

JUVENILES' RIGHT TO EDUCATION: A CASE STUDY OF KAMPIRINGISA NATIONAL REHABILITATION CENTRE

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ABSTRACT The Right to education is a universal human right and is enshrined in various international human rights standards but the main one is the Convention of the Rights of the Child, and national laws like the Children's Act of 2005 in Uganda. The right to education is supposed to be enjoyed by every child including those in detention also known as children in conflict with the law. Kampiringisa National Rehabilitation Centre (KNRC) is temporarily mandated to house all incarcerated juveniles between the ages of 12–18 in Uganda. Apart from KNRC, Uganda has four remand homes in Fort Portal, Gulu, Naguru and Mbale. These constitute legal detention facilities in Uganda. This research examined the enjoyment of the right to education by incarcerated children in Uganda and the level of awareness of duty bearers and right holders in regards to the right to education. The findings of the study indicate that Kampiringisa still acts as the national rehabilitation centre for children despite being mandated as only a temporary detention centre by the children's Act. Likewise, duty bearers and right claimants have scanty knowledge regarding the right to education and only limit it to going to school and acquiring knowledge.

Key Words: Juvenile justice; Right to education; Incarcerated children; Human rights; Uganda.

INTRODUCTION

The right to education is an essential human right to a child not only for the personal growth and development but also for his/her human dignity (Defense for Children International, 2003). In order for a child to have a better future his/her access to the right to education needs to be actualized. This applies even to children in remand homes and other detention facilities. Education is not only vital to the rehabilitation and reintegration of young offenders but also to their healthy development. This study therefore sought to investigate the promotion and protection of juvenile delinquents' right to education in remand homes of Uganda using a case study of Kampiringisa National Rehabilitation Centre (KNRC) in Mpigi District.

Juvenile delinquency refers to criminal acts performed by juveniles; it is either violent or non-violent crime. One may not tell the crimes that these people may commit though records show that some of these crimes committed by the juveniles include; petty thefts, hawking, begging on the streets, child to child rape and loitering in city/town centres and such children are always arrested by police officers, city/town authorities and at times parents who fail to control their children hand them over to the authorities.⁽¹⁾ The process of going through

the formal criminal justice system can be deeply disturbing for children. The 1989 UN Convention on the Rights of the Child (CRC) and other key international human rights standards and guidelines which provide the framework for the proper administration of juvenile justice state that every effort should be made to keep young people out of this system and to make use of alternatives wherever possible (Nikhil & Wong, 2004).

For children in conflict with the law, the processes of arrest, trial and custody destroy their childhood as a result of being denied their rights, for example, the right to family life, education, care, protection and play. Many of them have little chance of rehabilitation and reintegration into society after being released. Discrimination against children who have been in conflict with the law, together with deprivation and poverty, limit their opportunities for developing into active and contributing adult citizens (Nikhil & Wong, 2004). Yet it is a prerequisite that when these children are now confined in remand homes or rehabilitation centres, they fully enjoy their right to education like any other children as set out in the Constitution of the Republic of Uganda (1995) Chapter four section 30 and 34 (2), (3), the Children's Act Chapter 59 section 5 (1) and the Convention on the rights of the child (1989) article 28 (a) which proposes that primary education should be made compulsory, available and free to all.

Globally, it is estimated that more than one million children are deprived of their liberty in the world today (UNICEF, 2006). This is so despite an increasing international movement against the placement of children in detention. Article 37(b) of the United Nations Convention on the Rights of the Child (1989) 10 stipulates that detention should be avoided wherever possible and alternative means of providing justice should be sought. In Uganda, detained children in conflict with the law are placed in one of the four remand homes in Fort Portal, Gulu, Naguru and Mbale. In addition, Kampiringisa National Rehabilitation Centre detains sentenced children from the whole of Uganda. Kampiringisa National Rehabilitation Centre (KNRC) is mandated to house all incarcerated juveniles between the ages of 12–18 in Uganda. Likewise, children in conflict with the law are principally the responsibility of the Ministry of Gender, Labor and Social Development (MGLSD). Kampiringisa National Rehabilitation Centre is mandated to accommodate incarcerated juveniles, rehabilitate them through counseling, give them education which is formal or non-formal depending on the juvenile's interest with an overall aim of turning them into sociable children (Moore, 2010).

KNRC was established by the 1952 Ordinance Act as a boys' approved school to cater for boys who needed care and protection, those beyond parental control and delinquents. The Children's Act Cap 59 sub section 96 transformed the school into a National Rehabilitation Centre with one wing declared for girl delinquents in 1997. Under sub section 96 of the Children's Act, it is stipulated that the Minister shall establish a National Rehabilitation Centre for Children and such other centres as he or she may deem necessary which shall each be a place for the detention, rehabilitation and retraining of children committed there. The Act also mentioned that pending the establishment of the National

Rehabilitation Centre for Children, the school known as Kampiringisa Boys' Approved School shall be used as the detention centre and the detention centre shall have a separate wing for girls.

The Convention on the Rights of a Child (UN, 1989) article 29 (a) stipulates that the education of a child shall be directed to the development of the child's personality, talents, mental and physical abilities to their fullest potential. Under the Sustainable Development Goals, goal 4, education should be inclusive and quality education so as: to ensure that all girls and boys have access to quality early childhood development, care and pre-primary education; build and upgrade education facilities that are child, disability and gender sensitive and provide safe, inclusive and effective learning environment for all learning which pledges ideally encompass even the children in remand homes. Besides the international level, the Constitution of the Republic of Uganda (1995) and the Children's Act of 2005 protect the rights of the children at the national level.

Though there are four remand homes in Uganda, there is only one rehabilitation centre whose mandate has gone beyond housing juveniles through the normal legal process to also house juveniles rounded up by the Kampala Capital City Authority (KCCA) usually considered to be street children. The centre is not only under-funded and congested, it lacks in administration especially counselors, educators and psychologists. Therefore, instead of housing the intended 150 juveniles, the centre is home to 210 children, though there are supposed to be 40 staff in the Centre only 18 positions are filled (Moore, 2010). This raises the need to investigate whether the situation at Kampiringisa is favorable to the rights of the children especially their right to education. The study therefore examined the provision of education at the centre and how the right bearers and duty claimants understand the right to education.

LITERATURE REVIEW

The term "children in conflict with the law" refers to anyone under 18 who comes into contact with the justice system as a result of being suspected or accused of committing an offence (UNICEF, 2006). According to Save the Children UK (2014), the great majority of children who come into conflict with the law are first-time offenders and rarely go on to become career criminals. The reality is that a majority of children will break the law at least once before they reach 18 years of age, although the nature of their offending is usually so trivial as rarely to warrant intervention by the justice system (UNICEF, 2006). Establishing the facts about children in conflict with the law is no easy matter, however. The lack of appropriate data collection systems, particularly providing disaggregated data by age, is compounded by the failure to use standardized concepts in relation to the definition of a child. Most children in conflict with the law have committed petty crimes or such minor offences as vagrancy, truancy, begging or alcohol use. Some of these are known as "status offences" and are not considered criminal when committed by adults. In addition, some children

who engage in criminal behavior have been used or coerced by adults (UNICEF, 2006).

In the last century, there has been growing recognition that children's special needs and life circumstances require a response from society in law and in practice that is different from adults. Education is vital to the rehabilitation and reintegration of young offenders and to their healthy development, and also to prevention work. A holistic approach to children's justice work is needed so that children's needs and rights are all taken into account, including those regarding their education and training (Defence for Children International, 2003).

The general principles of the 1989 Convention on the Rights of the Child (CRC) include the principle of non-discrimination (article 2), the best interests of the child (article 3), the right to life, survival and development (article 6), and the right of children to participate in all matters affecting them (article 12). In addition to these general principles, which are relevant for all children, articles 37 and 40 of the CRC are of particular importance for children in conflict with the law.

At the national level, the National Council for Children within the MGLSD manages coordination, monitoring, and evaluation of all policies and programs for the protection of children. The Youth and Children Affairs Department also under the MGLSD designs and reviews programs, policies, and laws related to children and supervise their implementation. The MGLSD through programs like the National Strategic Program Plan of Interventions for Orphans and Other Vulnerable Children intends to address the affairs of vulnerable children such as those in detention (UBOS, website).

However, as the Human Rights Watch noted in its 2014 report *Where Do You Want Us to Go? Abuses Against Street Children in Uganda*, Uganda lacks any system of rehabilitation centres which could provide adequate healthcare and education for children found living on the streets. While NGOs have tried to provide some facilities for children to sleep in safety off the streets, the only Government run centres available are intended for children in conflict with the law. Conditions, treatment, and services are often seriously lacking. The report notes children face harsh conditions at Kampiringisa, including staff abuse, forced labor in nearby communities, and dilapidated facilities. All these limit children's right to education since even the educational facilities at the centre are in poor conditions (Human Rights Watch, 2014).

Robinson & D'Aloisio (2009) examined the gaps in provision of education to children in detention. Their study was an overview of the right to education of children in detention. They reported several 'barriers' to education of the juveniles in detention, which included institutional and situational barriers (external to the learner); dispositional barriers (internal to the learner) and public opinion. Firstly, the Institutional and situational barriers ranged from lack of co-operation at ministerial level, to basic administrative and financial constraints. Several examples were provided where lack of financial resources caused the failure to provide an appropriate level of education to children in detention. It was reported that in the past, poor services were provided due to lack of finance

and ineffective functioning of education and training programs for children in detention. Whereas the state should provide a comprehensive education program for children in detention, it does not always seem to take its obligations seriously and organizational and financial problems persist.

The formal justice system should only deal with the small minority of children who have committed very serious crimes and represent a threat to their society, and the detention of children should always be a measure of last resort (Save the Children UK, 2014). This should particularly be the case in Uganda given the lack of facilities to match the number of juveniles in incarceration. However, KCCA and the Uganda police increase the number of juveniles in remand homes and KNRC by arresting and detaining street children (Human Rights Watch, 2014). This delivery of juveniles who are not yet incarcerated to KNRC is illegal, inhuman and against international human rights law.

From the literature reviewed above, it can be noted that previous studies have examined the general environment of the centre, how it is run and the challenges faced. Though this current study also examined the challenges faced at the centre, the study aimed at examining the education provided at the centre, the programs run and if they translated into knowledge especially in relation to the children's understanding of their rights.

It can be observed from the conceptual framework (Fig. 1) that the right to education which is at the centre of the study is vital for the full development of the human personality. The basis of the right to education is primary education which should be free and compulsory as stated in various human rights instruments like the UN convention on the rights of the child. These instruments emphasize the state obligation to respect, protect and fulfill the right to education of its citizens. This state obligation should be aimed at the establishment of good quality of the school and programs and where possible provide alternative education programs for special groups. The study contends that children in detention should be seen as a special group that also needs quality education and this can be done through formulation and establishment of alternative education programs.

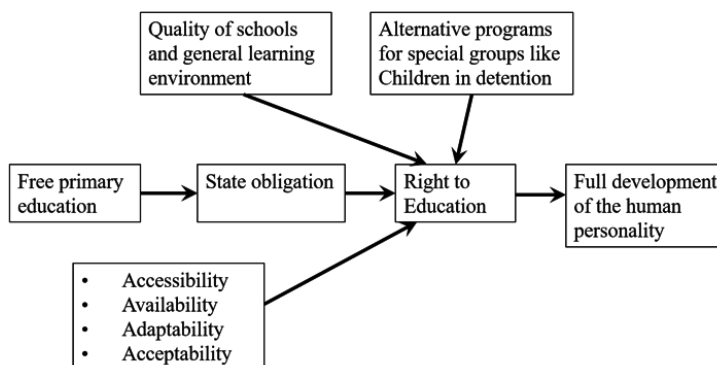


Fig. 1. Conceptual framework

METHODOLOGY

The study adopted a case study research design. A case study is a research design which involves an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence (Robson, 2002). The researcher used a case study because of its ability to provide a rich understanding of the context of the research and processes being studied. Therefore, Kampiringisa was chosen as the case since it is the acting National rehabilitation centre for juveniles in Uganda and the only national rehabilitation centre in the whole of Uganda. The case study design was considered relevant to answer the “why,” “what” and “how” questions. A case study is essentially an intensive investigation of the particular unit under consideration (Kothari, 2004). The study employed a qualitative research approach that employed focus group discussions and interviews methods. This is because the children’s education level at the KNRC are mostly primary and lower secondary level while in other cases some have never attended school at all. Therefore, in such cases interviewing and focus group discussions are the best method to use. The study targeted all the 246 children at the KNRC at the time of the study, the administrators and other partners involved in promoting the right to education of children in rehabilitation centres.

Of the targeted sample of 295 respondents, all the 246 juveniles at KNRC during the time of study were considered for focus group discussion, 29 NGO staff and administrators from the Youth and Children Affairs Department in the MGLSD. In addition, the 23 administrators and staff at KNRC were also interviewed. The NGOs that work closely with the juveniles at the centre include *Mlisada brass band* which trains some juveniles in band music, *World Support Outreach* which coaches the juveniles in games like football and volleyball and *Defence for Children International* that pays school fees for selected juveniles at Mbuti primary school, Masulita Vocational Training Centre and Bbira Vocational Training. All the staff members present during the study period were equally considered for interview depending on their availability. Using interviews and focus group discussions, the researcher collected data between September 8, 2015 and February 18, 2016. The focus groups comprised of 10–15 children mobilized with the assistance of the wardens of the centre. In total 18 focus groups were conducted, lasting between 45minutes to one hour. These focus groups spread over a period of the 6 months during which the researcher collected data. The researcher maintained high level of professionalism and ethical conduct and explained to the respondents especially the juveniles that the research was for academic purposes. The juveniles participated voluntarily and were free to come and go as they so wished during the whole period of focus group discussions. Below is a presentation of their gender, age and education level.

I. Gender of The Children at KRC

Table 1 shows the gender of the juveniles at KNRC. Out of the 246 juveniles,

Table 1. Children by gender at the KNRC

Gender	Frequency	Percentage
Male	236	95.9
Female	10	4.1
Total	246	100.0

95.9% were male while only 4.1% were female. This shows that the centre is occupied more by the male juveniles. This is because the males are more likely to be involved in activities that conflict with the law than their female counterparts.

II. Children by Their Ages

Table 2 reveals the ages of the juveniles at the KNRC. Since the minimum age of criminal responsibility in Uganda is 12 years, the lowest age was set at 12 and the highest at 17 since if one turns 18, he/she is sent to prisons of the adult. Accordingly, majority of respondents were 14 and 16 years old making up 23.2% and 19.1% respectively. It should however be noted that there were incidents when some children could not exactly tell their age and only approximated their age.

Table 3 presents the education level of the juveniles, well aware that they are still in school and studying. The biggest percentage 46.7% was in lower primary school (P1–P3) or below. This is because there are juveniles that had never attended school or had attended pre-primary school alone. It can be observed from the table that the frequency kept on decreasing as the education level moved from primary, secondary to vocational school. Therefore only 6 juveniles were attending vocational school at the Uganda Children Centre (UCC), and Bbira Vocational Training. The children usually become trained in carpentry, plumbing and electronics at these schools. These programs are offered outside

Table 2. Ages of the children at the KNRC

Age	Frequency	Percentage
12 years	31	12.6
13 years	43	17.5
14 years	57	23.2
15 years	45	18.3
16 years	47	19.1
17 years	23	9.3
Total	246	100.0

Table 3. Education level of the children at the KNRC

Category	Frequency	Percentage
Lower primary (P3 and below)	115	46.7
Middle primary (P4–P5)	63	25.6
Upper primary (P6–P7)	37	15.1
Secondary school (S1–S2)	25	10.2
Vocational school	6	2.4
Total	246	100.0

the centre and the children are escorted to these schools when they have to study. The program at the KNRC runs in a way that all the hours of the day are filled with an activity; the day begins with a morning parade at 6:30 am, then some juveniles go for digging, some remain to prepare breakfast and lunch choir. Then the juveniles have breakfast at 10:00 am, some then go for vocational training which includes carpentry and welding. The new juveniles at the centre go for counseling after lunch. Then between 3:00–4:00 pm, they have sports and games, then bathing and supper at 7:00 pm. Then the juveniles sleep at 8:00 pm. The researcher could not get what the counseling sessions are about. However, the researcher was meant to understand that the counseling sessions are meant to help the juvenile transit to the new environment at the centre and help the juvenile cope with their current situation.

FINDINGS OF THE STUDY

Fig. 2 below presents the findings from the study according to the respondents. Accordingly, therefore majority of the juveniles (38%) reported that they got to know about the right to education from the NGO staff that visit the centre. Likewise, 30% of the juveniles said the teachers were the source of this knowledge while the administrators of KNRC formed 17%. It can therefore be observed NGO staff, the teachers, and the administrators are the biggest contributors to the juvenile's knowledge on human rights.

From the interactions that the researcher had with the children and from observation of what was going on at the centre, the juveniles at the centre have a general understanding of human rights and the right to education in particular, though this understanding seemed to be limited to going to school and attending classes. In addition, the administrators and the social workers at the KNRC have gained experience in human rights and children affairs though they lack specialized

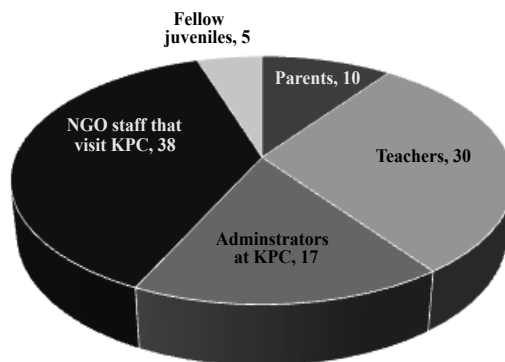


Fig. 2. How did you get to know about the right to education
Source: Created by the author on the basis of the research at the KNRC.

training in human rights especially children's rights. Secondly, the government through the MGLSD and the administrators at KNRC on one hand and the parents on the other hand share the biggest responsibility towards the right to education of children in detention. However, the government is slow on implementation while parents seem to lose hope on children who are brought to the centre so that few parents are in contact with the children that are brought to the centre. In this case the duty bearers' knowledge of the rights of the children is minimal and their capacity to protect the right to education of these children is wanting.

This research reveals that KNRC is less funded and staffed leaving the few staff remaining dissatisfied with the pay. The worker's retention rate of the centre is low and those that leave are not duly replaced. The findings also indicate that the right to education of the centre has been neglected leading to dilapidated classrooms and converting the library into a store room. These findings align with what Justice Studio found. Justice Studio reported in 2010 that there was no evidence of the planning of programs for young people at the KNRC. The report noted that there was a gap between what was reported during interviews and what was actually observed on the ground. During interviews with the administrators of the centre, they observed that school was running well, the teachers well paid and the students were studying. However, from observation of the un-used classrooms and the students who had spent at least 2 days without going to school, it could be concluded that the education at the centre was neglected (Justice Studio, 2010). Therefore, there was apparent cover up of what is actually happening by the administrators at the centre and the MGLSD.

As shown in Table 4, majority of the juveniles revealed that lack of scholastic materials (26.7%) and lack of a formally established school at Kampiringisa (20.8%) were the greatest challenges to their enjoyment of the right to education. Other challenges that were identified include: inadequate meals, some harsh punishments and they claim that they are always worried about their fate and

Table 4. Summary of challenges to enjoyment of the right to education according to the juveniles

	Frequency	Percentage
Lack of a school at KNRC	25	20.8
Long distance to nearby school	20	16.7
Lack of teachers at the centre	16	13.3
Loss of interest in education, feeling of hopelessness and homesickness	17	14.2
Lack of scholastic materials	32	26.7
Inadequate meals	10	8.3

Source: Created by the author on the basis of the research at the KNRC.

the feeling of hopelessness points at inadequate rehabilitation services at this centre which is a challenge to their education right. Others mentioned the crowded dormitories where they shared beds as a source of discomfort. Even though this might not be directly related to their right to education, it can as well paint a picture to the general situation of the centre. No mention was made in regards to the quality of education provided. Other respondents blamed poor funding from the government that has made the centre deteriorate in standards from how it had been when it was first established. The lack of funding corresponds with finding by Defense for Children International (2003). It is believed that funding is one of the challenges faced by almost all the detention centres in the world. It should be observed that most of the children at the centre also understand the right to education as going to school. Therefore, when asked the challenges they face in enjoying the right to education, they pointed to those rotating around the school environment, teachers and scholastic materials.

Though out of the 23 staff at Kampiringisa including volunteers, 5 said that they had received child protection training, their knowledge of human rights of children and Uganda's laws on children were lacking. They had been trained in social work, but had received no specific training on working with children in conflict with the law. These findings resonate with the findings of Maag & Katsiyannis (2010) that detention centre lack specialized professionals to handle children with special needs, yet, according to finding by Yell et al. (1998), a good number of children in detention centres meet criteria for at least one psychiatric disorder that would qualify them for special services.

At the centre, one of the challenges to the juvenile's education is drug addiction and drug abuse. Although it is not widespread, one respondent who is a social worker shared a story with the researcher where some juveniles under the influence of drugs slaughtered a pig belonging to one staff member at the centre, roasted pork and they were got sleeping in the bush with some of the pork

besides them after using drugs. When asked how they access these drugs, he said that they grow them in the nearby shrubs without the knowledge of the administrators at the centre. This drug issue is made more serious by the lack of staff trained to handle psychological issues of the children. Therefore, if a juvenile is found using drugs he is punished instead of being helped through counseling.

There is generally a lack of specialized staff training in the facilities. Although the wardens of remand homes have had child protection training, this had not been disseminated to the guardians/social workers. They had been trained in social work, but had received no specific training on working with children in conflict with the law nor did they have training in psychology or human rights.

Lack of professional human resources has been yet another challenge to the Rehabilitation Centre amidst of increasing number of juvenile delinquents per day. This has led the care-takers to elect juvenile delinquents to be in charge of certain groups and dormitories where juveniles sleep. Lack of schools where juvenile delinquents can be recruited have also remained a challenge according to the care-takers. It was revealed that due to delinquency, head teachers do not admit male delinquents fearing that they can cause trouble to the rest of the pupils. This has resulted into increased redundancy and idleness in the RC.

DISCUSSION OF FINDINGS

As Justice Studio reported in the 2010 report *Juvenile Detention in Uganda: Review of Remand Homes and the National Rehabilitation Centre*, KNRC was facing challenges of limited planning of programs in the detention facilities and little implementation on the ground when it comes to the education of the children.

Article 38 of the Havana Rule states that “every juvenile of compulsory school age has the right to education suited to his or her needs and abilities and designed to prepare him or her for return to society.” Important to note also is the fact that in January 1997 the Government of Uganda introduced universal primary education and in 2005 universal secondary education was introduced. Education was originally provided in the remand homes and the national rehabilitation Centre by the government as part of this universal education scheme rolled out by government. However, running education programs in remand homes and at Kampiringisa National Rehabilitation Centre has proved to be difficult because residents come and go regularly and are all at different levels of education (Moore, 2010).

Earlier studies by the Foundation for Human Rights Initiative, FHRI (2009) revealed that in Kampiringisa no education is provided. The report explains that originally they had five teachers, but they have all retired and not been replaced. Instead, 85 children (whose parents are willing to pay their fees) are sent to local schools. These included 66 children at primary level and 19 at secondary level. They travel there each morning and return for meals and in the evening.

They are monitored by the prefects and staff to ensure they do not escape. FHRI reported that the rest of the children, including the street children, do not have access to formal education, and noted that in certain exceptional circumstances members of staff assist some children by personally paying for their school fees.

There is little information about the quality of education provided in juvenile justice facilities. The government which is responsible for oversight of juvenile facilities often does not monitor the quality of educational programs in these facilities. This has opened up space to a number of NGOs to address this gap, Kalibala & Elson (2010), note that NGOs play a vital role in improving existing provisions for the right to education to the children in the rehabilitation centres and remand homes. For example a number of NGOs provide formal and informal education to children in remand homes and the national rehabilitation centre, where they are also active in providing vocational programs. Examples of such NGOs are: M-Lisada brass band, Uganda Children's Centre and Foodstep Uganda Ltd.

Polytechnic training is also fundamental in training. Here researchers have identified carpentry and tailoring as a major work to be done in RC. Unfortunately, in KNRC, this was not there. It was observed that in the KNRC, buildings were constructed for such training programs but none of the programs are currently carried out. Formal education is yet another service provided during the rehabilitation process. This is intended to provide literacy to juveniles in RCs. Those who excel in primary education are facilitated to secondary education and tertiary institutions.

Promoting the right to education has vast advantages to the juvenile and the society at large. According to findings by Mann & Reynolds (2006), children who have been exposed to positive school education while in the detention centres have shown increased resilience to risk of factors for delinquency. In the same line, Twomey (2008) believes that providing education to children incarcerated in detention centres considerably reduces recidivism. Krezmien et al. (2008) believe that it is more important also to consider early interventions and pre-school programs that will help reduce the problem of juvenile delinquency. According to them, it is scientifically proved that children from low income families are more exposed to the risk of delinquency in future; therefore, there is a need for early intervention. The need for expansion of education in detention centres could be reduced by funding early interventions for all children.

CONCLUSION

Provision of education to children in conflict with the law is a complex issue. This is made even more difficult by the lack of formal measures in place to oversee the implementation of policies geared towards education of juveniles. In the same way keeping the juveniles in overcrowded, unsafe dormitories in disregard of international standards, reduces their concentration level and consequently affects their right to education as well as affecting their physical

and psychological well being.

The MGLSD should consider hiring more staff at the centre especially counselors, technical education facilitators, formal education teachers and social workers that also have training in human rights. In addition, the staff at the centre need specialized training in areas of child social protection, human rights and counseling in order to handle children.

The government should endeavor to take full charge of the activities pertaining education of the juvenile delinquents that is to provide funds and the entire necessary infrastructure, provide teachers rather than depend on the NGOs which help juveniles only in their areas of interest. The government should also make sure that only incarcerated juveniles are the ones to be accommodated at the Kampiringisa National Rehabilitation Centre to avoid cases where children are rounded up on city streets and delivered at the centre including those who are below 12 years of age.

The right to education of the juveniles is not emphasized in the Children Act. Although the constitution of Uganda article 30 talks about the right to education, there is no article which explicitly applies to the right to education of incarcerated children. The Children Act at the national level is silent about the education of the juvenile. It is from this background that the education among juvenile is seen as a gift from NGOs other than being seen and treated as their right to be educated. From the study, the duty bearers have limited knowledge of the right to education of the juveniles. The juveniles themselves have a general but limited understanding of the right to education. Therefore, duty bearers' abuse of juveniles' right to education mostly stems from their limited knowledge of the human rights and duties in regards to juvenile justice. The administrators at KNRC to a certain extent have knowledge about the right to education though they lack specialized training and sensitization on the right to education and human rights in general.

KNRC faces several challenges including limited funding, lack of adequate staff/personnel especially teachers and counselors. There is also a challenge of lack of scholastic materials. Finally, there is overcrowding of the juveniles. It should therefore be concluded that the right to education of the juveniles has not been fully addressed by the duty bearers and other stakeholders.

NOTE

- (1) <https://www.merriam-webster.com/dictionary/juvenile%20delinquency> (Accessed October 19, 2017).

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