. What do you think about the school/TSC systems for addressing the vice?
3. What do you consider major challenges with the existing systems?
4. Would you vouch for rehabilitation of teachers who commit sexual abuse of school children?

APPENDIX 8

OBSERVATION SCHEDULE

S/No	Nature of sexual abuse	Age of victim	Age of offender	Protection of witnesses		Utilization of evidence		Interrogation process		Verdict	
				Y	N	G	P	G	P	S	N/S

Key:
 S-Suitable Y- Yes G-Good
 N/S Not suitable N-No P. Poor

APPENDIX 9

PARENTAL CONSENT FORM

Consent on child's participation in the child sexual abuse research titled: factors exacerbating sexual abuse of primary school children by teachers in Makueni district

The child sexual abuse research is aimed at assessing the factors that exacerbate sexual abuse of school children by teachers in Makueni district. This will be important in bridging any emerging gaps and thus improving school safety for the children. School safety has been known to contribute a great deal to an increase in enrolment, retention and general performance by pupils. As adults, we worry much about our own security. Our children's security should therefore be of greater concern hence this research.

The questions we wish to ask your child focus on issues around sexual abuse and their opinions about how school safety can be improved. The questions your child may be asked include questions about his or her life experiences, relationships, knowledge and interpersonal skills, as well as questions pertaining to your child's knowledge, attitudes and understanding of sexual abuse issues and how he/she can protect himself/herself from abuse, how to report if such a thing occurs.

Care will be taken to minimize risks or discomforts or which may be associated with participating in this research.

Your child does **NOT** have to answer questions to participate in this research. Your child's involvement in the research process is completely **VOLUNTARY**. If you consent to having your child participate in the research now, you can change your mind at any time. You may also request that any data collected from your child be withdrawn and destroyed. In addition, your child has the right, at the time of the research, to refuse to answer any or all questions on the survey to no consequence. They may leave questions blank without explanation or without penalty. They may also indicate their unwillingness to discuss certain points or to respond to certain questions.

Utmost confidentiality will be observed during and after the research. All your child's answers to the research questions will be completely **shielded from any association with him/her as an individual**. The responses provided by your child will be combined with data from other children and reported in group form only. There will be no way to identify your child and his or her individual responses in the reports. The summary of responses will only be used to create the bigger picture on the research findings.

In case of any questions, please feel free to call [Joan Mwende on **020-208-145-127**], lead researcher or at **[0705351208]**.

[] **YES**. I have read and understand the above information, and freely give my consent for my child to participate in the research.

[] **NO**. I have read and understand the above information, and do not wish for my child to participate in the survey process.

PARENTS NAME

APPENDIX 10

CONFIDENTIALITY COMMITMENT BY RESEARCH ASSISTANTS:

I _____ of National Identification Number _____ and of P.O Box _____ do hereby solemnly and of my own accord; swear that I shall not disclose any information collected from the FACTORS EXACERBATING SEXUAL ABUSE OF SCHOOL CHILDREN BY TEACHERS IN MAKUENI DISTRICT RESEARCH to any unauthorized persons whatsoever. I do recognize that to do so would be a betrayal of the trust bestowed upon me by the company /organization/entity offering me the job as a data collector/research assistant. I do commit to execute my duties with utmost diligence and safeguard at all costs whatsoever, all the information/data collected thereof. I have also been taken through the protocol for the engagement and the terms of reference which include:

1. Ensuring the parental consent forms are duly signed by the parents of the children to be engaged in the research
2. Data collection instruments are in correct order and form
3. Data collection kicks off/commences and terminates on schedule
4. Data entry is completed within 24hours of completing the exercise
5. Data protection up to the point I hand over to the person identified by the entity for such purpose
6. Utmost confidentiality and utmost good faith in all my engagements with the children and other respondents, participants and interviewees in the entire exercise-during and after.
7. Hand over all the data/information in whatever form as collected, any materials or equipment entrusted with me in the course of the exercise, any movable or immovable items that I may be allowed access to in the course of the research
8. I do realize that any form of disclosure either deliberate or unintended whatsoever could lead to litigation.

Having read each clause and fully comprehended the meaning and implications; having also understood the terms of engagement for the said research, I do commit to abide by all the stipulations of the engagement and of my own accord do hereby; append my details and signature:

NAME & ID NUMBER

SIGNATURE

APPENDIX 11
SAMPLED SCHOOLS

DIVISION	School	Sampled pupils			Teachers		
		Boys	Girls	Total	Males	Females	Total
KEE TOTAL SCHS 23							
	Mutulani	20	25	45	2	2	4
	Nguluni	30	30	60	2	2	4
	Watema	28	28	56	2	2	4
	Munyuni	7	5	12	1	1	2
	Kitandi	13	17	30	1	1	2
	TOTAL QNNAIRES	208					
KAITI-TOTAL SCHOOLS 38							
	Kaumoni	20	20	40	2	2	4
	Kilala AIC	10	11	21	1	1	2
	Ukia	23	19	42	2	2	4
	AIC Mukuyuni	40	44	84	2	2	4
	Kyamutimba	34	21	56	2	2	4
	TOTAL QNNAIRES	243					
WOTE-TOTAL SCHOOLS 46							
	Kyemwole	15	13	28	1	1	2
	Muvau	9	11	20	1	1	2
	ACK Wote	30	20	50	2	2	4
	Malivani AIC	44	40	84	4	4	8
	Unoa	48	48	96	4	4	8
	TOTAL QNNAIRES	278					

APPENDIX 12

SECONDARY DATA COLLECTION SCHEDULE

Nature of sexual abuse	Age of abuser	Class of victim	Date case reported	Duration taken to finalize case		Verdict		Implementation of verdict	
				R	UR	R	UR	D	ND

KEY:

- R-Reasonable
- UR-Unreasonable
- D-Done
- ND- Not done

APPENDIX 13

RESEARCH AUTHORITY

PAGE 2

PAGE 3

THIS IS TO CERTIFY THAT:

Prof./Dr./Mr./Mrs./Miss.....JOAN.....

MWENDE KIEMA-NGUNZI.....

of (Address) KENYATTA UNIVERSITY.....

P.O. BOX 43844, NBI.....

has been permitted to conduct research in

.....Location,

MAKUENI.....

.....District,

EASTERN.....

.....Province,

on the topic Factors exacerbating sexual

abuse of Primary School Children

by Teachers in Makueni District,

Kenya.....

for a period ending 30TH JUNE.....20.....11.

Research Permit No.....NCST/RRI/12/1/SS-011/278

Date of issue.....16/03/2011

Fee received.....SHS 2,000



.....
Applicant's
Signature

.....
Secretary
National Council for
Science and Technology

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