



DEPARTMENT OF CHILDREN SERVICES

CASE CATEGORIES: Reported and Disposed

Table 1: Case Categories: Reported

No.	Case Category	Definition
1.	Abandonment	A child deserted willingly by a parent, guardian or the person who has actual legal custody without any regard for the child's welfare (<i>The Children Act 2001</i>)
2.	Abduction	Any child who by force, inducement, or by any deceitful means is moved from a place of safety to another where his/her welfare is at risk <i>Abduction or kidnapping by strangers (from outside the family, natural or legal guardians) who steal a child for criminal purposes which may include extortion, illegal adoption, human trafficking & murder</i>
3.	Custody	Custody in respect to a child, means much of the parental rights and duties as relate to the possession of the child (<i>The Children Act 2001</i>)
4.	Physical abuse/ Violence	Deliberate trauma, physical injury caused by punching, beating, kicking, burning, biting or otherwise harming a child which results in injuries such as bruises, broken bones, burns, cuts etc. (<i>Handbook for Child Protection Practice Report, 2000</i>)
5.	Birth Registration	Every child shall have a right to a name and nationality and where a child is deprived of his/her identity the Government shall provide appropriate assistance and protection, with a view to establishing his/her identity. (<i>The Children Act 2001; Births and Deaths Registration, The Constitution of Kenya, 2010</i>)
6.	Children on the streets	Street Living Children: children who ran away from their families and live alone on the streets. Street Working Children: children who spend most of their time on the streets, fending for themselves, but returning home on a regular basis. Children from Street Families: children who live on the streets with their families (<i>The State of the World's Children Report, 2006</i>)
7.	Child labor	Any situation where a child provides labor in exchange for payment and includes— a) when a child provides labour as an assistant to another person and his labour is deemed to be the labour of that other person for the purposes of payment;(b) where a child's labour is used for gain by any individual or institution whether or not the child benefits directly or indirectly; and c) where there is in existence a contract for services where the party providing the services is a child whether the person using the services does so directly or by an agent. (<i>The Children Act 2001</i>)
8.	Child of imprisoned parent(s)	A child whose parent(s) are imprisoned (whether a child is either in prison with the parent (s) or in the community. (<i>Children of Imprisoned Parents Report, 2011</i>)
9.	Sexual exploitation and abuse	It is the involvement of a child in acts of sexual exploitation and abuse through prostitution, inducement or coercion to engage in any sexual activity, and exposure to obscene materials (pornography). (<i>The Children Act 2001, Sexual Offences Act, 2006</i>)

No.	Case Category	Definition
		<i>For purposes of this document it excludes defilement, sexual assault and sodomy.</i>
10.	Parental child abduction	<p>Removal of a minor from the custody of the child's natural parent or guardians without authorization or knowledge of the other parent or guardian</p> <p>This is when a family relative (usually parents) has unauthorized custody of a child without parental agreement and contrary to family law ruling, which largely removes the child from care, access and contact of the other parent and family side. Occurring around parental separation or divorce, such parental or familial child abduction may include parental alienation, a form of child abuse seeking to disconnect a child from targeted parent and denigrated side of family.</p> <p><i>(Hague Convention of Civil Aspects of International Child Abduction, 1980)</i></p>
11.	Trafficked child	A recruited, transported, transferred, harbored or receipted child by means of the threat or use of force or other forms of coercion, of abduction, of fraud, or deception. <i>(NPA for Combating Human Trafficking 2013-2017)</i>
12.	Child affected by HIV/AIDS	Refers to a child who is suffering with HIV /AIDS or whose parent(s)/ caregivers/ are suffering from HIV/AIDS. <i>(Operational- MOH)</i>
13.	Child offender	A minor who commits an offence and is found guilty by a court of law <i>(The Children Act 2001)</i>
14.	Disputed paternity	Disagreement between two parents/ guardians on the biological relationship between a child and that of the father <i>(The Children Act 2001)</i>
15.	Defilement	Committing an act which causes penetration with a child <i>(Sexual Offences Act, 2006)</i>
16.	Child living with disability	<p>A child with a physical, mental or any other impairment who is significantly restricted in his or her ability to perform daily living activities either "continuously or periodically for extended periods" and, as a result of these restrictions, requires assistance with daily living activities.</p> <p><i>(Promoting the Rights of Children with Disabilities Report, 2007)</i></p>
17.	Drug and substance abuse	A habitual patterned use of a drug in which the user consumes the substance in amounts or with methods which are harmful to themselves. <i>(The Alcohol Drinks Control Act (2010))</i>
18.	Child pregnancy	Refers to a girl below the age of 18 conceiving and (having the embryo developing in her womb) and carrying the pregnancy. <i>(The Children Act, 2001)</i>
19.	Child marriage	A union/cohabitation/any arrangement made for a man and a woman, either or both of whom have not attained the age of eighteen years, whether in a monogamous or polygamous situation. <i>(The Marriage Act, 2014)</i>
20.	Emotional abuse	<p>An ongoing emotional maltreatment or emotional neglect of a child also called <i>psychological abuse</i> and which seriously damages a child's emotional health and development. It can involve many forms including threats, humiliation and exposure to domestic violence;</p> <p><i>(Hidden in plain sight: A statistical analysis of violence against children Report, UNICEF 2014.)</i></p>
21.	Harmful cultural practice	<p>Social norms, practices, traditions that are in violation of natural justice and written law.</p> <p>This refers to all behavior, attitudes and or practices which negatively affect the fundamental rights of children, such as their right to life, health, dignity, education, and physical integrity. These include Taboo Children</p> <p><i>(United Nations Convention on the Rights of Children (UNCRC); The Convention on the Elimination of all forms of Discrimination against Women (CEDAW); African Charter on the Rights and Welfare of the Child (ACRWC); (The Children Act, 2001)</i></p>

No.	Case Category	Definition
22.	Female Genital Mutilation	This is a harmful cultural practices, a procedure that intentionally involves partial or total removal of the external female genitalia, or other injury to the female genital organ for non-medical reasons. <i>(Prohibition of Female Genital Mutilation Act, 2011); The Children Act, 2001)</i>
23.	Incest	An indecent act which causes penetration, committed by any male/female with a male/female child who is to his/her knowledge his/her daughter/son, granddaughter/grandson, sister/brother, mother/father, niece/nephew, uncle/aunt or grandmother/grandfather. <i>(Sexual Offences Act, 2006)</i>
24.	Inheritance	An action of passing ownership property or money upon one's death to his/her children (heir) who is entitled to succeed as guided by a will or state law. <i>(The Law of Succession Act, 1972; Trustees (Perpetual succession Act, 1987))</i>
25.	Internally displaced child	A child who is forced to flee his or her home but who remains within his/her country's borders. <i>(Prevention, Protection & Assistance to Internally Displaced Persons and Affected Communities, 2012; Great Lakes Protocol on the Protection and Assistance to IDPs, 2006; UN guiding Principles on Internal)</i>
26.	Lost/Lost & found child	This is a child whose whereabouts are unknown to their parents, guardians or legal custodian. <i>(The Children Act, 2001) This child can be reported as missing child or a child who has been found but cannot trace his/her home.</i>
27.	Neglect	It refers to failure a person having parental responsibility, custody, charge or care of a child to provide adequate food, clothing, education, immunization, shelter and medical care in a manner likely to cause injury to his health and development. <i>(The Children Act, 2001)</i>
28.	Orphaned	An orphan is a child whose mother or father or both have died. A vulnerable is a child below 18yrs currently at high risk of lacking adequate care and protection. <i>(UNCRC, The Children Act, 2001)</i>
29.	Refugee child	A child who has a well-founded fear of being persecuted for one of the reasons of being a refugee. <i>(Refugee Act, 2006; The Children Act, 2001)</i>
30.	Sexual assault	Refers to unlawful (a) penetration of the genital organs of a child with -any part of the body of another person or of that person; or an object manipulated by another or that person except where such penetration is carried out for proper and professional hygienic or medical purposes; (b) a person's manipulation any part of his or her body or the body of another person that causes penetration of the genital organ into or by any part of the other child's body. <i>(Sexual Offences Act, 2006)</i>
31.	Child sodomy	Refers to having a carnal knowledge of any child against the order of nature. <i>(Sexual Offences Act, 2006)</i>
32.	Child truancy	Refers to a child who stays away from school without a good reason, or is falling into bad associations. <i>(Sexual Offences Act, 2006)</i>
33.	Child delinquency	Refers to a child of a certain age, who has violated a criminal law or engaged in a disobedient, indecent or immoral conduct. A delinquent child is usually in need of rehabilitation. <i>(The Children Act, 2001)</i>
34.	Unlawful confinement	Unjustly holding of a child in an institution, residence or other against their will through use of threats, duress, force or deception a) beyond the legally provided duration, or b) against the best interest of the child. <i>(The Children Act, 2001)</i>

No.	Case Category	Definition
35.	Child headed household	This is a family in which a minor (child or adolescent) has become the head of the household and takes care of all other members are under 18 years. <i>(The Children Act, 2001)</i>
36.	Child radicalization	This is a process by which a child is indoctrinated to adopt increasingly extreme social or religious views, ideas, beliefs, practices, attitude and aspirations that reject or undermine contemporary ideas and expression of freedom of choice which may negative impact on the child's growth and development. <i>(The International Centre for Counter-Terrorism (ICCT) – The Hague, 2013)</i>

Table 2: Modes of Intervention, Definition, Source and Indicators

No.	Mode of Intervention	Definition
1.	Adoption	The legal transfer of parental rights and responsibility for a child which is permanent <i>The Adoption Regulations, 2006, Regulations for Charitable Children Institutions Act, 2005); National AFC Standards, 2015; The children Act, 2001)</i>
2.	Committed to CCIs	Committing or placement to a home or institution which has been established by a person, corporate or unincorporated, a religious organization or a non-governmental organization and has been granted approval by the National Council of children's Services (NCCS) to manage a program for the care, protection, rehabilitation or control of children. <i>(The Children Act, 2001)</i>
3.	Committed to statutory Institution	Committing or placement to an institution which has been established by the government to safeguard and advance the welfare of children and their families. They provide care, protection, rehabilitation or control of children. <i>(The Children Act, 2001)</i>
4.	Professional counseling	A process of assisting and guiding a child by a trained person on a professional basis to resolve either personal, social or psychological problem and difficulties <i>(The Children Act, 2001)</i>
5.	Family support	Refers to an integrated network of government, community-based resources and services that promotes and protects the health, well-being, rights and development of all children and pays special attention to those who are vulnerable or at risk, strengthening their families and parenting practices. <i>(NGLI-Investing in Families: Supporting Parents to Improve Outcomes for Children Report, 2013)</i>
6.	Foster care	The placement of a child with a person who is not the child's parent, relative or guardian and who is willing to undertake the care and maintenance of that child. <i>(The Children Act, 2001)</i>
7.	Guardianship	Refers to the legal relationship created when a person or institution appointment by will or deed by a parent of the child or by an order of the court to assume parental responsibility for the child upon the death of the parent of the child either alone or in conjunction with the surviving parent of the child or the father of a child born out of wedlock who has acquired parental responsibility for the child in accordance with the provisions of the Children Act. <i>(The Children Act, 2001)</i>
8.	Joint Parental Agreement (JPA)	Refers to an agreement entered into by both parents, guardians and any person who assumes parental responsibility; stipulating parental responsibilities of each party towards a child. This JPA must be in the format provided in the Children Act. <i>(The Children Act, 2001)</i>

No.	Mode of Intervention	Definition
9.	Judicial orders	The orders that are issued by the court in any proceedings concerning the well-being and protection of a child (e.g. Exclusion Order) (<i>The Children Act, 2001</i>)
10.	Legal aid	Refers to the court granting provision of legal representation to a child who is brought before a court and is unrepresented to access the judicial system. (<i>The Children Act, 2001</i>)
11.	Child maintenance	Refers to provision of basic necessities (food, clothing, a home, education, Medical Care) and welfare of children (<i>The Children Act, 2001</i>)
12.	Parents bonded	Refers to bonding of parents by court to exercise proper care and control of children under their care (<i>Operational</i>)
13.	Placement in school	Enrolment of children in appropriate educational facilities (<i>Operational</i>)
14.	Reunited	Refers to bringing back together a child with the family or guardian or other persons who assumes parental responsibility in respect to a child after they have been separated for some time (<i>The Regulations for Charitable Children Institutions Act, 2005</i>); <i>National AFC Standards, 2015</i> ; <i>The children Act, 2001</i>)
15.	Reconciliation	Refers to mediating of family disputes involving children and their parents, guardians or other persons who have parental responsibility in respect of the children, and promote family reconciliation; accept a decision or action set as condition of reconciliation. (<i>The Children Act, 2001</i>)
16.	Referred to Court/Khadhi	Passing a child's matter/case to the Court/Khadhi, for more expertise or authority for further intervention in the best interest of the child. (<i>The Children Act, 2001</i>)
17.	Referred to other Government agencies	Passing a child's matter/case to <u>Ministry of Education, Ministry of Health, Police, Ministry of Interior & Internal coordination, Probation, Other Sub-county children officers</u> , which has more expertise or authority for further intervention in the best interest of the child. (<i>The Children Act, 2001</i>)
18.	Referred to other non-state agencies	Passing a child's matter/case to other agencies- <u>INGOs, NGOs, FBOs, CBOs</u> , who have more expertise or authority for further intervention in the best interest of the child. (<i>The Children Act, 2001</i>)
19.	Reintegrated	Is the gradual, result oriented and community supervised process of helping a child adjust, settle and adopt the life in his/her family system. Child reintegration is the planned, structured and result oriented rehabilitation program undertaken by the institution to ensure successful placement and reunification of a child into their family and community or to another family based on alternative care placements. (<i>Regulations for Charitable Children Institutions Act, 2005</i> ; <i>Alternative Family Care Standards, 2015</i>)
20.	Repatriated	The process of returning a lost, unaccompanied or run-away child back to the place of origin after thorough, in-depth analysis of conditions surrounding the family or home or place (<i>Regulations for Charitable Children Institutions Act, 2005</i> ; <i>Alternative Family Care Standards, 2015</i>)
21.	Release to parent(s)	Refers to taking a child to a place of safety by an authorized officer without reference to the court, the parent or guardian or any person who has parental responsibility in respect of the child may applies for the release of the child from the place of safety into his care. (<i>The Children Act, 2001</i>)
22.	Rescue and placement	Refers to removal of a child from an abusive environment (place/family) and placing the child in a place of safety awaiting further assistance in the best interest of the child. (<i>The Children Act, 2001</i>)

No.	Mode of Intervention	Definition
23.	Supervision with Court Orders	Overseeing of a child's rehabilitation by a Children officer or any other authorized officer as ordered by a court. <i>(The Children Act, 2001)</i>
24.	Supervision Without Court Orders	Overseeing of a child's rehabilitation by a Children Officer or any other authorized officer in the best interest of the child when the child has not passed through the juvenile justice system). <i>(The Children Act, 2001)– done to either child or parent</i>
25.	Written promise	Refers to a commitment by a child to adhere to good morals/behavior and is supervised by the Children Officer or any authorized officer in the best interest of the child <i>(Operational)</i>
26.	Release on revocation of an order/ Early Release	A child released from a holding center before the expiry of an earlier set period, triggered by another order revoking the earlier order <i>(The Children Act, 2001)</i>
27.	Release on expiry of an order	A child released at the end of holding or committal period <i>(The Children Act, 2001)</i>
28.	Release on license	A child released temporarily from an institution (on license) <i>(The Children Act, 2001)</i>