

ECONOMIC FACTORS AFFECTING IMPLEMENTATION OF CHILDRENS RIGHTS POLICIES IN NAKURU COUNTY, KENYA

Omuria Josephat Nyandoro ¹§§ ORCID 0009-0005-9518-9006

¹ Doctoral School of Public Administration, Ludovika University of Public Service, Budapest, Hungary
<https://doi.org/10.47833/2024.1.ART.006>

Keywords:

Children rights
Children policies
Economic rights
Fundamental freedoms
Rights implementation

Article history:

Received 22 Nov 2023
Revised 10 March 2024
Accepted 12 April 2024

Abstract

Children rights are fundamental freedoms with particular attention to the rights of special protection and care afforded to minors. Kenya has many children policies in place. This study sought to investigate economic and factors working against the implementation of these policies. This study was carried out, in order to contribute to the exploration of the multiple facets of the problems, particularly those that are related to the implementation of children rights policies; and suggest correct strategies geared toward implementation of such policies. This study used case study design where the researcher purposefully selected a typical case. The study adopted a total population sampling and purposive sampling. The researcher used semi structured questionnaires and focus group discussions to collect data. An average of 78% said that economic factors affect implementation of children rights. It emerged that the following policy options should be pursued to enhance implementation of children rights policies in the county. Monitoring and evaluation, Legal and procedural approaches, substantive criteria, performance management evaluation.

1 Introduction

“The Universal Declaration of Human Rights is seen as the basis for all international legal standards for children rights today. There are several conventions and laws that address children rights around the world.” According to the UNICEF Report on children rights [1], a broad consensus has emerged in the twenty first century on rhetoric that frames judgment of nations against an international moral code prescribing certain benefits and treatment for all children simply because they deserve to be treated as human beings. Within many nations and states, political debates, and arguments rage over the denial or abuse of children rights. Even in developed, democratic countries like Canada and New Zealand much public discourse is phrased in the rhetoric of such children rights [2].

The United Nations’1989 Convention on Children rights, (CRC) was the first international legally binding instrument to embrace the full range of human rights including civil, cultural, socio-economic, and political rights. Its ultimate implementation is monitored by the UN Committee of Child rights. Governments that ratify this statute, commit themselves wholesomely to protecting maximally and ensuring children rights, and expressly agree to hold themselves fully accountable for this commitment before the international community[2]. Africa is not only faced by a moral imperative to put up correct policy measures but also correct legal obligations to ensure children rights are safeguarded. Currently, the CRC, and the African Charter on the Rights and Welfare of

§§Corresponding author. Tel.: +36204778272
E-mail address: omurian@gmail.com

the Child, are in force in most African state. By ratifying these international conventions, African governments have assumed legal obligations that mark a fundamental shift in the way children issues are handled [3].

The situation presently available for the children of Kenya is of important stature, because they make up an unusually large portion of the total populace. Forty percent of Kenya’s total population is aged under 14 years, while most of the Western and developed countries have less than 20% of their population in this age group. The percentages are actually skewed somewhat by the low life expectancy in Kenya (due largely to the spread of HIV and AIDS and malaria infections), which leaves the country with a very small population of the older generations. This also translates to the fact that many of Kenya’s children are orphans [4]. Economic factors are those ingredients that enable survival of childhood bearable such as to be provided for the needs and wants of children. Rights implementation is the actual enforcement of children rights majorly to the benefit of children[5]. There are many laws and statutes put in place to protect children in Kenya today. Despite their availability and presence, these laws and policies have not been implemented. This study was carried out, in order to contribute to the exploration of the multiple facets of the problems, particularly those that are related to the implementation of children rights policies; and suggest correct strategies geared toward implementation of such policies. This study, therefore, set out to establish the economic factors that influence the implementation of children rights policies in Nakuru County. It is upon these situations that this study intends to unveil the underlying factors that affect the implementation of children rights policies in Nakuru County.

2 Research Methods

This study used case study design where the researcher purposefully selected a typical case. Nakuru is a typical representation of the status of implementation of children’ rights policies in Kenya The case study was quantitative. Case studies allow indepth analysis. The study used a semi structured questionnaire and focus group discussions to find out the economic factors affecting implementation of children rights. The questionnaires were administered by the researcher. The questionnaire was semi structured so as to determine the economic factors influencing implementation of children rights policies in Nakuru County[5]. Focus Group Discussions were used to collect qualitative data from the heads of children allied organization in Nakuru County. The population of the study was 112 which is the number of members working with the 12 Children Allied Organizations in Nakuru County. This was determined through census. The study adopted a total population sampling and purposive sampling. Total population sampling was used to select all the members working with the 12 children allied organizations in Nakuru County who are 112 in number for the questionnaires issued. Total population sampling is a type of purposive sampling technique where you choose to examine the **entire population** that have a particular set of desirable **characteristics**. The institutions selected and espondents had unique characteristics that needed to be captured. The researcher used SPSS software to analyze quantitative data from the survey using descriptive statistics of frequencies, percentages and mean scores. The data gathered from focus group discussions was analyzed through thematic content analysis.

The sample composition is summarized in Table 1.

Table 1: Socio-demographic characteristics of the study respondents

<i>Children allied organizations</i>	<i>Number</i>
Nakuru County Children Welfare Services	10
Bahati District Children Welfare Services	9
Naivasha District Children Welfare Services	11
Molo District Children Welfare Services	9
Rongai District Children Welfare Services	8
Nakuru Children Law Courts	9
National Council for Children Services in Kenya	13
Nakuru Children Remand Home	8
Bondeni Police Station, Nakuru	7
Ministry of Special Programmes – Nakuru	11

Probation and Aftercare Services, Nakuru	10
Kenya Prisons, Nakuru Children Wing	7
Total	112

3 Safeguarding Children Economic Rights

The very existence of the UNCRC and its evolution is interdependent with progress in understandings of knowledge about poverty and child development, both separately and together. Nevertheless, the extent to which mainstream aid and development policies incorporate understandings of childhood remains minimal, outside of development policy on vitally important health and education needs, among other child-focused and sector-specific areas. It is clear that progress is not automatic or inevitable, even with economic growth, good governance and state recognition of the importance of improving child well-being. Slow progress on the MDGs indicates that progress towards child rights requires a more concerted approach, and one that moves the interests of children beyond sector-specific approaches, important as they are, into mainstream aid and development agendas[4]. Mainstreaming requires not only a child-sensitive lens, to elicit possible effects or consequences of macro-level policies, but also demonstrable causation, linking children to the macro-level issue under discussion, and a policy response suggesting possible changes and adaptations[6]. Because children poverty is above all multidimensional, dynamic over the life course, dependent on relationships and subject to a particular depth of voicelessness, exceptional clarity is needed in making such links apparent, thereby addressing the particular characteristics of childhood deprivation [7].

4 Results and discussion

The economic factors affecting implementation of children rights such as pay grade, promotion and reward, human resource management, facilities, organizational financial capacity, financial management are discussed in detail below.

Effects of Pay Grade on Implementation of Children Rights

The following is an account on how participants responded to how they thought pay grade affected implementation of children rights in Nakuru County. 32% said that pay grade affected implementation of children rights to a very big extent. 45.4% said that pay grade affected implementation of children rights to a big extent, while 18.6% said they were not sure whether pay grade affected implementation of children rights. 4.1% of the respondents said pay grade affected implementation of children rights policies to a small extent. Therefore it can be deducted that majority of the participants, 77.4% said that pay grade affect implementation of children rights policies.

Table 2. Effects of Pay Grade on Implementation of Children Rights

<i>Effects</i>	<i>Frequency</i>	<i>Valid Percent</i>
To a small extent	4	4.1
Not sure	18	18.6
To a big extent	44	45.4
To a very big extent	31	32.0
<i>Total</i>	<i>97</i>	<i>100.0</i>

Effects of Promotion and Reward on Implementation of Children Rights

The effects of promotion and reward on implementation of children rights in Nakuru County are outlined below. 18.6% said that promotion and reward affected implementation of children rights to a very big extent. 58.8% said that promotion and reward affected implementation of children rights to a big extent; while 19.6% said they were not sure whether promotion and reward affected implementation of children rights. 2.1% of the respondents said promotion and reward affected implementation of children rights policies to a small extent while 1% said promotion and reward did not affect implementation of children rights policies. Therefore it can be deducted that majority of the participants, 77.4% said that promotion and reward affect implementation of children rights policies.

Table 3. Effects of Promotion and Reward on Implementation of Children Rights

<i>Effects</i>	<i>Frequency</i>	<i>Percent</i>
Not at all	1	1.0
To a small extent	2	2.1
Not sure	19	19.6
To a big extent	57	58.8
To a very big extent	18	18.6
<i>Total</i>	<i>97</i>	<i>100.0</i>

Effects of Organization's Financial Capacity on Implementation of Children Rights

This is an account as to how the respondents thought organization's financial capacity affected implementation of children rights in Nakuru County. 38.1% said that organization's financial capacity affected implementation of children rights to a very big extent. 41.2% said that organization's financial capacity affected implementation of children rights to a big extent; while 12.4% said they were not sure whether organization's financial capacity affected implementation of children rights. 4.1% of the respondents said organization's financial capacity affected implementation of children rights policies to a small extent while 4.1% said organization financial did not affect implementation of children rights policies.

Therefore it can be deducted that majority of the participants, 79.3% said that organization's financial capacity affect implementation of children rights policies.

Table 5. Effects of Organization's Financial Capacity on Implementation of Children Rights

<i>Effects</i>	<i>Frequency</i>	<i>Percent</i>
Not at all	4	4.1
To a small extent	4	4.1
Not sure	12	12.4
To a big extent	40	41.2
To a very big extent	37	38.1
<i>Total</i>	<i>97</i>	<i>100.0</i>

Effects of Financial Management on Implementation of Children Rights

The participants responded to how they thought financial management affected implementation of children rights in Nakuru County. 7.2% said that financial management affected implementation of children rights to a very big extent. 67% said that financial management affected implementation of children rights to a big extent; while 18.6% said they were not sure whether financial management affected implementation of children rights. 5.2% of the respondents said financial management affected implementation of children rights policies to a small extent while 2.1% said financial management did not affect implementation of children rights policies. Therefore it can be deducted that majority of the participants, 79.3% said that financial management affect implementation of children rights policies.

Table 6. Effects of Financial Management on Implementation of Children Rights

<i>Effects</i>	<i>Frequency</i>	<i>Percent</i>
Not at all	2	2.1
To a small extent	5	5.2
Not sure	18	18.6
To a big extent	65	67.0
To a very big extent	7	7.2
<i>Total</i>	<i>97</i>	<i>100.0</i>

Effects of Human Resource on Implementation of Children Rights

The participants responded to how they thought human resource management affected implementation of children rights in Nakuru County. 22.7% said that human resource management affected implementation of children rights to a very big extent. 60.8% said that human resource management affected implementation of children rights to a big extent; while 9.3% said they were

not sure whether human resource management affected implementation of children rights. 6.2% of the respondents said human resource management affected implementation of children rights policies to a small extent while 1% said human resource management did not affect implementation of children rights policies.

Therefore it can be deduced that majority of the participants, 83.5% said that human resource management affect implementation of children rights policies.

Table 7. Effects of Human Resource on Implementation of Children Rights

<i>Effect</i>	<i>Frequency</i>	<i>Percent</i>
Not at all	1	1.0
To a small extent	6	6.2
Not sure	9	9.3
To a big extent	59	60.8
To a very big extent	22	22.7
<i>Total</i>	<i>97</i>	<i>100.0</i>

Effects of Facilities on Implementation of Children Rights

The participants responded to how they thought facilities affected implementation of children rights in Nakuru County. 26.8% said that facilities affected implementation of children rights to a very big extent. 54.6% said that facilities affected implementation of children rights to a big extent; while 9.3% said they were not sure whether facilities affected implementation of children rights. 5.2% of the respondents said facilities affected implementation of children rights policies to a small extent while 4.1% said facilities did not affect implementation of children rights policies. Therefore it can be deduced that majority of the participants, 81.4% said that facilities affect implementation of children rights policies.

Table 8. Effects of Facilities on Implementation of Children Rights

<i>Effects</i>	<i>Frequency</i>	<i>Percent</i>
Not at all	4	4.1
To a small extent	5	5.2
Not sure	9	9.3
To a big extent	53	54.6
To a very big extent	26	26.8
<i>Total</i>	<i>97</i>	<i>100.0</i>

General Analysis of how Economic Factors Affect Implementation of Children Rights

The general analysis on how the economic factors affect implementation of children rights showed that 6.2% said not at all, 9.3% to a small extent, 20.6% were not sure, 40.2% to a big extent while 28.7% said to a very big extent. This means that majority of the respondents representing 78.2% of the respondents said the listed economic factors affected implementation of children rights.

Table 9. General Analysis of how Economic Factors Affect Implementation of Children Rights

<i>Factors/Outcomes</i>	<i>Effects</i>	<i>N</i>	<i>Marginal %</i>
Implementation of children' rights	Not at all	6	6.2%
	To a small extent	9	9.3%
	Not sure	20	15.6%
	To a big extent	39	40.2%
	To a very big extent	23	28.7%
<i>Sub total</i>			<i>100%</i>
How pay grade affect implementation of children' rights	Not at all	0	0.0%
	To a small extent	4	4.1%
	Not sure	18	18.6%
	To a big extent	44	45.4%
	To a very big extent	31	32.0%
<i>Sub total</i>			<i>100%</i>
How promotion and reward affect	Not at all	1	1.0%

implementation of children' rights	To a small extent	2	2.1%
	Not sure	19	19.6%
	To a big extent	57	58.8%
	To a very big extent	18	18.6%
Sub total			100%
How organization's financial capacity	Not at all	4	4.1%
	To a small extent	4	4.1%
	Not sure	12	12.4%
	To a big extent	40	41.2%
	To a very big extent	37	38.1%
Sub total			100%
How financial management affect implementation of children' rights	Not at all	2	2.1%
	To a small extent	5	5.2%
	Not sure	18	18.6%
	To a big extent	65	67.0%
	To a very big extent	7	7.2%
Sub total			100%
How human resource affect implementation of children' rights	Not at all	1	1.0%
	To a small extent	6	6.2%
	Not sure	9	9.3%
	To a big extent	59	60.8%
	To a very big extent	22	22.7%
Sub total			100%
How facilities affect implementation of children' rights	Not at all	4	4.1%
	To a small extent	5	5.2%
	Not sure	9	9.3%
	To a big extent	53	54.6%
	To a very big extent	26	26.8%
Sub total			97 100.0%

Table 10. Breakdown of Economic Factors Affecting Implementation of Children Rights

<i>Factor</i>	<i>Remedy</i>	<i>Effect</i>
Pay grade	<ul style="list-style-type: none"> • Increment of commissions • Retirement plan and package 	<ul style="list-style-type: none"> • Higher productivity • Meet target goals
Promotions	<ul style="list-style-type: none"> • Time/tenure on current job • Performance improved • Potential for progress • Fit for new roles 	<ul style="list-style-type: none"> • Increased value to organization • Develop competitive spirit • Develop internal sources of competent manpower
Organizational financial capacity	<ul style="list-style-type: none"> • Annual financial plan • Annual budget proposal participation • Cash flow analysis • Annual audit • Identify potential sources of support 	<ul style="list-style-type: none"> • Smooth running of activities • Increased efficiency
Financial management	<ul style="list-style-type: none"> • Meticulous book keeping • Forecasting and planning 	<ul style="list-style-type: none"> • Cutting utility costs
Human resource management	<ul style="list-style-type: none"> • Recruitment and selection • Training and development 	<ul style="list-style-type: none"> • Retain staff
Facilities	<ul style="list-style-type: none"> • Construction, upgrading of facilities e.g. counseling rooms, offices, recreational 	<ul style="list-style-type: none"> • Maximizes performance

5 Conclusion

The study sought to establish economic factors affecting the implementation of children rights policies in Nakuru County. An average of 78% said that economic factors affect implementation of children rights. It emerged that pay grade at 77.4%, promotions and reward at 77%, organizational financial capacity at & 70%, organizational financial management at 80%, human resource management at 83% and facilities at 81.4% affect implementation of children rights policies in Nakuru County. Economic factors affect implementation of children rights policies. These include; pay grade, promotions and reward, organizational financial capacity, organizational financial management, human resource management and facilities. According to, Tarshish [8] children rights implementation system should be considered flawless if it can protect its clients from exploitation and harm. This has changed over time, because it has failed to fully guarantee clients' contentment.[9] further found that, this provision has overlooked the rights of its clients and at the same time equally ignored implementers plight in terms of pay packages and remunerations. This has equally been replicated in this study in that the implementers' have largely been ignored by upcoming policies. This study found that implementers have no good remuneration packages and financial packages thus affecting their work morale and general implementation of these rights. The study recommends that actors in this sector should: develop, implement and monitor appropriate and comprehensive policies, strategies and laws, with a strong focus on the particular needs of the most vulnerable and marginalized children, thereby providing a supportive and protective political and regulatory environment for addressing child survival and development; allocate adequate resources and ensure that budgets are child centered; empower parents and families with knowledge, skills and adequate resources to care for their young, including the development of mechanisms for ensuring meaningful and well-informed community participation at all levels in decision-making processes and design of health services, ensuring that the voices of the most vulnerable are being heard and their needs taken into account. The study focused only on economic factors influencing the implementation of children rights policies however, there are other factors which may influence the same but were not considered in this study.

References

- [1] Amnesty International.: Securing Children Rights Future. London. 2000 Accessed on Nov. 14. 2023. [Online]. Available: <https://www.amnesty.org/en/wp-content/uploads/>
- [2] Boyden, J. : Children under Fire: Challenging Assumptions about Children Resilience. Children, Youth and Environments, 2003, Stockholm. <https://www.jstor.org/stable/107721/chilyoutenvi.13.1.0001>
DOI:10.34/07329113543
- [3] Jones, N and Villar, E.: Situating Children in International Development Policy: Challenges Involved in Successful Evidence-Informed Policy Influencing. 2008, Bristol: Policy Press, University of Bristol.
DOI:10.1332/174426408783477891
- [4] Lansdown, G.: *The Evolving Capacities of the Child*, 2008, Insight 05/18. Florence: IRC.
<https://www.unicef-irc.org/publications/384>
- [5] Ngira, D. O.: Understanding children's rights from a pluralistic legal context: multi-legalities and the protection of the best interests of the child in rural Kenya. 2021, The Journal of Legal Pluralism and Unofficial Law, 53, 3, (545-569).
DOI:10.1080/07329113.2021.1982170
- [6] Save the Children Annual Report.: 2013. Accessed on Nov. 30. 2023. [Online]. Available: <https://www.resourcecentre.savethechildren.net/>
- [7] Tarshish, N.: How friendly are OECD countries towards children? Conceptualization and measuring issues, 2019, Children and Youth Services Review, DOI:10.1016/j.childyouth.2019.05.040
- [8] United Nations Children Fund.: *Progress and Achievements against the Medium-Term Strategic Plan: Annual Report of the Executive Director, Executive Board Annual Session, 2009*. Accessed on Nov. 13. 2023. [Online]. Available: <https://www.digitalibrary.un.org/record/655934/>
- [9] United Nations Children Fund.: *Releasing Declining Numbers for Child Mortality, UNICEF Calls for Increased Efforts to Save Children Lives, 2008*. Accessed on Nov. 10. 2023. [Online]. Available: <https://www.reliefweb.int/report/>