# REPUBLIC OF KENYA

# GOVERNANCE, JUSTICE, LAW AND ORDER SECTOR (GJLOS) REFORM PROGRAMME

## ADMINISTRATIVE DATA COLLECTION AND ANALYSIS REPORT

May 2007

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## ACRONYMS

| | |
|---|---|
| CBOs | Community Based Organisations |
| CPU | Central Planning Unit |
| CSO | Community Service Order |
| DCOs | District Children's Office |
| DPP | Department of Public Prosecution |
| FBOs | Faith Based Organisations |
| GJLOS | Governance, Justice, Law and Order Sector |
| GOS | General Office Services |
| HIV/AIDS | Human Immuno-Deficiency Virus/Acquired Immuno-Deficiency Syndrome |
| IMS | Information Management Systems |
| IT | Information Technology |
| KACC | Kenya Anti-Corruption Commission |
| KNBS | Kenya National Bureau of Statistics |
| MOJCA | Ministry of Justice and Constitutional Affairs |
| MS | Microsoft |
| MTS | Medium Term Strategy |
| NGOs | Non-Governmental Organisations |
| OCS | Officer in Charge of Station |
| OVC | Orphans and Vulnerable Children |
| PACS | Probation and Aftercare Service |
| SPSS | Statistical Package for Social Sciences |
| STAT-CAP | Statistical Capacity Building Programme |
| STPP | Short-Term Priorities Programme |
| YCTC | Youth Correctional Training Centres |

# FOREWORD

The Governance, Justice, Law and Order Sector (GJLOS) Reform Programme was launched on 11th November 2003. Its primary goal is to improve the quality of life for Kenyans, especially the poor, marginalised and the vulnerable. Developed in the context of the Kenya's over-arching development policy document, the Economic Recovery Strategy for Wealth and Employment Creation (ERSCWEC), this programme targets to effectively and systematically promote good governance, respect for human rights, equal access to justice and respect for the rule of law in Kenya.

Designed as a five year programme, the GJLOS Reform Programme is currently in its second phase under a four-year Medium Term Strategy (MTS). This followed an earlier, one-year Short Term Priorities Programme (STPP) which targeted "quick wins" while building an appetite for reforms among GJLOS institutions and stakeholders. The focus for the MTS is deep, sustainable sector-wide reforms in the priority areas of governance, ethics and integrity, including the fight against corruption; respect for human rights in government institutions; access to justice, particularly for the poor, marginalised and vulnerable; crime prevention, police reforms and penal reforms; enhanced public prosecutions and legal services to the public; and reformist-led capacity building with a focus on attitude and culture change.

Against such a wide –ranging reform agenda, six key results were identified at the programme level. These key results, individually and collectively, contribute to the programme purpose as well as towards the achievement of sector-wide priorities. The key results are; i) Responsive and enforceable policy, law and regulations; ii) More effective GJLOS institutions; iii) Reduced corruption related impunity; iv) Improved access to justice especially for the poor, marginalized and vulnerable; v) More informed and participative citizenry and non state actors and vi) Effective management and coordination of the GJLOS programme.

To facilitate the assessment of progress towards achieving the key results under the MTS Programme, a GJLOS MTS Programme logical framework was developed with 21 Objectively Verifiable Indicators (OVIs). Four of these OVIs can only be monitored using administrative data but the challenge however is that the data regarding the four indicators has not been systematically collected over time. Although some attempts have been made to collect the data, there remains a need to critically analyse the existing data, data collection tools, methodology, analysis and reporting with an intention of identifying existing gaps as well as providing reliable baseline data for the four MTS indicators. To this end, the purpose of this review was to establish an administrative data baseline as a mechanism for measuring programme progress and impact over time and informing the setting of specific end-programme performance targets against which progress is measured. The baseline data was also expected to contribute to a functional and comprehensive Monitoring & Evaluation system that is able to track progress in moving from baseline to target, and to evaluate shortcomings that hamper attainment of these targets.

This review focused on administrative data collection and analysis in support of the following four indicators; (i) Percentage increase in crime detection, prosecution and

conviction rates of selected crimes (ii) Percentage decrease in the awaiting trial population (iii) Percentage decrease in the case backlog of selected crimes and (iv) Percentage of litigants receiving legal aid, disaggregated by economic status, age and gender. The relevant GJLOS Institutions targeted in this review are the Kenya Police Force, the Kenya Prisons Service, the Judiciary, the Department of Public Prosecutions, the Department of Children Services, Probation & Aftercare Services and the Kenya Anti-Corruption Commission. The findings, conclusions and recommendations of this report are based on analysis of data collected through review of literature on the GJLOS Reform Programme, review of documentation from the institutions working in the Criminal Justice System and interviews with key officers in the GJLOS institutions.

The main findings of this review confirm that the Kenya Criminal Justice system has administrative data that could be used for the operation of the system but is faced with a number of limitations associated with the quality of data, the apparent lack of commonality in variables; classifications and definitions used in data collection instruments; analysis procedures tailored to meet information needs of specific agencies; limited scope of reported information; weak coordinated information sharing mechanisms and poor statistical capacity within the agencies. The administrative data limitations pose challenges in using the existing administrative data to provide reliable baseline information as anticipated at the time of commissioning the review. However, the findings are useful in providing critical input to the development of a modern and efficient administrative data collection and analysis framework across the sector as well as informing the GJLOS programme planning, prioritization, budgeting and resource allocations. Opportunities for non-state actors and development partners' engagement and participation also emerge from the current gaps highlighted in the findings. The report remains a production of GJLOS and those who wish to make reference to it may do so by acknowledging the source.

In conclusion, this report on the GJLOS administrative data collection and analysis is the culmination of a process in which many individuals and organisations have been involved.  I sincerely thank all those who participated in this review and in particular, the GJLOS Programme Coordinating Office (PCO) that provided invaluable support and guidance to the whole process; the GJLOS Administrative Data Collection and Analysis Reference Group  comprised of a multi-stakeholder mix of Government, private sector, civil society and international development partner representatives; the Strategic Public Relations & Research Limited  who carried out the study and above all, the respondents whose participation made the review successful.
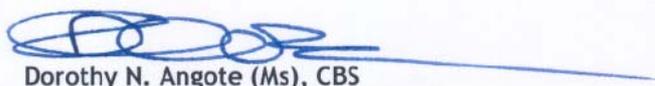
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# EXECUTIVE SUMMARY

## Introduction:

Governance, Justice Law and Order Sector (GJLOS) is a sector-wide cross-institutional reform programme led by the Government of Kenya which seeks to institute reforms in areas of governance, ethics and integrity including fighting corruption, enhancing access to justice, reforming the prisons and the police, among others. This is to be achieved through a medium Term Strategy (MTS), which is a four-year strategy, with the objective of improving governance, law and order by 2009. The MTS log frame consists of six key result areas and 21 objectively identifiable indicators. Four of the indicators can be monitored using administrative data. The indicators include: i) percentage increase in crime detection, prosecution and conviction rates of selected crimes[1] (ii) Percentage decrease in the awaiting trial population. iii) Percentage decrease in the case backlog of selected crimes. iv) Percentage of litigants receiving legal aid, disaggregated by economic status, age and gender. However, there are apparent challenges in collecting, analyzing and reporting the administrative data. It is against this background that the study was commissioned with the aim of achieving a number of objectives, namely, analyse the data, data collection tools, methods, analysis procedures and reporting and the data application and appropriateness in measuring the four MTS indicators. The study methodology entailed desk review, in-depth interviews and the data was analysed using a data assessment framework.

The main institutions targeted for the study included the Kenya Police Force, the Kenya Anti-Corruption Commission, the Department of Public Prosecution, the Judiciary, the Kenya Prisons Service, the Children's Department, and the Probations and Aftercare Department.

## Key Findings

The criminal Justice institutions outlined work as a system. They comprise an integrated system with different but interrelated roles. The output of one agency forms input for another. The system comprises of the community, the police, the prosecutor, the judiciary, prisons and non custodial services. The system begins with the community where crime takes place and it is reported to the police. The police then undertakes investigations, arrests the offender and prepares a charge sheet for the offender. An offender is then prosecuted in court which determines the guilt or otherwise of the offender and passes sentence. An offender can either be sentenced to imprisonment or to probation and community service. Prisons rehabilitate and release the offender to the community. Upon release, a probation officer is required to help the offender reintegrate back to the community. The support of the community in re-integration is very crucial.

This inter-linkage implies therefore that, there is value in linking key police decisions to court decisions and court decisions to release decisions. In this way, the funneling

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[1] The selected crimes for purposes of this task are rape including attempt, assault, murder, robbery with violence, breakings, theft of motor vehicles, corruption (bribery and abuse of office), drug related crimes and defilement.

process in the criminal justice system can be measured, for instance, how many crimes end up in court and how many prosecutions lead to convictions or acquittals. Some commonality in variables in data captured is therefore important in measuring the flow from one agency in the system to the next.

The agencies that form the Kenyan criminal justice system have data that is important for the operation of the system. However, the data available in these agencies present a number of limitations, namely: data is limited in scope and does not meet information requirements of the criminal justice system in terms of providing details on case load and case characteristics; data variables and classification of cases are different for each agency; the data is also not fully processed and reported; the data in majority of the institutions is incomplete.

There is therefore need to put in place mechanisms to assist in exhaustively extracting and processing of the data in the agencies. A common and networked data base should also be developed for the entire criminal justice system.

The data collection tools, methods; analysis procedures and reporting frameworks for these agencies are specific to the needs of each agency. These are designed to meet the specific information needs of the respective agencies. There is an apparent lack of commonality in variables, classifications and definitions used in the data collection forms of these institutions. The analysis procedures are also tailored to meet the information needs of the individual agencies. The variables influencing the categorization of the data are not common across the institutions. There are also no well coordinated and predictable information sharing mechanisms among the agencies. The scope of information reported is limited and tailored to meet agency specific information needs.

It is therefore important that the variables, classifications and definitions used in data collection, analysis and reporting frameworks be harmonized and well coordinated and predictable working arrangements among the institutions are developed to facilitate the sharing of data.

**Implications of the Findings**

Existing data in the agencies investigated are relevant and could be useful in tracking the four MTS indicators. This is because a lot of data is collected at local/station levels of the agencies investigated. The main limitation is that the data is not fully extracted from the files and processed. The processed data available at the headquarters of these agencies is limited in scope and do not provide details on case loads and case characteristics. This makes the data unreliable for use as baselines data. Some more specific quality related limitations include: (i) The data is not timely and is incomplete, (ii) Some of the variables in the data collection tools do not reflect changes in current laws (iii) The data is limited in scope and content and therefore does not meet the information requirement for the agencies requisite for monitoring the four MTS indicators. In addition, there is no harmony in variables used, definition of concepts and classifications essential in linking data across the criminal justice institutions for the purposes of tracking progress in the system;

The four MTS indicators are relevant for tracking purposes. This is because they respond to key targets of ensuring effectiveness in criminal justice system and improving access to justice.

The selected crimes are also suitable and appropriate in GJLOS context as they correspond to internationally prioritized category of serious crimes owing to their social and economic implications. The crimes are also as categorised in the Kenya Laws (Penal Code). However, for purposes of enhancing access to justice, petty crimes should also be prioritised by GJLOS Reform Programme.

**General Recommendations for Criminal Justice System**

- There is need for harmonization and adoption of common variables, concepts, definitions and uniform categorizations;
- There is need for development of a standard classification of criminal offences;
- There is need for the development of a centralised criminal justice data base and development of an effective mechanism for dissemination of the information to relevant stakeholders.
- There is need to link criminal justice and national registration systems;
- Routine statistics should be shared between the criminal justice agencies on a regular basis;
- There is need to set up criminal justice statistics committee comprising of members from all the agencies;
- There is need for establishment of well-coordinated working arrangements among institutions in the criminal justice system in terms of sharing of data.
- There is need for comprehensive training on effective management information systems in line with the STAT-CAP statistical capacity strengthening programme.

# CHAPTER 1: INTRODUCTION

## 1.1 Background

The Governance, Justice, Law and Order Sector (GJLOS) Reform Programme is a sector-wide cross-institutional reform programme led by the Government of Kenya and currently supported by fifteen International Development Partners. Co-ordinated through the Ministry of Justice and Constitutional Affairs (MOJCA), the programme is currently being implemented in over 30 Government institutions linked to the Office of the President, Office of the Vice-president and Ministry of Home Affairs, MOJCA, the State Law Office and the Judiciary.

The Government of Kenya has prioritised reforms in the following areas – governance; ethics and integrity including the fight against corruption; improving respect for human rights in government institutions; enhancing access to justice, particularly for the poor, marginalized and vulnerable; crime prevention; police reforms (including community policing); panel reforms (particularly decongestion of prisons); strengthening public prosecution and legal services available to the public; and reforms-led capacity building with a focus on attitude and culture change.

To generate initial reform momentum, the Government and Development Partners jointly supported a Short-Term Priorities Programme (STPP) from July 2004 to June 2005. From July 2005, STTP was transformed into a four-year Medium Term Strategy (MTS) that focused on deep cross-institutional reforms in all GJLOS agencies with the objective of improving Governance, Law and Order by June 2009. The Government has defined outcomes for the chosen sector-wide priorities and translated them into programme results and indicators.

The GJLOS Medium Term Strategy has been finalized with a logical framework consisting of six key results and 21 objectively verifiable indicators, four of which can be monitored using administrative data. These are: i) Percentage increase in crime detection, prosecution and conviction rates of selected crimes,[2] ii) Percentage decrease in the awaiting trial population. iii) Percentage decrease in the case backlog of selected crimes, iv) Percentage of litigants receiving legal aid, disaggregated by economic status, age and gender. The challenge however is that the baseline data regarding the four indicators has not been systematically collected over time. Although some attempts have been made by the various agencies in the criminal justice system to collect data, there remains a need to critically analyze the existing data; data collection tools; methodology; analysis and reporting with an intention of identifying existing gaps. The baseline data is important in providing mechanisms for measuring programme progress and impact over time using the 4 MTS indicators. Once the current existing data is collected and compiled and the existing gaps identified, a proper administrative data collection and analysis framework can be put in place.

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[2] The selected crimes for purposes of this task are rape including attempt, assault, murder, robbery with violence, breakings, theft of motor vehicles, corruption (bribery and abuse of office), drug related crimes and defilement.

It is against this background that the GJLOS Reform Programme commissioned this study to achieve the objectives outlined below.

## 1.2 Study Objectives

The overall objective of the study was to critically analyse the existing data, its quality and application possibilities; data collection tools, data collection methodology and analysis. This was aimed at aiding in the collection/provision of current existing data for the four MTS indicators, identification of existing gaps in all aspects of administrative data collection and analysis with the view to making recommendations for future improvement or recommending alternative methods if appropriate. It also aimed at making recommendation on whether the current existing data on the four MTS indicators is appropriate for use as GJLOS baseline data.

## 1.3 Scope of Work

The objectives were to be achieved by undertaking the following tasks:

1. Developing a detailed understanding of the GJLOS Reform Programme via studying key documents - MTS Version 5, bi-annual Advisory Team reports, GoK STTP progress reports, April/May 2005 reports prepared the World Bank Consultant – Chris Lewis (General Data Dissemination Systems) for Judiciary, Police, Probation and Aftercare departments and any other relevant reports;
2. Collecting existing administrative data on the four indicators for 2004/2005 and 2005/2006 Government financial years after obtaining a detailed understanding of each indicator through direct interaction with the appropriate technical staff in relevant departments;
3. Focusing on the four MTS indicators, critically analysing the existing data, data collection tools, data collection methodology, data analysis procedures and reporting frameworks amongst the relevant departments;
4. For the Children's and Probation and Aftercare departments, which are not directly linked to the four indicators, critically analysing their existing administrative data systems, data collection tools, data collection methodology, data analysis procedures and reporting frameworks;
5. Identifying existing gaps in aspects of administrative data collection and analysis amongst the relevant departments in relation to the four MTS indicators;
6. Making recommendations for improving future administrative data collection and analysis for the four MTS indicators and departments;
7. Where necessary, recommending appropriate alternative methods for collecting the relevant administrative data. The recommended alternative methods should be thoroughly discussed with relevant departments and Kenya National Bureau of Statistics (KNBS) to guarantee sustainability;
8. Based on the findings of the study, giving an opinion as to whether the existing administrative data is appropriate for use as baseline for purposes of the four MTS indicators and if not, explain why;
9. Based on the findings of the study, analysing the available data to provide a baseline report on each of the four MTS indicators;
10. Based on the findings of the study, critically analysing and commenting on the relevance and appropriateness of the relevant four MTS indicators for use in

tracking programme progress and impact over time. If need be, amendments and/or changes might be proposed for the four MTS indicators;

11. Reflecting on the choice of the selected crimes and their appropriateness in the GJLOS context.

## 1.3 Methodology

The findings, conclusions and recommendations in this report are based on three principal sources namely:

1. Review of literature on the GJLOS Reform Programme (See Bibliography for documents reviewed);
2. Review of documentation from the institutions working in the area of the abovementioned four MTS indicators[3];
3. Interviews with key officers in the GJLOS Reform Programme working in the area of the four MTS indicators[4].

The data was analysed using a Data Quality Assessment Framework to establish the quality of the data collected in terms of methodological soundness, accuracy, reliability, serviceability, integrity and authenticity (See details of the framework in annex 2).

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[3] The institutions include: Judiciary, Kenya Police Force, Kenya Prisons Service, Kenya Anti-corruption Commission, Children's Department, Probation and Aftercare and Department of Public Prosecution.

[4] This entailed the development of survey tools (questionnaires that were pre-tested before being administered), undertaking in-depth interviews with the relevant officers in the outlined institutions and general observations.

## 2.1 The Criminal Justice System

The criminal justice system comprises of different agencies playing distinct yet
interlinked roles in administration of justice. It is therefore evident that the output of
one agency forms the input for the next agency in the system. The role performed by
each agency in the criminal justice system is vital for the system as a whole. The
operation of the criminal justice system is presented in the figure 1 below

**Figure 1. Components of the Criminal Justice System**

Public/Community

Prisons

Police/KACC

**Criminal Justice System**

Community
Programs /
Children's
Department

DPP

Judiciary
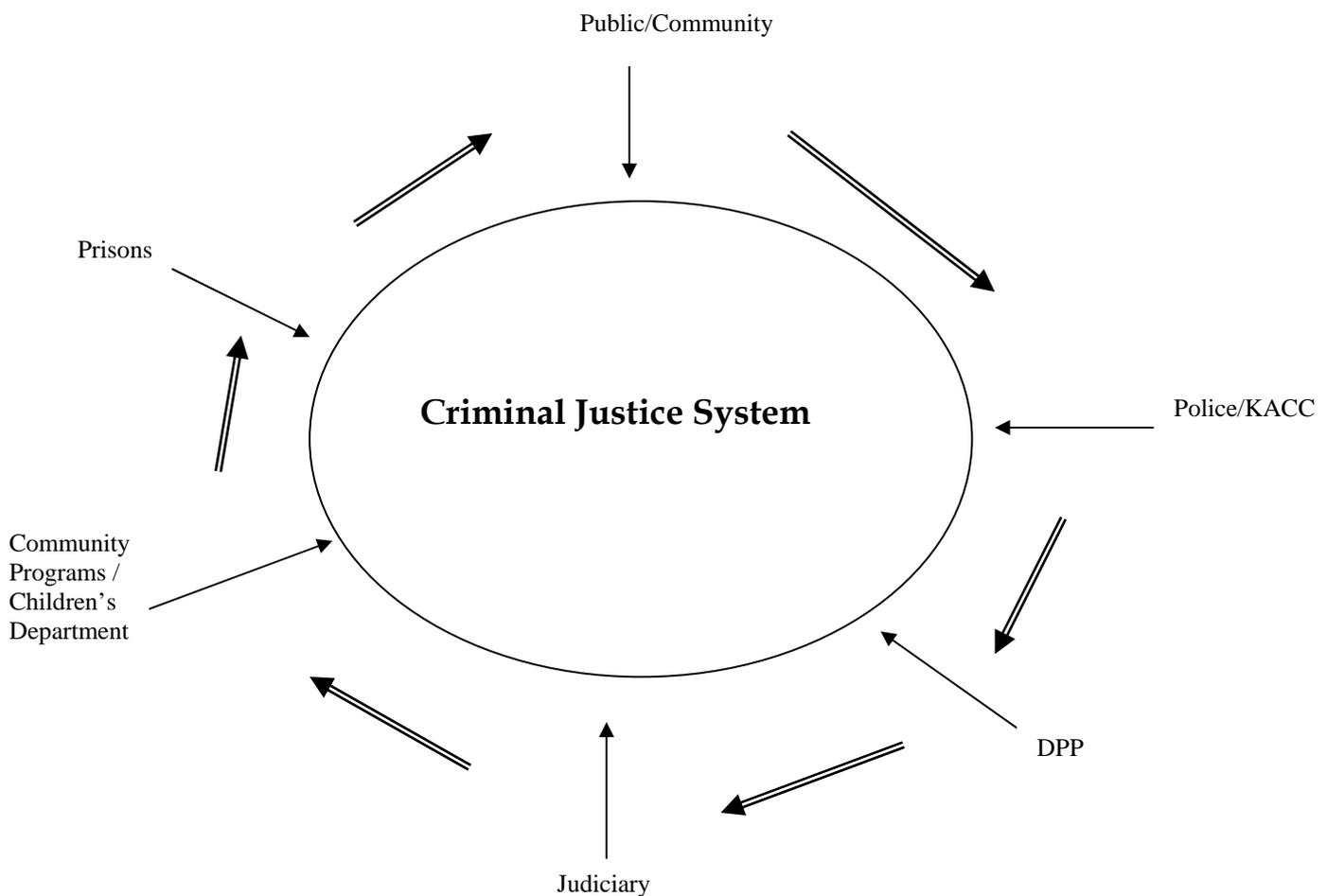
The criminal justice system is a circular system that begins with and ends with the
public/community. Crime is committed in the community and members of public are
the ones who witness and report to the police. The police arrest suspects and
investigate crime once it is reported by the public. Crime can either be dealt with by
the police at its level or prosecuted in court through delegated authority from the

Attorney General. It is therefore the police that initiate the prosecution process. Prosecution of cases is the mandate of the prosecutor – Attorney General (through the Department of Public Prosecution or delegated to the police). The cases are prosecuted in Courts (Judiciary) which determines the guilt or otherwise of the accused and pass a sentence. The Court can sentence an offender to probation and community service or to imprisonment. Prisons rehabilitate and release an offender to the society. Once an offender is released to public, a probation officer is required to provide aftercare services and with the assistance of members of the society reintegrate the released person into the society.

This linkage therefore means that, output data from one component represents input data in another component. For instance, cases reported to the police forms output data of the public and input data for the police; cases filed by the police with the prosecutor should represent output data for police and input data for Judiciary; cases disposed of by the courts should form output data for the Judiciary and input data for the prisons. There is therefore value in linking key police decisions to court decisions and court decisions to release decisions. In this way, for example, the "funneling" process in criminal justice can be measured, for example how many crimes end up in court and how many prosecutions lead to convictions. Some commonality in variables captured in the data is essential to permit the measurement of flow from one agency in the system to the next, a capability that is very desirable because it enhances data analysis possibilities and provides a powerful data quality verification capacity. At the same time, each component must recognize its own unique information needs in the light of its unique role and goals.

## 2.2 Analysis of Existing Data

The criminal justice agencies mentioned above should have data containing details on case load and case characteristics as described in table 1 below.

**Table 1. A Template of Data Requirements for the Criminal Justice Institutions[5]**

| Agency | Data Requirements |
|---|---|
| 1. Police | Calls to police, Incidents reported, Incidents Investigated, Officers deployed, Incidents founded, Suspects detained, Crimes cleared by Charge, Crimes cleared otherwise, Persons charged, Recidivism rate, Incident classification (most serious offence), Type of charge (by criminal code section), Offender and victim characteristics (age, sex, ethnicity, offender-victim relationship, etc.), Incident characteristics (type of firearm, level of injury, loss of property, drug/alcohol use, etc.) |
| 2. Kenya Anti-Corruption Commission | Number of reported cases on corruption; types and forms of corruption; arenas of corruption, in terms of the types of institutions from which the reports come; characteristics of complainants disaggregated in terms of gender, employment/income status and age; number of concluded criminal cases related to corruption; ongoing criminal cases on corruption |
| 3. DPP | Data on cases initiated by offence type; charges initiated; appeals initiated; court appearances by type; cases disposed of; offender |

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[5] Adapted from, the United Nations Manual for Development of a System of Criminal Justice Statistics

| | | |
|---|---|---|
| | | characteristics (age, sex); and type of disposition. |
| 4. | Judiciary | Data on all the cases filed (person cases initiated by type of offence), case type, charges initiated by section, appeals initiated, court appearances by type of offence, court hearings, case elapse time, case convictions, cases disposed of (decided/finalized), cases pending, recidivism rate, offender characteristics, (age, sex among others), date of hearing and disposition by type. |
| 5. | Prisons | Data on admissions, offence type, offender characteristics, recidivism rate (offenders re-admitted), average inmate count, infractions and violations, and release by type. The Kenya Prisons service has data on the total prison's admissions, which is disaggregated in terms of gender and age |
| 6. | Probation and Aftercare Department | Data on persons admitted, persons re-admitted, offender count, infractions and violations, releases by type and time, offence type, offender characteristics (age, gender and economic status) |
| 7. | Children's Department | Name of the child, type of offence, offender characteristics (age, sex, economic status, education level etc.), characteristics of the offence |

The data currently available does not meet the information requirements as mentioned above.  Data in all these institutions present a number of limitations:

- Are limited in scope and content and do not contain sufficient variables. The processed and consolidated data mainly found at the headquarters' of these agencies is limited in scope depending on the specific role of each agency. Thus when collating and processing data, agencies select only the variables that meet their specific data needs relative to their mandates and discard the rest that might be useful for the other agencies;
- The data in most of these institutions is incomplete as they are computed based on the information received from the stations. Due to various reasons, including inter alia non-computerisation of data, the ineffective and often slow modes of communication used in submitting the returns some stations are not able to submit their returns and the data available may therefore lack in geographical representation;
- Though a lot of data containing a lot of variables is collected at station levels in these institutions, it is not fully collated, analysed and reported.
- Data variables, concepts, definitions and classifications used in each of these institutions differ substantially and therefore difficult to compare data across institutions.

*Recommendations for Improvement of Data*
- Mechanisms need to be put in place to ensure full collation, analysis and reporting of data collected at the station levels;
- For comparability and compatibility of data across the criminal justice institutions, there is need for harmonization and adoption of common variables, concepts, definitions and uniform categorizations. This will enable the linking of data from different components of the criminal justice system and between the criminal justice system and other agencies;
- Data in these institutions need to be computerized and the system networked to facilitate sharing of information at all levels;
- Mechanisms need to be put in place to assist the agencies process and streamline their data to make it useful.

## 2.3 Data Collection Tools and Methods

There are different tools and methods used in collecting data. Each agency in the criminal justice system identifies and records information in ways developed mainly to meet their individual information needs. The agencies thus do not collect data that is targeted in meeting the information needs of the other agencies in the Criminal Justice System. Data collected by the Judiciary, for instance is not targeted at meeting the information needs of the Kenya Prison Service. The forms used in collecting judicial data are designed in a manner that aims to assess the output from magistrate courts. The implication of this is that the prisons do not get data that is sufficient in scope from the judiciary and it is therefore forced to obtain this data from the people being admitted to prisons.

There is no commonality in person identifier and general harmony in definition of variables and categorization of cases in the tools used in collecting data. For instance, when an offender is reported at the police station, he/she obtains a unique person-identifier through the Occurrence Book Number. However, on forwarding the file to Department of Public Prosecution, the person acquires a different person identifier from that provided by the police. This trend is true through the whole criminal justice system. This makes it very difficult to monitor cases across the system. This also results into lack of forward and backward linkages. The categorization of cases/crimes is also not common across the system.

*Recommendations for improvement*

- A common person identifier should be adopted across the system. This means that, the person identifier that an offender acquires upon arrest by the police through the OB number should be the same one used as the person moves across the system up to the time of release. This permits measurement of information flow and forward-backward linkage across the criminal justice system;
- There is need to develop a standard classification of criminal offences. All criminal offences that can result in a formal charge against an offender must be classified by some type of consistently applied coding system that identifies each offence uniquely. Such a standard classification scheme allows the collection of meaningful and comparable information about criminal activity;
- There is need to review and harmonize data collection tools.

## 2.4 Data Analysis Procedures

The data analysis procedures differ significantly across the agencies. Individual agencies have their own data analysis tools and procedures tailored to meet their unique information needs. While some undertake trend analysis, others only categorise the data variables and others don't analyse the data at all. In addition, the amount of data variables used during analysis depend substantially on the information needs of an individual agency without due regard to the information needs of other agencies in the criminal justice system. This makes it difficult to compare data across the agencies. For instance, while the police analyse data based on the type of crime prevalence during a given year, KACC bases its analysis on case status and DPP does not analyse its data. In addition, the Judiciary only bases its analysis on the performance of magistrate courts (though a lot of its data is not analysed), the prisons

base its analysis on the total prison admissions during a given period by offence type. This illustration demonstrates that data across the institutions can not be linked.

*Recommendations for improvement*

Data analysis procedures across the criminal justice agencies should be harmonized to ensure that the processed data meets the information needs of the agencies in terms case loads and case characteristics as outlined in the template on Table 1.

## 2.5 Reporting Frameworks

Each agency has a different reporting framework specific to its needs. Further, there is also no formal and predictable mechanism for sharing data among and between these institutions. The implication of this is that the various institutions are not able to predict their workload and hence not able to plan.

*Recommendations for improvement*

- There is need for establishment of well-coordinated and predictable working arrangements among agencies in the criminal justice system to facilitate sharing of data.

## CHAPTER 3: KEY FINDINGS ON ASSESSMENT BY AGENCY AND DATASET

### 3.1 Introduction

The following section provides an assessment of existing data, data collection tools and methods, data analysis procedures and reporting frameworks for various agencies in the criminal justice system. It identifies the gaps and gives recommendations for improvement[6].

### 3.2 The Kenya Police Force

#### 3.2.1 Introduction

The roles of the Kenya Police Force as outlined in CAP 84, the Police Act include to:
- Maintain law and order
- Preserve peace
- Protect life and property
- Prevent and detect crime
- Apprehend offenders
- Enforce all laws and regulations with which it is charged.

#### 3.2.2 Existing Data

The Kenya Police has data on total crime incidents reported, incidents investigated, persons charged, incidents founded, crimes acquitted and those pending before court. The data also gives the identification of the offender, the geographical location of the crime incident, sex and age of the offender. Case characteristics are clearly defined in terms of crime incidents classification (serious offences[7]).

However, the data containing the above variables is found at station level. The processed data at the Statistics Unit, at the Headquarters is limited in scope as it is mainly on number of reported cases per offence type during a given period of time. The processed data available at the Kenya Police Force is as presented in table 2 below.

**Table 2. Comparative Crime Figures for 2004, 2005 and 2006**

| S/No | Offences | 2004 | 2005 | 2006 | Total | % Of The Total |
|------|----------|------|------|------|-------|----------------|
| 1 | Homicide[8] | 2,411 | 2,313 | 2,090 | 6,814 | 2.9 |
| 2 | Offences Against Morality[9] | 3,39 | 3,153 | 3,525 | 10,117 | 4.4 |
| 3 | Other Offences Against | 20,247 | 17,304 | 18,723 | 56,274 | 24.3 |

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[6] See annex 4 for summary of analysis per agency data set

[7] Note that, only serious offences are forwarded to the Kenya Police Headquarters Statistics Unit after classification emanating from crime incidents recorded in the occurrence book. The petty offences are dealt with at the local levels and figures are never reflected in the national crime statistics.

[8] Including murder among others

[9] Including *inter alia* rape and defilement

| | | | | | | |
|---|---|---|---|---|---|---|
| | Persons[10] | | | | | |
| 4 | Robbery | 7,967 | 6,936 | 5,234 | 20,137 | 8.7 |
| 5 | Breaking | 9,242 | 8,454 | 7,420 | 25,116 | 10.9 |
| 6 | Theft of Stock | 2,380 | 2,219 | 2,209 | 6,808 | 2.9 |
| 7 | Stealing | 13,119 | 12,589 | 10,874 | 36,582 | 15.8 |
| 8 | Theft By Servant | 3,217 | 2,874 | 2,700 | 8,791 | 3.8 |
| 9 | Vehicle And Other Thefts | 2,037 | 1,718 | 1,660 | 5,415 | 2.3 |
| 10 | Dangerous Drugs[11] | 5,761 | 6,356 | 5,821 | 17,938 | 7.7 |
| 11 | Traffic Offences | 60 | 38 | 62 | 160 | 0.1 |
| 12 | Criminal Damage | 3,852 | 3,236 | 3,518 | 10,606 | 4.6 |
| 13 | Economic Crimes | 1,868 | 1,390 | 1,873 | 5,131 | 2.2 |
| 14 | Corruption | 182 | 107 | 252 | 541 | 0.2 |
| 15 | Offences Involving Police Officers | 6 | 29 | 76 | 111 | 0.0 |
| 16 | Offences Involving Tourist | 40 | 32 | 84 | 156 | 0.1 |
| 17 | Other Penal Code Offences | 8,013 | 6,652 | 6,104 | 20,769 | 9.0 |
| 18 | **Total** | 83,841 | 75,400 | 72,225 | 231,466 | 100.0 |

Source: Kenya Police Force 2007

The data presents a number of other limitations. These include:

- The consolidated data available at the Police headquarters is limited in scope as it does not provide a sufficient balance among the variables that are requisite for police data as outlined in template in Table 1. Most specifically:
  - The data gives the number of incidents reported during a particular year but does not provide the characteristics of offenders that may be important in determining the demographic trends of crimes. Through cross tabulation, it would be possible to establish the age and economic groups most notorious in committing particular crimes and thus help in designing more focused intervention programmes;
  - The data does not provide details on the number of arrests and prosecutions;
  - Whereas the data on the number of crime incidents are disaggregated by crime types against given time frames, there is a general lack of data describing case characteristics such as type of charge by criminal code section, number of suspects detained, crimes cleared by charge and the recidivism rate among other variables. Data on crimes under investigation or cases pending before court, for instance, is not disaggregated in a manner that can assist the user understand the investigated cases per crime category and offender characteristics and geographical location of crime incident.

It is however important to note that existing data especially contained in the Occurrence Book (OB) and serious crimes register at the local police stations is sufficient in scope and content in terms of providing details on case loads and case characteristics in line with the information requirements as outlined in template on Table 1. Nonetheless, the quality of the data gets compromised as data is transferred from one level to another. During the transfer, aggregate data with fewer variables is captured. This therefore means that, high quality data that is complete in terms of coverage, rich in content and adequate in scope can only be obtained at station level.

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[10] Including assault among others
[11] Including handling, cultivating, usage and possession

It is therefore recommend that mechanisms be put in place to fully process data existing at the station levels to ensure that the eventual data at the headquarters meet the information requirements as outlined in table 1.

### 3.2.3 Data Collection Tools and Methods

The main data collection tool for the Kenya Police is the Occurrence Book (OB) that is completed at every police station.

The OB has a number of variables, namely: serial number; reference number; type of crime reported; action taken; Officer in Charge of Station's (OCS) remarks column[12].

Data on crimes that come to the attention of the police mostly through reporting by the public and the police on patrol is recorded in the OB.

The information in the occurrence book is then used to determine the nature of the criminal incident, the number of violations of crimes, the number of offenders involved, the date and location of the incident, a unique case identifier for each offender and the basic characteristics of the offenders (age, sex, geographic location).

Those crimes categorized by the OCS as serious - based on the Penal Code are transferred from the OB to the serious crimes register. These crimes are summarized on a daily basis into tally sheets which are sent to the headquarters and copied to the divisional and provincial offices for final computation into national statistics.

*Gaps in the data collection tools and methods*

- The occurrence book has a mixture of variables including those that are not crime related (these may include any visits made to the station on any particular day). This makes the sorting out of crime related information cumbersome.
- The tools are not computerized

*Recommendations for Improvement of data collection tools and methods*

- There is need for review of data capture tools in line with the on going reforms within the police force and the wider criminal justice system. This should be undertaken in discussion/consultation with the officials within the police force;
- The data collection tools (OB and Serious Crimes Register) need to be computerized.

### 3.2.4 Data Analysis Procedures

The Statistics unit at the headquarters receives data from the provinces on a daily basis. This data is on serious crimes[13]. The data is received for analysis through police signals that are sent in hard copies. Using simple descriptive statistics contained in MS Excel, data is sorted and categorised based on particular variables. The variables

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[12] The column on the remarks by OCS is very important as it enables the determination of whether a reported incident amounts to a crime and whether it is petty or serious. This also defines the kind of action to be taken.

[13] The police collects data on both petty and serious crimes, but only serious crimes are forwarded to the statistics unit at the headquarters

on type of crime against a particular period influence the sorting out of the data. Thus, data analysis generates frequencies and percentage increase and decrease of various crimes reported.

The strength of the procedure used in the analysis is that it assists in pointing out the types of offences that are most prevalent.

*Gaps in Data analysis procedures:*

- The analysis of the data only utilises a few variables particularly giving time frame-specific volume indicators (i.e. the number of reported cases per offence type in a given time-frame) at the exclusion of other very important variables that elaborate the characteristics of the offender in terms of age and sex; offence characteristics among other variables. This limited variables used does not satisfy the users' needs for instance in knowing the age of the population that has a higher predisposition to committing certain types of offences. This kind of information is essential in designing strategies that are fundamental in dealing with crime.
- The data analysis procedure used is very cumbersome as it entails re-entry (despite the fact that at provincial level the data is usually entered into the computer before being submitted to the statistics unit at the headquarters in the form of a police signal which is a fax-like print out) of all data received from all stations on a daily basis into the computer before being sorted using excel computer package. This also leads to duplication of the work done at the provincial level. Re-entry of data may also result into errors and inaccuracies.
- The quality of data is also a function of the resource factor both in terms of the personnel, equipment and the financial resources. Within the Kenya Police Force, the scenario is such that subject matter experts (Police Officers) lack the statistical expertise essential in ensuring that the data is completely analysed and placed in a proper context. The statistical experts lack subject matter expertise necessary in understanding the fundamental variables and developing concepts and definitions to be employed, in planning and conducting the analysis and in preparing the outputs. The implication of this has been that the data collected has limited scope in terms of subject matter content.
- Though STAT-CAP has trained a number of officers on basic statistics, research and IT, findings still reveal apparent gaps in management of police data.[14] Further, not all trained are assigned to work at the statistics unit - currently, only 3 out of the 10 officers in the statistics unit at the headquarters have basic computer and data management skills. The implication of this is inadequate data analysis.

*Recommendations for data analysis procedures*

- The analysis of the data should include more variables particularly on case loads and case characteristics as outlined in table 1;
- There is need for the establishment of a computerised police database that is networked to enable the data analyst access information from all stations, or at-least the provincial offices without having to re-enter it;
- There is need to harmonise statistical and IT capacity building endeavours by various actors including STAT-CAP with a view to integrating them into a comprehensive training

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[14] Not all those trained work at the Statistics Unit at the Headquarters.

programme on effective Management Information Systems for ease of collection, analysis, presentation, archival and retrieval of the data. This should also aim at achieving a coordinated training programme that is effective and demand driven;
- There is need to enhance the capacity at the statistics unit to ensure effective and comprehensive data analysis.

### 3.2.5 Reporting Framework

The Kenya Police has a reporting framework that gives the crime trends during particular years presented in summarised tables, bar graphs, pie charts and line graphs. These provide information on crime trends by type over a given time frame. The reporting framework gives an account of the crimes that are most prevalent.

The reports are produced on monthly, quarterly and annual basis from data received from all the stations by the statistics unit at the headquarters.

The information in the reporting framework is however limited in scope in that the analysis mainly describes the types of crimes during a given period but leaves out very important data on offender characteristics, for example, age, sex, and economic status.

The monthly and annual reports are mainly shared among the police departments and the Ministry of Internal Security, which fall under the Office of the President, for administrative purposes. The quarterly reports are disseminated to the same departments at the discretion of the Police Commissioner. The reports are disseminated both in soft and hard copies. The hard copies are kept at the statistics unit to assist those who may need information from the police on crime figures. Further, the data is also posted in the Kenya Police website for access by a wide range of stakeholders. In some instances, the data is communicated to the wider public through the mainstream media stations.

It is however instructive to note that, there are no formal mechanisms in place to share data with other criminal justice institutions. The data generated is largely for internal use.

### Recommendations for Improvement of Reporting Framework

- Mechanisms need to be put in place to make the dissemination of data more effective and efficient and to cover a broader range of stakeholders. Of particular importance should be the development of mechanisms to facilitate the sharing of data between the police and other criminal justice institutions such as development of a common data base for the criminal justice system among others;
- The data in the reporting framework should be designed to meet the information needs of the Department of Public Prosecution and other criminal justice agencies. The framework should contain information on criminal incidents reported, suspects arrested, suspects detained, incidents investigated, incidents founded, crimes cleared by charge, crimes cleared otherwise, persons charged and cases filed with the prosecutor. This should also capture the characteristics of the offender, case characteristics and geographical location of crime.

### 3.3 Kenya Anti-Corruption Commission (KACC)

#### 3.3.1 Introduction

The Kenya Anti-Corruption Commission (KACC) was established as part of the Government's commitment to eradicate corruption, promote good governance and foster transparency in all sectors. The Commission's key functions as stipulated in the Anti-Corruption and Economic Crimes Act include:

i. To investigate any matter that, in the Commission's opinion raises suspicion that any of the following have occurred or are about to occur:
   - conduct constituting corruption or economic crime
   - conduct liable to allow, encourage or cause conduct constituting corruption or economic crime;
ii. To investigate the conduct of any person that, in the opinion of the Commission is conducive to corruption or economic crime;
iii. To assist any law enforcement agency of Kenya in the investigation of corruption or economic crime;
iv. At the request of any person, to advise and assist the person on ways in which the person may eliminate corrupt practice;
v. To examine the practices and procedures of public bodies in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures that, in the opinion of the Commission, may be conducive to corrupt practices;
vi. To advice heads of public bodies of changes in practices or procedures compatible with effective discharge of the duties of such bodies that the Commission thinks necessary to reduce the likelihood of the occurrence of corrupt practices;
vii. To educate the public on the dangers of corruption and economic crime and to enlist and foster public support in combating corruption and economic crime;
viii. To investigate the extent of liability for the loss or damage to any public property and to institute civil proceedings against any person for the recovery of such property or for compensation; and
ix. To recover property or enforce an order for compensation even if the property is outside Kenya or the assets that could be used to satisfy the order are outside Kenya; and
x. To carry out any other functions conferred on the Commission by or under this Act or any other law.

#### 3.3.2 Existing Data at KACC

The Kenya Anti-Corruption Commission currently has data on:
- Number of reported cases on corruption;
- Types and forms of corruption;
- Arenas of corruption, in terms of the types of institutions from which the reports come;
- Characteristics of complainants disaggregated in terms of gender, employment/income status and age;
- The number of concluded criminal cases related to corruption;

- Ongoing criminal cases on corruption.

The data containing the above information is mainly in the data-base[15]. The processed data and reported data is however limited in scope as it lays more emphasis on the case status during a given period. This is in accordance with the mandate proscribed in the Anti-Corruption and Economic Crimes Act (2003). The analysed and reported data is limited in scope and content as it does not provide the case status by type of offence, offender characteristics and geographical location.

The processed data is mainly on the status of various cases – largely presented as progress report. The processed data that is readily available at the Commission is as presented in the table 3 below.

**Table 3. Case Summary for 2005-2006**

| Case status | 2005 | 2006 |
|---|---|---|
| Referred to KACC | 755 | 1447 |
| Other Investigative Agencies | 827 | 1075 |
| Public Service Organizations | 1445 | 1548 |
| Avail More information | 35 | 88 |
| Advised on right authority to report matter to | 1284 | 3517 |
| Advised to seek civil redress | 987 | 638 |
| No further Action by KACC | 294 | 262 |
| **Total cases** | **5709** | **8575** |

Source: Kenya Anti Corruption Commission, 2007

The key strength of this data is that it updates or informs other agencies in the criminal justice system on the status of given cases and action that has been taken.

Although a lot of data is available in the database, the processed data is limited in scope in terms of providing details on case load and case characteristics. It is therefore recommended that the mandate of the Commission as stipulated in the Anti-Corruption and Economic Crimes Act be expanded to allow it processes more details on case load and case characteristics as outlined in Table 1.

### 3.3.3 Data Collection Tools and Methods

The Kenya Anti-Corruption Commission has a Reports and Data Centre that is responsible for collection, collation, analysis and presentation of data. The department has trained personnel in IT, data collection, analysis and reporting. It also has computers with the necessary software for collection, collation and presentation of data.

The data is collected using data capture sheets which are in various categories, namely (See Annex 7 for details);

   i.    Corruption Reporting Form – details of reported cases at the commission are recorded;

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[15] The database is however only accessible to the personnel at KACC.

ii. Telephone Report Form - Details of reported cases through telephone calls are reported;

iii. Emails and anonymous system (Business Keeper Monitoring System - BKMS). This guarantees anonymity and hence confidentiality. This tool has substantially encouraged and thus increased the reporting of corruption related cases.

The email reporting system has the strength of enabling people report cases of corruption without providing their identity. This encourages people to report the cases without fear.

The data capture forms are constantly revised by KACC to enhance efficiency and guarantee quality of data. The data capture forms are mainly designed to meet the information needs of the Commission.

KACC principally gets data through reported cases of corruption by members of the public. Reporting may be physical, through letters, or the internet (website reporting). The collected data is then fed into a comprehensive database, which has variables similar to those contained in the data capture forms.

Our findings indicate that the data collection tools and methods at KACC are sufficient to capture data on both case loads and case characteristics as outlined in the template in Table 1.

### 3.3.4 Data Analysis Procedures

The data is analysed based on the variables in the data capture sheets. This involves assessment of the case and categorising it as either petty or grand corruption. Simple descriptive statistics are used to generate frequencies and rates of change while trend analysis give comparative figures and percentage increases or decreases of corruption over a given period of time. The Commission uses MYSQL and Oracle database applications to perform its data analysis.

*Gaps in Data Analysis Procedure*

- Limited variables are used during analysis as reflected in the data that is eventually reported – though this is line with the mandate stipulated Anti-Corruption and Economic Crimes Act (2003) which establishes the Commission.

*Recommendations for Improvement of data analysis procedure*

- The analysis process should take into account the variables contained in the data base to ensure that adequate detail is covered at the stage of analysis.

### 3.3.5 Reporting Framework

Monthly, quarterly and annual reports are produced giving comparative trends of the data. These are presented in graphs, pie charts and tables. The reporting framework

gives the number of cases reported and how they were acted upon. It also provides the status of the case (see annex 7 (c)) for details.

The information presented at the reporting level is however limited in scope as the variables used at the reporting level are mainly on how cases have been dealt with, the status of the case, and the period. Vital data on case type, geographical location of the crime/offender and characteristics of offenders are left out. The reporting framework is more of a progress report as opposed to a report aimed at meeting the information needs of other criminal justice agencies and other stakeholders as outlined in the template in Table 1.

The monthly reports are for internal use within the Commission and are not disseminated to other stakeholders. Annual reports are however distributed to the stakeholders. Consolidated annual and quarterly data is also published in the Kenya Gazette, posted to the internet for access by stakeholders across board and media briefings are occasionally provided to inform stakeholders on the status of various corruption cases.

*Recommendations for improvement of reporting framework*

- The Commission needs to cover and provide more details at the reporting level;
- The information at the reporting level should be tailored to meet the information needs of other agencies of the criminal justice system and other stakeholders instead of being tailored to show the progress in cases within commission as is the case at present. This should entail the capturing of variables on case type, offender characteristics as outlined in the template in Table 1;
- As part of data dissemination strategy, the Commission needs to create a forum for discussion with the other agencies of the criminal justice system with a view to sharing information. This mechanism should be well coordinated and predictable.

### 3.4 Department of Public Prosecutions (DPP)

#### 3.4.1 Introduction

The DPP derives its mandate from the Attorney General under section 26 of the Constitution.

The key functions of the DPP as stipulated in the DPP Service Charter include:
- Advise the police on possible prosecutions;
- Review prosecution started by the police to ensure the right defendants are prosecuted on the right charges before the court;
- Undertake public prosecutions of cases forwarded by
  - Police,
  - Kenya Anti-Corruption Commission,
  - Criminal Investigation Department,
  - Banking Freud Investigations Unit,
  - Cases taken over from private Prosecutors.
- Represent the state in all criminal cases, criminal applications and appeals;
- Advise Government Ministries, Departments and State Corporations on matters pertaining to the application of criminal law;
- Monitor the training, appointment and gazettement of Public Prosecutors in Statutory Corporations;
- Address Parliamentary questions in administration of criminal justice;
- Address complaints raised by members of public, watchdog bodies and other institutions;
- Undertake other administrative roles relating to efficient and effective administration of criminal law in the country.

#### 3.4.2 Existing Data at the DPP

The DPP has data on cases disaggregated by offence type; charges initiated; appeals initiated; court appearances by type; cases disposed of; offender characteristics (age, sex); and type of disposition. The cases emanate from the police or from the Kenya Anti-Corruption Commission. This data is mainly contained in the registry in its raw form without further analysis.

However, the only data that has been extracted from the files and consolidated into meaningful information is that on criminal cases prosecuted in the high court. This data comprises of records on murder, corruption, inquest, appeals, judicial reviews, constitutional applications, advice on police files and cases for revision. The data is disaggregated by outstation.

The main limitation of the data at the DPP is that the data is not extracted from the files, analysed and stored in a format that is user friendly. The implication of this is that the data is difficult to understand and use for future reference. Further, trends can not be drawn from the data.

It is recommended that efforts be aimed at computerisation of data at the DPP. Data, analysis procedures and a reporting framework should also be developed in line with those of other agencies in the criminal justice system.

### 3.4.3 Data Collection Tools and Methods

The DPP receives its administrative data mainly from the police and the Kenya Anti-Corruption Commission (KACC). Police files are received on a daily basis whereas cases from KACC are received as they arise. All the administrative data at the DPP is held at the registry, which consists of two sections, the General Office Services (GOS) and the court work section. The incoming data is recorded manually in registers and diaries.

The register is the main tool for data collection. There are various types of registers, namely;
i.      Incoming mails register in which incoming mails are recorded;
ii.     Police files register which consists of police files received at the DPP for advice;
iii.    The registry index, consisting of the DPP's referencing of various crimes;
iv.     The movement register, in which the movement of files between counsels is recorded;
v.      The dispatch register in which the particulars of dispatched letters are recorded.


Data received at the Court Work section is categorised into criminal, corruption and murder cases. For each of these categories, a register and diary are used to record information pertaining to the particular cases. The registers are used to record the full details of each of the cases namely: Police reference number; name of the accused; the station and province from which a case originates; date of receipt; offence committed; DPP reference number; and the name of officer handling the case. On the other hand, diaries are used for ease of retrieval of information pertaining to the status of particular cases. Therefore, it captures the following variables: high court case number; name of the accused; hearing date; action officer; and remarks, that is, whether a case is being heard for the first time or has been partly heard.

It is worth noting that computerisation of the registry in the DPP has started. However, there is need to expedite the process to facilitate the realisation of data and information management requirements of the department.

*Gaps in data collection tools and methods*

- The registers have a mixture of variables which are also limited in scope and therefore do not meet the information requirements for the DPP as outlined in the template in Table 1;
- Using the registers as the data collection tools is a very cumbersome process and may not allow for follow-up by other agencies in the criminal justice system;
- The data collection tools are not computerised;
- The personnel collecting data lack data collection and IT skills.

*Recommendations for improvement of data collection tools and methods*

- More variables need to be added to the registry to meet the information requirements of the criminal justice data as outlined in the template on Table 1;
- In view of the on-going reforms in the criminal justice system, the DPP should consider developing simple forms containing the aforementioned variables and should be fitted in a computerized system. The data once manually captured would be transferred to a computerized data base. It is however important that the forms be developed in consultation with the officials within the DPP;
- There is need for computerization of data collection tools and methods where relevant variables found in all the data collection tools are harmonized in a data base;
- Training of the personnel on data collection methods and IT should also be undertaken. This should be in line with the broader capacity building agenda of STAT-CAP.

### 3.4.4 Data Analysis Procedure

Very preliminary analysis of the data - which only began recently, is being undertaken by the department. This entails the categorisation of the cases by type. The variable describing case type largely influences the sorting out of the data. As of 22nd March 2007, the department had only managed to analyse data on murder cases heard from 5th to 15th March 2007 and cases received from KACC from January to 23rd March 2007. In our assessment, an estimated 98% of data has not been analysed and presented in a manner that can suit the information needs of other agencies in the criminal justice system including inter alia the Police and the Judiciary.

*Gaps in data analysis procedures*

- Most of the data at the DPP is not analysed and is therefore very difficult to interpret and understand. The data can also not be useful for planning purposes of the DPP and judiciary;
- Non-computerization of the registry makes it very difficult to sort out the data for purposes of classification of the cases. The manual categorization of the data is very cumbersome and time consuming and the data is also prone to a lot of errors;
- Inadequate statistical and IT skills among the personnel at the DPP to analyze the data has hampered the analysis process.

*Recommendation for improving data analysis procedure*

- The DPP should put in place effective mechanism to enable it analyze and report its administrative data to make it useful to the criminal justice system. This should involve: the computerization of the registry to facilitate faster analysis of data; comprehensive training of available staff on statistical and IT skills to enable them effectively manage data (This training should be situated within the broader STAT-CAP statistical capacity strengthening for various institutions); enhancement of the capacity of the department to assist in the analysis of already amassed data; acquisition of additional computers and data analysis packages;
- The data analysis should give trends, comparing the data with other data series from previous years within the DPP and also from other institutions;
- The analysis should include more variables to ensure that the interpretation of the data meets the information needs and requirements of the DPP as well as the other agencies as outlined in the template in Table 1.

### 3.4.5 Reporting Framework

The DPP through the Attorney General submits quarterly and annual reports to the National Assembly with respect to corruption and economic crimes. These reports are based on investigation reports submitted by KACC to the Attorney General. However, the rest of the data obtained from the police is simply amassed in the registry and is not disseminated to other agencies within the criminal justice system or the general public. There is also no standard reporting periodicity for the amassed data. Data is only availed upon request. This makes it difficult to make forward and backward linkages with other agencies of the criminal justice system.

*Recommendation for improvement of reporting framework*

- There is need to develop an elaborate reporting framework that is comprehensive in articulating scope and content on all the data in the registries in the Department;
- Just like the Police and KACC report on monthly, quarterly and annual basis, the DPP should also adopt such reporting periodicity on all its data;
- The data at the DPP should be disseminated in both hard and soft copies to the agencies in the criminal justice system and to other stakeholders. The DPP needs to develop and host a website and hold regular meetings with the agencies in the system with a view to sharing data. In addition a media strategy needs to be developed for the DPP to enable is avail information to the media for eventual communication to cross section of stakeholders.
- There is need for enhancement of capacity to assist in keying in data that is currently held in raw form at the registry and to analyze the same.

## 3.5 The Judiciary

### 3.5.1 Introduction

The main function of judiciary is administration of justice. The Presidential Circular (No.1/2007) of January 2007 outlines the components of the judiciary as: Court of Appeal; High Court; Magistrates' Courts; Kadhis' Courts; Judicial Service Commission and National Council for Law Reporting.

### 3.5.2 Existing Data at the Judiciary

The Judiciary has data on all the cases filed by case type, charges initiated, appeals initiated, court appearances by type of offence, court hearings, case elapse time, case convictions, cases disposed of (decided/finalized), cases pending, recidivism rate, offender characteristics, (age, sex, etc.), date of hearing and disposition by type.

However, the data containing the above information is mainly in the court files and not extracted and processed. The processed data available at the Judiciary's Central Planning Unit is limited in scope as it lacks data variables on case loads and case characteristics that are important in meeting the information requirements of the judicial data outlined in the template in Table 1.

The aggregated administrative data on criminal cases available at the Judiciary largely from the magistrates' courts are as follows:

**Table 4. Returns from Magistrate Courts 2004-2006**

| Case Status | 2004 | 2005 | 2006 |
|---|---|---|---|
| Total cases filed during the year | 189,642 | 171,775 | 172,515 |
| Average No. of pending cases during the year | 77,316 | 82,212 | 110,881 |
| Total cases decided during the year | 166,177 | 165,511 | 158,272 |

Source: Judiciary 2007

The computed and processed data at the Central Planning Unit of the Judiciary is also incomplete as a number of courts delay in submitting their returns and in extreme cases fail to submit. The aggregate data in Table 4 above is incomplete as it does not contain data from all magistrate courts. However, by the time of undertaking the study, we could not establish the proportion of the magistrate courts that have not submitted their data.

In addition, by the time of undertaking this study, data from High Court and Court of Appeal had not been computed. At the time of the interview, there was no data at the Central Planning Unit from the High Court and Court of Appeal.

A lot of data is available in the court files on case loads and case characteristics but it is not extracted and processed to meet the information requirements of the Judiciary as outlined in the template on Table 1. It is therefore recommended that action be

taken aimed at extracting, processing and reporting this data based on the information requirements on Table 1.

Further, mechanisms need to be put in place to facilitate timely submission of returns by all courts to the Central Planning Unit. This could entail the computerisation of the data in the files and the forms and the development of a networked data base for the entire Judiciary. This will facilitate sharing of information among all courts in the country and access to the data by the Central Planning Unit for eventual processing and reporting.

### 3.5.3 Data Collection Tools and Methods

The data in the Judiciary is mainly obtained from the local courts. The process of data collection in these courts begins when a person is charged. The court staff opens a file which forms the basis for data collection. The files used for capturing data at the courts seem to contain all variables in case loads and case characteristics as outlined in the template in Table 1.

The information in these court files are then supposed to be transferred to forms which are then forwarded to the Central Planning Unit for compilation. The forms include Stat HI (annex 8 (b)) - statistical information return sheet which was introduced in 2004 and is designed to capture returns from the individual judges; Stat 1(annex 8 (d)) is designed to capture monthly criminal case returns from every magistrate's court; Stat H2 (annex 8 (c)) is a modification of Stat2 (annex 8 (e)), designed to capture returns from all high court stations.

However, not all courts complete these forms and the forms do not capture all the variables on case loads and case characteristics as contained in court files. The implication of this is that, a lot of detail is omitted when transferring information to the forms for eventual submission to the Central Planning Unit.

*Other gaps in data collection tools and methods include:*

- Lack of harmony in variable definition and classification in data collection tools from different courts (the magistrate courts have their own categorisation and definition of offence by type among other variables);
- Some variables in the forms are not in tandem with the current changes in law. For instance, though corporal punishment and detention were abolished in Kenya the forms still have variables on the same (Part C of Stat 2);
- Use of wrong formats in capturing the data. This is occasioned by some courts making their own modifications to the forms to suit their local circumstances. This result into inconsistencies in the data collected (in terms of variable and concepts categorisation and definition in the criminal justice system);
- Difficulties in capturing Muslim Subordinate courts return due to unsuitable alterations. This makes it difficult to capture them in the final analysis due to inconsistency in variables used;
- The variables in the forms give very broad categories of cases by types (criminal, civil). The specific types of criminal offences are not given. This crime specific category would be useful in determining the frequency of case categories handled by the courts;

- Information collected on Stat 2 is quite limited and the classifications used are not always followed by most of the courts that make the Stat 2 returns. Stat 2 should be replaced by a series of monthly forms to reflect the user needs and courts ability to produce this information (Lewis 2004);
- The forms are designed in a manner that largely capture or monitor output made by various courts instead of capturing case specific data.

*Recommendations for improvement of the data collection tools and methods*

- Mechanisms should be put in place to fast track the implementation of the recommendations given by Chris Lewis (2004) on Kenya Judicial statistics. In our assessment of the situation, it seems that the recommendations by Lewis are yet to be implemented. (See the recommendations in Annex 3);
- The Judiciary needs to use common and consistent variables and definitions to ensure comparability, consistency and compatibility of data collected from all courts. This should entail consistent definition of offender or case classifications by type;
- The forms used in capturing data need to be revised and simplified. This should entail deleting variables such as those on detention and corporal punishment as they are no longer applicable in the criminal justice system. (Miscellaneous Amendment Act No. 5 of 2003);
- The variables in the data collection forms should also be reclassified into more specific categories in terms of case by offence type, offender characteristics by age, sex, and economic status incorporation of variables discussed under existing data at the judiciary;
- There is need for training the personnel at the courts levels on effective data management and IT skills to enable them collect sound and quality data. This should be undertaken in line with the broader STAT-CAP statistical capacity strengthening programme;
- Stat 2 form should be replaced by a series of monthly forms to reflect the user needs and courts abilities to produce this information (See the range of variables proposed for the forms as suggested by Chris Lewis in his Report on Kenyan Judicial Statistics (2004));
- The forms need to be revised to focus more on case load and case characteristic data. The forms should thus contain variables outlined in the template in Table 1.

### 3.5.4 Data Analysis procedure

The data is analysed based on the variables in the data collection forms using MS Excel computer package. This is used in sorting out the data in terms of case type and case status. The analysis gives the number of cases and the classification of these cases in broad categories of case types (criminal, civil and others) and the status of a given case.

*The gaps in the data analysis procedures are as follows:*
- The variables used in analysis are very limited in scope and are mainly based on progress made or status of given cases;
- Not all data is analysed. The data on Stats 1 is never analysed;
- The courts do not share most of their data even within the criminal justice system owing to the confidential nature of some of the information. This means that the entire range of data from the courts is not presented during analysis – even in situations where such data is of significance to other agencies within the criminal justice system;
- The level of computerisation is still at infancy stage with a few stand alone computers.

*Recommendation for improvement of data analysis procedures*

- Mechanisms should be put in place to fast track the implementation of the recommendations given by Chris Lewis (2004) on Kenya Judicial statistics (See recommendation in annex 3);
- There is need for creation of an automated and networked judicial database;
- The analysis procedure should endeavour to provide trends as this is usually more informative than just saying what happened in the previous month – as is currently the case with the judicial data;
- More variables need to be used during analysis especially on case load and case characteristics as outlined in the template in Table 1.

## 3.5.5 Reporting Framework

While monthly and annual reports are supposed to be produced, this is not always the case. The last annual report available was written in 2005.

Further, the three broad categories of courts, namely: the magistrate courts, the high courts and the court of appeal, have different reporting frameworks. The magistrate courts (annex 8 (a)) reporting framework gives a broad categorisation of cases into criminal and civil and case status. This is very limited in scope as the information contained in the framework does not meet the information requirements of judicial data outlined in the template in Table 1.

There are no predictable mechanisms in place to disseminate information to various actors including other criminal justice agencies. The Judiciary has no clear system of sharing information with the rest of the players in the system even though it occupies a central position in the criminal justice system. A properly working system would see the Judiciary providing useful information even back to the police to allow for counter checking.

*Recommendation for improvement of reporting framework*

- The recommendations given by Chris Lewis (2004) on judicial statistics should be implemented as they are very fundamental in strengthening the judicial reporting frameworks (See annex 3).
- The Judiciary needs to develop a standard and effective reporting framework that meets the information needs of the users in terms of scope and content and that is easy to interpret and understand. The variables need to be more specific.
- The reporting framework should give new and completed cases over a period of time say two years compared with say two months ago (Lewis 2004)

## 3.6 The Kenya Prisons Service

### 3.6.1 Introduction

Under the Kenyan constitution CAP 90, Kenya Prisons Act, the Kenya Prison Service is tasked to perform the following duties;

- Containment and keeping in safe custody of offenders;
- Rehabilitation and reformation of offenders through training and counselling;
- Facilitation of administration of justice by production of prisoners to courts for trials;
- Control and training of youth offenders;
- Recruitment, training and development of suitable personnel for service;
- Provision for children aged less than four years accompanying their mothers in prison.

### 3.6.2 Existing Data at the Kenya Prisons Service

Prisons have data on admissions, offence type, offender characteristics, recidivism rate (offenders re-admitted), average inmate count, infractions and violations and release type. This data is contained in the files and forms used in collecting information.

However, the extracted and processed data at the Research and Statistics Unit at the Kenya Prisons service Headquarters is limited in scope and is largely on the total prison's admissions, which is disaggregated by gender and age. The data specifies the types of offences; number of those convicted; and the unconvicted (remandees). (Data available at the Research and Statistics Unit is as presented in Table 5 below).

**Table 5: Total Prisons Admissions**

| Offences | Convicted | | | | Unconvicted | | | |
|---|---|---|---|---|---|---|---|---|
| | **2004** | **2005** | **2006** | **Total** | **2004** | **2005** | **2006** | **Total** |
| Rape | 1113 | 1172 | 1530 | 3815 | 701 | 722 | 626 | 2049 |
| Attempted Rape | 168 | 164 | 158 | 490 | 714 | 676 | 697 | 2087 |
| Assault | 2173 | 2568 | 2653 | 7386 | 7386 | 6756 | 7753 | 21895 |
| Murder | 182 | 195 | 237 | 614 | 1337 | 1324 | 1232 | 3893 |
| Robbery | 2356 | 2341 | 2279 | 6976 | 5693 | 5937 | 5794 | 17424 |
| Breaking & Stealing | 2367 | 2316 | 2430 | 7113 | 4085 | 4200 | 4646 | 12931 |
| Theft of Motor Vehicle | 161 | 96 | 106 | 363 | 314 | 247 | 285 | 846 |
| Corruption | 44 | 46 | 112 | 202 | 134 | 119 | 125 | 378 |
| Drug Related | 2582 | 3081 | 3243 | 8906 | 4480 | 4393 | 4525 | 13398 |
| Defilement | 793 | 728 | 797 | 2318 | 1557 | 1511 | 1703 | 4771 |
| Stealing | 3130 | 3574 | 3932 | 10636 | 6597 | 6578 | 6053 | 19228 |
| Theft of stock | 1124 | 1092 | 1095 | 3311 | 204 | 1877 | 2093 | 6024 |
| Obtaining | 434 | 563 | 437 | 1434 | 1139 | 1375 | 1520 | 4034 |
| Abduction | 195 | 151 | 115 | 461 | 481 | 465 | 392 | 1338 |
| **Totals** | 16822 | 18087 | 19124 | **54033** | 34822 | 36180 | 37444 | **110296** |

Source: Kenya Prisons Service, 2007

The data available at the Kenya Prisons Service also incomplete due to untimely submission of returns from some stations. By the time of computation of the data in Table 5 above, 22 out of 93 stations had not submitted their returns (March 2007)[16]. This is largely attributed to the delays in submission occasioned by the mode of communication (signals) used in relaying the data to the headquarters. The data does not therefore give an accurate picture of the actual prison's admission in a given time frame.

In addition, the data on prison admissions and hence the prisons population is misleading. This is because discharging a remand prisoner (unconvicted) every time he/she goes to court and counting him/her as a new admission upon return from court substantially inflates the figures of the total admissions in prisons.

It is instructive to note that data contained in the files and forms is very rich in detail and content as a lot of effort is made in capturing data on case load and case characteristics in line with prisons information requirements outlined in the template in Table 1. Efforts therefore need to be geared towards the comprehensive extraction of data contained in the forms to ensure adequacy in scope and content.

Further, effective and efficient communication mechanism need to be designed for prisons to facilitate timely submission of the data to the statistics unit for eventual consolidation. This should be coupled with comprehensive computerisation of the data and development of networked data base. This will facilitate access to data from all prisons.

### 3.6.3 Data Collection Tools and Methods

Data is collected on a daily basis in all the 93 prisons in Kenya. For each offender admitted into prison, a file is opened. Prison's case files contain information on case loads and case characteristics as outlined in Table 1.

Prison's data is summarized for national level statistics by using case files to fill data collection forms that are then sent to the Research and Statistics Unit at the prisons headquarters on a weekly basis for eventual computation into national statistics. However, not all stations make the weekly returns as expected - often there are delays in submission by some stations. The data is mainly captured using form 5 (annex9 (a)), with supplementary forms 5A (See annex 9 (b)) and 5B (annex 9 (c) and Labour Distribution Forms at station levels (these are not annexed). Form 5A expounds on form 5 (Table 1 part 1 (2)) - admitted during the month direct from courts. Form 5B expounds on form 5 Table 1 column 9 – three years and over.

The completed forms (5, 5A, 5B and Labour Distribution Forms) are sent to the headquarters through post office, courier services, or use of a messenger. The delay in submission of returns is usually attributed to the mode of communication used in submitting the returns which are deemed slow, ineffective and unreliable and unavailability of financial resources in some stations to be used in sending the completed forms.

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[16] These include Rumuruti, Bomet, Eldama Ravine and Kitale.

The data collection forms are very rich in detail and content and a lot of efforts are made in capturing and counterchecking information. The elaborate detail manifest in the data collection tools and methods are aimed at obtaining information that may not be received from the Judiciary that is crucial for prisons in undertaking their duties.

However, a number of gaps are apparent in the data collection tools and methods. These include:

- The forms used in recording the data though very useful are very long, have many variables and are too many, thus cumbersome and time consuming. A lot of time is spent collecting, collating, checking and adding up the data on the forms 5, 5A and 5B;
- Some of the variables in the forms used in collecting and analysing the data are outdated and do not reflect the current changes in law. These include a section on corporal punishment (Table II (2) and table III) does not apply to the Kenyan context – corporal punishment was abolished; Table VIII under offences for which received (offences under local acts) on the Chief's Authority Act needs to be deleted or the particular offence specified; Section 3 of Form 5A - remandees are no longer locked up during the day, section 4 a (ii) – detention is no longer practiced in Kenya; section 11 of Form 5A on employment – issues captured are already captured under the Labour Distributions Form; prisoners are no longer committed for vagrancy and offences classification in Table VIII needs to be reviewed;
- Discharging a remand prisoner (unconvicted) every time he/she goes to court and counting him/her as a new admission upon return from court substantially inflates the figures of the total admissions in prisons.

*Recommendations for improving data collection tools and methods*

- The recommendations that were given by Chris Lewis (2004) on Prison data, particularly those targeting the improvement of data collection tools should be implemented (see annex 3);
- There is need to revise and redesign current data collection instruments to meet user needs and reflect current changes in laws. This could be done as follows:
    - The sections addressing corporal punishment on Table II of form 5 should be scrapped off since corporal punishment is no longer effected in prisons. This was abolished under the Miscellaneous Amendment Act No. 5 of 2003,
    - There is need to specify and re-categorise offences under the Penal Codes and Acts outlined in Table VIII Form 5 to make them more specific and easy to record,
    - The section on offences under Chief's Authority Act in Form 5 should be deleted since some parts of the Act have been repealed. This categorisation is therefore obsolete,
    - Section 3 of Form 5A should be revised or deleted since remandees are no longer locked up during the day,
    - Section 4 a (ii) of Form 5A should be deleted since detention as form of punishment is no longer in force in Kenya,
    - Section 11 of Form 5A should be deleted since the issues covered are already captured on the labour distribution forms, which is also submitted to the headquarters by the prisons,
    - The revision and redesign of the forms should consider abandoning the original form 5, 5A and 5B and replace them with a new form say form 5 that includes/consolidates all the information in the three forms in one form.
- Prisoners (remandees) who go to court and return to prison on the same day should not be regarded as discharges or as new admissions from the courts. The present practice of counting a prisoner each time he/she appears in court adds considerably to the prison population figures

### 3.6.4 Data Analysis Procedures

The data is mainly analyzed manually using the variables in the forms (annex 9). The analysis is in the form of simple descriptive statistics which give frequencies, percentages increases and decreases and rates of change. This analysis provides information on type of offence, total number of offences and conviction rates among other variables. It also entails linking data through cross-tabulation of various variables. This gives overall aggregates on actual lock-up at the end of a given month and the daily average population for a given month.

*Gaps in data analysis procedures*

- The manual data analysis procedure is very cumbersome and is prone to a lot of errors. Further it is limiting in the sense that it cannot be used in analysing huge volumes of data and is also very time-consuming;
- Most of the personnel at the statistics department lack the requisite skills for data collection, analysis and management. Currently, the statistics department has 40 staff but only 5 have basic skills in statistics and use of computers[17];
- Very limited variables are utilised at analysis level and hence very vital details on case load and case characteristics is left out.

*Recommendations for improvement of data analysis procedures*

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[17] It is however worth noting that KNBS through STAT-CAP has trained approximately 150 staff at both station level and research and statistics unit on basic statistical and computer skills.

### 3.6.5 Reporting Framework

Monthly, quarterly and annual reports are produced. However, due to non-submission of returns by some stations as already discussed, the data contained in these reports may not give a true picture of the situation in Kenyan prisons.

The reporting framework gives the monthly or annual prison's admissions. The monthly figures are organised in terms of convicted and unconvicted prisoners. Further, the figures give actual lock-up at the end of the month and the daily average population for the month (annex 9 (d)). However, the reporting framework is not self-explanatory and is limited in scope and content.

There is no elaborate and predictable system at the Kenya Prisons Service for dissemination of data. Most of the data is kept in hard copies and only accessed upon request. Data is mainly stored in hard copies thus limiting the extent of exploitation of data in terms of updating, utilization, transferability and durability.

*Recommendations for improvement of the reporting framework*

- For the framework to be comprehensive, efforts need to be made to include an explanatory paragraphs on the figures and variables;
- Further, more variables should be included at the level of reporting particularly on case load and case characteristic;
- An elaborate data dissemination strategy needs to be developed for the Kenya Prisons data targeting all stakeholders – particularly the other agencies of the criminal justice system. The most basic stage should entail the computerisation of the data and development of a networked data base;

## 3.7 The Children's Department

### 3.7.1 Introduction

The Children's Department draws its mandate from the Children Act. No. 8 of 2001. Its main mandate is to protect the welfare of the children.

Its specific functions as stipulated in the Act include:
- Facilitation of the provision of children welfare services through conducting social inquiries, generating and preparing court reports, counseling and enforcing orders made by courts of Law;
- Supervision of statutory children rehabilitation schools and remand homes, as well as charitable children homes in order to safeguard and promote the welfare of children admitted therein;
- Provision of guidance and counseling, supervision, adoption, foster care, guardianship and enforcement of parental responsibilities as per the children Act Cap 586 Laws of Kenya;
- Coordination of the provision of services by partners and other stakeholders in the children sector;
- Provision of basic needs/rights for children in statutory institutions;
- Rehabilitation and reintegration of child offenders into the community.

### 3.7.2 Existing Data at the Children's Department

The Children's Department has data on child offenders/delinquent, children who are neglected, abandoned, destitute, endangered, battered, assaulted, child mothers or brides, physically challenged, child laborers, abducted children, street children, children beggars, lost children, children under foster care and truant children. This data is contained in the files.

This data is however, not collected, processed and released in time for use in decision making. This is occasioned by delays in submission of returns by some district offices especially from far flung areas. Thus the data available at the children's department headquarters is not all inclusive (data is incomplete).

A critical look at the data brings to the fore the question of its authenticity. Ideally, one would expect that due to the escalated poverty levels in the country and further due to the increasing number of orphans as a result of HIV/AIDS scourge, the number of children needing help would be increasing. It is rather ironical, for instance, that in the 2005 annual report, only 101 children were reported as being in need of school fees. Furthermore, all these children were from one province thus highlighting the omissions. In the same report, only 41 children were reported as being in need of shelter in the whole country. Again, all these were from one province. Such figures depict a high degree of underreporting and thus the need to complement the administrative data with survey data for effective planning and administration purposes of the children's department affairs.

*3.7.3 Data collection tools and methods*

There is a District Children's Office (DCO) in every district in the country. These act as reporting centres for cases of juvenile delinquency, violation of children's rights, orphaned and poor children. The data is mainly obtained from reported cases by Members of public, CBO's, FBO's and NGO's. In addition, the department obtains some of the data from institutions dealing with issues of children.

There are various instruments used to collect data at the district level. Each of these is tailored to capture particular information and is used at a particular stage. These include:

- Case record sheet (annex 10 (a)) – This is the first form filled after a case is reported. It contains the personal details of the child, details of parents/guardian, place of residence, health information of the child and level of education.
- Interview(s) / Home visit form (annex 10 (b)) – This is used to verify the information recorded in the case record sheet.
- Plan of Treatment form (annex 10 (c)) – This form describes the nature of assistance to the beneficiaries.
- Written Agreement form (annex 10 (d)) – This form registers the commitment of the child, parent/guardian and the organisation in undertaking the prescribed plan of treatment.
- Follow-up News Sheet (annex 10 (e)) – This form is used to monitor the progress of the child.
- Plan of disengagement form (annex 10 (f)) – Is filled by the particular organisation in whose custody a child is. This is done after evaluating the behaviour of the child and identifying an institution or activity in which to place him/her.
- Exit information form (annex 10 (g)) – This is filled at the point at which the child leaves the institution. Thus, it contains the date and type of exit and whether the child is to be referred to another organisation or disengaged.

Most of the DCOs have computerised Children's Databases in which they enter the data contained in the above forms[18]. Those who do not have this database enter their data manually in a form and send it to the provincial office where it is entered into the computerised database.

Data originating from the various DCOs is sent to the Provincial Children's Office where it is further consolidated with those from other districts in the same province. This is then sent to the headquarters for analysis.

Since the category of Orphans and Vulnerable Children (OVC) form the bulk of the data, the Children's Department has devised a separate database known as the OVC Database to capture these cases more comprehensively (also known as "collecting information in bits"). Data from the districts are further classified and cases of children in conflict with the law are segregated and dealt with separately. Such cases

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[18] It is important to note that at the level of the DCO, data is only entered into the database and collated but is not analysed. This is because the staff working in these offices lack the requisite skills for data analysis.

are sent to remand homes before they are handled by the children's court. Those with social problems are sent to rescue centres and children's homes.

The data collection tools are very comprehensive in terms of capturing the case load and case characteristics data as described under section 2.62 above.

A number of gaps are however apparent in the data collection tools and methods. These include:

- The forms used in collecting data are so many and have common variables that lead to repetition of information already contained in one form (especially on the details of the child). This is particularly apparent in the Case record form, Plan of Treatment form and Exit information form.
- Some variables though presented separately in the forms mean the same thing (delinquency and child offender; disengagement and exit) – no further clarification is given to justify the extent of their distinctiveness.
- Conspicuous underreporting of cases as exemplified by the contradiction in the number of orphans and vulnerable children reported by the National Children's Database and those reported by the OVC Database.

*Recommendations for improving data collection tools and methods*

- The forms need to be consolidated into one containing all the variables in all the forms currently used. This will substantially reduce the cumbersomeness of the paper work and resolve the issue of repetition of information;
- Some of the variables need to be merged as they refer to the same thing – for instance variables on delinquency and child offender, disengagement and exit information. Alternatively, very clear clarifications need to be provided to justify the extent of their distinctiveness;
- There is need to put in place mechanisms to facilitate remittance of data from remote offices through increasing budgetary allocations to such offices to cater for transport and communication costs;
- In order to deal with the inconsistencies between reality and actual reported cases on children issues, there is need for alternative surveys to compliment the administrative data.

### 3.7.4 Data Analysis Procedures

At the headquarters, all the incoming data is entered into the National Children's Database. The data is analysed using the variables in the forms. Data analysis is done using MS Excel. The analysis is in the form of simple descriptive statistics which give frequencies, percentages increases and decreases and rates of change. This provides answers to questions such as the type or category of cases reported based on the variables in the forms, total number of cases reported, among other variables.

The procedure of analysis is fairly adequate in enabling the users interpret the information to meet user needs and other information requirement of decision makers.

However, the data bases are not networked to ease of sharing of information – an aspect that is important in improving efficiency in data analysis.

### 3.7.5 Reporting Framework

Monthly, quarterly and annual reports are produced and stored in both hard and soft copies. The data in the reports is disaggregated by province and by categories such as abandoned, delinquent, and destitute.

Some gaps are however apparent in the reporting framework:
- Some of the categories used are very broad - for example, it is difficult to tell what cases are regarded as pending cases by type and offender characteristics.
- In addition, other categories are related yet the reporting framework offers no explanation as to the meaning of these categories that makes them distinct from each other and warranting separate categorisation.
- It is also difficult to decipher the types of crimes common to children from the reporting framework as the framework does not give offender characteristics by age, sex and economic status.
- There is no formal predictable mechanism in place for sharing of information.

*Some of the recommendations for improving reporting at the Department include*

- At the reporting level, there is need to include adequate variables to provide sufficient information capable of meeting the needs of the users. This should entail the reflection of all the variables in the forms;
- An elaborate and predictable information dissemination mechanism needs to be put in place to facilitate dissemination of information to various stakeholders. At the very preliminary levels, the data bases should be automated, data needs to be posted in the department's website among others.

### 3.8 Probation and After Care Service

#### 3.8.1 Introduction

The department operates three main programmes. Probation orders mandated by the probation of offenders Act Cap 64 Laws of Kenya, Community Service Orders (CSO) under Act no. 10 of 1998 and the Aftercare supervision and support of ex-borstal inmates and long term prisoners released under the presidential amnesty. The Kenya Probation Service performs the following functions:

- Managing the three main programmes of Probation; After Care, Community Service Orders;
- Providing the courts with social inquiry reports upon request.

  The objectives of the Kenya Probation and Aftercare Department include the following:
- Ensure community harmony by engaging in general crime prevention activities at the community levels;
- Rehabilitation of offenders in the community;
- Helping reduce government expenditure on imprisonment;
- Assisting offenders to continue playing their role while at the same time providing economic and social services to the community;
- Aiding in the re-integration of institutional convicts into the community.

#### 3.8.2 Existing Data at the Probation and Aftercare Department

Probation and Aftercare Department has data on persons admitted, persons re-admitted, offender count, infractions and violations, releases by type and time, offence type, offender characteristics (age, gender and economic status). This data is contained in the files at the station levels.

However, the processed data at the statistics unit at the Department's headquarters is limited in scope as it is mainly on those who have been sentenced to either probation or CSO and offenders that have been accepted for probation or CSO. This information is contained in the referral and the placement registers. This data does not meet the information requirements of probation and aftercare in terms of giving details on case loads and case characteristics as outlined in the template on Table 1.

The data is also not complete because data from some stations is missing. This is attributed to the delay/failure by some stations to submit their returns on a monthly basis. According to the officers at the headquarters, the delay in submission of the returns is as a result of understaffing at some of the outstations and limited budgetary allocation that would allow for efficient storage and transfer of data. Thus, data from such stations is left out at the reporting level.

There is therefore need to put in place elaborate mechanisms to facilitate timely submission of returns from various stations. This should entail computerisation of the data through the development of a networked. This should be coupled with enhancement of capacity and adequate budgetary allocation to facilitate timely processing and submission of data returns.

### 3.8.3 Data Collection Tools and Methods

Data from the courts is collected on a daily basis. After a case is placed, it is entered into the cases ledger (placement register). Monthly returns are manually done by entering data into the Probation Card for probation and aftercare cases and the CSO card (CS 12) for the community service cases. Both cards are used to register the personal details of the offenders, the date of order and the length of time that the offender should serve. There are other forms used for placement for CSO, probation and aftercare. These are P.R.3, C.S.5, P.R.4, P.R.5, and P.R.6 among others (see annex 11 for details on the forms). These forms contain data on the number of offenders in probation or CSO in a particular month, number of referrals, number of orders/placements, number of cases brought forward, number of completions and number of transfers. In addition, all probation offices in the country are supposed to remit their monthly returns to the Research and Statistics Unit at the headquarters on a monthly basis through the provinces.

*Gaps in Data Collection Tools and Methods*

- The data collection forms though useful are too many and hence cumbersome and time consuming to complete;
- The data collection tools are not computerised

*Recommendations for Improvement of Data Collection Tools and Methods*

- There is need for computerisation of the data collection tools into a data base with harmonised variables in all the forms.

### 3.8.4 Data Analysis Procedures

Data analysis is conducted based on the variables in form 5 and form 5A for probation and aftercare and CSO respectively. The data analysis is computerised - using MS excel computer package to sort and categorise data variables in 5 and 5A. The data is then tallied to generate the totals for each category for each month.

*Gaps in data analysis procedures*

- The variables used in data analysis are limited in scope and do not give specific details – for instance the type of offence and length of sentence;
- Inadequacy in staff required to process the data received on a monthly basis resulting into backlog in fully processing the data;
- Some provinces (such as North Eastern) and stations in some instances delay in submitting their monthly returns. This leads to their exclusion from the analysis. This could be due to poor infrastructure.

*Recommendations for improving data analysis procedures*

- There is need fast track the implementation of the recommendations that were provided by Chris Lewis (2004) on Probation and Aftercare Department (see recommendations in annex 3);
- There is need for inclusion of adequate variables at analysis level in order to come up with trends and categories that are sufficient in scope and content in terms of information coverage;
- There is need for development of a computerised and networked data base for the department for ease of access of data from all stations;
- There is need for training of probation officers on IT and statistical data collection and analysis methods. This should be in line with the broader STAT-CAP statistical capacity strengthening programme by KNBS;
- A capacity needs assessment also ought to be undertaken to establish the types of training, number of personnel required and equipment required for improvement of data analysis. This should be in line with the broader STAT-CAP statistical capacity strengthening programme.

### 3.8.5 Reporting Framework

The monthly, quarterly and annual reports are produced. The reports are in both hard and soft copies. There is no formal and predictable framework for dissemination of information to other stakeholders and across the criminal justice system.

The reporting framework does not offer explanation of the meaning of data in the tables hence making it difficult to understand the report.

The variables at the reporting level are very broad and hence the limited scope of the information reported.

*For improvement of reporting framework*
- There is need to redesign the reporting framework to include more variables and categories on case loads and case characteristics as outlined in the template in Table 1.
- An elaborate and predictable information dissemination strategy needs to be developed.

# CHAPTER 4: IMPLICATIONS OF THE FINDINGS

## 4.1 Efficacy of the available administrative data as baseline data for tracking performance of the Four MTS indicators

The data available in the five criminal justice institutions that were investigated are relevant and could be useful in tracking the four MTS indicators. A lot of data is collected at the local/station levels in all the criminal justice institutions. However, a problem arises during extraction of data for transmission across the systems. Not all data with sufficient variables is extracted and hence making the data transmitted to the subsequent levels limited in scope. This makes the data found at the headquarters unreliable for use as base line data.

In addition, the data at the headquarters in majority of these institutions are not of good quality due to the following reasons:
   i. The data is not timely. The data is not collected, processed and released at the same time and thus comparisons or inferences may not be accurate;
   ii. The data in most of these institutions is incomplete as they are computed based on the information received from the stations. Due to various reasons, some stations are not able to submit their returns and the data available may therefore lack in geographical representation;
   iii. The data is limited in scope and detail in terms of clearly articulating case loads and case characteristics which are essential in monitoring progress. This is largely due to the use of fewer variables as data moves from one level to another;
   iv. The data is not fully collated, analysed and reported. It is therefore very difficult to use such data in tracking as one will first have to collate data from various levels of the respective institutions and consequently analyse;
   v. The tools used in collecting data in some institutions have outdated variables that are not in tandem with the charges in laws and the user needs.

Further, the data may not facilitate the tracking of progress across the criminal justice system due to the lack of harmonized use of the variables and classifications. Data variables, concepts, definitions and classifications used in each of these institutions differ substantially. This makes it difficult to monitor the movement of a case from the time it is detected, prosecuted, convicted and sentenced to imprisonment or non-custodial services.

We recommend for action to be taken to rectify the flaws in the system. This should entail extraction, processing and consolidation of data contained in the files of the respective institutions taking into account details on case loads and case characteristics as outlined in the template in Table 1.

## 4.2 The Relevance of the Four MTS indicators for Tracking Purposes

The four MTS indicators are relevant for tracking purposes. They respond to the key targets of ensuring effectiveness in criminal justice institutions and restoring confidence in law and order institutions. They also target reducing backlog in these institutions and improving access to justice.

However, there is need for harmonisation of statutory definitions of terms used in the indicators such as crime detection and backlog. This is essential in developing benchmarks of what is to be tracked. In our view, the terms crime detection and backlog though have statutory definitions, their usage is different. For the purposes of tracking for instance backlog and crime detection, harmonised and agreed upon definitions among various stakeholders should be developed on what really constitutes the two.

A revision of the indicators to be in line with the classification of crime as currently used in the criminal justice system would be necessary if the crimes are to be tracked through the system. The indicators are suitable in tracking the data as currently classified by the police but this can not be done with the rest of the criminal justice system as some of the crimes are merged making it difficult to track them.

### 4.3 Baseline report on each of the four MTS indicators

1. Percentage increase in crime detection, prosecution and conviction rates of selected crimes [19]

Data for measuring this indicator can be obtained from the Kenya Police Force, Kenya Anti-Corruption Commission, Department of Public Prosecution and the Judiciary. Data from the police OB and the data capture sheets from KACC should be able to provide information on crime detection. Further, data on prosecution should be obtained from the DPP registry while data on convictions should be obtained from the Judiciary.

The table below provides aggregated data on crime detection, prosecution and conviction.

### Table 6. Data on crime detection[20], Prosecution and Conviction

| Indicator | 2004 | 2005 | 2006 |
|---|---|---|---|
| Crime detection | 83,841 | (75,400 + 5709) 81,109 | (72,225 + 8575) 80,800 |
| Prosecution | 189,642 | 171,775 | 172,515 |
| Conviction | 16822 | 18087 | 19124 |

Source: Extracts from Kenya Police Force, KACC, Magistrate Courts (2007)

The data on crime detection is obtained from registered cases by the police and reported cases to KACC. This because, all the cases reported by members of public and those detected by the police on patrol are all recorded as crime detected.

On the other hand, data on crime prosecution is obtained from total cases filed in Court during a given period. However, this is not complete as the data available is only from a few magistrate courts.

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[19] The selected crimes for purposes of this task are (i) rape including attempt (ii) assault (iii) murder (iv) robbery with violence (v) breakings (vi) theft of motor vehicles (vii) corruption (bribery and abuse of office (viii) drug related crimes and (ix) defilement.

[20] It is however worth noting that the data from KACC computed in the table may not be necessarily on bribery and abuse of office. The aggregate data does not provide this detail. The computed data is therefore on total cases reported on corruption in a given year at KACC.

Data on convictions is obtained from the convicted offenders admitted to Prison during the said periods. This does not provide data on those convicted but fined and not imprisoned. The data on these could not be obtained because by the time of this study, various courts had not submitted their returns for the periods under review. This data is therefore not reliable for use as baseline data.

It is therefore recommended that data in all courts on convictions be processed and consolidated for submission to the Central Planning Unit of the Judiciary.

2. Percentage decrease in the awaiting trial population

For the purposes of this study, the awaiting trial population refers to Remandees and offenders on bail. The totals give the awaiting trial population. The data presented below is only on unconvicted (remandees) offenders admitted during the years under review to prison.

**Table 7. Data on Awaiting Trial Population**

| Year | Total Number |
|------|--------------|
| 2004 | 34822 |
| 2005 | 36180 |
| 2006 | 37444 |

Source: Kenya Prisons Service (2007)

The data in table 7 above cannot be relied on as baseline data because it does not contain the figures on those awaiting trial and are on bail.

The data on awaiting trial population needs to be obtained from Judiciary to depict the true picture. This will entail collating data from all Courts and consolidating it to give a representative figure.

3. Percentage decrease in case backlog

Data on case backlog can be obtained from the Judiciary. At the time of this study, data from High Court and Court of Appeal had not been submitted to the headquarters. For the purpose of this study, pending cases will be taken to comprise backlog. Note that the data in table 8 below is only from a few magistrate courts.

**Table 8. Data on Backlog**

| Year | Average monthly number of pending cases |
|------|-----------------------------------------|
| 2004 | 77,316 |
| 2005 | 82,212 |
| 2006 | 110,881 |

Source: Magistrates Courts (2006)

Data from all courts need to be consolidated and forwarded to the Central Planning Unit of the Judiciary. Again for the data to be suitable for use as baseline data, it would be necessary that all the courts make their returns on time.

4. Percentage of litigants receiving legal aid

Our findings revealed that all murder and treason cases are eligible for state legal aid (popularly known as *pro bono* or pauper brief). However, offenders can acquire private representation. During the period between 2004 and 2006 there was no one charged with treason and thus only those charged with murder were eligible for State legal aid. However, data on actual number of people who have benefited from state legal aid has not been consolidated. In order to obtain such data, a visit to the various courts is desirable to look at their records and extract the information. This may require an elaborate mechanism to be established to ensure the extraction and consolidation of this data for the purposes of reporting.

It is also worth noting that, though there is no policy on legal aid, various Civil Society groups, particularly human rights organisations have been assisting people who are unable to afford legal representation. However, this data is not disseminated or consolidated at a central point where it can be accessed by various stakeholders. The data remain in the files of these organisations and only serve the respective organisations' needs.

The only available data at the time of this study is on the number of murder cases for the respective years tabulated below. For our purposes, we shall use data on murder cases on assumption that all of them received state legal aid. (See the table below).

*Table 9. Data on population eligible to receive legal aid*

| Year | Number of Murders |
|------|-------------------|
| 2004 | 164 |
| 2005 | 120 |
| 2006 | 115 |
| Total | 399 |

Source: Files at the Deputy Registrar, Criminal Division

However, for accuracy in the actual number of litigants receiving legal aid, the GJLOS Reform Programme may consider developing a programme that will enable the consolidation of data from both the Judiciary and those civil society groups providing legal aid.

Further, a system aimed at computerisation of data and the eventual of the networked system needs to be put in place.

**4.4 Suitability of selected crimes and their appropriateness in the GJLOS context**

The selected crimes ((i) rape including attempt (ii) assault (iii) murder (iv) robbery with violence (v) breakings (vi) theft of motor vehicles (vii) corruption (bribery and abuse of office (viii) drug related crimes and (ix) defilement) are suitable and appropriate to the GJLOS context because, they correspond to the internationally prioritised category of serious crimes owing to their social and economic implications. The United Nations Framework also recognises the selected crimes as the most serious and the ones deserving more attention in the criminal justice system. The crimes are also recognised in the Kenyan Laws – the Penal Code as serious crimes. However, for purposes of enhancing access to justice, petty crimes are also of importance to the GJLOS Reform Programme.

# CHAPTER 4: CRIMINAL JUSTICE SYSTEM GENERAL RECOMMENDATIONS

This chapter presents a summary of recommendations relating to the criminal justice system.  It basically recaps the recommendations discussed in the preceding chapters of this report with the view to emphasizing their importance to the justice system.

- For comparability and compatibility of data across the criminal justice institutions, there is need for harmonization and adoption of common variables, concepts, definitions and uniform categorizations. This will enable the linking of data from different components of the criminal justice system and between the criminal justice system and other agencies;
- Designers of criminal justice systems data should consider including, a person-based unit of count for each component since the "person" is the only unit of count that has continuity throughout the criminal justice system. This permits the measurement of information flow through the system;[21]
- We recommend that criminal justice and national registration systems be linked. Registration and immigration records are important for crime detection and prevention. As such, coordination should also extend beyond the criminal justice system to a more fundamental recognition of the status of the person – natural or legal - in relation to the state;
- There is also need to develop a standard classification of criminal offences. All criminal offences that can result in a formal charge against an accused must be classified by some type of consistently applied coding system that identifies each offence uniquely. Such a standard classification scheme allows the collection of meaningful and comparable information about criminal activity;
- Routine statistics should be shared between the justice agencies on a regular basis preferably on a monthly basis. This should be coupled with routine discussion that should take place between justice agencies with a view to:
    - to improving collaboration between the departments,
    - ensuring that common definitions, classifications and counting rules are developed across departments;
- It would also be useful to set up a justice statistics committee forum to include representatives from all agencies to facilitate discussions among these institutions;
- Efforts also need to be geared towards documenting best practice or success stories from other countries from which the Kenyan criminal justice agencies can learn;
- There is need for the development of a centralised criminal justice data base and development of an effective mechanism to facilitate timeliness in submission of

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[21] For police agencies, it means collecting data on "persons charged"; for the courts, it means collecting "person-case" data (all charges against one person); and for prisons, it means collecting data on "persons admitted". Further, if each component also agreed to use the same "person identifier", it would be possible to perform record linkage, and other analysis, which have the potential to improve vastly the general understanding of the dynamics of the criminal justice process. Including person-based data as one of the primary units of count also has the advantage of improving comparability because the definition of person does not vary within components (Adapted from the United Nations Manual on Development of Criminal Justice Statistics)

data by various institutions. This should entail computerisation of all data. This will ensure an integrated approach to criminal justice data essential in tracking the four MTS indicators;

- We recommend for comprehensive training on effective Management Information Systems (MIS) for ease of collection, analysis, presentation, archival and retrieval of the data for all the institutions. This should be situated within the broader STAT-CAP statistical capacity strengthening programme;
- There is need for enhancement of capacity of the statistics units and departments in the criminal justice agencies to enable them effectively and adequately collect and process data;
- Establishment of well-coordinated working arrangements among institutions in the criminal justice system to facilitate the sharing of data.

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## Annex 1 List of Respondents

1. The Kenya Police
   - Mr David Kimaiyo
     Director of Operations
     Operations Manager
   - Mr Steve Okere
     Inspector (Research and statistics section)

2. Kenya Prisons Service
   - Mr, Gilbert M. Omondi
     Commissioner of Prisons
   - Mr Karani
     Deputy Commissioner of Prisons
   - Mr Joel Shikundzi
     Chief Officer I
   - Mr Thomas Ongeri
     Senior Sergeant
   - Mr Martin A. Okoko
     Chief Officer I

3. Judiciary
   - Mr. Charles Njai
     Registrar of the High Court
   - Mr S.K. Kiptorus
     Senior Economist

4. Department of Public Prosecutions
   - Mr Oriri Onyango
     Deputy Chief State Counsel
   - Ms. Rosemary Owino
     Deputy Chief State Counsel
   - Mr Andrew Mureithi Mwangi
     Senior Clerical Officer

5. Probation and Aftercare
   - Mr Jerim W. Oloo
     Director
   - Mr J.O. Siambe
     Assistant Director
   - Mr. Clement Oketch
     Senior Probation Officer
   - Ms. Linnet Okwara

Assistant National Coordinator (CSO)
- Ms. Mary Mitey
Senior Probation Officer (CSO data)
- Ms. Getrude Audi
Senior Probation Officer (Probation and Aftercare data)

6. Children's Department
- Mr Wanjau Nguiku
Senior Children's Officer
- Mr Samuel Ochieng
Senior Children's officer

7. Kenya Anti-Corruption Commission
- Dr. Smokin Wanjala
Assistant Director, Preventive Services

- Michael Nteere
Data Base Administrator III

8. Kenya National Bureau of Statistics – STAT-CAP
- David Mboni
Technical Manager

- Joshua N. Muiruri
ICT Manager

- Margaret Muya
Human Resources Manager

**Annex 2. Data Quality Assessment Framework**

| Quality | Dimensions | Elements Indicators |
|---|---|---|
| Prerequisites of quality | 0.1 Legal and institutional environment—The environment is supportive of statistics.<br>0.2 Resources—Resources are commensurate with needs of statistical programs.<br>0.3 Relevance—Statistics cover relevant information on the subject field.<br>0.4 Other quality management—Quality is a cornerstone of statistical work. | 0.1.1 The responsibility for collecting, processing, and disseminating the statistics is clearly specified.<br>0.1.2 Data sharing and coordination among data-producing agencies are adequate.<br>0.1.3 Individual reporters' data are to be kept confidential and used for statistical purposes only.<br>0.1.4 Statistical reporting is ensured through legal mandate and/or measures to encourage response.<br>0.2.1 Staff, facilities, computing resources, and financing are commensurate with statistical programs.<br>0.2.2 Measures to ensure efficient use of resources are implemented.<br>0.3.1 The relevance and practical utility of existing statistics in meeting users' needs are monitored.<br>0.4.1 Processes are in place to focus on quality.<br>0.4.2 Processes are in place to monitor the quality of the statistical program.<br>0.4.3 Processes are in place to deal with quality considerations in planning the statistical program. |
| 1. Assurances of integrity<br>The principle of objectivity in the collection, processing, and dissemination of statistics is firmly adhered to. | 1.1 Professionalism—Statistical policies and practices are guided by professional principles.<br>1.2 Transparency—Statistical policies and practices are transparent.<br>1.3 Ethical standards—Policies and practices are guided by ethical standards. | 1.1.1 Statistics are produced on an impartial basis.<br>1.1.2 Choices of sources and statistical techniques as well as decisions about dissemination are informed solely by statistical considerations.<br>1.1.3 The appropriate statistical entity is entitled to comment on erroneous interpretation and misuse of statistics.<br>1.2.1 The terms and conditions under which statistics are collected, processed, and disseminated are available to the public.<br>1.2.2 Internal governmental access to statistics prior to their release is publicly identified.<br>1.2.3 Products of statistical agencies/units are clearly identified as such.<br>1.2.4 Advance notice is given of major changes in methodology, source data, and statistical techniques.<br>1.3.1 Guidelines for staff behavior are in place and are well known to the staff. |

| | | |
|---|---|---|
| 2. Methodological soundness<br>The methodological basis for the statistics follows internationally accepted standards, guidelines, or good practices. | 2.1 Concepts and definitions—Concepts and definitions used are in accord with internationally accepted statistical frameworks.<br>2.2 Scope—The scope is in accord with internationally accepted standards, guidelines, or good practices.<br>2.3 Classification/ sectorization Classification and sectorization systems are in accord with internationally accepted standards, guidelines, or good practices.<br>2.4 Basis for recording—Flows and stocks are valued and recorded according to internationally accepted standards, guidelines, or good practices. | 2.1.1 The overall structure in terms of concepts and definitions follows internationally accepted standards, guidelines, or good practices.<br>2.2.1 The scope is broadly consistent with internationally accepted standards, guidelines, or good practices.<br>2.3.1 Classification/sectorization systems used are broadly consistent with internationally accepted standards, guidelines, or good practices.<br>2.4.1 Market prices are used to value flows and stocks.<br>2.4.2 Recording is done on an accrual basis.<br>2.4.3 Grossing/netting procedures are broadly consistent with internationally accepted standards, guidelines, or good practices. |
| 3. Accuracy and reliability<br>Source data and statistical techniques are sound and statistical outputs sufficiently portray reality. | 3.1 Source data—Source data available provide an adequate basis to compile statistics.<br>3.2 Assessment of source data—Source data are regularly assessed.<br>3.3 Statistical techniques—Statistical techniques employed conform to sound statistical procedures.<br>3.4 Assessment and validation of intermediate data and statistical outputs—Intermediate results and statistical outputs are regularly assessed and validated.<br>3.5 Revision studies—Revisions, as a gauge of reliability, are tracked and mined for the information they may provide. | 3.1.1 Source data are obtained from comprehensive data collection programs that take into account country-specific conditions.<br>3.1.2 Source data reasonably approximate the definitions, scope, classifications, valuation, and time of recording required.<br>3.1.3 Source data are timely.<br>3.2.1 Source data—including censuses, sample surveys, and administrative records—are routinely assessed, e.g., for coverage, sample error, response error, and non-sampling error; the results of the assessments are monitored and made available to guide statistical processes.<br>3.3.1 Data compilation employs sound statistical techniques to deal with data sources.<br>3.3.2 Other statistical procedures (e.g., data adjustments and transformations, and statistical analysis) employ sound statistical techniques.<br>3.4.1 Intermediate results are validated against other information where applicable.<br>3.4.2 Statistical discrepancies in intermediate data are assessed and investigated.<br>3.4.3 Statistical discrepancies and other potential indicators or problems in statistical outputs are investigated.<br>3.5.1 Studies and analyses of revisions are carried out routinely and used internally to inform statistical processes (see also 4.3.3). |
| 4. Serviceability<br>Statistics, with adequate periodicity and timeliness, are consistent and follow a predictable revisions policy. | 4.1 Periodicity and timeliness—Periodicity and timeliness follow internationally accepted dissemination standards.<br>4.2 Consistency—Statistics are consistent within the dataset, over time, and with major datasets.<br>4.3 Revision policy and practice—Data revisions follow a regular and publicized procedure. | 4.1.1 Periodicity follows dissemination standards.<br>4.1.2 Timeliness follows dissemination standards.<br>4.2.1 Statistics are consistent within the dataset.<br>4.2.2 Statistics are consistent or reconcilable over a reasonable period of time.<br>4.2.3 Statistics are consistent or reconcilable with those obtained through other data sources and/or statistical frameworks.<br>4.3.1 Revisions follow a regular and transparent schedule.<br>4.3.2 Preliminary and/or revised data are clearly identified. |

| | | 4.3.3 Studies and analyses of revisions are made public (see also 3.5.1). |
|---|---|---|
| 5. Accessibility<br>Data and metadata are easily available and assistance to users is adequate. | 5.1 Data accessibility—Statistics are presented in a clear and understandable manner, forms of dissemination are adequate, and statistics are made available on an impartial basis.<br>5.2 Metadata accessibility—Up-to-date and pertinent metadata are made available.<br>5.3 Assistance to users—Prompt and knowledgeable support service is available. | 5.1.1 Statistics are presented in a way that facilitates proper interpretation and meaningful comparisons (layout and clarity of text, tables, and charts).<br>5.1.2 Dissemination media and format are adequate.<br>5.1.3 Statistics are released on a pre-announced schedule.<br>5.1.4 Statistics are made available to all users at the same time.<br>5.1.5 Statistics not routinely disseminated are made available upon request.<br>5.2.1 Documentation on concepts, scope, classifications, basis of recording, data sources, and statistical techniques is available, and differences from internationally accepted standards, guidelines, or good practices are annotated.<br>5.2.2 Levels of detail are adapted to the needs of the intended audience.<br>5.3.1 Contact points for each subject field are publicized.<br>5.3.2 Catalogs of publications, documents, and other services, including information on any changes, are widely available. |

**Annex 3. Recommendations by Chris Lewis – Report on Kenya Judicial Statistics 2004**

**Judiciary**

1. The staffing levels of the Judiciary Central Planning Unit and the Number of court staff dedicated to making returns need to be substantially increased;
2. Redesigning of Stat.1 so that the information asked for reflect user needs and classifications wanted. It should be in a format that can be used straight away but which can be also fed into the IT System. The data could be collected regularly or if resources do not permit this, some form of sampling be devised, e.g. asking courts to send individual case information one month each year, one in six or one month in a quarter;
3. There is an advantage in setting up a system for collecting information on some types of criminal cases on individual basis and recommend that CPU with senior staff consider what sort of information should be collected
4. Stat 2 form should be amended to correspond to user needs both to the local courts, high court stations and nationally;
5. Forms be redesigned to collect the following information from courts on monthly basis :
   - Tables with updated classification of type cases
   - Tables redesigned to prepare for introduction of IT systems in courts
   - Tables increase the amount of data captured: examples of new data that would be useful are:
     o More details on civil cases
     o Some information on appeals from high court
     o Some more information on appeals from the High Court to the Appeal Court
     o Statistical dealing with the workload of the Appeal Court
     o Criminal cases dealt with by offence type
   - Personnel employed in courts
   - Delays in cases coming to courts

6. It is important for information on delays to be collected from all courts. It is also vital for action to be taken by courts where large delays exist. For example, courts could be asked to review all cases that have been filed for more than five years, to see if any cases can be weeded out because of death of changes in circumstances. Consultation should also take place to see how much of the data is necessary to complete the forms is already easily available in local courts, or whether some restructuring of the registries will be needed before this data should be requested prior to computerization and a MIS. There will also be need for training in data completion and in the use of the data locally. There will be need for advice and possibly some statistical working tools to be designed in order to help the clerks use their own data better.

7. The following are recommended when producing statistical reports. These apply in different ways, at both national and local levels:

- Short reports are better than long ones, especially frequent ones. Senior management and magistrates are busy people who will file materials that take time to read
- Trends are usually more informative than saying just what happened in the last month
- Forecasts of what will happen, if trends carry on in the same way, are useful
- Short phrases and simple charts can be better than tables

8. When considering local reporting to magistrates, it will be useful for CPU to give advice to local statistical clerks as to the type of report that would be useful.

9. The following points could be good practice for local clerks when making a monthly report to their magistrates and judges:

- Give new and completed caseload over, say, the last three months compared with the equivalent three months a year ago
- If cases pending are increasing, draw the magistrate's attention to this
- Give summary of criminal cases by type of offence and sentence combining say the last three months to get sufficient numbers
- If there are many trends in staff employed draw this to the magistrate's attention
- Once national statistical are available, compare your court with the national average.

10. There is need to improve the statistical coordination of different justice agencies in order to increase efficiency for the justice systems. This should entail closer working together of different agencies whose actions interact including the Police, Judiciary, Probation and Aftercare and Prisons. This could be achieved through the following:

- Routine statistics should be shared between the justice agencies on regular, probably monthly basis
- The KNBS should enrich the Social Scene Chapter of its economic report to include more information on justice
- Routine discussions should take place between justice agencies with a view to:

  - Improving collaboration between the departments
  - Ensuring that common definitions, classifications and counting rules are developed across the departments
  - Statistics to inform policy issues that cut across departments are addressed jointly, for example the treatment of women in the justice system, the large number of prisoners on remand
  - Making efficiency gains form common practices: shared equipment in the rural areas, common training, etc

- The setting up of a justice statistics committee or forum to include the representatives of all agencies. Such a form should perhaps have a chairman rotating between the different agencies to ensure but-in on the process. Such a forum could also have statistical advisors.

**The Kenya Police Force**

1.  The first PC that becomes available for the department should be used to transfer data from the large reference book of files onto computer. A rolling programme of converting the existing entries to computer format should be worked out, and any entries that need to be made after that should be made onto the computer. Once all the entries in the book have been put onto computer, then the book is no longer needed, but can itself be kept in the archive. Although a computer consultant could, at some expense, design a specific piece of software, the most straightforward computer software to use is Microsoft EXCEL, which is designed for lists. Thus EXCEL should be specified to be included on any new PC that is delivered to the department. An example of how EXCEL could be used for the files on Compensation is at Annex XX and a similar structured list could be readily designed in-house for the other files that need to be referred to.
2.  All ledgers that consist of a single line entry for each offender can be straightaway replaced by creating a spreadsheet, designed to capture this data. The following ledgers could be immediately converted to EXCEL, with the same benefits and costs as noted for recommendation 1
    *   Deaths reported in prison
    *   Appeals made by prisoners
    *   Amnesties awarded to prisoners
    *   Admissions of Non-Kenyans to prison
    *   Results of Terminal release board ( if this becomes functional)
    *   Escapes from prison ( the categorisation of the type of security involved: Max, Average: Open) should also be recorded

3.  Forms 5, 5A and 5B need to be changed to reflect changes in the law since they were drawn up as well as changes in needs. The following changes may be done.
4.
    *   Prisoners are no longer committed for 'Vagrancy'.
    *   Table II on prisoners punishments needs to be revised, or scrapped if no longer used.
    *   Table III on corporal punishment should be scrapped.
    *   The Offence classification in Table VIII needs to be revised
    *   If the forms are to be revised, then the redesign should abandon the original Form 5, 5A, and 5B, and replace these by a New Form 5, which includes all the information on all 3 forms, in a series of tables.
5.  Prisoners who travel to court and return on the same day should not be regarded as discharges or as new admissions from the courts. The present practice of counting a prisoner each time he or she appears in court adds considerably to the figures and gives the impression that over 300,000 different people are admitted to Kenya prisons each year. All other countries that I know only count admissions to prison the first time that they arrive, and I suggest that Kenya adopts this practice, otherwise comparisons with other countries could place Kenya in a bad position.

**Probation and After Care Department**

1. At least one and preferably two new staff members with statistical or economist qualifications should be recruited to Headquarters staff. Their terms of reference could have the following characteristics:
   - Improve quality of data received from provinces by:
     - o Training of provincial and district staff in IT and statistics,
     - o Followed by frequent visits to maintain the quality of data received
     - o Monitoring of data quality
     - o Monitoring of timeliness of data received.
   - Improve quality of material entered on to the computers.
     - o Timeliness of data getting onto computer
     - o Sample checks of data quality entered
   - Improve efficient use of software available
     - o Best use of EXCEL to minimise calculations and simplify analyses
     - o Best use of Probation and CSO software packages available, and decision on when to call in expert again, with Director's agreement
     - o Keeping in contact with other agencies and other countries about new software becoming available.
     - o Giving advice to staff about the way they use the software.
   - Improved data analysis
     - o Production of regular tables for Director and his staff, including drawing their attention to new trends.
     - o Producing tables for the Probation annual report and for the Central Bureau of Statistics.
     - o Sharing of routine data with other Kenya justice agencies, UN, other countries, CESCA (Central and Southern Africa Corrections Agencies)
     - o Answering ad hoc questions from Director and his staff: from other justice agencies: from International bodies.
     - o Monitor existing and proposed new legislation, including estimating costs and staff resources needed.
2. Access to computers throughout the Department should be pursued speedily once the financing of the 2004 STATCAP bid has been agreed. This should be along the following lines.
   - There is a need for ancillary equipment to ensure that best use is made of the computers: eg there will need to sufficient photocopiers: printers: telephone lines for the Internet and a number of Power Point projectors to assist with training and with presentation of results
   - All HQ computers should have access to the Internet and to standard Microsoft packages such as EXCEL, ACCESS, and POWERPOINT
   - All provincial and district computers should have access to the Internet to facilitate
     - o General communication to HQ
     - o Passing of data to HQ
     - o General communication with other areas and other justice agencies

3. In parallel with the installation of computers, there will be a need for adequate training of staff in their use.
4. There is a need for training probation officers in the value of statistics for both their own use and for central planning and obtaining resources. Probation officers should also be trained in statistical collection methods and how to mkake best use of available IT.
5. There is a need for closer working with other justice agencies at both national and local level.
6. There is a need for closer working with the CBS in the analysis and collection of justice statistics.
7. The CBS should organise a justice statistics forum or committee. In the absence of a criminal justice policy group, this could lobby for wider CJ policy issues to be more widely discussed and information about them published.
8. There is a need for redesign of present data collection instruments to meet user needs and the related IT systems
9. There should be a programme for some statistics staff to experience working in other areas: eg. short posting to another CJ agency in Kenya: to jurisdictions for collecting probation statistics elsewhere in Africa or Europe.
10. There should be more visits from foreign experts in probation statistics
11. More research should be carried out: this should involve more use of the Internet to what monitoring and research is carried out elsewhere.

**Kenya Police Force**
- To have routine discussions with statisticians from the Judiciary, Prisons and Probation about the consistency of various statistical returns
- The KNBS should help set up a justice statistics committee forum
- To get estimate of what proportion of crimes suffered is reported to the Police, the CBS could conduct a household survey which, inter alia asks about crime suffered (a sample of around 1,000 might be sufficient)
- To get a good estimate of how much of crime reported to the police is actually recorded, study visits to the police station should take place from the statistics unit
- For the statistics unit to design (redesign) statistical collection instruments, that define closely the counting rules and classifications to be used
- For information on the number of arrests and prosecutions to be collected on a regular basis using specially designed statistical instruments
- For the police statistics units to find out the experience of the other jurisdictions in collecting crime statistics, in Africa and Europe, by short-term posting abroad and visits from foreign experts in police statistics
- For an IT system to be introduced to improve coverage of/ quality of data
- For system of regular monthly publication of crime data to be set up, direct from the statistics unit or from the KNBS
- For the monthly report to make comparisons with the same month the previous year rather than the month just gone
- There is also need for statistics on arrests and prosecutions

## Annex 4. Summary Table on Assessment by Agency Data set

| Agency | Existing Data | | Data Collection Tools/Methods | | Data Analysis Procedures | | Reporting Frameworks | |
|---|---|---|---|---|---|---|---|---|
| | *Data* | *Gaps/Recommendations* | *Tools* | *Gaps/Recommendations* | *Procedures* | *Gaps/Recommendations* | *Framework* | *Gaps/Recommendations* |
| Kenya Police | Cases reported; incidents investigated, persons charged, incidents founded, crimes acquitted and those pending before court, identification of the offender, the geographical location of the crime incident, sex and age of the offender. | Limited in scope. There is needs to expand the details and content of the data by including more variables | Occurrence book Serious Crimes Register | Variables limited in scope. Include more variables in OB to cover case load and case characteristics | Sorting out of data using the variables in the OB and categorized serious and petty crimes. | • Limited variables used during analysis<br>• data is not computerized into a harmonized data base.<br>• There is need to use more variables during analysis and computerization of data | • Monthly, quarterly and annual reports are produced<br>• Reports mainly shared internally<br>• Reports are both in soft and hard copies<br>• Some data extracted from reports posted in the website | • Data in the report limited in scope – mainly on crime type<br>• There is need to include more variables in reports |
| Kenya Anti-Corruption Commission | Cases reported on corruption types and forms, arenas of corruption, in terms of the types of institutions, concluded cases, ongoing cases | • Processed data is limited in scope – Emphasizing more on case status<br>• Need to include more variables | Forms, namely<br>• Corruption Reporting Form<br>• Telephone report form<br>• Emails and anonymous System | • Variable in the forms are limited in scope – interms of case load and case characteristics<br>• Include more variables the same | • Sorting out and categorizing of cases using variables in the forms<br>• Giving trends | • Variables used are limited in scope – based on case status<br>• Need to use more variables on case load and case characteristics | • Monthly, quarterly and annual reports both in hard and soft copies<br>• These are shared with stakeholder.<br>• Published in the Kenya Gazette<br>• Posted in the website<br>• distributed to stakeholder | • The information is limited in scope. Framework largely dwell on progress made on given cases.<br>• Cover more details at reporting level. |
| Department of Public Prosecution | Offence type; charges initiated; appeals initiated; court | • Data not processed and hence | • Incoming mails<br>• Police files register | • Tools not computerised and have a | Categorisation of cases | • Most of the data is not analysed | No reporting framework | Need to develop a reporting framework for the |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | appearances by type; cases disposed of; offender characteristics (age, sex); and type of disposition. | • difficult to use. <br>• Need to computerize and extract and analyse the data contained in the registries | • The registry index <br>• The movement register <br>• The dispatch register | mixture of variable. <br>• Need to computerise the registries | | • Non-computerisation makes sorting of data cumbersome <br>• Need to computerize the data and engage a consultant to assist in the analysis | | DPP |
| Judiciary | Cases filed, pending during the year and finalized. | • Limited in scope as it does not give details on case load and case characteristics. It is largely on output by magistrate courts <br>• Need to include more variables on case load and case characteristics | Forms Namely, <br>• Stat HI <br>• Stat 1 <br>• Stat H2 <br>• Stat2 | • Lack of harmony in variables in the forms <br>• Outdated variables that are not in tandem with the law <br>• Need to harmonise the variables contained in the forms and scrapped the outdated variables | • Sorting out data based on case type and status | • Use of limited variables in analysis <br>• Non-computerisation of the data <br>• There is need for use of more variables during analysis and computerisation of all the data into a common data base <br>• Implement the recommendations by Chris Lewis on Judicial Statistics (2004) | | • No standard reporting framework <br>• No mechanism for dissemination of data <br>• Need for development of a reporting framework for the Judiciary |
| Kenya Prisons Service | Data on total prison's admissions, types of offences; number of convicted; and | • Limited in scope in terms of case load and case | • Forms 5, 5A, 5B and Labour Distribution Forms | • Some variables in the forms are outdated – corporal | • Manual data analysis entailing | • Manual analysis is very cumbersome | • Monthly, quarterly and annual reporting | • Limited information in the report. <br>• Lack of |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | unconvicted, average inmate count | • characteristics<br>• Incomplete<br>• Misleading totals due to the mode used in counting – prisons who travel to and from court are considered as new admissions<br>• Need to include variables on case load and case characteristics<br>• Prisoners travelling to court and back should be considered as the same | | • punishment, vagrancy<br>• Forms are too long<br>• Need to delete those variables from the forms<br>• computerise the forms | the sorting out of offences by type | and prone to errors<br>• use of limited variables during analysis<br>• Need to computerise the data and the analysis procedure<br>• Need to use more variable to case load and case characteristics | | information dissemination mechanism<br>• Reports mainly in hard copies<br>• More information on case load and case characteristics to be included<br>• Need for computerisation of data<br>• Need for development of a dissemination mechanism |
| Children's Department | Data on neglected, abandoned, destitute, endangered, battered, assaulted, child mothers or brides, physically challenged, delinquent, child laborers, abducted children, street children, children beggars, lost children, children diagnosed of mental problems, children under foster care and | • Some information particularly needy children misleading and does not represent the reality on the ground<br>• Need to verify the data | • Case record sheet<br>• Interview(s) / Home visit form<br>• Plan of Treatment form.<br>• Written Agreement<br>• Follow-up News Sheet Plan of disengagement form<br>• Exit information form | • The forms are too many and not computerised<br>• Variables presented separately yet having same meaning<br>• The forms should be computerised<br>• Variables with similar meaning should be used as such – | Sorting out using the variables contained in the forms mainly using MS Excel | The data base not automated and hence the need for automation | • Monthly, quarterly and annual report<br>• Reports in both hard and soft copies | • The categorisations used in the framework are broad – hence, some information is lost (case load and case characteristics)<br>• There is need for use of more specific categorisations in the |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | truant children | | | delinquency and child offenders | | | | framework |
| Probation and Aftercare Department | Data on those sentenced probation or CSO and offenders accepted for probation or CSO | Data not complete | • Probation Card<br>• aftercare card<br>CSO card | | Sorting out using variables contained in the forms using MS Excel. | Use of limited variables during analysis. There is need to include more variables at this stage | Monthly, quarterly and annual report in hard and soft copies | There is limited information in the reports on case load and case characteristics |

**Annex 5. Study Questionnaire**

***GJLOS programme and Strategic PR & R Ltd.***
***Evaluating the Extent of the Implementation of GJLOS Reforms in Institutions of***
***Governance in Kenya***

**Brief introduction about the programme and Assignment**

1. Name of the institution. _____

**2. Particulars of the Person Providing Information**

      2.1. Name _____

      *2.2. Designation/Position* _____
          (CEO, Head of Statistics Unit, Records Officer, Responsible for
          compilation of statistics, etc.)

      2.3. Section _____

3. Are you aware of the GJLOS programme under Ministry of Justice and Constitution
Affairs initiated in July 2004 and covering various Governance institutions in Kenya?
Yes _____ No. _____

      If Yes, What are the objectives of the programme?
          1. _____
          2. _____
          3. _____
          4. _____
          5. _____

      If No, Go to Question No 6.

4. In your institution/organization which component of GJLOS programme do you
implement?
          1. _____
          2. _____
          3. _____
          4. _____

5. Do you have a monitoring system of the component of the GJLOS programme or your
own activities implemented in the course of undertaking your work?
      Yes _____ No_____

      If yes, name them,
          1. _____

       2. _____

       3. _____

       4. _____

If No, why _____

6. In the process of undertaking work in your institution/organization, there are lots of administrative data generated. Do you (organization) capture any?
Yes _____ No____

       If yes, please list down all data/variables collected by your system.

       1. _____

       2. _____

       3. _____

       4. _____

       5. _____

       6. _____

       7. _____

       If no, why don't you capture the data?

       1. _____

       2. _____

       3. _____

7. What are the sources of data for your organization?

       1. _____

       2. _____

       3. _____

8. Do you have a questionnaire or summary sheet where these data are tabulated, whether manual or computerized?    1. Yes (Manual) __

                         2. Yes (Computerized) ____

                         3. No. ____

       If Yes, please give me a copy of the summary sheet.
           1. Summary sheet given
           2. Summary sheet not given

       If No, how do you summarize data?

_____

_____

9. What are the advantages of having the data mentioned above in your institution?

       1. _____

       2. _____

       3. _____

4. _____

10. What are some of the challenges of getting/compiling these data? (Ensure you collect information on (administrative, collection, processing, and utilization)

     1. _____
     2. _____
     3. _____
     4. _____

11. In your own view where can these challenges be overcome?

     1. _____
     2. _____
     3. _____

12. We need data collected/maintained by your organization/institution for the financial years (July – June period) 2004/5 and 2005/6 in the format provided below. Where possible please provide data by gender.

Details regarding cases of selected crimes

| Type of Crime | Status of Cases | | | | | | | | | | | Duration of trail* |
| | Reported | | Awaiting trial | | Prosecuted | | Convicted | | Backlog | | |
| | 2004/05 | 2005/06 | 2004/05 | 2005/06 | 2004 /05 | 2005 - 2006 | 2004/05 | 2005/06 | 2004/05 | 2005/06 | Days/Months/Years |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Rape including attempt | | | | | | | | | | | |
| Assault | | | | | | | | | | | |
| Murder | | | | | | | | | | | |
| Robbery with violence | | | | | | | | | | | |
| Breakings | | | | | | | | | | | |
| Theft of motor vehicles | | | | | | | | | | | |
| Corruption (bribery and abuse of office) | | | | | | | | | | | |
| Drug related crimes | | | | | | | | | | | |
| Defilement | | | | | | | | | | | |
| Other (specify) | | | | | | | | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Other (Specify)** | | | | | | | | | | |
| **Other (Specify)** | | | | | | | | | | |
| **TOTAL** | | | | | | | | | | |

\* Please provide the value and units whether days, months or years

Other than the above which other crimes are common?  Please include them under other and specify the type in space provided.

13. In summary, between 2004/05 and 2005/06, how many of the crimes mentioned have been.

| Status of Cases | 2004/05 | | | 2005/06 | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Reported | | | | | | | | | |
| Awaiting trial | | | | | | | | | |
| Prosecuted | | | | | | | | | |
| Convicted | | | | | | | | | |
| Backlog | | | | | | | | | |
| TOTAL | | | | | | | | | |

**State Law Office**

14. How many litigants have received state legal aid between 2004/05 -2005/06?

| Age of Litigants | 2004/05 | | | 2005/06 | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Below 18 years | | | | | | | | | |
| 18 to 36 years | | | | | | | | | |
| 37 to 54 years | | | | | | | | | |
| Above 54 years | | | | | | | | | |
| Total | | | | | | | | | |

15. Please provide the same information by income levels of the litigants in the format provided. **(If income levels are different then it is still ok)**.

| Income Level of Litigants | 2004/05 | | | 2005/06 | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Less than Ksh 5,000 | | | | | | | | | |
| 5001 to Ksh 10,000 | | | | | | | | | |
| Above Ksh 10,000 | | | | | | | | | |
| Total | | | | | | | | | |

**ALL institutions**

16.1. How often do you collect data?
1. Daily
2. Weekly
3. Monthly
4. Other (specify)

16.2 In what form is this data?
1. hard copy
2. soft copy

16.3 Is the data adequate to your needs and/or programme needs?
1. Yes
2. No

   i) If No, what should be done?

16.4. How do you analyze the data?
1. Manually
2. Computers (statistical)
3. None

17. Do you have trained personnel for
   a) data collection?
   1. yes
   2. no
   b) data analysis?
   1. yes
   2. no

   If yes, are they enough?
   1. yes
   2. no

18. Do you have equipment for
   a) Data collection?
   1. yes
   2. no
   b) Data analysis?
   1. yes
   2. no

   If yes, are they enough?
   1. yes
   2. no

19. What other challenges do you face in

Data collection?

Data analysis?

Data utilization?

20. Do you know the indicators for your institution/organization in GJLOS
programme
       Yes _____   No _____

If Yes, list them.
      1. _____
      2. _____
      3. _____

21. What (other) indicators would you recommend to be included in the GJLOS
programme?
      1_____
      2_____
      3_____

*Thank you*

**Annex 6. The Kenya Police: Data Collection tools and Reporting Framework**

**Comparative Crime Figures for 2004, 2005 And 2006 in the Months of January to December**

| S/No | Offences | 2004 | 2005 | 2006 | Total | % Of The Total |
|------|----------|------|------|------|-------|----------------|
| 1 | Homicide[22] | 2,411 | 2,313 | 2,090 | 6,814 | 2.9 |
| 2 | Offences Against Morality[23] | 3,39 | 3,153 | 3,525 | 10,117 | 4.4 |
| 3 | Other Offences Against Persons[24] | 20,247 | 17,304 | 18,723 | 56,274 | 24.3 |
| 4 | Robbery | 7,967 | 6,936 | 5,234 | 20,137 | 8.7 |
| 5 | Breaking | 9,242 | 8,454 | 7,420 | 25,116 | 10.9 |
| 6 | Theft of Stock | 2,380 | 2,219 | 2,209 | 6,808 | 2.9 |
| 7 | Stealing | 13,119 | 12,589 | 10,874 | 36,582 | 15.8 |
| 8 | Theft By Servant | 3,217 | 2,874 | 2,700 | 8,791 | 3.8 |
| 9 | Vehicle And Other Thefts | 2,037 | 1,718 | 1,660 | 5,415 | 2.3 |
| 10 | Dangerous Drugs[25] | 5,761 | 6,356 | 5,821 | 17,938 | 7.7 |
| 11 | Traffic Offences | 60 | 38 | 62 | 160 | 0.1 |
| 12 | Criminal Damage | 3,852 | 3,236 | 3,518 | 10,606 | 4.6 |
| 13 | Economic Crimes | 1,868 | 1,390 | 1,873 | 5,131 | 2.2 |
| 14 | Corruption | 182 | 107 | 252 | 541 | 0.2 |
| 15 | Offences Involving Police Officers | 6 | 29 | 76 | 111 | 0.0 |
| 16 | Offences Involving Tourist | 40 | 32 | 84 | 156 | 0.1 |
| 17 | Other Penal Code Offences | 8,013 | 6,652 | 6,104 | 20,769 | 9.0 |
| 18 | **Total** | 83,841 | 75,400 | 72,225 | 231,466 | 100.0 |

Source: Kenya Police Service 2007

**Status of reported cases between 2004 and 2005**

| Cases | 2004 | 2005 |
|-------|------|------|
| **Total Cases Registered** | **83841** | **75400** |
| **Convictions** | **30284** | **25162** |
| Dismissal U/SEC.202 CPC[26] | 2208 | 1168 |
| acquittals U/SEC 210 | 2456 | 1025 |
| Acquittals U/SEC 215 | 738 | 345 |
| Withdrawal U/SEC. 176 | 2395 | 1536 |
| Withdrawal U/SEC 87(A) | 3016 | 1799 |
| Withdrawals under section 204 | 4255 | 3065 |
| Pending Before Court | 15068 | 8938 |
| Inquest Registered | 1597 | 1577 |
| Inquest held | 659 | 543 |

---

[22] Including murder among others

[23] Including *inter alia* rape and defilement

[24] Including assault among others

[25] Including handling, cultivating, usage and possession

[26] Under Section 202 Criminal Procedure Court

| | | |
|---|---|---|
| Inquest pending | 938 | 1034 |
| Pending Under Investigation | 36892 | 39723 |

**Annex 7. Kenya Anti-Corruption Commission: Data Collection Tools and Reporting Framework**

**(a) Corruption Reporting Form**

**CORRUPTION REPORTING FORM**

Welcome to Kenya Anti- Corruption Commission (KACC). Please provide as much information as possible in this form, to enable us serve you better.

Date...........................     Time In..................................     Time Out........................

**SECTION A. INFORMANT'S /COMPLAINANT'S PARTICULARS**

_NOTE_: completion of any personal details in this form is optional/voluntary

Surname ......................... ..... Middle Name........................... First Name...................................

ID/NO ................................. Occupation ...........................................................

Address........................ ....... Post Code................................Town. .................................

Phone No.......................... Mobile No....................................Email Address................................

Do you agree to your name and contact details being disclosed if KACC pursues the matter or decides to refer to another agency?
Yes ☐    No. ☐

**SECTION B:**

1) Which public Agency or person are you complaining about?.................................................
...................................................................................................................................

2) Have you reported this matter to another agency / public official? Yes ☐ No ☐

If yes, where?...............................................................................................................

**SECTION C:** Please give a summary of the matter you are reporting in the space provided below
(Include: times. Dates, names, locations etc where applicable)
...................................................................................................................................
...................................................................................................................................
...................................................................................................................................
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...................................................................................................................................
...................................................................................................................................

(Additional space overleaf)

**(b) Telephone Report Form**



KENYA ANTI-CORRUPTION COMMISSION

KENYA ANTI- CORRUPTION COMMISSION

REPORT & DATA DEPARTMENT

**TELEPHONE REPORT FORM**

Date ............................... Time ................................ Case No ....................................

Name of complainant/ Informant(s):...........................................................................................

Address............................................... Phone (office).........................Mobile...........................

Summary of complaint................................................................................................................
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...................................................................................................................................................
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**Comment by Officer receiving**
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................

Name............................................................. Sign ...................................

**Comments by Senior Analyst**
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................

Sign ......................................... Date ...............................

**Comments by Principal Officer**
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................

Date........................................ Sign ...............................

**(c) Reporting Framework: Summary of Cases as at 28th February 2007**

| Item | Description | No. of Cases | |
|------|-------------|-------------|------|
| | | Segment | Total |
| 1.PUI | Cases Pending Investigation | 453 | |
| | Completed Files with the Crime Reader | 2 | **719** |
| | Cases Pending Allocation for Investigation | 264 | |
| 2.PBC | Cases Pending Before Court (PBC) | 71 | |
| | PBC with Part Discharges | 1 | **73** |
| | PBC With Prohibition Orders | 0 | |
| **3.FINALISED** | **Cases finalised before court:** | | |
| | - Convictions | 13 | |
| | - Acquittals | 7 | **59** |
| | - Discharges | 32 | |
| | - 'Nolle prosequi' | | |
| **4. To A-G** | **Files Sent to A-G** | | |
| | With Recommendation to Prosecute | 40 | |
| | With Recommendation for Closure | 35 | **79** |
| | With Recommendation for Administrative Action | 4 | |
| **5. From A-G** | **Attorney-General Advice** | | |
| **Advice** | - To Prosecute | 16 | |
| | - For Closure | 75 | |
| | - For further Investigation | 7 | **146** |
| | - Administrative Action | 44 | |
| | - Consolidated Files | 4 | |
| **6.REFERRED** | Cases Referred to Other Agencies | 20 | **16** |
| **7.DISCHARGE** | Discharges under s. 87(a) for New Charges | 16 | |
| **8.STOPPED** | PUI Cases stopped by Court injunctions | 1 | **1** |
| | **Total Number of Cases** | | |

Source: Kenya Anti Corruption Commission (2007)

**(d) Existing Data at KACC**

## Reports and Data Centre

### Statistics of the Number of Cases Reported and How they were Disseminated

| | 2005 | Jan | Feb | Mar | Apr | may | June | July | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Referred to KACC | 27 | 28 | 33 | 33 | 49 | 84 | 54 | 83 | 83 | 96 | 99 | 86 | **755** |
| 2 | Other Investigative Agencies | 51 | 44 | 39 | 46 | 79 | 108 | 84 | 109 | 118 | 63 | 36 | 50 | **827** |
| 3 | Public Service Organizations | 85 | 66 | 73 | 112 | 160 | 129 | 115 | 214 | 182 | 111 | 99 | 99 | **1445** |
| 4 | Avail More information | 0 | 0 | 2 | 3 | 0 | 2 | 4 | 6 | 6 | 4 | 5 | 3 | **35** |
| 5 | Advised on right authority to report matter to | 30 | 0 | 0 | 0 | 0 | 134 | 166 | 168 | 190 | 187 | 204 | 205 | **1284** |
| 6 | Advised to seek civil redress | 71 | 26 | 22 | 33 | 0 | 108 | 106 | 149 | 144 | 136 | 152 | 40 | **987** |
| 7 | No further Action by KACC | 45 | 19 | 6 | 37 | 65 | 18 | 25 | 24 | 24 | 10 | 2 | 19 | **294** |
| | **Total** | **309** | **183** | **180** | **264** | **429** | **583** | **554** | **753** | **747** | **608** | **597** | **502** | **5709** |

| | 2006 | Jan | Feb | Mar | Apr | may | June | July | Aug | Sep | Oct | Nov | Dec | Totals |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Referred to KACC | 94 | 105 | 121 | 109 | 119 | 107 | 139 | 131 | 94 | 140 | 168 | 120 | **1447** |
| 2 | Other Investigative Agencies | 146 | 64 | 46 | 60 | 62 | 56 | 81 | 67 | 55 | 161 | 198 | 79 | **1075** |
| 3 | Public Service Organizations | 232 | 116 | 66 | 53 | 84 | 96 | 97 | 90 | 68 | 161 | 298 | 187 | **1548** |
| 4 | Avail More information | 12 | 0 | 3 | 7 | 3 | 6 | 4 | 18 | 10 | 14 | 9 | 2 | **88** |
| 5 | Advised on right authority to report matter to | - | 310 | 360 | 375 | 497 | 451 | 432 | 501 | 350 | 79 | 21 | 141 | **3517** |
| 6 | Advised to seek civil redress | 101 | 21 | 58 | 12 | 27 | 12 | 8 | 8 | 25 | 126 | 143 | 97 | **638** |
| 7 | No further Action by KACC | 82 | 17 | 5 | 14 | 1 | 26 | 39 | 19 | 18 | 16 | 12 | 13 | **262** |
| | **Total** | **667** | **633** | **659** | **630** | **793** | **754** | **800** | **834** | **620** | **697** | **849** | **639** | **8575** |

**Annex 8. The Judiciary: Data Collection Tools and Reporting Framework**

**(a) Data available and Reporting Framework**

| TABLE 1: Type of Cases Disposed of By Various magistrates' Courts, 2004-2006 | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Type of Cases** | **2004** | | | **2005** | | | **2006** | | |
| | **F** | **P** | **D** | **F** | **P** | **D** | **F** | **P** | **D** |
| Criminal | 189,642 | 77,316 | 166,177 | 171,775 | 82,212 | 165,511 | 172,515 | 110,881 | 158,272 |
| Traffic | 131,285 | 358,733 | 166,117 | 173,680 | 378,519 | 147,525 | 173,145 | 421,542 | 156,590 |
| Land | 604 | 2,199 | 428 | 799 | 1,509 | 476 | 1,309 | 1,971 | 919 |
| Succession | 3,944 | 7,303 | 4,012 | 3,583 | 6,487 | 2,674 | 3,859 | 7,355 | 2,734 |
| Affiliation | 1,807 | 1,060 | 1,518 | 1,242 | 3,465 | 918 | 310 | 361 | 184 |
| Miscellaneous | 2,618 | 4,659 | 2,588 | 5,100 | 5,216 | 3,915 | 4,723 | 7,399 | 4,689 |
| Civil | 31,476 | 89,472 | 23,749 | 34,628 | 103,804 | 19,574 | 24,904 | 85,936 | 21,324 |
| **Total** | **361,376** | **540,742** | **364,589** | **390,807** | **581,212** | **340,593** | **380,765** | **635,445** | **344,712** |

**Note:**
1. F stands for total cases filed during the year.
2. P stands for average No. of pending cases during the year.
3. D stands for total cases decided during the year.

**(b) STAT. H1**

<div align="center">

THE JUDICIARY

STAT. H1

*REPUBLIC OF KENYA*

</div>

JUDICIAL STATISTICAL RETURNS FORM FOR JUDGES OF THE HIGH COURT

IN THE HIGH COURT AT.............................................................................

NAME AND ADDRESS OF THE JUDGE...........................................................
.........................................................................................................

Summary of Cases for the month of .............................year.........................

| | Number of cases at the beginning of month. | Additional cases in the month. | Number of cases determined during the month. | Number of Witnesses heard. | Number of pending cases on the last day of the month. |
|---|---|---|---|---|---|
| **CRIMINAL CASES** | | | | | |
| Miscellaneous applications. | | | | | |
| Murder cases. | | | | | |
| Ordinary criminal | | | | | |

| | | | | | |
|---|---|---|---|---|---|
| appeals. | | | | | |
| Capital criminal appeals. | | | | | |
| Criminal revisions. | | | | | |
| **CIVIL CASES** | | | | | |
| P&A. | | | | | |
| Succession. | | | | | |
| Civil appeals. | | | | | |
| Civil miscellaneous applications. | | | | | |
| Other civil cases. | | | | | |
| **TOTAL CASES** | | | | | |

REMARKS ....................................................................................................................

Date.........................................        ......................................................
                                              Signature of Judge

# (c) STAT. H2

**REPUBLIC OF KENYA**

# THE JUDICIARY STATISTICS

**SUMMARY STATISTICAL RETURN OF THE HIGH COURT**

High court at ……………………………………..in the ………………….…..District of ……….…….…………Province.

Name(s) and Address of the Judge(s)……………………………………………………………………………………………..

A.  Summary of cases for the month of …………………………………………………………….. Year …………………………

| Type of case | Cases outstanding at the start of the month | Cases filed during the month | Cases completed during the month | Cases outstanding at end of the month |
|---|---|---|---|---|
| **Criminal Cases** | | | | |
| Miscellaneous Applications | | | | |
| Murder | | | | |
| Ordinary Criminal Appeals | | | | |
| Capital Appeals | | | | |
| Criminal Revisions | | | | |
| **Total Criminal Cases** | | | | |
| **Civil Cases** | | | | |
| P&A | | | | |
| Civil Appeals | | | | |
| Miscellaneous Applications | | | | |
| Commercial  Cases | | | | |
| Bankruptcy & winding up | | | | |
| Running Down Cases | | | | |
| Family Cases | | | | |
| Other Civil Cases | | | | |
| **Total Civil Cases** | | | | |
| **GRAND TOTAL** | | | | |

**Extra detail on criminal cases:**
B.            Number of Appeals allowed and persons acquitted/discharged ………………………….……………………………………………....

Number of Appeals allowed and sentence reduced…………………………………………………………………………………….

Number of Appeals dismissed and sentence upheld..……………………………………………………………………….....

Number of Appeals dismissed and sentence enhanced……………………………………………………………………………

C.        Number of persons fined………. …………………………………………………………………………………...

Number of persons sent to prison………..………………………………………………………………………..

Number of persons sent to CSO ……………………………………………………………………………………

Number of persons in remand ……………………………………………………………………………………..

D.        Number of persons sentenced to probation (Adults) …………………………………………………………………..

Number of persons sentenced to probation (Juveniles)…………………………………………………………….

Number of persons repatriated …………………………………………………………………………………..

E.        Number of Juveniles sentenced to Borstal …………………………………………………………………………....

Number of Juveniles sentenced to Approved School ………………………………………………………………….

Number of Juveniles sentenced to Corrective Training Centre ……………………………………………………………..

F.        Revenue collected in the month
      i.      Fines and Forfeitures…………………………………………………………………………………………

      ii.     Court fees……………………………………………………………………………………………………..

     iii.    Legal Deposits………………………………………………………………………………………………...

     iv.    Others………………………………………………………………………………………………………….

Date:…………………………………………………            …………………………………………………
                                                   Signature, Deputy Registrar of High Court

**(d) STAT 1**

**REPUBLIC OF KENYA**

IN THE......COURT AT............ IN THE DISTRICT OF........................

Monthly Return of Criminal cases for the Month ending........20

| Monthly Return of Criminal cases for the Month ending...  .....20  1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|---|---|---|---|---|---|---|---|---|---|---|
| No. of the case and year | Accused | Sex | Age | Plea | Date of plea | Date of sentence | Nature of Charge | Sentence order | Relevant previous conviction | Remarks Here explain delays of any kind |
| | | | | | | | | | | |
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**Explanatory Notes**

Column 3 'M' for Male, and 'F' female
Column 4 'A' for 18 years and over and actual age of young persons under 18 years
Column 5 'G' for Guilty and 'NG' for not Guilty
Column 8 in charges of theft etc where value is material, it should be shown in shillings
Column 10 Actual number of relevant previous convictions or the word nil if the accused has no previous convictions

Directions
Returns with STAT 2 duly completed should reach the Registrar, High Court, and Nairobi the following month.

## (e) STAT. 2

REPUBLIC OF KENYA

STAT.2

**JUDICIAL DEPARTMENT**
**STATISTICS**

………………………………………………………………………………………..
(SRM, RM, 1, II OR III Class District)

Magistrate's Court at ……………………………. in the …………………………………
District of ………………………………………………………………………….. Province
Name and Address of the Magistrate …………………………………

A.      Summary of cases for the month of ……………………., 20………………..

| | Criminal | Traffic | Land | Succession | Affiliation | Miscellaneous | Other Civil Suits | TOTAL |
|---|---|---|---|---|---|---|---|---|
| Number of cases pending on first day of month. | | | | | | | | |
| Number of cases filed during the month | | | | | | | | |
| Number of cases decided during the month. | | | | | | | | |
| Number of cases pending on last day of month | | | | | | | | |

B.      Number of persons acquitted/discharged….. .. ………………………………………………………………………………
           Number of persons fined….. .. .. .. .. ……………………………………………………………………………………
           Value of unpaid fines to date….. .. .. ……………………………………………………………………………….
           Value of fines paid….. .. .. .. ………………………………………………….........................................................

C.      Number of persons sent to prison ………………………………………………………………………………
           Number of persons sent to detention ………………………………………………………………………………
           Number of persons sent to E.M.P.E………………………………………………………………………………..
           Number of adults sentenced to corporal punishment …………………………………………………………………
D.      Number of Juveniles under 18 years sentenced to …………………………………………………………………
           Corporal punishment …………………………………………………………………………………………………

E.      Probation:  Adults …………………………………………………………………………………………
                    Under 18 years ………………………………………………………………………………..

F.      Number of Juveniles sentenced to ………………………………………………………………………………..

Borstal ……………………………………………………………………………………………….

Approved School …………………………………………………………………………………………....

Corrective Training Centre …………………………………………….................................................

Date ……………………………                   ………………………………………………………

                                            Signature of Magistrate

**NOTE**:    1.       this form, duly completed, should accompany the Criminal Monthly Return on Form Stat 1.

           2.       When no criminal or civil cases have been decided during the month, it  should be completed with the word "NIL" in the column for "Number of  Cases"

           3.       High Courts and Muslim Subordinate Courts should also use this form with suitable alterations.

**Annex 9. Kenya Prisons Service: Data Collection Tools and Reporting Framework**

**(a) Form 5**

Capacity at 40 sq. ft _____

Unlock as at ..................... 

Prisons 5 (Revised)
Europeans ....................
Asians ....................
Somalis ....................
Arabs ....................
Africans ....................
Total ....................

**REPUBLIC OF KENYA**
**PRISONS DEPARTMENT**
**TABLE 1**

Return of Prisoners in the Prison at ............................. for the month ended ............................. 19......

| CLASS | TOTAL NUMBER COMMITTED | MENTAL PATIENTS – CIVIL | | | | COMMITTED FOR | | | SENTENCES OF PERSONS COMMITTED FOR IMPRISONMENT | | | | | | | Remarks | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Under Observation | Certified | Criminal | Debt | Safe Custody (Remand) | Vagrancy | Penal Imprisonment | Three years and over | 18 months and under 3 years | 12 months and less than 18 months | Over six months less than 12 months | 3 months and upto 6 months | 1 month and less than 3 months | Under 1 month | Death | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | |

PART

(1) REMAINING FROM LAST MONTH — Males / Females / Juveniles { Boys / Girls

(2) ADMITTED DURING MONTH DIRECT FROM COURTS — Males / Females / Juveniles { Boys / Girls

(3) ADMITTED ON TRANSFER FROM OTHER PRISONS — Males / Females / Juveniles { Boys / Girls

TOTAL

PART II

(1) DISCHARGED* — Males / Females / Juveniles { Boys / Girls

** Sentenced to Detention Camp, Cap. 91

(2) EXECUTED OR DECEASED (state in column 17 cause of death) — Males / Females / Juveniles { Boys / Girls

(3) ESCAPED (state in column 17, File No. and date of report to Commissioner of Prisons) — Males / Females / Juveniles { Boys / Girls

(4) TRANSFERRED (state in column 17 place to which transferred) — Males / Females / Juveniles { Boys / Girls

TOTAL

Total Remaining on last day of ............... 1996 — Males / Females / Juveniles { Boys / Girls / Total

NOTES:
I. Totals of columns 2 to 8 = Column 1
II. Totals of columns 9 to 16 = Column 8
III. Totals Part II deducted from Totals Part I = Total Remaining
IV. **Number committed to Detention Camp should be shown in Remarks Column, No. 17 against discharged - Part II (1)
*A Remand prisoner is *Discharged* on each occasion he goes to court.
V. A juvenile is a person under the age of 16.
VI. Recaptured Escapees should be shown as "Admitted on Transfer" (Part I (3)).
VII. The total of each of Tables IV, V, VI, VII, and VIII must agree with column 8 - Part I (2)

(a)Convicted (b) Remands (c) Mental Patients (i) Criminal (ii) Civil (d) Deputees (e) Vagrant — Total

Daily Average in Prisons during the month

{ (a) Admitted to Hospital (b) Out-patient

NOTE :- If a prisoner is medically treated during the month and is returned to duty after treatment but subsequently reports sick again later the same month he will be counted as a separate prisoner on each occasion.

Number of prisoners medically treated during the month

Daily average of prisoners :- off-duty, sick during the month (including those in hospital)
NOTE :- To obtain the daily average add up the total treatments (not the number of prisoners) given during the month, to off-duty sick prisoners and divide by the number of days in the month.
e.g. One prisoner may be off-duty sick for five days — this counts as five treatment.

# FORM 5 (Continued)

## TABLE II - Prisoners' Punishments

| 1 Total Number of Prisoners Punished during the Month | NATURE OF PUNISHMENT | | | | | | |
|---|---|---|---|---|---|---|---|
| | 2 Corporal Punishment (Awarded by Prisons) | 3 Cellular Confinement with Punishment Diet | 4 Loss of Remission Only | 5 Cellular Confinement with Punishment Diet & Loss of Remission | 6 Reduction in stage | 7 Forfeiture of Privileges | 8 Forfeiture of Earnings |
| | | | | | | | |

## TABLE III - Corporal Punishment carried out during the Month

| Awarded | Offence | No. of Strokes | Adult | Juvenile |
|---|---|---|---|---|
| (a) By Courts | | | | |
| (a) For Prison Offences | | | | |

## TABLE IV - Literacy

| Convicted Prisoners Admitted From Courts ("Transfers in" Not to be Included) | Males | Females | JUVENILLES | |
|---|---|---|---|---|
| | | | Boys | Girls |
| Literate in English and Own Language | | | | |
| Literate in Own Language | | | | |
| Illiterate | | | | |
| TOTAL | | | | |

## TABLE V - Employment

| At the Time of Conviction | Males | Females | JUVENILLES | |
|---|---|---|---|---|
| | | | Boys | Girls |
| In own Employment (Self-Employed) | | | | |
| Employed by Another Person | | | | |
| Unemployment | | | | |
| TOTAL | | | | |

## TABLE VI - Breakdown of Sentences Admitted from Court - ("Transfer In" not to be Included)

| | Males | Females | JUVENILLES | |
|---|---|---|---|---|
| | | | Boys | Girls |
| Sentence of Imprisonment only | | | | |
| Sentence of Imprisonment Plus Sentence in Lieu of Fine | | | | |
| Sentence in Lieu of Fine Only | | | | |
| TOTAL | | | | |

## TABLE VII - Nationality, Tribe and Religion of Convicted Prisoners Admitted from Courts - (Part - 1 (3) - ("Transfer In" not to be included)

| | European | Eurasian | Goan | Indian | Seychelles | Somali | Luo | Baluhya | Wakwma | Masai | Kipsagis | Kamijra | Embu | Meru | Kisii | Nandi | Tugen | Elgeyo | Turkana | Pokot | Taita | Giriama | All Others | Sudan | Uganda | Tanzania | Malawi | Ethiopia | TOTAL | Protestant | Roman Catholic | Hindu | Mohammedan | Various | Pagan |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Males | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Females | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Juvenile { Boys | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Girls | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

# FORM 5 (Continued)

## TABLE VIII - Offences and Age Groups of Convicted Prisoners Admitted from Courts - (Part 1 (2)) - ("Transfer In" not to be Included)

| | OFFENCE FOR WHICH RECEIVED | TOTAL NUMBER OF ADMISSIONS | | | | SENTENCE TO IMPRISONMENT IN RESPECT OF A SERIOUS OFFENCE | | | | | | | | ALL OTHER CONVICTED PRISONERS | | | | AGE GROUPS | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | For First Time | | | | For the Third Time or more | | | | | | | | Under 16 | | 16 to Under 18 | | 18 - 20 | | 21 - 25 | | 26 - 50 | | Over 50 | |
| | | M. | F. | Boys | Girls | M. | F. | Boys | Girls | M. | F. | Boys | Girls | M. | F. | Boys | Girls | Boys | Girls | Boys | Girls | M. | F. | M. | F. | M. | F. | M. | F. |
| Class I | Order, and Administration of Lawful Authority, Penal Code, Section 41 to 126 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class II | Offences injurious to the Public in General, Penal Code, Section 127 to 197 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class III | Offences against the Person, Penal Code, Sections 198 to 261 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class IV | Offences Relating to property, Penal Code, Sections 262 to 340. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class V | Forgery, Coining and Counterfeiting, Penal Code, section 341 to 383 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class VI | Attempts and conspiracies to Commit Crimes, Penal Code, section 389 to 399 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Class VII | Offences under Local Acts: | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 1. Employment Act. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2. Registration of Persons act | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 3. Graduated Personal Tax Act. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 4. African Liquor and Liquor Act | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 5. Chief's Authority Act | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 6. Opiates | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 7. Emergency Regulations. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 8. Various | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | TOTAL. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Note. - A "SERIOUS OFFENCE" should be interpreted as one for which the sentence imposed was TWO YEARS OF MORE

Dated at ........................................ this ................ day of ........................

Certified Correct by ........................................

Officer - In - Charge

Prison: ........................

Prepared by ........................................

PRISON INDUSTRIES NAIVASHA

**(b) FORM 5A**

_____PRISON                    PRISONS 5A

## SUPPLEMENTARY MONTHLY RETURN OF PRISONERS

FOR MONTH ENDING_____19_____

1. The number of convicted prisoners received direct from Court was

| | Males | | Females | | Boys | | Girls | |
|---|---|---|---|---|---|---|---|---|
| | F.O. | S.O. | F.O. | S.O. | F.O. | S.O. | F.O. | S.O. |
| High Court_____ | | | | | | | | |
| Magistrate Courts_____ | | | | | | | | |
| Military Courts_____ | | | | | | | | |
| Totals_____ | | | | | | | | |

These totals must agree with Part 1 (2) column 8 of form 5

2. The number of Juveniles sentenced to imprisonment was -

| | Under 15 | Under 16 | Total |
|---|---|---|---|
| Boys_____ | | | |
| Girls_____ | | | |

The total of these two columns must agree with figures for boys and girls in part 1 (2) column 8 form 5.

3. The average length of time prisoners spent in remand was -

| | Days |
|---|---|
| Males | _____ |
| Females | _____ |
| Boys | _____ |
| Girls | _____ |

4. The number of remand prisoners -

| | Males | Females | Boys | Girls |
|---|---|---|---|---|
| (a) Convicted and sentenced to- | | | | |
| (i) Imprisonment | | | | |
| (ii) Cap or detention | | | | |
| Discharged | | | | |
| Totals | | | | |

The totals of these columns must agree with Part 2 (1) - column 6

5. The number of civil mental Patients certified and sent to mental hospital from prison was -

| Males | Females | Boys | Girls |
|---|---|---|---|
| | | | |

6. (i) The number of civil mental Patients removed to mental hospital from prison was -

| Males | Females | Boys | Girls |
|---|---|---|---|
| | | | |

(ii) The number of criminal mental patients removed from mental hospital back to prison was

| Males | Females | Boys | Girls |
|---|---|---|---|
| | | | |

# FORM 5A (Continued)

7. The number of condemned prisoners in custody :-

|  | M | F |
|---|---|---|
| (a) On first day this month | | |
| Admitted during this month | | |
| TOTAL | | |
| (b) Transfered to Kamiti | | |
| Commuted to imprisonment | | |
| Discharged on appeal | | |
| Sentence reduced on appeal | | |
| Re-trial ordered | | |
| Executed | | |
| Remaining in custody on last day of this month | | |
| Total | | |

The total of (b) must agree with the total of (a)

8. Daily average in Prison during the month:-

|  | Males | Females | Boys | Girls |
|---|---|---|---|---|
| (a) Convicted | | | | |
| (b) Remands | | | | |
| (c) Mental patients (i) Criminal | | | | |
| (ii) Civil | | | | |
| (d) Debtors | | | | |
| (e) Vagrants | | | | |
| Total | | | | |

9. Escapees :-

|  | Escaped | Re-captured |
|---|---|---|
| From inside the prison | | |
| From outside the prison | | |
| Totals | | |

10. Percentage of total population off duty during the month was :-

Males _____ per cent  Females _____ percent

11. Employment during the month

|  | Units | Working Days |
|---|---|---|
| (a) Prison domestic duties | | |
| (b) Light duties and females | | |
| (c) Prison farm and grounds | | |
| (d) Industries (carpentary, tailoring, etc) | | |
| (e) Prison buildings | | |
| (i) M.O W | | |
| (ii) M.O.H. and township | | |
| (iii) Station hands (grass cutting, etc) | | |
| (iv) Other | | |
| (g) On payment | | |

12. In custody :-

(a) The highest number during this month _____

(b) The lowest number during the month _____

## (c) FORM 5B

PRISONS FORM 5 B.

G.K PRISON_____

SUPPLIMENTARY MONTHLY RETURNS OF PRISONERS SERVING MORE THAN THREE YEARS IMPRISONMENT
RETURN FOR THE MONTH / QUATER ENDING _____ 19_____

|  | 3 Years | More than 3 Years but under 7 Years | 7 Years and under 10 Years | 10 Years and under 14 Years | 14 Years and under 20 Years | 20 Years and Over | Prisoners detained Under Presidents Pleasure | Prisoners Serving Life Imprisonment | TOTAL | REMARK |
|---|---|---|---|---|---|---|---|---|---|---|
| Remaining from last Month |  |  |  |  |  |  |  |  |  |  |
| Admitted Direct from Court |  |  |  |  |  |  |  |  |  |  |
| Admitted from other Prisons |  |  |  |  |  |  |  |  |  |  |
| Releases |  |  |  |  |  |  |  |  |  |  |
| Died |  |  |  |  |  |  |  |  |  |  |
| Escaped |  |  |  |  |  |  |  |  |  |  |
| Transfer to other Prisons |  |  |  |  |  |  |  |  |  |  |
| Total Remaining of Last Day of _____ 19 ____ |  |  |  |  |  |  |  |  |  |  |

**(d) Reporting Framework**

### MONTHLY POPULATION FIGURES FOR OCTOBER 2006

| | ACTUAL LOCK-UP AS AT 31ST OCTOBER 2006 | DAILY AVERAGE POPULATION FOR THE MONTH OF OCTOBER 2006 |
|---|---|---|
| CONVICTED PRISONERS | 22809 | 24019.96 |
| UNCONVICTED PRISONERS | 20135 | 20224.83 |
| MENTAL PATIENTS | 60 | 51.89 |
| CIVIL DEBTORS | 90 | 75.49 |
| Y.C.T.C INMATES | 127 | 135.4 |
| BORSTAL INMATES | 630 | 618.95 |
| TOTAL | 43851 | 45126.52 |

G.M. MAINA (SSP)
PRU/ STATISTICS

**Annex 10. Children's Department: Data Collection Tools and Reporting Framework**

**(a) Case Record Sheet**

## Case Record Sheet

(Brief Version - Children Database)

Date _____

No.

### Personal Information of the Child

| Given Name | | Nickname | |
|---|---|---|---|
| *Surname* | | | |
| Date of Birth | | Gender | |
| Risk Level | | Religion | |
| Tribe | | Nationality | |

### Entry Information

| Date of Entry | |
|---|---|
| Type of Entry | *(was identified, was referred, came at will)* |
| Category of Child | |
| Committed Offence | |

### In case of Referral

| Referral Source | |
|---|---|
| Further Details | |

| Details of Parents / Guardian | Father | Mother | Guardian |
|---|---|---|---|
| Specify | ☐ Foster ☐ Biological | ☐ Adoptive | (Aunt, Grandmother, etc.) |
| Given Name | | | |
| Surname | | | |
| Year of Birth | | | |
| Deceased | ☐ | ☐ | ☐ |

Children Information Centre

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# Case Record Sheet (Continued)

| | | | |
|---|---|---|---|
| Further Details | | | |
| Address | | | |
| Marital Status | | | N/A |

## Residence (outside Organisation)

| | |
|---|---|
| Guardian (at Residence) | |
| Living Conditions | |
| Economic Situation | |

## Health Information

| | |
|---|---|
| *Physical Appearance* | |
| Disabilities | |

**Drug Abuse (if applicable)**

| Abused Drug | Level of Addiction | Duration | Date |
|---|---|---|---|
| | | | |

## School Education

| | | | | |
|---|---|---|---|---|
| Name of School | | | Type of School | |
| Non-Formal | | ☐ | Boarding | ☐ |
| Class/Form | | | Entered School | |
| Dropped Out | | ☐ | Left School | |
| Comment | | | | |

## Vocational Training

| | | | |
|---|---|---|---|
| Type of Training | | | |
| Entered Programme | | Dropped Out | ☐ |
| Left Programme | | | |
| Comment | | | |

_____

**Investigating Officer / Designation**          **Date / Place**

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**(b) Interviews/Home Visits Sheet**

# Interview(s) / Home Visit(s)

Date _____

(Children Database)

No.

## Personal Information of the Child

| Given Name | | Nickname | |
|---|---|---|---|
| *Surname* | | | |
| Date of Birth | | Gender | |

## Interview / Home Visit

| Location | |
|---|---|

| 1st Interview Partner _____ | |
|---|---|
| 2nd Interview Partner _____ | |
| Comment | |

*Investigating Officer / Designation*                    *Date / Place*

**(c) Plan of Treatment Sheet**

## Plan of Treatment

(Children Database)

Date _____

No.

### Personal Information of the Child

| Given Name | | Nickname | |
|---|---|---|---|
| *Surname* | | | |
| Date of Birth | | Gender | |

### Plan of Treatment

| Organisation | |
|---|---|
| | |

_____                                    _____
*Investigating Officer / Designation*                              *Date / Place*

Children Information Centre                                                              31

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**(d) Written Agreement Sheet**

<div style="text-align:center">

**Written Agreement**       Date _____

(Children Database)

No.

</div>

**Personal Information of the Child**

| Given Name | | Nickname | |
|---|---|---|---|
| *Surname* | | | |
| Date of Birth | | Gender | |

**Written Agreement**

| Child | |
|---|---|
| Parents / Guardian | |
| Organisation | |

_____              _____
Child                                                        Parents / Guardian

_____              _____
Investigating Officer / Designation              Date / Place

**(e) Follow-up News Sheet**

## Follow-Up News Sheet

(Children Database)

| Date | ID No. (Child) | Name (Child) | News | Area concerned | Nature of News | Social Worker |
|------|----------------|--------------|------|----------------|----------------|---------------|
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |
|      |                |              |      |                |                |               |

**(e) Plan of Disengagement Sheet**

## Plan of Disengagement    Date _____

(Children Database)

### Personal Information of the Child

No.

| Given Name | | Nickname | |
|---|---|---|---|
| Surname | | | |
| Date of Birth | | Gender | |

### Plan of Disengagement

| Organisation | |
|---|---|
| | |

_____          _____
Investigating Officer / Designation              Date / Place

Children Database

**(f) Exit Information Sheet**

## Exit Information

(Children Database)

Date _____

No.

### Personal Information of the Child

| Given Name | | Nickname | |
|---|---|---|---|
| *Surname* | | | |
| Date of Birth | | Gender | |

### Exit Information

| Date of Exit | |
|---|---|
| Type of Exit | *(was referred, was disengaged, dropped out, ...)* |

### In case of Referral

| Receiving Party | |
|---|---|

### In case of Disengagement

| Style | |
|---|---|

| Further Details | |
|---|---|

Investigating Officer / Designation          Date / Place

Children Database

**(g) Reporting Framework**

Table 5.3    CASELOADS SUMMARY

| Provinces | Shelter | Children of imprisoned mothers | Foster care | Lost children | Baby theft | School fees | Refugee children | Child abuse (others) | Abducted | Care & protection | Pending cases | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Western | | | | | | | 0 | 45 | | 103 | 24 | 8272 |
| Rift Valley | | | | 0 | | | 0 | 295 | | | 222 | 9185 |
| Coast | | 179 | | 0 | | | | 143 | | | 401 | 12870 |
| North Eastern | 0 | | | 0 | | | 0 | 0 | | | 41 | 915 |
| Central | 0 | | | 0 | | | 0 | 52 | | 0 | 385 | 6027 |
| Eastern | 0 | 1 | 0 | 0 | | 141 | | 16 | | | 77 | 9220 |
| Nyanza | | 1 | | 0 | | | | 20 | | | | 7180 |
| Nairobi | 11 | | | | | | 4 | 44 | | 71 | | 5367 |
| Totals | 1 | | | | | | 4 | 1104 | | | | 5M5Nb |

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**Annex 11. Probation and Aftercare: Data Collection Tools and Reporting Framework**

**(a) Probation Card**



**(b) Community Service Card**



**(c) Community Service Officer's Report Sheet**

REPUBLIC OF KENYA

## COMMUNITY SERVICE OFFICER'S REPORT

NAME ................................................................ I.D. NO. ........................................

SEX .............................. AGE : ................ COURT ........................................

RELIGION ........................................ COURT FILE ................................

NATIONALITY ................................ PCR CASE NO. ............................

DISTRICT ........................................ POLICE STATION ........................

LOCATION ...................................... CHIEF ........................................

SUB-LOCATION ............................... ASS. CHIEF ...............................

NEAREST TRADING CENTRE ...............................................

OFFENCE ........................................ PLEA ..........................

PARTICULARS OF OFFENCE ...........................................................

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

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

PREVIOUS CONVICTIONS ............................................................

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

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

REMANDED / BONDED ...............................................................

REPORT:

**(d) Probation Officer's Report Sheet**

PR. I

REPUBLIC OF KENYA

PROBATION SERVICE

**PROBATION OFFICER'S REPORT**

Name ................................................................................................................................

Age ................................................ Court ................................................

Tribe/Clan ........................................ Court File No. .......................................

District ............................................ Police Station .......................................

Location/Chief .................................. P.C.R. Case No. ....................................

Sub-location/Assistant Chief................. Docket No. ..........................................

Charge ...............................................................................................................

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

Penal Code Sec. ................................ Plea ..................................................

Circumstances of Offence .......................................................................................

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

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

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

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

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

Previous Convictions ...............................................................................................

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

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

Remanded to .................................................................... (Custody)
(Bail)

Report:

GPK (L)

**(e) Work Placement Confirmation Sheet**

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## WORK PLACEMENT CONFIRMATION

This is to confirm that a place is available for the offender named below:

NAME ........................................... AGE ...........................................

SEX ..............................................

ADDRESS ..................................... OCCUPATION ............................

COURT ......................................... OFFENCE ..................................

NAME OF PLACEMENT AGENCY ...........................................................

ADDRESS ..................................... TEL. NO.....................................

TYPE OF WORK ..................................................................................

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

AREA.......................................................................................................

Signature ..................................... Date ...........................................

Agency Manager

( To be attached to the Community Service Officer's Court report )

**(f) CS 5 Form**

REPUBLIC OF KENYA

Community Service return of case work for the month ended ....................................................

District and Court ..................................................... Community Service Officer ................................

1. Community Service Orders Act, 1998, Laws of Kenya:

| | Adults | Juvenile |
|---|---|---|
| Number of orders made during the month .......................... | | |
| Number taken over from other officers ............................ | | |
| Number re-transferred ........................................... | | |
| Number existing at end of previous month ........................ | | |
| TOTAL | | |
| Number handed over to other officers ............................ | | |
| Number transferred to other courts .............................. | | |
| Number completed satisfactorily ................................. | | |
| Number absconded ................................................ | | |
| Number completed unsatisfactorily ............................... | | |
| TOTAL NUMBER REMAINING END OF MONTH | | |

2. Community Service Orders Transferred from other courts:

| | | |
|---|---|---|
| Number transferred in during the month .......................... | | |
| Number taken over from other officers ........................... | | |
| Number existing at end of previous month ........................ | | |
| TOTAL | | |
| Number handed over to other officers ............................ | | |
| Number completed satisfactorily ................................. | | |
| Number of orders made but never reported ........................ | | |
| Number completed unsatisfactorily ............................... | | |
| Number re-transferred out ....................................... | | |
| TOTAL NUMBER REMAINING AT END OF MONTH | | |

3. Net Total Under Supervision (*Add paras. 1 and 2*).

4. Inquiries and reports made—(*Summary*).

| | During Month | | Cumulative Year Total | |
|---|---|---|---|---|
| Referrals | Adults | Juv. | Adult | Juv. |
| Criminal cases ..................... | | | | |
| From other courts .................. | | | | |
| Matrimonial cases .................. | | | | |
| Voluntary organizations ............ | | | | |
| Any others (including from other countries) ........ | | | | |
| TOTAL | | | | |

[P.T.O.

5. Committal to institutions:

                    Cr. C. No.               Name               Place

6. Placed on probation:

7. New orders made:

                    Serial No.              Name               Date

8. Completions:

    *a.* Completed satisfactorily.

    *b.* Absconded.

    *c.* Completed unsatisfactorily:

                    Serial No.              Name               Date and how dealt with

9. Transfers:
    *a.* From other Courts/Officers.
    *b.* To other Courts/Officers.

10. Re-Transfers
    *a.* From other Courts/Officers.
    *b.* To other Courts/Officers.

11. Caseload Distribution:

| *Officer* | *Adults* | *Juveniles* | *Total* |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Officer's Signature ..............................................................................................

Date ..............................................................................................

## HEADQUARTERS USE ONLY

2. Checked ..............................................................................................

3. Final approval and entering ..............................................................................................

## (g) Work Record Sheet

**WORD RECORDING SHEET / ATTENDANCE SHEET**

CS (6)

COMMUNITY SERVICE OFFICER.....................................................................................................

SUPERVISOR...............................................................................................

Work Site ....................................................... Type of work ...........................................

Serial No. ....................................................... Cr. C. No. ...........................................

Name ....................................................... ID /NO. ...........................................

Address / Residence of offender ...........................................................................................

This form is to be filled in full everyday worked

| Starting Date | Time of Arrival | Time of Departure | Hours Worked | Comments | Next Reporting Date | Offender's Signature | Supervisor's Signature | Official Visitors to site |
|---|---|---|---|---|---|---|---|---|
|  |  |  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |  |  |

THIS IS A TRUE RECORD OF HOURS WORKED

SUPERVISOR'S SIGNATURE...........................................

**(h) Reporting Framework (2005 data)**

| PROVINCE | REFFERALS MALES Ad. | Juv. | FEMALES Ad. | Juv. | ORDERS MALES Ad. | Juv. | FEMALES Ad. | Juv. | BROUGHT FORWARD MALES Ad. | Juv. | FEMALES Ad. | Juv. | COMPLETIONS MALES ADULTS SAT | ABS | UNS | MALES JUVENILES SAT | ABS | UNS | FEMALES ADULTS SAT | ABS | UNS | FEMALES JUVENILES SAT | ABS | UNS | PROCEEDING CASES MALES ADS | JUV | FEMALES ADS | JUV | TOTAL | A/C | G/T |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| EASTERN | 51 | 10 | 8 | 0 | 46 | 7 | 8 | 0 | 949 | 288 | 295 | 61 | 15 | 4 | 0 | 5 | 0 | 0 | 2 | 1 | 0 | 2 | 0 | 0 | 975 | 290 | 297 | 59 | 1621 | 130 | 1751 |
| NAIROBI | 48 | 12 | 17 | 1 | 27 | 6 | 11 | 1 | 872 | 168 | 277 | 32 | 22 | 1 | 0 | 4 | 0 | 0 | 7 | 0 | 0 | 1 | 0 | 0 | 874 | 173 | 288 | 25 | 1360 | 57 | 1417 |
| COAST | 20 | 23 | 19 | 9 | 15 | 16 | 6 | 2 | 546 | 299 | 168 | 37 | 37 | 1 | 2 | 32 | 1 | 0 | 14 | 0 | 0 | 4 | 0 | 0 | 523 | 282 | 159 | 36 | 1000 | 83 | 1083 |
| CENTRAL | 142 | 21 | 20 | 6 | 89 | 17 | 14 | 6 | 1453 | 438 | 489 | 116 | 48 | 4 | 2 | 12 | 0 | 0 | 18 | 0 | 0 | 3 | 2 | 0 | 1488 | 443 | 485 | 117 | 2533 | 108 | 2641 |
| R/VALLEY | 145 | 35 | 29 | 9 | 135 | 29 | 26 | 10 | 2452 | 975 | 653 | 191 | 121 | 10 | 2 | 48 | 4 | 2 | 47 | 2 | 0 | 9 | 0 | 0 | 2460 | 958 | 632 | 176 | 4226 | 174 | 4386 |
| NYANZA | 37 | 15 | 14 | 5 | 37 | 15 | 14 | 5 | 964 | 327 | 180 | 44 | 50 | 4 | 2 | 10 | 1 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 945 | 331 | 183 | 49 | 1508 | 119 | 1627 |
| WESTERN | 60 | 22 | 16 | 0 | 54 | 18 | 16 | 0 | 885 | 211 | 225 | 53 | 71 | 3 | 6 | 11 | 1 | 0 | 16 | 1 | 0 | 3 | 1 | 0 | 859 | 216 | 217 | 50 | 1342 | 88 | 1430 |
| N/E/GARISSA | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | 7 | 5 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 12 | 6 | 5 | 2 | 25 | 4 | 29 |
| TOTAL | 505 | 139 | 123 | 30 | 403 | 108 | 95 | 24 | 8134 | 2713 | 2292 | 536 | 364 | 27 | 15 | 122 | 7 | 2 | 115 | 4 | 0 | 22 | 3 | 0 | 8136 | 2699 | 2266 | 514 | 13615 | 763 | 14378 |
|  | 644 |  | 153 |  | 511 |  | 119 |  | 10847 |  | 2828 |  | 406 |  |  | 131 |  |  | 119 |  |  | 25 |  |  | 10835 |  | 2780 |  | 13615 | 763 | 14378 |
|  | TOT/REFERRALS =797 |  |  |  | TOT/PLACEMENTS=630 |  |  |  | TOT/B/ FORWARD=13675 |  |  |  | MALES=537 |  |  |  |  |  | FEMALES=144 |  |  |  |  |  |  |  |  |  |  |  |  |

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PROVINCIAL COMMUNITY SERVICE ORDERS RETURNS-- FEBRUARY-- --2005

| PROVINCE | ENQUIRIES | | | | ORDERS | | | | COMPLETIONS | | | | | | | | | | | | | BROUGHT FORWARD | | | | GROSS TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | MALES | | FEMALES | | MALES | | FEMALES | | MALES | | | | | | FEMALES | | | | | | | MALES | | FEMALES | | |
| | AD | JUV | AD | JUV | AD | JUV | AD | JUV | ADULTS | | | JUVENILES | | | ADULTS | | | Girls | | | | AD | JUV. | Ad | Girls | |
| | | | | | | | | | SAT | ABS | UNS | SAT | ABS | UNS | SAT | ABS | UNS | SAT | ABS | UNS | | | | | | |
| R/VALLEY | 789 | 45 | 241 | 64 | 450 | 44 | 229 | 67 | 834 | 42 | 10 | 7 | 0 | 0 | 289 | 7 | 9 | 1 | 0 | 0 | 3898 | 78 | 1358 | 18 | 4945 |
| CENTRAL | 567 | 7 | 94 | 3 | 567 | 7 | 94 | 3 | 444 | 1 | 23 | 13 | 0 | 0 | 81 | 1 | 0 | 4 | 0 | 0 | 1840 | 53 | 423 | 19 | 2439 |
| WESTERN | 371 | 0 | 148 | 1 | 366 | 0 | 147 | 0 | 390 | 10 | 1 | 5 | 0 | 0 | 126 | 6 | 2 | 0 | 0 | 0 | 2398 | 24 | 846 | 2 | 3245 |
| EASTERN | 741 | 0 | 210 | 0 | 701 | 0 | 186 | 0 | 715 | 31 | 8 | 0 | 0 | 0 | 173 | 2 | 1 | 0 | 0 | 0 | 2968 | 0 | 891 | 0 | 3816 |
| NYANZA | 388 | 2 | 129 | 0 | 374 | 2 | 130 | 0 | 356 | 7 | 3 | 4 | 0 | 0 | 101 | 0 | 0 | 0 | 0 | 0 | 2912 | 17 | 808 | 2 | 3774 |
| COAST | 101 | 6 | 20 | 1 | 100 | 5 | 19 | 0 | 94 | 2 | 2 | 5 | 0 | 0 | 13 | 3 | 1 | 0 | 0 | 0 | 855 | 18 | 103 | 4 | |
| NAIROBI | 2166 | 8 | 62 | 2 | 75 | 8 | 15 | 1 | 1902 | 3 | 0 | 1 | 0 | 0 | 29 | 1 | 0 | 0 | 0 | 0 | 28 | 2 | 10 | 0 | 362 |
| N/EASTERN | 42 | 0 | 8 | 0 | 41 | 0 | 8 | 0 | 20 | 8 | 2 | 0 | 2 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 56 | 5 | 13 | 0 | 89 |
| TOTAL | 5165 | 68 | 912 | 71 | 2674 | 66 | 828 | 71 | 4755 | 104 | 49 | 35 | 2 | 0 | 815 | 20 | 13 | 5 | 0 | 0 | 14965 | 197 | 4452 | 45 | 18666 |
| NATIONAL TOTALS | | | | | | | | | | | | | | | | | | | | | | | | | |

Total referred =    Total new orders =    TOTAL COMPLETIONS =    TOTAL WORKLOAD=    Total proceeding =

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