

Disrupting Harm

Evidence from 13 countries on the context, threats, and children's perspectives of online child sexual exploitation and abuse.

Detailed Analysis of Access to Justice and Legal Remedies in Uganda
Interviews with Justice Actors

Last updated 7/4/21

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This report is a summary of preliminary data collected for this research project. The perspectives contained herein represent the individuals interviewed and surveyed. Support from the Fund to End Violence Against Children does not constitute endorsement.

Introduction

Disrupting Harm: evidence to understand online child sexual exploitation and abuse (OCSEA), is a unique and collaborative research partnership between ECPAT International, INTERPOL, and UNICEF Office of Research – Innocenti. Leveraging their specific expertise, each partner sheds light on separate but interconnected areas: context, threats and children’s perspectives on online child sexual exploitation.

- Context by ECPAT International through portraying laws & policies in action;
- Threat by INTERPOL through the collection of crime and other data;
- Children’s voices by UNICEF Office of Research - Innocenti through surveys with children and their caregivers.

The countries of focus in Southern and Eastern Africa region are: Ethiopia, Kenya, Mozambique, Namibia, South Africa, Tanzania, and Uganda. The countries of focus in the Southeast Asian region are: Cambodia, Indonesia, Malaysia, Philippines, Thailand, and Vietnam.

Research took place between 2019 and 2021. Up to nine separate research activities were undertaken in each country by the three project partners. Preliminary analysis for each activity was first conducted before the results across all the nine activities were consolidated into each national country report. These can be found here.

In Uganda, the data was collected through 10 semi-structured interviews involving 11 respondents. All 10 interviews were conducted remotely via the online platform Zoom. The remote interviews were necessitated by the COVID19 movement restrictions prevailing at the time, which minimised travel for face-to-face meetings with respondents. The interview sample included 3 respondents from the government and 8 respondents representing civil society organisations. The government officials included 1 police officer, 1 Probation and Social Welfare Officer representing the Ministry of Gender, Labour and Social Development and 1 respondent from the Office of the Director of Public Prosecutions. The 8 civil society representatives included 2 lawyers, 3 child protection case managers and 3 social workers. The civil society representatives were drawn from the national Non-Governmental Organisations: FIDA Uganda, Somero Uganda, Rahab Uganda, Willow International, Set Her Free, Platform for Labour Action and Dwelling Places. All of the respondents were based in Kampala.

ID Number	Organisation	Position
RA4-J-UG-01-A	FIDA Uganda	Advocacy officer
RA4-J-UG-02-A	Platform for Labour Action	Legal Assistant
RA4-J-UG-03-A	Office of the Director of Public Prosecutions	
RA4-J-UG-04-A	Set Her Free	Program Manager
RA4-J-UG-05-A	Somero Uganda	Child Protection Project Officer

RA4-J -UG-05-B	Somero Uganda	Deputy Executive Director
RA4-J -UG-06-A	Dwelling Places	Deputy Director, child protection
RA4-J -UG-07-A	Rahab Uganda	Programme Assistant
RA4-J -UG-08-A	Ministry of Gender, Labour and Social Development	Probation and Social Welfare Officer
RA4-J-UG-09-A	Willow International	Program Director
RA4-J-UG-10-A	Uganda Police Force	

Access to the Justice System

Services provided to victims of OCSEA during the criminal justice process

According to a Probation and Social Welfare Officer representing the Ministry of Gender, Labour and Social Development, services offered to each victim of OCSEA are determined during the initial assessments undertaken by social welfare officers.

“Services to child victims are on a case by case basis. We handle according to how the case manifests, as we can’t have a uniform practice. What we normally do is to find out the environment. We [social welfare officers] assess how the environment of the child is” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The Probation and Social Welfare Officer indicated that the services provided include rescue and shelter, psychosocial support and medical care. In regard to shelter, the Probation and Social Welfare Officer noted that, for OCSEA victims, rescue is in some instances necessary where the situation is not safe.

“If the environment is not safe for the children, because you realise that children who get involved in online sexual abuse do it behind their parents back. Some parents, therefore, get bitter so we ensure that children are withdrawn from that environment of abuse and they are placed in a better environment” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

According to the Probation and Social Welfare Officer, shelter is mostly provided by partners as government shelters are few. In Kampala, for example, the Probation and Social Welfare Officer indicated that there is only one government shelter that only caters for a specific age group.

“We have one children’s home in Kampala that is run and owned by the government and the children there, the age range is only seven to 10. So most child victims are taken to these other homes that are run by partners” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The Probation and Social Welfare Officer noted that before the referral is made to the shelters, the government first explores family-based care with a willing relative. Referral to shelters is only done where placement with a family member is not possible.

“When we have removed the child victim from the environment of abuse, we refer them to shelters. But now before referring them to shelters, we first explore other options around, so for example, other relatives who can stay with and help the child. If they are not there, then we go to children’s homes” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

According to two respondents, (RA4-UG-05-A, RA4-UG-05-B), there is a gap in this particular service as placement of child victims of sexual exploitation and abuse into safe places is not always possible, even when the victims are living in unsafe environments. One of the respondents (RA4-UG-05-B) noted that there are some instances in which Probation and Social Welfare Officers are unable to find

placement for victims that require rescue from unsafe living conditions. The respondent noted that there are few shelters compared to the number of children that need placement.

“From my point of view, we need to have safe places for children when cases are going on especially when you find that some of the perpetrators are from the home environment of the child or are relatives. You find the children not feeling safe at home. Normally the probation officer is overwhelmed and there are so many children and she doesn't know where to take them” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

“I'll give you an example of a case that was handled by SAUTI [Uganda Child helpline 116]. They had a child who was exploited by the uncle. The uncle was threatening to kill this girl if she spoke out. She, however, spoke out against this man but there was nowhere to keep this child safe away from this perpetrator” (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).

The Children Act entitles every child the right to protective services, which include support and protection of children during proceedings in a family and children court.¹ The Victims' Rights and Empowerment Guidelines provide that every victim has the right to protection and imposes a duty on the prosecutors to commit a child to a place of safety.² When places of safety cannot be found for child victims of OCSEA in threatening and intimidating circumstances, this is a denial of the child's right to protection. A scoping study on child online protection in Uganda made the following recommendation concerning victim protection, including the provision of shelter for child victims in unsafe situations: *“Victim protection should receive its own ring-fenced state budget allocation, which can be utilised for the provision of counselling services, victim/witness protection during the course of a case, and the establishment of services to shelter victims when required, such as in cases where the perpetrator lives under the same roof as the victim, where there are fears of reprisals in the reporting of a case from the perpetrator or other community members, and when the location of the victim needs to be kept secret.”*³

For counselling and psychosocial support, the interviewed Probation and Social Welfare Officer indicated that this is provided to child victims of OCSEA and other forms of abuse but the government depends on the pro bono services of partners as no government agency or department provides this service.

“We ensure victims receive psychosocial services depending on the level of abuse. We identify people who can offer trauma counselling, could be clinical officers or psychiatrist. We don't have a government department to counsel victims. We collaborate with partners who we majorly encourage to offer pro bono services” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Based on these remarks, counselling services are therefore contingent on the availability of partners that can offer this service for free. Though respondents from civil society organisations indicated that they provide counselling, these services are limited to their specific beneficiaries and geographical

¹ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 42C(3)(a)(i) also Section 42(3)(b)(xi).

² Office of the Director of Public Prosecution Uganda. (2019). [Victims' Rights and Empowerment Guidelines \(2019\)](#), Guideline 6.

³ CJCP (2016) Uganda Child Online Protection Scoping Study, page 72.

focus areas. The interviewed representatives of civil society organisations that confirmed offering counselling services to children were: Dwelling Places, Platform for Labour Action, Willow International, Rahab Uganda, Somero Uganda and Set Her Free. None of these organisations has a specific focus on OCSEA but rather on thematic areas closely related to OCSEA e.g. child trafficking, commercial sexual exploitation of children, rehabilitation of street children, and child labour. As a result, they confirmed offering services to victims of OCSEA. None of the organisations, however, is offering these services nationally. Thus, counselling is a service that is not available in every geographical region of Uganda. Though Ugandan laws do not make any specific provision for psychological support to children during the investigation and legal proceedings, the Children Act entitles every child the right to ‘protective services’, which include support and protection of children during proceedings in a family and children court.⁴ As counselling of child victims of OCSEA during criminal proceedings is an important form of support as entitled to children under the Children Act, it appears necessary to address this gap.

According to the interviewed probation officer, social welfare officers also ensure that children are referred for medical attention where this is required. However, it was indicated that medical services for victims were not free of charge, as any costs incurred during the medical examination for a child victim are borne by the parents. The Probation and Social Welfare Officer indicated that in situations where parents are not in a position to pay, the social welfare officers link the victims to civil society organisations for support.

“When we go for medical examination, if there are related medical costs, parents have to be asked to cover, but where parents cannot, we normally link up with NGO’s to help” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The respondent from the Office of the Director of Public Prosecutions confirmed that medical care for victims of sexual exploitation is not free and therefore victims from poor families are not able to access this service.

“When you look at the medical examination, it is supposed to be done by a police surgeon and most of these police surgeons ask for money from these children and the parent to carry out these examinations. Many of them are not able to access that kind of money, so it becomes a very big problem. And that is why sometimes when we have successfully prosecuted these cases we prosecutors seek compensation” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

This was also confirmed by another respondent from a civil society organisation.

“For sexual exploitation, for you to be able to prove the case you need a letter from the police surgeon and in such cases, to get the letter you need to pay. Sometimes the parents come back and say, -we have to pay to get the police letter, and it is not easy for them” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

⁴ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 42C(3)(a)(i); also Section 42C(3)(b)(xi).

From the interviews, therefore, it is evident that there is a limitation in the accessibility of medical care for victims of OCSEA (and other forms of sexual abuse and exploitation) from poor families, mainly due to the costs involved.

With regard to legal representation, at least three respondents indicated that their organisations offer legal aid services to the victims of OCSEA that are referred to them. These organisations include FIDA Uganda, Platform for Labour Action and Willow International. Though the Children Act guarantees every child the right to effective legal aid, including representation in criminal proceedings⁵, legal representation was not indicated as a service that the Probation and Social Welfare Officers support child victims of OCSEA to access. There was also no indication from any respondent that legal representation is available from the government for child victims of OCSEA.

One respondent recommended establishing a government legal aid scheme to support victims of OCSEA and other forms of violence as she indicated that legal services are very expensive and currently no pro-bono lawyers are available from the government.

“I recommend that the government have pro bono legal services in place to help the children and their families that cannot afford legal services. Legal services are really expensive, and there are no pro bono services that can provide the same services for victims. So I recommend pro bono services by the government” (RA4-UG-06-A, Deputy Director, child protection- Dwelling Places).

Though the Children Act guarantees every child the right to legal aid,⁶ this is a service that is still not readily available for victims of OCSEA.

How OCSEA cases come to the attention of criminal justice actors

A respondent from the Uganda Police Force indicated that when it comes to reporting OCSEA cases to the police, the report can be lodged either to the CID or to the Police Child and Family Protection Unit, which then refers it to the CID for investigations. They indicated that this depends on the preference of the person reporting the case.

“It depends on where the victim feels comfortable - it [the report] can come to the criminal investigation department directly or it can go to the child and family protection unit, then they refer to CID for investigation” (RA4-UG-10-A, Uganda Police Force).

According to the same respondent, OCSEA cases are referred to them by Child helpline-116, parents, community leaders and local councils.

“Cases come to the attention of CID through parents, through people from the community including local leaders and local councils. It can also be through partners like SAUTI (Childhelpline 116)” (RA4-UG-10-A, Uganda Police Force).

⁵ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 4(1)(k); also Section 16(1).

⁶ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 4(1)(k); also Section 16(1).

A Probation and Social Welfare Officer confirmed that most of the OCSEA cases she has handled have been reported to her by Child helpline Uganda (116). She indicated that she has also received a few OCSEA cases from concerned community members including children, non-governmental organisations, and community-based organisations.

“I have handled OCSEA cases and most of them have come through 116. I have also handled a few [OCSEA cases] that have come from concerned members of the community and then NGOs and community-based organisations, as well as the peers of the child victim” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Though the Children Act provides that any person who knows about a child at risk of sexual abuse or in need of care and protection has the duty to report to a designated child protection organisation or authority,⁷ at least four respondents indicated that very few cases of OCSEA are reported to criminal justice actors by the members of the public due to the limited understanding of the issue.

The respondent from the Uganda Police Force indicated that although they hear about live streaming cases, the victims never come forward to formally report to criminal justice actors. She attributed this to the lack of understanding of OCSEA amongst the public.

“On live-streaming, these cases will be there within the community, but the only way we can know might be through some other agencies like SAUTI 116, but even when they get the hint, you will find that the victim themselves will not come out [to report]. That's one of the challenges. We think the communities of Uganda have not appreciated [understood] the crime [OCSEA]” (RA4-UG-10-A, Uganda Police Force).

The representative from the Office of the Director of Public Prosecutions, also confirmed that as prosecutors, they have only handled a few cases of OCSEA. The respondent also attributed this to a lack of awareness on OCSEA as well as the lack of clarity on how to report OCSEA incidents.

“Among the cases that we handle, online child sexual abuse cases have not been so many. (...) OCSEA has not been so much publicised and the ways of reporting online sexual abuse are also not so clear. This explains why we have few numbers of OCSEA cases” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

A respondent from FIDA Uganda indicated that OCSEA is not viewed as an offence by the general public for which they can seek justice under the criminal justice system.

“The [OCSEA] cases are not many and we suspect it is because people do not understand that [OCSEA] is an offence that is triable by the courts of Uganda. (...) People do not think that online sexual abuse is an offence. They think that the child is just misbehaving, or it's just puberty. So, it's not looked at as an offence” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

Another respondent also indicated that children, because of this lack of awareness, may not recognise OCSEA as abuse when it happens to them.

⁷ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 42A(1).

“A number of our children don’t know that they are exploited. There are high chances they will not recognise that they are being abused sexually. So that is one of the greatest challenges. Even the communities that we are working in, do not understand that online exploitation happens. If they see it, to them it is like a normal thing and no one will openly come out to say this and this has happened to this child. (...) People don’t know that online exploitation exists” (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).

The interviews highlighted that limited awareness of OCSEA was deemed by respondents to be a factor that has contributed to the limited reports to justice actors. To enhance reporting, therefore, it is important to educate the public on the emerging manifestations of OCSEA.

Stigma was another factor that was pointed out by at least three respondents as a contributing factor to the limited reporting of OCSEA. Stigma was indicated to apply to any form of sexual exploitation and abuse and is thus not limited to OCSEA. Due to this stigma, it was noted by the respondents that coming forward to report sexual abuse is hard for victims.

“The families that come out to expose the issue of sexual exploitation openly, you find some members of the community stigmatising them. Even where you’ve reported to the police, they will view you [the victim] as a person who willingly participated in the act. So that also makes it harder for the child to access justice or seek help from either police or service provider or to court” (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

“There is a fear of stigma due to [sexual] abuse. I mean, everyone will look at you like, - How do you produce pornographic material? How do you engage yourself in something like that? So usually it’s hard for the child to express themselves” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

“People tend to label children who have been sexually abused. Some even get judgemental so victims fear bringing other people into the picture [letting other people know about it]. They fear people getting judgemental” (RA4-UG-09-A, Program Director, Willow International).

Another factor closely related to stigma that also makes it hard for victims to come out to report, and which was mentioned by at least seven respondents, is victim-blaming at the various stages of the criminal justice process. This was noted to apply not only to OCSEA but more generally to child sexual abuse and exploitation cases. In particular, the police were singled out for this.

“You find that where a child got exposed to the perpetrator online, on Facebook if it ends up in sexual abuse when such a case is reported, the police will tell the child - you just chose to go with someone, you are young, why do you expose yourself?” (RA4-UG-07-A, Programme Assistant, Rahab Uganda).

“The police station, it’s not an easy place for a child. The police ask so many questions and not in a child-friendly way honestly. It starts from the interview at the police station all through to court. So by the time the child victim gets to court, they’re already afraid” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

“The child victim is asked- Why did you do it? Who told you to go? Who told you to accept this person as a friend? Why did you go there in case they told you not to go there, you know that kind of stuff?” (RA4-UG-10-A, Uganda Police Force).

One respondent indicated that this victim-blaming by police contributes to a preference by community members to settle matters of child sexual abuse and exploitation, including OCSEA, at the community level without reporting to law enforcement agencies.

“Police officers engage in victim-blaming. – ‘that is why you have a phone’- or police saying to parents that they have failed to take care of their children and now they are throwing the responsibility to the police to do it. So parents prefer to sit and informally handle it without going as far as police” (Advocacy Officer, FIDA Uganda RA4-UG-01-A, Uganda).

Participation in the Justice Process

Description of how children participate in the criminal justice process

Although the Computer Misuse Act⁸ and the Anti-Pornography Act⁹ criminalise CSAM-related offences and carry heavy penalties that reflect the grave nature of OCSEA-offences, the respondent from FIDA Uganda indicated that though the FIDA legal clinic receives cases of OCSEA, these cases rarely proceed to court and are instead settled by the victim's family and the perpetrator outside the criminal justice system.

“Our legal clinic has interfaced with such cases [OCSEA cases] and it's usually from a relative who has stayed in the home or someone who shares the same space with the child. It could be an uncle, a close friend, or it could be a neighbour that is older but has familiarised themselves with the children. And one of the experiences is that those cases never really go as far as court. For the few [OCSEA] cases that we have interfaced with, the victim's family is usually more interested in covering it up, (...) more willing to sit down with the relative who is the perpetrator to talk things out” (Advocacy officer, FIDA Uganda RA4-UG-01-A, Uganda).

Another respondent indicated that resolving child sexual abuse and exploitation cases informally at the community level is usually a preferred option for households in absolute poverty.

“There's a point at which the perpetrator finds the family of the victim. And then they request that that case is resolved amicably and in one way or the other, because the families that we work with, are families that live in absolute poverty, so most of them would go for that arrangement not thinking about the child. (...) Usually, families will opt for this than going through the whole process of justice” (Deputy Director, child protection, Dwelling Places, RA4-UG-06-A, Uganda)

The FIDA respondent also explained that in some of the communities a girl above 14 years of age, though still under 18, is considered mature, which contributes to cases being settled at the community level.

“Just to give you the context - a young girl of about 14, 15, 16, there's a tendency for communities to think she's about age [mature to engage in sexual activities]. (...) So usually the fathers and mothers have been coming up very strongly to say- ‘let him [the perpetrator] at least pay’. And then they negotiate and then they [the perpetrator] pays for the damage. (...) It's usually the parents trying to get some money out of it and they're not concerned about the child. (...) That's why you find most of the victims might be denied the chance to access justice as the parents get paid” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

⁸ A person who commits the offences related to CSAM under the Computer Misuse Act is liable to be punished either with a fine not exceeding three hundred and sixty currency points (approx. US\$1,997 as of April 2021) or imprisonment not exceeding fifteen years or both. (Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 23(4).

⁹ Similarly, for committing the offences related to CSAM under the Anti-Pornography Act, a person is liable to be punished with a fine up to seven hundred and fifty currency points (approx. US\$4,160 as of April 2021) or imprisonment up to fifteen years or both. Republic of Uganda. (2014). ([The Anti-Pornography Act No. 20 of 2014](#))

The FIDA respondent indicated that parents' negative perception of the criminal justice system ensures they do not want to engage with it. She indicated that the formal process of accessing justice is perceived as long and tedious, thus diminishing the public's desire to engage in this process, even for OCSEA cases.

"There is a lot of negative perception of the court. (...) People are aware that the process is long and very tedious (...). So that length that you have to go through to achieve justice makes people not interested" (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

Another barrier for OCSEA cases proceeding into the criminal justice system was the lack of evidence to support the cases. This was indicated by at least four respondents.

"So basically, some of the cases are in that line of OCSEA, but you know, police say you should always have evidence of how it happened. So, in one case we handled, the girl didn't have anything to show that this and this had been happening. The number of the guy who was sending messages to her could not be easily traced. So that case was there but we had to let it go" (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).

"When the victim reports a case, they are asked for evidence but the person that they had been chatting with tells them to please delete because of the privacy even the victim is doing it in secret. So, what they do, they keep deleting all the vulgar things, all the nudes they keep deleting. So, when they report the issue, the victims don't have the evidence. And so without evidence, the case cannot proceed anywhere" (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

One respondent noted that although she thinks investigators can obtain this proof, there seems to be a disconnect between Internet Service Providers and the criminal justice actors, as well as a laxity in handling OCSEA cases.

"You find that it's difficult for a person to prove that there was contact between the child and the perpetrator. So, you report a case and then the child and guardian record a statement. But then finding the perpetrator is difficult. I think it's possible, but there is a disconnect between the Internet Service Providers and the criminal justice system which makes it very difficult. There has just been a bit of laxity and OCSEA is not taken seriously" (Advocacy Officer, FIDA Uganda RA4-UG-01-A, Uganda).

The respondent from the Uganda Police Force indicated that there is a lack of understanding of OCSEA within law enforcement structures.

"We have the challenge that law enforcement structures don't understand OCSEA since it is a new emerging crime. Not everybody understands, except a few" (RA4-UG-10-A, Uganda Police Force).

This limited awareness of OCSEA referred to by the respondents is in line with a 2016 scoping study on child online protection, which indicated a lack of awareness and understanding by criminal justice

actors (police, prosecutors etc.) of the legal provisions of the Computer Misuse Act and other laws related to OCSEA.¹⁰

The respondent from the Uganda Police Force (RA4-UG-10-A) indicated that she was not aware of any training conducted for CID officers on OCSEA. This is indicative of a need to provide specialised training to law enforcement agencies on OCSEA for them to effectively support the gathering of evidence for these cases.

Despite these hindrances, respondents from both the Uganda Police Force and Office of the Director of Public Prosecutions did indicate that there are a few cases of OCSEA, especially CSAM, that have been reported to criminal justice actors and that were successfully prosecuted.

“We have received a few OCSEA cases and those that have come to our unit, are cases of child sexual abuse and exploitation materials. These are the common ones” (RA4-UG-10-A, Uganda Police Force).

“The cases brought for prosecution usually are cases like the perpetrator taking photos and videos and using them for exploitation. (...) And many times those abuses are happening on phones with this era of social media. (...) Though the number is not so big, we have prosecuted several OCSEA cases and obtained convictions” (Office of the Director of Public Prosecutions, RA4-UG-03-A, Uganda)

Respondents from civil society organisations also confirmed having interacted within their programs with child victims of OCSEA whose cases were handled in the criminal justice system. A respondent from Willow International confirmed having supported a child victim of CSAM related offences to access justice in the criminal justice system against the perpetrator.

“A perpetrator was capturing videos of girls being sexually exploited and he would send the videos to some people who enjoy pornography. The case was already in court but unfortunately, the suspect died so the case died” (RA4-UG-09-A, Program Director, Willow International).

A respondent from Somero Uganda indicated that, in 2019, the organisation supported child victims who had been sexually exploited offline and that one of the many tactics used by the perpetrator was grooming children online via Facebook for offline sexual abuse. The organisation confirmed that this case proceeded to the High Court and the perpetrator was convicted.

“Now this was a case of some man who was using very many strategies. I think he was a champion in exploiting children sexually as he had various strategies that he used and one of them was, identifying girls through Facebook. Then he'll send them messages, talk to them, you know make them his friend, then invite them home or take them for a drink. (...) the case went through and the perpetrator was imprisoned” (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).

From the interviews, it is clear that, although a few cases of OCSEA proceed through the criminal justice system, there are many more OCSEA cases that fall through the cracks as the victim's cases are either settled out of court or defeated due to technical gaps in the investigation phase.

¹⁰ CJCP (2016) Uganda Child Online Protection Scoping Study – Final Report August 2016, page 59.

There is also an indication from the interviews and the available research on OCSEA in Uganda that some of the OCSEA cases proceed through the criminal justice system as offline forms of abuse. A 2016 scoping study on child online protection based this on *“an apparent perception that online child sexual exploitation and abuse is not a serious offence so that even when police officers do have a level of awareness of the law, they are inclined to categorise the offence as something other than online child abuse, in situations where it co-occurs with another form of off-line abuse since these crimes are seen as of a more serious nature, even though it is possible to institute charges for multiple offences.”*¹¹ The study also noted that *“it was reported that it is normally more straightforward to develop an evidence base for the more traditional, well-understood offences.”*

Description of what criminal justice professionals see as the hardest part for children taking part in criminal cases against their abusers

Meeting perpetrators in court was indicated by at least three respondents as one of the hardest experiences in the criminal justice system for child victims of sexual exploitation. This was explained as a consequence of the hearing of cases in open court. Though the three respondents did not mention this specifically in relation to OCSEA cases, OCSEA cases are not excluded as long as they are handled within the same criminal justice system that does not always adhere to the child-friendly standards set in the Children Act.

“Seeing the perpetrators in court is hard as there is a way it traumatises them” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

“Having to stand in court face to face with their perpetrator, that is the hardest part of these cases. We are trying to advocate for a different session for children who have such cases but we are not yet there. So it's still that when you go to court, the child will have to be face to face their abuser which is so traumatic” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

One respondent also noted that open court exposes the child to the media, thereby increasing the child's fear.

“Presenting them (the child victim) to court is the hardest part as the child sometimes says they don't want to see the perpetrator. (...) The child has to testify in open court which is full. If you look at the open court, there are media there to capture interesting cases coming up. So that brings fear” (RA4-UG-09-A, Program Director, Willow International).

Hearing children's cases in chambers is a requirement under the Children Act.¹² While it emerged from four respondents that this happens most of the time for children's cases, it is not ensured in all cases. One respondent quantified the compliance rate to about 80% of the cases involving children.

“Most times the sessions are done in-camera. I would say it depends on the judge, but I think 80% of the times the sessions are in-camera” (RA4-UG-10-A, Uganda Police Force).

¹¹ CJCP (2016) Uganda Child Online Protection Scoping Study – Final Report August 2016, page 59.

¹² Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 16(1).

A social welfare officer indicated that some judges have been trained by the Justice Law and Order Sector (JLOS) and are thus sensitive to the need to hold the hearings in-camera. However, those who have not received training, are not sensitive to children during hearings.

“When it comes to court, the court meets children in camera unless when magistrates are not very sensitive or the judges. Some judges and magistrates are sensitive but some are not” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

At least five respondents mentioned that is also a general experience for child victims within the criminal justice system to face delays before finalising cases. Two respondents (RA4-UG-05-A, RA4-UG-05-B) indicated that, due to these delays, child victims and their parents give up as the process is time-consuming and costly.

“Challenges that we face while handling cases is the delay. The process is sometimes too lengthy, as there is back and forth, come today, come back tomorrow, come back some other time. Sometimes children feel fed up and they give up on such cases as it is expensive and time-consuming” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

Two other respondents highlighted the absenteeism of court officials and witnesses as one reason for cases taking so long to progress through the court system.

“Cases normally take long. You take a child to court and the magistrate is not there, yet it cost you time and resources to get there. The process of bringing a witness to the courts of law is also a challenge to the police. The day the witness comes the magistrate is not there. Those things keep on taking place” (RA4-UG-04-A, Program Manager, Set Her Free).

“Sometimes in the court, there is no interpreter so you find the case has to be given another date. The judicial officers are also entitled to their leave days and the prosecutor also goes on leave. This now calls for another adjournment. Such things make the case take longer. So the children sometimes are no longer interested in the case” (RA4-UG-09-A, Program Director, Willow International).

Another respondent indicated that the hearings are sometimes adjourned without clear explanations.

“So many things happen that cases are delayed. The case is delayed then you're not given a clear reason as to why the case has been delayed. There will be excuses - that the judge is not there or something happened. So, there's so much delay sometimes in the hearings” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

The representative from the Office of the Director of Public Prosecutions indicated that by the time the victim comes to testify, the incident may have taken place two to three years prior, meaning that they may forget some details.

“Most of the time when these cases are brought to court, the matter could have taken place like two or three years back. Then by the time the child victim comes to court, they may have forgotten. Even putting them back to that state again, it's retraumatizing them one more time” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

At least three respondents highlighted corruption within the criminal justice system as an issue that makes participating in judicial processes more difficult for victims of child sexual exploitation and OCSEA.

“Corruption here happens where a guardian reports on behalf of the child at the police but the perpetrator corrupts the police and the case ends there” (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

“There's too much bribery in the justice system. Like at every point especially if the perpetrator has money” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

Two respondents mentioned that police sometimes require victims and their families to facilitate them to undertake the investigations.

“The police will usually tell you, they do not have facilitation for things like fuel if they need to go to look for the offender. Then they will say, they need fuel for this. They will need fuel for that. And then you find that the parents are giving up because they cannot come in to support that process when it comes to money issues” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

“The criminal investigation department should be on the ground to investigate. If the family of the victim does not have enough money to facilitate them, they may get the money from the perpetrator, which could hamper the whole case” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The Victims’ Rights and Empowerment Guidelines provide that the prosecutor has to inform the victim that he or she has “a right to (a) freedom from bribery, corruption and abuse and (b) notify the prosecutor or the police if any kind of tampering, bribery, corruption occurs against him or her”.¹³ However, this becomes a challenge for victims when the corruption is carried out by the same actors to whom they are supposed to report.

Although the Children Act provides that proceedings of a family and children court shall be as informal as possible,¹⁴ at least three respondents indicated that the formality of the court process was a challenge, with the court atmosphere still being very formal in most children's cases.

“The sessions are formal, and even before the child starts expressing themselves, they are already intimidated because it's a formal court session” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

One respondent indicated that, even when magistrates take the step to hold a child's case in chambers, they sometimes still maintain the court formality.

“So, you find the child that was able to record the statement with the police, but when she gets to the court, she's very shy and very scared even in chambers. I think processes involving the sexual violence

¹³ Office of the Director of Public Prosecution Uganda. (2019). [Victims’ Rights and Empowerment Guidelines \(2019\)](#), Guideline 5.2, para 3.

¹⁴ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 16(1).

of children need to be child-friendly. If it's in chambers the court officers need to loosen up a bit even the language that they use” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

The interviews made it clear that the justice process is still very traumatic for child victims of OCSEA. This is partly due to the lack of adherence to the provisions of the Children Act on the child-friendly standards, but also to other administrative challenges within the system. Though one respondent (RA4-UG-08-A) indicated that there is training provided for judges by the Justice Law and Order Sector, there is a need to continue this in order to reach all magistrates and judges responsible for hearing children's cases. The Judicial Service Commission also needs to address the administrative issues that affect children's cases, including corruption and the delays in conducting proceedings.

Description of what is done by different criminal justice professionals (police, judges, prosecutors, lawyers, or other relevant staff) to make the process easier for children

Despite there being no special courtrooms for children separate from normal courts, as provided for in the Children Act,¹⁵ at least three respondents indicated that the government has established special child-friendly rooms in some courts of law, in some prosecutor’s offices and in some police stations.

“When it comes to the office of the Director of Public Prosecutions, we have child-friendly waiting rooms where these children (child victims of OCSEA and other forms of sexual abuse) come and settle before we take them through the whole process” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

“Within the prosecution offices and under courts of law, there are child-friendly rooms. We call them waiting for rooms. These rooms are available at police headquarters and other regional offices” (RA4-UG-10-A, Uganda Police Force)

These child-friendly rooms at the police and prosecutors’ offices were indicated by one respondent as being one of the elements of the criminal justice system that makes it easier for children.

“The office of the directorate of public prosecution in Uganda, they have a room with child-friendly material, the walls are painted a child’s way, they have play items for the children, so you find that the children feel safe. Then some police stations have created some space for the children” (RA4-UG-07-A, Programme Assistant, Rahab Uganda).

According to the Office of the Director of Public Prosecutions, the child-friendly rooms have been designed to serve as a) reception and holding spaces for child victims and witnesses before their appearance in court; b) preparation rooms for victims and witnesses for court, by the prosecutors; c) interview rooms for child victims and witnesses; d) therapeutic rooms for emotional healing.¹⁶ However, it was indicated by two respondents (RA4-UG-03-A, RA4-UG-10-A) that these child-friendly rooms were not yet available in all court stations, prosecutors’ offices and police stations as they are still being rolled out.

¹⁵ Republic of Uganda. (2016). [The Children Act \[as amended by the Children \(Amendment\) Act No. 17 of 2016\]](#), Section 15.

¹⁶ Office of the Director of Public Prosecutions. (2018). [Launching of the children's room in ODP](#).

According to one respondent (RA4- UG-07-A), the presence of Probation and Social Welfare Officers makes the justice system process easier for the children as they support children to open up. According to the respondent from the probation and social welfare department, social welfare officers are supposed to be present when a child victim is recording their statement at the police station and also when attending court. She indicated that, although being present is the ideal situation, this is not always possible for all cases due to a lack of available resources such as the necessary transport to allow them to be where they are required to be.

“In some cases, it is hard [to be present with the child victim] because of local facilitation, (...) the fact is that our mandate is so wide, and at the same time there is lack of facilitation. I must admit that sometimes we are not there. (...)” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The Probation and Social Welfare Officer noted that to be able to support child victims, the social welfare officers sometimes have to seek support (e.g., facilitation of transport) from partners. In the locations where there are such partners, the social welfare officers are able to better support children than in those areas in which this support is lacking.

“Sometimes you [as a social welfare officer] have to look around to mobilise your resources. When we go for meetings we engage the civil service societies. I must say that when it comes to our work here [in Kampala], we have cars but my colleagues in other districts do not have cars. There are some districts in Uganda that are however supported by UNICEF and other partners. The probation offices and police child and family protection unit there are doing well” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

A representative from the Office of the Director of Public Prosecution (ODPP) indicated that the prosecutors take time to prepare the child for court. They noted that the prosecutor's office has a department that handles sexual offences and this department has special procedures for working with victims of sexual exploitation and abuse, including OCSEA. The prosecutors in that department take cognizance of the fact that children do not always have the technical terms to describe the act that happened to them so they can use dolls as props to support the child in expressing themselves.

“When it comes to the office of the Director of Public Prosecution, we have a full department called the gender, children and sexual offences department and that department has different procedures or different processes that it takes children through before they go to court. (...) We have some equipment that we use like anatomical dolls where children are not able to express themselves in court. Many times, children don't know how to say some parts of the body by their names. With the use of those anatomical dolls, they just point at that doll and show which part was involved in the whole violence” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

The respondent indicated that some of the special measures, such as the child-friendly waiting rooms and anatomical dolls, only exist in a few places and are still being rolled out.

“Those anatomical dolls are just in very few offices. At the office of the ODPP, there's a plan to roll out these measures to all the other offices, but of course, with the limited funding, we may not be able to cascade it across all” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

Concerning the court, two respondents highlighted that on the day the child victim attends court as a witness, they are heard first to avoid long waiting times. Cases involving children are prioritised over the other cases listed for hearing in the court's diary on that day.

“And then when it comes to court the judicial officers also prioritise where matters are involving children. Children should be heard first and then they leave. They shouldn't spend a lot of time at court” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

“At least when it comes to the courts of law when it is a case of a child, it will be heard first before any other cases so that you can get out of court. So this makes it easier” (RA4-UG-04-A, Program Manager, Set Her Free).

Regarding how children give testimony in court, one respondent shared that the child victim is allowed to speak in a language which they understand. In addition, depending on their age, they are also allowed to give evidence through an intermediary such as a parent or guardian.

“The child, depending on the age, is allowed to speak in the language that he or she understands. Sometimes the children can give their evidence through either a guardian or a parent” (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

Description of what is done by different criminal justice professionals (police, judges, prosecutors, lawyers, or other relevant staff) to make the process harder for children Respondents indicated that the use of non-child-friendly methods by criminal justice actors was an issue that makes participating in the criminal justice system harder for victims of OCSEA and other forms of sexual exploitation. In addition the use of language that is not friendly to children by the criminal justice actors was noted as a challenge to children by at least three respondents' (RA4-UG-03-A, RA4-UG-06-A, RA4-UG-10-A).

“The child-friendly language that is supposed to be used is not used at all times. They (criminal justice actors) approach the child victim the way they would an adult. They treat the case like any other case and usually, this affects the child and you will find that the child will not open up freely, the way you expect, or he or she can even become hostile” (RA4-UG-10-A, Uganda Police Force).

“Many of these police officers and prosecutors are too harsh sometimes. They don't have that patience to cater for the children by making them feel comfortable. Because they don't, these children find it so hard to access justice” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

However, one respondent indicated that not all police officers and prosecutors are bad, and that some do their best to support the child during the criminal justice process.

“There are some police officers that are child friendly, not everyone is bad at the police, by the way, (..) There are some prosecutors, I wouldn't say that all of them, there's some that have taken time to understand the children, to understand the cases and have held children as children. And they will even go further to request that there would be a pause so that the child can be able to relax and be able to

receive support. And they even ask,- are you still willing to continue or do you want us to stop? So some are friendly” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

Another respondent noted that the police officers who are found to deal with children in a child-friendly manner are mostly found in urban areas, given that this is where most of the training provided by the government and civil society organisations has focused. The police officers in rural and peri-urban areas do not benefit a lot from this training.

“We've had a few [police officers] who have been very deliberate about reassuring kids [the victims] of safety, assuring them that nothing will happen. They use child-friendly language (...) so some of the police stations in Uganda, especially those in urban areas have been deliberate on that. Others, not so much. (...) Most of the training has been focusing on police officers in urban areas compared to rural and peri-urban areas. Even CSOs projects do not extend to the peri-urban areas. So you find that the opportunities are usually with police officers in urban areas” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

The representative from the Office of the Director of Public Prosecutions indicated that only a few prosecutors are trained on how to handle children in a child-friendly manner. Therefore, the majority remain untrained.

“We are many prosecutors and only a few are trained to handle children as witnesses or the victims of violence. Many of the prosecutors need some training on how to handle these children and make sure they give good evidence and put them at ease. The training is needed” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

Two respondents indicated that the police officers who have received training are from the police child and family units. They noted that although the criminal investigation department (CID) also handles children's cases, the CID officers are left out of trainings.

“Most of the officers who are in the police child and family unit have been trained to handle children, but the child and family protection department does not investigate OCSEA cases. When they receive these children, they refer them to the criminal investigations department. Most of the officers in the criminal investigations department however are not trained to handle these children” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

“As for the criminal investigation department (CID), they are left out. The police training has targeted family and child protection unit majorly. CID and resident state attorney have not received training. They have been left out” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Regarding officers from the police child and family protection units, two respondents indicated that the frequent transfer of personnel means there are always officers who do not have the skills to work with children.

“The people within the offices keep changing so of course if you train this one the other person who comes in will not know the kind of language to use with a child” (RA4-UG-10-A, Uganda Police Force).

“The police are being trained now and then trained, not by the government but by the civil society organisations. But the problem is, we have massive transfers, so you find police that you've trained being sent to other districts and you do not know what to do” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Due to the gaps in how criminal justice actors interact with children, at least two respondents recommended continuous training as a way to improve how victims of OCSEA are handled within the criminal justice system.

“I advocate for more training in general not particularly for the criminal investigation department (CID) because the first point of contact might not be the CID itself or child and family unit. It might be any police officer who does not know how to handle the matter so if you train every police officer within the system it would be very easy to have such cases managed very well. Then specifically for the child and family protection unit and the Criminal Investigation Department, there should be continuous training, then it will be very easy for us to have success” (RA4-UG-10-A, Uganda Police Force).

“There is a need for more training for all the criminal justice actors- judges, magistrates, police officers local council leaders, probation officers and everyone that works around children” (RA4-UG-04-A, Program Manager, Set Her Free).

Compensation

None of the respondents were aware of any case of OCSEA in which the victim had received compensation from the perpetrator after a conviction, as is provided for under the Computer Misuse Act. According to this Act, in addition to punishment, a court can order an offender to pay compensation to the victim.¹⁷ The amount of compensation would be fixed by the court, taking into consideration the loss suffered by the victim.¹⁸

Although none of the respondents shared an experience in which a victim of OCSEA received compensation, one respondent did indicate that she had witnessed a case of OCSEA in which the prosecutor informed the victims of their right to be compensated by the perpetrator. Unfortunately, the respondent noted that the perpetrator died and so the case did not reach the stage of awarding compensation.

“There is a recent case with the online element and the prosecutor told the victim that they are supposed to be compensated” (RA4-UG-09-A, Program Director, Willow International).

Despite the representative from the Office of the Director of Public Prosecutions indicating that she was not aware of any OCSEA case in which compensation had been awarded, she did share her experience of compensation being awarded in defilement cases.

“Usually what happens at the High Court, in cases of sexual abuse that is now defilement, the law allows for compensation. And this compensation depends on what kind of evidence the prosecution has in court. If the injuries were severe, if there was a lot of psychological torture or damage, then the court can order compensation for the victims and this is discretionary. We can't say how much compensation to give” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

The representative from the Office of the Director of Public Prosecutions indicated that prosecutors do apply for compensation in defilement cases. Once a conviction is secured and compensation is given, the prosecutors provide support in following up to ensure the victim is paid.

“When we have successfully prosecuted these cases we [the prosecutors] seek for compensation. Once these compensation orders are given, then we as the prosecution follow those orders and make sure that the victims get the compensation. We at the office of the DPP have a department specifically for that, we call it assets recovery” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

Whilst it was clear that this support is provided for defilement cases, it was not clear if the same support is provided when a conviction is secured in OCSEA cases.

The social welfare officer also indicated that the Probation and Social Welfare Officers prepare victim impact statements for defilement cases heard at the High Court in which they outline the physical and emotional damages suffered by the child and request compensation through an impact compensation report. The social welfare officer added that she does not know if the court awards such compensation or not.

¹⁷ Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 27.

¹⁸ Republic of Uganda. (2011). [The Computer Misuse Act No. 2 of 2011](#), Section 27.

“Compensation comes in the victim impact assessment. The impact assessment report covers the physical effects, how a child was affected physically, expenses that were involved, we look at the emotional impact. We look at all that, so we compile a report. In this report, we indicate that this victim’s family should be compensated. I don’t know how the court moves ahead and I haven’t seen that compensation happening, although the reports are being remitted” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

The social welfare officer added that impact assessment reports are only for cases handled at the High Court. She indicated that all defilement cases are heard at the High Court. When there is no impact statement report, it is hard for the court to know the impact suffered by the child and thus difficult to assess the damages to the compensated.

“It becomes very hard for the court to know the damages where there is no impact assessment report” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Whilst the other respondents did not have any experience in supporting victims of OCSEA in seeking compensation, one did provide an example of a difficulty she had experienced with another form of sexual abuse. She indicated that, in this particular case, the court ordered for the victims to be paid very little money as compensation and that even then, the money was never remitted to them.

“We had one case where the survivors were supposed to be compensated but they did not receive the compensation. It was a sexual exploitation case, not online. It was very little money yet the number of children abused was big- 6 children for about 2 million Uganda shillings [approximately 550 USD] but the money still never came” (RA4-UG-09-A, Program Director, Willow International).

The respondent from the Office of the Director of Public Prosecutions indicated that reimbursement of transport for witnesses to attend court is only given for cases heard at the High Court, despite most of the cases involving children being heard in the lower courts.

“When it comes to court cases, I mean usually witnesses come from very far places to court. And currently, in Uganda, cases that go to the high court are the only ones where witnesses are given some small transport to take them back home. And when you look at most of these cases that are handled, they are handled at the lower levels of magistrates, chief magistrate, magistrates grade one and there’s no compensation or transport refund. So it makes it hard for victims to attend the court” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

When it comes to compensation given by the court via a court order once the perpetrator is found guilty, the respondent from the Office of the Director of Public Prosecutions indicated that this amount is decided by the court.

“The court can order compensation for the victims and the amount is discretionary. We can’t say how much compensation to give.” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

The interviewed civil society respondents indicated that their organisations cover all the expenses incurred by the victims during the criminal justice process. They have not experienced any child receiving compensation for such expenses for other forms of violence, let alone OCSEA.

“I’ve not seen courts in any case that we have handled order the perpetrator to the cover the expenses. Usually, it is the organisations that facilitate the children through and through to go to court and for medical treatment. It’s usually the organisations that are facilitating the children.” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

“The burden remains with you as the civil society for resources for medical attention, provide for feeding, family integration” (RA4-UG-07-A, Programme Assistant- Rahab Uganda).

“Expenses are covered by the NGOs- medical care, attendance in court, etc.” (RA4-UG-09-A, Program Director, Willow International).

Barriers to seeking compensation

At least two respondents highlighted that corruption was a barrier to compensation.

“Where judicial officials have been compromised, they may not seek this compensation [for the victims]” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

“I think in one way or the other, it’s more to do with bribery. At different points, people receive money. And instead of being on the side of the child and making sure the child receives justice, they don’t want to offend someone who has given them money. I think it’s more about the bribery within the system, the corruption at different levels that has made it hard for the children to receive this support” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

Lack of awareness amongst victims of the option of claiming compensation was also indicated as a barrier by two respondents.

“Maybe the victims are not aware that they can be compensated, they don’t know” (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).

“The survivors are not aware of this right to compensation” (RA4-UG-09-A, Program Director, Willow International).

The last barrier, as shared by two respondents, is that victims give up on the judicial process before they get to the stage of receiving compensation.

“Sometimes people give up even before like getting it, the process is quite long for them to get their compensation. So sometimes it’s not worth trying” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

“At times before they get to the compensation level, perpetrators go behind - we have scenarios where someone is trying to ask the parties to consider talking [withdraw from the formal criminal justice process and settle out of court] so the case does not proceed” (RA4-UG-09-A, Program Director, Willow International).

Successes

Possibility to highlight one or more cases where (some) things were done well and where the child got proper access to justice

Some good practices that came to light throughout the course of the interviews include:

- The practice of victim impact assessments, which are standard for defilement cases handled in the High Court. This is relevant to OCSEA, as OCSEA cases are sometimes handled in court as defilement cases;
- Whilst still far from a systematic practice, the emerging use of child-friendly rooms and props such as anatomic dolls in cases involving sexual offences against children is a positive. Indeed, the respondents who had experience with such child-friendly practices noted that they make the justice process easier for child victims.

Challenges / Changes Needed

Main challenges described by the criminal justice professionals

It was noted as a challenge that a lack of awareness on OCSEA acted a contributor to lower reporting of OCSEA cases. At least four respondents indicated that very few cases of OCSEA are reported to criminal justice actors by members of the public due to the limited understanding of OCSEA.

“Among the cases that we handle, online child sexual abuse cases have not been so many. (...) OCSEA has not been so much publicised and the ways of reporting online sexual abuse are also not so clear. This explains why we have few numbers of cases of OCSEA” (RA4-UG-03-A, Office of the Director of Public Prosecutions).

“The [OCSEA] cases are not many and we suspect it is because people do not understand that [OCSEA] is an offence that is triable by the courts of Uganda. (...) People do not think that online sexual abuse is an offence. They think that the child is just misbehaving, or it's just puberty. So, it's not looked at as an offence” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

Another challenge that came to light during the interviews was that of OCSEA cases being settled at the community level rather than through the criminal justice system.

“There's a point at which the perpetrator finds the family of the victim. And then they request that that case is resolved amicably and in one way or the other, because the families that we work with, are families that live in absolute poverty, so most of them would go for that arrangement not thinking about the child. (...) Usually, families will opt for this than going through the whole process of justice” (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

“So usually the fathers and mothers have been coming up very strongly to say- ‘let him [the perpetrator] at least pay’. And then they negotiate and then they [the perpetrator] pays for the damage. (...) It's usually the parents trying to get some money out of it and they're not concerned about the child. (...) That's why you find most of the victims might be denied the chance to access justice as the parents get paid” (RA4-UG-01-A, Advocacy Officer, FIDA Uganda).

In addition, two respondents pointed to the lack of budget for criminal justice actors to fulfil their mandates in supporting child victims of OCSEA as a challenge.

“Our Probation and Social Welfare Officers are underfunded. Probation and Social Welfare Officers are supposed to go on the ground for social investigation and present a report. And that is the report that is presented in the courts and the magistrate will use it to make a decision. If this profession is not facilitated to go down where this abuse has happened and get that information, then you can know that that case is going to a dead end. So the probation officers, especially in rural areas, lack the facilitation especially to go and also do their investigation, they call it assessment of the situation and give a report, that report produced by the probation officer is very important. A lot of time also the criminal investigation department talk about lack of facilitation” (RA4-UG-04-A, Program Manager, Set Her Free).

Main changes suggested to make it easier/better for children to participate in criminal cases against their abusers

At least two respondents recommended the establishment of special courts to handle children's matters.

"I recommend the establishment of special courts purposely for children, a court that can attend to children's needs and cases" (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

"The first thing I would change is to ensure children have separate courts. Official child-friendly courtrooms where the children can be able to express themselves and be heard and be supported that they do have to face with their perpetrator" (RA4-UG-06-A, Deputy Director, child protection, Dwelling Places).

At least two respondents indicated that a necessary change involved the establishment of a dedicated investigation unit focusing specifically on investigating child-related crimes.

"There should be a dedicated CID unit handling issues of children only. If there's a dedicated CID unit specifically for issues of children, I think that would really help us" (RA4-UG-04-A, Program Manager, Set Her Free).

"The government should get specific investigations officers who understand children. Not everyone can work on children's issues. There are no specific magistrates and CIDs that focus on children" (RA4-UG-09-A, Program Director, Willow International).

Another respondent highlighted the need for a strategy specifically addressing OCSEA.

"I think we need a multi-sectoral framework or strategy specifically on online sexual abuse" (RA4-UG-04-A, Program Manager, Set Her Free).

One respondent noted the need for a government legal aid scheme.

"I recommend that the government would have pro bono legal services in place to help the children and their families that cannot afford legal services. Legal services are really expensive, and there are no pro bono services that can provide the same services for victims. So I recommend pro bono services by the government" (RA4-UG-06-A, Deputy Director, child protection, Dwelling places).

Recommendations

One respondent pointed to the need for research on OCSEA.

“There’s a need to conduct timely research and documentation of online sexual exploitation because it is lacking. Then also the government can consider online commercial sexual as a crime and to criminalise it and have a particular law for it” (RA4-UG-02-A, Legal Assistant, Platform for Labour Action).

Another respondent recommended that a budget be provided in order to support justice actors in carrying out their work.

“Having a facilitation budget for stakeholders, like now the CID’s who have to be in court and the probation officers who have to be in court, not only in court but also to go on the ground to carry out the impact assessment” (RA4-UG-08-A, Probation and Social Welfare Officer, Ministry of Gender, Labour and Social Development).

Another recommendation included providing funding to support programmes on OCSEA, including awareness raising programmes.

“I would recommend an allocation of funds to fight OCSEA and more partnerships as a criminal investigation department. We have partners but they are not focused on online child sexual abuse. We don’t have partnerships that can push or spread out the awareness to the public on OCSEA” (RA4-UG-10-A, Uganda Police Force).

A recognition that community awareness on OCSEA is very low and the need to scale up awareness raising activities was noted by one respondent.

“You know in Uganda one thing is that people still don’t know that OCSEA is happening. People are just I guess getting to know that there is online sexual abuse. So we need to first bring that awareness campaign. There is a need for upscaling awareness creation on online sexual abuse” (RA4-UG-04-A, Program Manager, Set Her Free).

One respondent recommended a component of OCSEA to be added to the school curriculum as she had not seen any national awareness raising activities for OCSEA.

“Government should come up especially in the Ministry of Education to increase, enhance the sensitisation of the children on this issue of online sexual exploitation. It should be included in the curriculum” (RA4-UG-05-B, Deputy Executive Director, Somero Uganda).

A respondent noted that the government should place focus on the dissemination of child protection laws.

“I think the government should put much emphasis when it comes to disseminating laws on child protection and popularising these laws, people do not know about them” (RA4-UG-05-A, Child Protection Project Officer, Somero Uganda).