ASSESSMENT OF THE CAPACITY OF LOCAL GOVERNMENTS TO OFFER PROTECTION SERVICES TO VULNERABLE CHILDREN IN MPIGI DISTRICT

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99/HD14/553U

A DISSERTATION SUBMITTED TO THE SCHOOL OF GRADUATE STUDIES IN PARTIAL FULFILLMENT FOR THE AWARD OF A MASTERS DEGREE IN SOCIAL SECTOR PLANNING AND MANAGEMENT OF MAKERERE UNIVERSITY

December 2018
DECLARATION

I, Ruth Nakasujja, hereby declare that the work presented in this dissertation is original. I declare that this work or any part of this work is a result of my own efforts and has never been submitted to any other University or higher institution of learning for an academic award both within and outside Uganda. Where other people’s work has been used, the source has been acknowledged in the text and references provided.

.................................................................
Nakasujja Ruth
99/HD14/553U

Date ....................................................
APPROVAL

This is to certify that this research report of Nakasujja Ruth under the title: “Assessment of the capacity of local governments to offer protection services to vulnerable children in Mpigi District” which has been under my supervision, is now ready for submission to the school of postgraduate studies, Makerere University.

SUPERVISOR: ................................................

................................................

Date: ................................................

Signature: ................................................
DEDICATION

I dedicate this thesis to my parents, Mrs. Peragia Namaganda and my father the late Simon Kagimu, who laid a strong foundation for me in life, upon which I have been able to add more and more important steps. Without such a foundation may be, I wouldn’t have achieved this step too.
ACKNOWLEDGEMENTS

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I thank my children most especially Patricia and Denis for their encouragement during the course of preparing this report, and my special husband Dr. Frank Mabiriizi for his guidance and support during the research. I also thank my parents who started the initial good foundation for me upon which I have been able to add another step.

Special thanks also go to my friends Beatrice Makara and Zaina Nakuburwa for their special support during the compilation of this dissertation. In a special way I greatly thank my supervisor: Dr. Paul Bukuluki for his tireless support, dedication, encouragement, patience and intellectual guidance during the critical period of documenting and finalizing this thesis. May the good Lord reward him abundantly.

All the various respondents, research assistants Susan and Barbra, and community mobilizers who took part are greatly appreciated. To all the Mpigi district staff who offered special support to me during this research I am greatly indebted. I particularly thank the PSWO, CDOs of Buwama and Mpigi town council, and to all the various respondents at district and sub-county levels, who provided very useful information/data for this research.

Lastly and most importantly I thank the almighty God for enabling me to overcome all challenges and achieve this important step in my professional life.
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# ACRONYMS/ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
</tr>
<tr>
<td>ACPF</td>
<td>The African Child Policy Forum</td>
</tr>
<tr>
<td>ANPPCAN</td>
<td>African Network for The Prevention And Protection Against Child Abuse And Neglect.</td>
</tr>
<tr>
<td>CDA</td>
<td>Community Development Assistants</td>
</tr>
<tr>
<td>Ag. CDO</td>
<td>Acting Community Development Officer</td>
</tr>
<tr>
<td>CDO</td>
<td>Community Development Officer</td>
</tr>
<tr>
<td>CFPU</td>
<td>Children and Family Protection Unit</td>
</tr>
<tr>
<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<tr>
<td>CRESS</td>
<td>Child Rights Education and Support Services</td>
</tr>
<tr>
<td>FCC</td>
<td>Family and Children’s Court</td>
</tr>
<tr>
<td>FGD</td>
<td>Focused Group Discussion</td>
</tr>
<tr>
<td>FY</td>
<td>Financial Year</td>
</tr>
<tr>
<td>HIV</td>
<td>Human Immune Virus</td>
</tr>
<tr>
<td>LC</td>
<td>Local Council</td>
</tr>
<tr>
<td>MFPED</td>
<td>Ministry of Finance, Planning and Economic Development</td>
</tr>
<tr>
<td>MGLSD</td>
<td>Ministry of Gender, Labor and Social Development</td>
</tr>
<tr>
<td>NGOs</td>
<td>Non Governmental Organization</td>
</tr>
<tr>
<td>NSPCC</td>
<td>National Society for Prevention of Child Abuse and Child Neglect</td>
</tr>
<tr>
<td>NSPPI</td>
<td>National Strategic Program Plan of Intervention for orphans and vulnerable children</td>
</tr>
<tr>
<td>OAU</td>
<td>Organization of African Unity</td>
</tr>
<tr>
<td>OVC</td>
<td>Orphans and Vulnerable Children</td>
</tr>
<tr>
<td>PSWO</td>
<td>Probation and Social Welfare Officer</td>
</tr>
<tr>
<td>U.S</td>
<td>United States</td>
</tr>
<tr>
<td>UCRN</td>
<td>Uganda Child Rights NGO Network</td>
</tr>
<tr>
<td>UDHS</td>
<td>Uganda Demographic and Health Survey</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNCRC</td>
<td>United Nations Convention on the Rights of the Child</td>
</tr>
<tr>
<td>UNHS</td>
<td>Uganda National Health Survey</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
</tr>
<tr>
<td>DOVICCs</td>
<td>District Orphans and Vulnerable Children Coordination Committees</td>
</tr>
<tr>
<td>SOVICCs</td>
<td>Sub-county Orphans and Vulnerable Children Coordination Committees</td>
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ABSTRACT

This study aimed to analyze and assess the capacity of local governments to effectively and sustainably offer protection services to vulnerable children. It was, accordingly, premised on four (4) specific objectives, namely; to examine the financial and logistical support offered to local governments to carry out those functions specified in the Children Act; to assess the staffing levels in the various departments/entities concerned with promoting and protecting the rights of children; to assess the levels of knowledge and skills relating to children’s rights possessed by local governments and other concerned actors/stakeholders; and to examine the existing networking and referral systems for protection of vulnerable children.

A descriptive research design was adopted for this study and results are presented and discussed largely within boundaries of qualitative methods of investigation, though also complimented, to a limited extent, by quantitative data from secondary sources, especially district records.

The study was based on data analyzed for a period of three (3) years (2011 – 2014) in Mpigi district, in which specific study areas were purposively selected – and with a sample size of 88 respondents, who were also purposively selected – basing on the centrality of their roles in the community, as well as their relevance to meeting the research objectives. Qualitative data analysis involved collation and analysis based on the thematic areas generated from the field responses.

The study established that the Department of Community Based Services, under which Probation and Social Welfare falls, was characterized by persistent critical funding and human resource gaps – which hindered efficient delivery of child care and protection services. The Department generally lacked funds, among others: recruiting, training and facilitating adequate personnel; for facilitating communication and transportation – especially for following up cases of abused children, as well as for capacity building among the various duty bearers. It also lacked enough hardware and software, or any other modern technology to aid in documentation of experiences and cases handled, especially cases of children with disability – as required by the Children Act.

The study concluded that the overall capacity of Mpigi District Local Government (including the district and sub-county levels, as well as non-state actors) – in terms of financial, human resource, logistical/technological, as well as networking capability to effectively and sustainably provide child protection services – was still considerably low.
The above-noted challenges and constraints have to be addressed in order to enable the local governments to fulfill their expected roles in the protection of children from abuse in the community.

Accordingly, the study strongly recommends that the Probation and Social Welfare Sub-sector should be supported with more funding to facilitate: adequate staffing, staff facilitation and staff training; adequate technological and logistical support (especially record management and transport facilities); as well as capacity building (especially through training and sensitization) for local leaders and other relevant actors/stakeholders, including children – with regard to general knowledge and skills, the appropriate legal and policy framework, as well as available support structures for children in the community. The above-noted enhancement of funding support is recommended to be achieved through two (2) main broad strategies, namely; elevating the status of the Probation and Social Welfare Sub-sector – to “Priority” Status – to facilitate the allocation of more funds to it in the District Budget; and mobilizing additional financial support from relevant and interested Civil Society Organizations, corporate organizations, as well as other development partners.

It is further recommended, inter alia, that Mpigi district Local Government should also systematically lobby and constructively engage the above-noted development partners: to provide the Probation and Social Welfare Sub-sector, as well as other relevant entities, with more logistical and technological support – in the form of the required hardware and software – in kind, where possible; to provide them with human resource support – in the form of seconding some of the required and possible personnel; to scale-up their child protection program activities in the district – under the coordination of the Probation and Social Welfare Section; as well as to carry out joint planning – to ensure efficient collaboration and coordination of all program activities.
CHAPTER 1
INTRODUCTION AND BACKGROUND TO THE STUDY

1.1. Introduction

Many children in Uganda are vulnerable and exposed to abuse. Despite government efforts to enact laws and policies and institute relevant structures to protect children from abuse and vulnerability, many of them continue to be abused. This study analyses the capacity of different stakeholders; LCs, police, CDOs, PSWO and others concerned with ensuring the protection of children and their prevailing challenges. This study draws insights from the principles of the ecological/family theory.

Chapter one gives the background to the problem, problem statement, objectives of the study, study scope, study rationale and research questions.

1.2. Background to the Study

Over the years, the problem of child abuse and neglect has increased substantially in many countries of the world. Children are beaten, raped, exploited, tortured, mutilated and emotionally traumatized. The UN Secretary-General’s 2006 Study on Violence against Children estimated the number of children witnessing violence in the home, globally, at 133-275 million with 34.9-38.2 million in sub-Saharan Africa. The NSPCC’s report on child abuse and neglect in the UK (2011) estimated that 520,000 children were maltreated by a parent or guardian in the UK in the past year.

In the survey carried out by ANPPCAN Uganda in 2013, among key findings, 85% of children in both Kitgum and Jinja districts had experienced at least one form of physical violence while 46.2% and 84.3% had experienced some form of sexual and emotional violence respectively, in the last 12 months prior to the survey.

According to the UNHS, (2009/2010), children under the age of 18 years constitute 57.4% of Uganda’s 30.7 million people. Despite children representing a significant majority of Uganda’s population, they are the most vulnerable group. The OVC Situation Analysis Report 2010 places the level of vulnerability among children in Uganda at 96 percent. The high level of vulnerability is largely, among others, due to the general gaps in the national OVC response.

ANPPCAN (2011) in the situational analysis on child abuse and neglect in Uganda established that a total of 1,363 cases of defilement from 10 districts were received by
police. The NSPPI (2005/06-2009/10) Evaluation Report 2010 also indicated that the number of vulnerable children in Uganda that need external support had increased from 7.6 million to 8.1 million in the same period.

According to the National Strategic Program Plan of Interventions for OVC11, a vulnerable child is defined as “one who based on a set of criteria when compared to other children bears a substantive risk of suffering significant physical, emotional or mental harm that may result in their human rights not being fulfilled”.

The National Strategic Program Plan of Interventions for OVC 11 further notes that at the national level, vulnerable children account for 45.3%. The types of vulnerability include; child laborers, orphaned children, children (6-17 years) not in school, married children (10-17 years), children living in child (0-17 years) headed households, child (<=17years) household heads, children (0-17years) living in older person headed households (60+), non orphaned children not living with their parents, children (0-17years) with disability and children living in camps.

In response to these problems, the Government of Uganda put in place policies, systems and structures to ensure full protection of children, right from the community levels. Among such measures was the ratification of the following instruments; The UN Convention on the Rights of the Child (UNCRC) in 1991 through which the government committed itself to take all available measures to make sure that children’s rights are protected, respected and fulfilled. Universal Declaration of Human Rights; International Convention on Economic, Social and Cultural rights (ICESCR) and International Labor Organization (ILO) Convention No 182 on Elimination of the worst forms of child labor, two optional protocols on the UNCRC on the Sale of Children, Child Prostitution and Child Pornography; and on the Involvement of Children in Armed Conflict. In addition, several policies aimed at protecting children were put in place, including; a national strategic program plan of action for orphans and other vulnerable children 2005/6 – 2009/10, A child Labor policy and directions to stop violence in schools.

Further the government of Uganda ratified the African Charter on the Rights and Welfare of Children in 1992 thereby committing the country to protect children against the various forms of social, economic, cultural and political abuse and exploitation. These commitments were further domesticated under the Constitution of the Republic of Uganda (1995) where the rights of children were provided for under article 34, based upon which the Children Act cap 59 was enacted.
The Children Act spells out rights of children, caters for child care, protection, adoption, family and children’s courts and gives expansive duties and responsibility to local councils, Probation and social welfare office and the family and children courts with regard to the welfare of children. At every police station, the Family Protection Unit was established to offer legal support to children and families with problems.

At the district level the department of probation and social welfare office is mandated to ensure the welfare of children, and oversee the implementation of the Children Act, and is represented by the Community Development officers and Community Development Assistants at the sub-county to village levels.

The government of Uganda also enacted the Local Government Act, which provides that all local government councils are required to safeguard and promote the welfare of all children in their area, while putting special attention to children with disabilities and other needy and vulnerable children who must all be registered and given assistance where necessary.

Each local government council must have a secretary for children’s affairs, who is the person directly responsible for affairs relating to children (s.16), and must also make efforts to re-unite children who become separated from their parents and guardians.

1.3. Statement of the Problem

Despite the existence of international, regional and national measures aimed at improving the observance of children’s rights in Uganda, the magnitude of child abuse has remained undesirably high and threatens the children’s right to survival.

UNICEF (2011) noted that although Uganda had ratified a number of international conventions relating to child protection, enforcement of the numerous conventions and policies was very weak.

According to the Uganda Annual Crime and Traffic/Road Safety Report 2011; 7,564 cases of defilement were reported in 2010 presenting a 2.7% increase from the 7,360 cases reported in 2009. These high cases of sexual abuse had led to more children contracting HIV/AIDS, and other Sexually Transmitted Diseases, increased child pregnancies, early marriages and high school dropout rates. The report further shows that there had been an increase in defilement cases from 7,564 in 2010 to 7,690 in 2011.

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1 For more information on these instruments see section 2.1
The rise in sexual abuse had, however, been faced with low prosecution rates denying thousands of children access to justice. For instance, the report quoted that out of the defilement cases reported to the police in 2010, only 3,401 (45%) had been taken to court, leaving a total of 4163 (55%) cases either dropped or not followed up.

On close analysis, the above situation demonstrated the fact that government efforts in terms of enacting relevant laws and ratifying the international conventions aimed at protecting children from abuse still remained written expressions of good intentions to support children at the national level, with minimal or limited real effect on specific children at community level.

Whereas policies and structures to promote the rights of children had been put in place in Uganda, the rampant problems of child abuse, exploitation and deprivation at community and even household levels, demonstrated a lot about the effectiveness of implementation of these policies and programs for promotion and protection of the rights of children. Local governments, including Mpigi district, mandated to ensure the provision of needed protection were quite unlikely to effectively execute such a mandate. The expected protection spelt out in a number of pieces of legislation, policies, as well as program and plan documents, which was still unavailable, questioned the capacity of local government structures to fully handle the problem of child abuse. Yet, their capacities to offer protection services to vulnerable children remained unknown.

There was, thus, an apparent discrepancy between the expectations of the central government to deliver child rights and protection services on one hand, and the capacity of local government and administrative units to deliver these services, on the other. The main concern of this study, therefore, was to assess the capacity of local government councils and administrative units to identify, plan, implement as well as monitor and evaluate these services.

1.4. Purpose of the Study

The purpose of the study, therefore, was to assess the capacity of local governments i.e. district and sub-county local governments, to offer protection services for vulnerable children in Mpigi district, as well as the factors that enhance or undermine this capacity.
1.5. Objectives of the Study

1. To examine the financial and logistical support offered to local governments to carry out those functions specified in the Children Act.
2. To assess the staffing levels in the various departments/entities concerned with promoting and protecting the rights of children.
3. To assess the levels of knowledge and skills relating to children’s rights possessed by local governments and other concerned stakeholders.
4. To examine the existing networking and referral systems for protection of vulnerable children.

1.6. Research questions

The following were the key research questions:

1. How do local governments raise funds for supporting vulnerable children in their community?
2. What logistics are available among various actors in the local governments for supporting vulnerable children?
3. What are the staffing and skill levels in the various departments concerned with promoting and protecting the rights of children?
4. What are the differences in terms of knowledge and skills regarding children’s rights among LCs and other duty bearers in rural and urban areas?
5. What networks and referral systems exist to support vulnerable children in the community?

1.7. Scope of the Study

Whereas the researcher was aware of many factors that do or may affect the provision of protection services for vulnerable children, this particular study restricted itself to assessing the capacity available in Mpigi district local government to offer protection services for vulnerable and abused children. The dimensions of capacity for child protection explored included; financial capacity, human resource capacity (numbers, skills and knowledge), logistical and technological capacity, as well as networking capacity.
Whereas Mpigi District was the general area of study, the actual in-depth analysis was restricted to two selected sub-counties, namely; Buwama sub-county and Mpigi town council. The study was generally qualitative, though some quantitative data was also used where necessary. The study was carried out in 2014 and covered the period 2011 to 2014.

1.8. Significance of the Study

The study was intended to facilitate understanding of how the capacity of local governments affected the delivery of child protection services in Mpigi District. This information would form a basis for future planning of services for children in the district and how successful results could be achieved.

It identified implementation and capacity gaps and made recommendations to local governments on how the delivery of child protection services could be improved to enhance better protection of children’s rights.

Data from the study would also add to the existing body of knowledge for academic purposes and policy making as well as to provide an empirical basis upon which corrective action would be taken to improve the capacity for efficient and sustainable delivery of child rights and protection services within the respective local government systems.

1.9. Definition of Key Concepts

The following are the key concepts and they are operationally defined as follows:

A Child: is defined in accordance with the UN Convention on the rights of the child 1990 (Article 1) and the Children Act as any person below the age of 18 (eighteen) years. The total population of children in Uganda below 15 years of age increased from 48.9% of the population in 2001 (Population Secretariat, 2001), to over 50.7% of an estimated 30.7 million persons in 2009 (Government of Uganda, 2010).

Rights: are basic human rights that have to be enjoyed by any child to ensure his or her proper personal growth and development.

Vulnerable Child: A vulnerable child is defined according to the NSPPI 2 as one who is suffering and/or is likely to suffer any form of abuse or deprivation and is therefore in need of care and protection.
Child Protection refers to the prevention and response to violence, abuse and exploitation against children.2i

Child Protection Services: in the context of this study refer to those services put in place to safeguard against all forms of abuse, neglect, discrimination and exploitation of children in society. They may include: counseling, legal support and rehabilitation services.

Capacity: see subsection 1.9

1.10. Theoretical Framework

The study was informed by Uri Bronfenbrenner’s (1979) Human Ecology Theory/family systems model. Bronfenbrenner, understood that through complex interactions, which occur on multiple system levels (i.e. microsystem; mesosystem; exosystem; and macrosystem), human, physical and psychological development will form through various relationships in the social realm.

The ecological systems theory serves to explain how a child's environment affects how he or she develops. This approach often focuses on interrelated processes and structures within four environmental systems. These include the micro-, meso-, exo-, and macro-systems. In other words, this theory explains the development of a child by way of both his biological progress and the influence of his surroundings. The environmental structure in the ecological systems theory typically consists of four, though sometimes five, different systems as illustrated in figure 1 below:

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The **microsystem** is said to be the environment that is closest to the child and refers to the close relationships with which the child has direct contact. It’s a pattern of activities, social roles and interpersonal relationships experienced by the developing person in a given face-to-face setting, with particular physical and social features that permit or inhibit engagement in the immediate environment (Bronfenbrenner, 1994). These structures usually consist of close relations, schoolmates and teachers, caregivers and neighbors. Relationships at this level are considered bi-directional, meaning that the people in the child's life can directly impact him, while he may also have an impact on others.

**Mesosystems** and **exosystems** are usually defined by structures that the child cannot generally influence. The **mesosystem** encompasses the interaction of the different **microsystems** which the developing child finds himself in. It is, in essence, a system of microsystems and as such, involves linkages between home and school, between peer group and family, or between family and church.
The **exosystem**, on the other hand, pertains to the linkages that may exist between two or more settings, one of which may not contain the developing child but affects him indirectly nonetheless. Other people and places which the child may not directly interact with but may still have an effect on the child, comprise the exosystem. Such places and people may include the parents’ workplaces, the larger neighborhood, and extended family members.

The **macrosystem** is thought to be the largest and most distant collection of people and places that still exercise significant influence on the child. It is composed of the child’s cultural customs, values and laws, the child’s dominant beliefs and ideas, as well as political and economic systems.

The fifth possible layer of the ecological systems theory, the **chronosystem**, deals with time. Timing of physiological changes in the child may directly influence a child. The reaction of the child may also be influenced by his age, which may have a further effect on his development.

By studying the different systems that simultaneously influence a child, the ecological systems theory is able to demonstrate the diversity of interrelated influences on the child’s development.

### 1.11. Application of the Theoretical Framework

Within the particular context of this study, the **Microsystems** level of the Ecological Systems Theory can best be equated to the child’s immediate environment – comprising of the child’s household (including parents/caregivers), as well as peers and school systems – who are all very essential in either abuse or protection of children (in terms of sensitization/education, and reporting to the responsible authorities in case of harm or threat of violence).

As regards the **Mesosystem** level of the Ecological Systems Theory, this can best be equated – within the framework of this study – to the Village/Local Council actors/ stakeholders, as well as such entities as local church/community based organizations – which have to work together so that vulnerable children get the necessary available services – though they often face challenges of lack of adequate capacity.

As regards the **Exosystem** level of the Ecological Systems Theory, this can best be understood – within the context of the current study – to be similar to the parish level (LC
II) of the Local Government structure, as well as such related entities as relevant NGOs operating at that level.

As regards the *Macrosystem* level of the Ecological Systems Theory, this can be equated to the highest level of the Local Government structure, namely; the sub-county and district levels (as well as their linkages/relationships with the central government, especially as regards the provision of financial resources).

**Figure 2** presents the diagrammatic demonstration of the approximate equation of the four Ecological Systems Theory levels to the major Family/Local Government Structure levels in Mpigi District, within which framework this particular study was carried out.

**Figure 2: An Approximate Equation between the Ecological Systems Theory levels and the Family/ Local Government Structure of the Study Area (Mpigi District)**

<table>
<thead>
<tr>
<th>The Ecological Systems Theory Levels</th>
<th>Approximate Equation to the Family/Local Government structure of the study district</th>
</tr>
</thead>
<tbody>
<tr>
<td>macrosystem</td>
<td>District/Sub-county level (&amp;their linkages with central government), as well as NGOs &amp; similar entities.</td>
</tr>
<tr>
<td>exosystem</td>
<td>Parish level (LCII), as well as NGOs and similar entities operating at that level.</td>
</tr>
<tr>
<td>mesosystem</td>
<td>Village/LC I level, as well as Faith based entities, CBOs &amp; similar entities at that level.</td>
</tr>
<tr>
<td>microsystem</td>
<td>Household/ family level (including parents/caregivers) as well as school systems &amp; peers</td>
</tr>
</tbody>
</table>

**Source:** Researchers own construct
1.12. The Conceptual Framework

1.12.1. Contextual Definition of the Concept of Capacity

The multi-dimensional and considerably important concept of capacity has been variously defined – with the broad technical definition below – constituting one the most informative:

**Capacity**, which is defined as: the *capability of individuals, organizations/institutions, societies and any other entities to set and sustainably achieve their own objectives over time.*

The main capacity dimensions focused on in this particular Study were: Human Resource Capacity; Logistical/Technological Capacity; Financial Capacity and Networking Capacity.

Against the above background, with particular regard to this study, the Capacity of local governments to offer protection services was *contextually* defined by the researcher as:

“The *capability* of the local governments to provide services aimed at safeguarding against all forms of abuse, neglect, and exploitation of children in society under its jurisdiction. These services include: identification, assessment and investigation of child abuse, as well as necessary interventions which may include among others: counseling, legal support and rehabilitation*”.

Guided by the above conceptualization of Capacity, the researcher chose the benchmarking outlined below as the basis for systematic assessment of the *ability* of various levels of local government in Mpigi district to provide services for protection of vulnerable children in the study area.

In particular, the major elements of the *capacity benchmarking* (the desired/ideal service standards) selected and used by the researcher are as outlined below:

1) As regards **Financial Resources**, whereas the researcher found no specifically documented level of required funding, it was very important that the sub sector of children’s welfare (including child protection), needed to be adequately funded (to facilitate human resources: logistics: information flow: networking; and other necessary operations) – given the diversity of functions and services that must be performed to achieve a reasonable level of effectiveness in child protection.

2) As regards **Human Resources** (ref. Children Act, 1997 (Cap. 59); and Local Governments Act 1997), there should be:
a) At least one (1) Probation and Social Welfare Officer in each district: and at least a Community Development officer at the sub-county level.

b) A Magistrate not below the grade of Magistrate II in each district and in any other lower level local government unit designated by the Chief Justice – to preside over the Family and Children Courts.

c) At least one (1) member of each local government council from village to the district level – designated as the Secretary for Children’s Affairs – to be responsible for the welfare of children.

d) The executive committee court at village level to be the court of first instance in matters regarding children in the community.

e) An adequate number of police officers responsible for effectively managing the Family Protection Unit (F.P.U) at every police station in the district.

- In addition, an adequate number of appropriately qualified medical personnel in each district to support necessary medical examinations in cases of child abuse.

3) As regards **Technological/Logistical resources**, whereas the researcher found no specifically documented level of required technological/logistical resources, it was very important that child protection services needed to be adequately facilitated in these areas (including, inter alia, required equipment, transport systems and communication systems) – given the importance of effective coordination and information flow, as well as participation of the various actors/stakeholders to achieve a reasonable level of effectiveness in child protection.

4) As far as **Networking** is concerned, again, the researcher was unable to find a specifically documented level of required networking. It was, however, clear to the Researcher that a reasonable level of networking and coordination are crucial for child protection to be adequately facilitated – given the importance of effective cooperation and collaboration among the various concerned institutions and other actors/stakeholders.
The above diagrammatic conceptual framework summarizes the basis of the study. It illustrated the following relationship.

The capacity of the district and the sub-county local governments was conceptualized as the independent variable. The type and quality of services delivered are dependent on the local government capacity, thus being the dependent variables.

According to the conceptual framework, there should be adequate capacity (human, technological, logistical and financial resources) in order for child rights and protection services to be delivered efficiently and sustainably.
The capacity of local governments to offer these services was believed to be dependent on the available financial and logistical resources, the knowledge and skills of the service providers, the logistical and technological resources, as well as networking capabilities.

Protection services for abused and vulnerable children are categorized into four types; prevention, investigation, treatment and referral. Prevention is defined to mean primary actions which are taken in advance to reduce the incidence of child abuse. Investigation; is defined broadly to address all of the procedurally driven actions in relation to specific children. It incorporates procedures about what agencies do upon receipt of information about abuse, how investigations are carried out; and how registration of victims is done. Treatment is defined to include after-care; follow-up; as well as interventions aimed at helping children to achieve a more positive re-adjustment following abuse.

1.13. Organization of the Dissertation
This dissertation has six chapters. Chapter One articulates the research problem in terms of the background to the research, problem statement, objectives and scope of the study. This chapter also presents the theoretical and logical framework for the study. Chapter two gives an account of the existing research and documentation regarding children and relevant laws, policy implementation, interventions and dynamics for child rights protection, as well as challenges experienced by various stakeholders.

Chapter three highlights the methodology and design adopted in this study, while Chapter four discusses the key results from the study. This chapter also presents the discussion of study findings in relation to the study objectives and other scholarly literature and also gives hints of key theoretical implications of the study.

Chapter five documents the summary of findings, conclusions and recommendations for the way forward. The summary paraphrases the main ideas of the thesis as per study objectives, while the conclusions reiterate the critical aspects of the study in a much condensed form. The section on recommendations provides the researcher’s input on best practices to address the gaps identified among the local government actors in ensuring consistent and satisfactory protection of the vulnerable children in the communities. The chapter thus presents policy and academic recommendations for further considerations.
CHAPTER TWO
LITERATURE REVIEW

2.0. Introduction
This section presents a review of literature related to the study, which includes the
background to children’s rights, the role of local government in protection of children, and
literature related to the major themes of the study which are; the human resource, finance
and financial management, the information management capacity, Inter-agency
coordination, and the existing gaps as regards studies about local government capacity and
protection of children.

2.1. Vulnerability of Children
An estimated 8.1 million children in Uganda live under conditions of serious deprivation or
danger. Children who experience abuse, violence or are exploited, abandoned, or severely
neglected (in or out of families) also face significant threats to their survival and wellbeing
as well as profound life cycle risks that have an impact on human, social and economic
development. While there has been a significant reduction in the proportions of vulnerable
children globally, the number of Uganda’s children who are vulnerable to deprivation,
abuse, violence and other challenging circumstances remains persistently high (NDP11

According to the UNHS report 2009/2010, Overall 38 percent of the children aged 0-17
years are vulnerable totaling 6.4 million children. It is estimated that 8 percent of the
children in Uganda are critically vulnerable, 43% are moderately vulnerable while 55
percent of children under five years of age are affected by child poverty.

2.2. Historical Background to Children’s Rights
The realization that children need special protection in society dates back to 1923 when
Eghantyne Jebb3 drafted the first declaration of the Rights of Children in a Children’s
Charter following her work with refugee children in Brazil after the First World War.

In 1924, the League of Nations, the fore runner of United Nations, adopted the Declaration
of Rights of the child. In 1948, the United Nations General Assembly approved the adoption

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3 EGHANTYNE JEBB (Founder of save the children fund).
of a universal declaration of Human rights in which the Rights of the child were implicitly included.

It was however thought that this was not sufficient as the special needs of children justified an additional separate document. As a result, the second declaration of the Rights of the children was adopted by the United Nations General Assembly on 20th November 1959\(^4\). Thirty years after, the adoption of the second declaration of the Convention on the rights of the child was completed and adapted by the General Assembly on November 20th 1989. On that day too, the international community extended the mantle of Human rights protection to one of the most vulnerable groups in society, children, when it adopted the United Nation Convention on the Right of the Child (UNCRC).

To date, all countries in Africa except Somalia have ratified the United Nations Convention on the Rights of the Child (CRC) thus committing themselves to respecting and observing the provisions of these treaties in law and practice.

12.3. Legal and Policy Framework to Address Violence against Children in Uganda

On August 1990, Uganda ratified the UN Convention\(^5\) on the Rights of the Child (UNCRC) and committed to take measures to implement its provisions. The UNCRC is the overarching international instrument for the realization of children’s rights.

The government of Uganda is also signatory to several other international instruments put in place to respect, protect and fulfill the rights of children and keep them safe from harm or violence. These include:

- ILO Convention no 182 on the Elimination of the Worst Forms of Child Labour (ratified 2000). Article 3 of this convention defines the worst forms of child labor which states are expected to prohibit and protect children from.
- Optional protocol on the Involvement of Children in Armed Conflict (ratified 2000);
- Optional protocol on the UNCRC on the sale of children, child prostitution and child pornography (ratified 2002).

\(^4\) A Declaration of the Rights of the Child, 1959.
- Universal Declaration of Human Rights; International Convention on Economic, Social and Cultural rights (ICESCR)

The government of Uganda has made commendable progress in putting in place corresponding national legislation and policies for protecting and fulfilling the rights of children hence domestication of some international laws into national laws. Such national legislation includes;

**The Constitution (1995);** the constitution was promulgated in 1995 when the UNCRC and several other instruments relating to children’s rights were already in place. It took into account provisions of article 19(1) of the UNCRC regarding violence against children. Article 34 articulates the children’s rights to know and be cared for, their entitlement to basic education, medical treatment, protection against hazardous work, and be kept in lawful custody separately from adults (for child offenders). It also accords special priority to orphans and other vulnerable children.

**The Children Act cap 59 (2000)** formerly the children statute (1996); the Children Act consolidated all the scattered laws about children and caters for issues of care, protection against violence, harmful employment and other basic rights in sections 2 – 7. Section 5 (2) specifically addresses the protection of children from discrimination, violence, abuse and neglect; section b bans subjecting a child to social or customary practices that are harmful to their health, while section 7 generally prohibits the employment of children or their engagement in any activity that may be harmful to health, education or mental, physical or moral development.

It created institutions including the family and children court (part IV) with jurisdiction and elaborate procedures; underlined the powers of probation officers to investigate and enforce care orders (sections 32 and 40, part V); and set out procedures on how to handle children in conflict with the law (Part X). It also creates positions on the local government committees responsible for child related issues.

**The amended Penal Code Act Cap 120 (2007),** reviews the definition of sexual abuse to include rape, defilement and any other sexual acts involving children. It further represent the government’s commitment to reflect some of the provisions of international instruments on child trafficking and commercial sexual exploitation of children in local legislation, including in the UNCRC and the Optional Protocol on the Sale of Children and Pornography.
The Local Government Act Cap 243 (197 amended 2000); The Act makes district councils responsible for the welfare of children. Other additional instruments include; The penal code act cap 120 (2000 amended 2007), Prevention in Trafficking of Persons Act (2009), which accords protection of children against trafficking, bonded labor, slavery and various forms of sexual exploitation; the police act (1994 amended 2000); the Magistrates Courts Act (1997 amended 2007); and the Education Act which makes basic education for all children aged 6 years and above compulsory: Employment Act (2007), which prohibits any kind of work that is hazardous to a child’s physical, social and moral development; and The National Council for Children Act, Cap 60, which provides for coordination of all children programs across sectors.

In addition to the various laws highlighted above, the government of Uganda has formulated several policies geared at protecting children against violence and abuse. Among these are the following:

the Uganda National Plan of Action for Children (UNPAC) in 1991 as one of the measures in line with the UN requirement that; state parties that were signatories to the Convention take appropriate measures to implement the CRC. On the basis of this obligation, the government of Uganda also set up a task force to conduct consultations with all stakeholders in government and other sections of the population to review existing laws, policies and legislation so as to come up with proper legislation on children in Uganda. The task force recommended that Uganda enacts a law that would bring together all provisions concerning children into a single legislation for ease of reference and to update or repeal outdated provisions.

The National Orphans and other Vulnerable Children Policy (2004) which provides a framework for programming for OVC; The national strategic program plan of interventions on orphans and vulnerable children (NSPPI-2) (2011/12—2015/16) developed to operationalize implementation of the policy on orphans and other children. (MoGLSD 2004). The Child Labor Policy (2006), which regulates the involvement of children in work; The National IDP Policy 2004, which provides for protection of children as a marginalized group; The National Health Policy, which provides for health for all including children; The National Youth Policy, which provides a framework for planning for youth; The National Adolescent Health Policy, which provides for multi-sectoral response to adolescent reproductive health problems; and The National Policy on Young People and HIV and AIDS, which promotes the involvement of young people themselves in the fight against the
AIDS scourge. Although such policies provide for special interventions to protect children from harm, the number of Uganda’s children who are vulnerable to abuse, violence and other challenging circumstances remain persistently high (NDP11 2015/16 – 2019/20).

However, despite the above elaborate initiatives, access to justice for children still remains a serious challenge to vulnerable children. A situational analysis of child abuse and neglect in Uganda by ANPPCAN Uganda Chapter (2011) established that; despite the various interventions and myriad actors in the child protection and welfare sector, child abuse and neglect is still high with 20,100 and 4,968 cases reported by the Uganda Police Annual Crime and Traffic/Road Safety Report for 2011 and findings from primary data in 12 districts respectively.

ACPF (2011) comments that having many policies aimed at protecting the rights of children does not necessarily guarantee the protection of children’s rights if their implementation is ineffective.

The NSPPI -2 attributed this situation to a number of factors including; inability to meet the required legal fees and other expenses including payment of medical examination bills by OVC or their households, lack of resources for police to collect evidence, and limited funding of Community Based Services Department which is mandated to establish and operationalize such structures thereby inhibiting the department’s capacity to fulfill its roles.

2.4. The Role of Local Governments in Protection of Children

The Children Act, Cap 59 specifies responsibilities of different actors concerned with ensuring the rights of children at the various levels of government.

Section 10 -12, specifies the following duties of local councils in regard to children;

Section 10 requires Local councils to safeguard children and promote reconciliation between parents and children. The local government councils from the village to the district level are required to; designate one of its members (referred to as the secretary for children’s affairs) to be responsible for the welfare of children, mediate in any situation where the rights of a child are infringed, ensure the child’s right to succeed to the property of his or her parents but not to distribute them and all the rights accorded to a child in section 5.

In addition to the above, local government councils also have to: keep a register of disabled children within its area of jurisdiction and give assistance to them whenever possible,
provide assistance and accommodation for any child in need within its area of jurisdiction who appears to the committee to require assistance and accommodation as a result of his or her having been lost or abandoned or seeking refuge, make every effort, including publication through the mass media, to trace the parents or guardians of any lost or abandoned child or to return the child to the place where he or she ordinarily resides; and where the committee does not succeed, it to refer the matter to a probation and social welfare officer or to the police.

The Act also empowers the secretary for children’s affairs to upon receiving the report about infringement of a child’s right summon the person against whom the report was made to discuss the matter; and make a decision in the best interests of the child, or refer the matter to the village executive committee if the person against whom the report was made refuses to comply.

Subject to the Act, the executive committee court at village level to be the court of first instance in matters regarding children in the community. According to section 14 of the Act, the family and children courts on the other hand have power to hear and determine criminal charges against a child subject to sections 93 and 94; and applications relating to child care and protection. The court also has power to exercise any other jurisdiction conferred on it by this or any other written law.

Section 20-25, 32 of the Act gives the department of probation and social welfare central responsibility for ensuring the welfare of children, and overseeing the implementation of the Children Act. At the lower levels from sub-county to village levels the Community Development officers (CDOs), represent the probation and social welfare officer.

Duties of the probation and social welfare officer (PSWO) include; regularly attending magistrate’s courts, carrying out inquiries as requested by the Magistrate’s courts, submitting social inquiry reports for the courts especially about child offenders and child protection cases, supervision of probationers and other persons placed on supervision order, supervision of young people after release from national rehabilitation center, supervision of approved and babies homes, tracing, resettlement and follow up of children from children and babies’ homes and inspection of children and babies’ homes, and identifying and removing children whose lives are in danger.

On the other hand, at every police station, a Family Protection Unit (F.P.U) is established to intervene in cases concerning children and their families.
The Local Governments Act, Chapter 243, also specifies various duties for the local government council in regard to protection and promotion of the welfare of children. Each local government council must have a secretary for children’s affairs, who is the person directly responsible for affairs relating to children (s.16). The Secretary for children must work together with other officers of the local government to fulfill this responsibility (s. 25). The Act also provides for the duties of District and Urban Councils to include promoting, assisting and managing the welfare of children, in the provision of education for them.

Every local government council is under a duty to protect the property of a child but they are not allowed to distribute such property. Local government councils also have the responsibility to mediate in all situations where the rights of a child are violated including the right to property as well as other rights. Special attention must be given to children with disabilities and other needy and vulnerable children who must all be registered and given assistance where necessary. In addition, local governments must make efforts to re-unite children who become separated from their parents and guardians.

As outlined above, the Uganda government has made significant steps in putting in place the necessary laws, systems and policies regarding the protection of children in communities. However it faces the added problem of making the structures operational by facilitating them with the required essential inputs. ACPF (2011, 24) observed that:

“Although laws are in place with corresponding policies, the lack of resources and limited awareness on existing laws among duty bearers makes their implementation difficult”.

2.5. Challenges Experienced by Various Actors in Provision of Child Welfare Services

The challenges were analyzed under the four sub themes i.e. financial and logistical capacity, human resource and inter agency collaborations.

2.5.1. Human Resource Capacity

The human resource is very important in ensuring the delivery of protection services for children. The human resource has two issues to it which mostly affect service delivery, that is, availability and knowledge. There is general agreement that the problem of inadequate human resource capacity continues to exist in local governments both in terms of availability and knowledgability, thereby affecting service delivery too.
War child (2008) noted that, “local authorities, their presence and knowledge of events at the most local level make them essential actors in the functioning of any effective child protection mechanism.”

However, UCRNN (2014, 5) report on the progress on implementation of the Convention on the rights of children in Uganda notes that:

“There is skeletal awareness raising through government structures such as the probation department and CFPU of the police however the reach and sustainability of these awareness raising initiatives are limited because stakeholders heavily rely on UNICEF and international NGOs to undertake such work”.

Similarly, Golola (2003) noted that the lack of financial autonomy and insufficient funds to facilitate local government officials means that many of the local government officials including councilors have remained voluntary, without compensation. Hence there is increased corruption by these officials who try to compensate themselves by misappropriating funds and by extortion from the citizens.

Furthermore a concept paper on the Children Act by the Uganda Law Reform Commission contends that the implementation of the Act is undermined by among others, inadequate human and financial resources in the established institutions and the negative attitudes of the society on matters of children’s rights. (Lubandi, 2006)

Onyach-Olaa (2007), also noted that local governments in Uganda continue to operate at less than the acceptable minimal personnel structures, in some instances as low as 9 percent of the approved personnel structure.

According to UNICEF (2000), at the district level, statutory child protection activities are led by the DPSWOs while community based activities are more within the remit of DCDOs and Assistants. The later are also responsible for a wide range of other community development issues and so are generally over-stretched and unable to focus effectively on child protection (UNICEF 2000, 140). As a result, child protection is rarely made a priority issue within district plans of operation and there is a limited deployment of resources in programs at the district and sub-county levels.

According to UCRNN 2002, the LC courts are still the court of first instance for most child related issues, but many have a poor understanding of the principles of juvenile justice and are routinely handling cases beyond their jurisdiction.
UCRNN (2000) also commented that the majority of the lower LCs had no knowledge of the Children Statute 1996 though they had heard of its existence. It is only in districts in which child-focused NGOs operate, and in the majority of instances, at county or sub-county level where the impact of interventions is vivid.

MGLSD (1998) also observed that the understaffing in districts also affected dissemination of the Children Act, and even the district structures mandated to implement the children Act generally had inadequate transport and communication facilities.

However, Abigaba (1998) established that there is a direct linkage between provision of social services and local government’s human resource capacities. She noted that education is one of the important services provided to children to promote their rights, but the inspection capacity of schools to ensure that funds are properly utilized is just 10%. This means that even if funds are misused at the primary schools, the culprits can get away with it”.

According to the United Nations panel on human rights (2000), for attitudes to change, there is need for increased awareness through sensitization using various media about the important legislations central to human rights both at the national and international levels.

**Awareness and understanding of children’s rights**

Laura (2007) argues that despite the strong protection in the Children Act, local governments for reasons related to a low awareness of the law and a lack of capacity to implement its progressive developments had failed to live up to their expected roles.

Lack of awareness and knowledge of the children’s rights was also cited by the Human Rights Commission Report (1999) as the main reason mentioned by violators of human rights.

The National Council for children (2000) argued that although people are aware of the concept of children’s rights, they were ignorant about the existence of a document proclaiming those rights, namely the ‘children statute’ now the Children Act. This finding was unfortunate given the fact that it is the Children Act formerly the children’s statute that stipulates the responsibilities of various stakeholders in the protection of children’s rights.

Kato Nkimba (2011) in the child protection baseline study in western Uganda established that there was varied levels among child protection structures in the target districts with
regard to the knowledge base they had as well as availability and actual use of the existing legal and policy documents as reference materials. The study specifically stated that there was little evidence of actual use of child laws and policies by child protection structures during implementation.

Similarly, in a study conducted in Lira, Kassiano (2000) found out that, as regards levels of knowledge of the provisions of the children’s statute, there was limited knowledge among the local council executives. On the other hand, some judicial officers, members of police office, prosecutors and probation officers had read the statute, although the Probation Officer was more conversant on its provisions.

2.5.2. Financial Capacity

According to the ACPF (2008), the Framework for measuring the performance of governments in realizing child wellbeing- The Child Friendliness Index – identifies adequate budget allocation as one of the main components in the effort to achieve progressive realization of the rights and wellbeing of children. ACPF 2011 in the review of laws and policies relating to violence against children in Ethiopia, Kenya and Uganda noted that response mechanisms for children who are victims of violence were inadequate and characterized by insufficient funding, thus limited policy implementation. The report further notes that ‘services for victims are thin on the ground and institutions lack significant government support.’

However, Laura (2007,16) in an analysis of local government and social service delivery in Uganda, observed that although local governments are mandated to raise revenues and while 90% of local government funding is from the central government, these resources have been inadequate and are allocated in an untimely, uncoordinated and ineffective manner. The revenue base of local governments is thus inadequate to finance vital services.

Bitarabeho J (2008) noted that, ‘Besides funding for teachers and health sector workers whose wages central government pays 100%, other staff structures in local governments are inadequately funded. Thus some Local Governments in the country can not attract and retain key staff to provide basic services.

Bashasha B. et al (2011, 13) in their paper on Decentralization and Rural Service Delivery in Uganda observed that:

*One of the most critical challenges faced by local governments is their low financial resource base due to limited sources of local tax revenue and overdependence on grants from the central government. This challenge is of major importance because all activities performed by local governments require adequate financial resources*. 

The imperativeness of adequate financial and staff resources for the effective service delivery of local governments was also recognized by other scholars. Bitarabeho J (2008) further noted that, local governments as units of government closest to the population have a vital role in providing services in their areas of jurisdiction. So, to effectively have local government as partner in local development, they need to be provided with adequate and predictable resources and capacities for provision and maintenance of these key basic services.

However, The World Bank report on Fiscal Challenges and Opportunities on service delivery in Uganda (2013), notes that Uganda’s local governments rely on transfers from the central government for over 90 percent of their revenue; about 90 percent of these transfers are conditional. Central government transfers to local governments decreased as a share of GDP from about 5 to about 3.5 percent. The total real per capita budgets of the districts have trended downward since 2003/04, with an overall decline of about 10 percent. Further aggravating the revenue problem, district own-source revenue also appears to have declined over this period with the abolition of the graduated tax thus Local governments’ spending on social services has been declining.

Uganda Debt Network (2006) in a study about how pro poor local government budgets in Uganda also observed that, politicians, especially in the district councils, often allocate the majority of resources to sectors that have physical and visible outputs and thus can attract public attention and subsequently strengthen their political base. Such sectors include health, education and roads, among others. They do not necessarily consider allocations to sectors that directly empower the poor and the vulnerable.

In its status report on child rights in Uganda, UCRNN (2011, 16) expressed concern that:

*“notwithstanding the relatively high rate of economic growth in Uganda’s Gross National Product/Total National Budget and that considerable debt relief has been provided via the Heavily Indebted Poor Country Initiative, the...*
resources allocated for children are very limited and insufficient to respond to national and local priorities for the protection and promotion of children’s rights”.

Kaboggoza J (2012) noted that the formal structures, notwithstanding their national coverage, are not sufficiently resourced to respond effectively to the grassroots needs of children at community level. However, Laura (2007, 16) in an analysis of local government and social service delivery in Uganda, observed that:

“Although local governments are mandated to raise revenues and while 90% of local government funding is from the central government, these resources have been inadequate and are allocated in an untimely, uncoordinated and ineffective manner. The revenue base of local governments is thus inadequate to finance vital services, therefore without the adequate resources required to provide at least basic economic and social services, local governments may not achieve the objective of human rights realization”.

Donald (2000) noted that in considering the interventions available worldwide to respond to child maltreatment, a crucial question is the commitment of resources to the institutions proven to have a role in supporting the welfare of children.

At the continental level, during the second international conference in Africa on child sexual abuse in Accra Ghana, ANPPCAN (2012) observed that the financial and human resources allocated to child sexual abuse prevention by African governments are inadequate. Hence most child sexual abuse interventions in Africa were driven by civil society organizations and international non governmental agencies.

A study by Green (2008), which examines the reasons for district creation in Uganda, concluded that decentralized services were not matched with adequate financial resources for local governments to deliver services effectively. Further, the Uganda debt network (2006, 31) lamented that:

“Local governments that depend on central government transfers (conditional grants) for survival have limited capacity to implement locally-specific priorities that are outside of the national poverty priority areas. Local revenues that would finance such locally-specific priorities are on a decline especially, after the scrapping of the graduated tax, and also due to high poverty levels, political interference in revenue collection, incapacity of local governments to diversify their revenue base and corruption in the local government structures”.
The African child policy forum (ACPF) report on child wellbeing 2011 reiterated the governments’ authority and capacity to determine the scope and degree of progress they make in advancing the rights and wellbeing of children. The report notes that “it’s at their discretion whether they allocate sufficient resources, ensure equity and use them effectively to ensure the wellbeing of children.’

According to UCRNN (2002), at the district level budgetary allocations to children or DPSWO office is as low as only 0.25% of the budget allocated to children and at town council level, gender and community development that includes probation and social welfare gets only 2.2% of the district budget. Given the fact that this budget supports the PSWO and the work of CDOs, this automatically impacts on delivery of services for abused and vulnerable children in the community.

The study conducted by the Ministry of Gender, labor and social development in 1998 raised similar concerns. The report identified inadequate funding as a major obstacle to implementation of the children statute. According to the report, one sector that is grossly underfunded was the community and social services which is the principle sector responsible for child protection, promotion of social protection among others.

With the minimal funding they receive, ministry officials are not in position to provide technical guidance and support to the LCs which are the main service providers.

2.5.3. Inter-agency Coordination and Reporting

The issue of inter agency collaboration affects service delivery for orphans and vulnerable children at both local and national levels. The OAK Foundation review of Uganda’s National child protection framework (2010) revealed that there was lack of effective coordination and governance mechanisms within the various sub systems. Further, in a study conducted by Yiga (2010), it was noted that one of the obstacles to effective child protection in Uganda was lack of clear linkage between formal and informal systems. ACPF (2011) also highlights inadequate coordination and monitoring of reported cases of violence against children among the major gaps in the existing policies for protecting children against violence.

In addition, the Save the children (2012) Desk review and Analysis of Literature on child protection systems in the Eastern Africa Region highlighted lack of, or ineffective coordination among child focused structures as a major factor hampering efforts to ensure better lives for children.
The Situation Analysis of Vulnerable Children in Uganda (2009, 3) highlighted that: “A major area that is deficient in the effort to help vulnerable children is coordination and networking”.

Though some respondents in that analysis reported a few examples of successful coordination at the district level and networking, most respondents were of the view that the organizations providing support to vulnerable children were largely uncoordinated and not networking.

The UCRNN (2014) report on implementation of the Convention on the rights of the child, noted that most of the child protection agencies such as the Ministry of Gender, Labour and Community Development and the probation departments at the district level heavily depend on UNICEF and international NGOs to carry out prevention and response interventions.

World Vision (2013) on the other hand noted that the creation of community structures notably child protection committees, monitors and advocates supported by NGOs had been achieved but the challenge with such structures is that they rely on voluntarism and are often not facilitated to follow up child protection issues to completion. When NGO funding stop they cease to operate.

The NSPPI -2 noted that, at the national level, a low resource base and weak collaboration between the line ministries has been a major impediment to holistic service provision to the OVC and their households.

The NSPPI-11 further noted that despite the existence of policies, legislations and institutional frameworks for provision of services to children in Uganda, the overall institutional capacity for coordination and implementation of the national OVC interventions is still weak. At lower local government levels, in many parts of the country from parish to villages, there is an absence of coordination structures and where they exist, they are dysfunctional.

Various studies indicate that many cases of violations of children’s rights have continued to occur in communities but are not reported.

ANPPCAN (2011) Situational analysis on child abuse established that, out of a total 7690 cases of child abuse investigated by the police in 2011, only 3836 (49.8%) had been taken to court. This discrepancy was in most cases caused by the lack of evidence to present in court, due to lack of cooperation among relevant stakeholders.

Akol (2005) also noted that many child abuse cases cannot be concretely quantified partly due to a weak information base and reporting system on children matters both at the district
and national levels. There was inadequate communication and exchange of information between and among key stakeholders.

2.5.4. The Research Gaps
As examined above, a number of studies have looked into numerous issues pertaining to the protection of the rights of the child, however various issues remain outstanding. This study attempted to analyze the issues deeper. For instance studies by Laura (2007), Abigaba 1998 & Odongkara 1999 were done in predominately rural areas. This study took both rural and peri-urban approach on the premise that conditions in the two areas are different and have different implications for the protection and promotion of children’s rights. Local governments and other actors involved in protecting the rights of children in these areas, while they may have similar obligations as provided in the Children Act, may in their day today work pertaining to children face different challenges.

Funding gap was highlighted as one of the major challenges hindering delivery of services by the relevant actors in child protection for instance among the LCs, Police and PSWOs. However, the researcher believed that since Mpigi district had many N.G.Os operating there some of which were directly involved in child rights activities, as compared to districts like Lira where Kassiano (2000) studied the institutions directly involved in the implementation of the statute, it may have experienced the funding challenges differently as well as the awareness among stakeholders about their roles in protecting children from abuse.

It’s also interesting to note that some of the studies like (Krugman, 1991) were done outside Uganda, while others like Tukahebwa 1997 were carried out outside Mpigi district, and those like Abigaba 1998 which were carried out in Mpigi district analyzed the financial aspect only and even studied different counties. It was of interest therefore to assess how the capacity problem manifests itself in provision of child rights promotion and protection services in Mpigi district local government. From the above review of literature it’s evident that the capacity of districts and how it impacts on the delivery of children’s rights has not yet been a subject of wide academic research. This study intended to fill the gap by examining the capacity of local governments to deliver protection services for vulnerable children thereby responding to the question of whether or not the Mpigi district local government has such required capacity and the characterization of the capacity it has. Lastly, the current study only focused on local government capacity aspects in a Ugandan situation with particular focus on Mpigi district local government.
CHAPTER THREE
METHODOLOGY

3.1. Introduction

This chapter provides a detailed description of the plan and methods used in the execution of the study. It outlines the research design; area of study; the study population; sampling procedure; methods of data collection; ethical issues that were considered; as well as limitations of the study.

3.2. Research Design

Overall, the Descriptive Research Design – which essentially focuses on determining, describing or identifying “what is”; and which is mainly aimed at scientifically “casting light on current issues or problems” – was employed by the researcher in the execution of this study. This research design was chosen by the researcher because it was the most appropriate for this study, given its major characteristics, as well as the main objectives of this study. This was essentially because the main focus of this study was to scientifically articulate the phenomenon of the role and importance of local government capacity in offering protection services to vulnerable children.

Within the framework of this research design, the research process was largely qualitative, although it was also complimented, to a limited extent, by quantitative data from secondary sources, especially from district records. Accordingly, the above two factors also determined, among others, sampling and data collection techniques for the study. The study analyzed data for a period of three years (2011 – 2014). The choice and use of the qualitative approach was predetermined by the nature of information required for the study. It enabled the researcher to more effectively collect the required data/information on different peculiar aspects of local governments’ capacity to offer required protection services for vulnerable children.

Qualitative methods were mostly employed in assessing knowledge and skills levels among various local government actors and the available networking and referral systems, while quantitative methods were mostly utilized in assessing the financial, logistical and human resources.
3.3 Area of Study

3.3.1. Major Socio-Economic Characteristics of the Area of Study

The study was carried out in Mpigi district and it covered Buwama sub-county and Mpigi Town Council – as the specific sample areas. Mpigi district was one of the first 39 districts to be decentralized under the then Resistance Councils Statute No. 15 of 1993. By an Act of parliament, the district was split into Wakiso and Mpigi Districts in November 2000 and on 01/07/2010 Mpigi District was further split into three districts of Butambala, Gomba and Mpigi. The current Mpigi district consists of one county, which is divided into two constituencies namely Mawokota North and Mawokota South. There are six sub-counties and one town council. These include: Buwama; Muduumu; Kiringente; Kammengo; Nkozi; Kituntu; and Mpigi Town Council.

The district has a total area of 1,541.13 square kms. It boarders with the districts of Wakiso in the North East and East; Mityana in the North; Butambala in West and North West; Kalangala and Lake Victoria in the South; and Kalungu to the south West. According to the 2014 Population and Housing Census, the total population of the district was estimated at 187,800, with an annual growth rate of 1.4%. In 2012, the population of Mpigi district was estimated at approximately 215,500. The 2014 Population and Housing Census put the total number of children in Mpigi at 244,167 and the number of orphans and vulnerable children at 60,304, but according to the Mpigi District Strategic Plan 2007/08 - 2012/13 it has gone up to 64,327 almost 25.6%.

Mpigi town council is predominantly peri-urban and close to the district headquarters. and hence, close to most of the main social services available for children, while Buwama sub-county though relatively peri-urban and hosts a number of social service providers for children, its communities are mainly rural and have limited access to the services offered to them. It was assumed that the rural-urban distinction offered unique challenges, which those offering child protection services had to grapple with.

3.3.2. Justification of the Area of Study

Mpigi district was considered to be the most appropriate for this study for four (4) major reasons, namely;

(1) The prevalence of many cases of child abuse and violation of children’s rights.
(2) Mpigi district was previously ranked among the richest in Uganda (Nsibambi Apollo 1993). Similarly, it was also documented to have been receiving a fairly big budgetary allocation from the central government. It, therefore, provided the best possible insights into the realities of the capacity of district local governments as regards the provision of protection services for vulnerable children.

(3) Comparatively, the district was easily accessible, given the limited resources available to the researcher.

(4) The district also had both rural and urban characteristics.

3.4. The Study Population

The study targeted various actors involved in the delivery and management of protection services for children. These included: the district probation and social welfare officer; police officers in charge of FPUs; magistrates of the Family and Children Courts (FCCs); community development officers/assistants; as well as members of the district, sub-county and village local councils.

The study, thus, collected information at three different levels, namely: the district, sub-county, and community levels.

At the district level, the study focused on assessing the capacity of the Probation and Social Welfare Office (PSWO); the police Family Protection Units (FPUs); and the Family and Children’s Courts (FCCs) – to support vulnerable and abused children.

At the sub-county level, the study analyzed the capacity of Community Development Officers; police Family Protection Units (FPUs); and Local Councils – to offer protection services to vulnerable children; while at the community level, the study focused on the perception of parents, guardians and vulnerable children regarding the available capacity for child protection in the community – as beneficiaries of child protection services.

3.5. The Study Sample

The selection of the study sample was influenced by three factors namely: representativeness; relevance; as well as manageability. The purposive sample design was employed in the study. Bearing this in mind and in view of the limited resources available to the researcher, the sample was purposively selected at two (2) levels, namely; district level and sub-county level.
At the district and sub-county levels, with particular regard to the service units, the purposive sample was selected on the basis of the respondents’ role in child protection. At the community level, with particular regard to service beneficiaries, as well as, local leaders at the grassroots level, two parishes/wards were selected from each of the pre-selected sub-counties (Mpigi town council and Buwama sub-county) – to reflect variations in terms of socio-economic status.

From Buwama sub-county, Mbizzinya and Jjalamba parishes were selected; while in Mpigi Town Council, Wards A and C were selected. From each of the selected parishes, one village/ward was selected in consultation with local authorities about areas of most reported cases of child abuse. Thus, Park and Bukakala villages in Wards A and C respectively, were selected in Mpigi town council. As regards Buwama sub-county, Jjalamba B and Mpizzinya A villages in Jjalamba and Mbizzinya parishes respectively. In summary, therefore, the study was conducted in 1 sub-county; 1 town council; 4 parishes; and 4 villages.

After selecting the 2 sample parishes noted above, the researcher, with the guidance of local council leaders, purposively selected 10 parents both male and female from each village, who had been involved in the management and reporting of child abuse cases in the past, hence, a total of 20 parents. The basis for purposive sampling at the respondents’ level, was to ensure that the parent respondents to participate in the survey were knowledgeable about the subject of the study and would, therefore, be able to answer questions, and hence, give the researcher the required information based on their experiences.

In addition, 10 (ten) children in and out of school were also selected from each parish to capture their views regarding the services offered to vulnerable children by the formal duty bearers in their community.

Since the study was conducted during school holiday time, child respondents were randomly mobilized from the study parishes with the support of parents and local leaders. The random method was used, since mobilizing children during holiday time proved difficult, yet their views regarding the provision of services for vulnerable and abused children in their communities was regarded important.
3.6. Data/Information Collection

3.6.1. Sources of Data/Information
Data/Information was collected from the following sources;

- Secondary sources (existing documents)
- Key informant interviews at district and sub-county levels.
- Focus group discussions at sub-county levels, two with the local council leaders and two focus group discussions with police officers in charge of the family protection units, 1 with NGO/CBO representatives.
- Focus group discussions at sub-county levels with children
- Focus group discussions with parents/guardians of abused children.

3.6.2. Methods and Instruments of Data collection
A combination of data collection methods and analysis techniques were employed with respect to the different categories of respondents, as described below.

Document Review
Content analysis of all relevant documents, records, and reports was done to compile relevant secondary data. The documents reviewed included: district and sub-county budgets and plans; staff and expenditure records; surveys and studies related to resource allocation, prioritization, development and utilization. Information from this source was used to supplement data from primary sources.
As regards Document Review, information categorization and summarization guidelines in accordance with the objectives of the study were developed and used, as the main instruments.

Focus Group Discussions (FGDs)
At the district and sub-county level, focus group discussions were conducted with police officers in charge of the family protection units; local council leaders; representatives of NGOs /CBOs; parents of abused children; and children in and out of school – to generate information on financial, human, logistical and material resources required and available for efficient service delivery. They were also used to generate information on their general
experience regarding provision of protection services for children. Also among the objectives in this regard, was to establish the extent to which parents and children had confidence in the existing child protection system; whether those who reported cases of child abuse were protected; and how different agencies coordinated to offer services to such children.

Respondents were selected basing on the place and role of these actors in respect to matters affecting children.

With regard to Focus Group Discussions (FGDs), checklists and a discussion guide with relevant issues for discussion were developed and used, as the major instruments.

**Key informant Interviews (KIIs)**

Key informant interviews were held with a view to facilitating more-in-depth analysis of service delivery capacity in the district. They were conducted with selected individuals based on the centrality of their roles in the community and relevance to meeting the research objectives. These included the following: LC.V secretary for children affairs; Secretary for finance Mpigi district, District probation and social welfare officer, District community development officer, Magistrate in charge of FCCs, Police officer in charge of CID and the Medical officer in charge of examination at Mpigi health centre – who also examines cases of abused children.

At the sub-county level, Key informant interviews were held with the Secretaries for children, LC 111; NGO/CBO representatives; Religious/opinion leaders; Police officers and Community development officers.

With regard to Key informant Interviews, interview guides were developed and used as the main instruments.

Table 1 below presents the summary of data/information sources and data collection methods employed.
Table 1: Summary of Data/Information Sources and Data Collection Methods

<table>
<thead>
<tr>
<th>Target group</th>
<th>Mpigi Town Council</th>
<th>Buwama Sub-county</th>
<th>Data Collection Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. District level</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. LC V Secretary for children</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>b. LC V Secretary for finance</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>c. DPSWO</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>d. Medical personnel</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>e. Senior CDO</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>f. Magistrate</td>
<td>1</td>
<td></td>
<td>KII</td>
</tr>
<tr>
<td>2. Sub-county and parish levels</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. CDOs</td>
<td>1</td>
<td>1</td>
<td>KII</td>
</tr>
<tr>
<td>b. LC III leaders</td>
<td>6</td>
<td>5</td>
<td>FGD</td>
</tr>
<tr>
<td>c. Police (FPU)</td>
<td>4</td>
<td>3</td>
<td>FGD / KII</td>
</tr>
<tr>
<td>d. LC I leaders</td>
<td>6</td>
<td>6</td>
<td>FGD</td>
</tr>
<tr>
<td>e. Parents of abused children</td>
<td>10</td>
<td>10</td>
<td>FGD</td>
</tr>
<tr>
<td>f. Children</td>
<td>10</td>
<td>10</td>
<td>FGD</td>
</tr>
<tr>
<td>g. NGO / CBO representatives</td>
<td>5</td>
<td>5</td>
<td>FGD</td>
</tr>
</tbody>
</table>
| Total Sample Size           | 6                 | 42                | 40                        | Total 88

3.7. Data/Information Collection Procedure

Once various study samples had been determined, two research assistants were recruited and trained to assist in conducting the study under the supervision of the researcher. The focus group discussions, as well as the key informant interviews were personally conducted and moderated by the researcher, with limited support from the research assistants.

3.8. Data Processing and Analysis

Data from the focus group discussions and key informant interviews was collated and analyzed based on the thematic areas generated from the responses to questions in the data collection guides.

The information from the FGDs and KII, was qualitatively analyzed and supplemented with the quantitative data.
The thematic technique was used in qualitative data analysis. This involved identifying broad themes, then sub-themes in relation to the research objectives. These were grouped to develop a coding sheet.

With regard to capacity assessment, the researcher developed parameters for analyzing and determining the different capacity of the different duty bearers whether it was low, moderate or high. Such parameters included available skills, funds, logistics, and access to, and utilization of relevant legal documents concerned with child protection, such as the Children Act, and how these affect provision of protection services to the vulnerable and abused children.

3.9. Ethical considerations

During all phases of the research process, it was made explicit that consent was obtained from all authorities and individual respondents who were selected to participate in the research to ensure voluntary participation.

The introduction letter from the Department of Social Work and Social Administration, Makerere University eased the researcher’s identification.

The researcher also assured respondents of confidentiality and privacy on sensitive and private information shared.

3.10. Limitations of the Study

One of the major challenges experienced was over expectations of participants. Some respondents mistook the researcher to be a representative of a non-governmental organization and they expected allowances, such as transport refund and lunch as was the usual tradition for seminars organized by N.G.Os at the sub-county level. After knowing that these were not available, some respondents left before completing the discussions. This made analysis of some of the responses a bit challenging.

The study was largely qualitative and mostly focused on understanding issues critically as regards the protection of vulnerable children in the local government. However, due to limitations of funds and time, the study did not analyze all roles of LCs and other stakeholders involved in the protection of children to understand their issues exhaustively.
CHAPTER FOUR
RESEARCH FINDINGS, INTERPRETATION AND DISCUSSION

4.1. Introduction

This chapter presents the major findings of the study. The study was carried out in 2014 and analyzed information for the period 2011-2014.

In line with the major underlying concern articulated by the researcher in the statement of the problem, revolving around high levels of child abuse, levels of child protection services, and existing capacity to provide those services at the local government level, the assessment of the capacity of the local government system in Mpigi district to offer protection services for abused children focused on the following aspects: financial and logistical facilitation, staffing levels, knowledge and skills of the relevant stakeholders relating to children’s rights, and the networking and referral systems available. These aspects were analyzed at both the district and sub-county levels. However, in order to capture the perspective of the beneficiaries about the child protection services provided by the different stakeholders, selected parents of the abused children and children in and out of school were also involved.

4.2. The Socio-Demographic Characteristics of Respondents

The study focused on a total of 24 local council authorities, 7 police officers, 10 representatives of childcare institutions, 1 PSWO, 1 magistrate, 1 medical personnel, 2 CDOs, 19 parents of abused children and 20 children in and out of school. The majority of LC leaders studied were female (60%) while 40% were male. Among police authorities met, 5 were male while 2 were female, for NGO representatives, 4 were female while 9 were male. In the case of parents and guardians of abused children, 10 met were female while 9 were male. As regards children, 20 were met and had equal gender representation.
Table 2: Gender Distribution of Respondents

<table>
<thead>
<tr>
<th>Category</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LCs</td>
<td>12</td>
<td>15</td>
<td>24</td>
</tr>
<tr>
<td>Police officers</td>
<td>5</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Parents and guardians</td>
<td>9</td>
<td>10</td>
<td>19</td>
</tr>
<tr>
<td>CDOs</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Children</td>
<td>10</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Magistrate</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>NGOs and CBO representatives</td>
<td>6</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>PSWO</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>District Community development officer</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Medical personnel</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>48 (55%)</td>
<td>41 (45%)</td>
<td>87</td>
</tr>
</tbody>
</table>

4.3. Summary of the Status and Dynamics of Child Abuse and Child Protection Services in the Study Area

Provision of welfare and protection services to vulnerable children is essential in ensuring the proper growth and development of children in a nation, including those in disadvantaged circumstances.

First, it was established that child abuse was still rampant in most communities of the study area at all levels – though it manifested itself most significantly at the following levels:

1) At household/family level – mainly taking the form of child labor, denial of education opportunities and harsh punishments. (as mainly reported by NGO actors and local leaders).

2) At community level – mainly taking the form of defilement, child marriages, exposure to pornography and child labor.

4.4. Financial Capacity at District and Sub-County Levels

4.4.1. Overview

The Constitution of the Republic of Uganda Chapter 11, section 176 (2) (d) provides that “there shall be a sound financial base established for each local government unit with reliable sources of revenue”.

It was the interest of the researcher to study the district and sub-county council resource mobilization, management and utilization, with a view to appreciating how resources are allocated to the various departments and programs aimed at promoting the rights of children.
at the various local government levels and their contribution to the efficient and sustainable delivery of services for vulnerable children.

During the study, it was established that Mpigi District Local Government depends on three main sources of revenue for funding its budget, these include; central government transfers, locally raised revenue, and funding support from donor agencies.

4.4.2. Financial Capacity at the District Level

First, as illustrated in Figure 4 below, it was found that Mpigi district was heavily dependent on central government transfers, which comprised of conditional grants tied to specific items; and unconditional grants, which the local governments mainly used to pay salaries and wages.

Indeed, it was found that during the Financial Years 2011/2012 to 2013/2014, locally-generated revenue constituted, on average, only 3%; donor funding constituted on average 1.9% of the total district budget; while central government transfers (*conditional and unconditional grants*) contributed, on average, 96% – as shown in Figure 4 below.

Figure 4: Trend of Central Government Budget Releases to Mpigi District (in billions of shillings) as compared to other sources for FYs 2011/12 – 2013/2014
In this regard, the LC V secretary for finance noted that:

“In many instances, these funds are not adequate and thus create a funding gap. This gap means that the district has limited capacity to cater for local priorities however pressing the case may be since even other sources like donor support raise very minimal funding”.

Furthermore, according to the LC V Secretary for Finance Mpigi district, when the funds were released to the district, they were allocated according to a formula already prescribed by the central government as follows: The first vote was for salaries and wages; followed by 15% for district council administrative expenses: then expenditure on the national priority program areas, and then expenditure on other sectors.

Unfortunately, in this regard, according to the LC V Secretary for Finance, Community Development and Child Welfare services (the main focus of this study), fell under the category of other sectors which were generally regarded as the ‘non-priority’ areas. This thus, implied that very minimal budgets were allocated to this sector, hence affecting the services offered by the probation and welfare department to children in the district”.

The same Secretary for Finance further explained that the Mpigi district resource envelope had been dwindling over the past three years such that, on average, only 79% of the budget had consistently been realized and used to meet all district demands – which explained the high level of unmet priorities.

Financial Capacity of the Probation and Social Welfare Section
The above findings were further confirmed by the information presented in Table 3 below, illustrating the trend of budgetary allocations and releases to the different departments during the FYs 2011/2012 – 2013/2014.
Table 3: Actual Annual Budgetary Allocations to Mpi gi District Departments/Sectors for FYs 2011/12 – 2013/14 (‘000)

<table>
<thead>
<tr>
<th>SECTOR</th>
<th>Actual 2011/12</th>
<th>Actual 2012/13</th>
<th>Actual 2013/14</th>
</tr>
</thead>
<tbody>
<tr>
<td>REVENUE</td>
<td>12,766,371</td>
<td>14,166,659</td>
<td>15,772,638</td>
</tr>
<tr>
<td>EXPENDITURES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>1,201,826</td>
<td>1,346,614</td>
<td>1,538,338</td>
</tr>
<tr>
<td>Finance &amp; planning</td>
<td>213,777</td>
<td>178,640</td>
<td>242,893</td>
</tr>
<tr>
<td>Statutory bodies</td>
<td>410,815</td>
<td>476,960</td>
<td>417,604</td>
</tr>
<tr>
<td>Production</td>
<td>1,281,890</td>
<td>976,521</td>
<td>1,099,930</td>
</tr>
<tr>
<td>Health</td>
<td>1,903,285</td>
<td>1,636,595</td>
<td>2,070,322</td>
</tr>
<tr>
<td>Education</td>
<td>6,630,429</td>
<td>7,209,323</td>
<td>7,011,912</td>
</tr>
<tr>
<td>Works</td>
<td>964,503</td>
<td>883,199</td>
<td>845,294</td>
</tr>
<tr>
<td>Natural resources</td>
<td>135,249</td>
<td>129,895</td>
<td>272,092</td>
</tr>
<tr>
<td>Community based services</td>
<td>144,537 (1%)</td>
<td>160,503 (1.2%)</td>
<td>162,687 (1.2%)</td>
</tr>
<tr>
<td>Planning</td>
<td>31,835</td>
<td>31,101</td>
<td>305,564</td>
</tr>
<tr>
<td>Internal audit</td>
<td>22,597</td>
<td>25,428</td>
<td>55,041</td>
</tr>
<tr>
<td>Grand total</td>
<td>12,940,743</td>
<td>13,054,779</td>
<td>14,021,677</td>
</tr>
</tbody>
</table>


As is evident in Table 3 above (especially as highlighted), the share in the entire district budgets of FYs 2011/12 – 2013/14 of the Community Based Services sector (under which probation and social welfare falls – including child protection), was on average only 1.2%. This made this sector one of the least funded sectors over the three financial years. Accordingly, the District Probation Officer reported that the financial resources allocated to the probation and welfare department were still too low to enable the department to offer reasonable support to vulnerable and abused children in the district.

Figure 5 below further illustrates the specific share of the Probation and Social Welfare Services sub-sector (under which child protection falls), within the Community Based Services Sector budget for the FY 2013/14.
As shown in Figure 5, even at departmental level, the probation and welfare department was still among the least funded within the community based services sector. As is evident, the probation and welfare department was allocated only 2% of the total budget of the community based services sector for the entire financial year 2013/2014.

In the light of the above, in its annual financial report of 2013 / 2014 the probation section highlighted the problem of increasing cases of abandoned children due to poverty and gender based violence, and inadequate funding, whereby even the little allocated in the budget had continuously not been realized – as two of the main problems faced by the sub-sector.

In particular, the District Probation and Social Welfare Officer revealed that the department’s budget was always less than 2 million shillings per year, but even that was not often timely released. She further reported that the department mostly depended on local revenue and financial support from NGOs. So, implementation of the planned departmental activities depended on the amount of funds that were collected from local revenue and support offered by donor agencies.

When asked how the above funding gaps affected delivery of services for children, the District Probation and Welfare Officer revealed that the department lacked the required
resources for facilitating effective coordination of child welfare services and the provision of the necessary guidance and support. She reported that her office received several reports about abuse of children in the community and the community expected immediate follow up, but the office was often constrained by lack of funds, since what was provided to the department was not enough to implement all the desired activities. These included: sensitization workshops for local council leaders on the Children Act; follow up cases of abused children; as well as follow up juveniles. As a consequence, many communities were not reached by necessary programs hence often leading to lack of awareness on children’s rights, as well as reluctance to seek for appropriate support in case of abuse.

She further noted that, some cases needed repeated follow up, but this was not possible because the department had only one vehicle, which was donated by Save the Children Fund and which also required regular repair and maintenance, as well as fuel, which many times her office lacked.

The Senior Community Development Officer also held similar views. He observed that although the Community Based Service sector, under which probation and social welfare falls, takes care of the biggest proportion of the district population (the children), it was seriously underfunded and often failed to perform to its expectations. He further explained that such factors directly affected activities for promoting child welfare at the sub-county levels, since the support to community development officers, who support the Probation and Welfare Officer at community levels are supported under the same budget.

When asked how the probation and welfare department was coping in the above described circumstances, the Senior Community Development Officer explained that:

“The budget to community development (department) was even worse than that before the SUNRISE Project, funded by DFID, which provided support to the department. Funding had, therefore, slightly improved over the past three years partly because the SUNRISE project had put in place a conditional requirement for the district to top up a certain percentage of contribution of funds to the project in order for the donors to make their own funding contribution”.

With particular regard to the dynamics and impact of financial capacity on the functions of the police family protection unit (FPU), as well as the justice system, in the management of child abuse cases and provision of the necessary child protection services – at the district level – in the study area, the study established the findings outlined below:
1) According to the CID police officer at Mpigi police station, a number of reported cases of abuse often failed to progress through the justice system because of inability to meet the required legal fees and other expenses, including payment of medical bills by the vulnerable children, or their families. This was in addition to lack of adequate resources for police to collect the necessary evidence.

2) Furthermore, during discussions with the various police officers engaged during the study, it was reported that one of the major challenges and constraints they experienced was lack of funds to efficiently intervene in the reported cases of child abuse, including, inter alia, tracing suspects and supporting poor families to carry out medical examination for sexually abused children.

3) In addition, one of the police officers who had attended the training on duties of the family protection unit reported that, while they acquired skills to train other police officers in the various police stations in the district about the role of the child and family protection units and effective handling of abused children, they were not facilitated to do so. Hence, though many police officers were aware of the basic role of police in family protection, they still lacked the adequate knowledge and skills to effectively handle cases of abused children.

4) Engaged police officers in the field, including, inter alia, the O/C Mpigi police station, further pointed out specific challenges they experienced in handling defilement cases – which was the most reported form of child abuse in the community, especially in townships such as Mpigi town; Buwama town; Mbizzinya; as well as the islands of Busi and Golo in Buwama sub-county. For instance, the Officer in Charge of the child and family protection unit at Buwama Police Station reported that the police station and other concerned stakeholders lacked funds to handle cases of defilement, particularly for carrying out investigations, tracing suspects, medical examination of the victims as well as coordination with hospitals and court. He noted, for instance, that out of 18 cases of defilement reported in 2013, only 4 were able to reach court due to failure of parents – many of whom are poor – to meet the necessary medical examination and transport costs. It was emphasized that, in most cases, by the time many parents would be able to mobilize enough funds to conduct the necessary tests; it would be too late, in that most times, crucial evidence would already be destroyed.

5) During the interview with the medical officer in charge of medical examinations at Mpigi health centre, he explained that the fee charged for examination facilitated the
examining doctors in case of need to give evidence in courts of law. This was because most doctors were reluctant to give court testimony with no extra allowance by their employers. Thus, parents had to travel long distances from remote parts of the district to those health centers which would accept to carry out medical examinations on victims of child abuse – especially Mpigi and Buwama health centers.

6) Against the above background, police officers at both Buwama and Mpigi police stations generally rated their financial capacity to intervene and support abused children, as well as to carry out public sensitization in schools and communities on the rights of children, as low due to the factors explained above.

The above findings concur with the findings of ANPPCAN (2011), which established that out of a total 7,690 cases of child abuse investigated by the police in 2011, only 3,836 (49.8%) had been taken to court. This discrepancy in most cases was caused by the lack of evidence to present in court, so that the offenders could be prosecuted.

Similarly, UCRNN (2011) also highlighted the limited capacity of the police to gather evidence as a challenge in speeding up investigations on child abuse.

4.4.3. Financial Capacity at the Sub-County Level

As regards financial capacity, the situation at the sub-county level was found to be not very different from the district level either. It was established that sub-county planning, budgeting and development processes involved CDOs, and a specific vote allocation was annually put aside to cater for child care and protection work. However, this budgetary allocation has in some cases remained very low compared to the enormous responsibilities in regard to protection services for children in the respective sub-counties. For example, at Buwama sub-county, the CDO stated that:

“Since 2011, the community development department had consistently been allocated approximately two (2) million shillings per year, but had received disbursement of only three hundred thousand (300,000) shillings for the whole year”.

The CDO further reported that the department was the least funded, and thus many times, he was not able to help children sufficiently, since most cases involved poor parents, who could not meet the associated financial costs. Among other consequences of inadequate funds, the parishes found on islands such as Bunjako, were often not reached, since they were characterized by peculiar transport challenges.
The CDO further highlighted the problem of inadequate releases to the sector whereby in most cases, there was a significant variance between the budgeted funds by the department and the actual funds released to the sector, which greatly affected implementation of planned activities. Table 4 below further illustrates the above-noted situation with regard to **Buwama sub-county** for the FY 2013/14.
### Table 4: Analysis of Budget Estimates Vs Actual Releases for the Community Development Department of Buwama Sub-county for the FY 2013/14

<table>
<thead>
<tr>
<th>Program</th>
<th>Sub Program</th>
<th>Details</th>
<th>Budgeted 2013/2014</th>
<th>Actuals 2013/2014</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Resources</td>
<td>Environment</td>
<td>World environment day</td>
<td>100,000</td>
<td>100,000</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environment sensitization</td>
<td>200,000</td>
<td>200,000</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Forestry</td>
<td>Establish tree nursery beds</td>
<td>400,000</td>
<td>400,000</td>
<td>-</td>
</tr>
<tr>
<td>Community based</td>
<td>Youth day</td>
<td>Youth day celebrations</td>
<td>100,000</td>
<td>100,000</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Training youth in construction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gender</td>
<td>Training women in skills</td>
<td>300,000</td>
<td>300,000</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>enhancement &amp; financial management</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Council</td>
<td>Training of sub-county councilors about</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>their roles in implementing government</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>programs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disabled</td>
<td></td>
<td>Construction of rams for the disabled</td>
<td>200,000</td>
<td>150,000</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Disability day</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elderly</td>
<td></td>
<td>Contribution towards elderly people</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child protection</td>
<td>SOVCC (sub-county orphans &amp; vulnerable children committee) meetings</td>
<td>860,000</td>
<td>-</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FAL</td>
<td>Social women’s meeting</td>
<td>200,000</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Support supervision to FAL instructors</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>CDD</td>
<td>CDD group activities &amp; Operation to CDD</td>
<td>6,664,740</td>
<td>2,691,000</td>
<td>60%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>activities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>8,624,000</td>
<td>3,241,000</td>
<td>63.4%</td>
</tr>
</tbody>
</table>

**Source: Buwama Sub-county Development Plan 2013/2014**

As indicated in Table 4 above, no funding was allocated to child welfare programs *(as highlighted in the table)* in the financial year 2013/2014 though Shs 860,000/= had been budgeted for the activities of the SOVCC (sub-county orphans & vulnerable children committee) meetings some of which, would be used to support services for vulnerable children.

The situation at **Mpiigi Town Council**, however, was slightly different – though in both instances, the CDOs confirmed that the child welfare activities were, similarly, the least funded in the sub-county budgets. According to the CDO Mpiigi Town Council, child welfare activities were not only consistently allocated the lowest funding by the local council, but also often received very little disbursement of what was approved in the annual budget. For example, the sub-county had a total budget of UShs. 22,107,900; UShs. 24,450,900; and UShs. 27,135,900 for the FYs 2011/12; 2012/13; and 2013/14 respectively,
but only UShs. 600,000; UShs. 500,000; and UShs. 600,000 had been released for child welfare activities in the previous three Financial Years.

Figure 6 below further illustrates the percentage share of financial resource allocation to probation and welfare services (under which child protection falls) in Mpigi town council budget for FY 2012/13.

**Figure 6: The Specific Share of the Probation and Welfare Services within Mpigi Town Council Budget for FY 2012/13**

![Figure 6: The Specific Share of the Probation and Welfare Services within Mpigi Town Council Budget for FY 2012/13](image)

*Source: Mpigi Town council Development Plan 2012/2013*

As evident in Figure 6 above, probation activities were among the least funded in the financial year 2012/2013, whereby its actual share of funding in the town council budget was a paltry 0.3%.

In the above circumstances, while the personnel in the district community development services department were mainly able to cope through the support of the *SUNRISE Project*, the CDO Buwama sub-county reported that he sometimes, had to use his personal resources to support child related activities, such as following up and referring reported cases of abused children to the relevant local authorities and police. As regards the CDO of Mpigi Town Council, she reported that she usually coped with the situation characterized by inadequate financial resources to execute her child protection duties through seeking support from the existing NGOs. Similarly, the O/C Mpigi police station reported that officers at the
station, including himself, would cope with inadequate financial resources in the execution of their duties by seeking assistance from local council leaders, but they also often hid away to avoid being requested by the affected people to help them pay the required bills.

With particular regard to the dynamics and impact of financial capacity on the functions of the lower local governments and administrative units (parish and village level), in the management of child abuse cases and provision of the necessary child protection services – at the above-noted levels – in the study area, the study established the findings outlined below.

First, it should be recalled that, the Children Act, 1997 (Cap 59) outlines the various duties of local leaders to support children in the community. Among such support is to safeguard and promote the welfare of children within their areas of jurisdiction; mediate in any situation where the rights of a child are infringed upon; to keep a register of disabled children; as well as to provide assistance and accommodation to any child in need. Fulfilling such duties requires sufficient capacity in terms of knowledge, skills and appreciation of children’s rights, financial support and a strong networking relationship with other relevant duty bearers.

In view of the above duties, the study analyzed the capacity of lower Local Councils I and III in the study area with regard to protection of children in the community and established the following:

1) The capacity status of local leaders in the two sub counties studied to successfully execute their statutory mandates regarding the protection of children, varied between low and moderate. Mpiigi town council was found to be better off than Buwama sub-county in terms of informal and semi-formal networking and referral arrangements, as well as support to abused children – most especially in terms of meeting costs for medical examination of child abuse victims. This was mainly because Mpiigi town council was found to be allocating some funds for support to the community development office, which was often used for such purposes.

On the other hand, the local leaders and other actors concerned with ensuring the welfare of children in Buwama sub-county, were characterized by challenges of accessing some of the areas with rampant cases of child abuse, especially on the islands of Golo, Bussi and Namirembe landing site. Their main challenge was lack of transport since the sub-county budget for child welfare activities was very limited and mostly catered for tracing parents of lost children.
2) It was also established that, generally child protection issues were not among priority concerns of the local governments since they were not reflected in the sub-county budgets – except in Mpigi town council with particular regard to some limited funds allocated in the town council budget for the purpose of financing necessary medical examinations (as already indicated above), Hence local councils at these levels lacked adequate financial resources to comprehensively deliver child protection services.

To illustrate the point of **low prioritization of funding child protection services**, local leaders in the two studied sub-counties compared routine immunization and universal education programs as programs for children, which had been successfully implemented by local leaders because they had been adequately funded by the central government - as **priority programs**.

3) It was established that the most fulfilled role in the two studied sub-counties was tracing parents of abandoned children, by making announcements, as well as transporting lost and found children back to their families. It was interesting to find that despite the fact that LCs reported financial constraints as the major hindrance to their ability to support abused children; the above noted role was commonly and regularly fulfilled. The LC secretary for women Mpigi town council explained, however, that because problems of lost children are clear and obvious to all members of the community, funds to address them are easily mobilized within the community.

From all the findings presented in this section, it clearly emerged that the financial capacity of the higher and lower local governments (*district and sub-county levels*) within the study area to adequately and sustainably support the provision of child protection services through all the responsible structural units (FPU, FCC, PSW department, and LCs) at all levels, was very low and appeared to be progressively dwindling. Given the indispensable importance of financial resources – due to the fact that almost all functions largely depend on them – the above noted low financial capacity seriously affected the quality, effectiveness and sustainability of provision of child protection services in Mpigi district.
4.5. Human Resource Capacity at District and Sub-County Levels

4.5.1. Overview

According to the Children Act, 1997 (Cap 59), formal structures provide – at the district and sub-county levels – for a district Probation and social welfare officer, assisted by the Community development officers at sub-county level – which team takes overall responsibility for coordinating child welfare activities in the district – together with other designated structures, including the Police FPU, FCCs and LCs – through which structures, child protection services are expected to trickle down to the community level.

Against the above background, human resource capacity was generally assessed with regard to the numbers and quality of staff required for providing the necessary levels of protection and support services for vulnerable children in the various concerned departments – with particular attention being paid to the possible gap between ideal/desired levels and existing levels on the ground. The dimension of quality of personnel mainly focused on their levels of knowledge, skills, attitudes and appreciation of child abuse and protection.

Generally, during fieldwork there was widespread consensus that there were insufficient personnel in the Probation and Social Welfare department; in the Family and Children’s Courts; as well as in the Police Family and Child Protection Units in Mpigi district.

The capacity of the various actors in the various specific structural units noted above, with respect to protection of children from abuse in their communities, is analyzed and presented in the following sub-sections.

4.5.2. Human Resource Capacity at the District Level

First, as regards the Probation and Welfare department, it was reported that the department was responsible for a number of specific duties, including: handling child abuse cases; attending family and children’s court sessions; conducting social inquiries; provision of family counseling services; arbitration to solve family problems; evacuation and rescue of abandoned children; routine monitoring and supervision of children’s homes, remand homes and foster parents; sensitization of communities and NGOs/CBOs/FBOs on child care and protection; as well as supporting the referral mechanism for handling cases of child abuse.

According to the District Community Development Officer (DCDO), Mpigi, however: “These services are marginally provided because of ill staffing and inadequate funding”.

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The specific findings on the human resource capacity of the **Probation and Social Welfare department** with respect to protection of children from abuse in their communities, are presented below:

1) The study established that the Community Based Services sector – as a whole, under which the Probation and Social Welfare department falls - was experiencing persistent critical human resource (and funding) gaps, which hindered efficient delivery of child care and protection services in the district.

2) Accordingly, the District Probation and Social Welfare Officer, who is mandated to lead implementation of the Children Act, reported that her department was constrained by a number of challenges, including low staffing, inadequate staff facilitation and lack of adequate skills by staff. She noted that the district had so far appointed only five out of the eight required Community Development Officers (CDOs), who supported child protection activities at sub-county level. They were based in the sub-counties of Kituntu, Nkozi, Muduuma, Kiringente and Mpiigi town council. However a total of three Community Development Officers were not yet recruited, thus constituting a serious challenge in following up cases of child abuse in such sub counties. The sub counties affected included Buwama, Kamengo and Mpiigi, yet Buwama and Kamengo are located along the Masaka – Kampala highway – characterized by big town centers and high incidents of child rights violations.

3) It was further reported that the probation department had been able to recruit only twenty (20) volunteer social workers to support departmental work, while, at least, forty (40) were required.

4) The Probation Officer further reported that some of the parishes of Buwama Sub-county were located on islands, which were difficult to access, yet they had many children who required special support, given the magnitude of child abuse and neglect in such areas. However, due to limited staff (coupled with very limited funding allocated to the department), they were unable to adequately serve children residing in such areas.

The specific findings on the human resource capacity of the **Family and Children’s Courts** (FCCs) with respect to protection of children from abuse in their communities, are presented below:

1) The study also established a close relationship between staffing levels and information gathering in FCCs. Because of the limited number of CDOs in the district, the FCCs
many times failed to gather enough information about reported cases of abused children and juvenile delinquents, as required in court. Furthermore, according to the Mpiigi district Magistrate, there were fewer than required FCC Magistrates in the district – hence they had to be rotated over several courts. This delayed the hearing of cases of remanded child offenders.

2) The Chief Magistrate at Mpiigi high court also emphasized that due to lack of enough Grade II magistrates to preside over the Family and Children’s Courts, only three instead of the six courts gazetted, were operational in the whole district. These were Buwama, Mpiigi and Budde. She further reported that only two magistrates presided over them. This, thus, affected the length of time cases would take to be heard. It was further established that whereas the FCCs were supposed to sit at least once every week, due to limited personnel, they sat once every month.

3) The District Chief Magistrate further noted that, whereas, before a detention order is made for children to be charged with offences, the probation officer has to prepare a report on the child showing his/her social and family background, this was not always possible given that the district had only one PSWO and a few CDOs. As an undesirable consequence, sometimes court had to be guided by partial reports.

4) In addition according to the Chief Magistrate, whereas a child who would have committed an offence could be released by court on bail on condition that such a child would be supervised by a probation and social welfare officer, this might not be possible, or delayed due to lack of sufficient personnel.

The specific findings on the human resource capacity of the Police Family Protection Units (FPUs) with respect to protection of children from abuse in their communities, are presented below:

1) Whereas the main duties of the Family Protection Unit (FPU) include sensitization of communities; investigation; follow up; as well as handling of cases of abused children, according to the Officer in Charge of the Unit at Mpiigi district police headquarters, the Unit had in place only two (2) police officers who had attended a training of trainers’ course in basics of operating FPUs and child abuse intervention. One of the officers was based at Buwama police station, while the other, who is as well the O/C in charge of FCCs, was based at the district police headquarters in Mpiigi town council. He further reported that after the training, the trained officers were supposed to train fellow police
officers in Mpigi district, but due to resource constraints, this had been done at a very limited scale and at a very basic level.

2) Accordingly, it was established that the police as a structural unit within the framework of child protection in Mpigi district was characterized by not only very low staffing levels, but also very low capacity with regard to desired levels of knowledge, skills, attitudes and appreciation of child abuse and protection.

Indeed, the researcher herself was able to detect the capacity limitations of some of the police officers interacted with during fieldwork – with particular regard to basic yet crucial knowledge and skills ordinarily expected to be possessed by officers of a Police Family Protection Unit in a developing country like Uganda, when they reported the tasks summarized below, as major challenges they experienced in their work or seemed not to be sure of what to do under certain circumstances:

a) They identified proof of age of the victims – as a major procedural bottleneck – in handling cases of defilement, which ideally requires a birth certificate, yet most victims in the community lacked them – and one would expect police officers to apply innovative ways of going about this kind of bottleneck.

b) Whereas the Children Act refers to any person below 18 years as a child, some of them did not consider a situation in which a girl aged 16 and above would have consented for sex with a man, to be a case of defilement.

c) It was also found that some police officers had a different attitude with regard to cases of incest – whereby they expressed the view that traditionally incest cases were settled by elders through ritual cleansing of the concerned parties, hence, whenever such cases had been reported to them, they would encourage the people concerned to settle the matters in their family systems, unless the children involved were below 10 years.

d) It was further found that some police officers interacted with in the field, held the attitude that pursuit of protection of children’s rights actually spoilt children – which raised the researcher’s concern given that police authorities are the custodians of the law.

Table 4 below summarizes the analysis of the gaps between desired/ideal and existing staffing levels of relevant personnel in the various key child protection structural units at the district level in the study area.
Table 4: Summary Analysis of the Desired/Ideal Child Protection Staffing Levels vis-a-vis Existing Levels in Mpigi District

<table>
<thead>
<tr>
<th>Type of staff</th>
<th>Available no. of staff</th>
<th>Required no. of staff</th>
<th>Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Probation and social welfare officer (PSWO)</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Community Development Officers (CDOs)</td>
<td>5</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Grade II Magistrates for Family &amp; Children Courts (FCCs)</td>
<td>2</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Police Family Protection Units (PFPU)</td>
<td>2</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Social Workers (Volunteers)</td>
<td>20</td>
<td>40</td>
<td>20</td>
</tr>
</tbody>
</table>

Source: Multiple Sources – Mpigi district

4.5.3. Human Resource Capacity at Sub-County and Lower levels

With particular regard to the dynamics and effects of human resource capacity regarding the functions of the lower local governments and administrative units (village level), in the management of child abuse cases and provision of the necessary child protection services – at the above-noted levels – in the study area, the study established the findings outlined below:

1) First, it was established that, due to significant staffing constraints, in Buwama sub-county, the Sub-County Chief acted as the CDO as well, which overwhelmed his office with a lot of duties, given that both offices carried a lot of responsibilities – hence leaving child protection services inadequately taken care of.

2) Furthermore, the Acting CDO/Sub-County Chief of Buwama sub-county reported that while Save the Children Uganda, had trained 20 volunteer para-social workers to support CDOs in their work, their impact was still minimal, given that they had to work in the whole district.

3) As regards the quality aspect of human resource capacity, in Mpigi Town Council, the CDO reported that training and skills she possessed with regard to child rights and protection was of the level that she had acquired through attending short training workshops organized by NGOs like World Vision and Save the Children. The same applied to the Acting CDO of Buwama sub-county. Accordingly, as emphasized by the District Probation and Social Welfare Officer, much as the Acting CDO of Buwama sub-county and the CDO of Mpigi Town Council were graduates, they both required more advanced skills and knowledge in child rights and protection – though this was not yet possible due to resource constraints.
4) It was also reported that the CDOs of the two studied sub-counties lacked access to relevant laws and other documents which would guide them about child rights issues. For instance, whereas central to the work of the DPSWO and CDOs was the implementation of the Orphans and Other Vulnerable Children (OVC) Policy, both CDOs of the studied local governments did not have a copy of this vital document for use as a reference in their work. However, they had copies of other relevant documents, particularly the Children Act, which had been donated to them by Save the Children – though they reported that they never referred to those documents in their day to day work, since they lacked enough time to read them due to heavy workloads.

5) With particular regard to local council leaders at sub-county and village levels, whereas the Children Act mandates them to execute a wide range of roles including; handling all cases and matters of a civil nature concerning children in their community, keeping a register of children with disability in their community, it was established that although there was a secretary for children affairs in all local councils in the studied sub-counties, majority of them had very limited knowledge, skills and appreciation of children’s rights, as well as their roles in protecting children from abuse and neglect in the community. This was largely due to lack of enough sensitization – mainly caused by the fact that it was mostly NGOs which organized sensitization seminars exclusively in areas where they operated – hence excluding those leaders outside their areas of operation.

For instance, it was established that in some areas of Buwama sub-county, such as in the islands of Busi and Golo, where there was no supplementary effort of NGOs, cases of child abuse intensified, compared to Mpigi Town Council which was more easily accessible, and where NGOs were more active.

In addition, some leaders just lacked interest in issues concerning children, hence leaving them to the secretaries for women and the vice chairpersons. However some of the NGO actors interacted with also indicated that: some mandated local council leaders feared to take appropriate action expected of them because of seeking political favors”.

Similarly, the secretary for women Mpigi town council noted that, conflict of interest also jeopardized the ability of some LCs to effectively intervene in cases of child abuse – citing the case of film-show rooms, (popularly known as ‘ebibanda’ in the community) which were known to expose children to pornography – which LCs, well aware of their
dangers to children, would still go ahead to authorize their operators – simply to benefit from them as a source of income.

As a consequence of the above state of affairs, a number of parents interacted with expressed disappointment about the lack of adequate competence of some of the local leaders to effectively handle cases of their abused children. In this regard, one of the parents complained thus:

“When my child was defiled by the neighbor’s son, the matter was reported to the Vice Chairman and the defiler was taken to police, but when I went back the following day, the police officer said he had escaped. It’s the vice (chairman) who sent me there, so when I reported back to him he failed to find any solution for me”.

6) It was also reported that most local council leaders lacked access to important documents which stipulate their roles of protecting children including: the Children Act; the Local Governments Act; and the UN convention on the rights of the child. For instance, in both sub-counties studied, none of the LC III Vice Chairpersons had a copy of the Children Act. However, regarding the LC I Vice Chairpersons, two of them in Mpigi town council reported that they had copies of the Children Act at their council offices, which had been given to them by an NGO – but they were in English language, yet many of the council members had low literacy levels, hence could not read and understand them.

7) It was also established that the above-noted local council leaders often handled cases of child abuse without making due reference to the relevant laws and policies. For instance, in Mpigi Town Council, some village LC leaders stated that they often handled cases of children, who refused to go to school and those engaged in gambling, but when they punished them with a few strokes of the cane, some had reformed. It was also further established that these local leaders had used caning as an appropriate intervention in ignorance of the existing government policy against corporal punishment.

8) It was, similarly, found that most local council leaders in the study area were not aware of some key statutory functions that they were mandated to execute by the Children Act. Key among these functions was the requirement of mandated LC leaders to keep a register of children with disability in communities under their jurisdiction.
9) It was, similarly, found that attitude of some village LC leaders towards beating of children as a form of child abuse, varied significantly – with some of them expressing the belief that child beating was normal as a way of disciplining children.

10) Furthermore, some children engaged in the field expressed concerns about some local council leaders, especially the Secretaries for Children Affairs, because some could fail to appropriately handle cases of some offenders due to fear of some families in the community; as well as some local leaders who would deliberately violate children’s rights believing that nobody would punish them. In addition, many of the children engaged lacked adequate knowledge about their rights as well as protection mechanisms and systems available to them and to which they were entitled.

11) In view of the above findings, however, the researcher reviewed the sub-county development plans 2013 / 2014 for both Buwama Sub-county and Mpigi town council – which are attached as appendix V and VI respectively – but none of them had incorporated any activity on training of LCs on child rights protection.

As evident from all the foregoing findings, it was clear that the human resource capacity within all the structural units responsible for providing child protection services in the study area at the district, as well as sub-county and lower levels, was considerably low, vis-à-vis desired levels of capacity – hence, given the crucial importance of human resources, negatively affecting the quality and effectiveness of child rights protection in Mpigi district.

4.6. Logistical/Technological Capacity at District and Sub-County Levels

The technological/logistical capacity within the various structural units (PSW department, FCC, FPU and LCs) at the district, sub-county and lower levels responsible for delivering child protection services was assessed with regard to the quantity, quality and effectiveness of necessary equipment (e.g. fueled and maintained vehicles & motor cycles; functional computers; telephone handsets, etc.) and related mechanisms/systems for facilitating/supporting the delivery of those services through the entire service chain – up to their intended beneficiaries (parents and vulnerable children). Particular attention was paid to the existence of the said necessary equipment and mechanisms/systems as well as their adequacy in facilitating/supporting a reasonable level of the delivery of the above-noted services.
The findings on the capacity of the various structural units, as well as actors noted above at all levels, with respect to protection of children from abuse in their communities, are presented below:

1) As regards the Probation and Social Welfare Department, it was reported that the department was generally allocated very few logistics to deliver the range of services that are meant to reach vulnerable children in the district. Accordingly, the PSWO emphasized that the department was characterized by serious logistical constraints – which considerably affected delivery of services to children in the district. She highlighted transport as the major logistical challenge experienced by the department at the district level, as well as at the sub-county level – where CDOs coordinated child welfare activities in the communities. The PSWO explained that, given the vast size of the district and the scope of responsibilities of the probation department, it required, at least, a vehicle at the district level and a functional motorcycle at each of the eight sub counties (8 motorcycles) in the district – for easy follow up of cases and networking with other providers of necessary support services for children.

However, the department had not had a functional vehicle for the past three years since the one donated by Save the Children organization was grounded due to technical and financial challenges.

On the part of the sub-counties, it was reported that the Ministry of Local Government had provided probation department with three (3) motorcycles six years ago to facilitate their work but the one for Buwama sub-county had suffered technical problems and was not functional anymore. In this regard, the CDO Buwama complained that: “It's an old model so its spare parts are expensive, yet the department has no funds to repair it”.

The CDO Mpgi town council reported others though still significant challenges regarding transport. According to her, the department had a functional motorcycle, but she had no skills in riding it, yet her department could not afford a rider.

2) The major undesirable consequences that were found to have emanated from the above reported logistical constraints and challenges are as summarized below;

a) In certain instances, following up reported cases of child abuse presented special challenges due to the long distances that need to be covered in the process – in absence of easily available transport.
b) In other cases, response would be too slow, or simply not possible despite the emergency nature of the reported cases. This would constitute a source of frustration for child victims and their family members in desperate need of protection services. As noted by the acting CDO Buwama sub-county: “Victims or their parents report to the CDOs with a lot of expectation; but when these are not met, they become very frustrated.”

c) In view of the above, the Vice Chairperson LC III Buwama sub-county also expressed concern about the plight of CDOs. He noted that lack of basic facilities had greatly affected their performance – in that, because CDOs were constrained with regard to means of transport, it had become increasingly impossible for them to do home visits, delivery of reports, to contact other service providers, as well as to follow up cases in remote villages.

Similarly, according to the Senior Community Development Officer, lack of adequate logistical support to the department had affected its work in various ways. These included the fact that CDOs were often only able to deliver services to communities within manageable walking distances from their sub-county headquarters – to the disadvantage of difficult to reach areas.

3) As regards technological capacity, it was established, for instance, that Buwama Sub-county has one central computer, which was shared between the CDO and other users, while at Mpigi town council, the CDO had no computer at all – which made the work of both CDOs quite challenging – regarding documenting, storage of information and reporting of cases of abused and vulnerable children.

4) a) With regard to the Police Family Protection Unit – as far as logistical capacity was concerned – it was reported that whereas both Buwama police station and Mpigi police station had a vehicle and motorcycles, they were mostly utilized by traffic police. It was further reported, however, that even then, due to limited funding to the police stations – hence a limited fuel budget for especially traffic operations – in case of need to follow up child abuse cases, stakeholders had to contribute funds to be able to use existing vehicles and motorcycles in investigation of cases of abused children – which often led to delays or failure of cases.

b) In line with the above finding, the officer in charge of Community Liaison Department at Buwama police station noted that the three (3) officers in charge of the family protection unit in Buwama region, namely; Buwama, Kituntu, Nkozi and Budde
sub-counties, would ideally have fully monitored the area and also sensitized communities about safeguarding the rights of children in the communities if they were facilitated with transport. At the time of the study, however, they could only cover areas within walk-able distance of a radius of about 5 kilometers – which would be done only once a month.

5) As regards technological capacity within the FPU in the entire area of study, it was established that there was no computerized system at all in place for recording, storage and management of information/data on child abuse and protection at all police stations.

6) Besides the above documented purely logistical/technological capacity within FPUs, the study also established the related findings summarized below – which were also considered to be vital for effective delivery of child protection services by this Unit:

a) It was also established that the Unit was not facilitated with adequate stationery for recording reported cases of child abuse.

b) Regarding documentation of cases and related information at both Buwama and Mpigi police stations, cases reported were all recorded and stored in manilla files. However due to lack of proper storage facilities in terms of office space and cabinets for files, some files were kept on the floor, - where they would be exposed to hazards including dust, rain and insects.

c) Lastly it was established that there was no specialized cell for child offenders at Buwama police station, but there existed one at Mpigi police station. So, at Buwama, once a child was imprisoned, she/he would be kept in one of the office rooms for the duration of his/her stay until his/her transfer to the next procedural destination.

7) The logistical/technological capacity of the Local Council Leaders was also assessed and it was found that local leaders lacked transport – as a main constraint to fulfillment of their duties. In Buwama sub-county, for instance, it was noted that there were 7 parishes and 39 villages. There were also secretaries for children at each of the levels, but due lack of transport means, they could only reach a limited part of their area of jurisdiction within a walk-able distance – to the disadvantage of difficult to reach areas.

8) In addition to the above reported purely logistical limitations affecting LCs in Mpigi district, the study also established that whereas LCs recorded most of the child abuse cases reported to them, they had no official place to keep such information – such that when incumbents of LC offices changed, the leaders would often not handover the
record books – which would cause challenges in follow up of child abuse cases thereafter.

9) Lastly, as regards the Family and Children Courts, the major operational finding – which however was neither logistical nor technological, was that all family and children’s courts in the two studied sub-counties lacked privacy – since the buildings that housed them were multipurpose. For instance, at Buwama sub-county, the FCC was hosted in the sub-county hall, which was open to other users. Yet, the Children Act, section 102, requires that the child’s right to privacy shall be respected throughout the court proceedings in order to avoid harm being caused to him or her by undue publicity. In addition, according to the magistrate of Mpigi FCC, given the mobile nature of some of the FCC courts, storage of the important court documents had become a challenge.

From the findings documented in the foregoing paragraphs, it clearly emerged that the logistical/technological capacity within all the structural units and other actors responsible for providing child protection services in Mpigi district at all levels, was considerably low, as compared with desired/ideal levels of capacity – which significantly affected the quality and effectiveness of child rights protection services in the area of study.

4.7. Networking Systems and Capacity at District and Sub-County Levels

The child protection system variously requires effective networking, including inter alia an efficient referral system involving major actors, such as LCs; the police; the probation and welfare department, courts of law, as well as relevant civil society organizations. Accordingly, networking capacity within and among the various structural units and other actors/stakeholders responsible for delivery of child protection services in the area of study was assessed and findings are presented below:

1) First, it was established that Mpigi district had institutionalized District Orphans and Vulnerable Children Coordination Committees (DOVICCs), as well as Sub-county Orphans and Vulnerable Children Coordination Committees (SOVICCs) – both mandated to monitor, document, report and share information and experiences on vulnerable children in the district. These are composed of different duty bearers responsible for child welfare activities in the community such as police, LCs, health workers, community volunteers, and NGO/CBO partners. They were established to facilitate networking and coordination of OVC activities at both levels. They were also
found to be operational in both studied sub-counties. This seemed to be a useful initiative aimed at strengthening cooperation and linkages among service providers in the district.

Indeed, the PSWO and the Ag. CDO Buwama sub-county reported that the committees had been useful in terms of sharing and gathering information regarding vulnerable children in their respective communities; offering referral support on reported cases of child abuse; as well as monitoring of child rights violations in the communities.

It was, however, reported by the CDOs of the study sub-counties that, the above noted OVICCs faced a number of challenges, which constrained their effectiveness. According to the CDO Mpigi Town council, the committee members met once every three months, but since they were volunteers and were not facilitated some often did not turn up for such meetings.

2) a) Furthermore, it was established that there existed close collaborations amongst various actors at community level, particularly between LCs, police and community volunteers, such as para-social workers and NGO representatives.

A major challenge identified, in the above regard, by representatives of NGOs and some parents of abused children engaged, however, was that referring cases of abused children to local council leaders was often problematic because in most communities people were related. In addition, it was found that most of the LC 1 leaders were voted by people related to them and their friends, consequently, it became difficult to effectively handle serious cases like defilement, as some LC leaders would continually tend to protect their relatives and friends.

b) However beyond that level, there were no close linkages between actors at district level and community level. For instance collaboration between LCs and the PSWO was not strong. Similarly, the linkages between the Secretary for Children at district level and his/her counterparts at the lower level LCs were also weak.

c) At sub-county level, due to resource limitations and transport challenges, collaborations existed mostly between duty bearers at sub-county headquarters and those in the communities within easy proximity.

d) As regards collaboration with civil society organizations, this was found to be dependent on areas of operation of the respective NGOs and their specific target groups. In this regard the PSWO illustrated the above phenomenon as follows:
“...A case in point is CHISOM, an NGO which offers education support in terms of scholastic materials and meals to vulnerable children, whose services are only limited to four of the six parishes of Mpigi town council, that is, Ward A, B, C, and D, and does not reach out to children in other parishes of the town council.”.

e) However, an exception to the above phenomenon was reported to be MILDMAY agency. The PSWO reported in this regard that some problems particularly regarding HIV/AIDS care and support for children were easier to refer to hospitals and agencies like MILDMAY, whose free services covered a larger part of the district.

A major challenge identified however, was that due to lack of funds to facilitate parents to transport affected children to the health centre, coupled with limited awareness of parents and fear of stigma, many parents did not facilitate their children to complete treatment offered to them.

Overall, it was established that although several challenges still impeded effective collaboration between the various stakeholders concerned with child protection in the area of study, there was reasonable networking among them, which could be improved further if constraints like transport, training, more efficient communication and flow of information among actors/stakeholders, were dealt with. Accordingly, a moderate level of networking capacity was found to exist in the area of study.
CHAPTER V
DISCUSSION AND THEORETICAL IMPLICATIONS

5.1. Introduction

This chapter presents an overview of the extent to which the major objectives of the study were achieved. Findings of the study are also discussed – especially in terms of their implications in relation to its theoretical premises – with particular focus on the application of the tenets of the Ecological Systems theory.

5.2. Discussion

5.2.1. Financial and Logistical Capacity with Regard to Child Rights Protection in the Area of Study

First, regarding the financial capacity dimension, similar to Bronfenbrenner’s multi-stage approach to human development, study results revealed a structured process of resource acquisition and allocation – that started from the central government and trickled down to communities. The major source of revenue for Mpigi district local government was the central government. These funds were released quarterly and what each department obtained was predetermined by the central government. This meant that each department at the lower levels had to operate within specific budgetary allocations. Ironically, all departments charged with provision of child protection services were categorized as non-priority areas and they received the least funding.

The inadequate funding from the central government (Macrosystem), coupled with minimal budgetary allocation for child protection services at the district and sub-county levels (exosystem), had direct implications on the capacity of local governments to offer protection services to children. According to the study results, the non-reciprocal nature of interactions between the major players in the provision of child protection services implied that the Probation and Social Welfare department, the Community Development department, and the police failed to execute their duties because of the limited funds. Fulfillment of these roles required adequate facilitation in terms of transport, communication and other essential logistics that had to trickle down from the central government. Unfortunately, activities like sensitizing the local council leaders on the Children Act, follow up of families of abused children, as well as follow up of juveniles, were not adequately done due to lack of enough funds.
The family, which is regarded as the closest and most influential part of the *microsystem* and whose influence extends to all aspects of the child’s development (such as security, health, and beliefs), had also failed other sectors, like the police and the judiciary, to execute their mandate in providing protection services to the children. Study results indicated that the unsatisfactory implementation of legislation was sometimes attributed to resource limitations on the part of vulnerable children and their parents. For instance, according to the CID Police Officer at Mpigi police station, a number of reported cases of child abuse often failed to progress through the justice system because of inability to meet the required legal fees and other expenses, including payment of medical bills, by the vulnerable children or their families. This ultimately, affected the capacity of local governments to extend protection services to vulnerable children.

Building on study findings relating to finance and logistical management, it was unquestionably evident that systems of service delivery were entangled like *boromean rings* and failure on one part of the system to execute its duties would affect the activities of the other. It depicted strong linkages between the government, community and families – exemplified by the different roles that each was supposed to play in the provision of protection services for children. However, different from the Ecological Model, where a child who has missed parental guidance can easily learn and adapt through normal schooling, the failure to secure funding from the central government has always curtailed the implementation of local government programs. We may argue about local revenues raised by local governments and possible support by NGOs, but this is surrounded by uncertainty, and priority may not always be child protection.

In line with the foregoing, as already documented in Chapter 4, the study established, inter alia, that although a district Local Government has the power to allocate resources to its important sectors, not only was the share of child welfare services in the entire district budget still minimal, but also less of the budgeted amount of funds had actually been released to the District Probation unit by end of each Financial Year - thereby, constraining the delivery of services for vulnerable and abused children in the district. Studies by Donald (2000) and the ANPPCAN Report on Child Sexual Abuse (2012) also questioned the commitment to allocate resources to institutions proven to have a role in supporting the welfare of children. The Situational Analysis Report of ANPPCAN (2011) on reporting and handling of child abuse cases also indicated that the inability to intervene and support vulnerable children was not hinged on inadequate personnel alone, but also limited funding that inhibited their capacity to perform their roles.
Indeed, financial allocations to the Community Based Services sector – where child care and protection falls – was still very low at the district level; and very minimal in the sub-counties. This resonated with the assertion by Green (2008) that the creation of Uganda’s decentralization policy had not matched with resource allocation to ensure effective service delivery. Accordingly, the study established that child care and support services mostly depended on the support of NGOs working in the district, which included: Save the Children, World vision, MildMay and ANPPCAN Uganda Chapter, among others.

The above-noted poor financial situation, inter alia, affected the examination of victims of sexual abuse by medical personnel in the district. It was established that many doctors were not willing to carry out medical examination on defilement victims for free, due to fear of being inconvenienced in the course of subsequent court processes at no extra facilitation. In addition, the medical personnel also lacked the necessary equipment and drugs to carry out rapid tests and prevention treatment on victims of sexual abuse, which would aid prevention of HIV infection, or progression of pregnancy, in case a child was sexually abused. Yet, most parents could also not afford the required medical examination fees, hence failing justice for their child victims of abuse – and causing frustration among child victims and their parents.

5.2.2. Human Resource Capacity with Regard to Child Rights Protection in the Area of Study

As regards the findings on human resource capacity, first, the spillover effects of limited financing were also manifested in the ill-staffing of the relevant offices charged with child protection. In relation to the study goals and objectives, human resource capacity was measured in terms of both numbers and possession of knowledge and skills relating to child protection services and laws. The interplay between limited financing and ill-staffing and the ultimate failure to offer protection services was evidenced by the limited number of both employed and employable officers. Adequate human resources are needed in each department responsible for handling child abuse cases – including: attending the Family and Children Court sessions and conducting social inquiries; provision of family counseling services and arbitration to solve family problems; evacuation and rescue of abandoned children; routine monitoring and supervision of children’s homes, remand homes and foster parents; sensitization of communities and NGOs/CBOs/FBOs on child care and protection; as well as facilitating the referral mechanism for handling cases of child abuse. The above-
mentioned services were marginally provided because of limited financing that often led to ill-staffing.

Indeed, as already documented in Chapter 4, the study established that most structural units and other actors/duty bearers responsible for child protection lacked sufficient human resource capacity (in terms of desired numbers) to ensure efficient service delivery. Some structural units were even over-stretched because they were tasked to handle multiple issues at the district and sub-county levels. In this regard, the most affected was the Probation and Social Welfare department, which had one (1) Probation and Social Welfare Officer, assisted by five (5), instead of seven (7), Community Development Officers. Worse still, one of these CDOs was, substantively, a Sub-county Chief, who also concurrently served as an Acting CDO – which overwhelmed him with a lot of work.

In addition, most of the above-noted personnel also lacked adequate knowledge and skills. As an undesirable consequence, the lack of adequate and skilled personnel and other duty bearers at all levels, curtailed their capacity to investigate child abuse cases, as well as to carry out the necessary interventions right from the village to the district levels in the area of study.

For instance, the Children Act Section 96, 196, states that, before a detention order is made for children charged with offences, the Probation Officer has to prepare a report on the child showing his/her social and family background; how, where, with whom the child is living and conditions under which the child committed the offence, but this was not always possible given that the district had only one PSWO and a few CDOs. Sometimes court had to be guided by partial reports. The essence of human ecology was, once again, exemplified in the role of the Probation Officer. It reflected the inter-connectedness of the family, judiciary, and the social environment in which child offences are committed. A full criminal report is one that takes into account the micro, meso, exo and macro situations under which child offences are committed.

The study also established that although there was a Secretary for Children Affairs in all Local Councils in the sub-counties studied, majority of them had very limited knowledge and skills on children’s rights, as well as on their roles in protecting children from abuse and neglect in the community. The Human Ecological Theory affirms that a supportive relationship between various actors in the provision of services to the abused and vulnerable children is very important. However, the less than required manpower in various departments, coupled with the limited funding, crippled the provision of adequate services.
to the vulnerable and abused children. The failure to address staffing gaps by the central government affected all departments in a spiral form to the lowest level.

Fortunately, the creation of OVC committees and existence of some NGOs helped in reducing the staffing gaps and also represented a sign of collaborative efforts consistent with the Human Ecological Theory in helping abused and vulnerable children.

The phenomenon and dynamics of inadequate staffing in local governments were also studied and documented by Lubandi (2006); Onyach-Olaa (2007); UNICEF (2000); MGLSD (1998); and UCRNN (2014) – and have persistently led to ineffective service delivery, including the provision of child protection services.

In addition, available personnel/duty bearers, including LC I and LC III Secretaries for Children, Community Development Officers and some Police Officers in charge of the Family Protection Unit, also lacked access to information materials on children’s rights – most particularly, the Children Act.

Furthermore, The Ecological Theory of Human Development recognizes children as active players in issues concerning their lives. However, it was found that due to lack of adequate knowledge and skills on guiding children to participate, children were not consulted when making decisions affecting them.

The above challenges, combined with lack of sufficient aides, including transport means to facilitate their work; lack of computers; as well as stationery and other record keeping facilities – for recording child abuse cases handled by the various institutions – coupled with the inadequate networking and referral system – compounded the problem.

The above findings appeared to be consistent with findings from other studies, like UCRNN (2014) – though the results differed from the conclusions by UCRNN (2002) and National Council for Children (2002) – which found that lack of awareness, was mainly among the lower level LCs.

5.2.3. Networking Systems and Capacity for Provision of child Protection Services

To effectively provide protection services to vulnerable and abused children, there is need for good referral agencies, as well as cooperation and support from the referral agencies.

As already documented in Chapter 4, there were indicators of collaborative efforts in the two studied sub-counties. The need and advantage of Human Ecological interaction between
various departments were evident in Buwama sub-county – where Save the Children Uganda had trained 20 volunteer para-social workers to support the Probation Officer and CDOs in their work. However, given that they had to work in the whole district, their impact was still minimal. The intervention of NGOs, like World Vision and the Family Life Network – which offered a wide range of services for improving the welfare of children – was also evident and these included training and sensitization of the various child rights actors/stakeholders. These included the LC Vice Chairpersons – trained and sensitized about the rights of children and intervention skills, education sponsorship, HIV sensitization and treatment, among others. In addition, as already reported, the district had institutionalized District OVC Coordination Committees (DOVICs) and Sub-county OVC Coordination Committees (SOVICs) – to monitor, document, report and share information and experiences on vulnerable children in the district. This was aimed at strengthening cooperation and linkages among service providers in the district.

The above collaborative efforts showed the significance of the Human Ecological Theory in this study. Everyone’s efforts are very important in shaping up a child. The inter-agency networking that was evident in the two sub-counties was a clear sign of human ecology – the inter-dependence of the different stakeholders is key in achieving maximum results.

Indeed, the significance of an effective referral network has been emphasized by many researchers (including OAK Foundation 2010; and UCRNN, 2014). However, whereas an organized networking arrangement in form of sub-county and district Orphans and Other Vulnerable Children Committees (OVCC) had been established in the area of study, and also informal referral and networking systems existed at community level, their benefits were yet to be realized by the vulnerable and abused children they were intended to serve – given the various challenges faced, which limited their effectiveness.

The systems approach to child protection, assumes a highly interactive nature of the parts in relation to the whole (Wulczyn, Daro et al, 1998), but findings from this study indicated that due to the various logistical, funding and transport challenges experienced by the various duty bearers (like LCs, police, CDOs and caregivers of children themselves), many vulnerable children had not yet fully benefited from these referral systems. As already reported, close collaborations between actors existed at community level – but mostly, in easily accessible communities – particularly, between LCs, police and community volunteers, like para social workers and NGO representatives. However, beyond that level there were no close linkages between actors at district level and community level. For
instance, collaborations between LCIs and the PSWO were non-existent, the same applied to linkages between the Secretary for Children at district level and his/her counterparts at the lower level LCs, as well as CBOs.

At sub-county level, collaborations existed mostly with duty bearers at the community level in easy proximity with the sub-county headquarters.

The above findings appeared consistent with earlier findings by Save the Children (2012); and Yiga 2010) – who highlighted lack of clear linkages as major obstacles to child protection in Uganda.

5.3. Theoretical Implications of the Study Findings

For purposes of advancing the study of the capacity of the local governments to offer protection services to vulnerable children, the researcher analyzed several theoretical implications of primary findings. Anticipating the complexity of the many relationships involved in the assessment of the capacity of local governments to offer protection services to children, there was need for a general framework to guide the descriptive research. The Human Ecological Model was preferred because it offered a holistic approach to analyze multi-level and interactive influences of development, which was pertinent to this study. Building from this theory, the study explored the key individual, family, society and environmental influences on service delivery – especially the provision of protection services to vulnerable children.

In line with the Human Ecological Model of development, the study revealed that the interaction between factors involved in the provision of protection services to children, including their immediate family/community environment, as well as the societal and political landscape, directly or indirectly impacts on the capacity of local governments to extend services to them. This interaction may not always be mutually beneficial, and a breakdown occurring within one realm of society may not be countered by success in another. Because of existence of this complex system of relationships, this study also revealed that change or conflict in any one layer also trickles throughout other layers in offering protection services to children. In the following discussion, the researcher further provides evidence of the relevance of the Bronfenbrenner’s theory.
CHAPTER V1
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

6.1. Introduction

The chapter outlines the major conclusions that emerged from the study, as well as the corresponding recommendations made by the researcher for addressing the gaps identified in the capacity of local government system of the area of study at all levels – with a view to facilitating improvements in consistent and satisfactory protection of vulnerable and abused children in Mpigi district. The chapter also highlights possible prospects and opportunities, which can be exploited to enhance protection for the abused children in the area of study as well as in similar local governments, where applicable.

6.2. Summary

The major objective of the study was to assess the capacity of the local government system of Mpigi district to provide protection services to vulnerable children. It drew insights from Bronfenbrenner's Ecological Systems Theory of Development to establish any possible linkages between the various factors that directly or indirectly influence/determine the capacity of various actors/stakeholders to extend protection services to vulnerable children.

Although the research process was largely qualitative, some quantitative data from secondary sources also played a complimentary role in addressing the unique qualities of the research subject. Qualitative methods were mostly employed in assessing attitudes/appreciation and knowledge/skill levels among various local government and other collaborating actors; the existing networking and referral systems; as well as other qualitative aspects of the studied capacity; while quantitative methods were mostly employed in assessing the quantitative dimensions of financial, logistical, technological and human resources – mainly using information from the available district and sub-county records. The study analyzed data/information for a period of three years (2011-2014).

The target groups for the study included: the Probation and Social Welfare Officer (PSWO) and corresponding Community Development Officers (CDOs); relevant personnel of the Police Family Protection Unit (FPU); Magistrates in charge of Family and Children Courts (FCC); and local council leaders – most specifically the Secretaries for Children, whom the Children Act mandates to deal with children’s matters in communities. At the sub-county
and lower levels, the investigation also focused on selected stakeholder parents and some selected children in the two selected parishes – to seek their views on the services offered by the various local government actors with regard to protection of children in their communities. The assessment of all actors/stakeholders was done with regard to the various functions/roles they are required to execute vis-à-vis their own internal capacity, in terms of human resources (including appreciation of children’s rights issues and their knowledge/skills); financial resources and the required logistics; as well as networking and referral systems for protection of children.

As regards financial and technological/logistical capacity, the study established that all the relevant departments studied at the district and sub-county levels, i.e. the Probation and Social Welfare department; Family and Children Courts; the Police Family Protection Unit; as well as the local council leaders, had very minimal or no funds allocated in their budgets for child protection activities. They generally lacked funds to recruit, train and facilitate enough personnel; as well as for transport, communication and following up of cases of abused children. They also lacked computers and any other modern technology to aid in the documentation of experiences and cases handled – most especially, cases of children with disability, as required by the Children Act.

Regarding human resource capacity, the study established, first, that the most important challenge was under-staffing – with all relevant departments having less than required manpower to deliver services for children – especially the Community Development Officers and Magistrates. The department of Community Based Services – under which Probation and Social Welfare falls – was characterized by persistent critical human resource (and funding) gaps, which hindered efficient delivery of child protection services.

In addition, overall, the human resource capacity of local leaders in the sub-counties studied ranged between very low and moderate. Furthermore, the analysis of knowledge of children’s rights and skills for child protection among the various actors/stakeholders revealed poor to moderate levels, especially among local council leaders and police authorities, respectively. However, there was a variation between the two studied sub-counties – with Mpigi town council being relatively better off than Buwama sub-county in terms of knowledge and skills relating to networking and referral systems, and support to abused children – most especially, medical examinations. The low skills and knowledge base was mainly attributed to low levels of training in the rights of children and the roles of various stakeholders in regard to protection of children.
With regard to networking capacity – especially inter-agency collaboration and coordination, as well as referral of abused children – the study established – very importantly – that Mpigi district, with support from USAID and the Ministry of Gender, Labor and Social Development, through the Strengthening Decentralization for Sustainability (SDS) project, had institutionalized district OVC Coordination Committees (DOVICs) and Sub-county OVC Coordination Committees (SOVICs) – to monitor, document, report and share information and experiences on vulnerable children in the district. This was found to be a significantly useful initiative aimed at strengthening cooperation and linkages among service providers in the district. Even more importantly, was the fact that SOVICs were operational in both studied sub counties.

Unfortunately, however, the financial limitations at the district level had continued to curtail the effectiveness of these committees – leading to such undesirable consequences like many volunteer committee members often failing to turn up for meetings because they could not be facilitated with any form of allowances.

Furthermore, it was found that some close collaborations between actors existed at community level – but mostly, in easily accessible communities – particularly, between LCs, police and community volunteers, like para-social workers and NGO representatives – though such collaborations were not as good between higher and the lower level LCs, as well as CBOs.

6.3. Conclusions

On the basis of the detailed study findings – duly presented in Chapter 4 – the major conclusions that emerged from the study – along the lines of the four (4) major dimensions of capacity – are as summarized below:

1) As regards the financial dimension, it clearly emerged that the financial capacity of the higher and lower local governments (district and sub-county levels) within the study area to adequately and sustainably support the provision of child protection services – through all the responsible structural units (FPU, FCC, PSW department, and LCs) at all levels – was very low – and appeared to be progressively dwindling. Given the indispensable importance of financial resources – due to the fact that almost all functions and other resources (including human resources; logistical and technological resources, as well as networking mechanisms) largely depend on them – the above noted
low financial capacity seriously affected the quality, effectiveness and sustainability of provision of the entire package of child protection services in Mpigi district.

2) As far as the human resource component was concerned it clearly emerged from the study that the human resource capacity (in quantitative and qualitative terms – including knowledge and skills), within all the structural units responsible for providing the entire package of child protection services in the study area at the district, as well as sub-county and lower levels, was considerably low, vis-à-vis desired levels of capacity. Hence, given the crucial importance of human resources, the above-noted considerably low capacity negatively affected the quality and effectiveness of child rights protection in the whole area of study.

3) With regard to the logistical/technological facet, it also clearly emerged from the investigation that the logistical/technological capacity (especially with regard to functional transport facilities, as well as technological hardware and software necessary for facilitating service operations), within all the structural units and among other actors responsible for providing child protection services in Mpigi district at all levels, was considerably low, as compared with desired/ideal levels of capacity – which, similarly, significantly affected the quality and effectiveness of child rights protection services in the area of study.

4) Regarding the networking systems dimension (especially with regard to inter-agency collaboration and coordination, as well as referral systems), however, overall, the study concluded that although several challenges still impeded effective collaboration amongst the various actors/stakeholders concerned with child protection in the area of study, there was reasonable networking among them at all levels – which could be improved further if constraints like transport, training, as well as more efficient communication and information flow, could be dealt with. Accordingly, therefore, a moderate level of networking capacity was found to exist in the area of study.

In the light of all the foregoing dimensional conclusions, therefore, it can be concluded that the overall capacity of Mpigi District Local Government (including the district and sub-county levels, as well as non-state actors) – in terms of financial, human resource, logistical/technological, as well as networking capacity to effectively and sustainably provide child protection services – was still considerably low. However, civil society organizations, such as Save the Children, USAID, World Vision, MildMay and ANPPCAN Uganda Chapter, among others, had played a significant role in supporting the district in
6.4. Recommendations for the Way Forward

In view of the above findings and conclusions, documented below are the major recommendations of the most important interventions that need to be made to facilitate appropriate improvements in the sustainable provision of reliable and satisfactory services for protection of abused and vulnerable children in Mpigi district (as well as similar districts, where they will be applicable).

As regards financial capacity – in line with the conclusion documented under Sub-section 6.3, the corresponding recommendations are as outlined below:

1) Mpigi district Local Government should utilize the powers conferred upon it by the Decentralization Policy, to deliberately lobby the Central Government – through the Ministries of Local Government, and of Gender, Labor and Social Development – to elevate the status of the Probation and Social Welfare Sub-sector – to “Priority” Status – and correspondingly, also enhance financial resource allocations to it in the District Budget (though this will necessitate making some modest internal adjustments to a number of other sectoral budget items) – with a view to facilitating the desired improvement in delivery of child protection services at all levels of the district – through improved funding of the sub-sector.

2) Mpigi district Local Government should also systematically and comprehensively map out all existing child-based NGOs, other Civil Society Organizations, and corporate organizations interested in supporting the district; as well as make deliberate efforts to attract and retain more of these – with a view to lobbying all of them to provide more financial and program support in the area of child protection to the district – with a view to bridging the gap between the financial resources that the district LG can mobilize and the required resources.

3) The District Local Government should, similarly, make deliberate efforts to identify other relevant and interested development partners – with a view to lobbying them to provide more financial and program support to the district in the area of child protection – through, among other strategies, strengthening its internal results-oriented performance, resource management and accountability systems.
As regards technological and logistical capacity – given the conclusion presented under Sub-section 6.3, documented below are the recommended interventions:

1) Mpigi District Local Government should, furthermore, make deliberate efforts to constructively engage the child-based NGOs, other Civil Society Organizations, corporate organizations, as well as other interested development partners, that it will have identified – with a view to lobbying them to provide the Probation and Social Welfare Section with more logistical and technological support – in the form of the required hardware and software – in kind, where possible. Similar support should be sought by the District Local Government for the PFU, FCC and relevant duty bearing local council leaders – as appropriate.

2) As regards the crucial challenge of inadequate functional Vehicles and Motorcycles for all Sub-counties in the district – as an interim stop-gap measure in the medium-term – the Community Based Services Department in general, and the Probation and Social Welfare Section in particular, should explore the feasibility, as well as functional modalities of sharing the few that are available, on planned schedule basis – rather than some having (and implementing some of their programs), while others having none at all – hence leaving their programs completely unimplemented.

3) The same Community Based Services Department and Probation and Social Welfare Section should also explore the feasibility, as well as functional modalities of pairs of CDOs of neighboring sub-counties carrying out joint community activities (also using shared transport facilities). Such joint community activities should include, inter alia: awareness raising; training and sensitization workshops/seminars/meetings; as well as follow-up activities (regarding, laws, policies and lawful practices/behaviors related to the protection of children’s rights), as well as distribution of child rights-related documents and other materials – all targeting large numbers of actors/stakeholders of two sub-counties at any one time – rather than each CDO exclusively working in his/her sub-county.
As regards human resource capacity – in accordance with the conclusion documented under Sub-section 6.3, the major recommendations by the researcher are as documented below:

1) Mpigi District Local Government should, similarly, make deliberate efforts to *constructively engage* the child-based NGOs, other Civil Society Organizations, corporate organizations, as well as other interested development partners, that it will have identified – with a view to lobbying them to provide the Probation and Social Welfare Section with human resource support – in the form of seconding some of the required and possible personnel to the Probation and Social Welfare Section for specified periods of time.

2) In the medium-term, Mpigi District Local Government should further explore innovative ways of optimizing the idea of recruiting Volunteers at a low cost (that will be affordable with the available limited funds allocated to the human resource function) – as a cost-effective strategy for filling the human resource gap between desired/optimum and existing staffing levels – with a view to facilitating achievement of a more reasonable level of service delivery – than could otherwise be achieved with the very few substantive staff.

3) After systematically and comprehensively mapping out all child-based NGOs and other Civil Society Organizations that are active in the district, as well as attracting more of them, Mpigi district Local Government should also *constructively engage* all of them to *scale-up* their child protection program activities in the district – under the coordination of the Probation and Social Welfare Section – with a view to bridging the gap between the existing and desired levels of capacity building. Emphasis should be placed on, inter alia: training and sensitizing the various duty bearers to equip them with the necessary knowledge and skills; increasing awareness about laws and policies on the protection of children’s rights among: relevant duty bearers, the general public, and children – to enable them to play their relevant roles; as well as provision of the necessary information materials, like posters, booklets, and copies of the Children Act to the relevant duty bearers – wherever possible, in local languages and with pictorial illustrations.

By *scaling up* their program activities in the district as indicated above, the above-noted development partners will not only *directly* contribute to the achievement of the objectives of the Probation and Social Welfare Section with regard to child rights protection, but also at the same time, *indirectly*, contribute to bridging the human...
resource and financial capacity gaps related to provision of child protection services in Mpigi district.

As regards networking systems and capacity – as per the conclusion documented under Sub-section 6.3, the researcher makes the major recommendations documented below:

1) After systematically and comprehensively mapping out all child-based NGOs, other Civil Society Organizations and corporate organizations in the district, referred to above, as well as making deliberate efforts to attract more of these, Mpigi district Local Government should also constructively engage all of them to carry out joint planning – to ensure efficient collaboration and coordination of all program activities – with a view to ensuring the best possible networking amongst all actors/stakeholders – for ensuring optimum child protection service delivery, as well as optimizing scarce resource utilization.

2) In addition, conscious and deliberate efforts should be made by Mpigi district Local Government to strengthen the existing District and Sub-county Orphans and Vulnerable Children Committees – by providing clear procedures/guidelines for handling child abuse cases and ensuring that relevant stakeholders are thoroughly trained on these procedures and facilitated to implement them.

3) Furthermore, given the increasing role of the media in raising public awareness on pertinent social and public issues, as well as influencing public opinion on pressing public concerns, there is need to utilize this opportunity by mobilizing media action to embrace the need to end child abuse by exposing cases whenever and wherever they occur. Enhancing efforts towards ending child abuse should also be pursued through recognizing actors like health workers, police officers and Local leaders who offer exemplary service in ensuring the protection of children.
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APPENDICES

Appendix 1 Interview Guide for Magistrates FCC, PSWO and in charge FPU

Information Management
1. How do you get information related to the various child abuse cases you handle
2. How long does it take to gather information related to such cases? .................
3. What constraints do you normally realise when collecting information related to a case
4. What is the existing mechanism for collecting and utilisation of data/information on child welfare and protection in the district
5. Recording practices for child abuse cases (how are records on handled cases kept)
6. Constraints realized in keeping such information
7. Effects of such constraints on provision of child protection services

Staffing Status
8. What is the staffing status of your department in terms of age, sex, numbers, qualifications and positions they occupy?
9. What are the filled and non filled positions?
10. How does this affect your performance in child protection
11. Opportunities for staff development within the district/ sub-county/village, etc.
12. What is the salary scale of the staff members
13. How regular are their salaries paid
14. What are other benefits are given to staff members in your department

Level of awareness on children’s rights
15. Have you attended any specific training on child rights and handling of child abuse cases
16. Have you acquired any training about the children statute and your role in implementing it
17. Do you use the children statute in your work
18. How do you rate your current level of knowledge about children’s rights and what to do in case of abuse
19. What skills and information needs do you have?
20. How do you assess the dissemination of the statute and other child rights information to the local government actors
21. What mechanism is in place to equip district actors with knowledge and skills about children’s rights?

Referral and Networking
22. How do your clients learn about your services
23. For those referred, who refers them?
24. what particular services is your department supposed to offer to abused children
25. what services do you normally provide to abused children
26. What constraints do you face in providing the required services for abused children?
27. What form of coordination and networking exists between your office and other departments concerned with child welfare like the local council, probation and social welfare office, etc.
28. what is the existing referral system for abused children
29. Where do you usually refer cases of abused children
30. What services do you normally refer them to seek
31. What problems do you face in referral of such cases

FINANCING AND LOGISTICAL SUPPORT
32. What are the sources of funding for your department and how much does each source contribute
33. what is the annual budget allocation to your department
34. how much is actually released
35. what is the percentage of actual release versus allocation
36. What logistics are provided to your department to facilitate your work

85
37. How adequate are these logistics?
38. How are you facilitated in terms of transport to do your roles
39. How do you communicate with different stakeholders involved in child protection
40. How do you assess your level of communication with other child support services providers
41. What specific challenges do you face in delivering services for abused children in regard to
   a) finance
   b) logistics
   c) infrastructure e.g. office space
   d) communication
   e) knowledge and skills
   f) staffing
   g) networking and referral
42 What recommendations do you have for improvement of the district capacity in provision of
   services for abused and vulnerable children.
43. What is the planned coverage for your services?
44. How much do you actually cover?
45. What are the reasons for this discrepancy?
   opportunities for financial and logistical support to child protection within the district.
Physical structures
What are the existing physical structures for child protection in your community?
How would you assess their state?
How are they facilitated?
How do you utilise such facilities in child protection?
Which other systems and social structures for child protection exist in your community e.g.
   committees, associations clubs etc
What are the existing initiatives in your community for child protection?
Appendix 11
General guidelines for focus group discussions

1. What are the sources and levels of budgetary support to the child protection activities in your department?
2. How much of the district's own resources go to child protection?
3. What proportion of your department budget was approved and released in the last two financial years?
4. How does this affect your capacity to implement your planned activities for child protection?
5. How well understood and disseminated are the laws and policies related to protecting children among district and lower government levels?
6. What efforts are put in place to disseminate such information to the community members (adults and children)
7. To what extent is there cooperation and coordination with other child welfare actors such as NGOs, CBOs, hospitals, police etc.
8. To what extent and thru what means does the district probation and social welfare office provides advice, support, supervision and training on child rights and protection? What form of guidance e.g manuals, guidelines etc are provided?
9. What kind of monitoring mechanisms are in place for ensuring the protection of children at even community level?
10. How frequent are physical visits from the district level?
11. How monitoring (and other) information is captured, analyzed and utilized at district and centre levels?
12. Are there indicators of level of satisfaction with service delivery?
13. What is the extent of reach and coverage of the services offered to the respective clients/target beneficiaries?
14. What are the main operational constraints faced by authorities.
Appendix III: Guidelines for Focus Group Discussion with LCs, CDOs

1) Number of CDOs in the sub-county and their names
2) Are all positions filled
3) Number of vacant positions
4) Reasons for vacant posts
5) How much area is covered by each of them
6) What your role/services rendered to abused children
7) Constraints realized
8) Effects of such constraints on provision of child protection services
9) Knowledge of child rights and intervention measures possessed by them
10) How do they acquire knowledge on child rights issues
11) How often do they acquire knowledge on child rights issues?
12) Source of financing for their activities
13) Purpose and utilization of such funds
14) Recording practices for child abuse cases (how are records on handled cases kept)
15) Constraints realized in keeping such information
16) Effects of such constraints on provision of child protection services
17) How are you facilitated in terms of transport to do your roles
18) How do you communicate with different stakeholders involved in child protection
19) How do you assess your level of communication
20) How much of the sub-county are your services able to reach.
21) How do you reach out to all children in the sub-county?
22) Do different stakeholders involved in child protection i.e. LCs, magistrates of FCC, FPU officers, PSWO network or cooperate on issues concerning children.
23) How is the referral process for abused children done

Appendix IV: Interview Schedule for Parent and Children Respondents

Knowledge of Child rights, Abuse and Protection
1. Are you familiar with the subject of child rights and protection?
2. Have you ever heard a case of a child being abused or mistreated?
3. If yes, what was your relationship with the child that was abused or mistreated?
4. What exactly was the type of abuse or mistreatment that the child suffered? (Please describe the case briefly, what the problem was) Was the case reported to the authorities?
5. If yes, to which authority did you report the case?
6. What action did the authorities take? (Please describe briefly)
9. How was the case resolved/concluded? (Please describe briefly)

10. Were you satisfied with the way it was handled?

11. If yes, what pleased you most about the way it was handled? (Please explain briefly)

12. If no, what disappointed you or the people involved most? (Please explain briefly)

14. If the matter was settled privately with the abuser/aggressor, please explain briefly how it was settled.

15. What prompted you / them to take the particular alternative action you have told me above? (Please explain briefly)

16. Were the concerned parents/guardians satisfied with the way the reported cases were handled by the authorities? (Please explain briefly)

17. For those parents/guardians who were satisfied, what pleased them most? (Please explain briefly)

18. For those parents/guardians who were disappointed, what disappointed them most? (Please explain briefly)

19. When the affected parents/guardians got disappointed, what alternative actions did they take?

20. What do you consider to be the most important factors for the poor quality of child rights and protection services (in rank order) where you think they are poor? Lack of adequate funds

21. What do you consider to be the most important actions that need to be taken to improve the services at each of the following levels of service delivery?

22. If you have any other suggestions to make for improving the child rights and protection services in Mpigi District, please feel free to do so briefly.

Thank you very much for your time and cooperation
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