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A SITUATIONAL ANALYSIS OF YOUTH CORRECTION AND TRAINING CENTERS IN KENYA; A CASE STUDY OF THE KAMITI YOUTH CORRECTION AND TRAINING CENTER

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2017
DECLARATION

I, Ayuma Otukho declare that this project paper is my original work and has not been submitted to any other institution for academic award.

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Registraion No.C50/73326/2012

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Signature………………………………… Date……………………………………

DR. BENEAH MUTSOTSO.
DEDICATION

This project is dedicated to my two children Peter and Jimmy for their invaluable love and support, prayers, encouragement and desire to see me excel in my academic pursuits.
ACKNOWLEDGEMENTS

First and foremost, I want to thank the Almighty God for giving me the opportunity to advance my studies. Special gratitude is to my supervisor Dr. Beneah Mutso, for his guidance in the development of this proposal. The same goes to the lecturers who took me through my MA program as they enriched me with the relevant knowledge needed for development of this proposed study. I also acknowledge the sincere support of my friends and colleagues within the probation and aftercare department, whose encouragement was priceless. To all of you my sincere appreciation and May God bless you abundantly.
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### ABBREVIATION AND ACRONYMS

<table>
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<th>Abbreviation</th>
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<tr>
<td>4S</td>
<td>Short Sharp Shock Sentence</td>
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<tr>
<td>CTE</td>
<td>Carrier and Technical Education</td>
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<td>GLM</td>
<td>Good Lives Model</td>
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<td>GPCS</td>
<td>General Personality and Cognitive Social Learning</td>
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<td>KYCTC</td>
<td>Kamiti Youth Correction and Training Centre</td>
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<tr>
<td>RNR</td>
<td>Risk Need Responsivity</td>
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<td>TVET</td>
<td>Technical and Vocational Education and Training</td>
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ABSTRACT

Rehabilitation can be described as the process to restore to useful life by therapy and education or to restore to good condition. The rehabilitative ideal views criminal behaviors as diseases that can be cured if well planned interventions that target the risk factors are delivered in a systematic manner. The study had the general objective of establishing effectiveness of the rehabilitation programs at Kamiti Youth Correction and Rehabilitation Centre.

The study used both quantitative and qualitative data. Quantitative data was collected from the entire population of 46 youthful inmates still serving at the institution, 10 wardens engaged in the rehabilitation of the inmates and 5 probation officers, who work with the probation and aftercare services; the department mandated with committing the inmates to the institution. Qualitative data on the other hand was collected through desk review of relevant books, journals and reports. The collected data was presented using statistical techniques which include percentages and frequency distribution tables.

The study established lack of adequate resources to enable effective training of the inmates, lack of adequate and modern training equipment and facilities for training the inmates, inadequate skilled personnel to undertake the training relying on outsourced experts. The institution lacks most of the vocational programs one would expect like carpentry, masonry, electrical wiring. It also lacks formal education. Therefore, there is no defined curriculum of the activities that are undertaken at the institution. The mandatory four-month sentence period was also observed to be inadequate for training and rehabilitation, but the few programs available were harsh and punitive. Therefore, the institution does not meet the goals and objectives of its establishment.

The study recommended the need to introduce market oriented programs, employ appropriately trained experts, increase the length of the sentence to at least one year, furnish the institution with modern and adequate equipment for the training of the youthful inmates, review the Prison’s Act CAP 90 and specify the rehabilitation programs to be administered at the institution, to introduce trade tests and certificates for the trainings undertaken and abolish harsh and punitive programs.
CHAPTER ONE:
INTRODUCTION

1.0. Overview

This chapter introduces the problem by highlighting the following eight issues: Background Information, Statement of the problem, Objectives, Research Questions, Justification of the Study, Significance of the Study, Scope and Limitations.

1.1. Background Information

Rehabilitation means to restore to useful life, by therapy and education or to restore to good condition, capacity or operation and its assumption is that people are not permanently criminal and it is possible to restore a criminal to a useful life, to themselves and to the society (Walters, 2006). Although rehabilitation is often considered a type of punishment for criminal offenders, it’s objectives are therapeutic rather than punitive (Nick, 2010). Some theories of punishment claim that criminals deserve to suffer for their crimes, however the rehabilitative ideal views criminal behavior as diseases that should be treated with scientific methods to cure the offender. Rehabilitation assumes that some of this offenders suffer from mental and physical illnesses, drug addiction and limited opportunities for economic success, problems that increases the risk to get involved in deviant activities (Bloom & Covington, 1998). Early American prisons, in the 1820s, implemented rehabilitative principles, which included psychological analysis, drug and alcohol treatment, educational programs, vocational training, anger-management therapy (Howells, Heseltine, Rick, Davey, & Day, 2004).

Rehabilitative punishment should be tailored to the offender not the crime (Bonta & Andrews, 2007) and treatment should address those traits in the offender which are open to change (dynamic) which are responsible for an individual’s a criminal behavior (criminogenic factors). According to Gender au and Ross (1979), there are several risk factors that are associated with criminal activity that cannot be change (static factors) i.e. age, gender and early criminal involvement (Whitehead & Lab, 1989). Another principle in determining effectiveness of the rehabilitation program is the therapeutic integrity of
the program or the need for effective programs to be delivered as planned and designed. Rehabilitative programs should be delivered by experts in the various areas, and must always be given adequate time for administration. within (Armstrong, 1998). The final principle of effective rehabilitation program is the need to deliver the program in style and mode that addresses the learning style and abilities of the offenders. The most effective program follows the cognitive behavioral and social leaning approach (Andrews, Bonta, & Hoge, 1990; Landenberger & Lipsey, 2005).

In the recent past there has been an increase in juvenile offenders, to which reformist have responded to by creating alternative ways of treatment paying special attention to the maturity and age (Redding, 208). Rehabilitation rather than punishment has been seen as a better alternative, with emphasis on the resources available for use and the crimes committed by the individual l(UKaid, 2013).interpersonal skills training, individual counseling and behavioral programs for non-institutional offenders are the most successful intervention strategies(Lipsey, Wilson, & Cothern, 2000)

Review of historical data and contemporary studies conclude that mainstream theories and approaches on juvenile delinquents are often ineffective and that rehabilitative programs with cognitive components were more than twice as effective as non-cognitive programs (Izzo & Ross, 1990).Despite the earlier held notion that criminal behavior cannot be changed, there have been successful researches conducted that have shown success in treatment of criminality(Raynor, 2004). Education is considered the foundation for programming, due to complexity in the modern work environment and advancement in literacy skills. Acquisition of high literacy skills is a very positive approach in preventing offending behavior and minimizing recidivism. It is assumed that good education can deter crime.(Rutherford, Bullis, Anderson, & Griller, 2000).

In the later decades of the nineteenth century and early twentieth century, issues regarding the processing of young persons passing through the justice system came into focus, requiring a particular psychological and legal understanding as expressed in the 1911 publication ‘The adolescent’ by JW Slaughter(Slaughter, 1911).Probation for young offenders was introduced and a year later in 1908, The Prevention of Crime Act was
passed creating new specialized detention centers for juveniles, the first being Borstal in Kent. Juvenile courts that were completely separated from the adult ones were created. Remand homes for children awaiting trial were introduced and adolescent children below the age of fourteen could no longer be sent to prison, while those between fourteen and sixteen could only be sentenced to imprisonment in exceptional circumstances (Chloe, 2002).

In the General Personality and Cognitive Social Learning (GPCSL) (Bonta & Andrews, 2007) predisposition to learning of criminal behaviors linked to rewards expected from the action and the actual consequences to his or her behavior i.e. reinforcement of behavior that is rewarded or expected to be rewarded while behavior that is punished or is expected to be punished is discarded.

Therefore, crime is learned when it is perceived to be paying or rewarding and costs for crime are higher than the rewards and costs for pro-social behavior (Aos, Phipps, Barnoski, & Lieb, 2001). The payment or reward is delivered, mainly by significant others, they can be produce from within and sometimes they arise automatically from the behavior itself (Bonta & Andrews, 2007).

In Kenya, programs regarding the rehabilitation and correction of juvenile delinquency date back to the pre-independent days the Sub Commissioner of Nairobi JD Ainsworth arrested vagrants found on the streets of the city. These vagrants came about because of increased settlement of European settlers leading the alienation of Africans from their farms. Increases hardship in the African reserves overcrowding and degradation, increased bride price and the infamous poll and hut taxes compelled Africans to exchange their labor for wages, therefore leading to the swelling of African youth on the European farms and African areas in Nairobi. Ainsworth placed these youths in stable custody of missionary societies who educated them while at the same time extracting labor from them. They were also provided with rigid discipline of mission life and virtues of a ‘Christian work ethics’ (Ocobock, 2006).

In Kenya today, there exists fourteen youth rehabilitation and training institutions that fall within the jurisdiction of several departments within the Government of Kenya. These
include the Children’s department of Kenya which runs seven institutions, the probation and aftercare Services vide their ACT CAP 64, which has four institutions and the prisons services under the Prisons Act CAP 90 which has three institutions. The Commissioner of Prisons is at the helm of the Kenya Prison Service which is tasked with rehabilitation and training of offenders including youths. It derives its mandate from the Prisons Act, CAP 90, the Borstal Act CAP 92 and Public Service Commission Act. Kenya Prison service function are to contain and keep offenders in custody, rehabilitate, train and reform offenders, facilitate administration of justice and promote prisoners’ opportunity for social re-integration.

1.1.1. The Legal Framework: The Prison Act CAP 90

The Kenya Correctional Services Department is mandated towards the rehabilitation, training and correction of youthful offenders vide their Prison’s Act CAP 90 Laws of Kenya. The Act relates to the youthful offenders with regard to the Youth and Correction Centres established under part XI, section 66. The section mandates the minister in charge to establish through a gazette notice youth correction and training centers. The main objective of the Corrective Centres is to instill discipline to first offenders. So far, the only Youth Correction and Training Centre is established at Kamiti and admits youthful offenders between the ages of 17 and 21 years for a defined period of four months during which the inmates go through short sharp shock sentences (4s).

All KYCTC inmates are committed to the institution by probation officers. The act says that the minister by the notice in the gazette may declare any building enclosure or place, or any part thereof to be a youth corrective training center for the purpose of the said Act. The Act states that no prisoner other than a person sentenced to corrective training in a youth corrective center shall be detained in a youth corrective center and that under sub section 2 of the Act every youth corrective training center shall be deemed to be a prison for the purpose of the Act. The Act stipulates that where a person, who has the apparent age of 17 years but has not attained the apparent age of 21 years is convicted of an offence not punishable by death, the court may sentence such a person to corrective training in a Youth Corrective Centre for a period of four months.
1.1.2. The Institutional Framework

The Kamiti Youth Training and Correction Centre is situated kilometers 20 to the North of Nairobi City in Kiambu area, inside the Kamiti maximum prison which admits hard core criminals. The prison well secured with towering walls with watch towers manned by trained security guards.

The Kamiti Youth Correction and Training Centre (KYCTC) was established in the year 1990. The officer in Charge of the institution is of the rank of Superintendent of Prison, deputized by the Deputy Officer in Charge. The two have under them Officers of the rank of inspectors whose main duties include maintaining security, are in charge of welfare issues, run the various offices and head the different sectors. At the bottom are officers in the ranks of Constables who are mainly instructors and teachers. In total, the institution is manned by a total of 108 officers of various ranks as stated above.

The correctional institution can hold a capacity of 300 inmates. However, reports indicate that the highest number of inmates held at one single time were 270 inmates in the year 1963. Between the years 2004 and 2014 the number has been ranging between 40 and 70 inmates. The institution has clean dorms, 3 class rooms, sanitized bathrooms and a small shamba farm designated to train juvenile offenders to rare animals and learn about agriculture. The main programs offered are counseling, computer training, farming and irrigation. The facility holds inmates for a maximum of four months, which is deemed to be too short for training and reform. The institution is always holding at under capacity, and the current number is inmates is 29

1.2. Problem Statement

Despite increased evidence that education is a good program to be considered offender management, correction services department has not fully embraced this. There is only one Youth Correction and Rehabilitation Centre against a population of over 19% of the total youth population. In a study on the impact of prison reforms on the inmate rehabilitation programs in Kenya, Ogeto (2009) focused on Langata Women and Kamiti Main Prisons. The study found out that rehabilitation programs existing within the prison
service and reforms which have taken place, though appreciated by stakeholders, were actually minimal.

The Kenya prison’s goal has changed, focusing more on correction and rehabilitation of offenders from the traditional punitive role. Currently, emphasis is being placed on rehabilitation programs. The prison officers' role consequently changed from a purely custodial role to a human service role. Eringo (2011) in a study on the factors influencing the implementation of new approaches in the rehabilitation of prisoners in Garrisa Medium Prison found that prison officers lacked the necessary skills and knowledge. Most of the officers had only secondary education hence making it difficult to interpret policies geared towards prison reforms. The study recommended that recruitment of officers be based on merit, physical facilities be availed, more staff be employed, clear policies be formulated and curriculum be enriched to accommodate more psychology courses. This study aims at establishing the relevance of the training programs; evaluate their effectiveness as well as staff capacity.

Muteti (2008) studied the factors undermining the effectiveness of prison officers in the rehabilitation of offenders in Kenya. The study established that most ex-prisoner respondents had been imprisoned more than once before. The study found out that inadequate financial, physical, infrastructural and human resources undermined rehabilitation. This study aimed at establishing the financial, physical, infrastructural and human resource capacity of the Kamiti Youth Correctional and Training Centre rehabilitation programs for the youthful offenders.

Rutere (2003) in a study of the factors precipitating recidivistic behaviors among the Kenyan prisoner established that most recidivists were the youth who committed crimes after release because they had no legal means of meeting their needs. The study concluded that proper rehabilitation programs need to be designed in order to offer a livelihood to the ex-convicts. This study sought to establish the relevance or appropriateness of the 4(s) sentence son rehabilitation programs at Kamiti Youth and Correctional Centre.
The concept of rehabilitating young offenders by the Prison Authority in Kenya through the 4S initiative located at Kamiti Youth Correctional and training centre started in the year 2003. The Centre is the only penal institution for male offenders aged between 15 and 21 years. However, the rehabilitation programs of the youthful male offenders have not been adequately explored. Existing studies on rehabilitation of offenders in Kenya have focused on adult prisoners. There is hardly a substantive study on the juveniles in a correctional facility. So, this study focused on relatively unstudied population within the correctional institutions in Kenya.

The relevance and appropriateness of the 4S sentence and rehabilitation programs carried out at Kamiti Youth Correctional and Training Centre have therefore not been explored. It is in view of this that the study sought to evaluate the appropriateness of the 4S and rehabilitation programs at Kamiti Youth Correctional and Training Centre.

1.3. Objectives of the Study

1.3.1. The General Objective

The general objective of the study was to establish the effectiveness of the rehabilitation programs at Kamiti Youth Correction and Rehabilitation Centre.

1.3.2. Specific Objectives

Specifically, the focus of the study was on the following objectives;

1. To establish the components of the Short Sharp Shock (4S) sentence
2. To establish how the rehabilitation programs at Kamiti Youth Training and Correction Center determine and address the criminogenic factors of the youthful offenders
3. To explore the constraints of the rehabilitation program and Kamiti Youth Training and Correction Centre

1.4. Research Questions

The study was guided by the following research questions:

i. What are the components of the rehabilitation program at Kamiti Youth Training and correction centre?
ii. How are the rehabilitation programs at Kamiti Youth Training and Correction Centre implemented towards meeting the institution’s goals and objectives?

iii. What are the constraints facing the rehabilitation program at Kamiti Youth Training and correction centre?

1.5. Justification of the Study

The study aimed at establishing the impact of the rehabilitation programs at Kamiti Youth and Correction Facility. This was occasioned from the fact that the 4S is a new concept and its impact has not been established. The study will therefore be of great benefit to the agencies mandated with rehabilitation of offenders, policy makers and the government at large in making strategic decisions, developing and designing training programs and examining existing institution and making recommendations. Implementation of recommendations will ensure better managed institutions and programs that will empower beneficiaries both psychologically and economically and therefore forestall recidivism.

1.6. The Scope of the Study

The study sought to establish the training programs, components of the 4S sentence and rehabilitation program and the staff capacity at Kamiti Youth Training and Correctional facility in Nairobi, Kenya. It aimed at establishing the goals and objectives, implementation and effectiveness of the rehabilitation program at Kamiti Youth Correction and Training Centre. To this end it sought to establish the components of the 4S sentence, the structures put in place to implement it, its effectiveness and the constraints it faces.

1.7. Assumption of the Study

The study assumed that the 4S sentence and rehabilitation programmes have an effect on reducing recidivism.
1.8. Limitations of the Study

Collection of data at the facility and from its staff was affected by bureaucracy as the Kenya Correction Services remains a closed system institution. The administration and members of the staff were very suspicious fearing that their activities at the institution were under investigations.

1.9. Operational Definition of Terms

**Aftercare support**- any assistance given materially, referral or otherwise to those who have served and completed jail terms

**Ex-convict** – a person male or female who has been convicted in a court of law and has fully served a jail term in prison.

**Incarceration** – the state remaining in detention in prison to serve a sentence.

**Recidivism** – the act of committing an offence again after release from prison after having served another offence.

**Rehabilitation Programs** – various programs offered in prison by prison service to serving convicts to help them transform.

**Vocational Training** – training in craft skills such as carpentry, welding, tailoring, agriculture, masonry among others.
CHAPTER TWO:
LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.0. Introduction

The study focused on reviewing the literature under the following subthemes; rehabilitation, the concept of the 4s sentence, the formal, vocational and counseling programs on rehabilitation

2.1. Rehabilitation

The Rehabilitation concept assumes that there are factors that predispose an individual towards criminal behavior (Vitiello, 1990; Bonta & Andrews, 2010). People may make choices to break the law, but these choices are not voluntary or out of ‘free-will’ Instead, A person’s social surroundings, psychological development or biological makeup can predispose them to committing crimes. People are different and they have different ways of expressing their will. Therefore, their behavior, including their likelihood to break the law is also influenced by these ‘individual differences’. Lack of parental love and supervision, continuous exposure to anti-social peers and associates, antisocial personality patterns and pro-criminal attitudes will increase the likelihood of a person to commit crimes as compared to those not exposed to these experiences and traits (Ward & Stewart, 2003). The numbers of juvenile offenders has increased in the recent past but due to their age and maturity level there has been more focus on rehabilitation than punishment in their treatment (Bridges & Steen, 1998).

For rehabilitation programs to be effective there are principles that have to be adhered to which include the risk principle that addresses those factors not open to intervention (static risk factors) age of onset of crime, offence history and family structure; and those that might change over time (dynamic risk factors). Research suggests that higher risk offenders can benefit most from counseling interventions addressing the dynamic risk factors and that services delivered should be proportional to the level of risk like (Bonta & Andrews, 2007; Vieira, Skilling, & Peterson-Badali, 2009). The rehabilitation intervention should correlate with the risk level of the offender in order to achieve greatest reduction of recidivism.
According to Day (2005) recidivism rose to 96% for youths exiting detention in North America whereas in Britain youths between 14-16 years of age committed further offences within two years of leaving custody, while 90% of youths in South Australia also re-offended within duration a similar period. Majority of re-offenders among young people are as a result of community orders.

I Australia studies revealed that half of the clients who were processed through the criminal justice system re-offended with the rate going higher for those placed on community based programs (Bonta & Andrews, 2007).

### 2.2 Early Studies on the Effect of Rehabilitation on Offenders

#### 2.2.1 Brief History of Offender Rehabilitation

Research has when offenders are put through certain rehabilitative programs then the risks of re-offending have been observed to become low and in 1954, Kirby found four studies evaluating correctional counseling that compared offenders receiving treatment to offenders who had no treatment (Kirby, 1954). Three of the studies demonstrated lower recidivism rates for the group who received treatment. Subsequent reviews found that, in approximately 50 to 60% of the studies, treatment was effective (Bailey, 1966; Logan, 1972). In a major review of over 230 evaluations of offender “treatment” approximately 50 to 60% of the studies supported the effectiveness of treatment. (Lipton, Martinson, & Wilks, 1975; Martinson, 1974)

#### 2.3 Models of Offender Rehabilitation and Treatment

In the last two decades, there has been increasing shift in positive belief in offender rehabilitation. Where previously there was conviction that nothing works, it has been proved there are intervention that reliably reduce reoffending rates (McGuire, 2000). Research has led to the formulation of several models of offender rehabilitation and treatment. For the purpose of this study, I will discuss two of these models
2.3.1. The Risk Need Responsivity (RNR) Model

Does effectiveness of treatment depend on matching types of treatment and therapist to types of offenders? The answer, at least in part, is the responsivity principle; offender characteristic affects how they respond to a therapist and treatment. This model has been increasingly successful in assessing and rehabilitating offenders in Canada and around the world, based on three key principles:

The risk principle has two components. In the first one importance of reliably predicting criminal behavior using evidence-based risk instruments and focusing on high risk offenders is emphasized. Second; it is important to target the offending behavior. That is, as risk level increases then the amount of treatment needed to reduce recidivism also increases because as is the common practice low risk offenders are easy to handle and rehabilitate. (Bonta & Andrews, 2010). Concentrating too much resources where they are not needed leads to wastages and sometimes achieves the reverse effects (Bonta & Andrews, 2010)

The risk principle speaks of who should be treated (the higher risk offender), the need principle speaks to what should be treated (criminogenic needs) and the responsively principle helps determine how to treat. This principle refers to the degree something is responsive(Chloe, 2002).It is important to clearly identify of the risk factors of an offender and effectively addressing them in the design and delivery of treatment.

Figure 1: The Risk Need and Responsivity concept
Research has shown that when criminogenic factors are successfully addressed then a high reduction in recidivism is achieved but when treatment is focused on non-criminogenic needs then there is an increase in recidivism (Bonta & Andrews, 2010). If we examine only adherence to the general responsivity principle (i.e., use cognitive behavioral methods of intervention) we find on average, a 23% drop in recidivism (Bonta & Andrews, 2007). If the three principles are well addressed in treatment programs, then positive results are realized. The rapid development of rehabilitation in Britain saw the introduction of reformatories, Industrial schools for vagrants and destitute children in 1885 (Chloe, 2002).

2.3.2. The Good Lives Model and Conceptual Issues in Offender Rehabilitation

The RNR model of offender treatment was the most dominant model in treatment approaches in most corrections where the reduction of criminal nature was achieved by eliminating the factors directly linked to the crime committed and the intensity (i.e., dose) of treatment delivered is related to each offender’s assessed level of risk. However the Good Lives Model (GLM) of offender rehabilitation has been proposed as resource based to resolve the issues concerning the risks of re-offending in a constructive and fruitful manner (Ward & Brown, 2003). Empirical research has reinforced the assertion that the best way to achieve offender rehabilitation is to empower them in the management of areas of their lives which elevate risk (Gendreau, 1996; Bonta & D, 1998).

In essence, this research tells us that manual-based cognitive behavioral treatment programs that are structured and implemented in a systematic and therapeutically responsive manner by qualified staff in a supportive environment can achieve rehabilitation (Andrew and Bonta (1998))

The Good Lives Model of offender rehabilitation proposes that to achieve results in managing offenders it is important to provide them with means of sustaining themselves and meeting their daily requirements other than developing increasingly sophisticated risk management measures and strategies. Offenders’ require to loved and valued to function competently in society.
The proponents of the GLM propose that it is important to empower and increase the ability of offenders to access their primary needs in ways that do not violate societal norms (Kekes, 1989; Rapp, 1998). Primary goods are defined as actions, characteristics, experiences and states of the mind that are intrinsically beneficial to human beings and therefore sought for their own sake rather than means to more fundamental ends (Emmons, 1999; Deci & Ryan, 2000).

The focus of the model is that in his day to day life in the society, there are basic needs that humans must obtain through a process of constructing a sense of purpose and meaning in their lives. This is hypothesized to emerge from the pursuit and achievement of primary goods (valued aspects of human functioning and living) which collectively allow individuals to flourish i.e. achieve high levels of living. The model’s core idea is that all meaningful human actions reflect attempts to achieve primary human goods (Emmons, 1999; Ward, Good lives and the rehabilitation of offenders: promises and problems, 2002). Primary goods are viewed as objective and are tied to certain ways of living that if pursued; involve the actualization of potentialities that are distinctively human. (Cummins, 1996; Emmons, 1999), evolutionary theory (Arnhart, 1998), practical ethics (Murphy, 2001) and philosophical anthropology (Rescher, 1990).

Therefore, the GLM proposes that rehabilitation should have a twin focus of firstly promoting human goods by making it easier for them to acquire basic needs and reducing or avoiding risk. Otherwise it would be a futile attempt to rehabilitate individuals who live a deprived lifestyle.

2.4. The Genesis of Rehabilitation in Kenya

The management of juvenile delinquents in Kenya was influenced by the metropolitan trend towards a more rehabilitative and separatist system. Kenya adopted a system similar to that of their former colonial masters; the British borstal system to manage juvenile delinquency that had sprung up especially after the World War I. Prior to the First World War criminal activities involving young people became rampant and attracted much attention from the colonial government. Methods that were devised to manage the issue of dealing with young people, who were in conflict with the law, were
based on two strands of social thought. The first approach was inspired by a liberal metropolitan model that increasingly emphasized the need for the separation and rehabilitation of juveniles. The other was based on perceptions that were found in Kenyan thinking on race and criminal characteristics (Chloe, 2002).

2.5. The Concept of the Short Sharp Shock Sentences on Juvenile Rehabilitation

Margaret Thatcher took a bold approach on confronting the issue of processing of young offenders and her approach was typified by the controversial and divisive short sharp shock policy. When she took up the leadership of her conservative party in 1975, when youth correctional institutions had largely failed to attain their mandate. Crime involving young people was escalating, while the penal institutions tasked with preventing this were too costly and ineffective. Therefore, the guiding principle behind Thatcher’s youth justice policy was cost. The 4S sentence for youths was therefore introduced with emphasis of the short sharp shocks being on the ‘short’. Laws requiring juvenile offenders to be held in the newly created detentions centers for a maximum of four months for lesser offences were passed with no programs in place for the empowerment of the inmates in preparedness for their future life. Thatcher believed in the effectiveness of harsh punishment as a deterrent. However, many measures taken by the Thatcher Government failed as brief institutionalizing of juvenile delinquents reinforced their identity as offenders and statistics showed that 50% of those send to detention centers reoffended. However, it was observed that for those serving given non-custodial sentences reoffending rates were going down.

The KYCTC’s short sharp, shock sentence (4s) is a form of rehabilitation that is deterrence in nature. Deterrence is a utilitarian form of rehabilitation whereby the assertion is that corporal punishment would make law breakers stay away from crime. Deterrence assumes that offenders are rational, in that increasing the cost of crime will force offenders to choose to ‘go straight’.
2.6. Programs Employed in Offender Rehabilitation

The Kenya Correction Services is responsible for the safety and welfare of offenders in custody, while correcting their offending tendencies to ensure that they are rehabilitated and ready for social re-integration. To fully achieve their goal of offender rehabilitation, correction services must ensure that only professionals in the relevant disciplines undertake rehabilitation. This area includes religion, psychology, social work, medicine, engineering and law (The Kenya Prison Services, 2013).

Success in the rehabilitation of offenders is partially affected by the relationship between an offender and the person managing them whereby the manager assesses the offender and oversee a plan to make sure they receive the interventions that will have the greatest impact on changing their behavior and improving public safety. According to John J Wilson, interpersonal skills training, individual counseling and other behavioral programs were most effective to reduce juvenile recidivism (Lipsey, Wilson, & Cothern, 2000).

Cullen et al. (1988) and Andrews et al. (1990) observed that counseling, programs with technical skill and non-custodial orders with treatments lasting 1 to 30 weeks that ranged from one to twice per week for ½ hour to 10 hours a week were most effective. The studies also emphasized that it is vital that the future of the youthful offenders be secured by offering them skills oriented therapy.

2.6.1. The Impact of Formal Education on Rehabilitation

Education is one of the programs that correction services can employ to achieve the greatest difference in the lives of offenders. As a starting point, education staffs at each prison help prisoners with basic education and literary skills. Adult prisoners can complete either education programs while at the prisons.

High academic credentials are not necessarily deterrence from criminal activities. However, lack of a good education has a strong link with the likelihood to be involved in delinquent behavior. Education is therefore a key component of rehabilitation, unfortunately, despite increased evidence that increased literacy skill promotes pro social
outcomes; formal education has not gained much popularity in institutions for rehabilitation of youthful offenders (Leone & Meisels, 1997).

According to previous studies, educational programs provide youthful offenders with a feeling of hope as well as a path to success. Education is therefore a fundamental tenant of any juvenile rehabilitation program. Many rehabilitation facilities allow youthful inmates to take up classes to earn community college credits to increase chances of rehabilitation. Education therefore should form the foundation for programming in most juvenile institutions.

2.6.2. The Role of Vocational Training on Youth Rehabilitation

Vocational training urges the creation of programs that help at risk youth develop skills such as trade tests. Vocational education (education based on occupation or employment), also known as carrier and technical education (CTE) or technical and vocational education and training (TVET) is a type of training that prepares people for specific trades, crafts and careers at various levels. Vocational education can be done by exposing the learners to more experienced professionals in the various fields, who in turn steer the interns to various levels of competence. Governments are currently investing more in the development of vocational learning for offenders at various levels to meet the demands of an increasingly specialized labor market. In this way, offenders are easily absorbed in the specialized labor market once they are released from custody. The focus in correction services is on enabling offenders to acquire skills that will enable them to acquire employment in the competitive labour market thus become an asset to society rather than a burden. Correctional services are therefore keen on developing the skills and attitudes of offenders to increase their chances of getting employment and help put them on the right path for sustainable growth.

The British government through its department for business innovation skill; *making prisons work: Skills for Rehabilitation- Review of offender learning*, states that:
The pre-apprenticeship training which we want to see routinely offered in prison is the first step to economic, social and community reengagement. That sits alongside the renewed focus on making prisons a place of work. We will boost skills of training and better target occupational training shifting its delivery towards the end of prisoners’ sentence and linking it to apprenticeship opportunities and to specific demands within the broader wider market.

Kenya’s Correctional services continues to focus on rehabilitation programs, vocational education and training that help offenders in the resettlement and reintegrated into the society where they can be economically active and productive other than becoming a liability to the community. In this way, they avoid the possibility of ex-convicts getting stigmatized in their communities when they return after completion of their jail terms. The skills gained assists in forestalling criminal behavior as they are positively and gainfully engaged. Vocational courses which they are exposed to include livestock production, including rearing of cattle, rabbits, pigs, fish, poultry and bees, olericulture (vegetable production), pomology (fruit production), sericulture (silk production). Inmates also engage in mushroom production, carpentry, garment making, upholstery, metal work, soap making, saloon management and cosmetology, masonry, painting, knitting, pottery and brick making. The Kenya Prison’s industrial wing supplied seats for the refurbished Parliament and the Milimani Courts.

The Directorate of Prisons Enterprises engages inmates in agricultural and industrial production. Inmates grow cash crops, such as tea in Kericho Prison and Uruku Prison in Meru, coffee in Nyeri, Ruiru, Shikusa, Kerugoya and Embu Prisons, pyrethrum in Uruku Prison, cotton in Makueni Prison to oil crops grown in Coast and Western provinces. They also make furniture, garments and motor vehicle number plates (The Kenya Prison Services, 2013).

2.6.3. Counseling Programs on Youth Rehabilitation

Evidence has shown success in interventions that help the offender to confront and acknowledge the effect of their criminal life. The intervention programs include drug
treatment and violence reduction programs. Counseling has been proven to be an effective intervention (McGuiness, 1998).

Counseling is a helping process that employs special kind of relationship to help individuals to invoke their inner strength to be able to find solutions to their own problems. Counseling uses special skills and techniques to help people become more competent, contented and more creative. The program is not open to the mentally sick but with normal individuals facing all difficulties in domestic, work oriented and social life to help them in emotional fitness and health (McGuiness, 1998). Counseling creates a relationship that assists the other person to explore his/her thoughts, feelings and behavior to self-understanding and creates coping mechanisms, good decision making skills or take relevant actions (Okun & Kantrowitz, 2014).

For the process to be effective, the counselor has to look at it from three main phases namely; exploration, understanding and action. The exploratory phase is for the client to assess self, to be able to get to know what is happening in his or herself as a whole. In the understanding phase, the counselor facilitates the client to place what they are going through in context. In the action phase, the client has become aware of what is happening in their lives and are ready to implement the actions towards the goals set (Howe, 1993).

2.7 The Theoretical Framework

2.7.1 Social Control Theory

The study adopted the social control approach. In criminology, there are social control mechanisms which exploit the processes of socialization and social learning that build self-control which in turn reduces the inclination to indulge in behavior recognized as antisocial. It derives from functionalism theories of crime and was developed by Ivan Nye (1958) who gave four ways through which social control could be exercised; (i) direct: where compliance is achieved when punishment is threatened or applied for wrongful behavior, and compliance is rewarded by parents, family, and authority figures, (ii) internal: whereby an individual is controlled by the conscience and superego to refrain from criminal behavior (iii) indirect: through mentorship from those who
influence behavior, say because his or her delinquent act might cause pain and disappointment to parents and others with whom he or she has close relationships, and (iv) control through needs satisfaction, i.e. if all an individual's needs are met, there is no point in criminal activity.

Proponents of this school of thought argue that a person’s social contracts that include their relationships, commitments values, norms and beliefs; are detergence for them from criminality. When people are attached to and have a sense of having a stake in their communities through adherence to and internalization of the moral codes they will fully limit their inclinations towards criminal behavior. (Lynch, 2002; Posner, 2009). The theory does not consider motivational issues, but simply puts emphasis on the fact that communal socialization and social learning can deter human beings from engaging in many activities that they would otherwise have been exposed to. The theory therefore supports the concept of rehabilitation, the social contracts that are in existence within the society seek to constrain deviant behavior and limit individual’s propensity of committing deviant behavior, through the society forming means of making those whose behavior is deviant tore the line(Lynch, 2002). It emphasizes the process of socialization and social learning that builds self-control, thus reducing the risk of engaging in behavior that is frowned upon by society (Omoyibo & Obaro, 2012). This theory whose foundation is inclined towards rehabilitation assisted me in this study in outlining those steps that are employed to achieve rehabilitation in youthful offenders as an aspect of social control.

2.7.2. Labeling Theory

Originating in sociology and criminology, labeling theory (Also known as social reaction theory) was developed by sociologist Howard Becker (1963; 1967). Labeling theory (Synonymous to “identifying against”) holds that deviance is not a characteristic of an activity but rather a product of the linguistic tendency of those with power and influence to negatively label minorities or those seen as deviant from norms. The theory is concerned with identifying how behavior of individuals may be determined or influenced
by the terms used to describe or classify them as associated with the concept of self-fulfilling prophesy and stereotyping.

Prominent and widely applied in the 1960s and 70s the theory is still popularly used with a few modifications. The theory closely focused on social construction and symbolic interaction analysis (Hogg, Terry, & White, 1995). One of the major proponents of the theory; George Herbert states that a person’s interactions within the community result in the social construction and reconstruction of the self. The theory is important in this study as the process of rehabilitation takes the course of construction and reconstruction of behavior through defined steps which are part of an individual’s interactions within the community.

A stigma is defined as a powerful negative label which when directed at a person can alter their self-perception, social identity and self-concept and social identity (Link & Phelan, 2001). The theory suggests that people obtain labels from how others view their tendencies or behavior. Each individual is aware of how they are judged by others because she or he has attempted many different roles and functions in social interactions and has been able to gauge the reactions of those present. Community perception of people’s tendencies and behavior labels or stigmatizes them and can lead to change in their behavior. These judgments are as a result of one’s attempts at various roles and positions in the society, building on the subjective conception of the self and in this aspect of subjectivity the individual is subject to reconstructive process. This theory is important to this study because as society uses negative labeling and stigmatic roles to limit deviant behavior, positive social roles and labeling may be used to create positive behavioral changes, which in essence is rehabilitative.

2.8. Conceptual Framework

Conceptual framework is a structural presentation of concepts and ideas derived from the relevant field of study investigating the independent and dependent variables under study (Reichel & Ramey, 1987). It is a tool that helps researchers to come up with clear understanding of various factors being studied.
A conceptual framework is a graphical presentation of concepts indicating the relationship that exists between independent and dependent variables (Mugenda & Mugenda, 2003). A conceptual definition is a process in which a specific concept is defined as a measurable occurrence and in measurable terms; basically, gives one the meaning of the concept (Mugenda A., 2008) Independent variables are scientifically evaluated by the researcher while dependent variables are assumed to depend on outcome of the Independent variables (Frankfort-Nachmias & Nachmias, 2007). The relationship between different variables in this study is presented graphically (Figure2: Conceptual Framework)

This study therefore conceptualizes the various variables to be tied together as follows; Youth Rehabilitation is the independent variable to be achieved in the study. To achieve the same, the application of the components of the short sharp shock sentences, educational programs, vocational training and counseling programs are undertaken. In the same process, there are another set of variables that will determine the effective of these programs and these I refer to as the moderating or intervening variables. These include policies in place, the amount of funds availed for the funding of the programs, length of the training offered to the inmates under study and the qualifications of the trainers. All these variables will have an impact on programs offered, and thus the achievement of the independent variable. Reduction of recidivism will be an indicator of youth rehabilitation.
Figure 2: Conceptual Framework

Independent Variables

- Youth Rehabilitation and Training
- 4s sentence component
- Educational Program
  - Level of education attained
  - Level of certificate attained
- Vocational Training
- Counseling Programs

Intervening Variables

- Institutional policies
- Funding
- Length of training
- Qualification

Dependent Variable

- Attitude and Behavioral Change
CHAPTER THREE: RESEARCH METHODOLOGY

3.0. Introduction

This chapter covers the research methods; research design, target population, sample size and sampling procedures. It also shows the research instruments that were used and their validity and reliability, data collection and data analysis. Finally, it addresses the ethical considerations.

3.1. The Study Site

The study was conducted at the Kamiti Youth Correction and Training Centre located 20 kilometers outside of the City of Nairobi. The institution has an estimated population of about 100 inmates against a maximum capacity of 300 inmates. The institution admits male youthful offenders aged between 15 and 21 years who have committed offences and are first time offenders. Most of the offences committed are petty offences like possession of narcotic drugs, stealing, creating disturbances and malicious damage to property. The only committing agency is the probation and aftercare department. The institution provides the judiciary with an alternative institution for commission of offenders away from other institutions who have set their maximum age at 18 years.

The objective for establishing the institution was to provide a conducive environment for the offenders as they are tried for various offences. For most of the time, the institution is always under populated and therefore underutilized. It is the only such institution in Kenya, yet there has been a proposal that it be done away with to pave way for the establishment of Borstal institution for girl offenders. It is the only institution that utilizes the short sharp shock sentences (4s). These unique characteristic and attribute attracted the researcher to settling for the institution for tithes study.

3.2. The Research Design

A research design is the “blue print” of the study. The design of the study defines the study type (descriptive, co relational, semi-experimental, experimental etc.) and sub type (descriptive-longitudinal case study) research question, hypotheses, independent and
dependent variables, experimental design and if applicable; data collection methods and statistical analysis plan.

This study was non-experimental in nature. The research design that was adopted was descriptive survey design. According to Kothari (2004), descriptive design allows the researcher to describe, record, analyze and report conditions that exist or existed. For this study, a case study approach was done with quantitative and qualitative mixed methods. Quantitative methods were used to collect and analyze hard data while qualitative methods were used to collect non-numeric data which gave more information on the study objectives and hence strengthened the quantitative data collated.

3.3. The Unit of Analysis

The unit of analysis is the major entity that is being analyzed in a study. It is the “who” or the “what” that is being studied (Mugenda & Mugenda, 2003). In social science study, typical units of analysis include individuals, groups, social organizations and social artifacts (Frankfort-Nachmias & Nachmias, 2007; Mugenda A., 2008). Units of analysis are essentially the things we examine in order to create summary descriptions of them and explain differences among them. In this situational analysis of youth correction and training centers in Kenya, focusing on Kamiti youth correction and training Centre, the primary units of evaluation of the Youth Center were the inmates, while the qualifications of the wardens and the programs offered formed the secondary units of analysis for the study.

3.4. The Unit of observation

Unit of observation is the unit described by the data that one is analyzing. A unit of observation maybe a country with different observations differing only in regard to the country they refer. A study may have different units of observation and analysis for example in a community design the research design may collect data at individual level of observation but the level of analysis maybe at neighborhood level; drawing conclusions on neighborhood characteristics from data collected from individuals(Yin,
2013). For the purpose of this study the unit of observation was the inmates at the Kamiti Youth Correction and Rehabilitation Centre.

3.5. Target Population

A population is a complete set of individual cases or objects with some common observable characteristics. A particular population has some characteristics that differentiate it from other population (Mugenda & Mugenda, 2003). For the purpose of this study, the target population were the juveniles that were still serving at the Kamiti Youth Correctional and Training Center.

3.6. Sample Size

For the purpose of study, the whole population of 46 young offenders was used and 10 staff members who teach the various courses and are also in charge of the programs and five probation officers with the service experience of over ten years.

3.7. Sampling

Heckathorn (2014) describes sampling as the selection of a population such that the selected portion represents the entire population adequately. According to Kothari (2004) sampling design is a definite plan for obtaining a sample from a given population. It refers to the technique census study and therefore no sampling was conducted on the inmates. Purposive sampling was used in the selection of the key informants, who were employees of the institution and those officials whose work relates to offenders. These included 3 technical wardens with training on various programs offered, 3 security wardens in charge of daily activities of the inmates and four probation officers with service of 10 years and above.

3.8. Methods and Tools of Data Collection

The study employed a mixed methods approach, to generate both qualitative and quantitative data.
3.8.1. Quantitative Methods

3.8.1.1. Survey

A survey is a research method for collecting information from a selected group of people using standardized questionnaires or interviews. In this study, a survey was the most appropriate method of data collection from the targeted group of the youthful inmates, where a questionnaire with standardized questions that explored specific topics of the study was administered one-on-one by the researcher to the inmates who were still serving their sentences at the institution. They were interviewed on their experiences of the programs they were exposed to while at the institution. This included types of program, duration and mode of administration.

3.8.2. Qualitative Methods

3.8.2.1. Document Review

Desk review was done to collect secondary data relating to the study. The documents reviewed included administrative files, roll calls and registers, which provided information on the running of the institution, admission and exit of the inmates, the programs and activities they engaged in while at the institution.

3.8.2.2. Observation.

The researcher focused on the equipment available at the institution, used in the training of the inmates, demonstration farms and animals reared, and the space available for training. This was done by use of an observation checklist. Checklists are a person’s observation or evaluation of a performance or artifact. They can be simple list of criteria that can be marked as present or absent. For this study, the checklist provided space for indicating present or absent.
3.8.2.3. Key Informant Interviews.

Key informant interviews were used to provide qualitative in-depth data from people who knew what is going on in the community. This enabled the researcher to collect information from a wide range of people including professionals who have firsthand information about the institution. These respondents with knowledge and understanding of the institution provided detailed descriptions and insight on the nature of programs offered and their impact on the inmates. These informants included; 3 technical wardens, 3 security wardens and 4 probation officers.

3.9. Ethical Issues

The principal of voluntary participation was strictly adhered to where respondents participated out of their free will. Special consent to carry out the research was sought from the superintendent prisons based at the Prison Headquarters.

3.10. Data Analysis and Presentation

Descriptive statistics were used to analyze the collected data with the aim of generalizing it to the whole population. The data was coded and entered into an SPSS system. The data was then analyzed and descriptive statistics used in report writing in terms of percentages, tables, totals and means. Qualitative data was analyzed based on the themes under study. It was then used to support the quantitative information through direct quotes.
CHAPTER FOUR:
DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.0. Introduction
This chapter presents and discusses the actual findings, analysis of data collected using different types of data collection instruments, tools and from various respondents. Presentation was done using statistical methods of analysis and presentation. It covers response rate, data analysis, quantitative and qualitative data analysis and discussions were driven out from the study. Actual data was presented using tables and pie-charts. In presentations of the data international instrument on dealing with children and juvenile delinquents, particularly the Human Rights conventions on the rights of children; The Riyadh Guidelines, Havana Rules and Bangkok Rules, were used as a benchmark.

4.1. Background Information
This section presents background information of those who participated in the quantitative phase of the study. These included the inmates at the KYCTC and the wardens as the key informants. It covered issues of age, level of education, crimes committed, factors leading to the crime commission, level of education, duration held at the facility as inmates, and duration taken as a trainer at the institution.

In this study, a total of 41 inmates were interviewed and ten key informants. Further data was obtained via observation by use of the observation checklist.

4.2. Characteristics of the Respondents
This was a whole population study and the respondent outcome was a success with 41 out of the target population of 45 interviewed. This was 91% of the total population while 4 of the inmates were not available for the study due to incapacitation.

4.2.1. Age of Inmates
The ages of the inmates were distributed as follows; 17- 18 were 73.1%, 19- 20 were 17.1% 21 years were 4.9 % while 22 and above were also 4.9%. According to the law CAP 90 section 66 the institution is supposed to hold inmates between the ages of 17 –
21 years. It was established that there were inmates of ages 22 and above meaning that the institution is hold illegal inmates.

Table 1: Age of Inmates

<table>
<thead>
<tr>
<th>Ages</th>
<th>Frequency (n)</th>
<th>Percentages (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>17-18 years</td>
<td>30</td>
<td>73.1</td>
</tr>
<tr>
<td>19- 20 years</td>
<td>7</td>
<td>17.1</td>
</tr>
<tr>
<td>21 years</td>
<td>2</td>
<td>4.9</td>
</tr>
<tr>
<td>Above 21 years</td>
<td>2</td>
<td>4.9</td>
</tr>
<tr>
<td>Total</td>
<td>41</td>
<td>100</td>
</tr>
</tbody>
</table>

4.2.2. Education Level.

The law on rehabilitation of juvenile’s advocates for compulsory education for eligible children within schooling age. The juveniles should be allowed to attend schools run by qualified teachers and offering the accepted school curriculum for the country so that, after release, juveniles may continue their education without difficulty’ (United Nations Rules for the protection of juveniles deprived of their liberty; Adopted by the General Assembly resolution 45/113/Dec 1990, section E article 38).

When equipped with a good education then these youths can have a chance of bettering their lives upon release via a variety of other options out there rather than crime. The Riyadh Guidelines state that ‘governments are under obligation to make education accessible to all young persons’. The study established that majority of the respondents were primary school drop outs. Only 2.4% had gone through O’levels and completed. This would then mean that 97.6% of the respondents had either not completed primary school or secondary school. The study established that only 22 % had completed class 8, 51.3% of the respondents have class 8 education, while 24.3 % dropped out before completing secondary education. However, no formal educational programs were being offered to the inmates. The study also uncovered dire lack of educational facilities like class rooms and trained personnel. Table 2 below shows the inmates’ levels of education.
Table 2: Education Levels

<table>
<thead>
<tr>
<th>Education Levels</th>
<th>Frequencies (f)</th>
<th>Percentages (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed Form Four</td>
<td>1</td>
<td>2.4</td>
</tr>
<tr>
<td>Secondary School Dropouts</td>
<td>10</td>
<td>24.3</td>
</tr>
<tr>
<td>Completed Primary School</td>
<td>9</td>
<td>22</td>
</tr>
<tr>
<td>Primary School Dropouts</td>
<td>21</td>
<td>51.3</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>41</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

4.3. Type of Offences Committed

The table 3 below shows that possession and trafficking of narcotics and stealing were the highest prevalent offences at 27.5%. Creating disturbance and malicious damage to property came in third at 16.25%. Other offences included; defilement and unnatural act at 11.25%, Assault causing actual bodily harm at 8.75 while the other least committed offences combined were at 8.75%. Offences committed was a vital variable in the study since it was a reflection on the mode and intensity of the rehabilitation programmes to be offered.

Table 3: Types of Offences Committed

<table>
<thead>
<tr>
<th>Offence Charged With</th>
<th>Frequency(n)</th>
<th>Percentages(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession and trafficking in Narcotics</td>
<td>11</td>
<td>27.5</td>
</tr>
<tr>
<td>Breaking and Stealing</td>
<td>11</td>
<td>27.5</td>
</tr>
<tr>
<td>Creating disturbance &amp; malicious damage to</td>
<td>6</td>
<td>16.25</td>
</tr>
<tr>
<td>Defilement and Unnatural Act</td>
<td>5</td>
<td>11.25</td>
</tr>
<tr>
<td>Assault Causing Actual Bodily Harm</td>
<td>4</td>
<td>8.75</td>
</tr>
<tr>
<td>Others</td>
<td>4</td>
<td>8.75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>41</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>
4.3.1. Factors Contributing to Commission of Offences

The study sought to establish the criminogenic factors that led to the commission of the said offences, in order to make an assessment of the appropriate rehabilitation programs the respondents were to be put through. Fig 3 shows the distribution of factors that lead to the commission of the said offences, though these factors do not stand alone. 27% of the respondents reported that they committed the offences due to poverty in general. They reported that lack of basic needs like food and clothing drove them to engage in crime in especially stealing in order to obtain the same. This was followed closely by peer pressure and influence of drugs at 25% and 21% respectively. They reported that they committed these crimes either while in the company of the peers or from instructions and encouragement from them, and while under the influence of drugs mostly bhang. It was also notable that lack of parental guidance was also a major contributing factor to crime at 16%. Anger, Curiosity and self-defense were other contributing factors at 7%, 2%, 2% respectively.

Figure 3: Criminogenic Factors Contributing to Commission of Offences
The interview of the key informants concurred with the findings from the interview with the inmates. They agreed that most of the inmates at the institutions hailed from very poor background and the most prevalent crime was stealing, committed while in pursuit of obtaining basic needs. Most of the inmates admitted to using drugs to obtain the courage to commit the crimes while others reported that they were influenced by drug abuse to commit crimes. They also reported that most of the inmates were products of single parent headed, or dysfunctional families where the parents were away most of the times or themselves abused drugs and substance thus failing to offer them the much needed parental guidance. The factor of poverty is addressed through training in small industry, that involves making of detergents and beadwork, farming in which some are trained in animal husbandry and drip irrigation, while collective punishment is geared towards minimizing peer pressure and influence. However, this was noted to be punitive and human rights abuse. Most of the respondents noted that they will never commit offences that can lead to incarcerated again because of the harsh conditions in the institution. Through interaction and observing what other inmates especially in the medium and maximum prisons were going through seems to have had a deterring effect on the youthful inmates as most of the never wanted to go through the same experiences. Counseling should have been the most effective way to address these factors especially anger, drug and substance abuse and lack of parental guidance however this is not a practice as guidance and counseling is not widely practiced and offered. A female key informant in charge of the inmate’s welfare noted that the activities in the institution are inclined more towards punishment than rehabilitation thus not addressing the criminogenic factors affecting the inmates. He stated;

“The punitive way of doing things in this institution hardens the inmates and increases chances of recidivism..., recidivism is quite high and that at times some of them get convicted of other offences and are committed to actual prison”
4.4. Past Criminal History of the Inmates

The study also looked into the past criminal history of the inmates; if the respondents were first-time or repeat offenders. This was to find out if the institution meets its criteria of admission. The study realized that 78% of the inmates were first-time offenders. 5% were non-committal, while 17% had been charged before. According to the Prison’s Act CAP 90 Laws of Kenya, part XI section 66; the main objective of the Youth Correction and Training Centers is to instill discipline to first offenders between the ages of 17 and 21 years. The finding showed that majority of the inmates were first-time offenders in line with the requirement of the law. However, 17% were repeat offenders showing that the committing officers were overlooking the law and sending repeat offenders to the institution.

4.5. Time Served at the Institution

In line with the law CAP 90-part XI section 66, the Kamiti Youth Correction and Training Centre has a mandatory four-month sentence for the inmates. The period of time an inmate spends at the rehabilitation institution is of grave importance in relation to the duration required for the rehabilitation program an inmate may be admitted to. At the time of my study the inmates were at different stages of their sentences. Table 4 below shows that the highest percentage of inmates; standing at 42% had been in the institution for a period ranging between one and two months, 29% had been in custody for 3 months and above, 21% between 2 and 3 months while 9% had been in for less than 1 month. It was established that there were inmates at the institution who spent quite a large percentage of their sentence in police cells waiting to be escorted to the institution. When finally, they got to the institution their sentences were expiring and they exited having stayed for only a short while. They are therefore never admitted into any rehabilitation program. The purpose of this examination is to establish if the time spent at the institution was indeed sufficient for any effective rehabilitation program. Of all the inmates interviewed 16% had spent part of their sentences in police cells thus shortening their stay at the institution to three months or less.
Table 4: Time Served at the Institution

<table>
<thead>
<tr>
<th>Time held</th>
<th>Frequencies (n)</th>
<th>Percentages (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 month and Below</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>1 -2 Months</td>
<td>17</td>
<td>42</td>
</tr>
<tr>
<td>2- 3 Months</td>
<td>8</td>
<td>20</td>
</tr>
<tr>
<td>Above 3 Months</td>
<td>12</td>
<td>29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>41</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

4.6. The Mandatory Four Month Sentence for the KYCTC Inmates

As pointed out earlier the Prisons Act CAP 90 Laws of Kenya stipulates that the rehabilitation center should hold first offenders for a mandatory for month’s sentence where they are to be subjected to the Short Sharp Shock sentences. The research established that the mandatory 4 months period that inmates serve at the institution is inadequate. According to the key informants, notwithstanding the time wasted in police cell, the mandatory four months sentence was not adequate to offer rehabilitation and proper training to the inmates. This is because when a program is introduced and it is at its peak the time for the inmates to exit the institution matures. One of the wardens with P1 teaching certificate, whose experience in the correction services spans to 8 years stated that;

“*Four months is a very short time and by the time rehabilitation programs are at the peak the inmate’s time is up and he has to leave. When an inmate is committed to the institution, there is time that is consumed since one has to be observed before being engaged in a program*”

He went on to note that;

“When some young offenders are sentenced and committed to the institution, they take up to two months in police cells before they are escorted to the institution. In such cases much valuable time is lost before the inmate arrives and therefore no meaningful assessment and rehabilitation can take place within the remaining period. The inmate is likely therefore, to be engaged in general manual work in the institution farm”
This shows that there is no adequate time to train and rehabilitate the offenders. All the probation officers interviewed concurred with the key informants that the timeframe at the institution decreased its credibility as an effective rehabilitation center. They therefore preferred other rehabilitation institutions with lengthy periods of rehabilitation, when seeking an institution to commit youthful offenders.

4.7. Training Programs Offered at the Centre

Some of the youthful inmates held at the KYCTC are still minors according to the findings of this study. The international instruments on juvenile justice, emphasizing on the best interest of the child, state that children; ‘should be considered as being less culpable and their treatment processes should be geared towards social reintegration, applying principles of restorative justice’ (United Nations Convention on the Rights of Children (CRC) adopted by the UN Assembly in 1989).

The legal Act that established the KYCTC stipulates that the institution is mandated to instill discipline to first offenders for a mandatory four months in which the inmates should go through Sharp Short Shock Sentences. However, it does not specify the type of programs to be administered, leaving this to the discretion of the administration. The study sought to examine the restorative programs the inmates were put through while at the rehabilitation institution. This study categorized the programs offered at the institution into three groups i.e. Technical programs, agricultural programs, small industry and behavioral change programs. Carpentry, masonry and leather work programs are not offered at the institution though there are rooms reserved for these programs. In fact, there were no technical skills training being offered to the inmates.

Majority of the inmates i.e. 36 are engaged in general manual work which involves tilling the institution’s land, 18 of the inmates reported having been involved in beadwork, 12 in industry which involved jik and soap making. These courses were offered by volunteer organizations like Road Kenya and there was no continuity and consistency guaranteed as none of the inmates had attended these course sessions for three or four sessions continuously. The study also showed that 5 of the inmates had been engaged in animal
husbandry, 4 in landscaping /tree planting and 1 in computer application while two were engaged in cooking for the rest of the inmates. There was no structured way of selecting the inmates to attend various trainings. It seemed that those that were of good behavior attended less strenuous activities while the rest were engaged most of the times in strenuous manual work. The study established that the facilities available for the training of the inmates were not sufficient. There were no rooms for the training of the youths. They attend training sessions in the main hall at the institution and no two training can therefore take place at the same time. There is only one computer in use and one sawing machine mainly used for the repair of the inmates. Moreover, it was discovered that only those inmates that showed interest in these two skills got trained. There is a small farm with a few rows of crops and a few cows and rabbits, used for demonstration. Only a handful of inmates therefore get the opportunity to acquire skills in animal husbandry and drip farming.

Most of the probation officers who said that they rarely or never committed juveniles to KYCTC gave the reason as lack of trained officers to train the youthful offenders. They also pointed out that according to information at hand the institution did not have training programs for the youthful offenders, making it the least preferred institution for commission of youthful offenders. Table 5 below outlines the programs that are offered at the institution and the number of inmates that have had an opportunity to attend the trainings. Most of the inmates engage in general manual work at the farm, with a few engaging in drip irrigation, animal husbandry and tree planting. The table reports on the actuals because some of them engaged in a number of these activities. The study findings are that technical programs like carpentry, masonry, leatherwork and upholstery which can offer the inmates a lifeline after release are not offered at the institution.
Table 5: Training Programs Attended

<table>
<thead>
<tr>
<th>Type Program</th>
<th>Program</th>
<th>No. Attended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farm Work</td>
<td>Landscaping/Tree Planting</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Animal Husbandry</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Drip Irrigation</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Manual work and cooking</td>
<td>36</td>
</tr>
<tr>
<td>Small Industry</td>
<td>Detergent Making</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Art Work - Bead work</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>Computer Application</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Tailoring</td>
<td>1</td>
</tr>
</tbody>
</table>

4.8. Offender Assessment and Intensity of the Training Sessions.

It was important to know the extent and effectiveness of the training and rehabilitation sessions offered at the institution. According to the Risk Need and Responsivity model of offender rehabilitation, offender treatment should be matched with the offenders’ risk level. It is therefore important to reliably predict criminal behavior and risk of reoffending. To achieve this there is need for evidence based risk and need assessment instruments/tools. When this is effectively done, proper offender assessment and classification is also well achieved.

Rule 27 of the JDL Rules. *(The UN Guidelines for the Prevention of Juvenile Delinquency, 1990(The Riyadh Guidelines)* this section requires the assessment and classification of offenders according to their risk levels and needs, both socially and medically by professionals before intervention. The findings of the study showed that there is no assessment and classification of the inmates carried out before engaging them in rehabilitation programs. There are three factors that inhibit this;

(a). Lack of Assessment and Classification Tools; the institution has not developed any scientific tools for the assessment and classification of the inmates upon admission. Besides, the wardens are not trained in offender assessment and classification.
(b) The Short Duration of the Sentences. When interviewed the key informants pointed out to a challenge brought up by the mandatory four months sentence duration. They pointed out that not much could be achieved within this time frame as no sooner were inmates admitted and placed than their sentences lapsed and they were due for release. The probation officers interviewed revealed that they rarely ever thought of committing youthful offenders to the institution because of prior knowledge that there were no training programs given to the boys.

(c) Lack of Properly Trained Personnel.
Rule 81 of the JDL Rules calls for professionals as caregiver in rehabilitation and places emphasis on the number of specialists to be employed, while Rule 83 stresses on the need for personnel to be well trained.

The key informants agreed that they lacked the specialized training needed for rehabilitative programs for the boys. Therefore, the personnel in the prison industry were not able to train the respondents in modern rehabilitative skills for lack of proper training. It was revealed that they only had the usual training as prison constables.

These sessions are also not meant for certification or for the market but to offering basic services at the institution. Only a few skills in small industry were being offered by volunteer organizations. In fact, there are no criteria for selection and assurance of the capabilities of the volunteering groups. Essentially the trainings offered were not scheduled, consistent and unreliable. Some of the inmates had attended these sessions once or twice, while future sessions were not honored by the organizations. The study also revealed that there were no serious programs on behavioral change. The youthful inmates revealed that counseling on behavioral change was done by a volunteer from the outside of the institution, over whom the institution did not have much control and he was therefore not consistent. The key informants acknowledged that only two members of the entire staff had been trained in counseling. Table 6 below has the in details of the length of the sessions as discussed above.
Table 6: Length of Sessions

<table>
<thead>
<tr>
<th>Length of Sessions</th>
<th>Frequency (n)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 mins&amp; below</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>40 mins – less than 1hr</td>
<td>7</td>
<td>14.0</td>
</tr>
<tr>
<td>1hr – Less than 2hrs</td>
<td>3</td>
<td>6.0</td>
</tr>
<tr>
<td>2hrs – 3 hrs</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Above 3 hrs</td>
<td>38</td>
<td>76.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100</td>
</tr>
</tbody>
</table>

4.9. Training and Expectations

The study sort to establish if the respondents felt that at the end of their stay the inmates would able to meet outside market demands with the help of the knowledge and skills acquired at the institution to undertake job vacancies. The Riyadh Guidelines state in Rule 79 proposes that all treatment programs for juveniles should be geared towards their reintegration into society. Through the observation conducted by the observation checklist, the study found out that there were only five classrooms which were not serving their purpose but were being utilized as storage rooms. Rule 38 of the JDL Rule states “education should be provided outside the detention facility in community schools wherever possible…” However, this was not the case at the institution as none of the respondents was attending formal education within or out of the institution. Observation also revealed that there was only one old sewing machine and two computers that could not serve the needs of the institutions.

The study revealed that there are no facilitators with adequate training to train the inmates committed to this institution. Fig 4 shows the distribution of how the respondents responded on the Yes and No basis on whether they felt that training met their expectations. Those who felt that the training met their expectations were 33 % while the 67% felt it did not meet the market expectations. Some respondents felt that the training would have an impact on their life outside the institution because they believed that they could do beading as a business, farming at home or as an employee, make detergents i.e.
soap / bleach and rear animals as a business. Most of the knowledge impacted was given by volunteers who come at their own free will. Hence when the outsourced services are withdrawn there are no other trainings given to the inmates.

They believed that they would live crime free lives not because of the empowerment acquired at the institution, but to avoid future prosecution and eventual incarceration because they viewed the life at the institution as being more punitive than rehabilitative.

Those who had felt that the institution did not offer training that will make them able to make entry in the market felt that they had not been equipped with technical skills useful in the current job market and that they only engaged in manual work. Majority of the key informants concurred with the inmates that the training could not guarantee employed for the inmates once they were free saying that volunteer organizations that the institution did not have control, over offered few or one-time sessions to the inmates. They also pointed out inadequate training equipment and facilities to enable them to get any kind of training. Their concern was that most of the officers were not able or were not trained to impact knowledge to the respondents and hence the reason why there is harder driven manual labour is a vis training. Lack of specified technical programs at the institution was one of the reasons the probation officers gave little consideration to the institution when seeking institutions for commission of youthful offenders.
Rule 45 of the JDL Rules emphasizes that rehabilitation institutions should prepare youthful offenders for return back in the community and normal occupational life by training them in areas where they can easily obtain work. Majority of the key informants noted that the facility did not meet the expectations of the market in terms of training, while a few agreed that the training was adequate. The key informants felt that lack of certification upon completion of a program made it hard for the inmates to prove their training hence inability to apply and be considered for employment when they leave. The high turnover in the institution makes it difficult to offer any meaningful training programs. The female warden in charge of welfare services noted that;

“Not much can be taught in the period, i.e. mandatory four months duration… Only few people who are exempted from manual work, for example the sick, can be taught any other program therefore many programs like education are not operational.”
A warden with general training seemed not to relate how the inmates’ training was expected to meet market expectations and this is shown in his remark:

“There is nothing like being marketable since prisoners must be rehabilitated and reformed.”

This remark showed that there was a disconnect in the link between rehabilitation and training to the key informant who did not think that training and empowerment could bring about rehabilitation and reform. And lastly the period is very short to undertake a proper and effective training program. A warden who managed the inmates during manual work observed that:

“The training is not effective and does not meet market expectations due to lack of enough resources and outdated technology and ways of rehabilitation.”

4.10. Experiences of the Inmates

International instruments on the welfare of children advocate for humane treatment devoid of torture for children who are detained. (*United Nations Rules for the protection of juveniles deprived of their liberty; section E article 37*) The article forbids corporal punishment, torture for children in detention. Article 40 of the same law states that: ‘Children in conflict with the law have the right to treatment that promotes their dignity and worth’

Majority complained that there was extreme collective punishment through canning by use of electric wire cables. There was complaining of too much hard labour and limited food rations. This means that the work is so hard accompanied with small food rations. Most of the inmates are in the adolescent age that is accompanied with a lot of growth, where they require adequate food.
The other challenge was lack of education continuity amongst inmates who are supposed to continue with school. When judges pronounce these sentences, the inmates were told they will get some sort of schooling or training at the institution, only to find its hard labour. Rule 47 of the JDL Rules points out that, Government agencies should provide young persons with the opportunity of continuing in full-time education.

There was experience of bullying, malicious wardens, lack of proper medication attention where wardens self-medicate and no trained personnel to look after the sick. They found excessive confinement, lack of a forum to raise their complaints or concerns. In fact, they say that from experience it gets worse when you complain. Hence there could be abuse of Human rights. According to the Beijing Rules, the major aims of the child justice system are: proportionality and promotion of the well-being of the child. This therefore requires discretion on the part of personnel dealing with the rehabilitation of the child and youthful offenders.

4.11. Harsh and Punitive Programs

The study sought to establish whether there existed harsh and punitive programs in line with implication of the term SHORT, SHARP, SHOCK SENTENCE. This concept was borrowed from the Margaret Thatcher policy of processing young offenders in a manner that would cost the taxpayer less money. The emphasis of the policy was the Short; meaning that juveniles be held in detention for no more than four months. Sharp stands for the belief that harsh punishment was effective as a deterrent. The concept advocated use of corporal punishment to bring about the shock to deter the behavior. Majority of the inmates; at 76% complained of being subjected to harsh and punitive programs which include: Collective canning by use of electric cables, long hours ranging from four to six hours of hard manual labour at the farm followed by little food ration, long hours of confinement and wardens deriving pleasure from whipping and bullying them. According to the provision of the human rights, children under the age of maturity are not supposed to be subjected to hard labour. The Constitution Kenya2010, CAP Four article 28 states that “very person has inherent dignity and the right to have that dignity respected and protected”. Article 29section (f) prohibits treatment or punishment in a
cruel, inhuman or degrading manner. The same Chapter Four, article 51 section 1; reinstates all the rights and freedoms of persons held in custody.

Only 24% of them felt that the programs were not harsh or punitive. From the analysis, this number matched with the favored few who were in the kitchen cooking for other inmates, those involved in drip irrigation and animal husbandry. This is an earned favor from the wardens. Table 7 gives the distribution of these respondents.

**Table 7: Response on whether Programs are Punitive**

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency (n)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>31</td>
<td>76</td>
</tr>
<tr>
<td>No</td>
<td>10</td>
<td>24</td>
</tr>
<tr>
<td>Total</td>
<td>41</td>
<td>100</td>
</tr>
</tbody>
</table>

One of the key respondents in a bid to explain the activities involved in the administration of the 4S said;

“The inmates undertake vigorous exercises, they are put on their toes every time and there is no time to relax when out of the cells”

It was however noted that some did not understand the meaning of 4S or deliberately gave false information that did not tally with what was the view of the inmates’ due to fear that they violated the Human Rights of the inmates. Another key informant noted that the inmates were supposed to go through rigorous training that was abrupt and shocking experience. Most of them complained notably concerning the requirements of the Human Rights of the inmates, with one of the remarking; “hii maneno ya human rights ni mbaya”. There was no proper definition of the activities of the 4s sentence, leaving the interpretation open to the opinion of the wardens.

**4.12. Inmates’ Views on Extreme / Punitive Programs**

The study sought to understand the opinion of the inmate’s on whether harsh and punitive treatment could achieve the objective of the institution of rehabilitation and deterrence as anticipated. Of those that responded to this 71% disagreed with the belief that the 4s...
sentence would deter criminal activities by the inmates. They believed that the contrary was actually achieved as they were left with the feeling of resentment against wardens. They complained of uniform canning whereby when one inmate was on the wrong, all of them were punished. They said that this was bad as it hardened them and brought about the feeling that they were still being punished for the offences that they committed as opposed to being assisted to discard behavior that could result in reoffending. This made them feel not appreciated, unworthy, bitter and angry. One pretends to have changed in order to be set free, but they referred to harsh treatment as ‘dhuluma’. Only 17% agreed that harsh treatment could deter crime by instilling fear in the inmates, however they agreed with their colleagues that moderate canning can assist; but were of the agreement that counseling would work much better to aid in correction.

Table 8: Response on Whether Extreme/Punitive Programs are Deterrent to Crime

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency (n)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>7</td>
<td>18.9</td>
</tr>
<tr>
<td>No</td>
<td>30</td>
<td>81.1</td>
</tr>
<tr>
<td>Total</td>
<td>37</td>
<td>100</td>
</tr>
</tbody>
</table>


Use of recreational time is one of the most critical indices of understanding an offender’s dynamic risks. Leisure time can be used constructively such as playing with one’s children or playing sports, reading, meeting with pro-social friends etc. Some offenders’ use of their free time is directly correlated with their risk of offending because they use their free time to abuse drugs or hang out with friends who are anti-social or anti-authority. As such it is crucial to explore how offenders spend their time during evening, weekends or if not working how they used to spend their entire day. Find out what they enjoyed doing during their spare time and work with them to reintroduce pro-social ways of spending free time.

This study established that there were a few sporting activities at the KYCTC but not all the inmates took part in this event. It was also done just for purposes of a competition where a few of the boys were formed into team to compete with that from the medium
prison Extra curriculum activities are not part of the daily curriculum. This could explain that though close to 41 approved that they were involved in extra curriculum activities, this was not a day to day event and there was favoritism to earn this.

Table 9: Extra Curriculum Activities

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency (n)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>15</td>
<td>33.4</td>
</tr>
<tr>
<td>No</td>
<td>20</td>
<td>66.6</td>
</tr>
<tr>
<td>Total</td>
<td>35</td>
<td>100</td>
</tr>
</tbody>
</table>

4.14. Counselling Services for Behaviour Change

The study sought to establish whether counseling services were being offered to the respondents who are inmates. From the data collected from the responses it was established that there are no deliberate or structured counseling programs administered to the inmates. This is also notable by the fact that even for the few respondents who said counseling services were available; this was done by volunteers from outside the institution whom the administration had no control over. The qualifications of the counselors who offered the said services were also not confirmed.
4.15. **Key Constraints Facing the Rehabilitation and Correction Centre**

- Lack enough modern learning facilities for better training on how to cope with current transitional life.

This study sort to establish whether there were adequate resources to enable effective training of the inmates in empowering them economically through furnishing them with academic, vocational and life skills training that is essential for their rehabilitation. This was to be achieved by acquiring the relevant data via the questionnaire and the observation check list presented. The study therefore revealed lack of adequate and modern training equipment and facilities for training the inmates. There was only one old sawing machine, and of the five computers available, only one was in working condition. Therefore, the limited number of the machines limited also the number of inmates who could access them despite the fact that the inmate’s level of education was also low. The study revealed the availability of five class rooms but the same are used as storage rooms. The inmates therefore only use the hall for training whenever there was no other function taking place in it. Formal education was also not being offered and none of the inmates was enrolled in any of the surrounding public schools.
- Illiteracy of the inmates and inability to express themselves in English and Kiswahili.

The study realized that a majority of the respondents were primary school drop outs. Table 4.1 shows education level vis-a-vis the numbers and percentage. Only 2% had gone through O’levels and completed. This would then mean that 98% of the respondents had either not completed primary school or secondary school, this was at 53% and 47% respectively of those who had not completed school. This was cited by the key informants as a major challenge in communication as majority of the inmates could only communicate well in their local languages.

- Time constraint; The four months sentence period against the length of the programs

The mandatory four-month sentence period was also observed to be inadequate for training and rehabilitation. Most of the key informants reported that; ‘nothing meaningful could be learnt within this period’. Some of the inmates also believed that the time period was too short to enable effective training; however, they were less bothered by this as they were eager to leave the institution which they termed as a worse jail than the medium jail at Kamiti.

- High turnover rates of the inmates

The time frame was compounded by the fact that upon placement the inmates could overstay in police cells for even two months before being escorted to the institution. Therefore, no sooner are such inmates admitted and oriented than their time is up and they are to be phased out. According to one prison warden in charge of sports; ‘it is even impossible to form a football team’

- Lack of resource (Human capital – skilled labour and administrative personnel), facilities and space.

It was also noted that there were inadequate skilled personnel to undertake the training. The key informants lacked specialized training for dealing with the youthful offenders other than the general warden work. Only three out of almost 100 staff could offer computer classes. The institution outsourced experts from Road Kenya and Sarakasi to give the inmates training in Drug and Substance abuse, sustainable farming, life skills education, performance arts, beadwork and appropriate technology. This was not
sustainable as some inmates had met these experts once or twice while most had not had the opportunity to interact with the experts. There was no specialization also as the wardens could also be called upon to work in the medium and maximum jails which are situated in the same premises. There were two constables with P1 education training but there was no formal education offered. The study also revealed that there was only one sawing machine and only one inmate had been taught the sawing skills. He was mainly utilized in the repair of the inmate’s uniforms.

- Low number of inmates making it ineffective to spread them out in diverse programs

It was also established that the institution whose maximum capacity is 100 only had 46 inmates at the time. It was therefore not easy to spread this number of youth to the various tasks and training programs. Thus, almost all were utilized in the farm on manual labour.

- Lack of a training curriculum

The institution lacks most of the vocational programs one would expect like carpentry, masonry, electrical wiring. It also lacks formal education. Therefore, there is no defined curriculum of the activities that are undertaken at the institution.
CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0. Introduction

This chapter presents summaries, conclusion and recommendation derived from the study whose main objective is to establish the effectiveness of the rehabilitation programs at the KYCTC. The study specifically sought to establish the components of the 4s sentences; To evaluate how the rehabilitation programs at the KYCTC determines and addresses the criminogenic factors of the youthful offenders. It focused on the relatively unstudied population of youthful offenders in Kenya.

5.1. Summary of the Findings

The KYCTC is correction facility for youth offender between the ages of 17 and 21 years who are first offenders. It was established under part XI, section 66 of the Prison Act CAP 90 Laws of Kenya, which mandates the minister in charge to establish through a gazette notice Youth Correction and Training Centers with the objective of instilling discipline to first offenders. The KYCTC is the first of such institutions. The inmates are committed to the institution for a defined period of four months during which the inmates go through short sharp shock sentences

5.1.1. The Components of the 4S Sentence

The Sharp short shock sentences involved taking the inmates through short (four months) but strenuous and abrupt programs (sharp and shock) to make them refrain from criminal activities. The 4S sentence was meant to be deterring to the inmates. Collective and thorough caning is administered to the whenever one of them is wrong. This caning was done using electric cables and often left the victims with physical injuries. They are also subjected to long hours of hard manual labour well described by one of them as ‘hakuna kuinuka’. They are also caned while undertaking this manual work. The study also revealed that the inmates underwent a lot of bullying from wardens. They reported long hours of confinement and limited food rations.
5.1.2. To Evaluate how the Rehabilitation Programs at the KYCTC Determine and Address the Criminogenic Factors of the Youthful Offenders.

The study established that the most prevalent crimes committed by the inmates were stealing, possession and trafficking of narcotic drugs, Assault causing actual bodily harm, trespass gambling defilement and robbery. The factors identified as the reason for the commission of the said offences include drug and substance abuse, anger, peers pressure, poverty, lack of parental guidance and curiosity. The study revealed that there are no deliberate efforts by the authorities to make an assessment of the inmates in order to determine their criminogenic needs which would go a long way in assisting the trainers to draw defined ITPs for the rehabilitation of the inmates. The inmates are therefore engaged in hard manual labour for the period they era at the institution. There is also lack of experts and specialized trained officers to impart vocational skill to the inmates. This is coupled with the inadequate facilities for the rehabilitation of the inmates.

5.1.3. To Explore the Constraints of the Rehabilitation Programs at the Kamiti Youth Correction and Training Center.

The study established the following as the constraints that are experienced in the rehabilitation of these youthful offenders in the Kamiti Youth Correction and Training Center. There are inadequate resources to enable effective training of the inmates in empowering them economically through furnishing them with vocational training and skills that are essential for their rehabilitation. The study also exposed the lack of adequate and modern training equipment and facilities for training the inmates. There are a few rows of crops in the demonstration farms, a few rabbits and poultry that where only 5 inmates respectively, bringing the number of those exposed to this skills to only fifteen. The rest have never had the opportunity to visit this demonstration farms. It was observed that the institution only had two operational computers where only a few inmates were being trained. There are five class rooms but the same are used as storage rooms and therefore there is no formal education offered. The study realized that majority of the respondents were primary school drop outs. This was cited by the key informants as a major challenge in communication as majority of the inmates could only communicate well in their local languages.
The mandatory four-month sentence period was also observed to be inadequate for training and rehabilitation. The time frame was compounded by the fact that upon placement the inmates could stay in police cells for even two months before being escorted to the institution.

It was also noted that there were inadequate skilled personnel to undertake the training. No special training has been offered to the personnel given the mandate to train and rehabilitate these youths, other than the general warden work. Only three out of almost 100 staff could offer computer classes. The institution outsourced experts from Road Kenya and Sarakasi to give the inmates training in Drug and Substance abuse, sustainable farming, life skills education, performance arts, beadwork and appropriate technology. This was not sustainable as some inmates had met these experts once or twice while most had not had the opportunity to interact with the experts. There was no specialization also as the wardens could also be called upon to work in the medium and maximum jails which are situated in the same premises. There were two constables with P1 education training but there was no formal education offered. The study also revealed that there was only one sawing machine and only one inmate had been taught the sawing skills. He was mainly utilized in the repair of the inmate’s uniforms.

It was also established that the institution whose maximum capacity is 300 only had 46 inmates at the time. It was therefore not easy to spread this number of youths to the various tasks and training programs. Thus almost all were utilized in the farm on manual labour.

The institution lacks most of the vocational programs one would expect like carpentry, masonry, electrical wiring. It also lacks formal education. Therefore there is no defined curriculum of the activities that are undertaken at the institution.

5.2. Conclusion

Rehabilitation may be defined as restoring back to useful life or to restore to good condition, capacity or operation by therapy and education. The objectives of offender rehabilitation are not cause harm but to assist them to overcome factors that predispose
them towards crime so that they can live a more fulfilling life. The Risk Need Responsively (RNR) model emphasizes the importance of reliably predicting criminal behavior and thus, the need for evidence-based risk instruments and the need to properly match the level of service to the offender’s risk level. The Good Lives Model (GLM) argue that the best way to lower offender recidivism rates is to equip individual with tools to live more fulfilling lives.

The KYCTC admits male youthful offender of between ages 17 and 21 who are first offenders. The research revealed that the main offences committed were petty offences triggered by factors like poverty, peer pressure, influence of drugs, anger etc. The study confirmed that majority of the respondents were first time offenders. However, 5% of the inmates had been charged before, pointing to the failure of the probation officers who are mandated with committing the inmates.

The mandatory four-month sentence period was also observed to be inadequate for training and rehabilitation as it was reported that no meaningful training could happen in the period. Some of the inmates believed that the time period was too short to enable effective training; however, they were less bothered by this as they were eager to leave the institution, which they termed as a worse jail than the medium jail at Kamiti. The time factor was compounded by police delay in escort upon placement. Therefore, there was a high turnover of inmates at the institution.

The study revealed that the programs the inmates were put through while at the rehabilitation institution were very limited to a few lessons in small industry, drip irrigation, animal husbandry and, with majority engaged in general manual work which involves tilling the institution’s land. The inmates were involved in manual labour for over 5 hours. Only three inmates who had secondary school education were introduced to computer application. Observation revealed that there was only one old sewing machine, two computers that could not serve the needs of the institutions and a few rows of crops used as demonstration farms. Majority of the key informants noted that the facility did not meet the expectations of the market in terms of training citing lack of certification upon completion of a program as an impediment for the inmates to prove their training to
obtain employment upon release. There is high turnover in the institution making it difficult to offer any meaningful training programs and it was also noted there is a disconnect between training and rehabilitation as one informant did not see any connection between training and rehabilitation.

There was lack of education continuity amongst inmates who are supposed to continue with school, contrary to the expectations of the youthful inmates, though there was a timetable for formal classes. The study realized that a majority of the respondents were primary school drop outs and therefore formal education was key in their rehabilitation. There was also a challenge of communication as majority of the inmates could only communicate well in their local languages.

The study established that there were harsh and punitive programs in line with implication of the term SHORT, SHARP, SHOCK SENTENCE. The study confirmed the existence of these programs, which include collective canning by use of electric cables, long hours of hard manual labour at the farm followed by little food ration, long hours of confinement and wardens deriving pleasure by bullying the inmates. This treatment was observed to be a human rights abuse and that counseling should have been the most effective way to address these factors. However, the study established that there was no deliberate counseling offered due to lack of well programmed counseling services. Through interaction and observing what other inmates especially in the medium and maximum prisons were going through seems to have had a deterring effect on the youthful inmates. Some of the key informants noted that the activities in the institution are inclined more towards punishment than rehabilitation thus not addressing the criminogenic factors affecting the inmates.

The study revealed inadequacy of skilled personnel to undertake the training. There were only three technically qualified personnel out of over 100 staff who had no specialized training for dealing with the youthful offenders’ other than the general warden work. The institution outsourced experts from other agencies for training. This was not sustainable as it limited the number of sessions an inmate could have with the expert because the institution had no control over them. The institution also lacks most of the vocational
programs one would expect like carpentry, masonry, electrical wiring. There is also no
defined curriculum of the activities that are undertaken at the institution. It was concluded
therefore, that the institution does not meet the objectives of its establishment as majority
of the inmates do not receive training but are engaged in informal manual labour for the
time they are held.

5.3. Recommendations

Based on the findings of the study, the researcher recommends that in order to achieve
the intended goal of the YCTC of rehabilitating and reforming youthful offenders to
become compliant and law-abiding citizens there is need to:

- Introduce market oriented programs at the institution that will make enable the
  inmates upon release, to obtain gainful employment or to self-employ themselves
  by practicing the trade learnt at the institution to obtain a living

- Employ appropriately trained experts to undertake the training and rehabilitation
  of the inmates

- Increase the length of the sentence to at least one year.

- The committing judge to ensure speedy escort of the inmates to the institution by
giving a mention date for the case to confirm escort.

- Upgrade the institution with modern and adequate equipment for the training of
  the youthful inmates

- To review the Prison’s Act CAP 90 and specify the rehabilitation programs to be
  administered at the institution.

- To introduce trade tests and certificates for the trainings undertaken by the
  inmates upon release to enable them acquire employment after release.

- To abolish harsh and inhuman programs at the institution and ensure that it is
  more inclined towards rehabilitation than a jail.
To introduce aftercare services for former KYCTC inmates for smooth reintegration into society and also for assistance to establish themselves in the trades learnt at the institution.

5.4. Areas for Further Research

The scope of this study was limited to the rehabilitation programs and the time frame of the training and rehabilitation offered to the youthful offenders. However, much information can be obtained through benchmarking for best practices from countries that have Youth Correction and Training Centers.
References


Becker, H. S. (1967). 'Whose Side are We On?'. In Social Problems (pp. 239-247).


APPENDICES

Appendix 1: Tools for Data Collection

1. QUESTIONNAIRE FOR THE KYCTC INMATES

My name is Agnes Ayuma Otukho, a student of sociology at the University of Nairobi taking an MA program in Criminology and Social Order. My research project is on: Situation analysis of Youth Correction and Training Centers in Kenya; A case Study of the Kamiti Youth Correction and Training Center. This is in partial fulfillment of the requirements of MASTERS DEGREE.

The objective of this study will be to establish the components of the Short sharp shock sentences (4s). To evaluate how the rehabilitation program at Kamiti Youth Training and correction Centre determines and addresses the criminogenic factors of the youthful offenders. To evaluate the constraints of the rehabilitation program at Kamiti Youth Training and correction Centre.

You have been identified as one of the respondent group in this study. Information provided will be treated with utmost confidentiality and will solely be used for academic work. For any query or clarifications please feel free to contact me on 0722 373 737. The study intends to interview KYCTC wardens and KYCTC inmates and probation officers, who commit the youths to the institution.

1. How old are you? Please tick where appropriate
   (i). 18 years and below [ ]
   (ii). 19 and below [ ]
   (iii). 20 years and below [ ]
   (iv). 21 years and below [ ]

2. Of which offence were you charged?

3. What factors contributed to the commission of the offence you were convicted of

4. Had you been charged before? Yes. [ ]. No. [ ]
5. How long have you been in this institution? Please tick where appropriate
   (i). Below one month  [   ]
   (ii). 2 months and below  [   ]
   (iii). 3 months and below  [   ]
   (iv). Above 3 months  [   ]

6. What are the training programs you have been put through since your institutionalization?
   i. Carpentry
   ii. Masonry
   iii. Leather work
   iv. Orchardry
   v. Small industry
   vi. Other. State………………………………………………………………………..

7. How long does each session take? Please tick where appropriate.
   (i). 40 minutes and below
   (ii). Below 1 hour
   (iii). 1 and half hours
   (iv). Two hours

8. (a). In your opinion do the programs offered meet the outside market expectations?
   Yes [   ] No. [   ]
   (b). Please explain.
   ……………………………………………………………………………………………

9. What are the challenges you experience during your period of institutionalization
   ……………………………………………………………………………………………

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10. (a) During your rehabilitation, have you been subjected to treatment that you consider to be harsh or punitive?
Yes [ ] No. [ ]
(b) If yes please explain.................................................................

11. Do you think extreme/ punitive programs can effectively deter crime?
Yes. [ ] No. [ ]
(b). Please explain you answer.................................................................

12. Do the Rehabilitation programs at the KYCTC include extra curriculum activities/skill promotion?
   i. Sports. Yes [ ] No. [ ].
   ii. Football. Yes [ ]. No [ ].
   iii. Music. Yes [ ] No [ ].
   Any other.................................

13. Do you undergo any program you would consider as dehumanizing?
   Yes [ ] No [ ].
   If yes please explain.................................................................
2. KEY INFORMANT GUIDE FOR THE KYCTC WARDENS

My name is Agnes Ayuma Otukho, a student of sociology at the University of Nairobi taking an MA program in Criminology and Social Order. My research is on the Evaluation of Youth Correction and Training Centers in Kenya; A case Study of the Kamiti Youth Correction and Training Center. This is in partial fulfillment of the requirements of MASTERS DEGREE.

The objective of this study will be to establish the components of the Short sharp shock sentences (4s). To evaluate how the rehabilitation program at Kamiti Youth Training and correction Centre determines and addresses the criminogenic factors of the youthful offenders. To evaluate the constraints of the rehabilitation program and Kamiti Youth Training and correction Centre.

You have been identified as one of the respondent group in this study. Information provided will be treated with utmost confidentiality and will solely be used for academic work. For any query or clarifications please feel free to contact me on 0722 373 737. The study intends to interview KYCTC inmates, KYCTC wardens as key informants and probation officers

1. What is your level of education? Please tick where appropriate
   (i). Primary [  ]
   (ii). Secondary [  ]
   (ii). Tertiary education [  ]

2. How long have you served in this institution? Please tick where appropriate
   (i). Below 5 years [  ]
   (ii). 6- 10 years. [  ]
   (iii). 11- 15 years [  ]
   (iv). 16- 20 years [  ]
   (v). 21 and above [  ]

3. What are the activities involved in the administration of the 4S sentences.

.............................................................................................................................
4. Are the activities of the 4s geared towards deterrence or rehabilitation? Please explain.

5. What is your level of training on the implementation of activities of the 4 S sentences?

6. Is staff training geared towards rehabilitation or general prison warden work? Please explain.

7. (a). Do you think that the activities administered address the criminogenic factors affecting the inmates and are likely to prevent recidivism? Yes [ ] No [ ]

(b). Please explain

8. What are the constraints facing the rehabilitation programs at Kamiti Youth Training and Correction Centre?

9. How can the rehabilitation of youthful offenders be enhanced? Please explain

10. (a). Do you think that the programs administered meet the objectives set by the institution? Yes [ ] No [ ]

(b). Please explain

11. What capacities i.e. resources and human capital are available at the KYCTC?

12. Are these available resources adequate? Yes [ ] No [ ]

13. Are the programs offered at the Kamiti Youth Correction and Training centre market oriented? I.e. do they meet the market expectations? Yes [ ] No [ ]

(b). Please explain.

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14. (a). Are there shortcomings in the programs administered at the institution?
Yes. [ ] No. [ ]
Please explain…………………………………………………………………………………………

15. (a). Is the mandatory four months institutionalization period given, appropriate for training programs offered? Yes [ ] No [ ].
(b). Please explain your answer……………………………………………………………………

16. What percentage of your inmates successfully complete their rehabilitation programs within the stipulated time?
Please explain……………………………………………………………………………………

17. In your opinion what can be done to achieve complete rehabilitation of the youthful inmates in terms of;
(a). Programs offered
(b). Duration of institutionalization

18. What are the in-service training programs you have been put through since your institutionalization?

19. Is there a formal curriculum in place on the rehabilitation of youthful offenders at KYCTC?

20. What would comprise an appropriate training curriculum for youthful male offenders in Kenya?
3. KEY INFORMANT GUIDE FOR PROBATION OFFICERS

My name is Agnes Ayuma Otukho, a student of sociology at the University of Nairobi taking an MA program in Criminology and Social Order. My research is on the evaluation of Youth Correction and Training and Centers in Kenya; a case study of the Kamiti Youth Correction and Training Center. This is in partial fulfillment of the requirements of MASTERS DEGREE.

The objective of this study will be to establish the components of the Short sharp shock sentences (4s). To evaluate how the rehabilitation program at Kamiti Youth Training and correction Centre determines and addresses the criminogenic factors of the youthful offenders. To evaluate the constraints of the rehabilitation program at Kamiti Youth Training and correction Centre.

You have been identified as one of the respondent group in this study. Information provided will be treated with utmost confidentiality and will solely be used for academic work. For any query or clarifications please feel free to contact me on 0722 373 737. The study intends to interview KYCTC wardens as Key Informants, KYCTC inmates and probation officers who are committing officers.

1. How long have you been with the Probation Services?
   0-5 years
   6-10 years
   11-20 years
   20. Years and above.

2. Are you aware of the Kamiti Youth Correction and Training Centre?
   Yes [ ] No [ ]

   If yes what knowledge do you have of the institution? .................................

3. (a). How often do you consider committing boys to the KYCTC?
   (a) Frequently
   (b) Rarely
   (c) Never
(b). Please give reasons for your answer

................................................................................................................................................

4. (a). The KYCTC was established to cater for first time offenders. Do you strictly adhere to this principle when committing an offender to the institution?
   a. Yes [ ]
   b. No [ ]

(b). If not please give reason for this ........................................................................................................

5. What is your understanding of the KYCTC mode of rehabilitation of the Short Sharp Shock Sentence (4S) ...............................................................

6. What is your view of this mode of rehabilitation in relation to the law on offender rehabilitation and administration of Human Rights?
........................................................................................................................................

7. Which other factors do you consider when committing a youthful offender to institutionalized rehabilitation?
........................................................................................................................................

8. Which type of offences would you think are most suitable for rehabilitation at the institution? ........................................................................................................

9. (a). Do you put into consideration an offender’s background when making a decision to commit at the institution? Yes [ ] No [ ]
   (b). Please explain your answer ........................................................................................................

10. When committing a youthful offender what trainings do you anticipate the offender to acquire
   a. ..........................
   b. ..........................
11. (a) How effective do you consider the rehabilitation given to the youths at the institution?

(a) Very effective
(b) Effective
(c) Inadequate
(d) No rehabilitation

(b) Please give reasons for your answer. .................................................................

12. During your professional service as a probation officer do you believe that the mandatory four months incarceration of the youthful offenders at the KYCTC meets the objective of deterring crime? .................................................................

13. (a) Do you believe that the inmates committed to the KYCTC obtain skills that can sustain them either in gaining employment or being self-employed after their release from the institution, putting into consideration the four month mandatory sentence? Yes. [ ] No [ ]

(b) Please explain your answer .................................................................

14. (a) Do you perceive the fourth month mandatory sentence for the inmates at the KYCTC as appropriate for effective offender rehabilitation?

a. Yes [ ]
b. No [ ]

(b) Please give reasons for your answer .................................................................

15. What programs would recommend as appropriate in the rehabilitation of the youthful offenders committed at the institution? ........................................................................

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16. What in your opinion can be done to improve the level of rehabilitation offered at the institution in terms of:

(a). Training programs

(b). Training personnel

© Training facilities

17. Do you think that the KYCTC inmates should be placed on aftercare supervision on completion of their sentence? Yes [   ] No [  ]

Please explain your answer

4. Observation Checklist.

Below are some of the items that will be observed during the data collection exercise at the Kamiti Youth Correction and Training Centre.

<table>
<thead>
<tr>
<th>Serial No</th>
<th>Item to be observed</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Adequate training Space</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Sufficient and modern training equipment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Daily curriculum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Training curriculum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Trade tests administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Sufficient demonstration Farms</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>