

**UNIVERSITY OF NAIROBI**

**FACULTY OF ARTS**

**DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK**

**FACTORS INFLUENCING RECIDIVISM OF OFFENDERS: THE CASE  
OF KINGONGO PRISON NYERI COUNTY**

**BY: CAREN AWUOR AWILLY**

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**SUPERVISED BY: PROF.OCTAVIAN N.GAKURU**

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## **DECLARATION**

This project is my original work. It has not been submitted for a degree in this or any other university.

Awilly Caren Awour----- Date-----

**C50/9195/2004**

This project has been submitted for examination with my approval as the university supervisor

Professor Octavian N. Gakuru----- Date-----

**Department of sociology and social work**

**University of Nairobi**

## **DEDICATION**

To the innocents Kenyans who serve in prisons and the young infants who accompany their mothers to prison.

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## **LIST OF ACRONYMS AND ABBREVIATIONS**

**ATD-Awaiting Trial Detainees**

**ICCPR- International Covenant on Civil and Political Rights**

## ABSTRACT

The purpose of this study is to examine factors influencing recidivism of offenders. The case of Kingøngø Prison, Nyeri county. The specific objective of the study were to identify the socio-economic factors influencing re-entry of offenders back into the community to assess the training programmes received by offenders and its influence on re-entry to back to community, to determine how improvement of prison institution influence the re-entry of offenders, to determine how the individuals skills gained in prison influence re-entry of offenders among inmates in Kingøngø prison. The study adopted a survey research design where the target population was 1927 inmates with 1216 from main prison and 93 from the women prison and key informants. The researcher used both probability and non-probability sampling where stratified random sampling was used for the inmates from women and main prison and purposive sampling for the key informants who are the warders. A sample size of 90 was deemed appropriate where 68 were form main and 10 were from the women's prison and 20 key informants were purposively selected. Data was collected from prisoner's records and through interview to the key informants and using self administered questionnaires from the inmates and analyzed using descriptive statistics. The findings of the study were as follows: most respondents were youth who did not go beyond primary level education and the common crimes committed by the inmates were robbery, drug trafficking and defilement. This convicts felt that if they had attained high level of education they would have better opportunity and have had a stable income and engaged in better practices. About a half indicated that their level of education forced them to restore to crime as a suitable alternative. Majority of the inmates felt that socio-economic factors highly influence their reason for committing crime and most probably recidivating. Furthermore Change of attitude, behavior and trainings also plays an important role. Few respondents agree that despite prison reforms they would opt not to come back in prison, where most argued that life in prison is difficult. While in prison, the inmates are enrolled in training programmes such as counseling, faith based programmes, academic and vocational programmes which are meant to rehabilitate and empower them with skills that they can use upon release. Findings from inmates who had served for a long time and key informant revealed that they have been drastic changes in prison since 2001 such as open door policy, good modern transport, court in the prison for hearings, suitable social amenities, clean environment, good housing for warders, among many others. These reforms have assisted in service provision by the officers an encouragement that has enabled the organization to manage the rehabilitation programmes in prison, thus managing re-entry offenders back to the community. They are able to join faith based programmes and also start activities that will provide them with an income.

# CHAPTER ONE

## INTRODUCTION

### 1.1 Background of the Study

The prison population currently is estimated at over 8.5 million, consisting of men, women and children. Some are pre-trial detainees; others have been convicted and sentenced. The world population is 6,150,805,396, Half of this number is in three countries: the US, Russian and China. To measure how a country uses prison we compare the percentage of its population and that which is in prison the typical way this is done is to compare the number of people per 100,000 who are in prisons. If we use that method, the 8.5-million-prisoner figure converts to a prison population rate of 138 per 100,000 citizens of the world (<http://www.census.gov/cgi-bin/ipc/popclockw>).

Prison population rates however are not uniform between the regions of the world and even within regions. South African countries have five times the prison population rate of Central and West African countries. Caribbean countries have three times the rate of South American countries. Central Asian countries have six times the rate of South Central Asian countries. The per capita rate of imprisonment in America was about 110 per 100,000 from 1925 to 1973, with little variation. Starting in 1973, however, the rate of imprisonment has grown steadily, so that in 1999 there were 476 incarcerated individuals for every 100,000 residents more than four times the 1973 level. As a result, state prisons now house 1,200,000 individuals and federal prisons house 135,000. Another 605,000 persons are held in local jails. The impact of this growth in incarceration rates on prisoner reentry is clear the more people we put in prison, the more will eventually come out. Over the past two decades, the number of prisoners released each year has grown nearly fourfold, from 147,895 in 1977 to an estimated 585,000 in 2000 (US Census Bureau,2013).

In Africa, the increasing rates of incarceration are consistent with the pattern and trends in all parts of the world. Some of the rises are substantial. For example, in Ghana there has been an increment of 38 percent of prisoners in a span of four years, 35 per cent in Malawi over four

years, and 26 percent in Cameroon over five years. The most notable trend in Africa is a decrease of 22 per cent in Rwanda over three and a half years, mainly as a result of a reduction in the number of persons for suspicion of participating in the genocide of 1994 (Wasley, 2003).

The incarceration rates in South Africa have increased where there are 241 active correctional centers. Eight are for women only, 13 are for youths and 129 are for men only. 91 accommodate women in a section of the prison and men in another. The total capacity of prisons is 118154 people, with 25000 places being reserved for people awaiting trial detainees (ATD). The total prison population is 162162, of which 49695 (31%) are ATD and 112467 (69%) are sentenced offenders. Nationally, there is an overcrowding level of 137%. Thus, South Africa has adopted a strategy of improving the conditions in prison by having privatized prisons. The first South Africa 2900-bed managing maximum private security jail Bloemfontein has provided better conditions. The inmates have recreational activities, engage in vocational training, fewer warders are appointed and the focus is on teachers, counselors and religious leaders. This privatization is from the state prisons which presented better and was aimed at reducing the rate of recidivism (Oswald, 2007).

The data on recidivism in USA shows two-thirds of released prisoners are re-arrested and one-half are re-incarcerated within 3 years of release from prison (Langan and Levin, 2002). Also, the rates of recidivism have risen upwards where on average 75% to 80% of released prisoners are likely to be re-arrested within a decade of release. For many men aged 20 to 40, the prison door is a revolving one. Commit serious crime; get arrested and incarcerated; spend some time in prison; get out; commit more crimes; get arrested and incarcerated.

In Denmark punishment is meant for correction and rehabilitation purposes and prisons are used as a last resort. They use the principal of normalization which states that the activities of the prison and probation service shall in general and whenever specific agreements reached, be related to normal life in general community. Their focus and effort is to provide security, treatment, which has resulted to development of new treatment offers and the introduction of treatment guarantee from the year 2007, for drug addicts and alcoholics. There is also focus on alternative ways of imprisonment which has seen the expansion of community service order and Electronic monitoring since the year 2005. The Danish government also identified a committee to

investigate more efficient means to combat crime committed by minors and young persons (<http://www.International Penal and Penitentiary foundation>).

In addressing the status of the prison on how to control the acts of torture, inhuman punishment and degrading treatment, the General Assembly of United Nations has adopted the International Covenant on Civil and Political Rights (ICCPR), which in Article 7 protects the individual prisoners dignity, physical and mental integrity and they cannot be subjected to medical and scientific experimentation without their free consent (Human Rights and Prisons 2005). The UN Standard Minimum rules for the treatment of prisoners sets out principals that are acceptable for the treatment of prisoners and management of penal institutions. This provides the need to have proper records of the prisoners which are well maintained and for proper identification, be free from danger and any harm thus provide a safe environment whereby the prisoner has food, medical care, accommodation, personal hygiene and is not closed from the outside world .The convict is allowed to have contacts with the family and be provided with information. The prisoners have a right to fair and timely trial and the punishment should within the administered punishment.

Kenya Prison system traces its origin from the colonial period whose objectives then was to confine and restrain Africans. This system inflicted very serious harm and punishment and was not concerned about rehabilitation. Currently the philosophy has shifted to restorative justice and Kenya is implementing programmes for humane containment and social rehabilitation of offenders. Since 2003, prisons have undergone major reforms that have instilled better standards for the treatment of prisoners by making them more accommodative and developing a human attitude. The warders are more friendly and useful to inmates, there are senior officers who have been identified to listen to prisoners views, complaints and look into their welfare. Ailing inmates are also interviewed and recommendation is given for treatment or arrangement is made for the sick to visit government doctors. Major events are organized by the prison service to showcase how prisons have come-cat walks, fashion and design, exhibitions, convicts sitting exams and provision of sanitary towels, dental and medical checkups. This has also seen installation of television sets, computer and educational facilities, the prison service has cultivated a good public image (Rukwaro, 2008).

The department has also gone long way in changing the face of prison in Kenya which had been neglected over a long period. Sanitation has improved remarkably and the water to prison regularized, they have bought ambulances, water bowsers and vehicles for improved services. The prison diet has improved and the value is more satisfying. In addition, Kenya's prisons have continued to offer inmates rehabilitation programmes and vocational education and training that would help them be reintegrated into the society and actively participate in positive socio-economic engagements upon release. In most cases, ex-convicts are stigmatized in their communities when they return after completion of their jail terms. The skills gained enhance their chances of engaging in gainful employment and minimize their chances of returning to criminal activities (Prison strategic plan, 2005-2009).

The Prison Rapid Results initiative was launched in 2007 to harness team strength and client participation to speed up delivery of service within 100 days. This approach is meant to tackle large-scale, medium and long-term change efforts through a series of small scale results producing and momentum building initiatives. The warders' salaries have been improved and are now in line with their counterparts the police. The houses have been built to improve conditions of the officers. The warders are trained in areas like human rights for better management of the prisoners under their charge (The prison report, 2011).

Prisons hold up to ten times its capacity, the government through the changes and reviews taking place in the service, have come up with the current Prison Act (Cap 90) and Borstal Act (Cap 92) and in 1999, the Extra Mural and Penal Employment was abolished and replaced with Community Service Orders under the department of probation and after care services. CSO has been used to rehabilitate those with minor offences with the aim of reducing the number jailed. New prisons have been built and in existing prisons units have been added to ease congestion (The Law of Kenya, The Prison Acts). The prison population has increased considering the prison development in Kenya between 1895 and 1963 when Kenya attained independence. This include Kingongo located in Nyeri district. It houses the Main prison which holds people on remand, convicted prisoners who have a jail term of 5 years to life imprisonment, and condemned prisoners. The total population is as follows: 932 convicts, 575 remandees, 2 civil debtors and 21 aliens a total of 1504 while it should be holding 800. The Medium prison holds convicts with lesser sentences and are able to perform duties out of the cells and outside

Kingongo prison. They are convicted for petty offences, the population ranges between 250-300 as this fluctuates on weekly basis and the women prison which handles remandees, convicts with long and short period sentences. It also holds brief convicts who are on transfer to Langat women prison (The prisons and annual report, 2012).

## **1.2 Statement of the Problem**

In Kenya there have been Prison reform since 2003 that have installed better standards for the treatment of prisoners by making them more accommodative and developing a human attitude. According to strategic plan 2007-2012, the Government has mandated the prison department to come up with strategies that improve the work environment of prison warders, to enable them initiate rehabilitative approaches that reduce the rate of recidivists. The government has recruited professionals who deal with unique needs of convicts, the department has been provided access and the equipment needed provided. The warders are more friendly and useful to inmates, there are senior officers who have been identified to listen to prisoners' views, complaints and look into their welfares. Ailing inmates are also interviewed and recommendation is given for treatment or arrangement is made for the sick to visit government doctors. Major events are organized by the prison service to showcase how prisons have come-cat walks, fashions and design, exhibitions, convicts sitting exams and provision of sanitary towels, dental and medical checkups. This has also seen installation of television sets, computer and educations facilities, and the prison service had cultivated a good image (Rukwaro, 2008).

The two to three years that many inmates spend in prison and the additional years that some violent offenders are incarcerated provides society with a unique opportunity to alter their behavior and rehabilitate them to re-enter society and the job market as productive citizens. Ideally, the incarceration experience should change offenders' assessment of the benefits and costs of crime in two ways. It should shift their preferences or values, so that they weigh more heavily the costs of crime on others relative to the benefits to them. And it should change the options or incentives facing them in favor of legitimate work relative to illegal activities. By altering the values and incentives of inmates, the ideal criminal justice system would release ex-offenders who would find work in the legitimate labor market and make a positive contribution to their families and communities rather than return to crime.

Research has confirmed that, when some offenders leave the prison environment, they generally return to criminal activities, largely as a result of their socio-economic environment (Muntingh 2002:20; Mpuang 2001:85-94). The offenders' repeated involvement in criminal activity is problematic and impacts negatively on their families and on the taxpayer, who has to bear the cost of the offenders' incarceration. This has resulted into correctional centers being overcrowded as offenders keep returning due to their criminal behavior and the other challenges that they are confronted with: stigmatization, lack of income and a family to stay with.

The most pressing issue, perhaps, has to do with offenders' likelihood of recidivating. How many of these ex-prisoners will reoffend and which factors influence recidivism the most? Prior studies have focused almost exclusively on individual-level characteristics of offenders and their offenses to determine the correlates of recidivism. These studies indicate that those who have committed serious crimes have prior offenses, drug problems, little education, and those with higher rates of supervision during probation or parole are more likely to recidivate, controlling for other factors (Benedict and Huff- Corzine, 1997; Clarke, Lin, and Wallace, 1988; Irish, 1989; Listwan et al., 2003; MacKenzie et al., 1999; Ulmer, 2001).

This research focused on Kingongo prison which has a challenge of congestion. This prison holds 1812 prisoners against its recommended capacity of 800 prisoners.

### **1.3 Research Questions**

The research was guided by the following questions

1. How do the Socio economic factors influence re-entry of offenders back to community among inmates in kingongo prison?
2. How does the training programmes received by offenders influence re-entry into community among inmates in kingongo prison?
3. How do the prison reforms influence the re-entry of offenders among inmates in Kingongo prison?
4. How does the individual skill gained in prison influence re-entry of offenders among inmates in Kingongo prison.

### **1.4.1 The main objective**

The main objective of the study is to determine the factors that influence recidivism of offenders in prison

### **1.4.2 Specific objectives of the study**

The study was guided by the following objectives

1. To identify the socio-economic factors influencing re-entry of offenders back into the community among inmates in Kingongo prison.
2. To assess the training programmes received by offenders and its influence on re-entry to back to community among inmates in kingongo prison?
3. To determine how improvement of prison institution influence the re-entry of offenders among inmates in Kingongo prison.
4. To determine how the individual skills gained in prison influence re-entry of offenders among inmates in Kingongo prison.

### **1.5 Justification of the Study**

The study is relevant to the Government ministries of security and finance the information and statistics provided will enable he policy makers provide revenue for programmes that could rehabilitate convicts and reduce on recidivism.

The prison department may get information on the factors that influence inmate's recidivism and therefore work on the relevant rehabilitative programmes and find ways of assisting inmates after completion of prison term before they are released back to society in order to reduce the rate of recidivism.

### **1.6 Scope and Limitation of the Study.**

The research targeted convicts in the main; medium and women prison.

The research did not cover the court officials, police officers, the families and neighbors to determine their role on how they influence the recidivism rate of ex-convicts, which may not

have an effect on the of the findings. The key informants were interviewed to enhance the information got from the respondents.

### **1.7 Definition of Terms**

In the study the following terms have the meanings as below.

**Inmate-** A person, who has been tried, found guilty and is undergoing his prison term.

**Prison reforms-**This refer to the developments that have taken place in the prison for the officers, and the convicts.

**Prison warder-** Officers and staff who work with the prisoners on a daily basis and have knowledge of the prison environment and information about the prisoners.

**Recidivism-**The act of a convict committing crime and being re-arrested within a period of six months and above after successful completion of a prison term.

**Recidivist-**A person who has been convicted, completed his prison term, been released back to society the commits crime and is re-arrested to start another term in prison.

**Rehabilitation-**This refers to the process a convict goes through in prison to reform from the crime he committed.

**Socio demographic factors-**These are issues that would affect an ex- convicts ability to settle back successfully into the community by providing the immediate needs and personal welfare. This will include age at which they've been released, gender, marital status and the family to which they will go.

**Socio economic factors-**These are factors which would provide the ex-convict independence and the ability to provide for self. This will include the ex-convicts level of education, the skills acquired, and the economic stability for which they are able to acquire.

**Skills** óThis refer to the individual training a convict is able to acquire during the prison term that will assist him once released.

**Training**-This refers to the education the inmates are provided with during their term in prison, it includes vocational, professional and academic.

## CHAPTER TWO

### LITERATURE REVIEW AND THEORETICAL FRAMEWORK.

#### 2.1 Introduction

This chapter reviewed relevant literature in relation to the concept of recidivism, factors influencing it and the theoretical framework. The researcher reviewed several sources and authors whose works have added more knowledge to the concept. The subtopics to be covered include: the concept of recidivism, socio-economic, religions, and environmental and socio demographic factors, government and international laws that moderate the variables, theoretical framework and the conceptual framework.

#### 2.2 Concept of Recidivism

Recidivism can be specifically defined as the relapse of an individual into criminal activity based upon re-arrests for new offenses that lead to incarceration (McKean and Ransford, 2004). Recidivism is also associated with the term re-entry, which is the process of releasing prisoners into society defined as: "How we plan for inmates' transition to free living including how they spend their time during confinement, the process by which they are released and how they are supervised after release-is critical to public safety" (Petersilia, 2003). Re-entry is often termed reintegration since it includes the preparation of the family, community and, victim for the prisoner's release.

Merlo and Benekos (2005) argues that recidivism has not been the main concern in many countries and as a result of current policies and lack of resources, communities struggle to support ex-offenders. The public fails to understand that the proper treatment and rehabilitation known to reduce recidivism is not being fully implemented. Recidivism can be prevented, but policies are causing more offenders to recidivate. On a daily basis the media relays examples of heinous crimes to the public, and fails to focus more on the more positive aspects of society. Although horrible crimes are committed, the media presents them disproportionately. The crime rate then becomes sensationalized, which causes the public to be focused more on strict

punishment rather than searching for ways to effectively reduce crime such as rehabilitation programs. The world is in the grasp of a crisis in regards to recidivism.

Kenya Prison Service has, since 2001, in keeping with the trend in many countries in the world today, stated that the main aim of the department will be to reform and rehabilitate prisoners to prepare them for the re-integration with the society. There is also need for radical shift that will require in the way the department provides services and its core responsibility to prisoners. Therefore, a prisoner should be received through a process that allows prison authorities to gauge his or her chances of reformation and to prepare a plan for such reformation. The prison service of Kenya also has a vision where life in prison should be tailored to encourage proactive action by prisoners towards reform (Hand book on human rights in Kenya prisons, 2004). Instead, life in prison has deteriorated drastically which is a major cause of ex-offender relapse once they are released.

In order to improve criminal justice policy with regards to recidivism, there must be an examination of the causes of the high recidivism rate and why prisons have become a revolving door for many individuals. With a high rate of recidivism, we need to consider the possibility that prison exacerbates the problem. When prisoners are released they are not prepared to deal with the outside world. A typical offender leaves prison without any savings, no entitlement to unemployment benefits, and very few employment opportunities. Research indicates that recidivism in Nigeria (a country with an estimated 150 million population in Africa) has become a common phenomenon among inmates. Soyombo (2009) reported that the prevalence rate of criminal recidivism in Nigeria in 2005 was 37.3%. Also, Abifor (2010) estimated the prevalence rate of criminal recidivism in Nigeria prisons at 52.4% in 2010. Since then, there has not been any indication that the trend has declined. Wilson (2009) also reported that studies conducted in Nigeria have documented that 81% of male criminal inmate offenders and 45% of female criminal inmate offenders were rearrested within 36 months of discharge/release from the prison custody. This trend in the high prevalence of recidivism shows that in Nigeria like in many other countries globally, prison consensus results have shown high rate of inmates release and high rate of inmates recidivism.

Research shows that 7 out of 10 prison inmates function on two of the lowest levels of prose and numeric literacy, which means that they are unable to fill out a job application, read a bus schedule, or calculate a price discount (Petersilia, 2006). Prisoners are often released with only a bus ticket and a small amount of cash (Donziger, 1997). It is up to them to choose a place to live, to buy basic goods and services, and to find a job. They are isolated and alone. Most prisoners do not have transitional case managers, so they must strive for success with few resources (Petersilia, 2003). Without the tools to build a successful life and with the stress of trying to make ends meet, many prisoners resort to crime.

### **2.3 Socio-demographic factors**

The families of offenders also are a potential source of support and assistance upon re-entry into the community. There is some evidence that offenders with greater family support do better in terms of obtaining employment and having greater stability in employment than those with less or no support. The challenge of family support or a lack thereof, is particularly important with women ex-prisoners, who tend to be stigmatized even more than men, to the extent that they may not be able to return to their family and community (Nilsson, 2003). Although there have been few evaluation studies on the role and impact of offenders' families as a source of support and assistance in the reintegration process and it is therefore not possible to reach any conclusions about the factors that facilitate or hinder an offender's family in playing a supportive role.

According to research conducted by Baldry (2003), it asserts that it is more likely for ex-convicts to stay out of prison if they were living with parents, partner or close family; had employment or were studying; or had contact with and support from helpful agencies post-release. But a majority of the participants did not have family or friends upon whom they could depend. Many of the men hoped to stay with their parents, usually their mother, or friends but such arrangements quickly broke down. Loneliness was a common experience. Participants were more likely to return to prison if they: were homeless or transient; did not have accommodation support or felt the support was unhelpful; had an increase in the severity of alcohol and other drug problems

## **2.4 Socio-economic factors**

Once a prison term is completed, the transition back to the community is always laden with difficulty. What in many cases is a situation of limited connections with world of work becomes more problematic with the stigma of imprisonment attached to former offenders. Especially in an economy increasingly diverging into a high skills/high technology sector and a broad low skill service economy, few offenders have a promising prospect for getting a suitable job that will sustain them and their families (Mauer, 2005). Hence, unemployment becomes a major factor that influence re-lapse of crime by an offender.

Released prisoners need employment to attain self-sufficiency and be better able to avoid involvement in criminal activity. Without income from employment, ex-offenders are likely to turn to crime for economic support. Research has consistently shown this link between post-release employment and recidivism (Center for Impact Research, 2004). Employment however, is important for many reasons beyond the basic need for income. Employment also provides a stabilizing routine, occupies time that might otherwise be used for illegal activity, keep individuals responsive to employers' behavioral demands and provides a non-stigmatized social. Thus employment rehabilitative programs play a crucial in transforming prisoners to legit citizens.

Petersilia (2003) explains that employment is important to an offender's feelings of self-confidence, which is important in preventing recidivism, "Employment helps ex-prisoners be productive, take care of their families, develop valuable life skills, and strengthen their self-esteem and social connectedness". Lack of employment is one of the major reasons for committing crime. Those who are employed have a routine and schedule, remain responsive to their employer, and have an individual a role in society. Without these influences, the temptation to commit crime is greater. As the recidivism rates rises, more offenders are not employed full-time before incarceration.

In addition, ex-offenders face several daunting problems in succeeding in the job market. On the demand side, employers generally prefer other workers to ex-offenders. Some employers cannot legally hire persons with criminal records for some jobs. On the supply side, ex-offenders will

have lower education and because of incarceration they will also have less work experience than non-ex-offenders with similar demographic characteristics (Freeman, 1999). In addition, time in prison is time away from the workforce, where valuable skills and experience can be obtained. Many prisoners do not have access to work opportunities while in prison; of prisoners obtain skills and connect with employers. There is an enormous gap between the need for stable employment that pays self-sufficiency wages and the availability of such jobs to released inmate. Studies have shown that having been to prison reduces the wages of released prisoners by 10 to 15 percent. Former offenders not only face lower wages but also an array of other barriers such as the stigma associated with a criminal record, employer attitudes and legal barriers. Irrespective of all these challenges, convicts benefit a lot from the employment rehabilitates programs that take place while they are in prison.

Another major reason why ex-convicts are not hired is trust. Even if employers knew their convictions had no direct relation to the requirements of a job, ex-convicts are automatically viewed as less trustworthy than the average person. Even if they are hired, many employers will give them seasonal or temporary employment since trustworthiness is not as valued for such work (Petersilia, 2003). Although this temporary employment is better than nothing, once it is over, the ex-convicts have to go through the whole experience of getting a job again, while probably encountering the same situations. By not being able to get a job, they will likely recidivate again because they could not support themselves financially.

There is an enormous gap between the need for stable employment that pays self-sufficiency wages and the availability of such jobs to released inmates. Studies have shown that having been to prison reduces the wages of released prisoners. In addition, time in prison is time away from the workforce, where valuable skills and experience can be obtained. Mauer (2005) asserts that, fewer inmates today have marketable skills or are sufficiently literate to become gainfully employed once released. It is determined that a majority of offenders are usually unemployed prior to entering prison and others have no high school education. With the introduction of free primary education in Kenya, we see that most inmates are increasingly acquiring basic information. However, this knowledge on its own cannot guarantee them a suitable source of employment upon release from prison.

According to Mpuang (2001), she contends that most offenders are unemployed, impoverished, uneducated and by reason of these social and economic circumstances they often find themselves driven to a life of crime. She avers that, in order to reduce crime rates, efforts should be made to enable offenders to escape the constraints. However, in our Kenyan economy where the rate of unemployment is escalating even to the elite youth with good conduct, it leaves a small window of employment for ex-convicts. The issue of unemployment in the country has been a perennial challenge for the graduates and other youth leave alone an ex offender.

## **2.5 Inmate training**

Dedicating funds for educational programs and positive tools for reentry makes the offender less of a burden to society in the future. Education provides the basis for employment, which is crucial since it allows offenders to become self-sufficient and avoid involvement in criminal activity. Petersilia explains that employment is important to an offender's feelings of self-confidence, which is important in preventing recidivism, "Employment helps ex-prisoners be productive, take care of their families, develop valuable life skills, and strengthen their self-esteem and social connectedness" (Petersilia, 2003).

Education gives individuals basic skills to enter the labor market. It also develops a sense of self-efficacy and accomplishment for released inmates. These effects of education make it a fundamental tool for ensuring that convicts live a crime free life upon release. With their modest requirements for implementation, educational programs are among the basic rehabilitative programs that a prison can offer. Most prisons have educational programs ranging from coursework to vocational training. In Kenya, every prison has free primary and secondary education and in some cases vocational training as well.

Popular programs among correctional facilities are faith-based programs. Usually, all prisons have a least one prison chaplain who is available to meet and talk with inmates. These programs are important and beneficial in reducing recidivism because of the connections they create with the community. The credibility of these programs help inmates reintegrate into the community and makes residing citizens feel protected. One program called the Interchange Faith Initiative in Minnesota, Iowa, Kansas, and Texas addresses recidivism by Christian worship, offering up to 16 hours of religious worship a day, seven days a week. There is also educational instruction with daily prayer and Bible study. The communities are also able to participate in this program

as members of local churches become mentors. The program alone has produced reductions in recidivism of about sixty percent.

Faith based programs are widespread in prisons. All prisons have at least a prison chaplain available to meet with the inmates. Other programs are more encompassing and involve intensive bible-based rehabilitation as well as an entire prisons run by faith based organizations. The administrative office of faith based and community initiatives under the current administration is charged with involving faith based programs in efforts to address social issues. One important advantage of faith based approaches is their existing tie to the community in which the prisoners resides and the credibility that these organizations generally have within the community. These strong based community faith based organizations help inmates in prison and also upon release on how to successful reintegrate themselves while protecting the local community.

### **2.5.1 Vocational training of convicts**

Work programs can be administered while in prison to provide inmates with experience and skills that increase their employability upon release. Work programs are implemented for a variety of reasons, including earning revenue for the prison and occupying and pacifying inmates. Although some of the rehabilitative programs are not directly aimed at enhancing the reintegration process in the society, studies of some work programs report improved condition after release. Studies have also shown substantial effects of employment rehabilitative programs for older men.

Released prisoners need employment to attain self-sufficiency and better able to avoid involvement in criminal activity. Without income from employment, released prisoners are more likely to turn to crime for economic support. Employment however, is important for many reasons beyond the basic need for income. Employment also provides a stabilizing routine, occupies time that might otherwise be used for illegal activity and keeps individuals responsive to employers' behavioral demands, and provides a non-stigmatized social role. Thus employment rehabilitative programs play a crucial in transforming prisoners to legit citizens.

Time in prison is time away from the workforce, where valuable skills and experience can be obtained. Many prisoners do not have access to work opportunities while in prison; of prisoners obtain skills and connect with employers. There is an enormous gap between the need for stable employment that pays self-sufficiency wages and the availability of such jobs to released inmate. Studies have shown that having been to prison reduces the wages of released prisoners by 10 to 15 percent. Former offenders not only face lower wages but also an array of other barriers such as the stigma associated with a criminal record, employer attitudes and legal barriers. Irrespective of all these challenges, convicts benefit a lot from the employment rehabilitates programs that take place while they are in prison.

Among the various types of programming available to prisoners, postsecondary education serves a particularly important role. Research consistently demonstrates that participation in educational programs while incarcerated reduces recidivism rates by increasing an individual's ability to successfully rejoin mainstream society upon release from prison (Chappell 2004). Offering higher education to prisoners, very few of whom have had the opportunity to attend college prior to incarceration, may be especially valuable in a society where postsecondary credentials are increasingly necessary to gain access to living-wage jobs. Formerly incarcerated people often experience difficulties in gaining employment after release from prison, both because they lack marketable skills and because they may face discrimination due to their criminal records (Travis, Solomon, & Waul 2004). Without jobs that pay a living wage, ex-offenders often return to criminal activity. Postsecondary correctional education programs can overcome these difficulties by offering formerly incarcerated men and women the opportunity to gain access to the many benefit that higher education offers in American society.

## **2.6 Skills of convicts**

Many, if not most, offenders have significant deficits in what to do and how to act in a socially responsible manner. In fact, most offenders see little value in socially responsible behavior, either because it is not supported within their peer culture or it doesn't provide the immediate gratification and excitement of crime. Often, offender thinking patterns are so entrenched that they cannot break free without a considerable period of de-conditioning followed by re-conditioning. Old patterns of behavior are extinguished and new behaviors reinforced by the

process of appropriate application of punishment and rewards. Ultimately, offenders learn to practice self-regulation and self-management skills.

The elements that support the environment in which social learning can take place are structure and accountability. Structure organizes the behavior of members toward a common goal of "right living." Staff, operating as a rational authority, provides an organized structure of values, rules, roles, and responsibilities. The necessary information is provided to increase awareness and knowledge of behavioral, attitudinal and/or emotional consequences. Accountability teaches respect for structure and moves the offender from an observer stance (strong denial and resistance), to a participant stance (willing to comply, but attitudinally still in criminal thinking mode), to a member stance (a willing participant who shares the new values of right living). The environment provides the opportunity for practice and success. This process continually reinforces gains and builds self-efficacy

## **2.7 Prison reforms and re-entry**

Kenyan law does recognize that prisoners are human beings deprived only of a few rights by virtue of their imprisonment. The constitution of Kenya states that no male or female person shall be subjected to torture or to inhuman or degrading treatment or punishment. Section 14A of the Police Act (Chapter 84 of the Laws of Kenya) also forbids the police from torturing both male and female persons.

One of the key reasons for regulating the manner in which male and female persons are held in custody and the places in which such confinement takes place is due to the fact that they do not cease to be human beings no matter what they have done or are being accused of doing. The regulatory framework for confinement therefore aims to prevent ill-treatment and to ensure that everything that is done to the confined male or female persons is done within the restrictions laid down in the law. Torture and any form of severe punishment are prohibited even if the wording of the law does not expressly state as much. As a general rule, the circumstances of imprisonment are not supposed to be used as additional punishment to that which the court or authority ordered. Nevertheless, it is well known fact that the female and male prisoner does forfeit some rights either in total or to a varying extent.

In recent years, the official policy in Kenya has shift gears from the traditional detainee approach to inmates to that of reformation and rehabilitation. Also, in regards to the correctional services there has been a gradual shift towards the emphasis on reformation and rehabilitation. This has been seen especially in the community service Order Act (No. 10 of 1998). Other examples of rehabilitation mechanisms in the law include remission of sentence, compulsory supervision orders, probation, and temporary release on parole. There are nevertheless instances where it is clear that deterrence, prevention or retribution is not only the aim but also apparently necessary, especially in the case of sentences relating to sexual offences and violent crime-especially when there is a public perception that they are on the increase (handbook on human rights in Kenyan prison, 2004).

In order to reduce the rate of recidivism, in Kenya, the department of probation and aftercare services implements an aftercare support programme that provides supervision and support to ex-offenders as a programme for re-entry into society. The programmes views ex-offenders as disadvantaged and needing welfare assistance, but also as having a responsibility of desistance. The ex-offenders mainly supervised under the aftercare services include former long-term offenders, psychiatric offenders and borstal inmates. The programmes are built on the premise that offenders deserve not only punishment but also an opportunity to build a crime free life upon release from the penal system. Aftercare is therefore seen as a continuation of the rehabilitation efforts started while in prison in order to reduce a relapse on ex-offenders (United Nations Office on Drugs and Crime, 2012).

## **2.8 Theoretical framework**

Inmate recidivism, factors influencing the prevalence rate of recidivism and criminal activities by relapsed criminals are as a result of a complex phenomenon; therefore, in adopting a theoretical framework for this study, deterrence and rehabilitative theories on recidivism is the most appropriate theoretical framework for this study.

### **2.8.1 Deterrence theory**

Deterrence-based practices have traditionally been the response of the criminal justice system for most criminal offenses and continue to be the focus, as demonstrated by the recent movement to õget tough on crimeö (Wright, Caspi, Moffitt, & Paternoster, 2004). One of the earliest theoretical perspectives presented by classical criminologists, the basic premise of deterrence

theory is that we are all rational beings and decisions to violate the law are an exercise of free will. Decisions to violate the law are often tied to perceptions of risk for punishment and potential offenders often consider the legal consequences of criminal behavior and the risk of being caught. Thus, early proponents of deterrence theory argued that crimes can be prevented when the costs outweigh the benefits of committing the crime, as perceived by the offender. Bentham (1789) stated, "If the apparent magnitude, or rather value of [the] pain be greater than the apparent magnitude or value of the pleasure or good he expects to be the consequence of the act, he will be absolutely prevented from performing it."

Beccaria (1764) was the first theorist to devote significant attention to the concept of punishment and deterrence. In his seminal work, *On Crimes and Punishment*, he outlined the central tenets of deterrence theory, arguing that punishment should serve as an example to others, deterring potential law violators. Further, Beccaria argued that all punishments must meet four specific requirements in order to effectively deter future criminality: 1) celerity (swiftness), 2) certain, 3) severe, and 4) exposed to the public. However, Beccaria also pointed out that punishment should only be used when necessary; excessive and unnecessary use of punishment would be cruel and tyrannical.

Bentham (1789), on the other hand, is credited with presenting the idea of hedonistic calculus. The main premise of hedonistic calculus is that people are rational and free-willed with the ability to weigh the potential pleasure of a particular action against the potential pain, and based on these rational calculations, individuals will choose the behavior that maximizes pleasure and minimizes pain and consequences. Bentham (1789) also later argued that all forms of punishment are evil and the only benefit of punishment is deterrence.

Although it is a long held belief that inflicting punishment on criminals will reduce future rates of crime in society, recent studies show that vice versa is true, according to Zimring & Hawkins (1973), they found out that punished offenders tend to evidence similar or higher rates of recidivism than non-punished offenders. They also concluded that more severe sanctions serve to increase rather than decrease future rates of recidivism.

### **2.8.2 Rehabilitative theory**

Recent thinking and theories have led to the growing belief that sentences should be designed to assist in the reformation and eventual rehabilitation of the offender. Reformation is about changing one's character from bad to good. The proponents of this theory argue that it provides an opportunity for the state to control crime by reforming offenders. It is for this reason that general sentencing policy favors young offenders and first time offenders who are generally favored in their sentence given the benefit of doubt about their chances of changing their ways. Reformation is therefore served when an offender leaves jail with a resolve to change his or her ways for the better (handbook on human rights in Kenyan prisons).

However, other people argue that beyond character reformation the system of punishment should include measures to assist the offender to fit back, or be re-integrated back to the society. This is what rehabilitation is about. In Kenya police service are shifting their focus towards reformation and rehabilitation, they believe that a prisoner is no longer a by-product of rehabilitation, but must be something the prison personnel have actively and effectively planned about. This means that the prisoner should be received through a process that allows prison authorities to gauge his or her chances of reformation and to prepare a rehabilitation plan for such a transformation (handbook on human rights in Kenyan prisons).

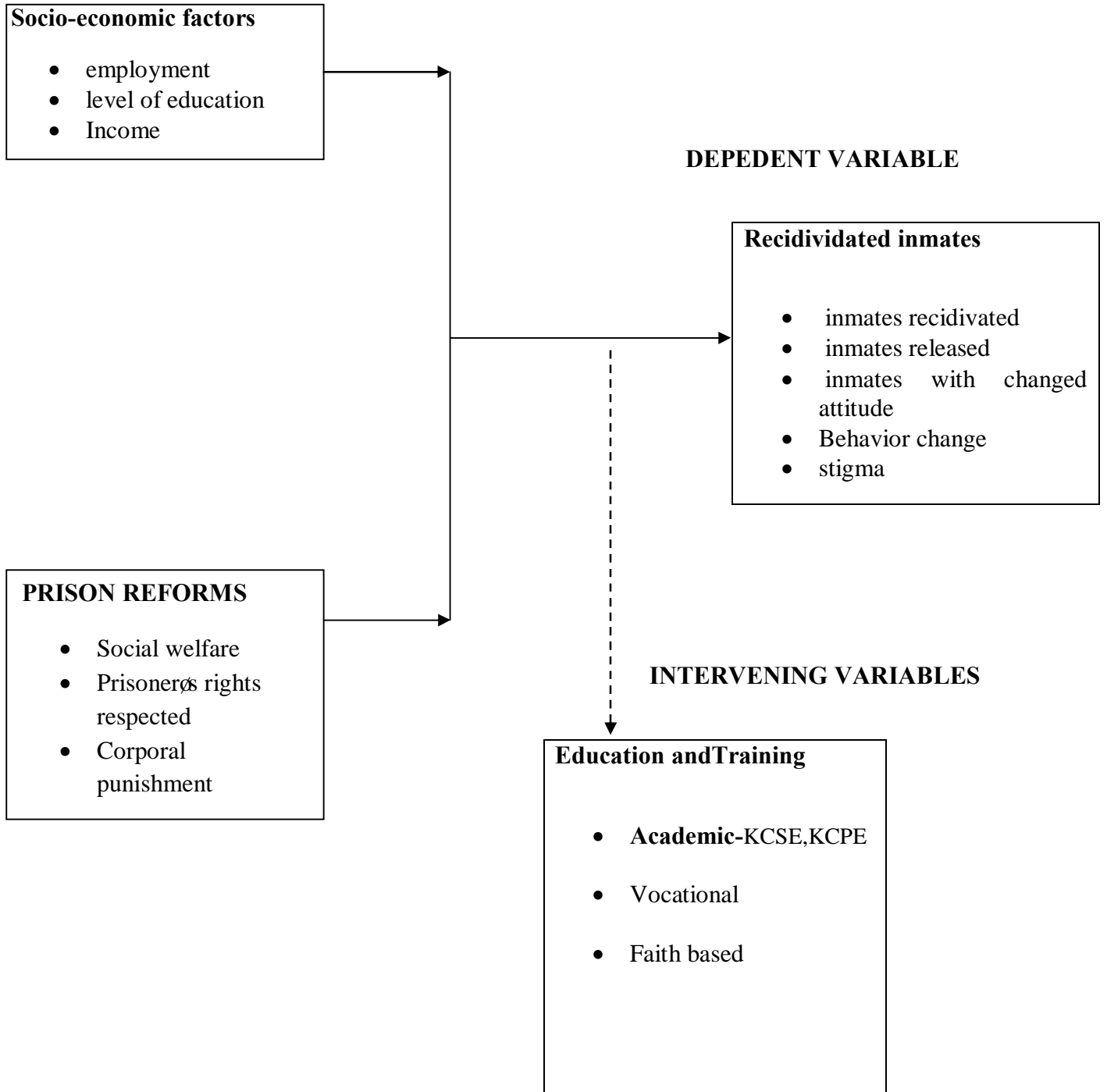
Despite the fact that rehabilitation of offenders in prisons is theoretically being emphasized, brutal punishment in the cells seems to be taking the toll. The purpose of enforcing discipline in prison is to inculcate a personal attitude that respects other individuals as well as institutionalized order. However, in Kenya prisons discipline is not used for the rational purposes. Instead, it has become a form of punishment on top of the punishment of imprisonment (Kenyan Human Rights Commission, 1996). They further state that discipline and punishment in Kenyan prisons is systematically misused to abuse prisoners and deny them their natural rights.

### **2.9 Conceptual framework**

The conceptual framework shows the socio-economic and the prison reforms as the independent variables while the dependent variable is recidivated inmates. This is affected by their change in behavior, the number of inmates released and those who have gone back to prison. The intervening variable is the education and training, while the moderating variables are the government policies, the constitution and the skills the inmates acquired.

**Fig 1: conceptual framework**

**INDEPENDENT VARIABLES**



## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.0 Introduction**

This chapter describes how the research was conducted. The sub topics will be justification of the site selection and description, research design, unit of observation and analysis, sampling procedure and sample size, types of data to be used, data collection tools and data processing analysis.

#### **3.1 Site Selection and Description**

The Nyeri kingongo prison is in Nyeri County and is about 5 kilometer from Nyeri town. The population is 6611156, on an area of 3356 km<sup>2</sup>. The main inhabitants of the country are the kikuyu. The economic activities include: livestock keeping, agriculture, tourism, mining industry, forestry and agro forestry (KNBS, 2009).

#### **Research Design**

The study has used a descriptive survey design. This is concerned with the relationship between variables. This being a survey design data was collected from a section of the population under study and this formed a representation of the total. The Nyeri Kingongo houses the main, medium and women prison.(Creswel 2002)

#### **3.2 Target Population.**

The total population of convicts at Kingongo prison, under study is 1927, with the main prison having 1216;medium 578 and women 93. There is recidivist for the different sections of Kingongo.

### 3.3 Units of observation analysis.

The units of analysis were the convicts, recidivists and key informants at Nyeri Prison Kingongo in Nyeri County.

### 3.4 Sampling procedure Kingongo

The sample covered the main prison and the women prison. The main prison houses male convicts who have been convicted five years and beyond, prisoners who have been convicted life imprisonment and condemned prisoners who have committed crime which range from murder, rape and robbery with violence. It also houses remandees awaiting trials and those who are second and third. The women prison houses women on remand convicts with long period sentences of five years and above, life imprisonment and with lighter offenses whose sentences ranges from 1 month to 5 years. It also holds briefly convicts who are on transfer to Langata women prison. Stratified random sampling was used, the strata included male convicts, women convicts, convicts who had been convicted for five years and beyond, remandees who have been convicted earlier and are on remand for second or third conviction.

This enabled different groups to be included in the study. According to Ronnet and Rusel, stratified sampling uses information known prior to make the sampling process more efficient.

#### 3.4.1 Sampling size

The researcher used 5% percent of the population from the main and medium prison and from the women prison, to arrive at a sample of 90 respondents .The key informants included the 3 counselors, the 2 officers in charge and 2 deputy officer in charge of main, and women prison, the 2 chaplains, kadhi, 2welfare officer, 3 medical staff and 6 training officers.

Sampling stage	Population size	Sample size
Selection of respondents	1309	70
Selection of key informants	40	20
Total	1349	90

### **3.5 Types of data**

Primary and secondary data was collected. The secondary data was collected from the documentation in the Kingongo prison while primary data was collected by use of questionnaires, interview and observation guides.

### **3.6 Data collection tools**

The researchers used questionnaires for purpose of data collection. The questionnaires had four sections which cover socio demographic, psychological, socio economic, training programmes and the reforms initiated in Kingongo and these had open and closed ended questions, interview guide for key informants and an observation guide .The researcher also engaged a research assistant to assisted in administering and collection of the questionnaire.

### **3.7 Data processing and analysis**

The researcher used descriptive data analysis for data from the key informants and the statistical package on for Statistical Package for Social Science (SPSS) all the other Data which was presented in fables graphics and charts

## CHAPTER FOUR

### DATA ANALYSIS, PRESENTATION AND INTERPRETATION

#### 4.1 Introduction

This chapter discusses the techniques applied to analyze and present research findings, the data analyzed was obtained from the questionnaires. The participants in the study were offenders of Kingongo prison, men and women. The researcher sought to find out factors influencing recidivism in Kingongo prison. The chapter will present analysis from the demographic characteristics, socio economic factors, training programmes, prison reforms, individual skills and their influence on re-entry to the society.

#### 4.2 Response rate

The objective was to find out how many questionnaires were completely filled and deemed adequate for the study.

**Table 4.1 Response rate**

	Frequency	percentage%
Male	58	68.23
Female	10	27.66
Total	68	71.57

The respondents were requested to fill the questionnaires as indicated in table 4.1 and out of the 90 questionnaires which were issued to the offenders, 68 of them were correctly filled and returned back giving a response rate of 71.57%, out of the 10 questionnaires which were issued to the key informants who are the warders, all of them were completely filled and returned back and were factored in this analysis. The response rate was considered adequate according to Idrus

and Newman (2002) a response rate of 50% is good enough for social studies. In addition, out of the 10 key informants were interviewed from the 20 who were considered for the research.

### 4.3 Socio Demographic factors

The respondents were asked to fill in general information. It is the demographic characteristics of the sampled population. This section will analyze issues on religion affiliation, age bracket and age when 1<sup>st</sup> convicted, marital status, family relations, number of times convicted, reasons for conviction, length of years sentenced and length already served.

#### 4.3.1 Religious affiliation

The respondents were requested to fill in their religion affiliation.

**Table 4.2 Religious affiliation**

Religious Affiliation	Frequency	percentage
Muslim	11	16.18
Christian	52	76.47
Traditional	5	7.35
Others	none	0
Total	68	100

Table 4.2 indicates the religion affiliation of the respondents. A majority of the respondents indicate that they are Christians with (52)76.47% .this was followed by Muslims at 16.18% (11); the least was Traditional religion at 5 (7.35%). This shows that the respondents know principles of God though they are generally not church goers. They must be very conversant with the morals and values of Christians. However, most respondents contend that they have been transformed by the faith based programs while in prison.

### 4.3.2 Age Distribution

The aim was to find out the distribution of age for the respondents.

**Table 4.3 Age and age when 1<sup>st</sup> convicted**

	Current age		age when 1 <sup>st</sup> convicted	
	Frequency	percentage	frequency	percentage
Below 18years	none		none	
18-36	37	54.41	43	63.23
37-45	20	29.41	15	22.05
46-54	5	7.35	8	11.76
55 and above	6	8.82	2	2.94
Total	68	100	68	100

Table 4.3 indicates that majority of the respondents when 1<sup>st</sup> convicted were between ages (18-36) at (43) 63.23% .This followed by age bracket 37-45 at (15) 22.05% and even currently it is followed by the same age bracket at (20)29.41%.The least is at age between 55 and above at (2)2.94%.This reveals that majority of the people convicted to prison are in the youthful age. The people have a lot of energy and are Aggressive in life and are struggling to make ends meet. Thus the findings indicate that more youth resort to crime due to expectations of their peers.

### 4.3.3 Marital status

The respondents were requested to fill their marital status

**Table 4.4 Marital status**

Response	Frequency	percentage
Single	38	55.88
Married	25	36.76
Divorced	11	16.17
Others	4	5.88
Total	68	100

#### 4.3.4 Family composition

In order to establish the family ties of the respondents, they were asked to fill the number of siblings they have as well their parents

**Table 4.5 Family relations**

	Frequency	percentage
Siblings 0-2	13	19.12
3-5	38	55.88
6-8	11	16.18
More than 9	6	8.82
Total	68	100

In table 4.5 it shows that majority of the convicts have siblings with 38 (55.88%) stating that they have at least 3-5 siblings and 13 (19.12%) who have at least 0-2 siblings and only 6 (8.82%) who indicated they have more than 9 siblings. These findings imply that, most of the convicts they have family relations who they can rely on or can support them either while still in prison or once released. However, to the extent whether they will be accepted by their siblings upon release, is a question most convicts cannot address.

**Table 4.6 parent's relations**

	Frequency	percentage
Both parents	34	50
Single parent	32	47.05
Orphans	2	2.95
Total	68	100

Table 4.6 indicates the relations of convicts in terms of whether they have both, single or no parent. The researcher through this question wanted to find out if after release the inmates have parents to go back to if all don't work out as expected or rely upon. 34 (50%) of the inmates responded that they have both parents and some also indicated that their parents come to visit them once in a while. 32 (47.05%) indicated that they have at least one parent who they can go

back to and only 2 (2.95%) indicated that they are orphans and hence rely on friends and relatives for parental love and concern.

#### 4.3.5 Crime history

In order to address the key questions for this research, the crime history of the respondents was deemed crucial. Thus; the respondents were requested to fill their crime history and the number of times they have been convicted.

**Table 4.7 Number of times convicted**

Response	Frequency	percentage
Once	36	52.94
2-3	28	41.12
4-5	4	5.88
More than 5	0	0.00
Total	68	100

Table 4.7 reveals the response of the respondents in relation to how many times they have been convicted. 52.94% of the respondents indicated that this is their 1<sup>st</sup> time to be convicted though with charges that will see them serve a sentence of 20 years to life. 28 (41.12%) indicated that this is their 2<sup>nd</sup> or 3<sup>rd</sup> time to be convicted where most of them indicated that they were re-arrested for the same crime as the first because they embarked on their bad company who influenced their decision to go back to crime. Only 4 (5.88%) of the respondents indicated that they were re-arrested for more than 4 times where the earlier arrests were no major with 6 months-1 year sentence. However now they are serving a sentence of more than 10 years which they say it has changed their perception and attitude in life in prison.

**Table 4.8 Reasons for conviction the 1<sup>st</sup> time**

Response	Frequency	percentage
Drugs	9	13.23
Forgery	2	2.94
Defilement	29	42.63
Assault	17	25
Theft	11	16.18
Total	68	100

The respondents were requested to indicate the reasons for the 1<sup>st</sup> time they were convicted

The reasons of convictions varied, however they were classified as shown in table 4.8. 29 (42.63%) of the respondents were in prison because of defilement which had a sentence of 10-20 years. Though the respondents argued that in such cases it is difficult to prove once innocence, only a few admitted they had actually committed the crime. Robbery with violence and assault followed suit with 16.18% and 25% respectively. The respondents, who were convicted with robbery, indicated that that was their way of earning their income. Some of who were illiterate said they did not have any other means to get money for their basic needs and thus stealing became part of their lifestyle. The cases of forgery were done by respondents who were well informed and educated. These respondents are skilled and had been employed before opting to forge documents that saw them convicted. Substance abuse and the crime of being in possession of drugs had only 9 (13.23%). The respondents who were convicted for this reason blamed it all on bad luck where they say some of their friends have been doing that business for long and they have never been arrested. However, upon release, they said that it is likely that they might join the same group to get a way to get money since getting employment with their track record was difficult.

#### 4.3.6 Length of sentences and the length already served

In order to get information on the changes in the prison reforms, the researcher had to find out the length of time sentenced and the length of time already served. Thus, the respondents were requested to indicate the length of time arrested and the length of time they have already served in prison.

**Table 4.9 Length of sentenced and the length already served**

	Length sentenced			years already served	
	Frequency	percentage		frequency	percentage
0-5	6	8.82	0-3yrs	2	2.94
6-10	21	30.88	4-7yrs	32	47.05
11-15	5	16.17	8-11yrs	16	23.53
16-19	6	8.82	12-15 yrs	4	5.88
More than 20	30	44.12	> 16yrs	14	20.59
Total	68	100		68	100

Table 4.9 indicates the length of sentence and the length of time already served in prison. A majority of 30 (44.12%) indicate that they have been sentenced for more than 20 years and others who have been sentenced for life. This was closely followed by 21 (30.88%) respondents who indicated that they have been sentenced for 6-10 years. The least had served for less than 5 years (6)8.82% which was the same as those between 16 and 19 years. However being a maximum prison, most convict are there for long term periods. The length already served by inmates varied with most inmates 32 (47.05%) having served for 6-10 years and the least of 4 (5.88%) having served for 16-19 years.

#### **4.3.7 Demographic characteristics of the key informants.**

Information from the Key informants was deemed very crucial for the study. Out of the 20 who were to be interviewed; only 10 were available for the interviews. Demographic characteristics captured included: the gender, rank, Level of education, profession of the prison officers and the number of years the officers have been in service.

On gender, 6 male and 4 female officers were interviewed. As per their rank there were six constables and two sergeants, their level of education out of the 10, 5 had attained form 4 levels of education, 1 higher diploma, 4 diplomas and 1 had University degree. The years in service showed that the longest serving staff had served in the prison service for 30 years while the least serving had been in service for seven years, 5 of them have served for below ten years; two for below 21 years while 3 have been in service for 30 years and below. The staffs have great experience in their performance of duty which they do with great expertise.

In line with other researchers such as according to Baldry (2003), he asserts that it is more likely for convicts to return to prison if they were homeless or transient did not have accommodation support or felt the support was unhelpful. This research affirms these findings in addition to the fact that inmates with family such a wife/husband and children would appreciate if they are accepted back for them to rebuild their lives. The findings also affirm that majority of the inmates are youth, with majority also indicating that both their parents are still alive. Their major challenge is when their family members and relatives remind them of their past mistake or looking at them suspiciously. However, they would appreciate to be accepted back to the community and to be treated like any other individual.

#### 4.4 Socio-economic factors and re-entry

The first objective to be addressed for this study was the influence of socio economic factors such as employment and source of income and how it influences the convicts relapse to criminal activities and back to prison. The offenders were asked a number of questions about their economic situation prior to their incarceration to determine if employment is a factor influencing the behavior of the individual offender, level of education and their source of income

##### 4.4.1 Highest level of education

The objective was to find out the level of education for the inmates which is basically fundamental in securing a job.

**Table 4.10 Highest level of education**

	Frequency	percentage
No schooling	8	11.77
Primary education	45	66.18
Secondary education	13	19.12
Post secondary education	2	2.94
Tertiary education	none	
Total	68	100

An examination of the educational attainment of prison inmates demonstrates that prisoners are much less educated. Table 4.10 indicates that 8 (11.77%) of the inmates have no schooling background with a majority of 45 (66.18%) who indicated that they have only a primary education though most of them are drop outs from std 4, 5,6, and 7. Only 2 (2.94%) have a post secondary education and their level of crime was also hi-tech compared to the others. This therefore showed that crime increases with the low level of education. This examination of prison convicts demonstrate that lack of basic education forced most inmates to do petty and unskilled kind of jobs which they later on engaged with crime.

**Table 4.11 Influence of education and crime**

	Frequency	percentage
Yes	59	86.76
No	9	13.24
Total	68	100

The researcher extended the previous question to find out if lack of basic education forced the inmates to commit crime. Thus the respondents were requested to fill if lack of education forced them to resort to crime as an alternative. Table 4.11 reveals that a minority of 9 (13.24%) of inmates had an option thus their level of education did not influence their decisions to resort to crime. However, a majority of 59 (86.76%) indicated that their lack of basic education influenced their decision to resort to crime. With some indicating that they had to start working at an early age of 13 years in order to fend for his family.

**Table 4.12 the influence of level of education on crime**

	No schooling	prim educ.	Sec educ	post sec educ	total
Drugs	2	3	4	0	9
Forgery	0	0	0	2	2
Defilement	4	21	4	0	29
Assault	1	11	5	0	17
Theft	1	10	0	0	11
Total	8	45	13	2	68

The objective addressing level of education on convicts from Table 4.12 gives a cross tabulation of the influence of the level of education and crime. The researcher sought to find out how the level of education influence the type of crime committed. It is clear that a crime like forgery requires some sort of skills and education. Out of the 2 inmates who were convicted by these crimes, both of them had a post-secondary education. One who was a woman had been sentenced for 8 years and she was employed where this act took place. On defilement cases, out of 29 of

the respondents a majority of 21(72.41%) had dropped out of primary school and hence they did not have any formal employment which forced them to do this act. Respondent 51 who was a matatu conductor said

*“at times in our place of work we see so many women, and from their body size you cannot tell whether they are underage. So once you go out with them that is when you realize the ladies are either primary or secondary school girls”*

their ignorance on wanting to get a person more has seen so many of them committing this crime. Assault and theft had equally a lot of respondents who were primary school drop outs with 64.07% and 90.09 % respectively where most of the respondents on assault said the act was based on anger and they would have opted for negotiation with the victim rather than serve a sentence of up to 10 years. Theft was basically on the grounds that this was their means of getting money to survive since with their education back ground they could not get any source of income.

#### **4.4.2 Employment status before conviction**

The aim was to find out the status of employment for the respondents before conviction and if they were still working while committing the said crime.

**Table 4.13 Employment status before conviction**

	Frequency	percentage
Skilled	13	19.12
Unskilled	48	70.56
None	7	10.32
Total	68	100

On employment status before conviction, table 4.13 reveals that 48 (70.56) of the respondents were employed though their type of job was not skilled with most of the in them matatu business as drivers or conductors, and some as farmers. Very few of the respondents 13 (19.12%) indicated that their kind of job was skilled in nature. A few of the respondents also indicated the crime they committed was how they earned a living. So their crime was the job they were doing on full time basis.

#### 4.4.3 Employment status after 1st conviction which resorted to crime

**Table 4.14** Employment status after 1<sup>st</sup> conviction which resorted to crime

	Frequency	percentage
Yes	5	15.65
No	27	84.36
Total	32	100

Table 4.14 shows the frequency of the employment status after 1<sup>st</sup> conviction on the respondents who had indicated earlier that they had been convicted earlier. 27 (84.36%) indicated that they were unable to get employment after their 1<sup>st</sup> conviction saying that it was really a challenge when the community branded them as thieves or insulted them on the basis they were from prison. Stigma is the major reason why they did not feel equal even to ask for employment because their employer would dismiss them in an unfavorable manner. Of those who got employment after their 1<sup>st</sup> conviction 5 (15.65%), they indicated that they got petty jobs such as waiters or cleaners which did not improve or even sustain their economic needs. For this reason they resorted back to crime.

#### 4.4.4 Socio economic factors and its effect on re-entry

According to the key informants it was noted that education influences the chances of inmates. If their level of education was higher, this improved their self-esteem and increased their opportunities in getting both in and out of prison. On release from Prison the key informants among the officers in the main prison noted that convicts chances of getting employment was there though very difficult. Among officers from the women Prison said that

*“education assists the convicts to reintergrate with the society and helps them to be self disciplined in the family. In addition, most convicts are employed mostly by the NGO’s and factories or end up as business people”. In addition, lack of education and skills is what made most of the offenders to commit the crime. The lack of education has caused*

*idleness which facilitates time for the convicts to sit and plot. However with education and skills on different things, the convicts can be able to back to the society and begin an income generating project that will inhibit them from resulting to crime.”*

In addition, the catechist who was also a key informant indicated that

*“Skills that the convicts learn while in prison help them in starting different projects and are accepted in the society. This self reliance helps them to survive in the society and hence can manage to feed themselves and their families. The convicts had a high chance of getting employed especially by Non Governmental Organizations which provided opportunities for the convicts”.*

For follow up programs, the welfare officer said that

*“A follow system for ex-convicts should exist in Prisons but it was so far it’s nonexistent and in instances where it did exist, was very inadequate. Welfare officers are charged with this responsibility of follow up but they are over whelmed. The welfare officers are at most times expected to provide legal advice to convicts and deal with their day to day issues. It was noted that NGO”S also provided follows up services for ex-convicts”..*

The convicts receive an income as they serve their Prison term for the items they develop and sell. In Kingongo prison it was noted that the amount received is very little and this assists them to pay their transport home on release. In some instances the amount assists them to start their life a fresh. They can use this to start up a business on a small scale though the amount received on release is very minimal. It was noted that there is need to provide ex- convicts with revenue which would enable them settle back to their community.

The prison warden also said that,

*The individual skills that most convicts get help the in changing their attitude and settling on looking for some sort of employment which helps them not to repeat the mistake again. However, there are different personalities and some of them do not respond very positive to the trainings and hence they do not get mush help when they are released. The lack of interest in wanting to become better forces some convicts to recidivate.”*

Petersilia (2003) explains that employment as a key socio economic factor is highly important on offenderø feelings of self confidence, which is important in preventing recidivism. She asserts

that employment helps ex-prisoners be productive, take care of their families, develop valuable life skills and strengthen their self esteem and social connectedness. Further research by center for impact research (2004) contends that there is a positive relationship between unemployment and recidivism. Where they argue that without any source of income from employment, ex-offenders are likely to embark on crime for economic support. Responses from the respondents indicate that 90% of the convicts resulted to crime as a means of supporting themselves and their families. Only about 10% argued that they committed a crime which they were not aware of its consequences and they were working while committing this crime. From the findings of respondents who were serving their second or more term in prison only 15.64% said that they were employed after their first conviction where as 84.36% stated that they did not get any form of employment even the manual work hence they embarked on crime as a result of trying to survive. Hence, these findings asserts previous finding where employment and education/learnt skills plays a crucial role in ensuring ex-prisoners don't recidivate.

#### **4.5 Training programmes and re-entry**

The respondents were expected to answer whether the trainings they are offered while in prison is sufficient and adequate to enable them to integrate back to the community.

##### **4.5.1 Adequacy of the Training programs**

**Table 4.15 adequacy of training programs**

	Frequency	percentage
Adequate training	60	88.24
Not adequate	8	11.76
Total	68	100

The aim of finding the adequacy of the training programs in Table 4.15 reveals that inmates are getting enough training from the prison and the trainings are adequate. They get to understand and are capable to apply the skills learned once given an opportunity. 60 (88.24%) stated that the training offered were adequate and at least they get an opportunity to learn a new skill that they can use once released. A couple of respondents affirmed that training while in prison is good. However, they are not adequate to finding a job or how they can apply to get income upon release. Participant number twenty four (main) said,

*“It does not help to attend the programmes on the inside, because you cannot apply it outside. Outside its ways are different and you focus on other things, i.e. need to feed family, house, employment”*. This sentiment was also shared by participant number thirty six, who remarked, *“Outside it is different. Here you have people that support you, outside it are not always like that”*.

The majority of the respondents felt that the programmes do address the needs of offenders and that it depends upon the individual to apply what he/she has learned.

#### **4.5.2 Training programs undertaken by the convicts while in prison**

The respondents were required to indicate the trainings they have undertaken while in prison

Once in prison, inmates are expected to enroll to one training programme and move on to another upon completion of the first training. Thus, an inmate can take up to three or four programmes but not simultaneously. The inmates, who have served more years, tend to have enrolled in more than two trainings and thus have skills not only in one area but in different sections.

**Table 4.16 Trainings undertaken by the respondent while in prison**

**Table 4.16 Academic Trainings undertaken by inmates while in prison**

	KCPE		KCSE	
	F	%	F	%
YES	2	2.94	0	0
NO	66	97.06	68	100
<b>TOTAL</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>

**Table 4.17 Skills training undertaken by inmates while in prison**

	Carpentry		Tailoring		Knitting		Farming		Masonry		Welding	
	F	%	F	%	F	%	F	%	F	%	F	%
YES	38	55.88	28	41.18	14	20.59	23	33.82	9	13.24	7	10.29
NO	30	44.12	39	57.35	54	79.41	45	66.18	59	76.82	61	89.71
<b>TOTAL</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>

The researcher deduced that very few inmates opt to learn primary and secondary education though it is very fundamental as presented in table 4.16. This has caused the respondents not to be able to understand English or even write basic things in English. This was also observed where the researcher together with the assistants had to read and write on behalf of the respondents. Majority of the inmates 38 (55.88%) and 28 (41.18) opted to be trained in carpentry and tailoring respectively. They felt like these skills will help them once released to start up their own venture. Farming is a responsibility that is given to few inmates who tend on the food they eat such as vegetables, maize and others, however 23 (33.82%) indicated that they have learnt lesson on farming that can help them once they go back to the society.

**Table 4.18**The extent of attitude change from other programs while in prison

	Church		counseling		aftercare services	
	F	%	F	%	F	%
Strongly agree	10	14.76	2	2.94	4	5.88
Agree	37	54.41	13	19.11	20	29.41
Neutral	8	11.76	40	58.82	6	8.82
Disagree	13	19.11	11	16.18	20	29.41
Strongly disagree	10	0	2	2.94	18	26.41
<b>TOTAL</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>	<b>68</b>	<b>100</b>

Other programs offered while in prison include faith based programs, counseling sessions and after care services. The researcher sought to find out how these services influence the attitude change to the respondents. Once in prison, most inmates affirm that acceptance is critical to survive in the new environment and even adapt to its surroundings, without acceptance, psychological torture is the worse imprisonment that one can endure. Thus out of the 68 respondents 55 (80.88%) affirmed that counseling offered while in prison has really helped them to change their attitude towards life and even learn on how to cope with life while in prison. Even though there was a consensus agreement that life in prison is very difficult, they also agreed that it will be more difficult if you do not change their mind set to be better. Church programs of faith based programs also play a crucial role where most inmates indicated that when all hope is lost, they tend to turn to God. 10 (14.71%) of the inmates indicated that faith

based programs are very helpful to a great extent where some have even opted to get born again based on the lessons learnt in these programs. After care services received the least ratings where majority of the inmates indicated that they were not aware of these services and their relevance once they are free with 48 (70.59%).

#### **4.5.3 Response on Training programmes.**

A consensus of all the 10 key informants affirmed that this is the best approach since the inmates can be able to do what they feel will change and impact their lives positively. For instances the trainer who was also part of the key informant said that,

*“While in prison, these programmes assist the inmates to interact, share experiences and keeps them occupied. Even though most of the inmates are drop outs at primary level, very few opt to undertake K.C.P.E and K.C.S.E exams with claims that their age cannot allow them. Also from the researcher observations, it was noted that most of the respondents required assistance in reading the questions and writing as most them were drop outs and cannot manage to read Basic English, comprehend and write. It was also noted that some did not attend school at all and they do not see the value of basic education at their age. Upon completion of the sentence term, 70% of the key respondents affirmed that the trainings by inmates while in prison can assist and help them in gaining self-employment, appreciate others in the community, be more responsible, and be socially responsible. However, all the key informants affirmed that they do not do a follow up program to find out the welfare of the convicts once released. The head of the prison said*

*“Our key responsibility is to rehabilitate the prisoners while they are in prison, after their term, we are not really concerned with how they lead their lives”.*

The welfare warden for women prisoners also responded to the trainings being offered while in prison and said

*“I believe that these trainings are very important to the inmates, however, if not taken positively, these training can be a waste of time to our inmates. Some of the prisoners are forced to undertake the trainings and some do not see the value of the trainings”.*Petersilia (2003) contends that dedicating funds for educational programs are positive tools for reentry into the

society which makes the offender less burden to the society in the future. In addition, education provides the basis for employment, which is crucial since it allows offenders to become self-sufficient and avoid involvement in the crime activity. In Kenya, every prison has free primary and secondary education as well as vocational and faith based programs. These programs have helped shape the attitude and the mental growth of most convicts. Findings from the key informants revealed that the trainings offered at Kingongo prison include; academic, vocational, counseling, professional studies and faith based programs. Specifically, the trainings curriculum for these programmes include academic, entrepreneurship skills, plumbing, carpentry, tailoring, metal work, self-awareness, counseling, spiritual programs. Out of 10 respondents, 9 affirmed that these trainings give the inmates a chance to be busy and avoid idleness, assist in life out of prison. These programmes are not forced on inmates; rather they choose what they want to take.

#### 4.6 Influence of prison reforms and rehabilitation of inmates

The researcher sought to find out the extent to which prison reforms enhance rehabilitation programmes for inmates and their relevance.

**Table 4.18 Influence of police reforms and rehabilitation of inmates**

	Frequency				
	V.adequate %	Adequate %	neutral %	inadequate %	V. inadequate %
Adequate beddings and sleeping spa	2.94	73.53	14.71	8.82	0
Quality and quantity food	7.35	52.94	17.65	11.76	10.29
Non- corporal punishment	10.29	16.18	61.81	2.94	1.47
Handled with care	2.94	4.41	32.29	38.25	23.53
Warders respect their rights	4.41	70.59	13.24	5.88	20.59
Have an open day with family	0	0	22.06	22.06	55.88
Have adequate access to their family	0	1.47	10.29	26.47	61.76
There is talent search in prison	0	0	8.82	17.65	73.53
Adequate facilities for sports	0	0	2.94	4.41	92.65

On the influence of police reforms and rehabilitation of inmates in Table 4.18 reveals that though there are major reforms that have shaped the prisons since 2001, respondents still felt like there

is more that can still be done to help them in the process of integration once released from prison. Being denied adequate access to their families has played a crucial role in the inmates feeling the hardships of staying in prison. 42 respondents argued that they need to be able to see their family for moral support and so that they don't feel they have been forgotten. In addition, they indicated that if they can be allowed to see their children who are from ages 6-17 years they will have some sort of closure and contentment. On the other hand 48 of the respondents indicated that they were happy with the way the warders are treating them and respecting their rights. Corporal punishment is no longer as frequent as it used to be, however other forms of punishment are exercised where inmates don't obey the rules of that society. Respondent number 29 said that *“if they are allowed to have access to women as they wish, then prison will not be badly off”*.

#### **4.7 Reforms introduced in Kingongo.**

The exposure and work experience of the key informants was useful in addressing the reforms experienced at Kingongo and the impact to the convict. Most of the reforms in prison took place since 2001 and these reforms include: open door policy, good transport, clean environment, good housing, mobile cords, remote parenting, academic and professional courses, structural infrastructure, access to information, better uniforms for inmates and warders, and improved remuneration.

*“These reforms have assisted in service provision by officers in the following areas: encouragement collaboration enabled other organization to assist with rehabilitation, it has enabled officers to train on better skills so that they are at a level higher than the males. They have joined colleges, done trade tests and gained better skills, provide spiritual growth, provided debriefing among them and thus reduce stress, improved work environment, the officers are more knowledgeable and use less force and are friendlier, and their morale has improved, quick administration of justice because of mobile courts.”*

The officers affirmed that,

*“these reforms have assisted in the rehabilitation of offenders in relating, officers are more motivated, and officers are ambassadors to community, counseling self-awareness, and change in terms of mindset and attitude.”*

In recent years, the official policy in Kenya has shift gears from the traditional detainee approach to inmates to that of reformation and rehabilitation. Also in regards to the correctional services, there has been a gradual shift towards the emphasis on reformation and rehabilitation. Nevertheless, there are instances where it is clear that deterrence, prevention or retribution is not only the aim but also apparently necessary (Handbook on Human Rights in Kenya Prison, 2004).

Though the constitution of Kenya states that no male or female person shall be subjected to torture or to inhumane degrading treatment of punishment, it is clear that most of the respondents affirm that punishment is a necessity to individual who do not adhere to the strict rules. Majority of the women with children affirmed that their young children were well taken care of but for them they had to adhere with the strict rules in the correctional facility. About 94% of all respondents affirmed that life in prison is very hard and in case they were given an option they would not have committed the crime that they are jailed for. Despite this fact, majority also contend that life outside prison with no job will only lead you back to the prison cells. For those respondents who were in prison prior to reformation of prisons, they agreed to a great extent about 86% that life in prison changed to the better after reforms in 2001.

#### **4.8 Skills gained and its effect on re-entry.**

It was noted that the convicts are keen to gain skills as an individual; however it was also noted that not all of them do gain skills. The prison warden asserted that,

*“those who do not gain skills are those on short term confinement and the rest confirmed that all convicts gained individual skills even for the very short term they were in prison. The skills gained included: workshop skills like carpentry, metal work, knitting and embroidery, appropriate technology, upholstery, and building skills. The convicts were provided a chance to select the skills they wished to gain and on instances that the officers got to know the skills they had acquired before they were convicted they were encouraged to develop this further and if they had not done any grade tests they would be*

*booked for the same upon completion of the course. The convicts are encouraged to enroll and gain more than one skill. The convicts on life imprisonment have undergone trade tests and are now trainers of fellow convicts since they've developed varied skills and expertise."*

In addition,

*"The skills gained assisted them both while in prison and on release. While in prison this skill keeps them occupied, it provides an earning scheme and builds their financial base as they sale the items made, it provides a chance for them to gain varied skill, build relationships and their self-esteem and provides a schedule so that they are kept busy. The convicts show case the items made through skills gained up to the Presidential organized awards and they get recognition."*

Out of prison the skills gained assist them for self-employment, to provide service to the community and to seek employment so that they are able to support self and family.

**4.6.2 The extent to which the four independent variables influence the dependent variable**  
**Table 4.19 the extent to which the four independent variables influence the dependent variable**

	<b>5</b>		<b>4</b>		<b>3</b>		<b>2</b>		<b>1</b>	
	<b>n</b>		<b>n</b>		<b>n</b>		<b>n</b>		<b>n</b>	
Socio-economic	60	<b>4.41</b>	2	<b>0.18</b>	4	<b>0.29</b>	1	<b>0.07</b>	1	<b>0.07</b>
Training	2	<b>0.18</b>	6	<b>0.44</b>	49	<b>3.60</b>	13	<b>0.96</b>	8	<b>0.59</b>
Individual skills	6	<b>0.44</b>	34	<b>2.5</b>	12	<b>0.88</b>	12	<b>0.88</b>	4	<b>0.29</b>
Police reforms	0	<b>0</b>	2	<b>0.18</b>	6	<b>0.44</b>	8	<b>0.59</b>	52	<b>3.82</b>

Table 4.18 above reveals the extent to which the four variables influence the level of relapse by the convicts. With a mean of 4.41, majority of the inmates felt that lack of employment and a source of income is the major reason why they resort to crime even after release. They end up following their older patterns of crime as an alternative to ensure they meet their basic needs. Although prisons have reformed and they are not very bad, very few with a mean of 3.82 said

that they cannot consider coming back to prison. Although they agreed that prison has changed their mode of thinking and their intent on committing crime, they still say that life in prison is very difficult. They would opt for a hard life as a free person rather than a good life in prison. Trainings and the level of individual skills varied almost equally with respondents indicating that if given an opportunity they would apply their skills and not resort to crime.

## CHAPTER FIVE

### SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATIONS

#### 5.1 Introduction

This chapter presents the summary of findings, discussions, conclusion drawn from the findings and recommendations made. The conclusions and recommendations drawn focus on the purpose of the study which was to investigate factors influencing recidivism in Kingongo prison the main, medium and women prison.

#### 5.2 Summary of the findings

The summary of the findings will be discussed in relation to the general demographic factors socio-economic factor which included employment, source of education, inmates training which include academic, vocational, and professional and faith based programs, individual skills, and prison reforms and their influence on convicts relapse

##### 5.2.1 Socio demographic factors

Most of the respondents were male who are considered youth and single with 58 (68.23%) 37(54.41%), and 38 (55.88%) respectively. Many prisoners could not read or write above primary school levels, if at all. The most common crimes committed by these inmates were robbery, burglary, automobile theft, drug trafficking, and defilement. Because of their poor educational backgrounds, their employment histories consisted of mostly low wage jobs with frequent periods of unemployment. Cases of defilement 29 (42.63%) were the highest with convictions of up-to 20 years. And forgery 2 (2.94%) was the least since these convicts were highly skilled and educated which is not a case of most of the inmates in prison who literacy level was that of low primary and others had no schooling at all.

##### 5.2.2 Socio economic factors and re-entry

The study established that majority of the convicts in Kingongo prison, had Primary level of education 45 (66.18%) ó had dropped out of school before were unskilled complied, had no permanent employment. They committed crime out of rage and some regretted having been controlled by their emotions. They felt if they had an education they would have better opportunities and would have had an income and engaged in better practices, Two who had

dropped out of school with belief that if they went to the city they would have better opportunities were now serving fourth sentence óThe 1<sup>st</sup> three were minor offence of touting and they were now serving twenty five years each for defilement. They noted that if they completed high school they would have made better decisions. Where 59 (86.76%) indicated that there level of education forced them to resort to crime since they did not have any other option. 48 (70.56%) indicated that they had no formal employment and hence depended on low wage jobs. Lack of skills made them to do medieval jobs that was not stable and thus made them to resort to crime.

### **5.2.3 Inmate's training and re-entry**

The study findings revealed that Kingongo offered different programmes to the convicts and they were encouraged to take keen interest in these programmes. Convicts had the chance to engage in even more than one of them. The Programmes were intensive and inmates had the chance to take examinations and do trade tests for the trainings under taken. The convicts engaged in Academic programmes, those who were undertaking primary level of education were joining at levels, for which they had dropped out of school. Counseling, faith based programmes and the vocational programmes attracted a higher number of trainees. The convicts are keen to the trainings since it provides them a sense of ability, they are kept busy, can develop a hobby; they get a little income once the items are sold.

### **5.2.4 Individual skills and re-entry**

The 60% of the key informants noted that the skills gained are adequate to provide the ex-convicts adequate recourses to keep them out of prison while 40% of the key informants noted that the skills gained are not adequate to keep the ex-convicts out of prison. This they said was because the ex-convicts needed capital to start up business of their own or they get employment so that they could settle in the community. The skills gained therefore can assist the convicts settle back to the community as noted by 60% of the key informants because they learn skills that are practical and some of which need manageable startup capital and in many instances the ex convicts can get employment. This include: soap making, knitting embroidery, agriculture, painting and carpentry

### **5.2.5 Prison reforms and re-entry**

The study from the key informants revealed that there have been drastic changes in the prison since 2001 such as, open door policy, good transport modern, clean environment, good Housing,

mobile cords, remote parenting, academic and Professional courses, structural infrastructure, access to information, better Uniforms, improved Remuneration. These reforms have assisted in service provision by officers in encouragement collaboration enabled other organization to assist with rehabilitation, enabled officers to train on better skills so that they are at a level higher than the inmates. They have joined colleges, done trade tests and gained better skills. They are also capable to provide spiritual growth, debriefing among them and thus reduce stress. Improved work environment, the officers are more knowledgeable and use less force and are more friendly. Their morale has improved and quick administration of justice because of mobile courts.

With a mean of 4.41, majority of the inmates felt that lack of employment and a source of income is the major reason why they resort to crime even after release. They end up following their older patterns of crime as an alternative to ensure they meet their basic needs. Although prisons have reformed and they are not very bad, very few with a mean of 3.82 said that they cannot consider coming back to prison. Although they agreed that prison changed their mode of thinking and their intent on committing crime, they still say that life in prison is very difficult.

### **5.3 Conclusion**

The study findings have shown that the majority of the convicts are youthful in age, have low level of education, they have primary level of education, are unskilled laborers, have siblings and many have both parents. Convicts who were on the 2<sup>nd</sup> and 3<sup>rd</sup> conviction indicated that during the 1<sup>st</sup> and 2<sup>nd</sup> conviction, depending on the nature of conviction did not inform their parents nor siblings of the prison term which they were able to serve, complete and go back to their employment. Majority were convicted for traffic offences like touting, refusal to wear the PSV uniform and driving while the car tires were worn out and drug related offences. On completion of term they went back to the community and were readily accepted, however a PSV driver who was serving his fourth sentence and was currently serving a term for loss of items in his PSV vehicle where he worked noted that stigma is still a great concerned, on loss of items in the vehicle he was treated as the first suspect having been in prison to serve for three other terms. Though this were traffic related offences and his employer could not bail him out by settling the fines, but he got employed once he completed his prison terms, he was not certain that on completion on this particular one he would be able to work among his peers within the transport

industry with ease and trust. The majority of the convicts being unskilled would continue to do manual and casual work to earn a living.

The trainings convicts gained from prison during their term assist them both while in and out of prison. The convicts are keen to take up vocational skills, farming, upholstery, faith based and counseling programmes. These convicts do these trainings with the hope that on release they will be well equipped to settle back to the community.

The convicts who opt to take up the professional courses wish to be at a level where they will have a bargaining power, they will have developed a high self esteem and they will have left prison better educated. The study findings confirm that convicts enroll for K.C.P.E and K.C.S.E while serving their sentence. There are programmes which provide convicts a chance to have presentations for Presidential awards, this provides the convicts a chance to re-evaluate their self worth and appreciate that they can give back to the society and be appreciated. The faith based and counseling programmes provides them a chance to come to terms with their situation, live a life of acceptance, hope and assist in their rehabilitation. Majority of convicts come to know God while in prison and appreciate the world out of prison by having visits from different denominations providing support.

The findings indicate that convicts are encouraged to enroll and gain individual skills which include knitting, embroidery, improved farming techniques, carpentry, welding, building and construction. This helps them develop a hobby, keep busy and have a working schedule. Through these skills convicts get income from the items sold. On release they are able to use the income for transport and settling back to the community. The key informants noted that these individual skills gained by convicts can only adequately enable them settle back to the community if they are provided with startup capital to assist them start a business and settle. This provides a regular schedule which calls for discipline, employment and an income.

The prison reforms as per the research findings have been appreciated by both the prison officers and the convicts. The prison reforms have opened up prisons for collaboration with other stakeholders and provided better conditions. However it was noted by the convicts that prison is not a good place to be in, they have to forfeit their rights of parenthood, freedom, profession and their valuable youth. This being the main prison majority is in for life imprisonment, ten years

and above. Those on life and long term convictions have learnt all the skills available, they are now trainers and there is nothing more to learn. Fellow prisoners are not so cooperative and can make life unbearable over petty issues. There is still need to continue improving on the services offered, a major issue to note was the need to provide parents a chance to have visitation from their young children whom they have not been able to see for the longest time they been prison.

The warders are better trained and handle the convicts with great care. The relationship between the convicts and warders is cordial, and they discuss issues that concern them with a lot of ease. Suspicion still reigns but not as earlier where the warders inflicted corporal punishment. It was noted that if a convict served their term while having the discipline required the instances of conflict were minimal though there are warders who still practice the punitive methods of correction

## **5.4 Recommendations**

### **5.41 Policy Recommendation**

There is need to train the prison warders on basic legal issues because they provide legal advice to convicts as soon as they are convicted especially on appeal issues. This is done within 21 days and in most cases, the convicts cannot access the legal officers for advices. The warders will only give advice on what they know. These warders will benefit from basic law training in order they can be able to give further assistance to the convicts.

From the findings, it was noted that convicts who have been in prison for long tend to couch new convicts on how to respond at their appeal hearings and what not to say. Thus there should be limited contact among convicts before appeal to avoid the new inmates from being misled by older convicts.

There should legal rules and considerations on 1<sup>st</sup> time offenders on cases like traffic offence, drug abusers and mothers who abandon their children, in most instances the drug abusers and mothers who have abandoned their children need counseling and psychological support and confining them makes them become recidivists. A case of a traffic offender are a drug abuser who have been convicted and are serving their 2<sup>nd</sup> and third term for traffic related issues and drug offence

#### **5.42 Recommendations for further study**

There is need to do a study on the factors that influence offenders family in providing support upon release

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# ANNEX 1: QUESTIONNAIRE

## Questionnaire for convicts

### Dear Respondents

My name is Caren A. Awilly. I am a student of the University of Nairobi pursuing Masters degree in Arts Sociology, The questionnaire below is intended for collecting information for purposes of the study only. The Information will be treated confidentially and I request that you respond honestly.

### INSTRUCTION

- Do not write your name
- Information given will be treated confidentially
- Kindly tick in the box if provided

### BACKGROUND INFORMATION

#### Socio –demographic factors

#### 1. Gender of respondent

Male

Female

#### 2. Religion of respondent

Christian

Muslim

Traditionalist

others specify

\_\_\_\_\_

#### 3. Age in years

Below 18 years

18-36years

37-45years

46-54years

55 and above

**4. Marital status**

Single

married

widowed

divorced

**5. Family**

Do you have any siblings      How many?

Do you have parent      Are they alive and do they stay together?

**6. Before coming to prison who were you staying with?**

Single Parent

Both Parents

Family member e.g. wife; uncle, aunt, granny etc.

On the street

Institution or orphanage

Other: Specify

---

**CRIME HISTORY**

**7. Have you ever been to prison before?**

Yes

No

**8. If yes, how many times?**

1-2

3-5

6-9

10 or more

**9. What were the reasons for your imprisonment each time and what was the length of your sentence each time?**

**NO OF TIMES THE CONVICT HAS BEEN TO PRISON**

Sentences/type of crime serving for	Reason for imprisonment (theft, murder, etc)	Length of sentence	Indicate which sentenced is current

**10. How old were you when you first went to prison?**

12-15	
16-18	
19-25	
26-35	
36-49	
50 & older	

**10a) Do you know of other conviction apart from imprisonment?**

**10b) If yes list the ones you know.**

**10c) Have you benefitted from any of the options to imprisonment?**

**10d) If yes which one?**

**10e) if you benefitted what made you be convicted?**

**10f) Do you know of Prison after care services? List them**

**10g) have you ever benefitted from one? How did this service assist you?specify**

**Socio economic factors**

**11. What is the highest level of education you completed? (Tick where appropriate)**

No schooling	
Primary education	
Secondary education	
Post secondary education	
Tertiary education	

**12a). Have you ever dropped out from school?**

-----

**12b) what was your reason for dropping out of school?**

-----

**12c) did dropping out of school affect you?**

-----

**12d) how did this affect you in life?**

-----

**13a) what is your profession? -----**

**13b) Employed status?**

Yes, full time

Yes, part time

Un-employed

Self employed

13c) If yes, what type of work did you do? (Skilled /unskilled) .....

13d) when you committed the crime were you employed?

13 e) if you were un-employed, how did you survive financially? \_\_\_\_\_

\_\_\_\_\_

14. Were you able to get back the employment/source of income after imprisonment?

(Explain) \_\_\_\_\_

\_\_\_\_\_

**Training programmes**

15a) Are there training programmes in the prison?-----

15b) if yes name the training programmes offered?

-----

-----

15c) Tick the courses offered in prison?

**-Academic**

Standard 8(KCPE)

Form4 (KCSE)

**VOCATONAL**

Carpentry

Knitting and sowing

Masonry

Welding and fabrication

Others (specify)

16. Which one did you focus on during your 1<sup>st</sup> conviction? -----

17. Did it help you after you were released from prison? -----

18. If yes how did the training assist you? -----

-----

19. If it did not assist you, what was the challenge? -----

**Prison reforms**

20. What are some of the changes in prison that you like? -----

-----

21. If you did not like the changes which one do you need to be changed?

-----

22. Did the changes influence your coming back to the prison? -----

-----

23. If yes which one influenced your coming back? -----

-----

24. What can be done for you to keep off from prison? -----

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## ANNEX 2: INTERVIEW GUIDE FOR KEY INFORMANTS

Dear respondents the questionnaire below is intended for collecting information for purposes of study. The information will be treated confidentially I kindly request or your response. Thank you.

### Background information

1. Gender of respondent-----
2. Rank of respondent-----
3. Profession of respondent-----
4. Level of education of the respondent-----
5. Period in service-----

### Information on service provision

6. Please list the reforms that have been introduced in Kingoøngo prison

---

7.How has this assisted in service provision by the officers?-----

-----

-----

8.How has this assisted in the rehabilitation of inmates and re-integration back to society?-----

-----

-----

9. Have these reforms provided systems which gauge the inmates' chances of reformation?-----

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### **ANNEX 3: OBSERVATION GUIDE**

1. The type of uniform worn by the inmates
2. The facilities available in Kingongo prison
3. The skills being provided
4. Ongoing IGUØS
5. The general conditions