KENYATTA UNIVERSITY

SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF PUBLIC POLICY AND ADMINISTRATION

DETERMINANTS OF INMATES RECIDIVISM RATE IN KENYA:
THE CASE OF KAMITI MAXIMUM PRISON IN NAIROBI CITY
COUNTY.

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A RESEARCH PROPOSAL SUBMITTED TO THE SCHOOL OF
HUMANITIES AND SOCIAL SCIENCES IN PARTIAL FULFILMENT
OF THE REQUIREMENTS FOR THE AWARD OF MASTER OF ARTS
DEGREE OF KENYATTA UNIVERSITY.

DECEMBER 2017
DECLARATION

I declare that this proposal is my original work and has not been presented for examination in any other University.

Signature…………………………..Date…………………………

Faith Judith Atieno

C153/CTY/PT/31385/15

This research proposal has been submitted for review with my approval as the university supervisor.

Signature………………………………..Date…………………………
ABSTRACT

This study seeks to find out precisely why ex-convicts are likely to repeat crime after incarceration in spite of the on-going rehabilitation at prison. The existing data from Kenya Prison division states that recidivism in Kenya prison continues to grow. The objective of the researcher in this perspective is to assess determinants of recidivism rate in Kenya focusing on Kamiti Maximum Prison. The key questions of interest are of what relevance is the rehabilitation programs offered in prison on recidivism, whether demographic characteristics of inmates determines recidivism rate and whether inmates sentence duration affect recidivism rate. Recidivism will be given specific attention by the researcher since it directly affects the Kenyan society both socially and economically. The study will adopt Relapse Prevention theory, which provides a mechanism to assess the performance of rehabilitation programmes on criminals behaviour change over time and avoid relapse. Relapse Prevention theory is a cognitive behaviour model with origin in Banduras, (1977) self-efficacy theory that presents a comprehensive and integrated framework for explaining the change process in psychotherapy. What “Works in reducing recidivism” theory, also referred to as evidenced-based practice, what works movement demonstrate that empirically and theoretically sound, well-defined programs that meet certain conditions can significantly reduce recidivism rate for offenders. The research will adopt descriptive research design to collect data; the design is useful, as it will help the researcher to collect data without altering the environment. Purposive sampling will be employed for prison warders and tutors. Stratified sampling will be used for prison inmates. Data will be collected by the use of questionnaire and interview guide. The questionnaire will entail both open and closed ended questions. Data collected from questionnaires will be coded, tabulated and analysed using SPSS (Statistical Package for Social Science) by both descriptive statistics, which comprise of mean and standard deviation to capture the features of the variables under study. Inferential statistics that include Chi square tests will also be used to analyse the relationship between the independent variables and the dependent variable.
LIST OF ACRONYMS AND ABBREVIATIONS

CBD- Central Business District
CGP- Commissioner General of Prisons
GK- Government of Kenya
KNBS – Kenya National Bureau of Statistics
KPS – Kenya Prison Service
NIJ- National Institute of Justice.
SPSS- Statistical Package for Social Science
USA – United States of America
YCTC- Youth Corrective Training Centre
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OPERATIONAL DEFINITION OF SIGNIFICANT TERMS

**Imprisonment**: State of confining a person in correctional facility for breaking the law.

**Incarceration** – State of confining a person unwillingly in a correctional facility for breaking the law.

**Justice**: Concept of moral uprightness based on ethnic’s rationality, natural law, religion, or equity.

**Non-Conformity**: Refusal or failure to conform to accepted standards of behaviour.

**Re-Conviction**– Being found guilty of a new offense in court of law.

**Recidivism**: The act of a person repeating undesirable behaviour after they have either experienced negative consequences of that behaviour, or have been treated or trained to extinguish that behaviour.

**Rehabilitation**– Process of instilling knowledge, skills and attitude for the purpose of reformation, resettling and reintegration of an offender to fit back into the society as a result of a reformed character after discharge from prison.

**Reoffender**: A person who repeat crime even after they have undergone imprisonment.

**Vocational Training**: Manual training given to prisoners which include activities such as carpentry, plumbing, metalwork, tailoring and building.
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CHAPTER ONE: INTRODUCTION

1.1 Background to the Study

Recidivism is the relapse or return of ex-convicts into criminal acts once released from prisons. It is measured by former prisoner returning to prison for a new crime. Percentage of recidivism has been a key concern to any nation in defining the efficacy of prisons in remodeling behavior. Lower rates reveal the degree to which released inmates have been rehabilitated and the role correctional program play in integrating prisoners to the society. High rate of recidivism are very costly in terms of public safety, increased government budget to sustain inmates in prisons, cost of arresting them, prosecute, and perhaps incarcerate re-offenders. (Mears, Cochran, & Cullen, 2015).

Recidivism is measured by criminal acts that elicited re-arrest, reconviction or return to prison with without a new sentence during a three-year period after the prisoners discharge. The rehabilitation of offender is a crucial feature of the present Kenyan criminal justice system, and work to rehabilitate offender goes on, in varying degrees in every prison. While in the past, rehabilitation may have been focussed at reforming the character of prisoners; its emphasis is now on averting re-offending. In many occasions, the prisoners do not attain the anticipating purpose of rectifying and remodelling criminals (Omondi, 2015).

Recidivism is a multi-tiered problem with no easy way. Many reasons go into a former inmate decision to re-offend after release. It is important to note, however, that there have been many studies showing prison programs systems, which provide institutional programming, have lower recidivism rate among
those who are released. A study by Bushway (2010), found out that one month extra prison sentence lessens the rate of recidivism by about one percentage point, with possibly greater effects for those with limited criminal histories. However, the decrease in recidivism comes totally in the first year of discharge, which is construed as consistent with prisons rehabilitation.

Kužiemko (2013) used relapse incoherence approximations and found out that an institutional based program lessens recidivism chance by 1.3 percentage point. Abram’s (2013) took a related approach by using indicator variables for the attorney within the public defender office as an instrumental variable, since the random assignment of an attorney essentially randomizes the quality of a defendant’s criminal defence and through the mechanism, the sentence length. He found out that an institutional based program lessens recidivism by approximately one percentage point.

Globally, recidivism is one of the most essential concepts in criminal justice system. The ever-increasing recidivism rate has been a worrying reality worldwide. In US cities, according to national institute of justice 2014 re-arrest and drug abuse monitoring report, approximately two third of grown-ups and more than half of adolescence arrested were confirmed positive for at least one illicit drug, they committed the offences while under the influence of drugs. Most of them turned to crime for money to maintain expensive drug habit (NIJ, 2014).

United States of America (USA) as the country with the worst crime in the world, with a recidivism rate of 90 percent, while, Germany and Asia at 74
percent. On the contrary, Netherland tops the world, as the place with least criminals and plans to close its prisons (Hale 2005; Coyle 2005). The rate of recidivism in Netherlands is 70 percent. This shows the proportion of reoffending within five years after imprisonment, a transaction, a fine or a communal service order (Travis, Western, & Redburn, 2014).

In Africa, South Africa has a 74 percent recidivism rate. Kenya recidivism rate is at 47 percent, Rwanda and Tanzania 36 percent and Zambia 33 percent. Uganda stands out among African countries ranking fourth lowest globally with a recidivism rate of 32 percent (Stahler et al, 2013). Rehabilitation and reintegration continues to be elusive and contentious mostly in Africa. Rehabilitation is challenging for many African prisons to realize due to underfunding and congestion even when it stands as a main objective for policy makers. The criminality trend experienced in Kenya is appalling. The increasing rate of prisoner population as shown by the prison Statistics (2016) is a sign of major challenge 2003(39,582), 2004(42,278), 2005(44,757), 2008(45,000), 2009(48,000), 2012(49,947), 2013(49,979) and March 2014(52,105).

The data shows increasing tendency, this situation has led to several research studies concentrating on prison rehabilitation and recidivism reduction effort in Kenya prison. For examples, Wekesa (2012) assessed the role of penitentiaries in the management of prison rehabilitation for prisoners in Kenya. The study established that vocational training, formal education, counselling and spiritual rehabilitation were the major rehabilitation programs which are administered to alter prisoners way of life through promotion of behaviour change and that
regardless of the rehabilitation programs being offered, there is still high rate of recidivism among male inmates in Kenya. The study recommended a research to be conducted to determine the role of the variables on recidivism rate among male inmates in Kenya.

Laisa (2013) examined factor influencing recidivism in government of Kenya prisons. From the discovery of the study, reoffending is still a major challenge for penitentiaries regardless of the on-going rehabilitation programs. The prisoners are not fully benefiting from technical and vocational training. The researcher suggested more research to be done regarding the role of government in reducing recidivism in GK Prisons in Kenya.

Wambugu examined the role of chaplaincy and rehabilitation of inmates in Kenya. The study established that regardless of all attempts of intercessions by chaplaincy in rehabilitating inmates, there still exist s growing inmate’s population and recidivism coupled with moral decadence. The researcher suggested a further study that would develop and expand the modern thinking in prison management to put in place to address the solution of the problem. For example, the motives why some inmates still feel contented and have no regrets regardless of being imprisoned once or severally ought to be considered. However, the studies among others do not focus on the correlation between rehabilitation programs and recidivism among male prisoner.

1.2 Statement of the problem

Kenyan prisons, like many other prisons had experienced high rate of recidivism in spite of many rehabilitation programs offered to the prisoners to lessen the
recurrence of criminal behaviour as well as reducing recidivism among prison victims since they are mostly dedicated in treating the criminal behaviour by eradicating the elements or conditions that motivates them to commit criminal acts.

Even after release, prisoners have continued living a life of criminality hence, some are re-imprisoned. Time that convicts could have spent constructively in developing themselves, families, societies and the nation in general is lost in prison.

In spite of the remarkable efforts in rehabilitating inmates, the current correctional system is impervious to all intervention. It is against this background that the proposed study seeks to assess determinants of recidivism rate in Kamiti Maximum Prison in Kenya.

1.3 Objectives of the Study

1. To ascertain how rehabilitation programs determine recidivism rate among prisoners in Kamiti Maximum Prison.

2. To assess how demographic characteristics of the prisoners determine recidivism rate in Kamiti Maximum Prison.

3. To evaluate how the length of incarceration determine recidivism rate in Kamiti Maximum Prison.

1.4 Research questions

1. How does rehabilitation programs determine recidivism rate in Kamiti Maximum Prison?
2. Do demographic characteristics of the inmates determine recidivism rate in Kamiti Maximum Prison?

3. To what extent does the length of incarceration determine recidivism rate in Kamiti Maximum Prison?

1.5 Assumptions of the Study

1. Rehabilitation programs influence recidivism rate at Kamiti Maximum Prison.

2. There is no correlation between demographic characteristics of the Prisoners and recidivism rate in Kamiti Maximum Prison.

4. Length of incarceration influence recidivism rate at Kamiti Maximum Prison.

1.6 Justification and Significance of the Study

The study is expected to present new information in education sector, as it may expound more on a specific area of interest, determinants of recidivism in Kamiti Maximum Prison. Kamiti Maximum Prison has been chosen as the case of the study because it is the biggest Prison in Kenya, and because of the diversity of prisoners. Recidivism has been given very little consideration by previous researchers particularly, in the field of Policy and administration. The result from the study would provide useful facts for understanding the prison service. The service is not well known to public and researchers because of long history of closed boundaries in Prisons. Literature review exposes that not many studies have been done on determinant of recidivism rate among male inmates in Kenyan prisons.
The discoveries of the study may be of importance to prison officers who would gain an understanding of determinants of recidivism in Kenya. The understanding would enlighten their choices in ensuring that rehabilitation programs are upgraded in a manner that help the prisoners once they are out of prison therefore lessening their chances of re-offending and going back to jail again.

The discoveries of the study may also be essential to the inmates, as the upgraded rehabilitation programs informed by the finding of the study would help them streamline their lives once out of custody.

The government may also benefit from the study’s discoveries because well versed policies on rehabilitation programs in prison would lessen recidivism. This may not only be cost saving for the government but may also ensure that instead of ex-prisoners going back to jail, they contribute in useful and lawful economic events that can help develop the country’s economy.

1.7 Scope and limitation of the Study

The study will look at how rehabilitation programs, demographic factors and length of incarceration determine recidivism rate of inmates in Kamiti Maximum Prison. The focus of the study will be prisoner, warders and tutors at Kamiti Maximum Prison.

There is limited literature on recidivism, a fact that posits need for detailed exploration of primary and secondary facts. Secondly, there may be limitations about inmate’s sincerity and frankness with answers owing to projected anxiety of definitive aim of the research. This would be perhaps because of a broken
relationship between the prior researchers who conducted related studies with inmates. Finally, one major restraint in conducting study on determinants of recidivism maybe relative lack of control due to language barrier. Majority of the respondents may semi-illiterate.
CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter discusses the previous studies that have been conducted on the determinants of recidivism in prison. The chapter presents viewed literature on how rehabilitation programs, demographic factors and length of incarceration determine recidivism rate in Kamiti Maximum Prison. The chapter will also present theoretical framework and conceptual framework.

2.2 Rehabilitation programs and recidivism rate

Cullen and Gendreau (2010) in their assessment of correction rehabilitation observed that vocational training programs are envisioned to furnish individuals with technical skills, craft and abilities in manufacturing, farming or processing that can easily empower the prisoner to secure a job or make a living. In many prisons the training entails training prisoners in basic computer skills, carpentry, masonry, knitting, tailoring and gardening. Hubbard (2007) pointed out that these skills are essential for prisoners mainly because they physically engaging.

Omboto (2013) carried out a research to establish challenges facing rehabilitation programs in Kenyan prisons; he found out that existing prison rehabilitation programs in Kenya are more suited for long-term lock-up rather than rehabilitation. He suggested that if the penitentiary is being reformed to rehabilitate more prisoners the modern rehabilitation initiatives need to be
aligned to meet the prison reform objectives in order for rehabilitation efforts to be able to lessen reoffending.

A study by Finn and Willoughby (2006) of high risk offenders, suggested vocational training to inmates who are prone to high risk behaviors and crime in order to contain their energy. Madoka (2008) in his report of the high level committee on the Prison crisis in Kenya perceived that these skills are highly funded by donors and the government mainly because they are considered to be very supportive to prisoners and even to the community at large. These skills empower prisoners to resourceful members of the society.

Klare (2006) in a study changing concept of crime and its treatment perceived that vocational training resulted in fewer cases of recidivism among adult inmates who had acquired vocational skills. However, House of Common Education and Skills Committee (2005) established that recidivism was higher when it came to juvenile delinquents with vocational training. This indicates that vocational training was effective for adult offenders. Some of the reasons Oliver, Wong and Nicholaichuk, (2009) in their study of impatient sex offenders indicated that the ability of the inmate to work and have sustainable source of income leads to behavior change.

Cobbina and Huebner (2012) in their study of the nature of the link between relational ties and recidivism noted that guidance and counseling played a vital role in rehabilitating inmates and empowering them not to re-offend. Mbatha and Mattemu (2011) in his study of the role played by technical and vocational education in avoidance of recidivism claimed that crime was an obsessive
behavior. The behavior could only be altered if the prisoner attitude towards the behavior is altered. However, if the inmates attitude towards the behavior remained the same, then it will be hard for the rehabilitation programs in prison to succeed in reforming the prisoner. Martinson (2009) in his study of the developmental psychopathology pointed out that offering guidance and counseling to prisoners was one of the means through which inmates could be rehabilitated.

The guidance and counseling services should be designed as per the inmate’s criminal activity. This approach classified inmates as either first time offenders, routine offenders or high risk offenders who had committed high risk crimes. Cullen and Gendreau (2010) in his research of the assessment of correctional rehabilitation categorized guidance and counseling activities based on the type of crime committed by the prisoners. According to this perspective different guidance and counseling programs suited different crimes and delinquent behaviors.

Ndombi (2014) in his study of the impact of prison rehabilitation programs on recidivists observed that prisoners imprisoned for committing sexual crimes had a different problem from those sentenced for committing robbery and murder or drug related cases, he recommended that criminals imprisoned for committing sexual offenses had to embark on sexual counseling as well as other impulse control behavior programs. On the other hand inmates who had been sentenced of murder and other high risk crimes were considered to be psychopathic and had to be counseled using different methods compared to
criminals who had committed other types of crimes (Wiredu, 2013). An investigation by Kivuki (2011) in his research on rehabilitation of delinquent teen-age in Kenya established that guidance and counselling activities in prison have an influence on prisoner’s attitude towards crime. From their findings, they argued that most of the first time inmates were very receptive to guidance and counselling activities and articulate behaviour and attitude change due to such programs that they embarked on. Goldstein, Dovidio and Kalbeitzer (2007) in their study on anger management for female young offenders perceived that inmates who had gone through guidance and counselling session either as a group or as an individual had an attitude change against crime with most of them articulating a negative attitude towards negative behaviours. A report from Kabete rehabilitation school (2012) explained that guidance and counselling activities were vital to prisoners as they help the offenders to understand themselves and know how to handle crime stimulants such as anger. In addition, guidance and counselling programs lead to behaviour change hence overall change of attitude towards criminal behaviour. Fox (2002) did a study on aftercare programs accessible to drug using inmates; he argued that for prisoners to change their behaviour, change in attitude against that behaviour is vital.

2.3 Demographic characteristics and recidivism

Steffens Meier, Allan, Harer and Streifel (2014) in their study of age differences in the differentiation of trait impression established that older inmates have lesser rates of reoffending than younger inmates and are less likely to recidivate. The link between age and crime is sufficiently robust, although there
are some disparities in age-crime distribution by stage and natures of crime. Tittle and Grasmick (2010) in their research on crime and delinquency established that tendency of crime or delinquency seems to be reversed pattern. Crime or delinquency increases throughout the teenage years reaching its maximum in late adolescence or early maturity, and then decreases gradually after that period. Laub and Sampson’s (2005) comprehensive study on development crime also showed that crime in general, and violent crime in specific, decreases with age.

Kitaria (2014) did a study on the influence of Socio-Economic Factors on recidivism among Kenyan Prisoners, he found out that percentage of the people involved in crime tend to peak in teenage years or early adulthood and then wane with stage. He however, noted significant disparity among offences and across historical phases in specific feature of the age crime relationship e.g. Peak age, medium age and rate of wane from peak age. It is a widely believed fact, among criminologists, that aging lessen delinquency and that the different age groups should be treated differently when considering criminal justice policies. It would be rational to put more consideration to the role of age in predicting recidivism (Aghan, 2016). Bearing in mind the inverse connection between age and delinquency, it would be anticipated that the recidivism would lessen, as a person grows older and that there may be some changes in predictor of recidivism across diverse age groups.

Makkai et al., (2003) measured the possibility of reoffending among a segment of property offenders imprisoned in the Australian Institute of Criminology in
2005. The study exposed that juvenile were more likely to have reoffended, and to have reoffended sooner than adults were. This was the case even when controlling for aspects such as drug use, prior offending history and indigenous position.

Lochner and Moretti (2004), in their study of young people looked at association between enhanced education and reduced recidivism; they claimed that education lessens tendency to commit crime in two ways. First, education increases the option existing to the young ones and advances the cost of time spent in prison. Second, education makes individual less intolerant and more risk averse. Riddell also proposes that education may raise an individual’s degree of time preference and as result increases the cost of any future punishment that is the result of crime (Riddell 2006: 21). High time discount rates are normally accepted as the model for individuals with a predisposition to crime (Torre & Wraith 2012). Onyango (2009) conducted a research to establish the influence of Socio-Economic Factor leading to juvenile delinquency in Nairobi; the study found out that 91% of the respondents who had reoffending histories (rearrests return to custody and sentence) had low education achievement with primary level of education as the highest attainment. On the other hand, those who had advanced education achievements of secondary level of education 5% were not susceptible to reoffending.
Nally et al., (2012), in their research of all-age US inmates found that 29.7 percent of inmates who studied while in custody re-offended compared with 67.8 percent of inmates who did not study. Another US study of inmates aged 18 to 25 years (Anders & Noblit 2011) stated that recidivism rate of 19 percent and 49 percent for inmates who studied and those that did not, correspondingly. Furthermore, some studies found out that recidivism rate noticeably decreased if lawbreakers have achieved an advanced level of education (up skilled) during imprisonment, (Chavez & Dawe 2007; Nally et al. 2012).

2.4 Length of incarceration and recidivism rate

Mbogua (2011) in his study of the effect of Prison reforms on Inmates discipline in Kenya argued that assessment of length of incarceration as a factor that determine recidivism rate in prison is vital to study due to increased cases of recidivism globally. He however, pointed out that opinion are divided amongst those supporting longer period of incarceration in the interest of public safety and those backing shorter length of incarceration with the notion that longer period of detention will reduce but may increase recidivism rate. Those supporting longer period of incarceration normally claim that longer period of imprisonment will reduce crime rate for three reasons. The offender cannot reoffend against the public while imprisoned (incapacitation); Long period of imprisonment discourage realized offenders from committing additional crimes (specific deterrence); and the awareness of consequences discourage likely offenders from wrongdoing (Omondi 2015).
Those backing shorter length of incarceration, claim that certainty of punishment is more vital than length of incarceration in discouraging offenders from reoffending. Many offenders commit crime due to physical addiction or inadequate life choices and are in need of treatment programs, literacy efforts and job training as opposed to long period of imprisonment; and that prison is an institute of criminals; and those who are imprisoned become more and more ingrained criminals, (Chavez, and Dawe, 2007).

Aronson, (2010) in his study of crime and development in Kenya mentioned that, accumulation of sentence such as detention and incarceration, gradually wears down the criminal ambition because punishment yields four types of responses in the offender. Increased approximation of the likelihood of sentence for anew crime, increased difficulty in managing and accepting incarceration, especially when offenders become older, increased consciousness of harshness of the burden of prior sentences on subsequent punishment and increased anxiety of sentence. In general, as the experience of sentence accumulates, career criminals may slowly become discontented with their way of life and choose to give up criminal activity.

2.2 Theoretical Framework

A number of theories have been employed in studies focusing on recidivism. However, the proposed study will use the Relapse Prevention theory and the theory “what works in Reducing Recidivism”.
2.2.1 Relapse Prevention Theory

The goal of this theory is to address the problem of lapse and to generate methods of deterrence and handling its relapse (Miller & Heather, 2013). This theory offers mechanism to evaluate the performances of rehabilitation program on clients. Relapse prevention is a cognitive behaviour model with basis in Banduras (1977) self-efficacy theory, which presents an inclusive and cohesive context for clarifying the alteration process in psychoanalysis. The theory states that methods generating initial behaviour alteration maybe fruitless at upholding that alteration over a time and evade deterioration. Relapse prevention treatment provide individual with the behavioural and cognitive assistance essential to handle effectively (temptation both intrapersonal and interpersonal, (Witkiewitz, Bowen, Douglas & Hsu, 2013).

The strength of the theory comprise good support system .good management team, good understanding and inspiration to get better depicting upon a wide variety of skills.

In contrast, with traditional methods that overstress initial routine alteration, Relapse Prevention Theory concentrates more on the maintenance phase of the habit alteration process. From this viewpoint, relapse is not regarded merely as an indicator of treatment failure. Instead, possible and real experiences are key objective for both pre-emptive and reactive intervention approaches (Vengeliene, Bilbao & Spanagel, 2014). Also involved are more global routine intervention intended to improve overall coping skills and promoting health and
well-being. Vital queries raised by this relatively current alternative to traditional methods are deliberated (Miller & Heather, 2013).

Regardless of the strength of the theory, there are also faults like perfectionism, putting perception into action, dealing with alterations (Witkiewitz, Bowen, Douglas & Hsu, 2013). In addition, the study attempts to look at the effect of rehabilitation program on reducing the incidences of re-conviction of the prisoners after release (Miller & Heather, 2013).

2.2.2 The Theory: What Works in Reducing Recidivism

The theory “what works in reducing recidivism”, Latessa (2004). It is a body of knowledge grounded on over thirty years of research, which had been piloted by many researchers in both America and Europe. What works movement reveals empirically that theoretically sound, well-defined programs that meet certain conditions can significantly reduce recidivism rate for offenders. One area of concern about the interpretation of “what works” literature is that, research studies into its efficacy have mostly assessed organized groups programs which are not the only effective intervention in working with individuals. The probation service has mainly embraced the work of Bandura, (1999) a method founded on relapse prevention theory that integrate components of “what works”’ approach. Based on the literature reviews in the research the theory “what works” seem to carry a lot of weight on reduction of recidivism.

Throughout the seventies and into eighties, there were common view that in working with the offenders to reduce re-offending little or nothing of any kind
would work. Later, in 1979 Martinson renounced the statement made in his 1974 article (Martinson 2009). Martinson work exposed a fundamental flow in our current approaches that education at its best or even psychotherapy at its best, can help overcome, or even significantly reduce the powerful tendency for offenders to remain in criminal behaviour (Martinson, 2009).

The above theories are linked to the study in such a way that the Policy and Administrative programs administered in prison targets to alter the behaviour and character of inmates so that they become useful persons in the community. In addition, the study will attempt to look at how rehabilitation programs reduce the incidence of re-conviction of the inmates after release. Hence, all the above targets at changing inmates from being social misfit to people of great importance in the community.
2.3 Conceptual Framework

In the study, rehabilitation programs, demographic factors and length of incarceration are the independent variables while recidivism is the dependent variable as shown in figure 2.1.

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>Dependent Variable</th>
</tr>
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<tbody>
<tr>
<td><strong>Rehabilitation programs</strong></td>
<td><strong>Recidivism rate</strong></td>
</tr>
<tr>
<td>• Vocational Training</td>
<td>• Reduced re-incarceration</td>
</tr>
<tr>
<td>• Guidance and counselling</td>
<td>• Reduced re-conviction</td>
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<tr>
<td><strong>Demographic factor</strong></td>
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<tr>
<td>• Age</td>
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<td>• Education</td>
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<td><strong>Length of incarceration</strong></td>
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<tr>
<td>• Longer duration</td>
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<tr>
<td>• Short duration</td>
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Source Author

Figure 2.1: Determinants of Recidivism
CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This chapter will highlight the research design, location of the study, sampling design, sampling procedures, research instruments, validity of research instruments, reliability of research instruments, pretesting procedures, data collection procedures, data analysis techniques and ethical issues.

3.2 Research Design

The research design will be descriptive research design. The design will be used because it depicts the participants in an accurate way and allow insight into life experiences due its unique approach. Descriptive method is suitable in finding the view of respondents on a given study problem and presenting facts the way they are without interpretation. It allows the researcher to access data across wider section of the chosen respondents (Lyman 2009).

The researcher considers this approach applicable in this research, which aims at establishing determinants of recidivism rate in Kamiti Maximum Prison despite the efforts of rehabilitation programs. Descriptive techniques use inferential approach in making prediction or comparison about a group using evidence gathered from a small part of that population (Keone, 2011).

3.3 The Study Site

The study will be conducted at Kamiti Prison, which is located in Nairobi County on 1,200acre (4.9km2) estate, 20 Kilometre from the Central Business District (CBD). It comprises of three units, which are Kamiti Maximum
Security Prison (912 inmates), Kamiti Medium Security Prison (1208 inmates), and youth Corrective Training Centre (YCTC) (1480 inmates). Kamiti Prison was built to house 1800 prisoners but currently holds about 3600 prisoners, (Kamiti Prison lockup sheet July 2017).

3.4 Target Population

According to Kamiti Maximum Prison lockup sheet of July 2017, Kamiti Maximum Prison houses about 912 inmates of whom 732 are first time offenders, 112 are second time offenders and 68 serial offenders. The target population of the study will be 180 inmates (second and serial offenders).

3.5 Sampling techniques and Sample size

The researcher will use purposive sampling for prison warders and instructors. Purposive sampling has been selected as a sampling technique for this research.
because it will enable the researcher to select and interview prison warders and instructors with experience on the subject matter.

The researcher will also use stratified sampling for both trained and untrained inmates. The researcher will divide the entire target population of prisoners at Kamiti Maximum Prison into two subgroups or strata’s (second time and serial offenders) and then randomly selects the final subjects’ disproportionately from different strata’s. That is 84 second time offenders and 40 serial offenders.

A sample is a relatively small portion of individual, which acts as a representative of the whole population. The study will assume Yamane (1967) simplified method to calculate the sample size, which provides the number of responses that need to be acquired using the equation.

$$n = \frac{N}{1 + N(e)^2}$$

Where:

- \(n\) = sample size
- \(N\) = population size
- \(e\) = the level of precision
- 1 = Constant

This formula assumes a degree of variability (i.e. proportion) of 0.5, the level of precision of 5 percent and a confidence level of 95 percent.
\[ n = \frac{180}{1 + 180(0.05)^2} \]

= 124 inmates

Stratified random technique will be used to select a sample of 124 inmates.

3.6 Pilot Testing Instrument

Before the questionnaires and the interview guide are administered to the participants, a pilot study will be carried out to ensure that the questionnaire and interview guides are appropriate and clearly understandable. Pilot test comprise of validity and reliability test, (Mbatha and Mattemu, 2011).

3.7 Data Collection

The study will collect both primary and secondary data, primary data will include the information gathered from the questionnaires and interview guide, one–on-one interview with prison officials (the interview will be administered orally and the scripts recorded by the researcher), and questionnaires. Questionnaires will be administered to collect data from inmates. The open-ended questionnaires will give the respondents greater latitude and leeway in expressing their views, opinions, attitude, experience and recommendations. This instrument is ideal because it allows the researcher to get opinions from large number of respondent, thus making it easier and more consistent to make inferences from responses. The researcher will focus on prisoners and tutors opinions, views perception, feeling and attitudes. While secondary data will
include information from prison lock-up sheets and documentary records of inmates tracking system. Documentary examination will be used to acquire facts on recidivism rate of participating re-offenders and non-participating re-offenders for the last three years.

3.8 Reliability of Instrument

The researcher will ensure that the instrument to be used in data collection give precise and meaningful results that represent the phenomena under study. Reliability will be carried out to establish the degree to which data collection processes and apparatus are consistent and correct, (Saunders, Lewis and Thornhill 2012). Reliability will be tested using test and retest method. The respondents used will not be included in the final study sample in order to control for responses biasness.

3.9 Validity of Instruments

According to Mugenda and Mugenda (2003), validity is the degree to which results acquired from the analysis of data actually represent the phenomena under investigation. Validity in the contest of this study will be concerned with establishing whether the content of the instruments are well covered and represented by the items in the instruments. To ascertain content validity, checklist and expert judgement will be sought. Based on the assessment; the instrument will be adjusted properly before subjecting it to final data collection exercise. Their appraisal remarks will be used to ensure that validity is improved.
3.10 Data Analysis and Presentation

The study will employ descriptive statistics for quantitative data. To analyse quantitative data, the study will rely on Statistical Package for Social Science (SPSS). To present data, the study will utilize frequency tables, bar graphs, pie charts and cross tabulations. Inferential statistics will also be used to determine recidivism rate. Specific inferential statistics will be the use of chi-square test. Qualitative data will be analysed using content analysis where responses from interview guide will be grouped and categorized based on the emerging themes relevant to the study. The result of quantitative data analysis will be presented in descriptive narrative prose.

3.11 Ethical Consideration

Participants in the process of data collection have a right to refuse participation and hence their ethical rights should be respected. In the study, the researcher will put the following in mind:

Permission to conduct research at the Kenya Prison Service will be sought from the relevant authorities. The researcher has informed the Kenya Prison Service about the intention to carry out a research and their participation in the research through an official letter. Participation in the research will be by free consent, the respondents will not be forced to participate and the information disclosed will not be used against anybody.

The respondents will be informed of the objective of the questionnaire; they will be made to understand the purpose of the study. The nature of the research will be shared with the participants before engaging them in the study.
Confidentiality and privacy will be assured by ensuring that no respondent indicate his name on the questionnaire, this will guard against fear of victimization by making the response anonymous.

Finally, the participants will be informed of the right to withdraw from the study at will.
REFERENCES


Bushway, Shawn D, and Emily G Owen.(2010)“Framing Punishment: A new Look at Incarceration and Deterrence”.

Vocational Education and Training for Adult Prisoners and Offenders in Australia: Research Readings (pp. 19-33). Adelaide: National Centre for Vocational Education Research (NCVER).


Gerald J. Stahler (2013) Predicting Recidivism for Released State Prison


Kivuvi, Nzioki Robert (2011), Rehabilitation of delinquent adolescence in Kenya: Challenges and Implication for Counselling, Kenyatta
University, Nairobi, Kenya.


Madoka, (2008), Report of the High Level Committee on the Prison Crisis,


Achieng, A. Onyango (2009), an Investigation of the Social-Economic Factors Leading to Juvenile Delinquency in Nairobi, Rehabilitation And Control of Juvenile Delinquency Offenders in Kenya, Kenyatta University, Nairobi-Kenya.


APPENDICES

Appendix I: Consent Letter

Kenyatta University
Department of Public Policy and Administration
P. O. Box 30197
Nairobi

Senior Prison Superintendent,
Kamiti Maximum Prison,
Nairobi
Dear Sir/ Madam,

RE: REQUEST FOR PARTICIPATION IN RESEARCH
I am a postgraduate student from Kenyatta University pursuing Master’s Degree in Public Policy and Administration. I would like to carry out a study on The Topic: Determinants of Recidivism in Kenya, Case of Kamiti Maximum Prison in Nairobi City County.

I kindly request for your assistance in gathering information within the prison environ. The information provided will only be used for academic purpose and the identities of the respondent’s will be held in strict confidence.

Yours faithfully,

Faith Atieno.
Appendix II: Consent to take part in research

Determinants of Recidivism

- I…………………………………….voluntarily agree to participate in this research study.

- I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer any question without any consequences of any kind.

- I have had the purpose, the nature of the study explained to me, and I have had the opportunity to ask questions about the study.

- I understand that I will not benefit directly from participating in this research.

- I understand that all information I provide for this study will be treated confidentially.

- I understand that in any report on the result of this research my identity will remain anonymous. This will be done by not indicating my name on the questionnaires/interview guide.

- I understand that if I inform the researcher that my life or someone else is at risk of harm they may have to report this to the relevant authorities-they will have to discuss this with me first but may report with or without my permission.

Signature of the research participant Date

…………………………………………                           …………………..

Signature of researcher

I believe the participant is giving me informed consent to participate in this study.

Signature……………………………… Date  .........................
Appendix III: Questionnaire for the inmates

These questionnaires seek to establish the determinants of recidivism rate at Kamiti Maximum Prison. Kindly answer the questions honestly and carefully following the guidelines provided. The answers you give will be treated with utmost confidentiality; please do not write your name.

Section A: Demographic characteristics

1. How old are you?(Years)
   a) 30 years and below [ ]
   b) 31-40 [ ]
   c) 41-50 [ ]
   d) Above 50 [ ]

2. Duration of sentence in (Years)
   a) Six months and below [ ]
   b) 6 months –year [ ]
   c) 1 year -3 years [ ]
   d) 3 years and above [ ]

What is your level of education?
   a) None [ ]
   b) Primary [ ]
   c) Secondary [ ]
   d) Tertiary [ ]

4. Which type of crime did you commit?
   a) Sexual [ ]
   b) Capital offense [ ]
   c) Drug related [ ]
   d) Financial crime [ ]
   e) Anger crime [ ]
   f) Others specify [ ]………………

5. Why did you commit the crime?
   a) Poverty [ ]
b) Anger [ ]
c) Peer pressure [ ]
d) Influence of drug [ ]
e) Other specify [ ].........................

6 How many times have you been detained/ imprisoned?
   a) Twice [ ]
   b) More than twice [ ]

7. Have you ever been imprisoned in another facility other than Kaimti?
   a) Yes [ ] b) No [ ]

Section B: Rehabilitation programs offered in Prison

Part: 1. Vocational Training offered in Prison on recidivism

This section is concerned with establishing how vocational training offered in prison determines reoffending in Kamiti Maximum Prison.

Please mark (x) in the box which best describes your agreement or disagreement on each of the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training resources are enough to cater for training needs.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training contents cater for prisoners needs and keep them engaged.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trainers are qualified and always keep inmates engaged</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In your opinion does Vocational Training offered in prison determines the rate of re-offending in Kamiti Maximum Prison?
   a) Yes [ ]
b) No [ ]

If yes, to the above questions, to what extent does vocational Training offered in prison determines re-offending rate in Kamiti Maximum Prison?

a) Great extent [ ]

b) Moderate extent [ ]

c) Low extent [ ]

Part: 2 Effects of guidance and counselling on recidivism

This section is concerned with ascertaining how Guidance and Counselling determines reoffending rate in Kamiti Maximum Prison.

Please mark (x) in the box which best describes your agreement or disagreement on each of the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guidance and counselling offered in prison have a great effect on behavioural change.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inmates find Guidance and Counselling session beneficial.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guidance and Counselling sessions helps the prisoners to be more focused towards behaviour change</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In your opinion, does Guidance and Counselling have an effect on the rate of reoffending in Kamiti Maximum Prison?
a) Yes [ ]  

b) No [ ]  

If yes, to the above, to what extent does Guidance and Counselling have an effect on the rate of reoffending in Kamiti Maximum prison?

a) Great extent [ ]  

b) Moderate extent [ ]  

c) Low extent [ ]  

Section C: Length of Incarceration

This section is concerned with determining the effect of Duration of Sentence on reoffending in Kamiti Maximum Prison.

Please mark (x) in the box which best describes your agreement or disagreement on each of the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neutral</th>
<th>Agree</th>
<th>Strongly Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short duration of sentence has effect on reoffending.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Long duration of sentence have great effect on prisoners future behaviour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The length of sentence can have negative or positive effect on the inmates’ future behaviour.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

In your opinion, does duration of sentence have effect on reoffending?

a) Yes [ ]  

b) No [ ]  

If yes, to the above question, to what extent?

a) Great extent [ ]  

b) Moderate extent [ ]  

c) Low extent [ ]  

“Thank you for your co-operation”
Section D: Interview guide for the key informants (Prison warders and Tutors)

1. What is your association with prison?

2. For how long have you been associated with prison department?

3. Are the rehabilitation programs freely accessible to prisoners?

4. In your opinion, to what extent is Vocational Training relevant to the job opportunity outside the prison?

5. Does Guidance and Counselling Transform character and perception of inmates towards life?

6. To what extent do you think length of incarceration affect the character of offender?

7. Does prison rehabilitation programs helps to transform the character and perception of inmates towards life?

8. In your opinion, is there relationship between inmates demographic characteristics (age and education level) and reoffending?

9. In your opinion, does rehabilitation program help to reduce the rate of reoffending for prisoners after being released from prison?

10. Prison is a school of criminals and offenders come out more hardened than they were before, do you agree?

11. Is there relationship between the duration of sentence and reoffending rate?

12. What do you think the Government should do to facilitate successful rehabilitation of offenders?

13. Is there variation in the rate of recidivism amongst inmates who have undergone rehabilitation and those who have not?

“Thank you for your co-operation”
Section E: Recidivism rate

This section is concerned with determining reoffending rate in Kamiti Maximum Prison. Kindly indicate the rate of reoffending.

<table>
<thead>
<tr>
<th>Year</th>
<th>5% and below</th>
<th>5.1%-10%</th>
<th>10.1-20%</th>
<th>20.1%-30%</th>
<th>Above 30%</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Appendix IV: Work plan

<table>
<thead>
<tr>
<th>Activity</th>
<th>October 2017</th>
<th>November 2017</th>
<th>Dec 2017</th>
<th>Jan 2018</th>
<th>Feb 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Presentation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pilot Testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Data Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Data Coding and Editing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Data Analysis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report Writing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Appendix V: Budget

<table>
<thead>
<tr>
<th>S.NO.</th>
<th>ITEMS</th>
<th>COST(KSHS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Stationery</td>
<td>11,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Typing and typesetting</td>
<td>9,000.00</td>
</tr>
<tr>
<td>3</td>
<td>Printing and Binding</td>
<td>7,500.00</td>
</tr>
<tr>
<td>4</td>
<td>Photocopying of Questionnaire</td>
<td>8,000.00</td>
</tr>
<tr>
<td>5</td>
<td>Fare/Transport</td>
<td>8,500.00</td>
</tr>
<tr>
<td>6</td>
<td>Miscellaneous</td>
<td>9,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>53,000.00</strong></td>
</tr>
</tbody>
</table>