

**Better  
Care  
Network**



# Violence Against Children in All Care Settings: Africa Expert Consultation



**June 21-22, 2017**

**Nairobi, Kenya**



**Family**  
for every child



hope and homes  
for children



**Save the Children**

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## List of Acronyms

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ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACPF	African Child Policy Forum
AU	African Union
BCN	Better Care Network
CRC	Committee on the Rights of the Child
EAC	East African Commission
ECOWAS	Economic Community of West African States
SADC	South African Development Community
SRSR	Special Representative for the Secretary General
UN	United Nations
UNICEF	United Nations Children's Fund
VAC	Violence Against Children

# Executive Summary

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In 2014, the New York Working Group on Children without Parental Care and the Special Representative for the Secretary General (SRSG) on Violence Against Children (VAC) collaborated to initiate a series of regional expert consultations on children's protection from neglect, abuse and exploitation against children in all care settings. These consultations aim to provide a platform for regional experts, from governments and civil society, to exchange promising practices, lessons learned and to identify progress and challenges in the implementation of the recommendations of the UN Study on Violence Against Children (2006) and of the Guidelines for the Alternative Care of Children (2009). The first regional expert consultation on violence and care took place in the Latin American and Caribbean region in December 2014. The second one was held in Nairobi in June 2017 and was organized and hosted by the Better Care Network and the African Child Policy Forum, with support from Catholic Relief Services, Family for Every Child, Hope and Homes for Children and Save the Children. This report provides details of the two-day meeting.

The Violence Against Children in All Care Settings: Africa Expert Consultation harnessed the already growing momentum to ensure better care for children at risk of or requiring alternative care, including current regional and national initiatives to support the implementation of the Guidelines on Alternative Care in Africa. It also builds on VAC initiatives including the Global Partnership,<sup>1</sup> VAC surveys in the region<sup>2</sup> and ongoing care reform efforts within the African continent.<sup>3</sup> It brought together 40 participants representing child rights bodies, regional economic communities, national governments and civil society with the aim of creating stronger, evidence based understanding of links between violence against children within all care settings but especially within alternative care. The Expert Consultation was designed to highlight information within the following three areas: 1) violence against children within the family, including as a push factor resulting in separation and subsequent placement in alternative care; 2) Violence against children within different forms of alternative care; and 3) Violence against children after they leave care. Several approaches to presenting the information were utilized in the Expert Consultation and presenters included leaders in regional and global child rights bodies, representatives of United Nations agencies, national governments, and civil society, including young adults who were raised in alternative care (i.e., careleavers). The Expert Consultation had two objectives:

1. Engage the African Union (AU) and other regional intergovernmental and treaty bodies, national governments, civil society and other experts on violence against children and alternative care to formulate key regional recommendations targeting: the African Union, other regional bodies, national governments and

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<sup>1</sup> Global Partnership to End Violence Against Children <http://www.end-violence.org>; the African Partnership to End Violence [http://africanchildforum.org/en/index.php/en/?option=com\\_content&view=article&id=400&Itemid=364](http://africanchildforum.org/en/index.php/en/?option=com_content&view=article&id=400&Itemid=364)

<sup>2</sup> VACS in [Malawi](#) (2013) and [Nigeria](#) (2014). [Tanzania](#) (2009), [Kenya](#) (2010), [Zimbabwe](#) (2011),

<sup>3</sup> Better Care Network and UNICEF (2015). Country Care Profile, Ghana. <http://bettercarenetwork.org/bcn-in-action/technical-guidance/country-care-profiles/country-care-profile-ghana>; Better Care Network and UNICEF (2015). Country Care Profile, Rwanda. <http://bettercarenetwork.org/bcn-in-action/technical-guidance/country-care-profiles/country-care-profile-rwanda>; Better Care Network and UNICEF (2015). Country Care Profile, Liberia. <http://bettercarenetwork.org/bcn-in-action/technical-guidance/country-care-profiles/country-care-profile-liberia>; Better Care Network and UNICEF (2015). An Analysis of Childcare Reform in Three Countries: A Summary of Findings. <http://bettercarenetwork.org/bcn-in-action/technical-guidance/country-care-profiles/an-analysis-of-child-care-reform-in-three-african-countries-summary-of-key-findings>

other key actors involved in the elimination of violence against children and the implementation of the Guidelines for the Alternative Care of Children.

2. Prompt the establishment of an effective Africa-focused and based working group to follow up with a concrete action plan in Africa to fully implement the recommendations of the UN Study on Violence against Children and the Guidelines for the Alternative Care of Children in relation to the prevention and elimination of violence especially in care situations.

Conclusions from the Expert Consultation included a resounding call for more evidence on the scale of violence in alternative care, especially residential care within Africa. This includes accurate and up to date national data of residential care facilities and children in their care, strengthened social service workforce, including increased numbers and enhanced training programs that improve skills and knowledge around VAC and Care. Furthermore, strong gatekeeping, monitoring and oversight mechanisms must be developed and properly resourced. Minimum standards should be monitored, adhered to and utilized to end poor quality care that is harmful to children. Data informed prevention and response efforts must specifically target children who are especially vulnerable to separation and violence including children with disabilities. Finally, children and youth, especially careleavers must be intentionally engaged by stakeholders and their voices and recommendations not only heard but acted upon.

Outputs from the Expert Consultation included the drafting of a Conference Declaration appended to this report that was endorsed by all participants and which will be shared with relevant stakeholders to inform and guide advocacy, data collection and programming issues. The Expert Consultation was designed to have Africa-wide representation. However, there were limitations in securing equal representation from all regions of the continent.

## Background

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In 2014, the New York Working Group on Children without Parental Care and the Special Representative for the Secretary General (SRSG) on Violence Against Children (VAC) collaborated to initiate a series of regional expert consultations on children's protection from neglect, abuse and violence against children in all care settings. These consultations aim to provide a platform for regional experts, governments, and civil society to exchange promising practices, lessons learned and to identify progress and challenges in the implementation of the recommendations of the UN Study and the Guidelines for the Alternative Care of Children. The first regional expert consultation on violence and care took place in the Latin American and Caribbean region in December 2014.

The conclusions and recommendations of each regional consultation will culminate in a final expert consultation to adopt a global document that identifies progress and challenges in the implementation of the United States (UN) Study and the Guidelines, as well as an accompanying advocacy strategy. The Violence Against Children in All Care Settings: Africa Expert Consultation (henceforth referred to as the Expert Consultation) built upon global and regional progress and commitments around the elimination of violence against children and ensuring appropriate care for children in line with international standards. It is part of a series of regional expert consultations on children's protection from neglect, abuse and exploitation in the context of care for children.

The expert consultation in Africa had two key objectives:

3. Engage the AU and other regional treaty bodies, national governments and civil society and experts on violence against children and alternative care to formulate key regional recommendations (e.g., a Conference Declaration) targeting: the African Union, other regional bodies, national governments and other key actors involved in the elimination of violence against children and the implementation of the Guidelines for the Alternative Care of Children.

4. Prompt the establishment of an effective Africa-focused and based working group to follow up with a concrete action plan in Africa to fully implement the recommendations of the UN Study on Violence against Children and the Guidelines for the Alternative Care of Children in relation to the prevention and elimination of violence especially in care situations.

The event aimed to bring together a select and small group of identified leaders and thinkers in the field of VAC and care and included members of government, international and national civil society organizations, and research and academic institutions. The expert consultation happened at an important time as efforts, attention and resources towards Africa-based VAC efforts and care reform are taking place across the continent. It harnessed the already growing momentum to ensure better care for children at risk of or requiring alternative care. It will also add to current interagency initiatives to support the implementation of the Guidelines on Alternative Care in Africa.

Invited speakers highlighted the existing evidence base (and noted gaps within the evidence) and programming and interventions related to VAC and Care: a) within the family environment and as a push factor resulting in family separation and placement into alternative care; b) VAC within the range of alternative care options; and c) VAC after children leave alternative care. See Annex 1 for Expert Consultation Agenda.

## Participants

The regional expert consultation brought together by invitation 40 people with participants representing select African, regional, UN, governmental and civil society organizations engaged in VAC prevention and/or response and care issues in Africa. A participatory process involving a small working group helped identify participants and a list was finalized in April 2017. A total of 40 participants (including the organizers) attended the two-day event (see Annex 2 for full list of participants). Of the 40 participants, 24 were women and 16 were men. Three representatives of Kenyan media also attended the event and provided coverage via Twitter feeds (see link on page 14 and Participant List in Annex 2). There was significant representation from the East Africa region with fewer representatives from Southern, Central and North Africa. This is further discussed in the Limitations section below.

## Methodology

The Expert Consultation was designed and implemented in a participatory manner involving a working group, representatives of the organizing bodies and led by a consultant with the Better Care Network (BCN). The thinking and discussion behind the Expert Consultation was initiated in 2015. A working group comprised of members of civil society organizations, the African Child Policy Forum (ACPF) and convened by the Better Care Network held regular phone discussions and email contact related to the concept and planning of the event. In late 2016, the Better Care Network hired a consultant to lead efforts and fast track planning of the event. A smaller, Nairobi-based working group representing the Better Care Network, Save the Children, Maestral and Hope and Homes for Children met regularly to develop the concept note, participant list and agenda. This was then shared with the co-organizers of the event, the Better Care Network and the African Child Policy Forum. Regular bi-weekly meetings between BCN and ACPF and the consultant were held between March and June 2017 to finalize preparations.

The planners envisioned a two-day meeting that provided up to date information on VAC and Care in an environment that was participatory and engaging. As such, sessions were designed to be as interactive as possible, including allotted time for question and answer sessions. The agenda was designed to cover issues of VAC and care within the family environment, within the different forms of alternative care (kinship, foster and residential) and after care. This included hearing directly from a panel of care leavers. Information presented included the existing evidence and gaps in data on VAC in the different care settings as well as prevention and response interventions that are being implemented by civil society, UNICEF, national government and regional bodies. The

event closed with participants informing and contributing to the drafting of a Conference Declaration (see Annex 3) that will be shared with relevant actors engaged in VAC and Care. All presentations can be found [here](#).

## Limitations

The Expert Consultation was designed to have Africa-wide representation. However, there were challenges in terms of securing participation from representatives from West and North Africa. Several concerted efforts to both identify and secure participation from civil society organizations and national governments from West and North Africa were not successful and there was a noted gap in representation from that part of the continent. Another limitation was challenges with technology. Several presentations were done via videos and unfortunately the sound in one of them was not conducive and participants could not hear it. However, the video is available on the BCN website. Finally, the subject matter and interest in learning about and discussing the issues related to VAC and care could have benefitted from more time. Two days was just enough to scratch the surface and participants mentioned that more time would have been well utilized and appreciated.

## Day One

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### Official Welcome

**Florence Martin**, Executive Director of the Better Care Network: The first day of the Expert Consultation was opened by Florence Martin<sup>4</sup> who provided a background on the 2006 United Nations Study on Violence against Children<sup>5</sup> and the inclusion of the issue of VAC within alternative care settings. She highlighted that, despite this, subsequent global work around the issue of VAC has focused on the home and school settings but VAC in alternative care has not received the same attention. In 2009, the Guidelines on the Alternative Care of Children were officially endorsed by the UN General Assembly, providing an international framework for the provision of alternative care in line with the UN Convention on the Rights of the Child (CRC), including ensuring the application of the principles of necessity and appropriateness in all decisions and provision of alternative care for children. Care reform initiatives are taking place across the region to implement the Guidelines but VAC in alternative care is not always addressed as part of these efforts. A series of regional consultations, beginning with the first in Brazil in 2014 and this second one in Nairobi, are viewed as critical opportunities to explore the existing evidence and understand gaps in knowledge to address effectively violence against children in all care settings, including alternative care.

Ms. Martin recognized the importance of this event and the opportunity to create strong linkages between VAC and alternative care initiatives currently being implemented within the African Continent, reflecting and in line with the United Nations Conventions on the Rights of the Child, the recommendations of the UN Study on Violence Against Children, and the United Nations Guidelines on Alternative care. She urged participants to use the two days to learn, share and actively participate in developing the expected outputs of the conference including a Conference Declaration and suggested action points.

“There is unfortunately a conspiracy of silence and a strong sense of impunity surrounding incidences of violence against children without appropriate parental care.”

Marta Santos Pais, Special Representative of the Secretary General on Violence against Children

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<sup>4</sup> [www.bettercarenetwork.org](http://www.bettercarenetwork.org)

<sup>5</sup> Pinero, P. (2006). United Nations World Report on Violence Against Children. Retrieved from: <http://www.unviolencestudy.org/>

**Shimelis Tsegaye**, Head of Child Protection and Development, ACPF: Shimelis welcomed the participants on behalf of the co-host, the African Child Policy Forum. He encouraged all to actively participate in this important effort and make the most of the time together.

**Marta Santos Pais**, Special Representative of the UN Secretary General on Violence against Children (SRSG on VAC): The participants received a thoughtful welcome from the SRSG on VAC<sup>6</sup> via a pre-recorded video message. Ms. Santos Pais recognized the importance of the UN Alternative Care Guidelines reiterating that the removal of children from their families must be a measure of last resort and must be temporary and for the shortest possible duration. She spoke about very young children who are neglected and deprived of cognitive stimulation and become vulnerable to the severe negative and irreversible long lasting effects of institutionalization. She also mentioned the existence of poorly trained and supervised staff within residential care as being part of the problem and increasing the risk of children being exposed to physical violence, verbal and emotional abuse against them. Children with disabilities were also recognized as being especially vulnerable to abuse, proper review and assessment.

A critical issue highlighted by Ms. Santos Pais is the limited to no existence of complaint mechanisms for children in residential care? which is further exacerbated by children's vulnerable status within care which results in child victims concealing their stories, fearing further stigmatization, harassment and reprisals.

Marta Santos Pais concluded by offering three key issues that must be addressed in our collective effort to prevent and respond to violence against children in alternative care. These include:

1. adopt legislation that translates these important standards into national policies and implementation efforts. This includes **the enactment of an explicit legal ban on all forms of violence against children in all settings**, and also the establishment of resources, safe, and child sensitive mechanisms to help address incidences of violence;
2. **investment in prevention, awareness raising and research** to break the invisibility and overcome discrimination and violence affecting the life of children without appropriate parental care; and
3. **Provide adequate support families on positive parenting and ensure their access to basic social services** which are child sensitive, accessible and effective so that they are assisted in their child rearing responsibilities.

Ms. Santos Pais's presentation is available [here](#).

**Noah Sanganyi**, Director of the Department of National Department of Children Services, Kenya: Mr. Sanganyi provided an official welcome, on behalf of the Government and people of Kenya, to Nairobi. He reiterated that in Kenya, as well as in the rest of Africa, a strong tradition culture of care by the extended family and community existed. Whilst this has been weakened in recent years, there is still a foundation to build upon and support as clearly stated in the preamble of the CRC and the Kenyan Constitution. He also stressed that the issue of family separation, placement in care and VAC can be best addressed by providing services to vulnerable families, strengthening the workforce and improving the monitoring and oversight of the National Guidelines for Alternative Care of Children. Mr. Sanganyi presentation may be found [here](#).

**Ruth Wacuka**, Careleaver: The formal opening of the Expert Consultation concluded with the powerful words of Ruth Wacuka. Ruth shared her own personal story of violence in her family resulting in her placement into a residential care facility. She provided moving details on how her life in that facility was far from safe and secure

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<sup>6</sup> <http://srsr.violenceagainstchildren.org/>

and that violence and neglect were a regular part of her existence. She urged participants, on behalf of all children who survive VAC, especially those in residential care, to make a difference and do better for children. Ms. Wacuka's presentation is available [here](#).

## Keynote Address

**Professor Benyam Mezmur:** The keynote address was given by Professor Benyam Mezmur, Chair of the ACERWC and Deputy Chair of the UN CRC Committee. Professor Mezmur reiterated the importance of child rights instruments in recognizing the unique vulnerabilities of child survivors of violence and children outside of parental care and the State's responsibility to provide special protection to those children.

Reflecting common themes throughout the consultation he stressed the importance of data, including collection, analysis and its use to inform policy and programming, the critical role of the workforce in prevention, provision of safe alternative care and response to VAC in all care settings, and use of the UN Guidelines for the Alternative Care of Children as our guiding framework in the provision of alternative care. Furthermore, Dr. Mezmur stressed the importance of stronger monitoring systems, and improved recognition of disabilities as a reason that children are separated from family and placed in care. He stressed the importance of needing to understand neglect, especially the type of neglect found in residential care, as a particular form of VAC, especially in low income settings. He urged participants to consider how to further engage faith based organizations, community led child protection mechanisms, parents and children and youth in both prevention and response efforts. He ended by encouraging all participants to embrace this opportunity to strengthen linkages between VAC and care and as a passionate supporter of child rights generally and alternative care specifically, urged us to work together in the best interests of children.



"We are here today on behalf of Africa's children—especially those that have survived violence against children, those that are in alternative care, and those like me, who have lived through violence, through residential care and have left care. As we seek to address Violence against Children it is critical we understand its intensity, nature and repercussions and that we understand this through the lens of children or young adults like me who have experienced this directly."

Ruth Wacuka, Careleaver

## Session I: VAC within the family and as a push factor to separation

This session aimed to highlight different risk factors and types of violence experienced by children in the family environment that result in or are drivers for children being separated from the family and/or placed in alternative care. Shimelis Tsegaye was the Session Chair and provided a brief introduction to the objective and format of the session which was designed as a guided discussion with the panellists each responding to four questions which included the following questions:

- What do we know about violence in the home and its impact on boys and girls in Africa?
- Can we say that VAC in the home setting is a push factor that results in family separation and/or placement into alternative care and if so, why?
- What do we need to know to better understand if and how VAC in the home setting impacts on family separation and/or placement into alternative care?

- In your experience, what works or does not work to prevent VAC in the home? Does this have an impact on family separation? Highlight with examples from policy or programming interventions.

The panellists represented issues or special populations of children that were particularly exposed to violence within the family and to placement in residential care. This included the issues of child marriage and corporal punishment and the children with disabilities and street children. Presenters included:

1. **Ruth Koshal**, African Regional Officer for Girls Not Brides
2. **Fatma Wangare**, Director of the Kenyan Association for Persons with Intellectual Disability and a member of the African Disabilities Forum
3. **Maggie Crewes**, International Program Director for RETRAK
4. **Sonia Vohito**, Africa Coordinator for the Global Initiative to End Corporal Punishment

The presenters responded to the guiding questions by providing relevant global and Africa-focused evidence which clearly articulated the increased risk of violence that child brides and children with disabilities face, as well as how violence in the home is a primary reason for children ending up on the street, and subsequently in residential care. Presenters also stressed the need for more rigorous data, especially highlighting the linkages between VAC and separation and urged great implementation and monitoring of existing legal and policy frameworks by government bodies mandated with oversight of the issues.



“Studies show that children with disabilities are almost four times more vulnerable to any form of violence while children with intellectual disabilities are 10 times more prone to violence of all types compared with their peers with other forms of disabilities.”

Fatma Wangare, Director of the Kenyan Association for Persons with Intellectual Disability



Participants discuss issues around VAC in the family setting.

The session concluded with questions from the audience and interesting discussions about how to better utilize efforts by faith based organisations to help reduce VAC in the family (i.e., churches and mosques and traditional faiths). Suggestions included integrating key messages about VAC and care into sermons and raising awareness about the issue in faith-related events. audience encouraged and emphasized the need to collect more evidence highlighting how VAC can and does result in family separation and to utilize that evidence to inform policy and programming, ensuring that the necessary people, especially government, are informed. Discussion also centred on the need for integrated approaches and inclusion of various actors, government and civil society, in addressing issues of VAC especially for special populations of children such as those with disabilities. It

requires awareness raising and active engagement with multiple government bodies and line ministries as well as wide range of civil society organizations.

## Session II: VAC within Alternative Care

The objective of Session II was to provide highlights of the evidence of VAC, including the types and prevalence, within the different forms of alternative care including informal alternative care such as kinship care, and formal alternative care including foster care and residential care. The particular challenges of providing alternative care in emergency situations and implications for VAC were also discussed. Presenters illustrated, via their presentations, that the evidence that exists shows a resounding call for more rigorous and effective regulatory systems overseeing alternative care, a strengthened and expanded social service workforce able to address issues of VAC in alternative care and appropriate measures to prevent and respond to VAC once children are placed in

an alternative care setting. The Session Chair, **Saba Lishan**, provided an overview of VAC and alternative care at the beginning of the session including the different forms of alternative care, the UN Guidelines as a guiding framework and current trends in alternative care in the region.

1. **Geoffrey Oyat**, Save the Children East Africa: Geoffrey's presentation provided key results of a participatory research study on kinship care by Save the Children. The three-country study included data from Ethiopia, Kenya and Zanzibar. The research was aimed at building knowledge on endogenous care practices within families and communities, especially informal kinship care, to increase the care and protection of children.<sup>7</sup> Mr. Oyat's presentation is available [here](#).
2. **Kelley Bunkers**, Maestral: Kelley presented on the existing evidence base related to violence against children in residential care. The presentation included significant input from Dr. Delia Pop of Hope and Homes for Children who was unable to attend the event. The presentation drew from information collected as part of the desk review to inform the drafting of the Violence Against Children in All Care Settings Discussion Paper commissioned by Better Care Network.<sup>8</sup> It highlighted that existing data as well as the gaps in our knowledge about VAC within residential care illustrate the increased vulnerabilities to VAC faced by children in residential care. African based studies show concerning high rates of physical, sexual and emotional abuse of children in residential care with one Tanzanian study illustrating that younger children are more at risk. Furthermore, the presentation aimed to illustrate how neglect, as manifested in residential care, should be considered a unique form of violence against children.
3. **Elsa Laurin**, UNHCR: This presentation addressed the types of alternative care utilized in emergency situations and highlighted some of the challenges with ensuring family-based care, especially for refugee children across the continent, including in contexts like Ethiopia, Uganda, South Sudan Rwanda, Burundi and others. Elsa provided concrete examples of how UNHCR and partners are trying to move more towards family based alternatives but that logistical and financial resources sometimes hinder those efforts. Elsa presented the types of violence that children in emergency settings are faced with, including significant trauma, separation, war and hunger. She gave an overview of how providing family based alternative care in humanitarian settings is challenging given that not only the children but the potential alternative care providers (i.e., foster or community caregivers) are also victims of violence given the circumstances that led to the emergency (e.g., war, displacement, famine, etc.). She also asked for more coordination with and engagement between alternative care providers within emergency and development settings be strengthened. Ms. Laurin's presentation is available [here](#).
4. **Kate van Doore**, Griffith Law School and Forget Me Not: Her video presentation focused on residential care as being a conduit for child trafficking. Ms. Van Doore describes the process of 'paper orphaning,' a term coined to characterize how children are recruited and trafficked into orphanages to gain profits through international funding and orphanage tourism. She also provides recommendations for combatting this issue include stronger gatekeeping, regulation, promotion of deinstitutionalization and the recognition of this issue as a form of child trafficking as per international instruments and national legal frameworks. Ms. Van Doore used her own personal experience in Uganda as an example and made a strong argument for why this type of action is and should be considered violence against children. Ms. Van Doore's video presentation is available [here](#). Her paper on the topic is available [here](#).

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<sup>7</sup> Save the Children (2015). A Sense of Belonging. Understanding and Improving Informal Alternative Care Mechanisms to increase the care and protection of children, with a focus on Kinship care in East Africa. Retrieved from [https://resourcecentre.savethechildren.net/sites/default/files/documents/final\\_regional\\_report\\_updated\\_21052015.pdf](https://resourcecentre.savethechildren.net/sites/default/files/documents/final_regional_report_updated_21052015.pdf)

<sup>8</sup> Better Care Network, (2017). Violence Against Children and Care in Africa: A discussion paper. New York.



Fasil Mariam asks a question of panelists

Questions and comments from participants revolved around the importance of addressing VAC within the home first as a means of preventing placement in alternative care. Furthermore, there was agreement about the lack of data related to children in alternative care, especially within residential care, and how this greatly hinders understanding about the issue. Concern was also raised regarding the utilization of residential care as a first response in many countries in Africa rather than as a last resort. Significant awareness raising amongst donors, government officials, residential care directors and staff and caregivers/parents must be done to help end this trend. Participants also recognized the need to address some of the key drivers resulting in placement in residential care including access to education and disabilities and suggested that it is critical to learn from countries that have conducted successful care reform like Moldova and Rwanda.<sup>9</sup>

Participants also discussed kinship care and raised issues regarding the challenge between keeping it informal (as has been practiced for centuries) and holding caregivers accountable, especially in terms of preventing and addressing VAC within that form of care. Particular concern was raised around ensuring that the motivation to provide kinship care is genuine and is in the best interest of the child(ren).

### Session III: VAC After Care

The objective of this session was to better understand the issues around violence and neglect that are faced by children and youth who leave care (careleavers) including neglect, stigma and isolation. The Session Chair, **Geoffrey Oyat**, Save the Children, outlined the format of the session was meant to be less formal and more of a discussion amongst friends and included the panellists responding to four questions, including:

- What do you think is the most ‘under-reported’ or ‘misunderstood’ aspect of spending time or growing up in alternative care?
- How does the experience in alternative care impact on life after care? To what extent is violence a reality in care? Does the impact of violence in care spill over into life after care?
- In some cases, children and youth consider their time leaving in residential care as positive. Despite that, many still face challenges when leaving. Please expound on some of these issues.
- What would you recommend that government, faith based actors, and civil society do to address VAC in care and to ease the transition out of care?

The panellists included three careleavers from Kenya who shared their own lived experience of both residential care and after care. The fourth panellist representing CRS in Zambia presented findings from a research study that looked at Catholic residential care facilities in Zambia and included in depth interviews with care leavers. Presenters included:

1. **Stephen Ucembe**, Founder of the Kenyan Society of Care leavers and Regional Advocacy Manager for Hope and Homes for Children
2. **Peter Kamau**, Member of the Kenyan Society of Care leavers and Director of Child in Family Focus, Kenya
3. **Simon Njoroge**, Member of the Kenyan Society of Care leavers and Advocacy Officer at Family in Focus

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<sup>9</sup> More information on care reform in Africa with examples from Ghana, Liberia and Rwanda may be found at: <http://bettercarenetwork.org/bcn-in-action/technical-guidance/country-care-profiles>

4. **Katie Januario**, Catholic Relief Services Zambia and co-author of the Catholics Care for Children Study on Catholic residential care in Zambia.



- The session was conducted in an informal manner with panellists responding both to the questions as well as to one and another which provided the audience with excellent and often unheard insight into the experiences of caregivers. Key comments from panellists included the following:
- Isolation and exclusion that occurs when a child is in residential care makes integration after care very difficult, especially in terms of how to appropriately function in the community and hold stable relationships. The statistics that exist on careleavers, albeit few and far between (a huge gap that must be addressed) show high rates of criminalization, involvement in sex work, abusive relationships and suicide. However, participants noted that this should not be understood that ALL careleavers have the challenges described as there are also children who live through the same experience and do not have issues. It was strongly noted that we cannot and should not make any assumptions or say that all careleavers fit into “one box.” All experiences are unique and each caregiver will have a unique life experience after leaving care.
- VAC does occur within residential care but is not reported by children because of fear. Most careleavers have expressed the presence of VAC in residential care as well as their fear of mentioning it whilst in care because of potential repercussions.
- The way in which care is provided within residential care should in and of itself be considered neglect. As highlighted in Session II, structural neglect that is manifested in social isolation, high caregiver/child ratios, and lack of affection and individualized attention is VAC.
- Panellists also mentioned the importance of relationships that children have with one another and as careleavers and urged participants to facilitate and foster this, especially in terms of supporting care leaver groups in other African countries.

Despite residential care not being an ideal place to grow up in, the study in Zambia did note that many of the careleavers interviewed appreciated and felt safer in residential care than they did in their families. Whilst this does not appear to be the norm, it is important to recognize that not all experiences are viewed in a negative light. However, study authors did note that care leavers could have been uncomfortable saying anything negative about their experience in care because many continue to engage with the facility where they lived.

Careleavers did mention that some residential care facilities helped provide higher education and that was positive but was not consistent. Stephen and Peter also underlined that tertiary education is what is often used a measure of ‘success’ for care experienced young people and adults but one needs to look at other aspects of well-being that are affected by institutionalisation in the long term, including the ability to form long term meaningful relationships and the confidence to parent children. They share their own personal experiences and that of their families and stated that the impact of institutionalisation can be inter-generational.

- The importance of having a well-trained and functioning social welfare workforce was mentioned as critical. This includes social workers being informed and able to act as gatekeepers outside of residential care and those inside the facility who can assist with quality of care, efforts to get children out and ensure that care provided is positive.
- Careleavers also insisted that having up to date and real data on the number of residential care facilities, number of children in care and reasons for placement is a necessary first step in terms of addressing VAC within care.

## Session IV: Programming and Interventions to Address VAC in all Care Settings

The objective of this session was to provide examples of how different stakeholders have designed and implemented interventions aimed at preventing and responding to VAC within care. The session was chaired by **Fran Mhundwa**, who provided an introduction about the importance of interventions that prevent and respond to VAC and care and the need to better document and share the experiences and results of the interventions. Panellists included the following:

- **Akua Boatemaa Duah**, Challenging Heights, Ghana: How social protection can help to reduce VAC in the family setting.
- **Dr. Franziska Meink**, Oxford: Parenting programs as a means of reducing violence.
- **James Kabaggoza**, Government of Uganda: Integrating the INSPIRES package into government policy and programming.
- **Emelia Allan**, Child Protection, UNICEF Ghana: Care reform in Ghana
- **Beatrice Ongalo**, SOS: Approaches to training of care staff to appropriately address VAC and care-the SOS experience.

Highlights included:

*Akua Boatemaa Duah*: The focus of this presentation was on social protection services in Ghana and the interventions that are in place to provide support to children. She highlighted an intervention that provides a cash transfer to beneficiaries monthly. Initial findings show that the cash does help in reducing VAC as well as minimizes the risk of separation. Ms. Duah's presentation is available here.

*Dr. Franziska Meink*: This presentation was based on the positive results obtained from a research on a parenting intervention. Research has illustrated that participation in the parenting programme has reduced violence in the family in South Africa.<sup>10</sup> The approach is part of the larger INSPIRE package<sup>11</sup> and has been adapted to different African contexts including within the 4Children project. Content from the training also includes family budgeting, communication, problem solving, practices within the family and issues affecting teenagers. Dr. Meink's presentation is available here.

*James Kabaggoza*, Uganda, Ministry of Gender, Labour and Social Development Uganda gave an overview of the progress being made in the implementation of INSPIRE strategy in Uganda which is focused towards changing the norms and values as well the challenges being encountered in its implementation towards ending VAC. Mr. Kabaggoza presentation is available here.

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<sup>10</sup> Parenting for Lifelong Health (PLH)

<sup>11</sup> The INSPIRE package is a WHO developed package of seven key intervention areas aimed at addressing VAC. Positive parenting training is a recognized intervention. [http://www.who.int/violence\\_injury\\_prevention/violence/inspire/en/](http://www.who.int/violence_injury_prevention/violence/inspire/en/)

*Emelia Allan*: This presentation focused on care reform within Ghana’s child protection system, highlighting the data/statistics on child violence in Ghana and the approaches the government has taken towards creating standards for residential care as a means of promoting improved care and minimizing VAC. Ms. Allan’s presentation is available [here](#).

*Beatrice Ongalo, SOS*: The focus of this presentation was on the steps SOS children villages is taking towards preventing and responding to VAC within its current model of child care. Specific examples on addressing VAC within care focused on the establishment of staff guidelines and training curricula that addresses VAC. Ms. Ongalo’s presentation is available [here](#).

## Closing of Day 1

Professor Benyam Mezmur thanked participants for their active engagement during the day and made the following recommendations to conference participants regarding the content they will propose within the Conference Declaration:

1. Recognize of the challenges that governments face (bureaucracies) when it comes to implementation of programmes.
2. Pay close attention to the kind of recommendations that are put forward. Make them time bound, actionable and concise.
3. Build off of and link to existing initiatives, processes or interventions.
4. Recommendations provided should be categorized per priority and should comply with minimum standards.
5. Ensure that the efforts being undertaken for children in alternative care and the VAC agenda are clearly reflected into existing processes.

“.....we will need to have recommendations that are specific, actionable, and that can easily fit in the existing policies, guidelines and strategies. The recommendations should also be in line with the convention and charter, but not below the minimum standard.”

Prof. Benyam Mezmur,  
Chairperson, African Committee of  
Experts on the Rights and Welfare  
of the Child

After the official closing of the day, participants were invited to a cocktail reception at the conference site. Discussions about the topic continued into the evening.

## Day Two

### Session I: What key rights bodies, regional institutions and governments are doing to address VAC and Care, what the gaps are and what they want to do.

The objective of this session was to provide participants with an overview of existing VAC and Care-related efforts implemented by regional or global initiatives and specifically to highlight how this Expert Consultation will help feed into and inform existing efforts. The Session Chair, **Fassil W/Mariam**, provided an introduction on the topic tying it to the information presented in Day 1. The presenters and key highlights of their presentations included:

1. **Kathryn Leslie**, Office of the SRSV-VAC: Ms. Leslie provided an overview of the efforts and developments that have taken place over the past several years regarding global and regional efforts to end VAC and promote the UN Guidelines for the Alternative Care of Children and the role of the SRSV. Examples of commitments made towards ending VAC were also cited from Latin America and the Caribbean Regional Consultation. Ms. Leslie’s presentation is available [here](#).
2. **Shimelis Tsegaye**, Africa Child Policy Forum: Mr. Tsegaye introduced the African Partnership to end VAC, the rationale of the formation of the platform as well as its four main objectives, priorities and existing structure.

3. **Rebecca Theuri**, Save the Children and **Isabel de Bruin Cardoso**, Maestral, on behalf of the East African Community (EAC).<sup>12</sup> Rebecca and Isabel have been engaged in the effort to develop the minimum Standards for Comprehensive Services for Children and Youth of the East African Community (EAC). The presentation highlighted the Minimum Standards for children and young people, which is aimed to facilitate the development coordination and strengthening of national efforts that are geared towards the realisation of children’s wellbeing.
4. **Jonna Karlsson**, UNICEF East and Southern Africa Region: The focus of this presentation was on strengthening the social welfare workforce to address VAC in care and family separation and what UNICEF is carrying out region. Ms. Karlsson’s presentation is available [here](#).

### Small group activity

This was a small working group activity aimed at reviewing and revising sections of the draft Conference Declaration. Participants self-selected into four groups: African Union and ACERWC, Regional economic bodies, national governments and civil society. Each group had approximately an hour to review the proposed content directed to the specific group and revise as needed. After the group work concluded, a representative from each working group provided a five- minute overview of proposed changes in wording. Recommendations for next steps, including how to finalize the Conference Declaration, dissemination strategy and use for advocacy and to inform policy and programming included the following:



- Better Care Network and the Africa Child Policy Forum will make all the necessary edits to the Conference Declaration and ensure that language is standardised throughout and reflects language and terminology in already accepted child rights instruments or guidelines. Definitions will also be standardised.
- The document will be sent out to all participants of the Expert Consultation for review and feedback.
- The final agreed version of the Conference Declaration will be translated into French.
- Several participants, including Family for Every Child offered to utilize its network of organizations to help disseminate the Conference Declaration. They are currently working in Islamic contexts and suggested that learning from that environment can help to inform the process and ensure dissemination to relevant actors.
- Call for the African Committee of Experts on the Rights and Welfare of the Child to have a Special Session and a General Comment on VAC in all care settings.
- ACPF will work with the African Partnership to see how they might help to promote certain recommendations within the Conference Declaration.
- Participants agreed that faith-based actors must be actively engaged in the effort.
- Need for actors in the region to agree on the following: i) ways to synchronize what is already there and not create new platforms, ii) how to get connected to the different regional grouping working on VAC,

<sup>12</sup> As representatives of the EAC were in Bujumbura for another meeting they requested that their presentation be provided by Rebecca and Isabel.

and iii) the need to develop a way to make synergies and connections work toward the formation of a joint platform.

## Presentation of Conference Declaration

The revised Conference Declaration was read to the group and participants requested that the next iteration be shared, electronically, prior to endorsement.

## Conclusion

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The event concluded with Florence Martin of Better Care Network thanking the co-hosts and sponsoring agencies for their support as well as thanking participants for their active participation. She reiterated the importance of this conference in terms of building momentum and concretizing the links between VAC and care on the continent and urged participants to return to their institutions or organizations and promote what they have learned here, including recommended action points.

To conclude, main issues that were frequently mentioned throughout the Expert Consultation and reflected in more detail within the Conference Declaration include the following:

- The links between violence against children and alternative care have been largely ignored and it is an opportune time to raise the issue and its implications leveraging existing global and Africa-wide and national efforts related to both VAC and care reform. Participants agreed that we need to speak as one voice and speak regularly and consistently about the issue. An important jump start to this effort is the ACERWC hosting a Day of Discussion on the issue of VAC in all care settings.
- There is a critical gap in terms of concrete data about children in alternative care generally and within residential care specifically. To best inform approaches, messages, prevention and response interventions, the sector must have up to date information that includes national and Pan African data on the following: number of residential care facilities, number of children in those care facilities, reasons for placement and numbers being reintegrated or leaving care on an annual basis. It is critical that national governments (ideally with UNICEF and civil society support) establish effective information management systems and conduct national mappings of residential care and that reports to the CRC and AU request that States report on this data.
- Targeted family support services provided by a trained, competent and adequately resourced workforce is the critical common denominators within and throughout all VAC and care efforts beginning with prevention through to response. As such, there must be an increase in their numbers, related training and skill building, more resources to support their hiring and appropriate supervision structures. Government, UN agencies, civil societies and academic and training institutions must work together and build upon the resources that already exist (e.g., training materials) and ensure that additional and relevant information related to VAC and Care are also included and/or updated. This includes identifying ways in which the social service workforce, related standard operating procedures and tools can facilitate cross sectoral coordination and linkages which is critical to holistic prevention and response interventions in both VAC and care.
- Much more needs to be done to strengthen monitoring and oversight of VAC in alternative care especially residential care. This includes improved gatekeeping mechanisms, the development, use and adherence to minimum standards of care that reflect the Guidelines for the Alternative Care of Children and the establishment of an effective inspectorate or other statutory body with responsibility for overseeing their implementation. It also requires improved knowledge of, use and access to complaint mechanisms that

are safe and effective to ensure that when children in alternative care are subject to or victims of violence that they are able to report it and not suffer repercussions.

- Civil society, including faith based organizations, given their role in providing alternative care across Africa must be actively engaged in any effort to prevent, respond, collect evidence and raise awareness around VAC and Care.
- Policy and programming interventions must recognize that some populations of children (e.g., those with disabilities) have increased vulnerabilities to VAC and placement in alternative care. They are also frequently overlooked or silenced in discussions around the issues and must be intentionally included in all related discussions, evidence collection and the development of targeted interventions from here forward.
- Children and youth, especially careleavers, must be intentionally engaged in efforts related to policy and programming around VAC in all Care Settings. This effort must work extra hard to ensure that the platforms for their participation are child friendly and that their voices are not only heard but are utilized to inform responses and key messages.

Other discussion points and key findings from the Expert Consultation have helped to inform the contents of the Conference Declaration which can be viewed in its entirety, below.

Links to relevant conference materials

Conference Presentations and a summary of the event are available [here](#)

Storify: compilation of tweets can be viewed [here](#).

## Annexes:

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1. Agenda for VAC in All Care Settings: Africa Expert Consultation
2. List of Participants
3. Conference Declaration

## Annex 1: Agenda for VAC in All Care Settings: Africa Expert Consultation

### Violence against Children in All Care Settings: Africa Expert Consultation June 21-22, 2017 Nairobi, Kenya

Day 1: June 21, 2017

#### Official Opening and Welcome 8:30-9:00

- Florence Martin, Better Care Network and Shimelis Tsegaye, African Child Policy Forum, Welcoming Remarks and Introduction
- Marta Santos Pais, SRSG on VAC: Keynote Address
- Ruth Wacuka, Kenyan Society of Careleavers, Keynote Address
- Mr. Noah Sanganyi, Department of Children's Services, Kenya, Official Opening Remarks

#### Key note address

9:30-10:00

Prof. Benyam Mezmur, Chair, ACERWC or other ACERWC representative: Why VAC and Care should be considered jointly in the context of Africa.

#### Session 1: VAC in the family setting and as a push factor resulting in separation

10:00-11:00

Session Chair: Shimelis Tsegaye, African Child Policy Forum

Objective: *Presenting an overview of what the evidence tells us about VAC in the family and how VAC in the family is a push factor for child separation.*

Facilitated discussion and audience Q and A

- Ruth Koshal, Girls Not Brides
- Fatma Wangare, African Disabilities Forum and Kenyan Association for Persons with Intellectual Disability
- Maggie Crewes, RETRAK
- Ms. Sonia Vohito, Global Initiative to End Corporal Punishment
- Twenty-minute audience Q and A

#### Tea break

11:00-11:15

#### Session II: VAC and Alternative Care

11:30-1:00

Session Chair: Saba Lishan, African Child Policy Forum

Objective: *This session will highlight VAC in different forms of alternative care*

Panel presentation in plenary and audience Q and A

- Kelley Bunkers, Maestral: VAC in residential care in Africa: (15 minutes)
- Geoffrey Oyat, Save the Children East Africa: Qualitative Kinship Care study, key findings related to violence against children and kinship care in East Africa (15 minutes)
- Elsa Laurin, UNHCR: VAC and care in emergency settings: a growing need (15 minutes)
- Kate van Doore, Griffith Law School and Forget Me Not: Video presentation on Trafficking of children in alternative care (15 minutes)
- Twenty minutes audience Q & A

#### Lunch Break

1:00-2:00

#### Session III: VAC and Children after Care

2:00-3:00

Session Chair: Geoffrey Oyat, Save the Children

Objective: *To better understand how VAC affects children/young people after leaving care*

Facilitated discussion and audience Q and A

- Mr. Peter Kamau and Mr. Stephen Ucembe, Kenyan Society of Care leavers
- Katie Januario, Catholic Relief Services Zambia

#### **Session IV: Programming and interventions to address VAC in all care settings**

**3:00-4:30**

***Objective: To provide examples of how different stakeholders design and implement interventions aimed at addressing or preventing VAC in care***

**Session Chair: Fran Mhundwa, Family for Every Child**

**Panel presentation and audience Q and A**

- Akua Boatemaa Duah, Challenging Heights, Ghana: How social protection can help to reduce VAC in the family setting.
- Dr. Franziska Meink, Oxford: Parenting programs as a means of reducing violence.
- James Kabaggoza, Government of Uganda: Integrating the INSPIRES package into government policy and programming.
- Emelia Allan, Child Protection, UNICEF Ghana: Care reform in Ghana
- Beatrice Ongalo, SOS: Approaches to training of care staff to appropriately address VAC and care-the SOS experience.
- 30 minutes for guided discussion and Q and A

#### **Closing plenary and final points from participants**

**Benyam Mezmur**

**4:30-5:00**

#### **Celebratory cocktail reception**

**5:00-6:30**

**Note: a resource table will be placed in the lobby for program documentation to be shared with participants.**

# Violence against Children in All Care Settings: Africa Expert Consultation June 21-22, 2017 Nairobi, Kenya

DAY 2: June 22, 2017

Fatma Wangare and Fredrick Mutinda: Recap of Day 1 and objectives of Day 2

8:30-9:00

Session I: Panel presentation highlighting global, regional and national initiatives addressing VAC in all care settings

9:00-10:30

Session Chair: Fassil W/Mariam

**Objective: To provide participants with an overview of existing VAC and Care-related efforts and how this Expert Consultation will feed into existing global and regional work.**

- Kathryn Leslie, OSRSG-VAC: SRSR mandate, major global developments and persisting challenges and how the African region can advance progress in children's protection from violence and ensure a nurturing environment for all children (15 min)
- Shimelis Tsegaye, ACPF: The African Partnership to End VAC (15 min)
- EAC: Rebecca Theuri, Senior Program Officer, Save the Children and Isabel de Bruin Cardoso, Maestral: VAC: Minimum Standards on Comprehensive Services for Children and Young People in the East African Community (15 min)
- Jonna Karlsson, UNICEF ESAR: Engaging the social service workforce to address VAC in different care settings (15 min)
- Audience Q and A (30 minutes)

Session II: Small working groups to identify recommendations for the conference declaration

10:30-11:30

Each working group (AU/ACRWC, Regional Economic Communities, States, Civil Society) will have a lead and a rapporteur and the group will identify recommendations to the varying stakeholders to include in the conference declaration

*This is a working tea break.*

Session III: Group work presentations in plenary

11:30-12:30

- Five-minute report out from each of the three groups plus discussion
- Reading of the conference declaration

Closing

12:30-1:00

ACPF and BCN: present next steps

Lunch and transport to airport for those leaving in the afternoon or evening

END OF WORKSHOP

## Annex 2: List of Participants

No	NAME	DESIGNATION	ORGANIZATION	EMAIL
1.	Akua Boatemaa Duah	Advocacy and PR Officer	Challenging Heights	media@challengingheights.org
2.	Arlene Kanter	Law Professor, member of DRI	Syracuse University, School of Law	KanterA@law.syr.edu.
3.	Beatrice Ongalo	Regional Advisor	SOS Children's Villages International	Beatrice.Ongalo@sos-kd.org
4.	Dr. Benyam Mezmur	Chair	ACERWC and the CRC	bmezmur@uwc.ac.za benyam.mezmur@gmail.com
5.	Elsa Laurin	Senior Child Protection Officer	UNHCR	LAURIN@unhcr.org
6.	Emilia Allen	Chief of Child Protection	UNICEF Ghana	eallan@unicef.org
7.	Eric Rosenthal	Executive Director	Disability Rights International	erosenthal@driadvocacy.org
8.	Essossinam Ali-Tiloh	<i>Chargé de projet traite des personnes et protection de l'enfant</i>	ECOWAS Direction des Affaires Humanitaires et Sociales	<a href="mailto:alibassasso@yahoo.fr">alibassasso@yahoo.fr</a>
9.	Esther Okoth	Program Manager	Parenting in Africa Network (PAN) Secretariat	esther.okoth@parentinginafrica.org
10.	Fassil Mariam	Executive Director	Child Rights and Prevention of Violence Fund	Fassil.EAfricaFund@nef-europe.org
11.	Fatma Wangare	Director	Kenyan Association on Intellectual Disability and member of ADF	fatma@kaihid.org
12.	Florence Martin	Executive Director	Better Care Network	Florence.martin@bettercarenetwork.org
13.	Francina Mhundwa	Regional Advisor for Africa	Family for Every Child	Francina.mhundwa@familyforeverychild.org
	Dr. Franziska Meinck	Professor and Research	Oxford	franziska.meinck@spi.ox.ac.uk
14.	Fredrick Mutinda	Child Protection Advisor	Catholic Relief Services, Kenya	Fredrick.mutinda@crs.org
15.	Geoffrey Oyat	Regional Child Protection Advisor	Save the Children	geoffrey.oyat@savethechildren.se
16.	Isabel de Bruin Cardoso	Consultant	Maestral	idebruincardoso@maestral.org
17.	James Kaboggoza Sembatya	Assistant Commissioner for Children Affairs	Ministry of Gender, Labour and Social Development	kaboggozass@yahoo.com, agnes.wasike@gmail.com or agnes@cpwg.ug

18.	Jonna Karlsson	Regional CP, VAC	UNICEF ESAR	jkarlsson@unicef.org
19.	Kathryn Leslie	Child Protection Specialist	Office of the UN SRSG-VAC	lesliek@un.org
20.	Katie Januario	CCC Program	Catholic Relief Services, Zambia	Katie.Januario@crs.org
21.	Kelley Bunkers	Consultant	Maestral	kbunkers@maestral.org
22.	Lucy Hillier	Consultant	Better Care Network, Regional Initiative	Lucy.hillier@bettercarenetwork.org
23.	Lynnette Mudekunya	Advisor	REPSSI	lynette.mudekunya@repssi.org
24.	Dr. Lynnette Okengo	Director	African Early Childhood Network	lokengo@africaecdnetwork.org
25.	Maggie Crewes	International Programs Director	Retrak	Maggie.crewes@retrak.org
27.	Sonia Vohito	Africa Coordinator	Global Initiative to End Corporal Punishment	vohito@yahoo.co.uk
28.	Noah Sanganyi	Director	National Department of Children's Services, Kenya	nccssecretariat@childrenscouncil.go.ke, info@childrenscouncil.go.ke
29.	Peter Kamau	Director	Child in Family Focus/Kenya Society of Care leavers	<a href="mailto:peterk@childinfamilyfocus.or.ke">peterk@childinfamilyfocus.or.ke</a>
30.	Rebecca Theuri	Senior Program Officer, VAC, RESA	Save the Children	rebecca.theuri@savethechildren.org
31.	Ruth Koshal	Africa Regional Officer	Girls Not Brides	Ruth.Koshal@girlsnotbrides.org
32.	Ruth Wacuka	Member/student	Kenya Society of Care Leavers	ruthwacuka2013@gmail.com
33.	Saba Lishan	Senior Program Officer	African Child Policy Forum	Slisan@africanchildforum.org
34.	Shimelis Tsegaye	Head, Child Protection and Development	African Child Policy Forum	Stsegaye@africanchildforum.org
35.	Sibilu Bodja	Director of Africa Operations	Bethany Christian Children's Services	Sebilu Bodja < <a href="mailto:sbodja@bethany.org">sbodja@bethany.org</a> >
36.	Simon Njoroge	Advocacy Officer	Child in Family Focus/Kenya Society of Care leavers	snjoroge@childinfamilyfocus.or.ke
38.	Stephen Ucembe	Regional Advocacy Manager/Founder	Hope and Homes for Children/ Kenya Society of Care leavers	Stephen.ucembe@hopeandhomes.org
39	Wambui Njuguna	Director of Programs	ANPPCAN	regional@anppcan.org

40.	Marygorret Mugaka	Child Protection	Department of Children Services Kenya	
41.	Barbara Orunga		Mtoto News	
42.	Caroline Oponde		Investing in children and their societies	<a href="mailto:caroline.opondo@icsafrica.org">caroline.opondo@icsafrica.org</a>
43.	Peris Njeri		Mtoto News	

# **Preventing and Responding to Violence against Children in All Care Settings in Africa**

## **A CALL TO ACTION**

### **Preamble**

We, the participants of the regional consultation on “Violence against Children in All Care Settings: Africa Expert Consultation” held in Nairobi on 21-22 June 2017,

Recognise that violence against children in whatever form and in whatever setting, is unacceptable, preventable and must be addressed,

Underline the fact that no child should be left behind and that all children have the right, regardless of age, gender, disability, socio-economic status, ethnic background, religion, political opinion, place of residence or any other attributes, to live in a supportive and caring family based environment, protected from all forms of violence, including physical, psychological or sexual violence, neglect and exploitation;

Are inspired by the principles and standards set out under the Convention on the Rights of the Child and its Optional Protocols, the African Charter on the Rights and Welfare of the Child, the Convention on the Elimination of all forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities, the African Women’s Protocol, the Guidelines on Alternative Care for Children, the Hague Convention on Intercountry Adoption, the Sustainable Development Goals (SDGs), Agenda for Children’s Rights 2040, Agenda 2063, the AU Social Policy Framework for Africa, The Addis Ababa Declaration on Strengthening the African Family for Inclusive Development and other international and African human rights instruments,

Recall that these instruments place the primary responsibility on parents to protect children from violence, abuse, exploitation and neglect, and further recognise the role and obligation of the State to support parents to nurture, care and protect children, and when parents are not able or willing to do so, to ensure alternative forms of care and protection are provided in a manner that is decided based on the principles of necessity and appropriateness, and in the best interests of the child;

Are deeply concerned, however, that these instruments and standards are not adequately integrated into, and harmonized, across domestic laws, policies and practices and therefore have not yet had a meaningful impact on the everyday lives of children in Africa,

Remain alarmed by the fact that millions of children in Africa continue to suffer from violence at the hands of parents, relatives, guardians, other caregivers and providers of alternative care.

Recognise that violence in the home can be a push factor to family separation and placement of children in alternative care,

Emphasize that children in residential care face greater risks of violence, abuse, exploitation and neglect,

Are concerned about the inadequate level of regulation, enforcement and monitoring of alternative care options in particular foster and residential care,

Are further concerned about the data and evidence gaps on violence against children in all care settings, especially within alternative care, and the lack of evidence-based interventions to prevent and respond to violence against children and young people in those settings.

Express concern about the limited number of programmes addressing the linkages between violence prevention and response and alternative care reform initiatives on the continent, and the high level of fragmentation of such efforts,

Appreciate the complexity and linkages between factors that trigger and sustain violence against children in the home and in alternative care, including, among others changing family dynamics as a result of emergency, migration and urbanization, poverty, gender norms, social exclusion, harmful practices, and weak and poorly monitored child protection systems,

Acknowledge, however, that commendable efforts have been made across the African continent at various levels in addressing these challenges,

We are also convinced that existing efforts are far from satisfactory and further action is needed as a matter of urgency at national, sub-regional, pan-African and global levels. It is in this spirit that we issue this call.

## **Call to Action**

### **We call upon the African Union (AU)**

- to revisit and renew the African Union Plan of Action on the Family in Africa to include the issue of the prevention of violence against children in alternative care settings;
- to strengthen the collaboration amongst the African Commission on Human and People's Rights, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), the African Court of Human and People's Rights and other AU departments to address violence against children (including in all care settings);
- to encourage Member States to strengthen legal and policy frameworks and their implementation including putting in place proper and dedicated structures mandated with overseeing the alternative care system as part of care reform and violence prevention efforts;
- to encourage Member States to report on violence against children as part of their National Voluntary Report (NVR) of the SDGs to the UN High-level Political Forum; and
- to launch an Africa-wide campaign against Violence Against children in all Care Settings in 2018-2020.

### **We call upon the African Committee of Experts on the Rights and Welfare of the Child:**

- to dedicate its next general session (day of general discussion) to the issue of violence against children in all care settings ensuring that especially vulnerable children such as children with disabilities are also included;
- to develop a *General Comment on Violence against Children in all Care settings in Africa* on Article 16 of the African Charter on the Rights and Welfare of the Child to support and facilitate regional and national action; and
- to make a more effective and structured use of the recommendations on the implementation of the Guidelines for the Alternative Care of Children when reviewing State Party Reports and drafting general recommendations, including specific information on VAC within alternative care.

### **We call upon AU Member States**

- to adopt and domesticate the Guidelines on Alternative Care into national laws and policies, strengthen the mandated government body(ies) and the social service workforce to ensure the implementation of the Guidelines,
  - to fulfil their obligation to establish and enforce independent oversight mechanisms for alternative care services including the registration of all residential care facilities and systematic collection of data on those facilities and children in their care as well as those receiving other alternative care services.
  - to implement legal and policy frameworks by ensuring accessible and appropriate services or interventions aimed at strengthening families to prevent violence and unnecessary separation, and to monitor and report on the implementation of those frameworks;
  - to ensure appropriate resources are allocated by states to support family-based care and family-based alternative care systems;
  - to actively undertake care reform efforts that expand family-based alternatives and prevent the placement of children in residential care, including children with disabilities;
  - to expressly recognise different forms of alternative care outlined in legal and policy frameworks and develop, implement and monitor minimum quality standards on alternative care, to ensure that effective decision-making mechanisms and processes are in place that prevent the unnecessary separation of children and ensure appropriate alternative care placement, when necessary;
- to pay special attention to the care and protection of especially vulnerable children and young people who are deprived of, or at risk of being deprived of parental care and developing policies and programmes that are inclusive of children in all circumstances;
- to create systems for family based support to ensure that all children, including children with disabilities, enjoy their rights to grow up in a family environment and receive appropriate care, and to prevent the need for placement of children in residential care;
- to ensure that national laws, policies and strategies to prevent and address violence against children specifically include children in alternative care;
- based on the existing evidence base that illustrates the negative effects of residential care on children's development, especially in the early years, adopt a legal ban of children under the age of three, in residential care;
- to regulate and collect evidence on international funding channelled to support alternative care with emphasis on funding towards residential care;
- to build a culture of peace and prevent violence through the promotion of positive, nonviolent, non-discriminatory forms of child care and child rearing in all care settings; and
- to report on violence against children as part of their National Voluntary Report (NVR) on the implementation of the SDGs to the UN High-level Political Forum.
- While recognizing the progress being made in eight African countries in outlawing corporal punishment in all care settings, we call upon the remaining States who have not yet outlawed corporal punishment in all care settings to do so immediately and ensure its enforcement

### **We call upon Regional Economic Communities in Africa**

- to prioritise addressing violence against children in all care settings within their sub-regional policies and standard setting processes;
- to have a mechanism to monitor compliance and implementation of regional policies (such as the EAC Child Policy, the SADC Minimum Package of Services for Orphans and other Vulnerable Children and Youth) and other regional instruments through report-back mechanisms and ensuring alignment to SDG reporting processes;

- to identify, prioritize, collect data around and make recommendations to address violence against children in all care settings including in cross border contexts, such as migration;
- to facilitate the implementation of programmes aimed at strengthening national social service workforces with focus on the care workforce;
- to ensure that a national-level focal person is assigned to oversee VAC and care within their portfolio;
- to ensure the policy and legal instruments and standards developed within the Regional Economic Communities reflect and promote the Guidelines on Alternative Care for Children and the principles therein; and
- to provide adequate monitoring and reporting mechanisms or platforms for Partner States to report on VAC and care, including the issue of neglect.

**We call upon Pan-African initiatives to:**

- ensure that the issue of care is integrated into violence against children initiatives, such as the African Partnership to End Violence against Children;
- ensure that the issue of violence, including neglect, is adequately addressed within care reform efforts; and
- provide support, including regional and comparative evidence, to the AU, the ACERWC and to Regional Economic Communities in their efforts to undertake policy development and standard setting in the area of alternative care.

**We call upon civil society representatives and organizations, including traditional leaders, faith based groups, academic institutions and donors, to join efforts with governments:**

- to build upon existing efforts aimed at strengthening child protection systems using locally available evidence, including the Interagency Call to Strengthen Child Protection Systems adopted in April 2013 paying special attention to the issue of care and building the capacity of the social workforce;
- to contribute to a strengthened evidence base and improve knowledge about violence against children in all care settings and use data to inform policy and programming interventions;
- to minimize potential risk of VAC for children in care, adhere to minimum standards, ensure proper safeguarding mechanisms are in place including limiting volunteers within alternative care settings;
- to support the capacity of caregivers to adequately care for and protect their children, throughout their various ‘ages and stages’, including through developing and implementing stronger, evidence based family support strategies and services;
- to include the voice of children and young people on issues including care options and decisions that affect their wellbeing and take those views into account in all care related decision-making processes;
- to prioritise the development of appropriate after care and follow up services to support children and young people who have left the care system; and
- to build a culture of peace and prevent violence through the promotion of positive, nonviolent, non-discriminatory forms of child care and child rearing in all care settings.

**We call upon bilateral, multilateral and United Nations agencies and private donors:**

- to provide consistent and harmonised technical and financial support to programmes related to addressing violence against children in all care settings, as well as prioritising the issue within their respective agendas; and
- to increase their funding for research, advocacy and care and support services, including preventative initiatives to support and empower families to care and support children.

**Our Collective Commitment**

We all envision an Africa that is free from violence and that nurtures its children to grow into healthy and productive members of society. To that end, we pledge to commit ourselves individually and collectively to contribute towards the elimination of violence against children in family care, alternative care and after care, including by taking follow-up actions pertaining to this call and beyond. The future of Africa lies in its children. And the future of Africa's children lies singularly in the care and protection they receive during their childhood.

**Adopted in Nairobi on 22 June 2017**