



Ethical and Legal Issues on Child Sexual Abuse in Kenya

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ABSTRACT

Sexual violence is a global problem and also a public health concern (Beidel and Turner, 2007; Gutman, Herman-Giddens and McKinney, 1993), it takes different forms, this includes rape, sexual abuse, harassment or any form of sexual exploitation, child tricking and pornography (United Nations Children's Fund (UNICEF), 2012). Kenya is faced with a problem of girls' abuse because of cultural beliefs that supports the act of sexual intercourse with girls as a cure for HIV, this, however leads to unwanted pregnancy, serious mental health, gynaecological complications, high risk of HIV and other sexually transmitted diseases. Children experience sexual abuse in their homes, schools, institution, workplace and within their community. Sexual violence towards children is an illegal violation of children's human right. Cases of child sexual abuse have continued to increase for many year which brings a serious focus on establishing the true scope of the problems and a genuine concern for policymakers, and professionals (Finkelhor 1986; Hall and Lloyd, 1993). Considering the legal rights a child has, it is important that any form of abuse should have serious penalties, although, there are laws towards child protection in Kenya, they are not effective. At the same time, ethical principles have supported every human being on how they are being treated in the society which now draws the attention of the government in Kenya and international organisation to support and protect children that were abused. Therefore, this report will major on the sexual abuse experienced by young girls, although young boys are also faced with sexual abuse, but on rare cases. It is written to address the prevalence which results from the cultural beliefs in Kenya; the ethical and legal issues relating to this child sexual abuse will be examined, protocol and recommendation to avoid future occurrence will also be discussed.

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Introduction

Kenya, one of the very well-known African countries, presently receives extensive media and public attention on due to child sexual abuse. Child sexual abuse is becoming more complicated in this country with several other problems associated with it, for example AIDS epidemic, political instability, education deficiency, poor economy and child trafficking; in which are sometimes above the government's available resources ((Plummer and Njuguna, 2009)). The main feature of any abuse is mostly central to the overriding position of an adult to convince or force a child to take part in sexual actions or supporting a child to act in a sexually inappropriate manner. According to the World Health Organisation (WHO), child sexual abuse is:

“Any involvement of a child in sexual activity that the child cannot comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared or which violates the social taboos of the society. Child sexual abuse can also be referred to as a silent emergency that goes unnoticed; grossly under-reported and poorly manage” (WHO, 2004 p.1).

Child sexual abuse is not only restricted to physical contact but also fondling a child's genital part, forceful penetration, mutual masturbation, anal intercourse and involving children in pornographic activities (Porter, 1984). There are consequences related to child sexual abuse which may be physical (gastrointestinal disorder, somatisation, gynaecological disorder) and psychological (anxiety, low self-esteem, substance abuse, abnormal behaviour, loss of social competence) and also in other

forms (WHO, 2003). Generally, child sexual abuse is surrounded by traditions of silence and stigma particularly when the perpetrator is a close relative, neighbours or parent that the child knows and trusts. Public health concern are also severe towards frequent incidence of rape involving young children and babies as a result of the misconception that continuous having sex with virgin is a cure for HIV/AIDS (WHO, 2004; (Lalor, 2004)).

Many papers related to child sexual abuse have not been published, as a result, limiting the intervention programme that can reduce the act. In 1993, the Africa Medical and Research Foundation (AMREF) assessed more than 10,000 young females of less than 15years on their health and safety in Kenya. It was reported that over 66% have had sexual intercourse and 6% had their first sexual intercourse under the age of ten indicating that they are likely to be forced or compelled in having sex (AMREF, 1993). Further investigation suggests that the higher percentage reports their first partner as "a boy" of the same age range while the rest of the percent experienced it from their biological fathers or step fathers; however, no further information detailing the data was given. In 2000, a similar survey was carried out in Kenya by The African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN) investigating 501 children in the rural and urban areas with regards to child abuse and the child's rights. A total estimate of 7.6% of those children surveyed have had been sexually abused although, additional information on actual experience of the children were not reported and further

information on the children's age when abused and perpetrators' report were lacking (ANPPCAN, 2000). Many more research has been conducted by local and international Non-Governmental Organisations (NGOs), advocacy groups, Church Organisations, and Aids/HIV healthcare centres, counselling centres on adolescent sexual life, establishing the fact that child sexual abuse is common in Kenya and it is one of the major causes of HIV/AIDS epidemic.

The purpose of this report is to understand the psychological trauma related to child sexual abuse practice carried out by the child's trusted and respected people in the society due to cultural beliefs and practices in Kenya. It will also examine the ethical theories and principles; legal issues and rights; and also international guidelines identified to tackle the practice with recommendations.

AIM AND OBJECTIVES

The aim of the report is to recognise and examine the ethical and legal issues related to child sexual abuse in Kenya. The objectives are:

- To understand the prevalence of child sexual abuse
- To discuss the effects of sexual abuse on an abused child
- To extract law that is available which could give legal backing on the child's right.
- To highlight ethical principles that support guidelines on handling the child's right
- To examine the impact of government policies towards child sexual abuse
- To examine strategies to reduce child sexual abuse especially among female children

Therefore, an overview of some ethical and legal principles, both national and international, will be examined supporting the need to fight against child sexual abuse; these principles will be used to analyse a case study regarding Child sexual abuse in Kenya.

Legal Principles and issues

Legal principles in the aspect of child abuse consider the way in which the court regards children in public law proceedings (McLoughlin, 2001). To discuss the legal issues in child sexual abuse, the following pieces of information should be considered.

What is the definition of a child?

There is no definite law that defines the age of a child, however, according to the Article 1, Convention on the Right of the child 1989 in the UK, the word- child was defined. UN convention on the Rights of the child, ratified by the UK government in 1991, defines a child to be every human being below the age of 18 years unless, under the law applicable to the child, maturity is attained earlier" (NSPCC, 2012).

What is age of consent?

According to the Sexual Offence Act 2003 in England and Wales, the age of consent was stated to be 16years which was agreed also by the Sexual Offence (Northern Ireland) Order 2008. Similarly, in a way to protect younger children, the law explains that children under 13years of age can never give consent, thus any form of sexual activities towards a child at the age of 12 or below will be subject to penalties (NSPCC, 2012;).

What is the Age of criminal responsibility?

Penal code in Kenya law explains a definite age by which a child cannot be held to be criminally responsible even when he/she commits a crime, this is called age of responsibility. In Kenya, the age of responsibility is 8years old which means if a child steal or kills, he/she is not capable of committing the offence and will not be held responsible for the crime, thus the child cannot be charged in court of law (ANPPCAN, 2000). However, in England, Wales and Northern Ireland, the age of responsibility is 10years, although in Scotland, it is 12years of age (NSPCC, 2012).

At what age should children choices be taken into account?

There are several guidelines in safeguarding children and health care services rendered to children explaining the importance of listening to the wishes of a child. However, duty to act in the best interest of the child is expected by the authorities, which sometimes may not go in agreement with the wishes of a child. Section 3(3) of the children (Northern Ireland) order 1995 states that a court should give regards to the wishes of a child, putting into consideration, age and the level of understanding (NSPCC, 2012).

Furthermore, legal principles are also important and will be divided into two: the National code and The International guidelines. The national codes are the Kenya's law protecting a child from abuse and strengthening a child of his/her right in the community, these are: the Penal Code, the Evidence Act, the Subordinate Courts Act, the Children Act and the Matrimonial Cases Act. The international guidelines are the policies, rules and regulations governing the society against child abuse both sexually and other forms of violence against a child, these are: the Juvenile code, the United Nations CRC Articles, the UK sexual offence act, UNICEF and WHO guidelines. Children rights will also be considered as provided by Children's Act (CA).

The National Codes

Child sexual abuse is a criminal case and criminal laws are bound by the offender. There are laws put in place in Kenya to limit the abuse of human rights towards sexually abused children. These laws are put in different codes explaining how a child needs to be protected against any harm.

The Penal Code (Cap.63 Laws of Kenya)

The Penal Code defines the Penal system in Kenya. It examines criminal offences towards child abuse which is punishable by law. Sexual abuse is considered to be any form of rape, defilement, indecent assault, incest (both by males and females) and unnatural offences (ANPPCAN, 2000; Lalor, 2004b). Therefore, all these will be considered as child sexual abuse, particularly when a child is below 16years in the UK (NSPCC, 2012) and 13years in Kenya (ANPPCAN, 2000).

The Evidence Act (Cap 80, Laws of Kenya)

Section 124 of the Evidence Act calls for the corroboration of the evidence of children of tender years. The above section was however amended by the Criminal Law Amendment Act of 2003 which adds the following provision:

"provided that where a criminal case involving a sexual offense, the only evidence is that of a child of tender years who is the alleged victim of the offence, the court shall receive the evidence of the child and proceed to convict the accused person if, for reasons to be recorded in the proceedings, the court is satisfied that the child is telling the truth."

This means that in cases of child sexual abuse, where the child is the victim, corroboration of the child's evidence is not a must. *Corroboration* means independent evidence, required by the court which implicates the person accused of a crime (Bagley and King, 1990). *Children of tender years* are children under the age of ten years as is defined in the Children's Act, thus is related to the age of responsibility.

Matrimonial Cases Act (Cap 152, Laws of Kenya)

This Act consolidates all the laws relating to matrimonial cases. The Act is important as it protects children in case of the dissolution of a marriage by providing for maintenance and custody of children. Every child is entitled to protection from physical, psychological, sexual, neglect or any other form of exploitation including sale, trafficking or abduction by any person. Only children who are born within lawful wedlock are provided for in this Act.

Subordinate Courts (Separation and Maintenance) Act

The Act provides for children in case of judicial separation of their parents. "A married woman can apply for maintenance and custody orders in a case where the husband has wilfully neglected the children". This is due to the situation a child faces when the parents are divorced or separated which exposes the child to harm and insecurity.

The Children Act (Cap. 586, Laws of Kenya)

This is an Act of Parliament that provides for the rights of children and seeks to enhance the welfare of children in Kenya. The Children's Act (CA) was enacted for the following main reasons:

- To put together the various laws that affect children
- To put into effect the provisions of the Criminal Responsibility Code and the African charter on the rights and welfare of the child.

International Codes

In addition to the national code guiding child's protection, several international guidelines were also established to consider the theoretical and practical features of legal constructs taking into consideration the importance of child's rights.

The Juvenile Code: Definition of Child Abuse and Reporting Mandate

The Juvenile code was enacted for placing penalty on not reporting child abuse, or neglect, and to make sure that administrators of schools and other institutions devise mechanism for reporting and training their workers to report any form of abuse as required by the law (American Academy of Paediatrics, 2013). Thus, any institution found guilty of not reporting violates the reporting law.

The United Nations Convention on the Rights of the Child (CRC) Article 34 and 35

This is an international agreement that legally binds states to protect the child's right and also requires the state to protect a child from all forms of exploitation and sexual abuse. This also includes prohibiting the coercion of a child to carry out any sexual activity, child prostitution and using children in creating pornography.

The UK Sexual Offences Act 2003 & Children Act 2004

The statutes (Great Britain, *Sexual Offence Act* 2003) of chapter 42, Part 1 established an act to protect children from harm and other sexual act, also to clarify Sexual Offence Act 1956. This act states that a person commits an offence, if he intentionally penetrates the vagina, anus or mouth of another person with his penis, and the other person is under 13, then, the person is guilty of an offence under this section is liable, on conviction on indictment, to imprisonment for life. Furthermore, section 11 & 16 of the Children Act 2004 mandates the children's service authority, both the county and the local level, to promote the welfare of children against any form of maltreatment and abuse (National Society for the Prevention of Cruelty to Children, 2010).

World Health Organisation (WHO)

WHO gave guidelines on how children that are abused should be examined. Consent must be obtained from the child and /or parent, as the case may be, to conduct a physical examination on the abused child. In addition, the child must be interviewed by trained professional, however, in case of any legal issues, information are taken according to procedures through a psychologist/medical practitioner.

United Nation Children's Fund (UNICEF)

With the adoption of Universal Declaration of Human rights in 1984 which is accepted by all countries, UNICEF sets a common standard on human rights to give a supportive moral weight to the fundamental principles of human beings. This standard is set regardless of the age, socio-economic status, geographical location, race and religion to give respect for the individual's natural worth as human being. At the same time, it provides a common ethical and legal framework in developing agenda for children. The Convention of Rights for Children (CRC) and Convention of Elimination of all forms of Discrimination against Women (CEDW) collaborate to have the six core human rights frameworks (UNICEF, 2005). Thus, recognising the framework will help in promoting, protecting and understanding children's rights.

Summary of the Child's Right and Welfare

In Kenya, the Children's Act provides understanding for the rights of all children as are provided for in the CRC and the African Charter (ANPPCAN, 2000). They are:

- Right to life: Both Government and the family are responsible for the survival and development of every child.
- Right to parental care: Every child has the right to live with and be cared for by his/her parents and not to be abused in any form.
- Right to Education: Every child is entitled to free and compulsory elementary education and this will be provided by the Government and the parents.
- Right to religious/moral education: Every child has a right to religious and moral education. Parents are responsible in providing appropriate guidance for their children and educating them on how to live right.
- Right to health care: Every child has a right to health and medical care of which parents and the Government shall have the responsibility of providing for.
- Protection from child labour and armed conflict: Every child shall be protected from any form of abuse and any work that is likely to be harmful or interfere with the child's education, or

harmful to the child's health or physical, mental, spiritual, moral, or social development.

- Right of Children with disabilities to be treated with dignity: Every child with disability has a right to be treated with dignity, and supported with medical assistance, special care and education.
- Right to privacy: Every child has a right to privacy subject to parental guidance, however, if it is a form of abuse by parents, then subjectivity is based on the law.

Ethical theories and Principles

Ethics has no specific definition as it can be defined in several ways. However, (Tangwa, 2009) defined ethics as the study of the fundamental principles of morality and their relevance to practical situation. It is also defined as a generic term covering different ways of explaining and understanding the moral life (Beauchamp and Childress, 2009 p.1). Ethics does not dictate morality but rather consider how an individual should act, and along side, consider the other fellow human being no matter the age or influence you have on that same individual. There are some ethical theories that will be applied to this report and central to human rights is a respect for a child's autonomy and other fundamental principles such as beneficence, non-maleficence, justice, non-discrimination.

Utilitarianism Ethical Theory-The word comes from the Greek word meaning *means* or *ends*. This is mainly on the decision of the majority, this subscribes to the fact that actions are good when the end produce happiness to the majority and support to any action, provided the higher number of population benefit (Beauchamp and Childress, 2009). However, it does not consider if everybody has an equal understanding of what happiness is.

Consequentialism Ethical theory: This theory explains the motive to which an action should be taken rather than the consequences. It goes further to examine the consequences that are morally right, how much weight should we give them, how should we use moral reasoning. However, to ignore consequences means leaving the ethical story half told (Beauchamp and Childress, 2009).

Relativism Ethical Theory-The moral judgement is not objective but rather relative to the individual or culture. This has three strands: the Cognitive relativism (knowledge), the Ethical/moral relativism (social groups) and the situational relativism (situation) (Beauchamp and Childress, 2009).

Autonomy

The word autonomy comes from two Greek words: *autos* ("self") and *nomos* ("rule", "governance" or "law") meaning self-governance or self-rule; it involves an individual that can act and make decisions for him/herself without interference by another person (Tangwa, 2009); Beauchamp and Childress, 2009). In addition, it obliges an individual to respect the decision of those who have the capacity to understand and are not under control of influence, to take action (Jahn, 2011). This principle can also be described as 'respect for autonomy' or 'respect for others' and can be explained that an individual is a master of himself/herself, competence and has freedom. However, a *person of diminished autonomy* is in some ways, controlled by others or, incapable of acting on the basis of his/her own desires (Beauchamp and Childress, 2009). Thus, this is similar in the case of child sexual abuse in Kenya whereby, some children were deprived of their rights to make decision on what happens to their body resulting into forceful sexual assault

because of adults' selfish interest of wanting to be cured for HIV.

Beneficence

Beneficence is a declaration of moral commitment which connotes the traits or quality to act for the benefit of others ; it can also be called *benevolence* (Beauchamp and Childress, 2009). This gives more responsibility to an individual, not only to treat the person autonomously, but also to contribute to their welfare. In literal meaning, it is related to an act of mercy, kindness and charity towards another which is a moral obligation (Jahn, 2011).

Non-maleficence

Non-maleficence, in medical ethics, is closely related with the maxim *Primum non nocere*: Above all [or first] do no harm (Beauchamp and Childress, 2009 p. 149). Beneficence and non-maleficence have close association with complimentary ethical principles. Beneficence refers to a moral obligation to do good and non-maleficence means avoiding harm or evil (Tangwa, 2009). In addition, it maintains some moral duties such as protecting the rights of others; prevent harm against another and saving another from danger (Jahn, 2011). Thus, it can be interpreted into the obligation of maximizing good and minimizing harm towards another person; therefore, all individuals must avoid doing harm even if they cannot do good. *Duty of Care* includes an obligation not to impose risks or harm whereas Non-maleficence includes an obligation not to inflict harms (Beauchamp and Childress, 2009). However, in the case of Kenyan children, these fundamental principles of morality were bridged making these children get exposed to harm through trusted parents or relatives.

Justice

The term *fairness*, *desert* (what is deserved), and *entitlement* have been used to explain *justice*, thus justice can be referred to as fair, equitable, and appropriate treatment in light of what is due or owed to an individual (Beauchamp and Childress, 2009). This principle maintains equal benefits, risks, cost, resources and supports of each person to equal share according to needs, contribution, or merit (Jahn, 2011). However, injustice involves an erroneous act or omission that denies an individual resources or protection to which he/she has a right (Beauchamp and Childress, 2009). Justice and non-discrimination go hand in hand because if there is equal opportunity, there is no discrimination. Thus, justice must be distributed evenly regardless of age, sex, culture, language, religion or any other status. In the case of Kenyan children, justice was not carried out effectively although there were are aforementioned legal principles.

Case study and case analysis

Case study

Pauline Michael, an 8year old girl has lived through a nightmare of being abused by her father. The father was HIV positive, He did this because of the belief that once you have sex with a virgin, you get cured from HIV/AIDS. This young girl contracted HIV, was in pain and traumatised but at the same time, she has to take care of her mother because when her mother realises this, she decided to commit suicide. However, she was told not to tell anyone because she was too young to make decision for herself, also, reporting the incident could imprison her father. As a result, she lived in fear and pain adding to the number of children that has fallen victim of this due to

cultural beliefs. Her mother later reported the case to the support worker in charge of child's welfare in Kenya since this was not the first time Pauline will be sexually abused by her father. The case was investigated and Pauline's father was found guilty of child sexual abuse which led to his imprisonment. Although, her mother was not happy that her husband was imprisoned, she was sure of her child's safety and happiness. The International Community for Relief of Starvation and Suffering (ICROSS) assisted in helping her stay well through providing her regular medications, funding her education and setting a stable business for her mother to be able to take good care of her.

Case analysis

Legal Reasons

Child abuse is wrong as far as it interrupts and distracts a child's assumed right to safety and protection in personal development. According to the law of human rights inherent to all human being, a child has the right to what happens to his/her own body. Having examined the details of what happened to Pauline which is a common incident that happens to young girls in Kenya, it is clear that the major issue is human right in which they were being deprived. The Penal Code outlines that it is a criminal offence to abuse a child and it is punishable by law, this is supporting the international law of child abuse, child trafficking, abduction and any form of child abuse (United Nations CRC, The UK sexual offence Act 2003). In accordance with the Juvenile Code as stated above, it is the responsibility of any witness, health professional or any other individual working with children to give report of any suspected child abuse. This is important especially when a child is below the age of 13 as stated by the UK Government in Sexual Offence Act (2003). This further explains that a child below 13 years old is incapable of giving consent towards sexual activities and thus, perpetrator will be subject to penalties. However, a child that conceded because of gifts, fear or any form of threat cannot be held responsible even when he/she supports the act.

Despite the law present in Kenya and other international law against child sexual abuse, this act is still on an increase due to the fact that culture contributes to child sexual abuse ruling out the rights to parental care children expect from their parents.

Ethical Reasons

Ethical clarity is important in dealing with child sexual abuse with a consistent framework, however, it is more than mere consent but avoiding harm on an individual. In this case, both Consequentialism and Utilitarianism were recognised and the action taken by the support worker was ultimately the expected outcome for the child to be free from harm and any form of abuse. At the end of the day, both the child and the mother were happy with the outcome with regards to child's safety, thereby supported by Utilitarianism Theory. In addition, despite the possibility of the father being imprisoned as a consequence of his behaviour, the support worker took action without considering the consequences by supporting the Consequentialism Theory. The obligation of the support worker in this case was to protect the child from any further act of abuse, and investigate the case. This brought fear to the mother considering penalties her husband will face and also, submitting to the believe of the society however, the expected outcome was favourable and the action was ethically and legally justifiable.

Furthermore, this child was deprived of her autonomy of not taking decision for herself and was forced by her father because of the authority and the power her father has on her, making her a person of diminished autonomy (as cited by Beauchamp and

Childress, 2009). In addition, the rule of beneficence (do good) and non-maleficence (do no harm) supported by Jahn (2011) were been ruled out by her father's action nevertheless, the intervention by the social workers prevented the child from further harm. Justice prevailed for this case, regardless of Pauline's father being the perpetrator here, the law took its course and he was punished.

Results

From the case study above, it is clear that the cultural belief of having sex with a virgin in cure of HIV is still on an increase even with the law against child sexual abuse in Kenya. Lack of knowledge of who a child can report to, on any form of abuse, is not implemented and reporting of abuse is not encouraged. Therefore, the law is not being effective and traditional leaders are not educated against these beliefs, which led to increase of child sexual abuse in Kenya.

Government approach towards child sexual abuse

Due to the rate of increase of child sexual abuse, there are laws and principles against child abuse which were discussed above by Kenya stating the rights a child has in the community. However, many people are not aware of the danger and punishment of going against this law thereby contributing to the spread of HIV/AIDS (Lalor, 2004a). There is underreport of this act which limits the actual number of children affected to be known which might be because of the link of cultural beliefs connecting to this act. Similarly, children may have been threatened by the perpetrator, usually a trusted person, not to report and are always afraid due to this fear, a child continues to suffer the pain and trauma of forced sexual intercourse (Parton and Wattam, 1999; Richardson, *et al.* 1991)

Steps To Prevent Child Sexual Abuse

Community agencies: The community agencies need to create a framework to address and respond to difficulties involving dealing with child sexual abuse. Agencies must be sensitive to any behavioural changes in a child and be committed to assessing and understanding new information about child sexual abuse. They should also provide training, education, and efficient supervision to their staffs regarding investigation and treating an abused child.

Justice and consistent guidelines: When the system of protecting a child fails, child abuse will continue to be on an increase. Thus, it is important that appropriate investigations and interviews are conducted, also it should be adjusted to the child's level of understanding, and then the court system should aim at meeting the needs of young children. Consistent guidelines and procedures must be followed, as identified by WHO and UNICEF, on handling child abuse cases, also justice must be made regardless of age, power or, influence the perpetrator may have in the society.

Education: There are different groups of people that need to be educated to prevent children from being abused, these are: parents, health professionals and the public. Parents must incorporate safety education for their children, also government organising programmes to alert parents to the possibilities of any form of abuse. In addition, there should be a variety of films, videos, books available to the public to educate them on the child's safety and also to be aware of child abuse.

Monitoring, review and research: It is known that the number of cases of child abuse have been unreported and children rarely report any account of abuse which may mean that

the abusers must have trained, convinced, or cajoled them not to reveal it to the world. This is limiting the intervention programme that should have been organised in controlling this act. However, there should be more qualitative research on the actual reason and the experience of these sexually abused children, also there should be reviews and monitoring at regular intervals, of the effectiveness of the law and strategies for preventing abuse.

Steps To Help A Child That Has Been Sexually Abused

Advocacy group: According to the Children Act 1989, it provides for care proceedings in which decisions are made to protect and safeguard the child from any form of sexual abuse. Under section 41 of the act, the court is obliged to appoint a guardian ad litem, mostly an independent social worker, to make the voice of the child heard in the court. A Solicitor can also be appointed by the guardian to provide the court all the information needed for decision making.

Relationship healing: Relationship in this context, is the manner in which a child can communicate effectively again with the world after being abused. Usually, at least a parent should be trained to provide a trustworthy role model and assurance of safety to the child, however where parents are not available, counsellors, advocacy group or, care workers can provide a caring relationship for the child.

Emotional healing: Feelings of hopelessness, shame, and guilt must be listened to with empathy especially, for a child that is being harmed indelibly. At the same time, assistance should be rendered to recognise the fear which is pervasive among sexually abused children, however in a situation of physical damage, a physical examination must be carried out by the physician to be sure if the damage is absent, present or, treated.

Self-empowerment: A child that has been sexually abused must be empowered and reassured of how special he/she is; one of the most effective therapies of healing a child with low self-esteem (Hall and Lloyd, 1993). In addition, preventive safety techniques must be introduced into school curricula to strengthen the child when there is further sexual abuse.

Conclusion

Child sexual abuse can happen in all kinds of families, including families that seems to be upright, respected and religious, that is why it is often not reported to authorities, even when revealed. However, this can place a long-term negative influence on a child. There are other problems affecting children in Kenya, at the same time, sexual abuse should not be underestimated in the list of priorities because it is contributing to the increased factor for HIV/AIDS epidemics in Africa. In addition, children who have suffered sexual abuse deserve the best care and support the society can offer. The Government also has a duty to advocate for children without the exception of the law and to ensure HIV is being prevented and controlled with the aid of a slogan that says *saving children today is saving a better tomorrow*.

Conflict of interest

The author declares no conflict of interest

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