



Administration of Juvenile Justice and Children's Rights in Kotido Municipality

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How to cite this paper: Mohamed, F. (2024) Administration of Juvenile Justice and Children's Rights in Kotido Municipality. *Open Access Library Journal*, 11: e12376. <https://doi.org/10.4236/oalib.1112376>

Received: September 24, 2024

Accepted: December 8, 2024

Published: December 11, 2024

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Abstract

Uganda is one of the countries in the world today that recognizes the international and regional human rights instruments in terms of the administration of juvenile justice. It has a constitution and policy frameworks, which contain provisions with a bearing on children's rights. However, some of the cultural practices in the country have created a massive gap in these rights, although the government of Uganda has a strong mechanism to protect the rights of children. The study argued that the consciousness of the administration of juvenile justice and children's rights remained vague because the state (Uganda), which has the primary responsibility to protect children's rights, relies on neo-liberal policies and criminal laws, which exalt private and class interests to the detriment of children's rights in Uganda. The general objective of the study was to establish the effect of the administration of juvenile justice on children's rights in Kotido Municipality while the specific was to establish ways in which criminal age determination affects children's rights. How legal representation affects children's rights and to analyze how detention of children with adults affects children's rights. The study used a target population of 140 respondents however 103 respondents were selected as sample size based on Krejcie and Morgan's table (1970). The study used a descriptive survey design which involved both quantitative and qualitative methods for data collection. Descriptive statistics was used to describe the basic features of the data in a study using Statistical Package for Social Sciences and establish the regression analysis that demonstrated how the administration of juvenile justice affects children's rights. This system was specifically included in the questionnaires. The findings revealed that the administration of juvenile justice positively affects children's rights in Kotido Municipality. The recommendations from the present study were obtained based on the findings of the study. The investigator discovered that the systems used by the administration of juvenile justice have a number of challenges that directly affect the delivery of juvenile justice services and hence impact the respect and observance of children's rights.

Therefore, the researcher recommended that the stakeholders should strengthen the mechanism in place to promote the juvenile justice service delivery hence leading to respect for the rights of children in Kotido Municipality.

Subject Areas

Law, Public Policy, Sociology

Keywords

Administration, Juvenile Justice, Children's Rights

1. Introduction

This Article presented the purpose of the study which established the effect of the administration of juvenile justice on children's rights in Kotido Municipality. The specific objectives of the study were as follows: To find out the extent to which criminal age determination affects children's rights in Kotido Municipality. To establish the extent to which legal representation affects children's rights in Kotido Municipality. To analyze how detention of children with adults affects children's rights in Kotido Municipality. It addresses the background to the study, statement of the problem, research questions, scope of the study, justification of the study, significance of the study and conceptual framework.

1.1. Background

The background represented the Conceptual background of the study which exploited the key concepts and terms, that were used in the study and structured the topic from the independent variable and dependent variable. It represented the historical background of the study that looked at the evolution of the administration of juvenile justice and children's rights. The study further represented the theoretical background that looked at the theoretical construct that formed the analyses of the study and the contextual background way the investigator looked at the issues in the current context of Kotido Municipal Council.

Theresa *et al.* (2014) [1] stated that a juvenile is a child or young person who is under the respective legal systems, and may be dealt with an offense in a manner that is different from an adult. An offense is any behavior (act or omission) that is punishable by law under the respective legal representation. A juvenile offender is a child or young person who is alleged to have committed an offense or who has been found to have committed an offense. Similarly, Vafai *et al.* (2014) [2] argued that the juvenile justice system emphasizes the well-being of the juvenile and ensures that any reaction to juvenile offenders always is in proportion to the circumstances of both the offenders and the offense.

According to UNESCO (2017) [3], administration is a process of systematically arranging and co-coordinating the human and material resources available to any

organization or country. It refers to the group of individuals who are in charge of creating and enforcing rules and regulations, or those in leadership positions who complete important tasks. However, Gillespie (2013) [4] elaborated that the administration of juvenile justice is a system of justice established by the government, through statutory enactments, to take care and charge of society. Correspondingly, Holzer (2014) [5] emphasized that the administration of juvenile justice is a global system designed to take care of people within a stipulated age bracket, who take place to be involved in one crime or the other. It encompasses every process involved in the arrest, interrogation, detention of children with adults, prosecution, trial, criminal age determination, conviction and sentencing of juvenile justice.

Snyder (2012) [6] explained that rights are things every child should have or be able to do. All children have the same rights. These rights are listed in the UN Convention on the Rights of the Child. Almost every country has agreed to these rights. All the rights are connected to each other, and all are equally important.

According to the United Nations Educational, Scientific and Cultural Organization, (2017) [3], the term Juvenile Justice refers to the legislations, norms, standards, procedures, legal representation and institutions specifically designed for monitoring young persons who are alleged or accused of infringing the criminal law. It can be legislation for protection rather than punishment, affecting children in conflict with the law as well as children at risk requiring a form of protection, or educational assistance for children below the age of criminal responsibility.

Guillemette & Rees (2014) [7] elaborated that the administration of juvenile justice is a legal systems established around the world which protect children's rights. It reflects the interests of society in promoting the rule of law and aims to reintegrate the child accused of infringing the law. Juvenile justice does not just cover situations where a conflict with criminal law has arisen. It is a key area of social policy, dealing with a growing number of children who have been marginalized and displaced by socio-economic changes. Human Rights Watch (2015) [8] administration of juvenile justice primarily is concerned with protecting the rights of the under aged, children in consonance with the provisions of the law.

Anthony (2017) [9] observed that children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing. Children have the right to good quality health care, the best health care possible to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy.

The United Nations Children's Fund (2012) [10] affirmed that children have to stay free from torture as the convention applies to all children, whatever their race, religion or abilities, whatever they think or say, whatever type of family they come from. It doesn't matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Zimring (2012) [11] explained that juvenile justice punishments can be traced back to the Middle Ages when crimes were severely punished by the church. Throughout the 17th and 18th centuries, few legal differences existed between children and adults. Children as young as six and seven years were considered productive members of the family, and their labor contributed to the family's income. In court, children as young as seven years were treated as adults without legal representative, and criminal age determination while detaining them with adults as they receive the death penalty. With the changing demographics, social and economic context of the 19th century resulting largely from industrialization, the social construction of childhood as a period of dependency and exclusion from the adult was institutionalized in the world.

Puzzanchera (2012) [12] remarked that although the juvenile court retains jurisdiction over the processing of abuse and neglect cases, most of the processing care and supervision of those cases lies within the child welfare system, while the juvenile justice system focuses primarily on youths charged with delinquency or status offenses. As of 2009, more than 2.8 million youths are under juvenile court supervision annually with around 1.65 million new cases processed each year around the world. Drylie (2016) [13] argued that the juvenile court system came into existence in 1899. Unlike the criminal justice system, a separate juvenile justice system such as legal representation, crime age determination and detention of children with adults is not constitutionally guaranteed in Kotido Municipality. The system today is a network of interrelated social service and criminal justice agencies designed and operated for the treatment and care of children. Prior to the twentieth century, juveniles were considered property and treated the same as adults and subject to the same penalties, including death.

Agnew (2000) [14] argued that the School-Strain-relationship Theory is particularly appropriate for studying the relationship schools have with delinquency. School-Strain-relationship, Theory predicts that several sources of strain can accumulate to produce the negative affective state that leads individuals to delinquency. These sources of strain can include neighborhood, familial, and school-based relationships. Outside school, neighborhood problems such as poverty, racism, inequality, and relative deprivation can be examples of negative stimuli. At the familial level, negative stimuli can come from dysfunctional relationships with parents or siblings. Lee & Cohen (2015) [15] argued that the school experience can provide a variety of noxious events. Although positive peer relationships exist for many students, negative peer relationships are also abundant. Likewise, teachers may represent negative relationships by exposing students to their poor temperament and demeaning attitude.

Samuri *et al.* (2013) [16] observed that rehabilitation theory is one that focuses on personal change in the offender so that they discontinue their criminal activities once and for all upon their return to society and enable them to have a more constructive role via receipt of psychiatric therapy, counseling, vocational training, better education, drug-rehabilitation programs and any other techniques

based on scientific methods that can reduce recidivism. The rehabilitation theory is fitting for child offenders because children are a category which is entirely different from that of adult offenders.

Clarke *et al.* (2016) [2] noted that it was not until the late nineteenth century that the nascent child's rights protection movement countered the widely held view that children were mainly quasi-property and economic assets. In the United States, the Progressive Movement challenged courts' reluctance to interfere in family matters, promoted broad child welfare reforms, and was successful in having laws passed to regulate child labor having concerns of legal representation, criminal age determination and providing compulsory education. Another push for children's rights occurred in the 1960s and 1970s, when children were viewed by some advocates as victims of discrimination or as an oppressed group.

According to Kaggwa (2011) [17] during the post-election demonstrations of Walk to Work in Uganda, children had problems moving to safety. Police were arresting and beating people up, adults and children indiscriminately and most of them were children who suffered during the demonstrations as they found difficulties getting back to their homes. Adults lodged 49% of the complaints while 51% were lodged by minors or persons below 18 years of age. Most of the complaints lodged by minors were with regard to the right to education, maintenance and neglect by the parents. Of the top three complaints registered the violation of freedom from torture or cruel, inhuman or degrading treatment or punishment was the highest at 34.8% of the total complaints received, followed by detention beyond 48 hours (21.5%), denial of child maintenance (18.2%) and deprivation of property (9.1%). In a survey carried out by the United Nations Children's Fund (2012), [10] indicated that 65% of the 1.8 million displaced people in Karamoja are juveniles while 53.5% of street children have at least one parent dead or missing, and 14% are orphans. Most children in Karamoja have faced various forms of violence—physical, sexual, emotional and domestic. Over 8 million children, 51% of the child's population, are considered vulnerable as far as their life in Kotido Municipal Council is concerned (McAra, 2023) [18].

Mungyereza (2016) [19] argued that Uganda Human Rights Commission report 2018/19 shows that 54% of children in Karamoja were identified as the most armed and were allegedly, actively involved in cattle raids and committing other related criminal activities. Consequently, most of these children were killed, arrested and detained, due to lack of criminal age determination and legal representation which led to impoverished as most of their livestock were impounded.

Paulo (2016) [20] emphasized that the detention of children with adults added pressure on some of the children who survived the wrath of the army to flee away from their homes for refuge away from home due to, cattle rustling, disarmament operations, social conflicts and orphan-hood which increased the population of juveniles in the streets of urban or trading centers which raised 54% violation of children in Karamoja.

Donnelly (2020) [21] argued that in developing countries there is no clear criminal age determination though it exists in the international standard regarding the

age at which criminal responsibility can be reasonably imputed to a juvenile. The Beijing Rules elaborate that age shall not be fixed at an age level that is too low, bearing in mind the facts of emotional, mental, and intellectual maturity. Physical and emotional security is always a central component when working with children and adolescents, especially when dealing with transitional justice and human rights abuses.

Similarly, Drylie (2016) [13] emphasized that criminal age determination has created an impossibility to know the exact number of prisoners, including children, in jails or “police cells” at any given time, simply because the number changes daily as some prisoners are released and new ones are brought in. The age of criminal responsibility in Azerbaijan is 14-year-old which is considered to be limited criminal responsibilities and 16 years old, a full criminal age determination. Although there is no separate law on Juvenile Justice Administration, the special sections on juvenile justice in the Criminal Code and Criminal Procedure Code provide favorable grounds for the normal functioning of the juvenile justice system in the country based on international standards.

Cecilia (2016) [22] elaborated that the Minimum Age of Criminal Responsibility is the lowest age at which children may potentially be held criminally liable for alleged crimes. In general, it is the lowest age at which children in a given country can be prosecuted in any court and is therefore, a fundamental concern for the protection of children’s rights and juvenile justice. However, in slums, characterized by social exclusion and a lack of social support systems, these rights are hardly recognized such as in developing countries.

Gibbons (2015) [23] added that Criminal Code and Criminal Procedure Code were adopted recently, just 5 years ago and immediately after the consideration of the initial report by UNCRC and the issue of the Concluding Observations by the Committee of UN CRC, where the committee clearly expressed its concerns over the juvenile justice administration in Azerbaijan, which confirmed that the absent legal representation in Azerbaijan legislature has created level of child violation.

Similarly, Adamson (2019) [24] emphasized that the absence of legal representation for children’s rights in most African countries has remained a major problem. Based on the cat violation that took place in Burundi in (2015) elections, in Uganda, the incident that happened after the release of the result way young children were considered to be involved in the actions. This has rendered children largely invisible in policy terms, embedded under other policy agendas such as those of education, health and the family. However, there are numerous problems both in the statutes and in practice. The obstacles to these rights are associated with limited access to a lawyer and free legal aid for low-income. The law provides the right to access a lawyer at the moment the minor is brought to the police station or at the start of the first interrogation of a suspect.

Frank (2014) [25] revealed that the prolongation of the period of stay in the Reception Centre can be decided if there are no documents or other relevant information about a child or if the child is from another country so there is no possibility for immediate release and extradition to the home country. Again, the

Commissions on minors' Affairs, an arm of the executive branch, have the power to de facto restrict the liberty of minors without any control by the judiciary. There are no facilities for the physical and psychological recovery and social reintegration of juvenile offenders within the systems of administration of juvenile justice.

Adamson (2019) [24] observed that the protection of children from the Sexual Offences Act (2012) specifically addresses the issue of sexual offences committed against children, which until now had been tried under laws and regulations that did not differentiate between adult and child victims. The punishments provided in the law are also stringent and commensurate with the gravity of the offence.

McAra, (2023) [18] added that law allows a person to be kept for up to 6 months in pre-trial detention, preceding the court hearing. Children and adults are subject to the same pre-trial detention periods in Somalia. In Kenya, the three most common legal bases for the detention of children in juvenile remand homes are: "desertion and vagrancy" (1,800), "beyond parental control" (500), and "found begging" (480). However, in 2002, there were 432 children in Azerbaijan police jails and pre-trial detention centers. Yet in Uganda, juveniles who commit capital offences can be detained for a maximum of 90 days beyond which the court can release them unconditionally. But in reality, children in Uganda children stay in pre-trial detention for a period of 6 months or beyond.

Casillas (2024) [26] argued that in Uganda, detention of children with adults is the order of the day way. Even children in educational institutions who have the right to be protected from any type of exploitation, physical and psychological abuse, are detained by adults violating their right to dignity. Kimberly (2014) [27] argued that juvenile crime policy shifted perceptibly toward incarceration, and state and federal lawmakers stepped up efforts to make the juvenile justice system more like the adult justice system. States across the country enacted sweeping policy changes to make the juvenile system tougher.

The existing literature identified detention of children with adults, criminal age determination and legal representation, and poor policy implementation as the gaps absent. However, some authors such as Clara, (2012) [28] focused on unclear criminal age determination though Africa subscribes to the international standards, regarding the age at which criminal responsibility can be reasonably imputed to a juvenile. Others Puzzanchera *et al.* (2012) [29] focused on culture and education, as the leading root cause of the violation of children's rights in most African countries. Scholars such as Seth (2013) [30] also focused on gender inequality as one of the factors that leads to the violation of child rights. Based on the existing situation in Kotido Municipality regarding the administration of juvenile justice and children's rights, the researcher concluded that juvenile court counselors and human rights advocacy in Uganda have ignored the role and the need for screening instruments of juvenile justice to identify those children/young people who need comprehensive substance abuse assessments.

The conceptual framework showed the relationship between the study variables under investigation. The independent variable was the administration of juvenile

justice, with children's rights as the dependent variable. The model showed that the administration of juvenile justice affects children's rights in Kotido Municipality. Administration of juvenile justice was measured in the form of legal representation, criminal age determination and detention of children with adult. The framework showed the different determinants of children's rights, including the right to education, fair trial, freedom from torture and the right to health and good environment in Kotido Municipality.

1.2. Conceptual Framework

Figure 1 illustrated a conceptual framework that modeled a unilateral relationship between the independent variable of "administration of juvenile in terms of detention of children with an adult, legal representation, and criminal age determination which affect children's rights in terms of right to education, right to fair trial, right to health and good environment and freedom from torture. It further showed an interception of a unilateral causal relationship by spurious associations which resulted from government policies, cultural practices, and corruption and resource allocations.

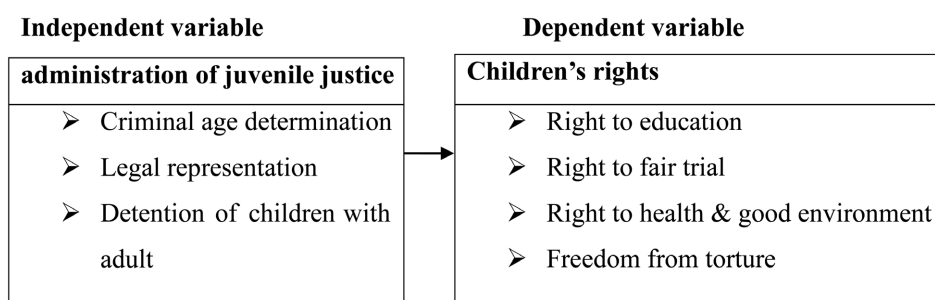


Figure 1. Conceptual framework showing the relationship between the administration of juvenile justice and children's rights.

Several writers have discussed and analyzed different aspects related to the rights of the child in general. In relation to this study, some scholars have deliberated on the rights of the child in relation to the administration of juvenile justice focusing mainly on other key factors including social interaction, economic and political interference in very many developed and underdeveloped countries. Some other scholars focused on the culture of the nomadic communities and the low level of unemployment in the region. Thus, the reasons why this research basically looked at the administration of juvenile justice and children's rights in Kotido Municipality.

2. Methodology

A case study is a research strategy and an empirical inquiry that investigates a phenomenon within its real-life context. It is a descriptive and exploratory analysis of a person, group or event. However, descriptive is a scientific method which involves observing and describing the behavior of a subject without influencing it

in any way or the other (Phillips, 2012) [31]. The distinction between descriptive and analytical research is based on the question it asks. Descriptive attempts to determine, describe, or identify what a phenomenon is, while analytical attempts to establish why it is that way or how it came to be. Therefore, a descriptive and analytical study design was adopted which used a mixed approach as a way of triangulation to enhance the quality of study findings on the effect of administration of juvenile justice on children's rights in Kotido Municipality.

A mixed-method approach was used, which involved both quantitative and qualitative analysis. The Quantitative method deals with numbers and systematic ways to investigate the phenomena and their relationships. At the same time, a qualitative method generates data through a semi-structured interview guide that requires face-to-face interaction.

The complementarity of the above is that qualitative and quantitative methods were more relevant to the study which is why both were used to establish relevant data about the topic. The quantitative method was used to establish indisputable data, while the qualitative method was used to establish peoples' views, and beliefs on the administration of juvenile justice on children's rights in Kotido Municipality. This helped the study combine relevant information related to the administration of juvenile justice on children's rights. The study further involved mixed research methods which supported quantitative and qualitative research methods for quality data control.

The study was conducted in Kotido Municipality because Kotido district is one of the most highly affected by the administration of juvenile justice. Kotido district is located in the North East of Uganda. It is bordered by Kaabong district to the North, Moroto district to the South East, Napak district to the South and Abim district to the West. Agago district and Kitgum district are in the northwest. Though the administration of juvenile justice exists in Kotido Municipality, it is unfortunate that children's rights are not recognized as stipulated in the constitution of Uganda.

The study picked up a sample size of 103 based on Krejcie and Morgan's table (1970) which indicates that when the researcher has a target population of 140 respondents, the next sample size should be 103 respondents (See **Table 1**).

According to Phillips (2012) [31] sampling is a process of selecting elements

Table 1. Sample size of the study.

Population Description	Population (N)	Sample Size	Sampling Techniques
Community members	96	69	Simple random (S)
Government officials	6	6	Purposive sampling
Law Enforcement officials	30	22	Simple random (S)
UN Agencies and CSOs	8	6	Simple random (S)
Total	140	103	<i>Field work, 2018</i>

Source: Kotido district Municipal Council records (2016).

from the population in such a way that the sampled elements represent the population under study. This research therefore used both purposive and simple random sampling techniques to get information from the target respondents in Kotido Municipality. This includes Children (33), Community members (36), and Government officials (6) law enforcement officer (22) UN agencies (6) were selected using simple random sampling and purposive sampling for data collection. A questionnaire was the main research instrument used in this research. The structured questionnaire was preferred as an instrument of the study because it was self-administered, which had an identical set of items for all respondents, and produced fewer errors that ensured confidentiality as respondents were free from the influence of the researcher. The required response rate was based on a five-point Likert scale with 5 intervals: (1 = Strongly Disagree, 2 = Disagree 3 = Neutral 4 = Agree 5 = Strongly Agree). For qualitative data, the investigator used an interview guide to target the key informants for discussions.

The researcher established the sub-sample size by subtracting the purposive respondents from the target population and sample size of the study. This was done by getting $140 - 6$ which equaled to 134 then $103 - 6$ which equaled to 97. Then the researcher got $96/134 \times 97$ which equaled to (69R), $30/134 \times 97$ which equaled to (22R) and lastly, $8/134 \times 97$ which equaled to (6R). All the above calculations resulted to 140 as target population and 103 as the sample size of the study. The purposive respondents were represented by (6R) which means (6) respondents and (97R) from simple random sampling which totaled to 103 respondents in Kotido Municipality. The numbers above such as 96, 30 and 8 represent the target population of the study after subtracting the purposive respondents who are meant for the interview guide in Kotido Municipality.

To ensure validity of the instruments, the instruments were developed under close guidance of the literature review. This helped to identify ambiguous questions in the instruments and be able to re-align them to the objectives. The average Content Validity Index (CVI) formula was used to gauge the content validity of items on an empirical measure. It was applied using the formula shown below:

$$\text{Content Validity Index (CVI)} = \frac{\text{Number of items declared valid}}{\text{Total number of items}}$$

$$\text{CVI} = 28 \div 35$$

$$\text{CVI} = 0.8$$

The formula used to calculate CVI was adopted by Mazaki, (2017) [32] showing the degree to which the instruments have an appropriate sample of items for the construct being measured. However, any study to be valid must get above 0.5 and this result showed 0.8 which is among the I-CVI acceptable values that explains the validity of study.

Table 2 explains the reliability test of the questionnaires. The number, 28, indicates the number of returned Items after the investigator collected the pre-

testing data and 0.894 indicates the Cronbach's Alpha value which shows that the study was reliable enough to be conducted. Reliability is the extent to which the measuring instruments produce consistent scores when the same groups of individuals are repeatedly measured under the same conditions (Mazaki, 2017) [32]. The study administered one type of questionnaire to parents, children below (18 years), and some of the Low Enforcement Officials and UN Agencies and CSOs using Cronbach reliability test. Alpha values of 0.753 was attained implying that the tool were suitable to be used in the study.

Table 2. Shows results from reliability test of the questionnaire.

Cronbach's Alpha	N of Items
0.894	28

Source: Field Data, 2024.

To ensure reliability, the research instrument was pre-tested using a different area by selecting 35 respondents. The analysis was done using SPSS version 23 to determine the coefficient of reliability as per **Table 2** which showed that the questionnaire was good and reliable with a Cronbach's alpha of.894 for data collection in Kotido Municipal Council.

According to Kigenyi (2017) [32] measurement is the method of assigning numbers to different degrees of explanation, views and mind-set about variables and the level of measurement as a function of the rules under which the numbers are assigned. For the questionnaire in this study, the variables under "administration of juvenile justice" were measured using a number of 5-point Likert scale format (1 = Strongly Disagree; 2 = Disagree; 3 = Neutral; 4 = Agree and 5 = Strongly Agree) to adopt and modify the study according to the specific objectives. The Likert scale technique was used to assign a scale value to statements of the chosen dimensions of the administration of juvenile justice which measured respondent's reality from the given point of view.

The opinions used in the study were generated from the literature review. The questionnaire was divided into sections based on the constructs of administration of juvenile justice and child's rights accordingly: First section (Part-A) presented respondent's demographic information which was needed for understanding the statement, Second section (Part-B) established ways in which criminal age determination affect children's right. Third section (Part-C) established how legal representation affected children's right. Forth section (Part-D) found out how detention of children with adults affect children's rights. The five sections (Part-E) measured the status of children's rights in Kotido Municipality. The study analyzed the questionnaire data from the field and interpreted them using Likert scale, means and standard deviation were generated through the SPSS (version 23) using linear regression and an appropriate scale to interpret the means. Interpretation of results from the normal least square regression analysis was based on the standard regression (0.05).

3. Results of the Study

A total of 97 questionnaires were issued out to respondents but 95 were retrieved from the field. To establish the retrieved information in terms of percentages, the researcher picked the number of questionnaires given out divided by the number of returned questionnaire which made (97.9%). The study further elaborated that 6 interview guides were administered to respondents and all (100%) were retrieved. The presentation of the findings was organized around the demographic characteristics of the study.

The findings of the study indicates 98% of the response rate among the participant in Kotido Municipality. The findings further indicate that male respondents were represented by 64% while female respondents were represented by 36% of respondents. The study indicates that children who participated in the study 47% were in the age bracket of 10 - 18 years whereas adults in the age of 27-60 were represented by 53% of respondents. It further indicates that respondents who attained diploma to Masters were represented by 38% whereas those who attained primary to certificate were represented by 55% of respondents. Those who were did not attained education were represented by 7% of respondents in Kotido Municipality. The finding revealed that 49% of respondents were married whereas 45% were single and 6% of respondents were in between divorce and widow. The study further observed that Pentecostal, Seventh day Adventist, Catholic and protestant were represented by 84% of respondents while Muslims were represented by 12% tradition were represented by 4% of respondents. This justifies that almost all categories of respondents were represented in the study.

Table 3 indicates the overall findings on the effect of administration of juvenile justice on Children's Rights in Kotido Municipality.

Table 4 represents the overall findings of the study about administration of juvenile justice affects Children's rights in Kotido Municipality.

The study was conducted to find out the extent to which administration of juvenile justice affect Children's rights in Kotido Municipality. The findings of the study indicate that 58% of respondents agreed that administration of juvenile justice affect children's rights while 33% of respondents disagreed and 9% of respondents were not certain whether administration of juvenile justice affect children or not. The calculated mean of ($\mu = 3.33$, Std. Deviation = 1.372) indicates that administration of juvenile justice is a potential determinant of affecting

Table 3. Demographic data of the respondents.

	Frequency	Percentages %
Sex of respondents		
Male	61	64
Female	34	36
Total	95	100

Continued

Age of respondents		
10 - 15	19	20
15 - 21	16	17
21 - 26	9	10
27 - 33	22	23
33 - 39	4	4
39 - 45	9	10
45 - 50	6	6
50 - 56	6	6
56 - 61	2	2
61 - 67	1	1
70 above	1	1
Total	95	100
Education level of respondents		
Primary	29	31
Secondary	15	16
Certificate	8	8
Diploma	12	13
Degree	18	19
Masters	6	6
None	7	7
Total	95	100
Marital status of respondents		
Single	43	45
Married	46	49
Divorce	4	4
Widowed	2	2
Total	95	100
Religion of respondents		
Protestant	20	21
Catholic	50	53
Muslim	11	12
Pentecostal	7	7
Seventh day adventist	3	3
Traditionalist	4	4
Total	95	100

Table 4. The overall findings of the study.

Objectives	SD	D	N	A	SA	Mean	St. D
Criminal age determination	12	14	10	39	25	3.49	1.316
Legal representation	15	20	8	29	28	3.33	1.422
Detention of children with adults	18	21	9	31	21	3.17	1.379
Total	15	18	9	33	25	3.33	1.372

Source: Data analysis (2024).

children's rights.

The findings are in agreement with the study done by Human Rights Watch, (2015). They agreed that administration of juvenile justice is primarily concerned with protecting the rights of the under aged in consonance with the provisions of the law. However, most developing countries in the world today have ignored the administration of juvenile justice. Children are detained together with adults. The legal representative of children as prescribed by law is not considered in the process of arresting children hence leading to a lack of criminal age determination in the community. However, Palmer *et al.*(2016) argued that the European Convention on the Exercise of Children's Rights clearly elaborates in the Preamble that should have the opportunity to exercise their rights, particularly in family proceedings which affect them; they should be provided with relevant information and their views should be considered where necessary. States as well as parents, should engage in the protection and promotion of the children's rights. However, in African context these rights are not recognized right from their families. This made it hard for children to access fair justice through legal representation.

To triangulate the findings of study, the quantitative analysis was in agreement with the qualitative data. *The interviewee Madam G remarked that*, the findings revealed that the interviews were administered

“There is a problem with criminal age determination in developing countries but also in our communities. Most of the children who are detained in prisons today some of them do not deserve it according to their age. Some children are detained because of their height. The criminal age determination is 12 years according to the law of Uganda. However, the challenge is that the police, locals and judicial officers fail to ascertain the exact age of child with an offence. This has affected the rights of children under age to be in prison”. The interviewee Mr. B remarked that:

“our administration of juvenile justice is very corrupt that is why children's rights and justice have continuously been affected by the authorities and local leaders. In most cases, children are arrested and put in prison without the notice of local government leaders. They do not follow proper procedures to handle children's cases. Child rights provision and monitoring is not adequate, child rights are not comprehensively promoted by both parents and state actors. Well some people say children's rights are recognized but the

major question that must be asked to all actors and duty bearers is to what capacity are these rights recognized and how are these rights attained the level of constitution and the universal declaration of human rights 1948”.

The study was channeled by three convincing objectives. The main purpose of the study was to establish the effect of the administration of juvenile justice on children’s rights in Kotido Municipality. In order to establish this effect, a multiple regression analysis was undertaken for all the dimensions of the administration of juvenile justice. The study revealed that the administration of juvenile justice is a significant determinant of children’s rights but weak with ($R^2 = 0.113$, at $p = 0.012$). This implies that, by seizing other factors constantly, the administration of juvenile justice significantly affects children’s rights by 11.3% in the community (See **Table 5**).

Table 5. Regression model summary of administration of juvenile justice and children’s rights.

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Change Statistics				
					R Square Change	F Change	df1	df2	Sig. F Change
1	0.336 ^a	0.113	0.084	0.51350	0.113	3.862	3	91	0.012

a. Predictors: (Constant), legal representative, detention of children with adults, criminal age determination.

In Uganda, the Local Council leaders have been given a central role to play by the state, to handle and effect juvenile justice legislations to agreeable levels, as it is believed that local communities have the capacity to handle children’s issues more quickly, with minimal recourses as compared to the formal legal system. The study revealed that administrative juvenile justice is functioning with cases regarding children’s rights. However, due to corruption, lack of training and professionalism, the administration of juvenile justice has been and is still experiencing massive failure to handle cases related to children and their rights. With very few exceptions, the food served in detention facilities, criminal age responsibility and legal representation remained an issue hence leading to violation of children’s rights.

In conclusion, the juvenile justice policy in Uganda appears to conflict with the current administrative practices. Though there is literature documenting this conflict, little has been documented on approaching the issue from the perspective of the administrators of juvenile justice more so where nomadic societies live. However, the study focused on a narrow aspect of the topic. It did not look at the study in a vast way and provide a general solution to the vulnerable community.

4. Recommendations

The recommendations from the present study are obtainable based on the findings. From the research findings the investigator drew the following recommendations:

To improve the complaints mechanism system of the juvenile justice, the government of Uganda needs to revitalize and strengthen effective complaints mechanisms within juvenile justice systems, and conduct interviews with children to determine the upholding of the rights of children deprived of their liberty, and commit to investigating and sanctioning those responsible for violations.

To increase on the relevance of children's rights, it is recommended that States parties, UN specialized agencies, funds and programs, the World Bank and regional development banks, and civil society should adopt a broader rights-based approach to indigenous children based on the conventions and other relevant international standards such as International Labor Organization (ILO) Convention 169, and encourage the use of community-based interventions in order to ensure the greatest possible sensitivity to the cultural specificity of the affected community. Particular attention should be paid to the variety of situations and conditions in which the children live. Most of the children are ignorant and do not know their rights and therefore; there is a need for the government and child centered institutions to educate and inform children of their various rights and provide a place to turn when their rights are violated. The Justice, Law and Order Sector (JLOS) and other stake holders at the national, regional and district levels should step up networking, coordination and information-sharing between jurisdictions and agencies, including schools, shelter homes and courts that can help in improving legal representation for children.

5. Suggestion for Further Study

It is recommended that further studies be done on the effect of poor implementation policies on children's rights in Uganda, since the current research was restricted to Kotido Municipality.

A similar study should further investigate the effect of criminal age determination on children's rights in Uganda.

Further research could be conducted on the same research area but exploring other dimensions of administrative juvenile justice such as poor monitoring system, and corruption in order to ensure effective administrative juvenile justice in Uganda.

Acknowledgements

I take this opportunity to express my sincere gratitude to Almighty God, who gave me the ability to complete this research. My sincere gratitude goes to Kumi University Vice Chancellor Dr. Hong who has encouraged and motivated me to gain this wonderful experience in research. Special thanks goes to the head of department of Social sciences Madam Gloria Angela Mukova for her continuous support and encouragement. Her support and encouragement will continuously be remembered in my memory.

My gratitude goes to my Mather, who, through struggle, was able to raise me up as a successfully man. I thank my family for the care and support they rendered

to me during this project. I am grateful to Dr. Badaza Rose for taking me through SPSS software system and giving me the courage to run data analysis. I thank those whom I have had the privilege to work with during this project. Each of the members I came across during this study provided me with extensive personal and professional guidance.

I extend my sincere gratitude to the research department Coordinator Dr. Ikilai for the support and encouragement.

Conflicts of Interest

The author declares no conflicts of interest.

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