

Preventing and Responding to Sexual Violence against Children in and around Schools:  
*A Training Curriculum Designed for Teachers and Other Adults Supporting Children in Schools and Communities*



PARTICIPANT HANDOUTS

The Bantwana Initiative of World Education, Inc.  
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## ► ABBREVIATIONS

KAP	Knowledge, Attitude, Practice
RTRR	Reporting, Tracking, Referral, and Response
SAPR	Sexual Abuse Prevention and Response
VAC	Violence Against Children
WUBP	Western Uganda Bantwana Program
WEI/Bantwana	The Bantwana Initiative of World Education, Inc.

## ► DEFINITIONS

**Violence:** The intentional use of physical force or *power [italics mine]*, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation. (World Health Organization)

**Child sexual violence:** The involvement of a child in sexual activity with another person that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society.

**Sexual violence:** Unwanted sexual touching; unwanted attempted or physically forced sex; sexual contact due intimidation or coercion; and sexual behaviour that a person does not understand or give consent to, including sharing pornography, sexual harassment, and sexual exploitation

**Sexual abuse:** Synonymous with sexual violence

**Defilement:** A penetrative sexual act on a person below the age of 18 years

**Sexual harassment:** Unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature

## ► CHILD PROTECTION KNOWLEDGE, ATTITUDE, AND PRACTICE (KAP) SURVEY SUMMARY RESULTS

### **Physical Abuse**

Two forms were explored by the survey: caning and bullying.

#### **Caning remains a common form of discipline in schools.**

- 85% of teachers know that caning is against the law in Uganda while only 41% (less than half of the teachers) know that it is against the law.
- However, despite strong knowledge of this law, more than half of teachers (56%) reported that they had caned students in the past six months.

#### **Bullying by Peers in school is still a persistent problem.**

- 36% of children reported having been bullied/beaten by peers and 54% saw others being bullied/beaten by peers
- 81% of teachers reported seeing children being bullied or beaten by other pupils.

### **Sexual Abuse**

#### **Laws on sexual abuse**

- Only 37% of children know that it is against the law in Uganda for children under 18-years-old to have sex with adults compared to 52% of teachers.
- Less than 50% of children strongly agree or agree that any adult who has sex with a child should be punished under the law.
- Only 39% of children strongly agree or agree that a child has the right to refuse sex even if the child has received gifts or money, as compared to 95% of teachers.

#### **Defilement and sexual harassment**

- 19% of children reported that they had **'played sex'** with an adult in the past six months.
- Of the **47%** of children that reported receiving a **'bad touch'** in the past six months, **50% identified a caregiver as the perpetrator**, 33% identified a teacher and 17% identified a friend, stranger, or another family member as the perpetrator.
- Of the **32% of teachers** that reported knowing a child that received a bad touch in the past six months, **56% (majority) identified a fellow student as the perpetrator**.
- Where children knew a child that received a bad touch, 34% of children talked with a teacher and 25% talked to a friend.

#### **Early marriage and teen pregnancy**

- 57% of children and teachers reported that there are incidents of girls and boys in their school or community getting married always, often or sometimes.
- While 64% of children and 54% of teachers knew a girl in school that had an unwanted pregnancy in the past year.
- 31% of children strongly agree or agree that if a girl gets pregnant it is her own fault.

### **Emotional abuse**

Although 89% of teachers strongly disagree or disagree that it is sometimes acceptable for teachers to call children bad names; 39% of children reported that in the last six months, teachers used harsh words or called them bad names always, often or sometimes.

- It is also true that 60% of children reported that in the last six months, their teachers used words of encouragement always, often, or sometimes.

## ► VIOLENCE AGAINST CHILDREN (VAC)

### The World Health Organisation's definition of violence against children:

*“All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.”*

### Types of Violence

**Physical violence:** Any form of punishment in which physical force is used and intended to cause some degree of pain or discomfort.

**Psychological or emotional violence** is any act or behaviour that conveys to a child that he/she is worthless, flawed, unloved, unwanted, endangered, or of value only in meeting another's needs.

**Sexual violence** generally includes both physical and psychological violence, though sometimes is exclusively psychological/emotional, as in the case of sexual harassment. A child who is sexually abused gets the message that they are of little value beyond the ways they meet another's needs, and will feel flawed, unprotected and likely, endangered.

### Causes of VAC in Schools<sup>1</sup>

There are many factors that are contributing to violence against children and these may vary from region to region, age of children as well as a social- economic context.

1. Collapse of traditional social networks or systems and family supports,
2. Harmful religious or cultural beliefs,
3. Poverty and high levels of vulnerability, i.e. dependency on others, physical or mental vulnerabilities, ignorance about potential threats, lack of family support, age,
4. Substance abuse,
5. War and displacement,
6. Corruption which undermines access to fairness and justice,
7. Persistence of harmful/negative traditional practices,
8. Limited availability of resources, such as food, shelter, medical facilities and services, clothes, and water among others,
9. Limited functionality of existing child protection and support services such as the police protection or other security.
10. Community lack of awareness or belief in human rights for all especially children.
11. Family conflict/marital problems and high levels of stress that gets transferred onto children.

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<sup>1</sup> Reporting, Tracking, Referral and Response (RTRR) Guidelines on Violence Against Children in the Schools, Ministry of Education and Sports, Uganda, 2014

## ► SEXUAL VIOLENCE IN UGANDA

Sexual violence is the involvement of a child in sexual activity with another person that he or she:

- Does not fully comprehend,
- Is unable to give informed consent to,
- For which the child is not developmentally prepared, or
- Else that violates the laws or social taboos of society.

Children are sexually abused by both adults and other children who are in a position of responsibility, trust or power over the victim. Sexual violence against children takes different forms including:

- Verbal utterances that are sexual in nature,
- Touching or fondling the child in a sexual manner,
- Being forced to look at sexual scenes (pornography),
- Stringent gifts especially from men to girls or from women to boys in return for sexual pleasure.<sup>2</sup>

Sexual violence against children in Uganda is widespread and goes unreported especially if it occurs within the family context.<sup>3</sup>

- In 2010, defilement was the leading sex related crime committed against children with a total of 7,564 cases registered compared to 7,360 cases the previous year (2009), an increase of 2.7%.
- In 2011, 7,690 cases of defilement were reported to police, a further increase of 1.7%.
- Besides defilement, children also report being talked to in a sexual manner, being touched in a sexual manner, being exposed to the private parts of adults and being exposed to sexual / pornographic material.

Why children stay silent:<sup>4</sup>

- Fear of not being believed
- Fear of not being responded to or having complaints concealed
- Deciding that it is better to keep their suffering to themselves rather than risk retaliation from the adults who have power over their lives.
- Children often feel great shame over being abused and fear it will become known.
- Fear of HIV and other STIs
- Fear of being shunned and unable to be marry, or being punished for what happened in the case of rape
- Children think it's normal or that they don't have a choice.<sup>5</sup>

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<sup>2</sup> Report on CEDAW Mid-term Review of the Government of Uganda, 2012.

<sup>3</sup> The Status of the Child Protection System in Uganda; Ministry of Gender, Labor and Social Development, 2013

<sup>4</sup> Communicating with Children: Helping Children in Distress, Save the Children, 2000

<sup>5</sup> Child Protection Knowledge, Attitudes and Practices Survey

## ► EFFECTS OF TRAUMA

### KEY TERMS:

**Trauma:** A psychologically distressing event that is outside the range of usual human experience, involving a sense of intense fear, terror and helplessness.

**Hypervigilance:** keeping an abnormally high level of awareness of the surrounding environment, and staying alert to any threat. The experience of always being “on guard.”

**Dissociation:** a mental process that causes a disconnection in a person’s thoughts, memory and sense of identity. Mild dissociation (which is normal) would be like daydreaming, getting “lost” in a book, or when you are driving down a familiar stretch of road and realize that you do not remember the last few kilometres. A more severe form is when a person cuts off more completely from immediate surroundings, or even separates from reality.

Traumatic events in childhood increase risk for a host of:

- Social (e.g., teenage pregnancy, adolescent drug abuse, school failure, victimization, anti-social behaviour),
- Mental health problems (e.g., depression, anxiety, post-traumatic stress disorder, behaviour problems);
- And other medical problems (e.g., heart disease, asthma, sleep problems).

Response patterns include:

- changes in cognition
- changes in affects
- changes in behaviours
- changes in the brain
- changes in the body

### The Alarm State

Response to danger frequently labelled as the ‘fight or flight’ response.

- A threat is perceived
- The brain organizes a response and all aspects of functioning change: feeling, thinking and behaving
- Increased heart rate, blood pressure, respiration, muscle tone
- All non-critical information is tuned out
- The child is prepared to run away (flight) or to fight.

### Dissociation

When flight or fight is not possible, the child may use a different neurological mechanism, **dissociation**: where a person withdraws attention from the outside world and focuses on the inner world.

- A detached feeling that you are “observing” something happening to you as if unreal
- A sense that you may be watching a movie of your life

### Immediate Post Traumatic Period

The immediate threat passes and the child begins to settle down to pre-trauma state.

- Heart rate, blood pressure and respiration slow down. Muscles relax.
- If a child dissociated, they become more aware of external (what is actually happening around them) and internal stimuli (thoughts and feelings: e.g. they will feel their heart pounding, or notice the pain from the physical injury sustained from the threat or when avoiding the threat.)
- The child will begin to process what happened.



Because the traumatic event is so far outside the range of normal, the event will play itself out in the child's mind again and again:

- through intrusive images,
- memories and dreams.

In this 're-living' of the trauma, it is experienced as if it were happening in the present, bringing with them cognitive, emotion.

Following a traumatic experience, along with the re-living, a child will remain hypervigilant, ever alert to a new threat, and may continue to have a fast heart rate, respiration, elevated blood pressure, and exaggerated startle even when at rest.

Despite normal behaviours, many children remain internally agitated following trauma. Because the persisting physiological and emotional distress is physically exhausting and emotionally painful, children will start using a number of avoidance techniques in order to stay away from reminders.

Children who dissociate may appear stunned or numb, gazing off to nowhere, or not responding to questions or instructions from adults.

If avoidance of reminders of the trauma is very difficult, children will withdraw into themselves in a variety of ways.

The more prolonged the trauma, the more likely there will be long term and potentially permanent changes in the emotional, behavioural, cognitive and physiological functions of the child.

Children who survive a traumatic event and continue to have low level arousal of the fear state may be behaviourally impulsive, hypervigilant, hyperactive, withdrawn or depressed, anxious, and have sleep difficulties, including insomnia, restless sleep and nightmares. They may show some loss of previously functioning and be slower at acquiring new developmental tasks.

In the fearful child, a defiant stance is often seen. This is often interpreted as a wilful and controlling child. Rather than understanding the behaviour as related to fear, adults often respond to the 'oppositional' behaviour by becoming angrier and demanding. In response, the child feels more threatened and moves from alarm to fear to terror.

**What this means in practical terms:** Children remain hypervigilant to the treat, or fear of repeat trauma. This hypervigilance will tie up their focus and energy so that even though they may be sitting in class, they are not able to fully pay attention.



## ► SIGNS AND SYMPTOMS OF POSSIBLE ABUSE

### **Behavioural clues or changes that may indicate violence related trauma and effects among children<sup>6</sup>**

- Aggressiveness and defiance
- Cower or demonstrate fears for adults
- Destructiveness to self and others
- Fearlessness or extreme risk takings
- Poor time management
- Dirty clothes or uniform
- Loss of weight
- Mood swings
- Accident prone
- Cheating, stealing others children scholastic materials /property, lying or slow rate of learning
- Inability to form good peer relationship
- Show regressive or less mature behaviour
- Dislike or shrink from physical contact by others
- Isolates him/herself from others including tendencies to withdrawal from group activities
- Breaks down emotionally- starts crying, yelling, screaming, and shaking
- A tendency to use aggression as a predominant form of problem solving or projecting blame on others,
- Lack of concentration in class
- Rapid drop in attendance and academic performance.
- Extreme bruises, marks that may indicate hard blows, burns
- Extreme sensitivity to pain or complaints of soreness and stiffness or awkward movements due to pains
- Difficulty in walking or sitting
- Complaints of genital itching, pain or bleeding
- Frequent vomiting without organic causes
- Under-age pregnancy or sexually transmitted diseases.

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<sup>6</sup> Reporting, Tracking, Referral and Response (RTRR) Guidelines on Violence Against Children in Schools. Ministry of Education and Sports, Republic of Uganda, 2014

## ► CAUSES AND CONSEQUENCES OF EARLY PREGNANCY

### **The causes of teenage pregnancy**

- Early marriage
- Sexual abuse: rape, sex due to intimidation or coercion
- Poverty
- Breakdown of family structure resulting in inadequate guidance
- Use of alcohol and other drugs
- Peer pressure
- Exposure to sexual material through TV or reading
- Being alone with the opposite sex
- Lack of knowledge

### **The consequences of teenage pregnancy<sup>7</sup>**

- The girl could drop out of school.
- The girl is forced into an early marriage.
- The girl could not have money for food or even food for the baby.
- The mother could not get proper antenatal care due to fear of being discriminated at hospitals or clinics or not having the money.
- The girl could contract STIs.
- Both mother and child could contract HIV.
- Mental health problems, such as depression, due to the pressures of caring for a child.
- Increased alcohol use due to stress.
- The boy's money could be used for the child's needs, which means he could be forced to drop out of school.
- The boy could start taking alcohol or drugs or develop depression because of the problems of the responsibility of having a baby.
- Their parents could stop taking care of them.

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<sup>7</sup> Adapted from Lisango and Liguma, Manual for Community Volunteers, World Education, Eswatini

## ► COMMUNICATION FROM CHILDREN ABOUT POTENTIAL ABUSE

### General principles

- Children frequently feel responsible for things that happen around them and to them
- Children are likely to feel protective of the adults they are dependent on, even when the adult is treating them badly
- Children often feel at fault and ashamed when they are being treated badly
- For the above reasons, children have difficulty disclosing sensitive issues
- Children often express themselves through their behaviour rather than through their words

### Common signs that suggest a child is feeling troubled

- They *tell* us something is bothering them.
- They *show* us something is bothering them (children are not always able to talk about their feelings, either because they are confused and don't understand them, or they aren't able to put their feelings into words.)
  - Noticeable behaviour changes, e.g., a usually outgoing child becomes quiet and withdrawn, or a formerly cooperative child seems angry, becomes argumentative or aggressive
  - Become easily upset or angry
  - Very active or restless
  - Distractibility/poor concentration
  - A decrease in school performance
  - Withdrawal from peers
  - Lacking in trust, seem fearful or sad

A child who has suffered difficult experiences needs someone to tell, otherwise they remain alone in their distress. They will usually feel relief when they confide in someone who is available to listen.

## ► ACTIVE LISTENING SKILLS<sup>8</sup>

Active listening skills are divided into four categories:

- Reflect
- Paraphrase
- Assess and Explore
- Validate

### 1. Reflect:

- a. Name the situation and feelings that the young person is expressing to you back to him or her.
- b. Capture exactly what the young person has told you. This requires very effective passive listening skills.

**2. Paraphrase:** Paraphrasing does not add any new perspective or interpretation beyond what the speaker said.

- a. **Reword:** using your own words, make a statement that captures what you hear the speaker saying. Restate (in your own words) what the speaker tells you in a way that demonstrates that you understood it. This is a very effective skill, particularly when a person expresses a lot of feelings and content.
- b. **Give Feedback:** Always ask the person, in some way, if you heard him or her correctly.

**3. Assess and Explore:** This involves gathering more information from the person. Ways of assessing and exploring involve the following:

- a. **Open-Ended Questions:** These are questions that call for more than a “yes” or “no” answer. They encourage the person to open up and share more and to think about his or her feelings, situation and options—e.g., “Tell me more about that,” “What are you most afraid of?” or “What would you like to happen as a result of your coming to me?”
- b. **Understanding and Seeking Clarification:** This involves digging through information or statements to make sure you understand correctly. It is most often used when a person says something that is not clear. For example, if a young person says “I just want out,” you will not know what that means unless you ask what the person means by “I just want out.”
- c. **Probing Questions:** These are questions to solicit more information—e.g., “Was anyone else there?” or “Did anything else happen?”
- d. **Encouragers:** These are short statements that encourage the person to say more, elaborate, explain or take an in-depth look at the situation—e.g., “I’d like to hear more about that” or “I’m listening. Go ahead.”

**4. Validate:** This involves recognizing or sensing the speakers’ challenges, anxiety or difficulty with regard to sensitive disclosure or decisions and commending their effort and courage in sharing information despite these obvious challenges. For example, “I understand it is difficult but you have made an important decision by telling me this” or “You have done the right thing by coming forward to tell me.”

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<sup>8</sup> Doorways II Community Counsellor Training Manual on School-Related Gender Based Violence Prevention and Response, USAID, 2009

## ► TALKING WITH CHILDREN ABOUT POTENTIAL ABUSE CONCERNS

### Common signs that suggest a child is feeling troubled

- Noticeable behaviour changes, e.g., a usually outgoing child becomes quiet and withdrawn, or a formerly cooperative child seems angry, becomes argumentative or aggressive
- Distractibility/poor concentration
- A decrease in school performance
- Withdrawal from peers

### What to do when you notice a change in a child, or a child indicates they want to talk with you

- Find a quiet place out of hearing range of others
- Give the child your undivided attention
- It is CRITICAL that you maintain confidentiality and not share information with anyone other than those who are mandatory
- Discuss the issue with the appropriate person/people, e.g the headmaster

### What to say

- Tell the child directly that you are concerned, and why- what you have observed. Be specific.
- If, when asked, the child says that nothing's wrong (often a first response), ask more questions and tell them that based on your observations you believe there's a problem.
- Let them know that anything they tell you will be kept private and will only be shared with people you are required to tell for the purpose of helping them, and that you will only do it with the child's knowledge.
- If there is reason to think they are being harmed, but they ask you to keep the information they share secret, be clear that you are required to get help for them.
- If there is information that has to be shared with others, ask the child if they want to do it with you or if they want you to do it for them.
- Tell the child that you are going to do everything you can to help them and that you will keep them informed about who you talk with. Keep your word and follow through on this.

**Do not, under any circumstances, lie to a child** in order to make the conversation feel easier in the moment, e.g. saying that you won't share information that you need to. For child who is being abused in any way, their world feels very unsafe. It is critical that they are able to trust you.

- **Use your imagination:** think back to a time when you were young and something very difficult happened. What did you feel? What do you think the child is feeling now?
- **Accepting the child's feelings:** Remember these are difficult things for the child to talk about. It is important they don't feel judged. Statements such as, "That must have been very frightening," "you must have been angry when that happened," or "this sort of thing usually feels very difficult to deal with," helps the child know that you are understanding what they are saying and are supportive.
- **Be sure the child understands what you say:**
- Use simple language, and the child's mother tongue if possible.
- Ask the child to tell you what they understand you've said, rather than ask 'do you understand?'

## ► DOS AND DON'TS OF EFFECTIVE LISTENING WITH CHILDREN REPORTING SEXUAL VIOLENCE<sup>9</sup>

DOs	DON'Ts
Believe the child.	Don't ask accusing questions.
Create a rapport with the child.	Don't be overly formal.
Listen objectively.	Don't be judgmental.
Be reliable.	Don't miss appointments.
Be committed.	Don't offer assistance unless you are able to follow through.
Explain circumstances as they are likely to happen.	Don't assure the child about matters over which you have no control.
Ensure privacy is obtained to enable the child to talk in confidence.	Don't speak to the child where there are likely to be interruptions and eavesdroppers.
Assure the child of a reasonable level of confidentiality.	Don't give information about the child unless professionally required.
Agree at the outset on the amount of time you will take.	Don't appear to be in a hurry.
Maintain an appropriate physical distance.	Don't touch the child, especially if you are of the opposite sex.
Assure the child that he or she can always come back.	Don't feel frustrated if the child does not open up immediately.
Be in control of your emotions.	Don't get overwhelmed by your emotions about the situation.
Be patient.	Don't pressure or rush the child to speak.
Allow the child to tell his or her story.	Don't interrupt.
Be aware of your own feelings.	Don't project your personal experience onto the situation.
Know your limits.	Don't try to handle a problem that is beyond your training.
Be available immediately to a distraught or suicidal child.	Don't delay helping a child with suicidal thoughts.
Refer victims to appropriate professionals or services in situations that are beyond your level of expertise.	Don't make referrals without the consent of the person counseled (or guardian if appropriate).

<sup>9</sup> Doorways III Teacher Training Manual: Adapted from Maganya & Odhiambo, *Making Schools a Safe Horizon for Girls: A Training Manual on Preventing Sexual Violence against Girls in Schools*

## ► LEGAL AND POLICY FRAMEWORK ON VIOLENCE AGAINST CHILDREN IN SCHOOLS IN UGANDA<sup>10</sup>

### International and Regional Commitments on Violence against Children

Uganda is a signatory to the following international instruments:

1. **Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.**
2. **The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.**
3. **UN Convention on the Rights of the Child (CRC)** - Article 19 of the CRC explicitly requires all Governments to ensure that children are protected from all forms of violence. Articles 28 requires that all disciplinary measures administered in schools be consistent with human dignity while Article 37 requires all state parties to ensure that children are not subjected to cruel or inhuman treatment.
4. **African Union Charter on the Rights and Welfare of the Child.** In Article 11, the Charter requires all state parties to take all appropriate measures to ensure that a child who is subjected to school or parental discipline is treated with humanity and with respect for the inherent dignity of the child.
5. **The African Union Charter on Human and Peoples' Rights** declares that every individual, including children is inviolable (Article 3), is entitled to respect for life and the integrity of person (Article 4) and has a right to be protected from degrading punishment (Article 5).
6. **The Protocol to the African Union Charter on Human and Peoples' Rights on the Rights of Women in Africa** in Article 12 (Right to Education and Training) further reinforces the need for all State Parties to protect women, especially the girl-child from all forms of abuse, including sexual harassment in schools and other educational institutions and provide for sanctions against the perpetrators of such practices. It calls for State Parties to ensure access to counselling and rehabilitation services to women and girls who suffer abuses and sexual harassment.
7. **UN Convention on the Rights of Persons with Disabilities 2006.**

### National Laws and Policies Relating to Violence Against Children

1. **1995 Constitution of the Republic of Uganda** declares education a constitutional right. Article 24 protects every person including children from any form of torture, cruel, inhuman or degrading treatment or punishment. This gives children a right to be educated without humiliating and degrading treatment.
2. **The Children's Act Cap 59 (2008)** defines the rights of children and requires all duty bearers, parents, community members and teachers to ensure that children under care are safe and protected. In a school setting, teachers therefore have the responsibility to prevent any form of violence against children.
3. **The Education (Pre- Primary, Primary and Post- Primary) Act (2008)** defines the roles and responsibilities of all stakeholders including ensuring safety and discipline of teachers and students.
4. **The Prohibition of Female Genital Mutilation Act (2010)** bans and penalises the practice (FGM). It also imposes harsh penalties for participation in FGM. A person convicted of the practice faces a sentence of up to ten years in prison and a life imprisonment in case of aggravated FGM.
5. **The Domestic Violence Act (2010)** is aimed at eliminating violence in family settings; it provides for the protection of the victims of domestic violence and punishment of perpetrators of domestic violence among others.

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<sup>10</sup> Reporting, Tracking, Referral and Response (RTRR) Guidelines on Violence Against Children in Schools, Ministry of Education and Sports, Uganda, 2014



6. **The Prevention of Trafficking in Persons Act** (2009) prohibits all forms of trafficking in persons and provides for punishment of perpetrators of human trafficking.
7. **The Employment Act** (2006) restricts employment of children under the age of 14 years except in light work.
8. **The Penal Code (Amendment) Act 8** (2007) abolishes corporal punishment and outlaws defilement including defining strong measures against defilement.
9. **The Persons with Disabilities Act in Uganda** 2006.
10. **This Policy on Disabilities in Uganda** 2006.
11. **The Computer Misuse Act**, 2011.

## ► STATUS OF CHILD PROTECTION IN UGANDA

The following excerpts relate to the issue of sexual violence against children: the occurrence and the response. They provide important information to know and keep in mind- the laws, the system and the challenges.

Uganda's child protection legislation is scattered in several separate legislations, making it difficult to gain a comprehensive understanding of the overall child protection legal regime. Not only are laws on distinct child protection issues located in separate laws but even legislation on similar issues such as those on child abuse and neglect, and child labour are spread across different laws.

Key child protection age-sensitive themes	Age thresholds under the law
Minimum age for child justice procedures for children in conflict with the law	12
Maximum age for child justice procedures for children in conflict with the law	17
Minimum age for marriage	18
Minimum age of consent to sexual relations	18

### Lack of mandatory reporting

The effective implementation of child protection laws is among other things dependent on the extent to which child rights violations are reported. Whereas there are established mechanisms and institutions to which child rights violations can be reported, there is no explicit and enforceable legal obligation for any specified category of individuals or the general public to report violations. This coupled with such practical encumbrances such as distance to reporting centres, reluctance to participate in the justice process and poor appreciation of the gravity of violations has kept reporting of child rights violations to a bare minimum.

### Conflict with the dominant cultural value systems

One of the major challenges in the application of the various child protection legal standards is the fact that some of them are incongruent with and inherently challenge deeply entrenched social values and conventions which although changing are doing so at a rather slow pace. The existing laws are as such viewed as an affront to social/cultural continuity, stability and order. This is especially the case in respect to issues such as FGM/C, child marriage, use of corporal punishment to discipline children, and child labour.

### Scope of services provided by MoGLSD

Category	Does Ministry have child protection responsibility?
Harmful cultural practices (child marriage, FGM/C, gender discrimination)	MoGLSD has lead responsibility. This responsibility is shared with MoIAs, MoJCA's and MoH.
Physically abused/sexually abused/psychologically abused/severely neglected children	MoGLSD has lead responsibility. This responsibility is shared with MoIAs, MoJCA's and MoH.
Children without adequate family care or in need of alternative care	MoGLSD has lead responsibility. This responsibility is shared with MoLG, District Local Governments, and MoJCA's.
Child mobility, and trafficking	Lead responsibility rests with MoIAs. This responsibility is shared with MoGLSD and MoJCA's.

Children in conflict with the law	The MoGLSD has lead responsibility. This responsibility is shared with MoIAs and MoJCAs.
Orphans and vulnerable children	MoGLSD has lead responsibility. This responsibility is shared with MoES, MoH, MoAAIF

### **Schools as safe spaces for children**

Schools are a core institution in the care and protection of children as they are responsible for nurturing children. It therefore goes without saying that schools should be safe spaces for children. The MoESTS is dedicated to providing holistic education to children and has made commitments towards ensuring that schools are safe, recognizing that it is only through this that children can truly learn. The Ministry has taken a number of steps to this end:

### **Adherence to the teachers' code of conduct**

The MoESTS has revised the Teachers' Professional Code of Conduct (Aug 2012) in a bid to improve teachers' professional conduct. **Part III of the code of conduct establishes the relationship between teachers and learners by among others providing that the teacher shall: not sexually molest, harass or have sexual relationship with learners; protect the learner from conditions that interfere with learning or are harmful to the learners' health and safety; refrain from using a learner's labour for private or personal gain;** and not administer corporal punishment or any act that inflicts physical pain or causes physical harm to the learner. However, for these provisions to be of any protective benefit to children there is need to ensure that all teachers are aware of the code of conduct, that they understand the different provisions and sign it, that there is monitoring of adherence and that teachers who do not abide by these provisions are dully held accountable for their actions. These have been major gaps in the past.

### **Ministry of Health in Child Protection**

The Ministry is also responsible for the provision of remedial services to child survivors of abuse and neglect and supports the clinical management of cases of gender-based violence, especially sexual abuse

## **Justice**

### **Key issues and concerns in relation to children's access to justice:**

#### **Access to courts**

Timely access to court services has been a major challenge for many vulnerable children. Due to case backlog, children's cases sometimes take long to be heard keeping children caught up in the system. .... Due to the long distances involved in moving from remote places to courts and considering that it takes several sessions to conclude a given case, this is costly for most poor parents especially in a situation where the system does not meet these costs. As a result, parents have missed court sessions or dropped interest in cases where their children are victims of abuse and violence

#### **Training of judicial personnel**

Whereas children and children's issues constitute a significant proportion of court business there is no specialized training for judicial officers on issues of child protection beyond the general focus on human rights. This implies that with the limited orientation most judicial officers improve their child protection competences through practice depending on their individual interest and passion for children's issues.

#### **Lack of practice specialization in child protection**

Linked to the absence of specialized training in child protection for the frontline judicial officers handling children's issues is the fact that there is no provision for professional specialization within the judicial system...Consequently there is no room for evolving a specialized group of judicial officers specializing in

children's issues at any level. Yet, as one judicial officer pointed out during the mapping, handling some of the complex issues around children effectively and sensitively requires not only the knowledge of the law but also the right attitude towards children and their vulnerability..... due to lack of specialized officers, children do not always benefit from the best possible consideration that would accrue to them under the law e.g. in cases where presiding officers are given discretion to protect children in court but the officers fail to exercise this discretion in favour of children.

## ► CREATING AN ENVIRONMENT WITHIN THE SCHOOL

Uganda's Ministry of Education and Sports revised the **Teachers' Professional Code of Conduct**<sup>11</sup> in 2012. Part III of the code of conduct establishes the relationship between teachers and learners by among others providing that the teacher shall: not sexually molest, harass or have sexual relationship with learners; protect the learner from conditions that interfere with learning or are harmful to the learners' health and safety.

However, for these provisions to be of any protective benefit to children there is need to ensure that all teachers are aware of the code of conduct, that they understand the different provisions and sign it, that there is monitoring of adherence and that teachers who do not abide by these provisions are fully held accountable for their actions. These have been major gaps in the past.<sup>12</sup>

The first step towards creating change where it is needed is to start dialogue on the necessary issues.

### **Points for dialogue in your school:**<sup>13</sup>

- Is the Teacher's Professional Code of Conduct familiar to the teacher's in your school?
- Is the Code ever discussed as a guide to professional practice and relationships with students?
- Is there a forum in the school to discuss these issues? If not, can one be created?

Is there a clear statement in your school of the importance of fostering ethical relationships with students?

First and foremost, a school must establish a clear commitment from all its adult members that they will strive to create compassionate, enabling and healthy relationships with children based on an appreciation of children's rights.

### **Does the school have a clear set of Standards to guide the value system of the school? These Standards, at a minimum should:**

- Provide a basic set of values that a school declares and aims to live by.
- Strive for positive discipline
- Strive to respect the dignity of each member of the school community
- Provide the basis for the rules and behaviours at the school.

### **Does the school have and enforce a Disciplinary Policy?**

A disciplinary policy describes the aims of the policy and specific actions the school will take when an offence is committed. This policy should be guided by the standards agreed upon as a school and comply with the laws and policies of Uganda.

### **Community involvement**

A school is embedded in a larger community and is accountable to the community it serves. Members of the community, particularly parents, must be brought on board so that the values children encounter at school are also fostered at home.

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<sup>11</sup> Legal Notices Supplement 8, published by order of the Government, The Uganda Gazette, Volume 47, August 24, 2012.

<sup>12</sup> The Status of the Child Protection System in Uganda, Ministry of Gender, Labour and Social Development, 2013

<sup>13</sup> Adapted from Doorways III: Teacher Training on School-Related Gender-Based Violence Prevention and Response, USAID, 2009