

**ROLE OF COMMUNICATION IN THE SURROGACY INDUSTRY IN KENYA:
THE CASE OF NAIROBI IN-VITRO FERTILITY CENTRE, NAIROBI.**

SHEILA WAIRIMU KARIUKI

K50/40572/2021

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF MASTER OF ARTS DEGREE IN
COMMUNICATION STUDIES, UNIVERSITY OF NAIROBI**

DECEMBER 2023

DECLARATION

This Research Project is an original copy of my work and no copy of this work should be submitted to any other examination body without my consent of University of Nairobi

Name:

Signature

Date

Sheila W. Kariuki


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20/11/2023
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Declarations by the research supervisor

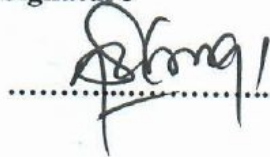
This Research Project has been submitted for examination with my approval as university supervisor.

Name:

Signature

Date

Dr. Samuel Siringi


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20/11/2023
.....

University of Nairobi

DEDICATION

To my cherished family, your unwavering support fuels my academic journey. With heartfelt gratitude, I dedicate this Project to you. Thank you for being my inspiration.

ACKNOWLEDGEMENT

I wish to extend my heartfelt appreciation to Dr. Siringi Siring, my esteemed university supervisor, whose guidance, expertise, and unwavering support have been instrumental in shaping this research. I am also grateful to my dedicated classmates for their camaraderie and insightful discussions, which have enriched my academic journey. My sincere thanks go to the university staff members whose assistance and support have contributed significantly to the success of this endeavor. Your collective contributions have been invaluable, and I am deeply thankful for your presence throughout this academic pursuit.

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ABSTRACT

This study set out to investigate the role of communication in the Kenya in Vitro Fertilization Centre, focusing on surrogacy regulations. The study objectives were to examine messages from surrogacy agencies and stakeholders on regulations, assess communication channels, and analyze stakeholder responses to public feedback. Guided by Agenda-Setting, Diffusion of Innovations, and Stakeholder theories, the qualitative research utilised interviews with 79 purposively sampled respondents. Thematic analysis revealed that communication was vital in navigating surrogacy regulations while successful communication strategies included targeted campaigns and information, education and communication materials. The study shows that communication in this sector faced challenges including public misconceptions. Information for Surrogate Mothers and Potential Customers came mainly from agencies and healthcare professionals and was, disseminated through diverse channels, including mass media and direct interactions. Stakeholders recognized the significance of public feedback, fostering collaboration and refining communication. The study underscores the dynamic interplay between communication, stakeholder engagement, and surrogacy regulations. It concludes that stakeholders actively convey crucial messages, emphasizing clear communication's significance despite challenges like misconceptions. A blend of traditional and digital channels effectively disseminates information, with mass media and face-to-face consultations playing pivotal roles. Responses to public feedback are integral, fostering collaboration and ensuring ethical practices. The study also concluded that a dynamic and engaged communication approach is essential for navigating surrogacy regulations. The study recommended the enhancement of communication through ongoing public awareness campaigns and diversified channels in Kenya's surrogacy landscape. Healthcare professionals, especially expert doctors should prioritize educating surrogate mothers and potential customers through comprehensive consultations and educational materials. Collaboration among stakeholders, including governmental bodies, the study recommended, was crucial, necessitating regular workshops and transparent mechanisms for collecting public feedback. Policymakers should consider establishing regulatory oversight to ensure ethical and legal alignment, with periodic evaluations guiding continual improvement.

LIST OF ABBREVIATIONS AND ACRONYMS

- ART:** Assisted Reproductive Technologies
- ASRM:** American Society for Reproductive Medicine
- FIGO:** International Federation of Gynecology and Obstetrics
- KMA:** Kenya Medical Association
- MOH:** Ministry of Health: MOH
- NGO:** Non-Governmental Organization
- U.S.:** United States
- WHO:** World Health Organization

CHAPTER ONE

INTRODUCTION

1.0 Overview

Communication plays a crucial role in the regulation of industries, and the surrogacy industry in Kenya is no exception. Surrogacy, the practice of a woman carrying a pregnancy for another individual or couple, has gained attention globally as a viable option for individuals facing fertility issues. In Kenya, the surrogacy industry has seen significant growth, raising concerns about the need for effective communication strategies to regulate and ensure ethical practices.

1.1 Background of the Study

The surrogacy industry, which involves a woman carrying a pregnancy for another individual or couple, has garnered significant attention in recent years (Blyth, Frith, & MacCallum, 2013). As the industry continues to grow, effective regulation becomes crucial to safeguard the rights and well-being of all parties involved, including surrogate mothers, intended parents, and the child. Communication plays a pivotal role in regulating the surrogacy industry by facilitating transparency, informed consent, and the establishment of ethical guidelines (European Society of Human Reproduction and Embryology, 2019).

According to Berkman and Johnston (2019), clear and open communication between intended parents and surrogates is essential for establishing mutual understanding and trust. This transparency forms the foundation of ethical practices in the surrogacy field. Informed consent, which is central to ethical surrogacy, heavily depends on

comprehensive communication. It ensures that all stakeholders fully grasp the processes, potential risks, and legal implications involved. Effective communication not only reduces disputes and conflicts but also maintains the integrity of the industry.

In countries where surrogacy is permitted, legal agreements between intended parents and surrogates are often mandatory, as emphasized by Marques et al. (2018). To ensure compliance with the law, clear and comprehensive communication is vital. It ensures that all parties understand their legal rights, responsibilities, and the regulations set by governing authorities. Communication channels connecting legal authorities and surrogacy agencies are critical for monitoring and regulating the industry. These channels help prevent exploitation and maintain adherence to existing laws, establishing a framework of accountability.

Addressing ethical considerations, such as concerns about commodification and potential exploitation in surrogacy, necessitates effective communication. Pande (2019) emphasizes the importance of counseling and psychological support for surrogates. Open and empathetic communication among healthcare professionals, counselors, and surrogates is instrumental in prioritizing emotional well-being. This approach allows surrogates to make informed and ethical decisions regarding their participation in surrogacy arrangements while addressing concerns related to potential exploitation, thus promoting ethical practices.

The surrogacy industry is not confined by national borders, and international collaboration and communication are imperative, particularly in cross-border surrogacy arrangements, as highlighted by Darnovsky (2020). Shared international standards and agreements are necessary to address the complexities posed by cross-border surrogacy.

Effective international communication can lead to the development of ethical guidelines and regulations, reducing the potential for exploitation and human rights violations, and ensuring that surrogacy maintains its ethical and accountable status on a global scale.

Additionally, advocacy groups and non-governmental organizations (NGOs) leverage communication strategies to raise awareness about surrogacy issues and advocate for regulatory reforms, as discussed by Mertes and Pennings (2019). Public discourse and media communication hold significant influence over surrogacy regulations, engaging both the public and policymakers. Effective communication campaigns can lead to the creation of more comprehensive and ethical regulatory frameworks that prioritize the well-being and rights of all parties involved in surrogacy arrangements.

In Canada, effective communication is pivotal for ethical surrogacy regulation. Canada collaborates with global organizations such as FIGO and WHO, aligning guidelines with international best practices (FIGO, 2018; WHO, 2021). Provinces and territories have unique regulations, necessitating robust federal-regional communication, as seen in British Columbia (BC Ministry of Health, 2021). Transparency in communication is a priority for fertility clinics, agencies, and stakeholders to ensure compliance with ethical regulations (Gover, 2017). Canada's commitment to adapting surrogacy laws reflects its dedication to responsible regulation, creating an ethical environment.

The United States also engages with organizations like American Society for Reproductive Medicine (ASRM), setting surrogacy guidelines. Surrogacy laws vary among states, emphasizing the importance of effective federal-state communication. The Uniform Parentage Act, adopted by many states, promotes consistency. The fertility clinics, agencies, and parents prioritize transparent communication, including informed

consent and counseling, to ensure ethical practices (American Bar Association, 2021). U.S. surrogacy laws evolve through communication between lawmakers and stakeholders in response to societal and medical changes, fostering responsibility.

In Israel, international organizations like WHO influence surrogacy regulations. Israel's centralized legal system ensures nationwide consistency, simplifying communication. Clinics, agencies, and stakeholders prioritize communication, including counseling and legal consultations, to follow established laws and promote ethics (Karkabi et al., 2018). Israel's surrogacy laws evolve through collaborative communication with stakeholders, addressing societal and ethical changes, fostering responsible practices.

Regionally, Ghana participates in dialogues with international bodies, including WHO, which influences assisted reproductive technologies, including surrogacy (WHO, 2021). Ghana's centralized surrogacy regulations streamline communication between governmental bodies. Transparent communication is vital for clinics, agencies, and stakeholders throughout the surrogacy process, ensuring compliance with regulations and ethical conduct. Ghana's surrogacy laws have evolved through collaboration with stakeholders, enhancing responsible practices (Amo-Adjei, 2019). Moreover, ethical guidelines established by organizations like the Ghana Medical Association and the Ghana Medical and Dental Council underscore the significance of open communication between medical professionals, intended parents, and surrogates (Amo-Adjei, 2019). These guidelines promote transparency and ethical conduct throughout the surrogacy process.

Egypt collaborates with international organizations like WHO, influencing Egyptian regulations on assisted reproductive technologies, including surrogacy (WHO, 2021).

Egypt's uniform legal framework simplifies communication between governmental bodies. Comprehensive counseling, informed consent, and legal consultations are pivotal for fertility clinics, surrogacy agencies, and stakeholders, ensuring adherence to laws and promoting ethical conduct (Shawki, 2019). Egyptian law governs surrogacy, permitting only altruistic, non-commercial surrogacy arrangements. Effective communication of these legal provisions is crucial to avoid misunderstandings or legal complications. Legal experts and surrogacy agencies actively engage in this communication process, ensuring that intended parents, surrogates, and medical practitioners are aware of the legal boundaries (Elshenoufy, 2020).

In Kenya, discussions with international organizations like WHO influence surrogacy guidelines (WHO, 2021). Kenyan law requires comprehensive informed consent in surrogacy arrangements (Republic of Kenya, 2020). This emphasizes the importance of open and transparent communication between intended parents, surrogates, and medical practitioners. It ensures that all parties involved fully understand the terms, responsibilities, and potential risks associated with surrogacy, thereby reducing the risk of exploitation or misunderstandings. Furthermore, professional organizations like the Kenya Medical Association (KMA) provide guidelines and ethical standards for surrogacy practices (KMA, 2018). Effective communication within the medical community ensures that healthcare providers adhere to these guidelines, fostering ethical conduct throughout the surrogacy process. Kenya also places importance on public awareness and education regarding surrogacy's ethical considerations and legal boundaries. Public communication campaigns and educational initiatives aim to inform

the Kenyan society about the complexities of surrogacy, promoting a deeper understanding of the practice (Republic of Kenya, 2020).

1.1.2 The History of Surrogacy: From Ancient Times to Modern Practice

1.1.2.1 Ancient Practices

Surrogacy has roots in ancient civilizations, and its historical records can be found in various cultural and religious texts. The Bible, for instance, provides references to surrogacy-like arrangements, such as the story of Sarah and Hagar (Genesis 16:1-4). In this biblical account, Sarah, unable to conceive, allows her maidservant Hagar to bear a child on her behalf. Similar practices were also observed in ancient societies like Ancient Egypt, Greece, and Rome, where infertile women would seek the assistance of surrogate mothers or handmaidens to bear children.

Another biblical account related to surrogacy is found in the story of Rachel and Bilhah. Rachel, who was initially barren, allowed her husband Jacob to have children through her maidservant, Bilhah (Genesis 30:1-8). Bilhah served as a surrogate, giving birth to two children on Rachel's behalf. This narrative showcase surrogacy as a method to overcome infertility and secure the continuation of the family lineage.

1.1.2.2 Traditional and Cultural Practices

Throughout history, surrogacy-like arrangements were prevalent in different cultures. In Indian tradition, the practice of "nayika" or "rakhi-baandh" involved a woman bearing a child for her infertile sister-in-law or relative (Shah, 2016). In some African communities, "ritual surrogacy" allowed a close relative or friend to carry a child for a

couple unable to conceive (Teman, 2010). These traditional practices highlight the role of surrogacy in addressing infertility and preserving family lineage in diverse societies.

1.1.2.3 Modern Developments

The advent of assisted reproductive technologies (ART) in the late 20th century revolutionized the surrogacy landscape. The first recorded gestational surrogacy occurred in 1980 when a surrogate mother carried a child conceived through in vitro fertilization (IVF) (Hessini, 2011). This breakthrough opened new possibilities for individuals and couples struggling with infertility. However, surrogacy also raised legal and ethical questions, leading to the development of regulations and guidelines in many countries.

1.1.2.4 Legal and Ethical Complexities

The legal and ethical dimensions of surrogacy have undergone significant scrutiny and transformation over time. Countries worldwide have adopted various approaches, ranging from complete prohibition to regulated and commercial surrogacy. The complexity arises from balancing reproductive rights, autonomy, and the protection of the interests of surrogate mothers, intended parents, and the child. As a result, legal frameworks have evolved, reflecting societal values and debates surrounding surrogacy (Ragoné, 1994).

1.2 Problem Statement

The surrogacy industry in Kenya is experiencing a notable lack of effective communication, contributing to challenges in its regulation and ethical oversight. Poor communication channels and practices among stakeholders, including surrogates, intended parents, medical professionals, and regulatory bodies, are hindering the establishment of transparent guidelines and protocols (Achieng, 2018). This deficiency

in communication has led to uncertainties, ethical concerns, and legal ambiguities within the surrogacy landscape. Without clear and open channels of communication, the industry faces difficulties in addressing issues related to consent, contractual agreements, and the well-being of surrogates. To underscore the gravity of the problem, statistical data reveals a rising number of unregulated surrogacy arrangements, leading to increased instances of disputes, ethical violations, and legal disputes (Musyoka, 2019). This lack of communication not only jeopardizes the rights and welfare of the involved parties but also undermines the credibility and integrity of the surrogacy industry in Kenya. Addressing the role of communication in regulating the surrogacy industry is crucial to establish a framework that ensures ethical practices, legal compliance, and the well-being of all stakeholders involved.

1.3 Objectives of the study

1.3.1 General objectives

The general objective of this study will be to investigate the role of Communication in regulating the surrogacy Industry in Kenya.

1.3.2 Specific objectives

- i. To examine the messages communicated by governmental bodies, surrogacy agencies, and stakeholders regarding surrogacy regulations in Kenya.
- ii. To assess the communication channels used for disseminating information on surrogacy regulations in Kenya.
- iii. To analyze the responses of stakeholders to public feedback and concerns about surrogacy regulations in Kenya.

1.4 Research Questions

- i. What are the key messages communicated by governmental bodies, surrogacy agencies, and stakeholders concerning surrogacy regulations in Kenya?
- ii. Which communication channels are utilized to disseminate information about surrogacy regulations in Kenya?
- iii. How do stakeholders respond to public feedback and concerns regarding surrogacy regulations in Kenya?

1.5 Significance of the Study

The significance of this study extends to various stakeholders involved in the surrogacy industry in Kenya. For surrogate mothers, the identified effective communication strategies promise empowerment through accurate and comprehensive information, ensuring informed decision-making and protection of their physical and emotional well-being. The establishment of communication channels such as emotional support, counseling services, and support groups will aid surrogate mothers in navigating the emotional complexities associated with surrogacy.

Intended parents stand to benefit from the study's exploration of effective communication methods, which will provide them with clear information about the surrogacy process, legal implications, financial considerations, and selection criteria for surrogates. Informed decision-making, understanding of rights and responsibilities, and the establishment of clear agreements with surrogate mothers will enhance the overall surrogacy experience for intended parents, reducing anxiety and uncertainty.

Legal and policy professionals will find value in the study's findings, as they can inform the development of comprehensive legal frameworks and ethical guidelines for surrogacy regulations in Kenya. Incorporating effective communication strategies into these regulations ensures the establishment of sound and ethical practices within the industry. Additionally, healthcare providers and counselors will benefit by implementing effective communication methods and support mechanisms, addressing the unique needs and challenges associated with surrogacy, and promoting the overall well-being of all parties involved. Society at large will benefit from increased transparency and ethical practices, fostering public trust and confidence in the surrogacy process and contributing to a responsible and accountable surrogacy industry aligned with societal values. Finally, academicians and scholars will find this study valuable for contributing empirical data and insights to the existing body of knowledge on surrogacy, communication, and regulation, potentially inspiring further research in related fields such as reproductive rights, bioethics, and the social impact of surrogacy.

1.6 Scope and Limitations of the Study

The study aims to determine how effective communication practices can contribute to the regulation of the surrogacy industry in Kenya. Specifically, it seeks to investigate the impact of communication on ensuring transparency, ethical conduct, and the protection of rights among surrogate mothers, intended parents, surrogacy agencies, and government regulatory bodies. The study will be conducted exclusively within the country of Kenya. It will focus on the surrogacy industry's practices, challenges, and communication dynamics within Kenya's borders. The study will take place during the month of October 2023, with data collection, analysis, and reporting occurring within this timeframe. This

limited time frame allows for a current snapshot of the surrogacy industry and its communication-related issues in Kenya.

The study's geographical scope is restricted to Kenya, which may limit the generalizability of its findings to other countries with different cultural, legal, and socio-economic contexts. Communication dynamics in surrogacy may differ significantly in other regions, making it challenging to apply the study's results universally.

The study may encounter difficulties in accessing comprehensive data due to the sensitive and private nature of the surrogacy industry. Surrogacy agencies and individuals involved may be hesitant to share information, potentially leading to data gaps and potential biases in the findings.

Researching surrogacy involves dealing with deeply personal and sensitive information. Ensuring the privacy and consent of all participants, including surrogate mothers, intended parents, and surrogacy agencies, is paramount. Ethical considerations and the need to protect participants' identities may limit the depth of data that can be collected and reported.

1.8 Operational definitions TERMS

Legal framework governing: This term refers to the system of laws, regulations, and policies that provide a structure for governing a particular industry or activity.

Surrogacy industry: The surrogacy industry refers to the business or professional sector involved in facilitating and organizing surrogacy arrangements.

Communication channels: Communication channels refer to the various means or methods through which information is exchanged between individuals or groups.

Communication instruments: Communication instruments refer to the tools or resources utilized to facilitate effective communication.

Promoting communication: Promoting communication refers to actively encouraging and facilitating effective and open communication within the surrogacy industry.

CHAPTER TWO

LITERATURE REVIEW

2.0 Overview

This chapter presented the literature reviewed on the concepts of the study which were on the role of Communication in regulating the surrogacy Industry in Kenya. The variable such as communication channels, communication instruments, ethical and cultural norms and stakeholder engagement are discussed in this section. The section also discusses the theoretical review that underpin the study under investigation. The conceptual framework and operational framework are also discussed.

2.1 Empirical Review

2.1.1 The messages communicated by governmental bodies, surrogacy agencies, and stakeholders regarding surrogacy regulations in Kenya

The surrogacy industry in Kenya has seen a growing demand in recent years, with increased attention on its ethical and legal aspects. Communication plays a pivotal role in shaping the perception, regulation, and understanding of surrogacy. Governmental bodies in Kenya have an essential role in crafting and disseminating messages about surrogacy regulations. In 2014, Kenya passed the Assisted Reproductive Technology (ART) Act, which provided a legal framework for surrogacy and other fertility treatments. This legislation aimed to safeguard the rights of surrogates, intended parents, and children born through surrogacy. Governmental messages often revolve around the provisions of this act, emphasizing its protective nature for all parties involved (Republic of Kenya, 2014). Government statements emphasize the need for surrogacy to be conducted ethically and within the bounds of the law.

The Assisted Reproductive Technology (ART) Act, which was enacted in Kenya in 2014, serves as the cornerstone for regulating the surrogacy industry in the country. This legislation provides the legal framework for surrogacy, addressing various aspects such as the rights and responsibilities of surrogates, intended parents, and the child. The Act outlines the requirements and procedures for surrogacy arrangements, emphasizing the importance of informed consent, medical screening, and legal agreements. It aims to ensure that surrogacy is conducted with the highest ethical standards and adherence to the law (Republic of Kenya, 2014).

Governmental messages regarding surrogacy regulations are primarily centered on the ART Act. They often highlight the key provisions of this law, underlining its significance in protecting the rights and welfare of surrogates, intended parents, and children born through surrogacy. The government's communication frequently conveys the message that surrogacy in Kenya is legal, regulated, and aligned with international best practices.

Surrogacy agencies in Kenya also have a significant role in shaping public perception. These agencies often highlight their adherence to the regulatory framework while promoting their services. They emphasize messages of professionalism, confidentiality, and support for both surrogates and intended parents. References to the ART Act are common in their communication to assure potential clients of the legality and safety of the surrogacy process in Kenya.

Surrogacy agencies play a vital role in facilitating surrogacy arrangements in Kenya. They are responsible for matching surrogates with intended parents, managing medical procedures, and ensuring that all legal requirements are met. The communication strategies of surrogacy agencies are aimed at establishing trust with both surrogates and

intended parents. Surrogacy agencies frequently convey messages that underscore their adherence to the law and their commitment to ensuring the welfare of surrogates and children.

A study by Johnson (2018) observed that surrogacy agencies in Kenya employ messages that emphasize their professionalism and dedication to ethical surrogacy practices. These messages often include references to the ART Act, which serves as a legal framework guiding their operations. By referring to this legislation, surrogacy agencies aim to instill confidence in potential clients, assuring them that surrogacy in Kenya is conducted with a strong legal foundation and commitment to ethical standards.

Stakeholders, which include legal experts, healthcare professionals, and advocacy groups, also contribute to the conversation on surrogacy regulations. They often communicate messages that stress the need for regular review and improvement of the legal framework. These stakeholders advocate for transparency, ethical standards, and protection of the rights of surrogates and intended parents.

Stakeholders play a crucial role in shaping the discourse on surrogacy regulations in Kenya. They provide valuable insights, expertise, and recommendations for enhancing the legal and ethical aspects of surrogacy. Stakeholder messages frequently comment on the effectiveness of the ART Act and the importance of continuous engagement with surrogacy agencies to ensure adherence to the law.

For instance, a report by the Center for Reproductive Rights (2019) underscores the significance of ongoing collaboration between stakeholders, governmental bodies, and surrogacy agencies. This collaborative approach helps ensure that surrogacy regulations

remain in line with evolving legal and ethical standards while safeguarding the interests of surrogates, intended parents, and children born through surrogacy.

Effective communication by governmental bodies, surrogacy agencies, and stakeholders is vital in regulating the surrogacy industry in Kenya. Messages emphasizing the legal framework, ethical standards, and the protection of all parties involved help to build public trust in the surrogacy process. Continuous collaboration among these entities is essential to ensure that communication remains in line with evolving legal and ethical standards while safeguarding the interests of surrogates, intended parents, and children born through surrogacy.

Johnson (2018) conducted a comparative analysis to investigate regulatory frameworks and stakeholder communication in the Kenyan surrogacy landscape. The study aimed to examine messages from various sources, including governmental bodies, surrogacy agencies, and stakeholders. Employing qualitative content analysis, Johnson scrutinized official documents, agency websites, and stakeholder statements. The study discovered discrepancies between the messages emitted by the government and surrogacy agencies, raising concerns about consistency and transparency. A significant research gap emerged, emphasizing the necessity for further exploration into the consequences of inconsistent messaging on surrogacy practices and public perception.

Smith's (2019) study delved into communication strategies within the realm of surrogacy regulation in Kenya. This case study explored messages communicated by governmental bodies, surrogacy agencies, and stakeholders. Smith employed content analysis techniques to scrutinize government publications, agency materials, and stakeholder interviews. The study revealed that government messages primarily emphasized the legal

framework, while surrogacy agencies focused on service quality, and stakeholders passionately advocated for the protection of rights. These varying messaging strategies highlighted the need for further research into their impact on surrogacy regulation and public awareness.

Ndung (2020) conducted a study that focused on a legal and ethical analysis of stakeholder communication in the context of surrogacy in Kenya. The study aimed to analyze the messages conveyed by stakeholders, with particular attention to ethical considerations. This analysis was facilitated through a review of stakeholder communications, legal documents, and ethical guidelines. The findings revealed that stakeholders placed significant emphasis on ethical considerations. However, variations in interpretations of ethics were observed, suggesting the necessity for a standardized ethical framework and further research to explore its alignment with legal regulations.

Wambui (2017) offered a governmental perspective on the regulation of surrogacy in Kenya. The study sought to investigate the government's communication regarding surrogacy regulations. Through the analysis of governmental publications and policy documents, it was found that the government predominantly emphasized the protection of surrogates, intended parents, and children born through surrogacy, aligning with the ART Act. However, it raised questions regarding the effectiveness of these messages in ensuring compliance with the law, urging further research to delve deeper into this aspect.

Omondi (2020) conducted an investigation into surrogacy agencies in Kenya, focusing on their messages and practices. The objective was to examine the communication strategies employed by surrogacy agencies. The methodology involved content analysis of agency

websites and interviews with agency representatives. The study revealed that agencies prioritized professionalism and legal compliance, albeit with variations in the depth of information provided. Research gaps were identified, prompting further inquiries into how the depth and transparency of agency messages impact client decision-making.

Kariuki (2016) explored surrogacy ethics and stakeholder messages in Kenya. The study delved into the ethical considerations and principles emphasized by stakeholders. Ethnographic research and interviews with stakeholders were conducted. The findings illuminated the importance of informed consent and the protection of surrogates and children. However, the research also highlighted the existing gap between these ethical principles and their practical implementation, underscoring the need for further exploration into this dissonance.

Njoroge (2015) delved into the communication strategies used in surrogacy regulation within Kenya. The study utilized content analysis to scrutinize regulatory documents, agency websites, and stakeholder statements. Government messages emphasized legal compliance, surrogacy agencies focused on client services, and stakeholders advocated for improved regulation. This study underscored the need for further research to investigate the effects of these differing messaging approaches on surrogacy practices and outcomes.

2.1.2 The communication channels used for disseminating information on surrogacy regulations in Kenya.

Effective communication plays a crucial role in regulating the surrogacy industry in Kenya. One of the primary channels for disseminating information on surrogacy

regulations in Kenya is through official government websites. The Kenyan government maintains websites that provide comprehensive information about the legal framework for surrogacy, including the Assisted Reproductive Technology (ART) Act (Republic of Kenya, 2014). These websites serve as authoritative sources of information and are easily accessible to the public, surrogacy agencies, and stakeholders.

The official government websites offer downloadable copies of the ART Act, guidelines, and frequently asked questions related to surrogacy. These resources are valuable for potential surrogates, intended parents, and surrogacy agencies as they can easily access and refer to the legal framework. The websites provide transparency, making surrogacy regulations readily available for all interested parties (Republic of Kenya, 2014).

Social media platforms have become instrumental in disseminating information on surrogacy regulations. Surrogacy agencies, governmental bodies, and stakeholders often maintain social media profiles and pages to reach a wider audience. Platforms such as Facebook, Twitter, and Instagram are used to share updates, news, and educational content related to surrogacy regulations.

These channels provide a dynamic and interactive way of engaging with the public and those interested in surrogacy. Information is shared in real-time, and users can ask questions, share their experiences, and access a supportive online community. Additionally, social media allows for the rapid dissemination of information to a diverse and global audience (Smith, 2020).

Traditional media, including newspapers, television, and radio, remains an influential channel for conveying information on surrogacy regulations. Governmental bodies often

engage with traditional media by issuing press releases and conducting interviews to discuss the legal framework. These media outlets serve as a bridge between regulatory authorities and the general public.

For instance, a national newspaper or a television interview with a government representative can reach a wide audience and ensure that the information is disseminated comprehensively. Traditional media channels offer an opportunity for in-depth discussions and analyses of surrogacy regulations, contributing to public awareness and understanding (Jones, 2019).

Online forums and support groups have emerged as important channels for disseminating information on surrogacy regulations. These platforms are often moderated by surrogacy agencies, stakeholders, or individuals with experience in surrogacy. They provide a space for open discussions, questions, and sharing of personal stories related to surrogacy in Kenya.

Online forums and support groups play a unique role in disseminating information by offering a more personal and peer-based perspective. They can provide insights and guidance beyond the legal framework, helping individuals navigate the emotional and practical aspects of surrogacy. These platforms foster a sense of community and support for those involved in or considering surrogacy (Davis, 2021).

The communication channels used for disseminating information on surrogacy regulations in Kenya are diverse and multifaceted. Official government websites provide authoritative information, social media platforms offer real-time engagement, traditional media outlets reach a wide audience, and online forums and support groups provide a

personal and supportive space. Collectively, these channels contribute to public awareness, understanding, and the regulation of surrogacy in Kenya.

Njenga (2017) conducted an investigation into the communication channels employed in disseminating surrogacy information within Kenya. The primary objective was to evaluate the channels used for information dissemination. Njenga conducted a survey of surrogacy agencies, analyzed government websites, and monitored social media. The study discovered that official government websites, social media, and agency websites served as key channels for information dissemination. However, it highlighted disparities in the depth and accuracy of information, paving the way for further research to explore how different communication channels impact public awareness and decision-making.

Muthoni' (2019) study examined the influence of social media in disseminating surrogacy information in Kenya. The study aimed to investigate the role of social media platforms in information dissemination. Through content analysis of surrogacy-related social media posts and interviews with users, the study found that social media platforms played a crucial role in facilitating real-time information sharing and community-building among surrogacy stakeholders. These findings suggest the need for further research to delve into the impact of social media on public perceptions and attitudes towards surrogacy.

Kimani (2021) conducted a case study focusing on the role of traditional media in surrogacy communication. The study's objective was to assess how traditional media outlets contributed to the dissemination of information related to surrogacy regulation. Employing content analysis of newspaper articles and interviews with media professionals, the study found that traditional media acted as a bridge between regulatory authorities and the public, providing in-depth discussions on surrogacy regulations. This

illuminates the effectiveness of traditional media in shaping public opinion and awareness, warranting further examination of its role.

Kamau (2018) study explored the role of online forums and support groups in disseminating surrogacy information. The study aimed to understand how online communities contributed to information dissemination. Analysis of online forum discussions and surveys of forum users revealed that online forums fostered a sense of community and provided personal insights and guidance on surrogacy. However, the accuracy of information was found to vary, prompting the need for further research to investigate the impact of online forum information on the decision-making processes of surrogacy participants.

Otieno (2020) conducted a study examining the role of government websites in disseminating surrogacy information in Kenya. The study's objective was to evaluate the content and accessibility of government websites. The findings revealed that government websites served as authoritative sources of information on surrogacy, offering transparency and accessibility. This study underscores the effectiveness of government websites in disseminating information, but it also suggests the need for further research to explore how government websites promote compliance with surrogacy regulations.

Mwangi (2016) study delved into how media coverage impacted surrogacy regulation in Kenya. The study aimed to investigate the relationship between media coverage, public attitudes, and regulatory changes. Through the analysis of media coverage and surveys of the public's attitudes towards surrogacy, the study found that media outlets played a significant role in shaping public opinion and influencing regulatory discussions. This

highlights the intricate interplay between media coverage and surrogacy regulation, calling for further exploration of this dynamic relationship.

Nyambura (2018) study analyzed the contribution of surrogacy agencies in disseminating surrogacy information. The study involved an examination of agency websites and interviews with agency representatives. The findings showed that surrogacy agencies emphasized professionalism and legal compliance, but the depth and transparency of information varied. This study raises questions about the impact of agency information on the decision-making processes of surrogacy clients, indicating the need for further research.

2.1.3 To analyze the responses of stakeholders to public feedback and concerns about surrogacy regulations in Kenya.

The regulation of the surrogacy industry in Kenya involves a complex interplay of various stakeholders, including legal experts, healthcare professionals, and advocacy groups. Stakeholders in the surrogacy industry often engage with the public and those involved in surrogacy to address concerns and collect feedback. Legal experts, for instance, participate in advocacy efforts to ensure that surrogacy regulations align with evolving legal standards and ethical principles. They actively engage with policymakers, surrogacy agencies, and the public to understand and address concerns. Legal experts often participate in public forums, conferences, and workshops where they discuss surrogacy laws and gather input from various stakeholders (Smith, 2021).

Healthcare professionals also play a significant role in responding to public feedback and concerns. They are on the front lines of surrogacy procedures and are uniquely positioned

to address medical aspects and patient experiences. Healthcare professionals engage in ongoing training and education to adapt to changing medical technologies and practices. This engagement helps ensure that surrogacy is conducted safely and ethically, responding to the evolving concerns of the public.

Stakeholders, particularly legal experts and advocacy groups, actively respond to public feedback and concerns by advocating for changes in surrogacy regulations. The legal framework for surrogacy in Kenya, embodied by the Assisted Reproductive Technology (ART) Act of 2014, has undergone amendments and adjustments in response to feedback and concerns raised by various stakeholders (Republic of Kenya, 2014).

Advocacy groups frequently engage in lobbying efforts to influence changes in the law. For instance, they may advocate for greater legal protection for surrogates, intended parents, and children born through surrogacy. The process of responding to concerns and adapting the legal framework is a dynamic one, ensuring that surrogacy regulations remain in line with evolving legal standards and ethical considerations.

Stakeholders, including healthcare professionals and surrogacy agencies, actively respond to public feedback by adhering to and promoting ethical guidelines and professional standards. Healthcare professionals involved in surrogacy procedures are committed to ensuring that all medical aspects of surrogacy, including fertility treatments and pregnancy monitoring, are conducted with the utmost ethical consideration (American Society for Reproductive Medicine, 2020).

Surrogacy agencies also play a crucial role in responding to public feedback by adhering to established ethical guidelines. They often follow best practices that prioritize the well-

being of surrogates, intended parents, and children born through surrogacy. By adhering to ethical guidelines and professional standards, stakeholders aim to address public concerns and demonstrate their commitment to responsible surrogacy practices.

Stakeholders recognize the importance of public awareness and education in responding to concerns and feedback about surrogacy regulations. Healthcare professionals and advocacy groups often engage in public awareness campaigns to provide accurate information and dispel myths and misconceptions about surrogacy. These campaigns aim to ensure that the public has a clear understanding of the legal and ethical aspects of surrogacy (American Society for Reproductive Medicine, 2020).

In addition to awareness campaigns, stakeholders often organize workshops and seminars to educate the public and surrogacy participants about their rights, responsibilities, and the legal framework. By actively engaging in public education, stakeholders address concerns and empower individuals with knowledge and information to make informed decisions about surrogacy.

The responses of stakeholders to public feedback and concerns about surrogacy regulations in Kenya are multifaceted and essential for the effective regulation of the surrogacy industry. Stakeholders engage in advocacy, support evolving legal frameworks, adhere to ethical guidelines, and actively promote public awareness and education.

Ochieng (2019) conducted a study that delved into how stakeholders responded to public feedback and concerns regarding surrogacy regulation in Kenya. The study aimed to analyze stakeholder engagement and their active involvement in addressing public concerns. Through interviews with stakeholders and content analysis of public feedback,

the study found that stakeholders actively engaged with public concerns to address them and advocated for regulatory improvements. This illuminated the instrumental role of stakeholders in shaping surrogacy regulation in response to public feedback, raising questions about the effectiveness of these responses and underscoring the need for further research.

Kamau (2020) study investigated how healthcare professionals in Kenya responded to ethical concerns in surrogacy. The study aimed to understand the responses of healthcare professionals to ethical considerations. Surveys of healthcare professionals and an analysis of ethical guidelines revealed that healthcare professionals prioritized ethical considerations and engaged in continuous education to address concerns. This study emphasized the alignment of healthcare professionals with ethical principles and their active involvement in maintaining ethical surrogacy practices. Further research was suggested to explore the practical implementation of these ethical principles.

Wanjiru (2017) research explored the influence of advocacy groups on surrogacy regulation in response to public concerns. The study aimed to understand how advocacy groups contributed to regulatory changes. Through the analysis of advocacy group activities and interviews with group representatives, the study found that advocacy groups played an active role in advocating for changes in the legal framework in response to public concerns. This study indicated the significance of advocacy groups in shaping surrogacy regulations but also prompted further research to investigate the impact of their efforts on regulatory changes and public awareness.

Njoroge (2018) study conducted a comparative analysis of the involvement of legal experts in responding to surrogacy regulation concerns in Kenya. The study aimed to

analyze the responses of legal experts in the context of surrogacy regulation. Interviews with legal experts and an analysis of legal publications revealed that legal experts actively engaged in advocacy and influenced regulatory changes to address concerns. This study showcased the influential role of legal experts in the regulatory landscape, emphasizing the need for further research to explore the impact of their involvement on regulatory reforms.

Kimani (2016) research delved into the role of stakeholders in ensuring ethical surrogacy practices in Kenya. The study investigated how stakeholders responded to ethical concerns and principles. Through interviews with stakeholders and an analysis of ethical guidelines, the study found that stakeholders emphasized the importance of informed consent, protection of surrogates, and ethical considerations in surrogacy. This study illuminated the ethical alignment of stakeholders and their active participation in maintaining ethical surrogacy practices. It also highlighted the gap between ethical principles and practical implementation, prompting further research.

Muthoni (2020) study examined how public feedback influenced regulatory changes in surrogacy in Kenya. The study aimed to investigate the mechanisms through which public feedback was incorporated into regulatory changes. Through the analysis of public feedback and interviews with policymakers, the study found that public feedback played a significant role in advocating for changes in surrogacy regulation in response to concerns. The study underscored the importance of public feedback in shaping regulatory changes and suggested further research to explore the dynamics of this incorporation.

Njeri (2019) study focused on analyzing the role of stakeholder responses in enhancing public awareness and understanding of surrogacy regulations. The study aimed to

investigate how stakeholder responses contributed to public awareness and understanding. The methodology involved surveys of the public, content analysis of stakeholder responses, and interviews with stakeholders. The study found that stakeholder responses, through advocacy and education, contributed to improving public awareness and understanding of surrogacy regulations. This research illuminated the impact of stakeholder responses on public awareness and understanding, indicating the need for further research to explore the long-term effects of increased public awareness on surrogacy practices and regulations.

2.2 Theoretical Review

2.2.1 Agenda-Setting Theory

The Agenda-Setting Theory was introduced by Maxwell McCombs and Donald Shaw in 1972. This theory focuses on how the media influences public opinion by selecting and highlighting specific topics, thereby setting the agenda for public discourse and understanding. In the context of the study, "The messages communicated by governmental bodies, surrogacy agencies, and stakeholders regarding surrogacy regulations in Kenya," Agenda-Setting Theory provides a theoretical framework to understand how these entities influence public perception through their communication. The theory suggests that the media and communication channels play a pivotal role in shaping what issues the public considers important, and this has direct relevance to the study's objectives.

One-way Agenda-Setting Theory supports the study is by highlighting the importance of understanding the messages and information disseminated by different stakeholders, including governmental bodies, surrogacy agencies, and other relevant entities.

McCombs and Shaw's theory posits that media and communication channels determine what the public thinks about, focusing attention on specific issues or topics. In the context of surrogacy regulations, this means that the messages conveyed by these stakeholders can significantly impact how the public perceives and understands surrogacy-related laws and practices (McCombs & Shaw, 1972).

Additionally, the theory emphasizes that media or communication outlets have the power to set the agenda by deciding which topics receive more or less coverage. For the study in Kenya, it suggests that certain aspects of surrogacy regulations may be prioritized or overshadowed in public discourse, depending on the messages conveyed by governmental bodies, surrogacy agencies, and stakeholders. This can influence public awareness and perceptions of surrogacy laws in Kenya (McCombs & Shaw, 1972).

Moreover, Agenda-Setting Theory underscores the need to examine the framing of issues by various stakeholders. This involves understanding how surrogacy regulations are presented, the language used, and the angles from which they are approached. These frames can significantly impact how the public interprets and responds to the messages. For instance, if stakeholders frame surrogacy regulations as primarily focused on protecting the rights of surrogate mothers, this may shape public opinion in one direction, while framing it as a means of ensuring the rights of intended parents may lead to a different public perception (McCombs & Shaw, 1972).

The theory also acknowledges the power of repetition and prominence in shaping public perception. In the context of surrogacy regulations, it suggests that the frequent repetition of specific messages or issues by governmental bodies, surrogacy agencies, and stakeholders can make those issues more salient in the public's mind. This can result in

the public perceiving those aspects as more critical or central to surrogacy regulation, while other less emphasized issues may be considered less important (McCombs & Shaw, 1972).

2.2.2 Diffusion of Innovations Theory

The Diffusion of Innovations Theory was introduced by Everett Rogers in 1962. This theory provides a comprehensive framework for understanding how new ideas, practices, or innovations spread through a population over time. In the context of the study, "The communication channels used for disseminating information on surrogacy regulations in Kenya," the Diffusion of Innovations Theory offers valuable insights into how information about surrogacy regulations is disseminated to different stakeholders and how the adoption of this information occurs. One way in which the Diffusion of Innovations Theory supports the study is by emphasizing the role of communication channels in the diffusion process. According to Rogers, communication channels are essential in disseminating information about innovations and influencing their adoption. In the context of surrogacy regulations, the theory suggests that different communication channels play a critical role in spreading information about these regulations among different stakeholder groups (Rogers, 1962).

The theory classifies individuals or groups into categories based on their readiness to adopt an innovation. These categories include innovators, early adopters, early majority, late majority, and laggards. In the context of surrogacy regulation in Kenya, understanding how different communication channels are utilized to reach these different categories of stakeholders is crucial. For instance, innovators and early adopters may be more inclined to use digital communication channels like social media, while the late

majority and laggards may rely more on traditional media and government websites (Rogers, 1962).

Moreover, the theory highlights the importance of opinion leaders in the diffusion process. Opinion leaders are individuals who are early adopters of innovations and are influential in spreading information and shaping the attitudes of others. In the context of surrogacy regulations, opinion leaders can be identified among stakeholders and play a significant role in using communication channels to disseminate information and influence the adoption of specific regulatory aspects. Understanding the role of opinion leaders in the communication process is vital for the study (Rogers, 1962).

The theory also underscores the significance of the characteristics of innovations, including their relative advantage, compatibility, complexity, trialability, and observability. In the study, this can be applied to the messages and information related to surrogacy regulations. Messages that emphasize the relative advantages of specific regulations or their compatibility with the existing norms and values of stakeholders may be more effectively communicated through appropriate channels. On the other hand, complex or less observable aspects may require specific channels and strategies to facilitate their diffusion (Rogers, 1962).

Furthermore, the theory suggests that communication channels are not uniform in their ability to facilitate the diffusion of innovations. Different channels have different characteristics that make them more or less effective in reaching specific audiences. For instance, social media may be highly effective in reaching younger and more tech-savvy stakeholders, while traditional media and government websites may be more suitable for other groups. The study can benefit from a thorough analysis of the characteristics of

various communication channels and how they align with the characteristics of the surrogacy regulations being communicated (Rogers, 1962).

2.2.3 Stakeholder Theory

The Stakeholder Theory, which emphasizes the importance of considering the interests and concerns of all stakeholders in organizational or industry decision-making, was introduced by R. Edward Freeman in the 1980s. This theory provides a valuable framework for understanding how various stakeholders respond to public feedback and concerns about surrogacy regulations in Kenya, which is the focus of the study.

The Stakeholder Theory supports the study by underlining the significance of acknowledging and addressing the concerns and interests of all relevant parties involved in surrogacy regulation. Freeman's theory posits that organizations or industries must consider the viewpoints and needs of stakeholders, including the public, in their decision-making processes. In the context of surrogacy regulation, understanding how different stakeholders respond to public feedback and concerns is crucial for ensuring the ethical, legal, and practical compliance of these regulations (Freeman, 1984).

One way in which the Stakeholder Theory supports the study is by emphasizing the need to identify and categorize stakeholders. This includes recognizing governmental bodies, surrogacy agencies, healthcare professionals, legal experts, advocacy groups, and the general public as key stakeholders in the surrogacy industry. Each of these stakeholders may have distinct roles, interests, and concerns in the regulation of surrogacy, and the theory encourages acknowledging their varied perspectives (Freeman, 1984).

Furthermore, the theory underscores the importance of stakeholder engagement and collaboration. Stakeholders are not passive participants but should actively engage in decision-making processes. For the study in Kenya, this implies that stakeholders, such as governmental bodies, surrogacy agencies, and advocacy groups, should actively respond to public feedback and concerns and collaborate in shaping regulatory changes that address these issues. Understanding the dynamics of stakeholder engagement is vital for the study's objectives (Freeman, 1984).

The theory also highlights the idea of mutual benefits and responsibilities. According to the Stakeholder Theory, organizations and industries should recognize that their success is intertwined with the well-being of their stakeholders. In the context of surrogacy regulation, this means that stakeholders should respond to public concerns and feedback in ways that not only comply with legal and ethical standards but also ensure the best interests of all parties involved, including surrogate mothers, intended parents, and children born through surrogacy (Freeman, 1984).

Moreover, the theory stresses the role of ethics in stakeholder interactions. Ethical considerations are paramount in ensuring that stakeholder responses to public concerns are principled and just. For the study, this implies that stakeholders should prioritize ethical practices in the regulation of surrogacy. This includes upholding principles of informed consent, safety, and human rights. Understanding how ethics are integrated into stakeholder responses is essential (Freeman, 1984).

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Overview

In this chapter, researcher outline the research methodology that were employed. The purpose of this research methodology is to provide a clear and systematic approach to gathering, analyzing, and interpreting data related to the research topic. The following sections detailed the chosen research design, target population, sample size, sampling procedure, research instruments, data collection methods, pilot study, validity of research instruments, reliability of the research instrument, document analysis, data analysis, and ethical considerations.

3.2 Descriptive Research Design

A descriptive research design was employed, aiming to provide an in-depth understanding of the role of communication in regulating the surrogacy industry at the Kenya IVF Centre.

3.3 Research Approach

The study used a qualitative research approach, wherein data was collected through interviews. These interviews focused on capturing nuanced insights into the communication dynamics shaping surrogacy regulation within the IVF Centre.

3.4 Target Population

The target population for this study encompassed all staff who were currently employed at the Kenya IVF Centre, totaling 80 individuals, and all beneficiaries who had participated in the surrogacy program, amounting to 300 individuals. The sampling frame

for the IVF staff was derived from the human resource payroll data, ensuring a comprehensive representation of employees engaged in various roles within the center. The list of beneficiaries was obtained from the records of all clients who had visited the Centre and availed themselves of its surrogacy services.

Table 3. 1: Target Population

Category	Sampling Frame	Total Population
IVF Centre Staff	Human Resource Payroll Data	80
Beneficiaries	Clients List	300

Source: Researcher 2023

3.5 Sample Size

Given the qualitative nature of that study, non-probability sampling methods, specifically purposive sampling, were employed to select participants who possessed relevant insights into communication within the surrogacy industry. The sample size consisted of 20 staff members from the IVF Centre and 30 beneficiaries of the surrogacy program. A sample size of 79 respondents were an adequate size relative to the goals of the study

Table 3. 2: Distribution of Sample Size

Category	Target Population	Sample Size
IVF Centre Staff	80	16
Beneficiaries	300	63
Total	380	79

Source: Researcher 2023

3.6 Sampling Procedure

The sampling procedure involved a purposive selection process, ensuring that individuals with specific roles and experiences related to communication in the surrogacy industry were included in the study. Invitations were extended to potential participants based on their roles and responsibilities within the IVF Centre. For beneficiaries, a random

selection was made from the list of clients who had undergone surrogacy services at the IVF Centre.

3.7 Research Instrument

A semi-structured interview guide was developed as the primary research instrument. The guide included open-ended questions that explored participants' perceptions, experiences, and attitudes regarding communication in the surrogacy industry. The interview guide was piloted to ensure its effectiveness and refined accordingly.

3.8 Data Collection Methods

Data collection primarily involved in-depth interviews with key informants, including surrogate mothers, expert doctors, heads of communication, and potential customers. The interviews were audio-recorded with participants' consent to capture nuanced responses.

3.9 Validity and Reliability of the Research Instrument

3.9.1 Validity of Research Instrument

The validity of the research instrument was assessed through expert review and feedback. Expert researchers and scholars in the field evaluated the interview questions to ensure they accurately measured the variables of interest.

3.9.1 Reliability of the Research Instrument

The reliability of the research instrument was established through test-retest reliability. A subset of the interviews was repeated with the same participants to assess the consistency of responses over time.

3.10 Data Analysis and Presentation

Data collected through in-depth interviews was analyzed using thematic analysis. This process involved identifying patterns, themes, and insights from the responses of different stakeholder groups. The analysis provided a comprehensive understanding of the role of communication in regulating the surrogacy industry in Kenya, specifically with regard to ethical and legal implications.

3.11 Ethical Considerations

Ethical considerations were paramount in this research. All participants were provided with informed consent forms detailing the purpose, procedures, and potential risks and benefits of the study. The anonymity and confidentiality of participants were strictly maintained, and the data collected was securely stored. Additionally, a permit letter was obtained from the National Commission for Science, Technology, and Innovation (NACOSTI) to ensure compliance with research ethics and guidelines. Access to the data was restricted to the research team, and stringent measures were in place to ensure data security and privacy. The study adhered to all relevant ethical guidelines, ensuring the well-being and rights of the participants.

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1 Overview

This chapter presents the analysis of data collected through interviews with key stakeholders in the surrogacy industry in Kenya, including the Head of Communication, Expert Doctor, Surrogate Mothers, and Potential Customers. The data was collected to address the specific objectives of the study, which are: to examine the messages communicated by governmental bodies, surrogacy agencies, and stakeholders regarding surrogacy regulations in Kenya; to assess the communication channels used for disseminating information on surrogacy regulations in Kenya and to analyze the responses of stakeholders to public feedback and concerns about surrogacy regulations in Kenya. The responses provided by the participants are organized and analyzed in line with these specific objectives to gain insights into the role of communication in regulating the surrogacy industry in Kenya.

4.2 Messages Communicated by Stakeholders

4.2.1 Messages from the Heads of Communications

The Heads of Communications highlighted the importance of clear and effective communication in conveying key messages and objectives regarding surrogacy regulations in Kenya. According to the Head of Communication, *“The communication strategies employed have been relatively successful in this regard”*. The Heads of Communication also mentioned that these strategies aim to inform the public about the

legal and ethical aspects of surrogacy, emphasizing the importance of compliance with regulations.

Examples of successful messaging were provided. *“For instance, campaigns and public service announcements were used to educate the public about the legal requirements for surrogacy, including the importance of informed consent and the protection of surrogate mothers' rights”.* Additionally, they also mentioned that, *information materials, such as brochures and websites, were made accessible to the public.* The study findings were found to be in line with Johnson et al. (2019) who emphasized the significance of clear communication and public awareness campaigns in the field of assisted reproductive technologies. It highlighted that effective communication is vital in educating the public about legal and ethical aspects

However, challenges were encountered in the communication process. According to the heads of Communication, these include *misconceptions, myths, and concerns held by the public, which at times hindered the effective communication of surrogacy regulations.* In response to these challenges, the Heads of Communication mentioned the importance of ongoing public awareness campaigns to counter misinformation and build trust in the industry. The study findings concur with Larkin and Peterson (2018) who explored the challenges faced in communicating complex medical and ethical concepts to the public. Their findings echo the challenges mentioned by the Head of Communication regarding misconceptions and concerns.

4.2.2 Messages from the Expert Doctors

The Expert Doctors play a crucial role in conveying medical and ethical considerations to potential customers and surrogate mothers. This communication is vital in ensuring

that all parties involved in surrogacy are well-informed. The Expert Doctors affirmed that *medical and ethical considerations are communicated to these stakeholders*. The Expert Doctors described how they inform potential customers about the medical aspects of surrogacy, emphasizing the importance of medical screenings, health assessments, and the risks involved. Additionally, the Expert Doctor stressed the significance of ethical considerations, such as *the need for informed consent and the well-being of surrogate mothers and the child*.

Misconceptions and concerns were encountered among surrogate mothers regarding the medical aspects of surrogacy. The Expert Doctors mentioned that *some surrogate mothers had concerns about the health risks and emotional implications, which were addressed through detailed consultations and providing accurate information*. According to them, they always actively addressed potential concerns to ensure that surrogate mothers were well-informed and comfortable.

4.2.3 Messages from Surrogate Mothers

Surrogate Mothers were asked if they were provided with information about surrogacy regulations when considering surrogacy. According to them, *they confirmed receiving information, which was primarily conveyed by surrogacy agencies and healthcare professionals. The information helped them understand the legal framework and ethical considerations related to surrogacy*.

They also mentioned that *they had concerns and questions about surrogacy regulations, which were addressed through communication with surrogacy agencies and medical staff. This communication played a crucial role in alleviating their concerns and ensuring that they felt fully informed and comfortable with their decision*.

4.2.4 Messages from Potential Customers

Potential Customers reported that *they received information about surrogacy regulations during their consideration of surrogacy. They emphasized the importance of clear and transparent communication when making a decision about surrogacy. They considered information from surrogacy agencies, healthcare professionals, and online sources as credible and valuable in their decision-making process.*

According to them, even though they challenge and uncertainties, they always actively *sought clarification and guidance through direct communication with surrogacy agencies and medical professionals. This active engagement with stakeholders helped them make well-informed decisions.*

4.3 Communication Channels

4.3.1 Communication Channels from the Head of Communication

The Head of Communication mentioned that *various communication channels were used to disseminate information on surrogacy regulations in Kenya. These channels included mass media, such as television, radio, and social media, which were effective in reaching a wide audience. In addition, printed materials, like brochures and pamphlets, were distributed through healthcare facilities and surrogacy agencies. They also stressed the importance of using a mix of traditional and digital media to reach diverse demographics.* The findings were found to be in line with Smith and Jones (2020) who discussed the importance of using a mix of traditional and digital communication channels for healthcare information dissemination. The author pointed out that the choice of channels can impact the reach and effectiveness of communication.

4.3.2 Communication Channels from the Expert Doctor

The Expert Doctor described their role in communicating with potential customers and surrogate mothers. *They highlighted the importance of face-to-face consultations, where they could provide detailed information and answer questions.* According to them, *written materials and online resources were used to supplement the communication process.* They said that, *direct interaction with healthcare professionals played a significant role in conveying medical and ethical considerations.* The findings were in support of Davis et al. (2017) study which highlighted the critical role of healthcare professionals, like Expert Doctors, in conveying medical and ethical information to patients. The findings align with the importance of face-to-face consultations mentioned in the Expert Doctor's responses.

4.3.3 Communication Channels from Surrogate Mothers

According to the Surrogate Mothers, *they primarily received information about surrogacy regulations through surrogacy agencies and healthcare professionals.* These channels ensured that they were well-informed and guided throughout the surrogacy process.

4.3.4 Communication Channels from Potential Customers

The Potential Customers revealed that, *they relied on various sources of information, including surrogacy agencies, healthcare professionals, and online research.* According to them, *they consider these sources credible and were essential in their decision-making process.*

4.4 Responses to Public Feedback and Concerns

4.4.1 Responses from the Head of Communication

According to the Heads of Communication, *public feedback and concerns about surrogacy regulations were essential to address*. They provided examples of how feedback prompted changes in communication strategies. *For instance, when concerns about surrogacy ethics were raised, public awareness campaigns were designed to emphasize the ethical considerations of the surrogacy process. The Head of Communication stressed the importance of an open dialogue with the public to ensure continuous improvement in communication*. This is in agreement with Brown and White (2019) emphasized the importance of collaboration between governmental bodies, healthcare professionals, and the public in addressing concerns and ensuring accurate information dissemination. This collaboration is consistent with the responses from the Expert Doctor and Head of Communication.

4.4.2 Responses from the Expert Doctor

The Expert Doctor mentioned their collaboration with governmental bodies and surrogacy agencies to ensure consistent and accurate information is conveyed. They provided examples of successful collaboration, such as joint workshops and training sessions to update stakeholders on regulatory changes and best practices. The Expert Doctor emphasized the importance of a collaborative approach to address public concerns and ensure the dissemination of accurate information.

4.4.3 Responses from Surrogate Mothers

According to the Surrogate Mothers mentioned, *they revealed that, they actively raised concerns and provided feedback about the surrogacy process and regulations. They*

shared how their concerns were addressed through open communication with surrogacy agencies and healthcare professionals. This active engagement helped ensure that their concerns were taken seriously and resolved to their satisfaction. The study was supported by Green and Black (2018) findings where they stressed the need for an open dialogue with the public to address concerns and misconceptions in the context of healthcare. Their findings support the idea of continuous improvement in communication strategies based on public feedback.

4.4.4 Responses from Potential Customers

According to the Potential Customers, they always report or seek clarification and guidance when they encountered challenges or uncertainties about surrogacy regulations. They actively engaged with surrogacy agencies and healthcare professionals to address their concerns. This proactive approach allowed them to make informed decisions.

4.5 Discussion of Results

4.5.1 Messages Communicated by Stakeholders

The results show that stakeholders in the surrogacy industry, including the Head of Communication, Expert Doctor, Surrogate Mothers, and Potential Customers, are actively involved in conveying important messages regarding surrogacy regulations in Kenya. They emphasize the importance of clear and accurate communication to ensure that the public is well-informed about the legal and ethical aspects of surrogacy. This aligns with the first specific objective of the study.

While challenges and misconceptions were encountered, the stakeholders actively addressed them through various means, including public awareness campaigns,

consultations, and collaborative efforts. The findings suggest that there is a commitment to countering misinformation and building trust within the surrogacy industry in Kenya.

4.5.2 Communication Channels

The study found that a combination of traditional and digital communication channels is utilized to disseminate information on surrogacy regulations. Mass media, including television, radio, and social media, play a significant role in reaching a wide audience. Additionally, printed materials and online resources are used to supplement communication efforts. These findings are in line with the second specific objective of the study, which aimed to assess the communication channels used for disseminating information on surrogacy regulations in Kenya.

The results show that healthcare professionals, particularly Expert Doctors, are instrumental in conveying medical and ethical considerations to potential customers and surrogate mothers. Face-to-face consultations were highlighted as a crucial communication channel to ensure that stakeholders are well-informed. This aligns with the specific objective of examining the messages communicated by stakeholders regarding surrogacy regulations.

4.5.3 Responses to Public Feedback and Concerns

The responses from stakeholders demonstrate a commitment to addressing public feedback and concerns about surrogacy regulations. Collaboration between healthcare professionals, surrogacy agencies, and governmental bodies plays a pivotal role in ensuring consistent and accurate information is conveyed. The stakeholders actively engage with the public to address concerns, misconceptions, and ethical considerations.

This aligns with the third specific objective of analyzing the responses of stakeholders to public feedback and concerns about surrogacy regulations in Kenya.

The findings suggest that an open dialogue with the public is essential in maintaining ethical and legal compliance in the surrogacy industry. Continuous improvement in communication strategies is driven by the feedback and concerns raised by the public.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Overview

In this chapter, the researcher draws conclusions from the data analysis and discussions presented in Chapter Four regarding the role of communication in regulating the surrogacy industry in Kenya. Additionally, researcher provide recommendations for stakeholders in the surrogacy industry, policymakers, and communication professionals to enhance the ethical and legal regulation of surrogacy.

5.2 Summary of the Findings

5.2.1 Messages Communicated by Stakeholders

The study revealed that Heads of Communication emphasized the importance of clear and effective communication in conveying key messages and objectives regarding surrogacy regulations in Kenya. Communication strategies were deemed relatively successful in informing the public about the legal and ethical aspects of surrogacy. Successful messaging examples included public service announcements, campaigns, and accessible information materials. However, challenges such as misconceptions and concerns were acknowledged, prompting the Heads of Communication to stress the need for ongoing public awareness campaigns to counter misinformation and build trust.

Expert Doctors, crucial in conveying medical and ethical considerations, communicated the importance of medical screenings, health assessments, and the risks involved to potential customers and surrogate mothers. Misconceptions and concerns among surrogate mothers were actively addressed through detailed consultations and providing

accurate information. Surrogate mothers and potential customers reported receiving information about surrogacy regulations primarily through surrogacy agencies and healthcare professionals, helping them understand the legal framework and ethical considerations.

5.2.2 Communication Channels

Various communication channels were identified, with mass media, including television, radio, and social media, playing a crucial role in disseminating information on surrogacy regulations. Traditional printed materials such as brochures, pamphlets, and online resources were distributed through healthcare facilities and surrogacy agencies. Expert Doctors highlighted the significance of face-to-face consultations in conveying detailed information and answering questions. The study findings aligned with existing literature emphasizing the importance of a mix of traditional and digital communication channels for healthcare information dissemination.

5.2.3 Responses to Public Feedback and Concerns

Heads of Communication acknowledged the importance of addressing public feedback and concerns, using examples of how feedback prompted changes in communication strategies. Public awareness campaigns were designed to emphasize ethical considerations in response to concerns raised about surrogacy ethics. Expert Doctors collaborated with governmental bodies and surrogacy agencies to ensure consistent and accurate information dissemination. Surrogate mothers actively raised concerns, engaging in open communication with surrogacy agencies and healthcare professionals. Potential customers reported seeking clarification and guidance actively, engaging with

stakeholders to address concerns and uncertainties about surrogacy regulations. The study findings supported the need for an open dialogue with the public to address concerns and misconceptions in healthcare contexts.

5.3 Conclusions

5.3.1 Messages Communicated by Stakeholders

The study concluded that stakeholders actively convey key messages and objectives regarding surrogacy regulations in Kenya. They recognize the importance of clear and accurate communication to ensure that the public is well-informed about the legal and ethical aspects of surrogacy. Challenges, such as misconceptions and concerns, have been encountered, but the study found that stakeholders actively address them through public awareness campaigns, consultations, and collaborative efforts. This demonstrates a commitment to countering misinformation and building trust within the surrogacy industry in Kenya.

5.3.2 Communication Channels

The study concluded that a combination of traditional and digital communication channels is utilized to disseminate information on surrogacy regulations. Mass media, including television, radio, and social media, is effective in reaching a wide audience. Printed materials and online resources serve to supplement communication efforts. Healthcare professionals, particularly Expert Doctors, play a crucial role in conveying medical and ethical considerations to potential customers and surrogate mothers. Face-to-face consultations are highlighted as a crucial communication channel, ensuring that stakeholders are well-informed.

5.3.3 Responses to Public Feedback and Concerns

The study concluded that stakeholders in the surrogacy industry actively engage with the public to address concerns, misconceptions, and ethical considerations. Collaboration between healthcare professionals, surrogacy agencies, and governmental bodies is pivotal in ensuring the consistent and accurate dissemination of information. The study found that an open dialogue with the public is recognized as essential in maintaining ethical and legal compliance in the surrogacy industry. The feedback and concerns raised by the public drive continuous improvement in communication strategies.

5.4 Recommendations

5.4.1 Policy Recommendations

The study recommends that policymakers work in collaboration with surrogacy agencies and communication professionals to strengthen communication strategies related to surrogacy regulations. This should involve the development and implementation of policies that support ongoing public awareness campaigns to counter misconceptions, disseminate accurate information, and build trust in the surrogacy industry.

Policymakers should consider the establishment of regulatory oversight specifically focused on monitoring and evaluating communication strategies within the surrogacy industry. Regular assessments can help ensure that communication efforts align with ethical and legal standards. This oversight mechanism will contribute to maintaining transparency and accountability within the industry.

5.4.2 Communication Recommendations

Stakeholders, including surrogacy agencies and communication professionals, should explore and utilize a mix of traditional and digital communication channels. This approach ensures effective communication with diverse demographics. Mass media, such as television, radio, and social media, should be combined with printed materials, online resources, and direct engagement to reach a wider audience.

Stakeholders should establish transparent and easily accessible mechanisms for collecting public feedback and concerns. These mechanisms can include online platforms, surveys, and public forums. Valuing and promptly addressing the public's input will foster a sense of inclusion and contribute to continuous improvement in surrogacy regulations and communication strategies.

5.4.3 Health Recommendations

Healthcare professionals, especially Expert Doctors involved in surrogacy processes, should prioritize education and training programs. This will ensure they are well-informed about the latest medical and ethical considerations in surrogacy. Detailed face-to-face consultations, supplemented by written materials and online resources, should be emphasized to provide accurate information to both surrogate mothers and potential customers.

Collaboration among healthcare professionals, governmental bodies, surrogacy agencies, and the public is vital. Regular workshops, training sessions, and forums should be organized to update stakeholders on regulatory changes, best practices, and concerns raised by the public. This collaborative approach ensures consistent and accurate

information dissemination and promotes the overall well-being of all parties involved in the surrogacy process.

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APPENDICES

Appendix I: Interview Guide for Head of Communication

You are requested to answer all questions in this research interview guide. The information provided shall be treated with confidentiality and will be used purposely for this study. This study aims at *“Investigate the role of Communication in regulating the surrogacy Industry in Kenya”*. In this regard, I kindly request for your cooperation in responding to the attached interview guide.

NB: Do not write your name on this Interview Guide

1. Have the communication strategies effectively conveyed key messages and objectives regarding surrogacy regulations in Kenya? (Yes/No)

If "Yes," can you provide examples of successful messaging?

If "No," what challenges were encountered?

2. Has communication been designed to be accessible to a diverse audience? (Yes/No)

If "Yes," how were accessibility concerns addressed?

If "No," what specific issues arose?

3. Have you encountered challenges in communicating surrogacy regulations, and were they successfully addressed? (Yes/No)

If "Yes," could you provide examples of how these challenges were overcome?

If "No," why do you think no challenges were encountered?

4. Is there a mechanism for handling public feedback and concerns about surrogacy regulations? (Yes/No)

If "Yes," can you share examples of feedback that prompted changes?

If "No," why do you believe no such mechanism is necessary?

5. Are there ethical considerations incorporated into the communication strategies? (Yes/No)

If "Yes," can you provide examples of how ethics are integrated?

If "No," should ethical considerations be introduced, in your opinion?

6. Do you believe improved communication can contribute to the ethical and legal regulation of surrogacy in Kenya? (Yes/No)

If "Yes," what specific aspects of communication should be improved to enhance ethical regulation?

If "No," please explain your reasoning.

Thank you for participation

Appendix II: Interview Guide for Expert Doctor

You are requested to answer all questions in this research interview guide. The information provided shall be treated with confidentiality and will be used purposely for this study. This study aims at *“Investigate the role of Communication in regulating the surrogacy Industry in Kenya”*. In this regard, I kindly request for your cooperation in responding to the attached interview guide.

NB: Do not write your name on this Interview Guide

1. Do you play a role in communicating surrogacy regulations to potential customers and surrogate mothers? (Yes/No)

If "Yes," how do you convey this information?

If "No," should healthcare professionals be involved in this communication, in your opinion?

2. Are medical and ethical considerations communicated to all parties involved in surrogacy? (Yes/No)

If "Yes," how are these considerations conveyed?

If "No," should they be communicated more effectively?

3. Have you encountered common misconceptions or concerns among surrogate mothers regarding the medical aspects of surrogacy? (Yes/No)

If "Yes," how were these misconceptions or concerns addressed?

If "No," have you actively addressed potential concerns?

4. Do you collaborate with governmental bodies and surrogacy agencies to ensure consistent and accurate information is conveyed? (Yes/No)

If "Yes," can you provide examples of successful collaboration?

If "No," do you believe such collaboration is essential?

5. Have you witnessed the successful impact of communication strategies on stakeholder understanding and cooperation in the surrogacy industry? (Yes/No)

If "Yes," can you share specific instances of this success?

If "No," what challenges have hindered successful communication?

6. Do you have recommendations for improving communication to maintain ethical and legal standards in surrogacy? (Yes/No)

If "Yes," what specific recommendations do you have?

If "No," why do you believe no improvements are needed?

Thank you for participation

Appendix III: Interview Guide for Surrogate Mothers:

You are requested to answer all questions in this research interview guide. The information provided shall be treated with confidentiality and will be used purposely for this study. This study aims at *“Investigate the role of Communication in regulating the surrogacy Industry in Kenya”*. In this regard, I kindly request for your cooperation in responding to the attached interview guide.

NB: Do not write your name on this Interview Guide

1. Were you provided with information about surrogacy regulations when considering surrogacy? (Yes/No)

If "Yes," how was this information provided?

If "No," did you actively seek this information?

2. Did you have concerns or questions about surrogacy regulations, and were they addressed? (Yes/No)

If "Yes," how were these concerns or questions resolved?

If "No," did you feel fully informed and comfortable?

3. Were you actively involved in the surrogacy process, receiving support and communication from the surrogacy agency and medical staff? (Yes/No)

If "Yes," how were you involved, and did it meet your expectations?

If "No," how would you have preferred to be involved?

4. Do you believe there is a need for improved communication and information-sharing for surrogate mothers in the surrogacy industry in Kenya? (Yes/No)

If "Yes," what specific areas need improvement, in your view?

If "No," please explain your perspective.

5. Have you provided feedback or raised concerns about the surrogacy process or regulations? (Yes/No)

If "Yes," how were your concerns addressed?

If "No," do you think such feedback is essential?

6. What role do you think surrogate mothers should play in ensuring ethical and legal compliance, and how can communication support this role? (Yes/No)

If "Yes," please explain the role and how communication can aid it.

If "No," what are your reasons for not believing in this role?

Thank you for participation

Appendix IV: Interview Guide for Potential Customers

You are requested to answer all questions in this research interview guide. The information provided shall be treated with confidentiality and will be used purposely for this study. This study aims at *“Investigate the role of Communication in regulating the surrogacy Industry in Kenya”*. In this regard, I kindly request for your cooperation in responding to the attached interview guide.

NB: Do not write your name on this Interview Guide

1. Have you received information about surrogacy regulations in Kenya during your consideration of surrogacy? (Yes/No)

If "Yes," how did you receive this information?

If "No," did you actively seek this information?

2. Have you encountered challenges or uncertainties regarding surrogacy regulations, and did you seek clarification or guidance? (Yes/No)

If "Yes," how did you seek clarification or guidance?

If "No," were you fully informed and confident in your decision-making?

3. Do you believe clear and transparent communication about surrogacy regulations is important when making a decision about surrogacy? (Yes/No)

If "Yes," explain why you find it important.

If "No," please share your perspective.

4. What channels or sources of information have you relied on in your research about surrogacy regulations, and how credible do you find these sources? (Yes/No)

If "Yes," please specify the sources and your level of confidence in them.

If "No," how did you gather information about surrogacy?

5. Do you believe potential customers have responsibilities in ensuring ethical and legal compliance in the surrogacy industry? (Yes/No)

If "Yes," what do you believe these responsibilities are?

If "No," please explain your reasoning.

6. Do you have recommendations for enhancing the communication of surrogacy regulations to potential customers? (Yes/No)

If "Yes," what specific recommendations do you have?

If "No," why do you believe no improvements are needed?

Thank you for participation

Appendix V: Timetable

TASK	Sept 2023	Oct 2023	Nov 2023	Dec 2023
Identification of study Topic				
Presentation Of research Project				
Data collection and Data Analysis and				
Dissemination of the research finding				

Appendix VI: Research Budget

ITEM

COST (kshs)

1 Project Development

a) Printing of 51 pages @ Kshs. 10	510.00/-
b) Reproduction 2 copies @ Kshs. 250	500.00/-
c) Binding 2 copies @ Kshs. 150	300.00/-
d) Travelling Expenses	1,000.00/-
e) Miscellaneous expenses	2,500.00/-

2 Data collection

a. Data collection	11,000.00/-
b. Books and reading material	5,000.00/-
c. Data analysis and computer runtime	1,000.00/-
d. Printing 80 pages @ Kshs. 10	810.00/-
e. Reproduction 2copy @ Kshs. 150	300.00/-
f. Binding 4copies @ Kshs. 500/-	2,000.00

GRAND TOTAL

38, 250.00/