



MINISTRY OF LABOUR AND SOCIAL PROTECTION
OFFICE OF THE CABINET SECRETARY

SPEECH BY

HON. SIMON K. CHELUGUI
CABINET SECRETARY, MINISTRY OF LABOUR AND
SOCIAL PROTECTION

DURING THE OFFICIAL HANDING OVER OF LAPTOPS FOR
CHILDREN REMAND HOMES FROM THE EUROPEAN
AMBASSADOR, HIS EXCELLENCY SIMON MORDUE TO THE
CABINET SECRETARY, SIMON CHELUGUI CBS, MINISTRY OF
LABOUR AND SOCIAL PROTECTION

ON SEPTEMBER October 7th 2020
AT NSSF BUILDING

The Chief Administrative Secretary, Ministry of Labour and Social Protection, Hon. Patrick Ole Ntutu,

Ambassador of the European Union, His Excellency Simon Mordue

The United Nations Office on Drugs and Crime Regional Representative for Eastern Africa, Dr. Amardo Philip De Andres

Chairperson Special Task Force on Children Matters and Judge Court of Appeal Hon. Lady Justice Martha Koome

**The Ag. Executive Director National Council on the
Administration of Justice Dr, Concrad Bosire**

Ministry Staff,

Distinguished Guests,

Ladies and Gentlemen,

Good Afternoon,

It gives me great pleasure to preside over the handing over of laptops and their licences, a tool which is very key in our day to day work.

The current Covid -19 pandemic has caused a myriad of challenges that have affected each one of us in one way or the other. The children who are the most vulnerable members of our society too have not been left out. Some of the gaps that have been acerbated during the pandemic include the processing of children in conflict with the law as well as access to justice for those in contact with the law. Further during this pandemic, our Country continues to experience an upsurge of violence against children as has been reported in the media.

Just recently my Ministry launched the Violence against Children (VAC) report. When we compared the results from the 2010 VAC Survey and the 2019 VAC Survey, we see some decline in prevalence of childhood violence. This gives us great encouragement that reducing violence against children is indeed possible and our country has been making progress in the right direction. However, the overall prevalence is still too high and it is important to note that some form of recent sexual violence experienced by girls aged 13 to 17 years has increased from 2010 to 2019, which raises a lot of concern.

The Children Act 2001, stipulates that a child who is found to be in conflict with the law and is unable to meet the required bail or bond terms or is

denied bail by the Court is held in a Children remand home while undergoing trial. These children too are also in need of care and protection, as they sometimes fall prey to crime due to the circumstances in their home environment.

The Covid 19 pandemic has certainly made us change the way we conduct business. In an effort to adhere to the guidelines issued by the Ministry of Health, Court sessions including those of Children have had to be conducted virtually. Unfortunately, these remand homes are not equipped with the suitable hardware such as laptops that would facilitate the hearing of children cases. Consequently, the wheels of justice have been

slowed, which has resulted to delay of justice for child victims and lack of access to justice for child offenders.

Violence against children affects the entire social fabric from the individual to the whole society. Unfortunately, a good number of children are abused by persons who are known to them including their relatives. As a Ministry, we are tasked with the responsibility to protect these children who are either victims or witnesses. Some of the measures include placing them in safe custody such as children remand homes to avoid intimidation, or such like interference from their perpetrators. We are all aware that justice in many of the children cases has been lost due to such malpractises.

Years of research and experience have shown that institutional care has a negative impact on a child's social, emotional, cognitive and intellectual development. This is because children may not be given the nurturing love and individual attention they need for their brains to develop and for them to grow into healthy, strong adults. Further to this, institutional care may not provide the necessary personal care, life skills and other services to prepare them for adult hood. Indeed the need for family based care cannot be over emphasised and is certainly in the best interest of the child.

Inevitably, due to the pandemic, children in our institutions have been denied crucial services such as education, life skills training, face to face counselling and more importantly access to visitors.

The provision of these laptops is therefore timely as they will accelerate access to justice for our children thereby minimizing the period of time that children spend in the remand home whether as victims, witness or as child offenders. The laptops will allow the children to give evidence in a private and secluded place, a quiet environment and in the physical absence of the perpetrator. This also reduces the costs and inconvenience that may be incurred when a child victim or offender has to travel sometimes many kilometres from the remand home to the court.

The lessons learnt during days this season can be utilized even in days to come to, enhance technology to improve efficiency and effectiveness in hearing Children matters

My Ministry, on its own, cannot address all the issues affecting children in the Country. Children matters require a multi-sectoral approach which calls for the joint effort of various child protection partners both Government and Civil Society. The establishment of the Special Task Force which is chaired by Hon. Lady Justice Martha Koome identified gaps and challenges that children in the justice system experience.

I wish to applaud Hon. Justice Martha Koome and her team for the good work done over the four year period and also addressing some challenges such as conducting children services- weeks, in an effort to reduce back log of children cases in court and the adoption of November as the Annual service month for children matters. This has significantly reduced the

number of children held in our institutions and in so doing, allowed these children to be reunited with their families. The status report on Children in the Justice system in Kenya which was handed over to the Hon. Chief Justice in November 2019 also gives key recommendations which my Ministry and other players in the justice sector are very keen on implementing.

I also recognize the input of the Task Force in the Children Bill which ensures many of the children issues are addressed effectively. I further wish to assure you that my Ministry is making every effort to speed up the process in order to make it into Law all in the interest of our children.

I wish to thank Ag. Executive Director, Dr. Concrad Bosire for the coordinated, efficient, effective and consultative approach played by the National Council on the Administration of Justice (NCAJ) in continuously reforming the justice sector.

My Ministry recognizes the role our development partners and stakeholders continue to play in ensuring speedy access to justice for our children; I deeply appreciate the role UNODC plays in the Justice Sector and for responding to the appeal of Hon Lady Justice Koome on the donation of the Laptops.

Lastly, I wish to sincerely thank His Excellency the Ambassador Simon Mordue for the financial support in rising up to the need of children and especially during this pandemic as demonstrated in donating these Laptops today.

My Ministry has established 14 Children remand homes namely Nairobi, Kiambu, Machakos, Likoni, Malindi, Nakuru, Kericho, Manga, Kisumu, Kakamega and Eldoret, Nyeri Muranga and Meru . These institutions serve children from various regions and therefore these Laptops will be distributed accordingly.

We commit to ensure that the Laptops donated here today will be used for the purpose they were requested which is the virtual hearing of the children court cases.

Lastly as we move forward, we continue to seek for linkages and further support with European Union and the implementing agency UNODC and also strengthen our bond with government agencies and civil society organizations in the Task Force which we have built over the years.

My appeal to all of us is to walk together as we all seek to protect and serve the child in this great Nation.

It is now my pleasure to receive the Laptops on behalf of the Ministry.

Together, we will provide the conducive environment for the growth and development of all children in Kenya.

Thank you and God bless you all.