



# Nature and Extent of Rehabilitation Programmes being Enforced in Juvenile Penal Institutions in Kakamega County, Kenya

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## Abstract

*The aim of the study was to examine the nature and extent of rehabilitation programmes being enforced in juvenile penal institutions in Kakamega county, Kenya. The sample size for the study was 279 respondents. Descriptive statistics was used to analyze quantitative data. Qualitative data was collected from Interviews, FGDs and observation checklist. The results were presented in figures and tables. It was concluded that juvenile rehabilitation is hampered by poor rehabilitation approach existing in penal institutions. The study recommended that the national government and the county governments should provide more learning facilities especially in vocational training and formal education programmes for effective delivery of service to the juveniles.*

**Keywords:** Rehabilitation Programmes, Juvenile Penal Institutions, Juvenile Offenders, Correctional Services

## 1.1 Background to the study

Juvenile delinquency has remained to be a critical concern in Kenya, as growing numbers of young people enter the criminal justice system. The country has responded by establishing rehabilitation institutions and correctional facilities aimed at reforming juvenile offenders rather than merely punishing them (Wambugu, Joice, & Kamau, 2015). These institutions typically offer a mix of vocational training, academic education, psychosocial counselling and social development activities. However, despite the presence of such programmes, recidivism among juvenile offenders continues to be a significant challenge (Wang'ombe, 2019).

Research in Kenya shows that rehabilitation programmes can produce positive behavioral change among juveniles. For instance, a study in selected rehabilitation schools across Kiambu, Nairobi and Kirinyaga counties found that vocational training, academic enrichment and social development interventions contributed to improved behavior among delinquents (Wangari, 2021). Nevertheless, the effectiveness of these programmes is not uniform. Onyango (2013) noted that in Nairobi rehabilitation schools, deplorable living conditions and insufficient learning facilities undermined the intended rehabilitative impact.

In Kakamega County, research found out that the main rehabilitation programmes enforced in juvenile penal institutions are vocational training guiding and counselling, and formal education (Savatia, 2021). Alarmingly, the study reported that rehabilitation was largely unsuccessful, with a high proportion of juveniles failing to reform (Savatia, 2021). This gap underscores a pressing need for a deeper investigation into the nature and the extent of rehabilitation in such institutions.

## 1.2 Statement of the problem

Recent Research suggests significant gaps in current juvenile rehabilitation processes. For example, the quality of pre-probation assessments in Kenya is problematic. For example, Omonya, Mwirigi and Otiso (2024) revealed that juvenile specific tools for risk assessment are lacking, inductions are rushed and staff receive limited training, all of which impede effective tailoring of interventions to juvenile needs. Also, negative environmental conditions within correctional institutions have been linked to elevated recidivism (Wang'ombe, 2019). He observed that unfavorable facility environments significantly contribute to juveniles reoffending.

Research by Wangari (2021) showed that while vocational training, academic enrichment and social development programs may positively influence behavior modification, uneven implementation and resource constraints limit their overall impact. Further, Wambugu, Joice and Kamau (2015) established that treatment gaps

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for drug- and alcohol-abusing juvenile offenders in rehabilitation centres, with few tailored interventions and high recidivism.

Further, Oduor and Nyaata (2022) established lapses in Kenya's juvenile justice system, particularly in protecting children's rights a deficiency that may undermine rehabilitative efforts even when they exist. Despite these laws and policies being put in place at the national or in other counties' levels there is limited recent research focused specifically on juvenile penal institutions in Kakamega County. Therefore, this study aims to fill that gap by systematically investigating the current rehabilitation programmes in Kakamega County's juvenile penal institutions by assessing their scope, the quality of services and perceived effectiveness of rehabilitation programmes.

### 1.3 Objective of the study

To examine the nature and extent of rehabilitation programmes being enforced in juvenile penal institutions in Kakamega county, Kenya.

### 1.4 Literature Review

#### 1.4.1 Concept of Juvenile Delinquency

Juvenile delinquency has been on the rise. The total number of delinquent cases handled by juvenile courts in 2013 was 1,058,500 (Furdella & Puzanchera, 2015). These delinquency acts include behaviors such as lying, risky sexual practices, rule breaking, illegal substance abuse and disruptive behaviors such as theft, destruction, fraud, engaging in aggression and vandalism (Torry & Billick, 2011; Pears *et al.*, 2016).

#### 1.4.2. Existing Rehabilitation Programmes in Penal Institutions

The main objective of Penal institutions in Kenya is to care about the welfare of committed juveniles. These institutions should ensure juveniles are taken through programmes that are market oriented in the modern society which can result in positive reintegration of offenders. In meeting their set goals they should have qualified personnel in various fields to rehabilitate the juvenile offenders (The Kenya Prison Service, 2013) in changing the behavior and attitude of the victims. A survey done by Odera (2013) in Nairobi County to establish the effectiveness of rehabilitation programmes on juvenile delinquency. It was found out that guiding and counseling, formal education, vocational training, spiritual nourishment, and life skills training were the main rehabilitation programmes in correctional facilities. The sample size for the study was 89 respondents. The study also used questionnaires, interview schedules, FGDs and observation in collecting data. There is likelihood that these juveniles would experience different situation

because of the difference in location. Odera's study was carried out in an urban setting where as the present study was carried out in a semi urban environment. The differences in location can give different findings.

#### 1.4.3 Educational Programmes in Penal Institutions

Payne (2007) averred that juvenile educational program in the United States closely reflects the education system in public schools. The findings showed that educational programmes were offered to juveniles who had never gone to school or were willing to be educated. The study further stated that education programme is an important aspect in human development during the rehabilitation process which enables committed juveniles to understand their other ways to go apart from engaging in criminal activities. Also, educational programmes enable the child to know how to read and write by instilling more virtues in the child to help him/her face the challenges in the outside world. For example, the South African Constitution section 29 states that, every individual has a right to access education in correctional institutions where they can acquire skills and attributes that can promote the social functioning as they are reintegrated back to the society (Cullers & Smith, 2007). Therefore, there current study fills the gap of regional by finding out the effectiveness of educational programmes within juvenile penal institutions on management of juvenile delinquency.

Ndirangu (2010) carried out a study on educational outcome of reintegrated child offenders in Othaya rehabilitation schools, Nyeri County. His concern was about the experiences of children before, during and after rehabilitation on educational programme. The study found out that all committed juveniles in the rehabilitation school were given an opportunity to benefit from this programme regardless of their educational background. Ndirangu's study stated that all the juveniles benefited from the education system and also pointed out there were hindrances affecting the effectiveness of this programme. In one of the study recommendations, he pointed out that there should be collaboration between the Ministry of Education and the Ministry of Home Affairs in providing funds, resources and personnel to rehabilitation schools. The present study sought to find out whether juveniles in rehabilitation centers benefit from the available educational programmes provided in penal institutions.

Otukho (2018) on situational analysis of youth correctional and training center in Kamiti correctional and training center which aimed at establishing the effectiveness of rehabilitation programmes. The findings showed that educational programmes were fundamental in any juvenile rehabilitation programs which increase the literacy level as a path to success. The findings also indicated that the institution was not training the juveniles towards the goal set to be achieved by the institutions, she further pointed out that educational

programmes should be well incorporated in correctional institutions because they are the foundation for most programmes in juvenile penal institutions. In this case, the present study sought to establish whether formal education programmes were existing in juvenile penal institutions.

#### 1.4.4 Vocational Training Programmes

According to Kenya Prison Service (2013), Correctional institutions in Kenya engage inmates in industrial production and agriculture. The programmes available were designed to enable the juveniles acquire skills in various fields such as carpentry, sign writing, masonry, electrical wiring, tailoring, tin smiting, basketry and agriculture (Ngundo, 2005). The prison service established that vocational programmes enable the offenders to have higher chance of getting employment after their release. Unfortunately, these programmes were not carried out in accordance to the set objectives of the institutions hence the present study.

According to vocational education support project in Turkey, many people benefited from the project which offered vocation training to its members. It showed that those who received the training were confident and were living a happy life in the community. The project established that vocational educational training support was seen as a helping model for street children (Nalan, 2006). According to this project carpentry and tailoring should be learned in rehabilitation centers for the purpose of skill promotion. Unfortunately, vocational training programmes did not exist in rehabilitation centers in Turkey. The present study sought to establish whether vocational training was offered in juvenile penal institutions.

A report conducted by Rand Corporation (2013) on educational programmes and vocational training in the United States. The report established that inmates who go through vocational training have lower chances of reoffending. The report also showed that 28% of the inmates who are taken through vocational training are more likely to secure a job in the community after their release. This meant that juveniles who never had chance to be trained in various skills had higher chance of getting back to criminal acts. The report also pointed out that there were challenges in the entry and re-entry for offenders into the society which made them not to secure an employment. However, the purpose of the report concentrated more on education programme and vocational trainings which made the researcher to study on the effectiveness of rehabilitation programmes which can bring a difference in the findings.

#### 1.4.5 Guiding and counselling programmes

Counseling enables the professionals confront the criminal life of the juvenile offenders. It brings about an environment that motivates an individual to change the

negative thinking and thoughts and also creates copying mechanism to overcome the negative thoughts (Okun & Kantrowitz, 2014). Odera (2013) conducted a survey done in Nairobi County on effectiveness of rehabilitation programmes. The survey established that counseling was done through individual and group counseling. In his findings, he found out that, counseling was rated at 83.3% which implied that the juveniles were comfortable with this programme. Findings from the survey revealed that most of the juveniles did not benefit from these programmes because of the interferences from other unscheduled programmes where juveniles were told to attend. Therefore, the current study sought to find out whether guiding and counseling was effective in management of juvenile delinquency.

Mugerwa (2010) in Uganda conducted a study on challenges of rehabilitation programmes on juvenile delinquency. The study found out that 96% of the respondents were taken through counseling as a rehabilitation programme while 4% revealed that they have never been taken through counseling. This finding revealed that, counseling was an important element in instilling discipline among the committed juveniles. Further, Mugerwa revealed that counseling in rehabilitation centers was done by religious groups and by the institution itself. This enabled the juveniles to transform into changed individual after their release. Most juvenile correctional institutions offer guiding and counseling (Children Act, 2011), these gives them a chance to change their attitude towards negative behaviors. This has not been the case in most juvenile penal institutions in Kenya hence the present study.

#### 1.4.6 Guidelines and Policies Existing in Penal Institutions

According to the Kenyan constitution (2010), the Laws concerning children care, protection and juvenile justice issues are captured in the children's Act (2001). According to the juvenile justice system in Kenya penal institutions hold children in two categories; those in need of care and protection and who commit criminal acts. A study done by Lusire *et al.* (2016) on the social status of street children in Kakamega County established that most of the children who were arrested in the streets were in need of care and protection. The study found out that these children were in the streets due to high levels of poverty, rapid urbanization changes and continued deaths from the HIV/AIDS epidemic alongside other factors. This study concentrated more on the intervention that could be given to these children in terms of care and protection but did not put into account that these children engage in criminal acts while they stay in these streets. Also the study did not put in mind the kind of policies and guidelines that protect these children when they are placed into these institutions. This motivated the present study to establish the existing policies and guidelines governing penal institutions.

Ndirangu, (2010) conducted a study Nyeri County focusing on educational life experiences for released juveniles from Othaya rehabilitation school. The findings

pointed out those guidelines stipulated in the National and International legal instruments are not adhered to in children courts. The study went further to assess how the court process was done and the results showed that 80.6% of the juveniles were detained as long as four months. Also, the findings established that majority of the juveniles never had legal representation. This was an indication of poor execution of services which made the current researcher to find out whether courts and juvenile correctional institutions adhere to the provided guidelines and policies protecting the rights of children in conflict with the law.

### 1.5 Theoretical Framework

The study adopted social disorganization theory.

#### 1.5.1 Social Disorganization Theory

The theory has a place in juvenile delinquency (Kubrin & Weitzer, 2003). The theory helps us enhance the understanding of crime ecological drivers (Kubrin & Weitzer, 2003). It is assumed that crime is purposive behavior designed to meet the offenders common place needs for such things like status, money and excitement, meeting these needs involve making illegal choices (Eck & Maguire, 2000).

Social disorganization that we experience in our societies can cause delinquent crimes which affects the family at large. Rules and regulations to govern and control the children’s behaviors should be adopted. Poor parenting leads to increase in delinquency, disorganized societies are likely to show cases of delinquency, ineffective control over the children by the family and community can increase the prevalence of juvenile crimes. Also, the economic status of an individual can lead to social disorganization which eventually bring about poverty and afterwards increase the levels of juvenile crimes (Aker, 2009).

### 1.6 Research Methodology

The study adopted descriptive research design. The respondents were convicted juveniles, ministry officers, institutional managers, security officers, teachers, matrons, social workers, relapsed juveniles and reformed juveniles in the criminal justice system. The sample size for this study was 279 respondents. Primary and secondary data was collected.

### 1.7 Findings

#### 1.7.1 Age of juveniles in penal institutions.

The study sought to find out the ages of juveniles committed in three penal institution and their ages were as follows.

The results in Figure 4.1 indicate the ages of juveniles being committed in these institutions. The study found out that the age for majority of the juvenile’s for committing crime was between 192(15 to17). On the other hand, those between the age of 12 to 14 were at 78(27.9%) followed by those with less than 12 years at 9(3.3 %).

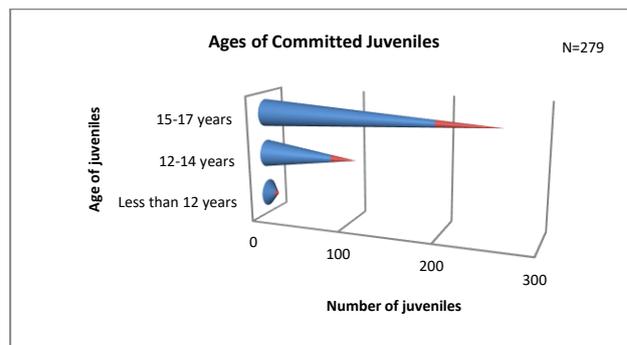


Figure 4.1: Ages of Juveniles in Penal Institutions. Source: Field data, 2019

Interview with social workers established that most of the juveniles committed in these institutions were between the ages of 15-17. According to the Kenyan constitution (2010), penal institutions were set up to hold juveniles below the ages of 18 years. This is in line with the Laws of Kenya CAP 90 section 66 which point out that these institutions should hold juveniles below 18 years.

Findings from the FGDs carried out established that majority of the delinquents were between the ages of 15 to 17 when they were committed to these institutions. This age is when the juveniles are in adolescent period and are experiencing various changes in their bodies which lead them to engage in antisocial behaviours. This was ascertained by Strain theory which established that adolescent experience very many challenges such as neglect, being abused and financial constrains during this period which makes them develop stress and eventually go into criminal acts (Agnew, 2006).

Through the observation checklist it was found out that most of the delinquents were in their adolescent stage.

#### 1.7.2 Gender of Juveniles in Penal Institutions

The study sought to establish the gender of juvenile committed in these penal institutions. This was represented in Figure 4.2.

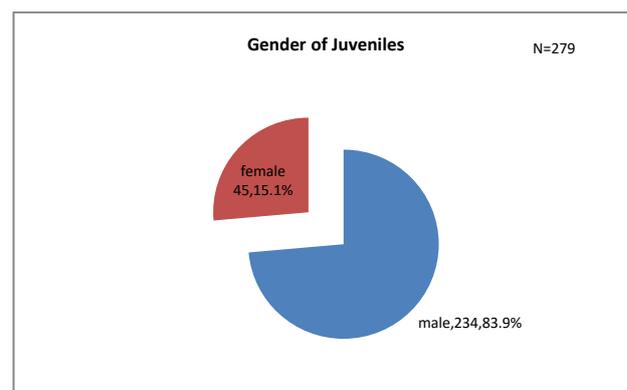


Figure 4.2: Responses on the Gender of Juveniles in Penal Institutions Source: Field data, 2019

The results in Figure 4.2 indicated that 234(83.9%) of committed juveniles in the three penal institutions were male while 45 (15.1%) were girls committed in Kakamega remand home only. The study found out that males committed more crimes than females within penal institution in Kakamega County. Pearson correlation coefficient was conducted to establish whether there was a relationship between gender and juvenile delinquency. The results showed a significant relationship between gender and juvenile delinquency  $r = 0.32$ ;  $p \leq 0.05$ . This means that gender influences juvenile delinquency.

Key informants established there were more males than females in these institutions. This was a clear indication that males committed more crimes. The study also established that males can learn violent antisocial behaviors from others during the detention period. This is so because boys are more aggressive than girls where they can easily learn undesired behaviors from other delinquents committed to these institutions.

Through the observation checklist, the study established that these institutions had more boys than girls. This is supported by Kyoto University Research Information Repository (2018) done in Japan. The research revealed that 95.9% of the committed juveniles were males while 4.1% were females. The present study also established that there were more males than females in penal institutions.

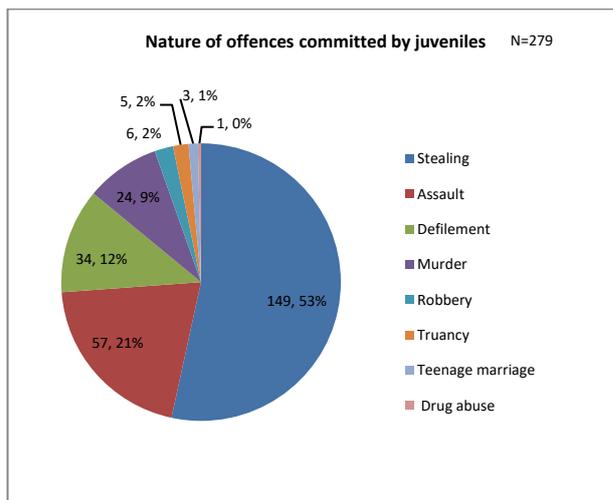
The records in Kakamega remand home indicated that there were 70 boys and 20 girls in the institution. This implies that most of the juveniles in correctional institutions were males.

FGDs carried out showed that males committed more crimes than females. Majority of the juveniles who participated in the FGDs were males. It was therefore noted that males commit more crime. This finding is supported by Odera (2013) in a survey conducted in Nairobi on effectiveness of rehabilitation programmes. He established that 82% of the committed juveniles were males while 18% were females.

**1.7.3 Nature of Offence among Juveniles convicted in Penal Institutions**

The study sought to find out the type of offences that lead to the detention of the juveniles in penal institutions. Figure 4.3 shows that out of 279 respondents 149(53.3%) take part in stealing, assault 57(20.4%), defilement 34(12.2%) murder 24(8.7%) while robbery 6(2.2%), truancy 5(2.0), 3(0.5%) teenage marriage and drug abuse 1(0.7%). The finding revealed that most of the juveniles committed stealing.

The interview responses from security officers established that the most committed crime was stealing. The study also showed that juvenile crime rates were higher as indicated in Figure 4.4. This finding concurs with Otukho (2017) in a study done in Kenya on effectiveness of rehabilitation programmes. She found out that possession and trafficking of narcotics and stealing were the highest prevalent offences among the juveniles.



**Figure 4. 3:** Nature of Offence for Juveniles Convicted in Penal Institutions  
Source: Field data, 2019

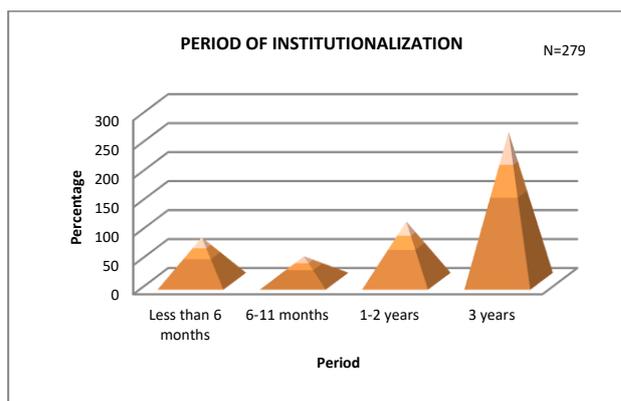
One of the key informants adduced that:

*Delinquents steal because of lack of good parental care and peer pressure, they come from broken families where they opt to engage in stealing to earn a living. (Interview, Kakamega Remand Home, 16/6/2019).*

From observation made during the study, juveniles committed property crimes mostly. However, it was reported that this is due to parental neglect and poverty. This finding concurs with Kenya National Bureau of Statistics (2015) which reported the most committed crimes were theft, stealing, robbery and break-ins comprised of 38.6% in 2013 and also KNBS, 2015 reported an increase in juvenile crimes which stood at 0.2%.

**1.7.4 Period of Institutionalization in Penal Institutions**

The study sought to understand the period the juveniles have been confined in penal institutions. The responses were presented in Figure 4.4.



**Figure 4.4:** Responses on the Institutionalized Period  
Source: Field data, 2019

Figure 4.4 indicates that out of 279 juveniles, 40 (15.8%) had been in the institution for less than 6 months. Those who had been there for 1 to 2 years were 60 (21.5%). Juveniles committed in penal institution for 3 years were at 150 (53.8%) and those who had been in the institution between 6months to 11 months were at 25 (9.0%). The study found out that majority of the juveniles had been in the institution for three years.

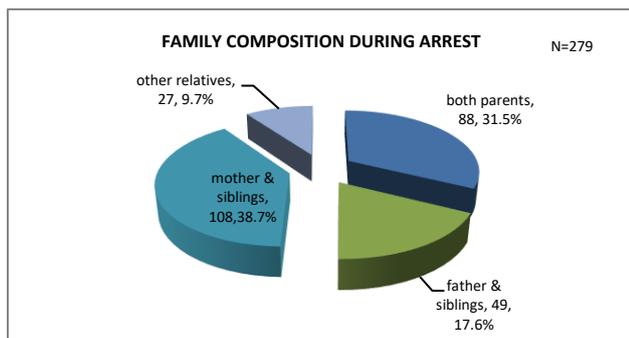
Interview by managers established that majority of the juveniles had stayed in the institution for a period of three years. Lengthier period of institutionalization enables the juvenile to be taken through various programmes. It also gives the juvenile an idea why they were committed to these institutions. This also enables the juvenile to change his/her character towards criminal acts. This finding was supported by the Laws of Kenya prison Act CAP 90 section 66 which states that the juveniles should be committed for a maximum period of three years for them to benefit from the available programmes.

In FGD carried out the study confirmed that the juveniles were committed for three years in penal institutions. They said that the period was enough for them to be fully rehabilitated into responsible citizens. This finding concurs with Otukho (2017) in a study done on situational analysis of youth correctional and training centers. The study recommended the juveniles to be given lengthier periods where juveniles in Kamiti were committed for only four months which was not enough to help transform the juveniles.

Written records in these institutions pointed out that most of the juveniles were in these institutions between one year and three years. Also, the Kenyan Constitution (2010), states that juveniles should be rehabilitated for a maximum of three years in order to gain skills and knowledge in various programmes available.

### 1.7.5 Family Composition for Juveniles convicted in Penal Institutions

The study sought to find out the family composition of the juveniles committed to penal institutions. The results were presented in Figure 4.5.



**Figure 4.5:** Responses on Family Composition of Juveniles in Penal Institutions  
Source: Field data, 2019

The results in Figure 4.5 illustrate the family composition of juveniles committed in penal institutions. Figure 4.5 indicates that 108 (38.7%) of the juveniles were staying with their mother during the arrest. Those juveniles who stayed with their both parents during the arrest were at 88 (31.5%). Also, those who stayed with their father were 49(17.6 %) while those staying with other relatives were at 27(9.7%). The finding of this study showed that majority of juveniles committed in penal institutions were staying with their mothers. The study finding was in line with Tiampati (2017) in a study conducted on psycho-social factors influencing juvenile delinquency in Kenya. It was established that 61% of the offenders were staying with their mothers when they committed crimes. This implies that juveniles who are not raised by their fathers/both parents are prone to engage in criminal acts as the present study points out.

Majority of the key informants agreed with the study finding. It was established that most of the juveniles in these institutions come from broken families and larger families. Juveniles living in this kind of situation are not socialized towards the rightful path in order to adhere to the rules and regulations of the society. One of the social workers stated that:

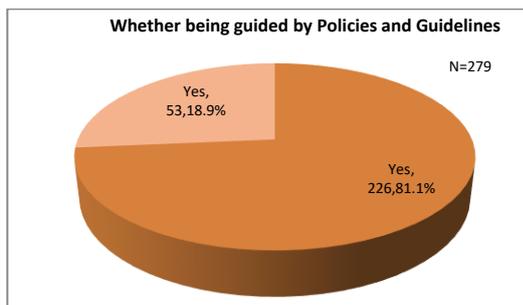
*Most delinquents commit crimes because of lack of good parental care and peer pressure. Most of these delinquents come from broken families where parents have separated and the juvenile opt to engage in antisocial behavior. (Interview, Social Worker, Kakamega Remand Home, 17/6/ 2019).*

FGDs carried out established that most of the juveniles were brought up in single parenthood. The finding showed that when the parents break up, juveniles are left to cater for their own needs because neither of their parents is willing to assist them. This finding contradicts with Nanjala (2008) the study aimed to analyze various factors leading to juvenile delinquency among Murang’a Children Remand Home. He established that majority of the juveniles were living with both parents during their arrest. The study also found out that parents should be strict in order to prevent their children from committing crimes. One the relapsed juvenile in the FGD said that:

*Being part of criminal gang was prompted by negligence from my parents who never cared about my welfare. I opted to engage in criminal activity so as to satisfy my personal needs. If I could have responsible parents, I would never be part of this criminal gang. (Kakamega, FGD, 17/6/2019).*

### 1.7.6 Policies and Guidelines that guide Penal Institutions

This study sought to establish whether penal institutions are guided by policies and guidelines. The responses were as indicated in Figure 4.6.



**Figure 4.6:** Whether Penal Institutions are guided by Policies and Guidelines  
Source: Field data, 2019

Figure 4.6 shows that 226(81.1%) juveniles indicated that these institutions were guided by policies and regulations while 53(18.9%) indicated that penal institutions were not guided by policies and guidelines.

Interview by social workers confirmed that penal institutions are guided by policies and guidelines. Finding indicated policies and guidelines guiding penal institutions included; National Standard Guidelines, the Children Act 2001, Kenyan Constitution and National Children Policy 2010 which provide protection for the rights of the children during rehabilitation. The study found out that the available policies and guidelines have provisions in managing penal institutions and also managing juvenile delinquency. This finding concurs with Odera (2013) in a survey on effectiveness of rehabilitation programmes in Nairobi, Kenya. He established that rehabilitation programmes were carried out according to stipulates principles and guidelines provided by the government of Kenya. Also, he found out that staff followed the available curriculum in vocational training in order to enable the juveniles fit the market demand.

FDG conducted among reformed juveniles revealed that penal institutions are governed by policies and guidelines that need to be followed every day. It was established that these institutions have timetables and each activity is allocated a specific time.

Observation by the checklist established that penal institutions were guided by policies and guidelines. This was evident where various activities were scheduled on the timetable and also the staff followed the available policies and guidelines in assigning various duties. The researcher concluded that penal institutions are guided by policies and guidelines. This was supported by the Laws of Kenya in the prison Act 90 section 66 where the guidelines and policies governing these institutions are well stipulated.

According to the manuals available, there was an indication that these institutions working in accordance to the stipulated policies and guidelines.

**1.7.7 Availability of Rules and Regulations in Penal Institutions**

The study sought to establish whether penal institutions were governed by rules and regulations. The results were indicated in Figure 4.7.



**Figure 4.7:** Responses whether the Penal Institution are guided by Rules and Regulations  
Source: Field data, 2019

Figure 4.7 show that 230(82.5%) of the juveniles indicated that penal institutions were guided by rules and regulations. Juveniles at 49(17.5%) indicated penal institutions were not guided by rules and regulations.

Interview by teachers found out that penal institutions were guided by rules and regulations. It was established that rules and regulations help them run programmes smoothly. Also, the available rules and regulations have helped in guiding the juvenile’s behavior change and teaching them to be law abiding citizens. This finding concurs with Odera (2013) on effectiveness of rehabilitation programmes in management of juvenile delinquency in Nairobi, Kenya. The study established that correctional institutions were guided by rules and regulations which assisted in changing the behaviors of the juveniles.

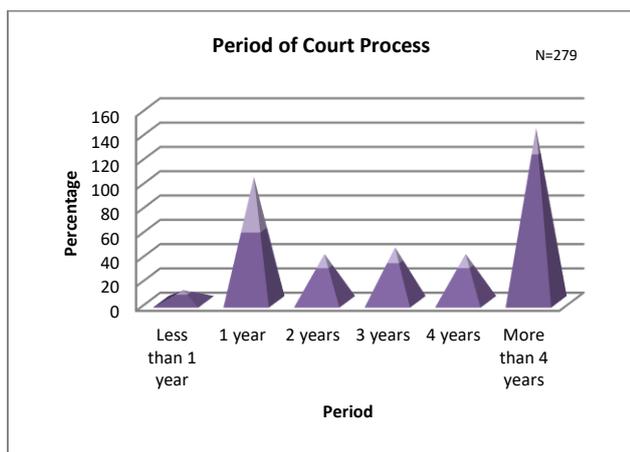
FGDs carried out indicated that rules and regulation guided the juveniles in carrying out various activities during their stay in penal institutions. The finding showed that rules and regulations enabled the juveniles to behave well which promoted change in behavior. A study conducted by Njue (2014) on effects of correctional institutions on control of juvenile delinquency in Kenya concurs with this finding. He established that correctional institutions were guided by rules and regulations. He also found out that rules and regulations helped the professionals to guide the juveniles into responsible persons.

Through Observation it was found that juveniles strictly followed the rules and regulations available in their respective institutions. Also, the researcher established that penal institutions had timetables that they adhered to.

**1.7.8 Period of Court Process**

The study sought to establish the length of court process. The juveniles were asked to state the number of

months/years the court process had taken. The results were ranked to determine the period. The results were represented in Figure 4.8



**Figure 4.8:** Period of Court process for Juveniles in Penal Institution  
Source: Field data, 2019

Results in Figure 4.8 show data on court processes. It was found that juveniles whose court process took less than one year were at 7(2.5%), court processes that took one year were at 59(43.7%). Also 24(10.4%) were for those which took 2 years while 33(11.8%) represented those that took 3 years. However, those that took four or more than four years were at 24(10.4 %).

Interview by social workers found out that the court process period depends on the nature of offense committed by the juvenile. The findings established the court process for the juveniles were taking longer than recommended. This finding concurs with Ndegwa (2014) in Kenya who found out that there is laxity in protecting the rights of the children in the children’s courts on matters pertaining how long the process took.

FGDs conducted revealed that the court process was taking so much time. It was showed that the juveniles had engaged in the court process for years before they were rehabilitated. This finding contradicts with the Kenyan constitution (2010) which states that a child is given a right to good parental care and should not be detained for any reason except as a last measure of resort. Also, when they are detained, they should be held within the shortest time as possible. One of the respondents said that:

*I stayed in Kakamega remand home for more than two years before I was rehabilitated. I interacted with other offenders and this made me learn more negative behaviors from serious offenders (FGD, 2019).*

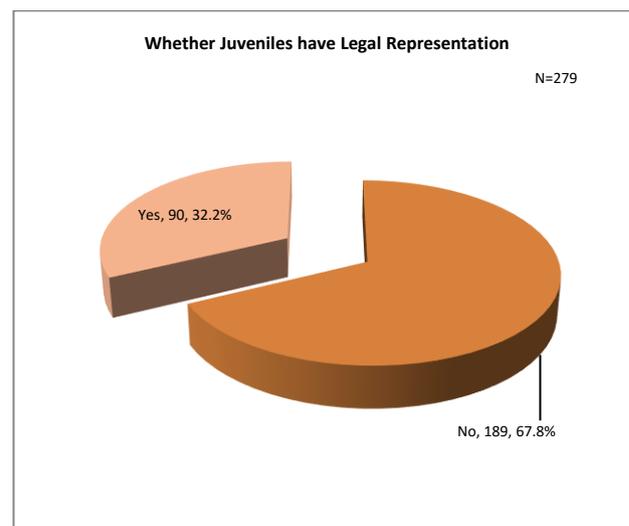
Observation through the checklist indicated that most of the juveniles had stayed in Kakamega Remand Home for more than one year. By interacting with the juveniles, the researcher established that there were juveniles in

Kakamega Remand Home in their sixth years and their court process had not ended. This finding contradicts with the Children Act (2011) that calls for protection of the rights of the juveniles in all circumstance which clearly outline how the juveniles should be cared for during the period of detention.

By going through the written records on when the juveniles were arrested, there was an indication that most of the juveniles had spent more time in the courts before they were rehabilitated.

**1.7.9 Status of Legal Representation for Juveniles in Penal Institutions**

The study sought to establish whether the juveniles in penal institutions were represented by lawyers in the court process. The results were indicated in Figure 4.9.



**Figure 4.9:** Responses on whether Juveniles have Legal Representation in Court  
Source: Field data, 2019

The study found out that most of the juveniles had no legal representation. Out of the 279 juveniles who responded to the study it was established that 90(32.2%) of the juveniles had legal representation while 189(67.8%) had no legal representation.

Key informants established that children in conflict in this penal institution lacked legal representation. According to the Convention on the rights of the child (CRC) it states that legal representation for juveniles should be guaranteed at all levels of rehabilitation to avoid biasness in the legal process. The finding for this study concurs with Ndegwa (2014) in a study on factors influencing rehabilitation of juvenile delinquents in the juvenile justice system. He found out that juvenile in penal institutions lacked legal representation which contributed to the poor outcome of the rehabilitation process.

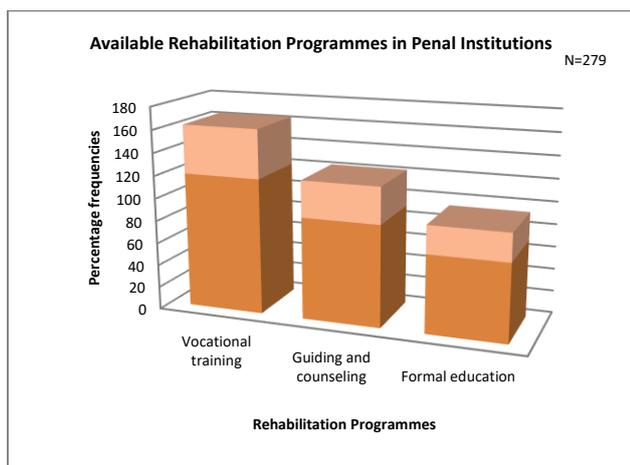
According to the FGDs carried out it was found that most juveniles had no legal representation. The study also

revealed that some juveniles were represented by government lawyers who never protected them during the process. One of the respondents said that:

*These lawyers are serving their responsibilities that they were given by the government. They don't make follow up in this process which makes it difficult for us to be freed on time. (Kakamega, FGD, 15/7/2019).*

### 1.7.10 Rehabilitation Programmes for Juveniles in Penal Institution

The study sought to find out whether rehabilitation programmes were available in penal institutions. The researcher was interested in vocational training, guiding and counseling and formal education. There responses were shown in Figure 4.10



**Figure 4.10:** Rehabilitation Programmes offered in Penal Institutions  
Source: Field data, 2019

Out of 279 juvenile respondents for this study 120(43.0%) were interested in vocational training, 90(32.3%) were interested in guiding and counseling while those interested in formal education were 69(24.7%). The study established that most of the juveniles were interested in vocational training programmes and so it as the best programme in controlling delinquency.

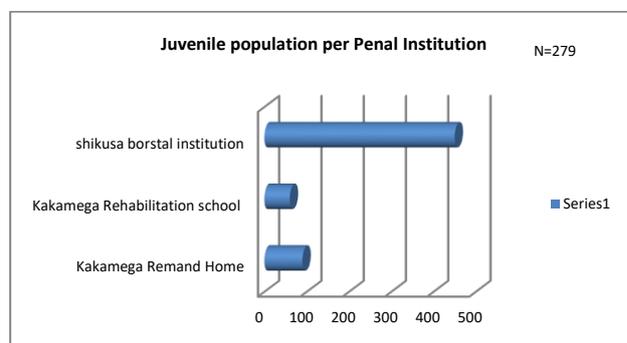
Interviews by teachers confirmed that juveniles were taken through vocational training, guiding and counseling and formal education. It was established that juveniles were issued with certificates after completing their vocational training. Finding from the interview established that guiding and counseling was the best programme in management of juvenile delinquency. This contradicts with the study finding. Teachers revealed that juveniles were counseled to keep away from negative antisocial behaviors which could lead them back into these institutions after release.

FGDs conducted revealed that juveniles were taken through rehabilitation programmes for them to acquire knowledge and skills which could help in change of

behavior. A survey conducted by Odera (2013) in Kenya found out that programmes that exist in penal institutions were vocational training, formal education and guiding and counseling. He indicated that these programmes trains the juveniles change their antisocial behaviors and be responsible members in the society. This is supported by the juvenile justice system (2014) handbook point out that committed juveniles should be taken through various programmes such as vocational training programmes, guiding and counseling, formal education, spiritual nourishment and agricultural skills. Also it went further to state that these available programmes can enable the juvenile to acquire knowledge and skills that could benefit them after their release.

### 1.7.11 The Juveniles population in Penal Institution

The study sought to establish whether the population of juveniles in penal institutions affected the outcome of the rehabilitation process. The results were as follows in Figure 4.11



**Figure 4.11:** Juvenile’s Population as per Penal Institution  
Source: Field data, 2019

Figure 4.11 indicates that Kakamega Remand Home had a population of 148. Kakamega Rehabilitation School had a total population of 90 while Shikusa Borstal Institution had a population of 460. From this finding it was found that these institutions are overpopulated.

Interview with matrons showed that these institutions were overpopulated. This implied that there was a challenge in handling the juveniles because of the alarming numbers of juveniles entering these institutions. The study revealed that juveniles were forced to share accommodation facilities and even miss lessons because of lack of the high population in these institutions.

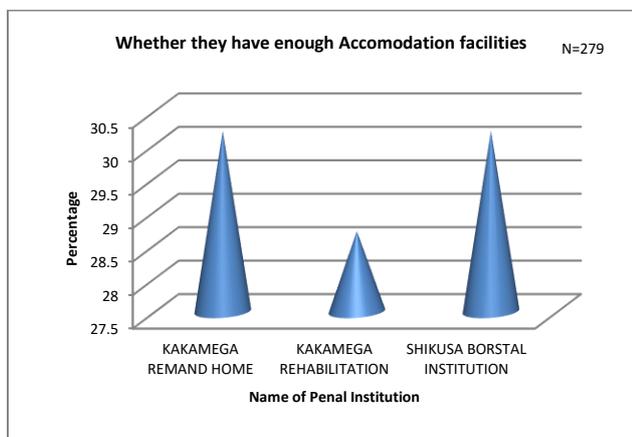
FGDs conducted revealed that penal institution had large numbers of committed juveniles. This information was provided by juveniles who had been released from these institutions and this made the researcher conclude that penal institutions in Kakamega County were overpopulated.

Institutional records (2019) established that penal institutions in Kakamega County were overpopulated which brought about poor service delivery. From this, it can be deduced that the high population in penal

institution has contributed to the ineffectiveness of rehabilitation programmes.

**1.7.12 Availability of Adequate Accommodation facilities in Penal Institutions**

The study sought to establish whether penal institutions have enough accommodation facilities. Juveniles were asked whether there were enough accommodation facilities and they responded as follows in Figure 4.12.



**Figure 4.12:** Responses to whether Penal Institutions have enough Accommodation Facilities  
Source: Field data, 2019

Results in Figure 4.12 show that Kakamega Remand Home lacked enough accommodation facilities at (52.0%), Kakamega rehabilitation school (28.7%) and Shikusa borstal institution (29.3%). It was found that penal institutions lack enough accommodation facilities.

Interview by social workers showed that there were no enough facilities to accommodate the growing population in juvenile penal institutions. The study established that dormitories were congested. This was also the case in Odera (2013) in a survey on effectiveness of rehabilitation programmes in Nairobi. It was established that rehabilitation institutions do not have enough accommodation facilities because these institutions are congested which force the juveniles to share beds and other accommodation facilities.

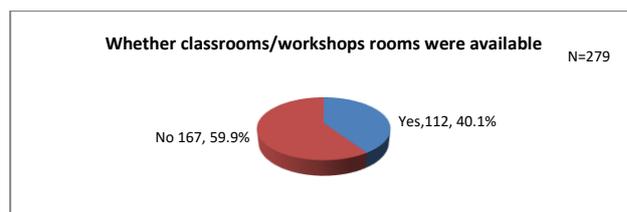
FDGs carried out established that penal institutions had a challenge in terms of accommodation facilities which were not enough to accommodate the large numbers of juveniles. It was revealed that unavailability of these facilities made them share some of the items such as beddings. Ndegwa (2014) supports this finding where he established that environmental setting in correctional institutions led to the poor rehabilitation process. One of the respondents said that;

*These institutions are congested. We were forced to share some facilities so that all of us could benefit from the little facilities we had. Classrooms were also congested not everybody could benefit from the available programmes. (Kakamega, FGD, 20/7/2019).*

Observations through the observation checklist established that penal institutions lacked enough accommodation facilities. The researcher could observe the juveniles share some accommodation facilities which meant penal institutions were experiencing a challenge in terms of accommodation facilities.

**1.7.13 Availability of Classrooms/Workshops for Teaching and Training the Juveniles**

The study sought to find out whether penal institutions had enough classrooms/ workshops where the juveniles were trained. The results were as indicated in Figure 4.13



**Figure 4.13:** Whether Penal Institutions have enough Classrooms/ Workshops to train juveniles  
Source: Field data, 2019

Out of the 279 of the juveniles who responded 167(59.9%) indicated that there were no enough classrooms and workshops while 112(40.1%) indicated there were enough classrooms and workshops in penal institutions. Also, the study established that juveniles who had not reached class seven were all put in the lower-class category. The study found out those classrooms and workshops were not enough to take the juveniles through the rehabilitation process.

Interview by teachers indicated that classrooms and workshops were not enough to train the juveniles. This finding concurs with Tiampati (2018) who established that correctional institutions faced major challenges in terms of learning facilities. He found out that the committed juveniles were forced to share practical materials and equipment's which pulled back the effectiveness rehabilitation process. An interview with a teacher by profession stated that;

*Classrooms and workshops are a major problem in penal institution, most of the time the dining hall is used for counseling sessions and educational programmes. There is no any other facility to be used a part from the dining hall. (Interview, Teacher, Kakamega Rehabilitation School, 20/7/2019).*

FDGs conducted indicated that classrooms and workshops in penal institution were limited. It was found that there was too much congestion in practical sessions where juvenile had little space to work from.

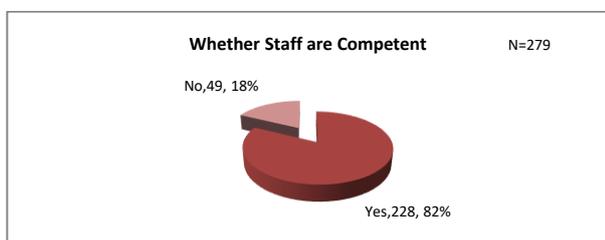
From observation, it was established that penal institutions lack key facilities such as classrooms and workshop rooms for training juveniles. This implied that

penal institutions lack major facilities such as classrooms, practical room for training the juveniles.

Written records of Kakamega Remand Home (2019) indicated that the institution lacked key facilities such as classrooms and workshops where juveniles could take up their trainings. This finding is supported by Odera (2013) who found that penal institutions lack enough facilities for teaching and training juveniles. According to the South Africa Department of correctional Services report (2014). The report pointed out that not all inmates were benefiting from the available programmes which severely increase the likelihood in engaging in further criminality. From this finding it was concluded that penal institutions lack classrooms/workshops for training and teaching juveniles.

#### 4.12.3 Staff Competences in Penal Institutions to Manage Juvenile Delinquency

The study sought to establish whether penal institutions had trained and competent staff. The results were presented in Figure 4.14.



**Figure 4.14:** Competences Levels of Staff Working in Penal Institutions  
Source: Field data, 2019

From Figure 4.14 82% of the juveniles revealed that the workers in penal institutions were competent in their areas of profession. Juveniles pointed out that workers in these institutions made them feel to be part of the society. Juveniles at 49(18%) indicated that the staff always engaged them in manual work which was not part of the rehabilitation process. The study found out that the workers in these institutions were competent enough to the juveniles through the rehabilitation process.

Interview by counselors indicated the workers in penal institutions were qualified to carry out their respective duties in. It was pointed out that they applied for those vacancies and were picked to serve in those positions. One of the counselors stated that:

*We have served these institutions for many years as trained counselors. Our experiences with these children has enabled us interact with them freely and understand what made them get into criminal behavior. The government needs to provide extensive counseling trainings to help as manage violent and serious juvenile offenders. The number of staff in this institution is also worrying; this makes it hard for us to execute the best services to these delinquents. (Interview, Counselor, Kakamega Rehabilitation School, 21/7/2019).*

FGDs revealed that workers in penal institutions were well trained and cared about the juveniles. It was established that most of the teachers in penal institutions were qualified to teach the 8-4-4 system. This finding contradicts with Kathungu (2010) on relationship between emotional intelligence and juvenile offender performance among service providers in rehabilitation schools in Kenya. She found out that professionals in rehabilitation centers had basic education mainly form four and certificate and most of the qualifications were not relevant to the juvenile rehabilitation. She concluded that rehabilitation centers lacked qualified staff. Sign (2016), on offender rehabilitation and reintegration in South Africa supports this finding where it was established that staff in penal institutions were qualified but there was a deficit in the number of social workers and psychologists in South African correction centers.

From observations the study noted that the staff were competent in their areas of professional. It was noted that juveniles were being taught various values which would helped them in the outside world. The researcher also noted that these institutions lacked enough staff for effective rehabilitation of juveniles.

#### 1.8 Ethical Considerations

Mugenda (2008) suggests that the rights and welfare of participants should be a major ethical obligation for all parties involved in research study. The researcher acquired official approval from, Masinde Muliro University of science and technology, National Council for Science, Technology and Innovation (NACOSTI) and State Department of Correctional Services. The researcher developed a parental informal consent that the parents were required to fill in order to allow their children take part in this study.

#### 1.9 Funding

The researcher used her own funds to conduct this study.

#### 1.10 Conclusion

With regard to examine nature and extent of rehabilitation programmes being enforced in juvenile penal institutions in Kakamega County, Kenya. It was concluded that juvenile rehabilitation is hampered by poor rehabilitation approach existing in penal institutions.

#### 1.11 Recommendations

The study recommends that the national government and the county governments should provide more learning facilities especially in vocational training and formal education programmes for effective delivery of service to the juveniles.

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