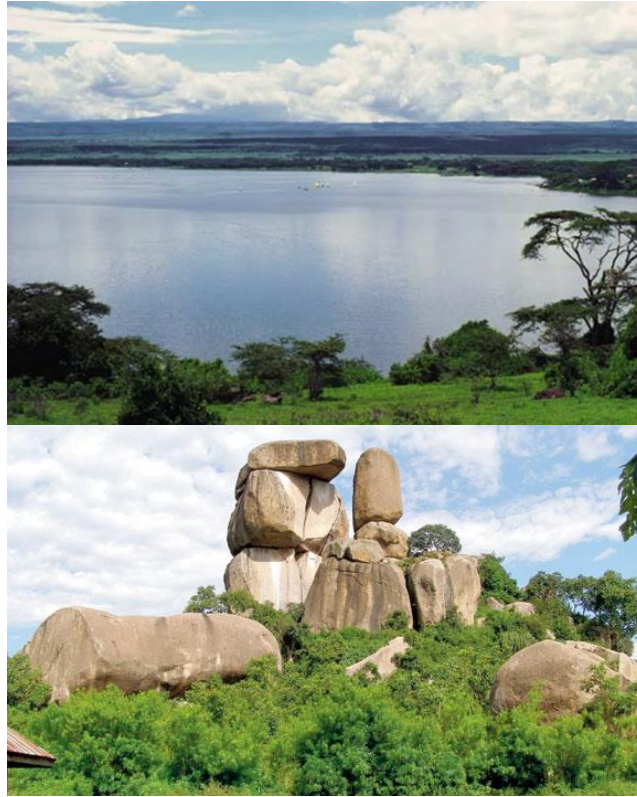


# CRIME AND VIOLENCE PREVENTION TRAINING



## BASELINE SURVEY: NAKURU AND VIHIGA

Kennedy Mkutu, Gerard Wandera, Obondo Kajumbi and Jaki Mbogo



## ***Foreword***

This document is part of a larger project, the Crime and Violence Prevention Training,<sup>1</sup> a modular course of around 15 days which has been running annually since 2011 as a collaborative project between United States International University and Kenya School of Government, the foremost institute for the training of policy makers in Kenya. The project is sponsored by Open Society Initiative East Africa as part of its Crime and Violence Prevention Initiative in the region. The project is now moving to the county level in response to Kenya's new devolved government structure, and begins in the counties of Vihiga and Nakuru with this survey, which aims to establish a basis for the Crime and Violence Prevention Training course in these areas.

## ***Acknowledgements***

Thankyou to all informants from the various sectors of national and county government, security, civil society, businesses and communities who assisted in providing the information in this document. It was evident that many are concerned to build their counties for the future and create safer healthier societies for all Kenyans.

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<sup>1</sup> Formerly known simply as Crime Prevention Training

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# Introduction

A preventative approach to crime and violence has been increasingly recognized, formalized and promoted in recent years as part of an efficient and effect response to the ravages of crime and violence.<sup>2</sup> The underlying assumption is that,

*Crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime.*<sup>3</sup>

Crime and violence prevention involves a detailed look at the factors which are involved in crime and violence, both risk factors and protective factors. WHO and its partners have identified 7 key strategies, based on growing evidence, which will help to prevent crime and violence. These are:

- Developing safe, stable and nurturing relationships between children and their parents and caregivers;
- Developing life skills in children and adolescents;
- Reducing the availability and harmful use of alcohol;
- Reducing access to guns and knives;
- Promoting gender equality to prevent violence against women;
- Changing cultural and social norms that support violence;
- Victim identification, care and support programs.<sup>4</sup>

Thus crime is multi-factorial and requires a multi-level, multi-agency approach, which if well-coordinated through partnerships can make use of different perspectives, resources and skills in the most efficient, cost effective and sustainable manner. Partners in crime and violence reduction can come from a wide variety of sectors. They involve various levels of government (national and local), who have different mandates and areas of expertise and non-state actors, in particular, civil society groups and even traditional authorities, who assist to ensure local ownership at every stage, a key element of a successful approach. The role of the media, with its powerful positive and negative potential in bringing attitudinal change and disseminating information is an important one in the multi-agency approach, and the private sector have interests and roles to play in crime and violence prevention (through contributing to improvement of environments and communities and supporting families). Lastly academia and research institutions through valid research and publication may direct and support crime prevention initiatives.

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<sup>2</sup> WHO, UNDOC and UNDP (2014)

<sup>3</sup> WHO, UNDOC and UNDP (2014)

<sup>4</sup> WHO, UNDOC and UNDP (2014)

In Kenya there has been little by way of public debate nor policy discourse on crime and violence prevention, and the police are largely divorced from the public due to mistrust and a history of repression. Community policing has received some attention in Kenya in the last 2 decades, but benefits were never felt, due in part to poor understanding of the concept, a lack of real partnership with communities and an ongoing repressive police culture.<sup>5</sup> Another immediate problem in the area of crime and violence in Kenya is the lack of data. Hill (2009) notes 'Kenya's crime statistics are not reliable in the context of widespread corruption, political manipulation, weak police oversight, and a variety of organizational inefficiencies'. Therefore Kenya urgently needs to develop opportunities for alternative thinking and practice to repressive policing as well as moving from securitization to safety (Hill, 2009).

### **Crime and Violence Prevention Training**

Open Society Institute East Africa, through its Crime and Violence Prevention Initiative sponsored a modular training in 2011 in collaboration with United States International University (USIU) and Kenya School of Government (KSG). The course brought together government, civil society and academia to learn together about crime prevention in Kenya. The Crime Prevention Training (CPT), as it became known, aimed to promote policy and public discourse on crime and violence prevention and safety in Kenya, to explore strategies, tools and methods of crime and violence prevention and to facilitate the emergence of a multi-sector group of actors engaged in crime and violence prevention in Kenya. A second and third phase built on the aims and successes of the first, widened the audience for crime prevention training and further developed and expanded the curriculum.

The training rises to the challenge of crime and violence in Kenya in a number of ways. Firstly, given the mounting evidence for the effectiveness of prevention strategies, one important next step is to intensify and expand violence prevention awareness among decision makers (WHO 2010), something which the CPT has been doing. Secondly, CPT through its workshop sessions has also been enhancing non-state and state participants' capacities to design, implement and manage effective sustainable crime and violence reduction programs. Thirdly, traditionally, security management has remained a preserve of the state and its machineries and a relationship of mistrust, fear and suspicion has existed between members of the civil society and law enforcement agencies. The CPT however, has promoted understanding and partnership.

As CPT, (now known as CVPT) continues to move forward into a fourth phase, its aims are reiterated: To continue the momentum of developing people and promoting discourse in the area of crime prevention and to promote an integrated crime prevention approach. At the same time to keep the CPT highly relevant the decision has been taken to move the training to the county level.

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<sup>5</sup> Ruteere and Pomerolle (2003)

## County security actors

Under Kenya's new dispensation, provided for by the 2010 Constitution, Kenya's 47 county governments under their respective county governors have responsibility for certain roles such as the control of drugs and pornography, fire-fighting and disaster management, transport, control of public nuisances, trade development and regulation, education and health, and overall county planning and development. While it might seem that none of these areas is core in security provision, which remains under the national government and is overseen by county commissioners, the role of the county government is nonetheless vital. Drivers of insecurity clearly include issues such as employment, development, education and planning and thus governors have the opportunity to make a difference to county security in the medium to long term, if not the short term.

Furthermore, The National Police Service Act, echoing the constitutional requirement for increased participation by communities in decisions affecting them, creates a County Policing Authority (CPA) in each County. These bring together representatives from county, national and local community security interests under the chair of the governor. They are responsible for monitoring trends and patterns of crime, developing proposals on priorities, objectives and targets for police performance, monitoring progress and achievements, overseeing and promoting community policing initiatives, facilitating public participation and providing financial oversight for the budget for policing. Decisions of the CPA are intended to feed into the County Security Committee, responsible for day to day management of security and deployment of police. Until January 2015 the legal provisions had yet to be finalised, but counties can now go ahead and put these structures in place.<sup>6</sup>

Governors have expressed a desire for capacity building in the area of crime prevention. This was revealed during a meeting hosted by the CPT in May 2014 to which county governors together with county commissioners and representatives of national government were invited. Governors were introduced to the concept of safety audits which would assist them in prioritizing the needs of their counties. Furthermore, the meeting assisted the county and national government representatives to understand the roles of the other and the importance of partnership in security.<sup>7</sup>

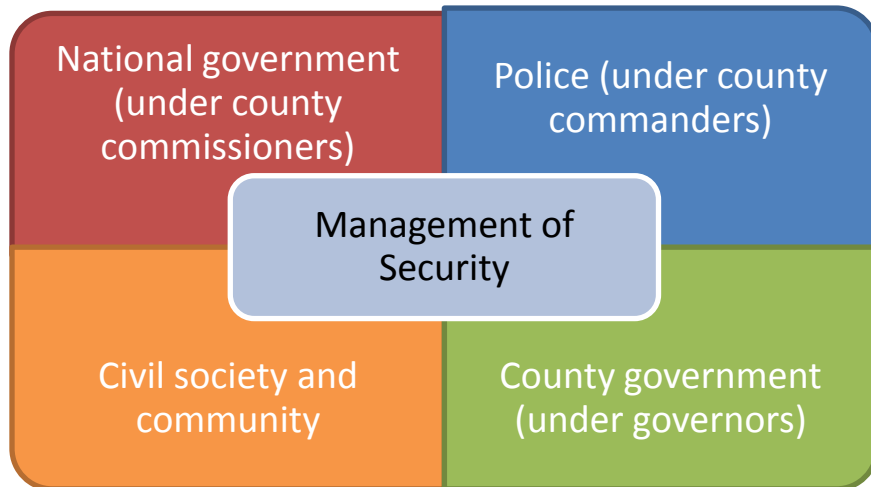
Thus in Kenya's counties, CVPT aims to bring together the relevant stakeholders (see figure 1) to train side by side, promoting partnership and capacity building for a crime prevention approach.

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<sup>6</sup> The county government of Kwale county public service board on 28 January became the first County to advertise vacancies for CPA pursuant to section 41 (1) and (2) of the National Police Service Act 2011

<sup>7</sup> Governors meeting on Crime and Violence Prevention, held at Enshapai Lodge, Naivasha on 24 May 2014

*Figure 1: Security stakeholders in Kenya's counties*



### **The baseline survey**

Prior to implementation of the training it is important to understand the context, asking questions such as,

- What are the main crime and violence challenges in the county?
- Who are the players in crime and violence prevention, and what are they currently doing, either directly or indirectly to address the problem?
- Are people already working together from different sectors?
- Is there a readiness, particularly among the formal security and government sectors for the crime prevention approach and the training?

Such questions will assist to tailor the curriculum and the approach to training to the county's needs and determine the participants who can make the most out of the training. Furthermore, the need for data on crime and violence in Kenya has already been stated, because without data, targeted interventions cannot be planned.

Therefore this work sets out to undertake a baseline survey of crime and violence in Vihiga and Nakuru, prior to taking crime prevention training to the two counties. The rationale for picking the two counties is based on several factors:

- The receptiveness of the two counties
- Their level of development and proximity to Nairobi – for a first time county CPT this is logistically helpful
- The high population in these areas, which is likely to correspond with crime levels to some extent.
- Unique issues: Nakuru has experienced interethnic conflict reaching its height in the post-election violence in 2008. This has resulted in many internally displaced persons.

Vihiga does not have a reputation for violence, despite its high population density, the reasons for which are as yet unexplored.

Lessons learned in Vihiga and Nakuru will assist in future efforts, and governors of neighboring counties seeing the benefits may be inspired to invite the training onto their patch.

## **Methodology**

Visits were made to Vihiga and Nakuru counties, with prior planning of a forum in each county (Mbale and Nakuru towns on 8<sup>th</sup> January and 22<sup>nd</sup> January 2015 respectively), to which between 30 and 40 key informants were invited such as security officers, administrators from county and national government administration offices, and representatives from civil society and faith based organizations. The organization of the forum was assisted in each case by the county commissioner. Following the forum, participants were split into focus groups to discuss key issues, and this was followed up with individual in-depth interviews where this was felt necessary. A snowballing technique was used to then identify new contacts. Lastly, health facilities were visited to understand the problem of violence against women and children.

## ***Background to Some Issues Raised***

### **Violence against women**

Violence against women is common in Kenya, frequently excused as normal, and frequently hidden. According to the Kenya Demographic and Health Survey Report for the period 2008-09, about 45% of women aged 15-49 experienced either physical or sexual violence at some point in their lives (KNBS, 2010). Specifically, 25% of women in Kenya experienced physical violence, 7% experienced sexual violence alone, and 14% were victims of both physical and sexual violence. A survey of married women or women in a long term partnership revealed that in the preceding year, 31% had experienced physical violence, 14% had been forced to have sex by their spouses or partners and 28% had been subject to emotional abuse. Those who had been subject to physical violence described the form it took, with just under half describing more severe forms such as kicking, dragging or beating.

Socioeconomic factors are known to be key drivers. Figures produced by the Gender Violence Recovery Centre in Nairobi during the period 2011-2012 demonstrate higher prevalence in the low income areas of Nairobi County such as Kayole, Kibera, Mwiki and Dandora (44% of all cases); with a lower prevalence in middle class areas of South B & C, Imara Daima and Kasarani (22%) and upmarket areas of Kilimani, Kileleshwa and Westlands (7%).<sup>8</sup> Importantly, traditional cultures may permit beating a wife and condone rape within marriage; in the KDHS report cited previously, 53% of women and 44% of men believed that there were certain circumstances under which beating a wife was justifiable, a belief which became less prevalent with increased

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<sup>8</sup> GVRC (2012)



education and economic status (KNBS 2010). Therefore cultural attitudes play an important part in the continuing problem.

Defilement is the legal term for sexual intercourse with a child under 18 years. It is subject to a punishment of life imprisonment if the child is 11 years or under.<sup>9</sup> A survey commissioned by WHO found that in the country around 31% of girls and 18% of boys had been victims of sexual violence (this definition included unwanted sexual touching, forced sex or attempted forced sex and sex under pressure). In most cases the perpetrator was a boyfriend or girlfriend, sometimes a neighbor, and less often a family member. In a third of cases the perpetrator was at least 10 years older than the victim.<sup>10</sup> A breakdown of types of sexual violence revealed that 9.6% of girls and 3.6% of boys had experienced pressured sex, while 7.1% of girls and 1.4% of boys had experienced completed forced sex. Thus the prevalence of defilement according to the legal definition is still disturbingly high.

Although the Sexual Offences Act of 2006 created tighter laws against defilement and sexual assault, implementation remains weak. On 27th May, 2013, the High Court in Meru delivered a landmark constitutional decision where a group of young girls successfully challenged the Kenya government on its inaction regarding defilement. This was the first time that the Kenya Government had been sued for inaction and failure to protect rights in relation to sexual violence, particularly defilement, and has important implications for future police handling of sexual violence cases.<sup>11</sup>

Sexual violence has a number of physical, psychological and social implications for victims, These may include unintended pregnancy, pregnancy complications, unsafe abortions, gynecological disorders, complex pain syndromes, chronic pelvic pain, HIV and other infections<sup>12</sup> as well as anxiety, depression, stigma, poor performance at school and other repercussions.

Importantly, economic, educational and social barriers impede most women accessing timely help for sexual violence. On a legal level, the need for forensic evidence to be collected within 24 hours is usually not feasible and therefore most cases never reach the formal justice sector but may be dealt with out of court by traditional dispute resolution mechanisms or not dealt with at all.<sup>13</sup>

## **Illicit brew**

Most alcohol consumed by those on low incomes is home-brew, made from maize or millet or other cereals. *Changaa* (or *kumi kumi* referring to the cost of 10 Kshs per glass) is the strongest

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<sup>9</sup> Sexual Offences Act No. 3 of 2006, Laws of Kenya

<sup>10</sup> UNICEF, DVP, NCIPC, USDCDP, KNBS (2012)

<sup>11</sup> National Council for Law Reporting (2013)

<sup>12</sup> WHO, UNDOC and UNDP (2014) p 14-16

<sup>13</sup> FIDA (2012)

mixture, which may have a very high alcohol content. Other traditional brews include *busaa*, palm wine, *muratina* and banana beer.<sup>14</sup> Traditional brew may be contaminated with methanol and other poisons and has been the cause of a high number of deaths in the country.<sup>15</sup> It is illegal to brew or sell home-brew unless one has a licence. The main concern apart from deaths from poisoning is problem of social fragmentation and economic hardship among families brought about by addiction to alcohol.

### **Boda boda, crime and accidents**

There is increased use of commercial motorcycles as a means of transport all over the country, commonly known as *boda bodas*. No official data exists on the number of motorcycles in Kenya though they comprise for 70% of motor vehicles registered in Kenya in 2013.<sup>16</sup> It is estimated a good number of them are not registered. Boda boda has played a major role in enhancing access to transport, communication and commercial activity, especially in rural Kenya, which is characterized by poor road networks. Even in urban areas, boda boda can easily access informal settlements with their narrow paths and poor surface. Boda boda operators take people from one market place to another and even to hospitals. The subsector is a key contributor to business development, by ensuring that farm produce such as milk, chickens, eggs and vegetables reach the market very fast. Furthermore, it is a very important contributor to youth employment in Kenya.

The World Health Organization estimates that over 1.2 million people die from road traffic injuries (RTIs) worldwide every year, and that half of deaths and injuries occur among vulnerable road users, namely motorcyclists (23%), pedestrians (22%) and cyclists (5%). The African region has the highest road fatality rates, (24.1 deaths per 100,000 population), which is well above the global average of 18.0 deaths per 100,000, in spite of the region being the least motorized (2% of the world's vehicles) of the six world regions. The National Transport Safety Authority of Kenya (2015) notes that in 2014, there were around 12,000 victims of road traffic accidents in Kenya, with nearly 3000 deaths. 391 motorcyclists and 162 pillion passengers were killed and pedestrian deaths numbered the highest at 1340.<sup>17</sup>

Several factors may contribute to this problem, including careless driving, poor training of road users, not using helmets and reflective gear, traffic congestion, driving at night or in rain, poor urban and highway planning including lack of pavements, use of alcohol, speeding to maximize customers and poor condition of vehicles, amongst others. It was also noted that motorbikes (and parts) are not always genuine.<sup>18</sup> In Kenya to legally drive a motorcycle, one is required to

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<sup>14</sup> WHO (2004)

<sup>15</sup> *Reuters* (2014); Muchuri and Nyawira (2014); *The Star* (2014)

<sup>16</sup> NTSA (2014)

<sup>17</sup> NTSA (2015)

<sup>18</sup> Focus group discussion, Maendeleo ya Wanawake (MYW), 8 January 2015

be 18 years, possess a valid license and wear a helmet and reflective clothing while riding.<sup>19</sup> However, country-wide, there is a problem of enforcement of the law.

The issue of boda boda was recently the subject of a parliamentary debate. Subsidizing the training and licensing of drivers was suggested as one way to help. There would be an incentive for drivers not to drink in order to keep their licenses and their SACCO membership and reputation. Furthermore, public awareness is important regarding protective gear, and carrying the correct number of passengers, which would prevent an accident from becoming fatal. Lastly insurance cover is another necessity.<sup>20</sup>

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<sup>19</sup> According to the NTSA (2014), helmets have been shown to reduce the risk of head injury by 69% and death by 42% in case of a crash

<sup>20</sup> Comment by an MP in a parliamentary debate. See National Assembly official report, 15<sup>th</sup> October, 2014  
[http://info.mzalendo.com/hansard/sitting/national\\_assembly/2014-10-15-09-30-00](http://info.mzalendo.com/hansard/sitting/national_assembly/2014-10-15-09-30-00) Accessed 6 February, 2015

# VIHIGA COUNTY

## *Overview of the County<sup>21</sup>*

Vihiga county is a small but busy county in the former Western Province, near Lake Victoria. It has an area of 536.8 sq km and its southern tip is on the equator. It borders Nandi County to the East, Kakamega to the north, Siaya County to the west and Kisumu to the south. Its altitude ranges between 1,300 and 1,800 m above sea level and slopes gently from west to east. The county is hilly, with streams and rivers flowing into Lake Victoria. The climate is equatorial, with fairly well distributed rainfall throughout the year, such that agriculture in the form of cash crops (coffee, tea, bananas, fruits and flowers) and subsistence crops (beans, sorghum and maize) as well as livestock rearing are very viable. Vihiga county is made up of five constituencies namely Emuhaya, Luanda, Hamisi, Sabatia and Vihiga. Main urban centres include Mbale and Luandi, with smaller centres in Chavakali, Jeptulu and Vihiga.

The 2009 National Population and Housing Census, notes that Vihiga had a population of 554,622. It is estimated to have grown to around 570,000 persons in 2012 and is projected to grow to around 600,000 in 2017.<sup>22</sup> It is a youthful population with 45% aged 0-14 years. There are high fertility rates with the highest percentage household size of 4-6 members at 43%.<sup>23</sup> The population density is one of the highest in the country, at 1044 persons per sq.km. This has put severe pressure on the land, resulting in environmental degradation and extensive division of plots which is uneconomical and threatens food security. Vihiga has one of the highest fertility rates in the country at 5.1,<sup>24</sup> which is likely to exacerbate problems of unemployment and crime in the future. Somewhat encouragingly, the adult HIV/AIDS rate is 3.8% (4.7% of females and 2.8% of males) which is lower than the national average of 6.04%.<sup>25</sup>

Vihiga's County Development Index is 0.5695, slightly higher than the national average of 0.5204.<sup>26</sup> 63% of adults have completed primary education, while only 20% have completed

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<sup>21</sup> Much of the information in this section comes from Vihiga County (2014) First County Integrated Development Plan, 2013-2017

<sup>22</sup> KNBS (2013) quoted in in Vihiga County (2014)

<sup>23</sup> KNBS/SID (2013)

<sup>24</sup> Vihiga County (2014); Total fertility rate represents the number of children that would be born to a woman if she were to live to the end of her childbearing years and bear children in accordance with current age-specific fertility rates, see <http://data.worldbank.org/indicator/SP.DYN.TFRT.IN>

<sup>25</sup> NACC (2014)

<sup>26</sup> CRA (2012); The CDI is a composite figure based on indices on health (assisted births, sanitation and immunization), education (literacy and completion of secondary education), infrastructure (roads, electricity and clean water) and poverty (percentage living below poverty line); The Commission on Revenue Allocation (CRA), is an independent Commission set up under Article 215 of the Constitution of Kenya 2010 whose mandate is to recommend the basis for equitable sharing of revenues raised nationally between the national and the county governments, and among the county governments.

secondary education.<sup>27</sup> Only around 30% of the population between the ages of 15-64 are in formal wage employment. The county has around 1000km of road, of which 16.6% is paved, and 80% mobile phone coverage. Around 11% of the urban population and around 5% of the rural population have access to electricity. There are 5 commercial banks, several micro-finance institutions and 30 registered SACCOs (cooperatives). Despite the high population density, it is said to be a relatively peaceful county.

## ***Overview of Security Concerns***

According to the county commissioner<sup>28</sup> the major security concerns in the county include:

1. Livestock theft
2. Burglary
3. Highway robbery
4. Border/land conflicts at Emuhaya and Kisumu East at Maseno boundary
5. Conflicts between university students and residents of Emabungo center
6. Drug trafficking and abuse
7. Illicit brews
8. Petty offences

It is important to note however, that many incidences of crime and violence are never reported to the police, this is particularly true of domestic and sexual violence in which victims may face stigma, alienation, economic risk or other dangers if they do report, or victims may simply be unaware of their legal rights, or how to get help. Therefore to gain a balanced view, it was necessary to speak to civil society and community members about their perceptions of security concerns in the county. The following concerns came out in a forum which brought together security, national and county government security players, police, civil society (youth and women's groups), business representatives and religious groups<sup>29</sup>. In addition to the previously mentioned livestock theft, drugs, alcohol and burglary the following issues came out:

1. Violence against women and children
2. Child labor
3. Unemployment
4. Youth gangs
5. Boundary issues and land disputes (which may lead to assault or murder)
6. Traffic offences, especially by boda boda
7. Syndicates for motorbike thefts (problem noted in Mbale and Emuhaya)
8. Muggings
9. Circumcision/initiation disputes between Christian and traditional religious groups

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<sup>27</sup> KNBS/SID (2013) Exploring Kenya's Inequality: Pulling apart or pooling together? Vihiga County (Nairobi: Kenya National Bureau of Statistics/Society for International Development)

<sup>28</sup> Vihiga County Fact-File 2014 (unpublished) provided by the County Commissioner's Office

<sup>29</sup> See Appendix for the composition of the forum 8 January, 2015

10. Leadership wrangles in the indigenous churches
11. Attacks on administrators and security personnel
12. Poor police-community relations and police corruption
13. Clanism within the leadership
14. Boda boda crimes

This survey is interested in the views and roles of all stakeholders, as a religious leader noted, 'The security situation is getting worse in the county and we must all stand up and play our rightful roles effectively'<sup>30</sup>.

## ***Overview of Security Provision***

According to the county commissioner<sup>31</sup> Vihiga County has the following security installations (figure 2).

*Figure 2: Security Installations in Vihiga County*

	<b>Divisions</b>	<b>Stations</b>	<b>Patrol Bases</b>	<b>Camps</b>	<b>Posts</b>
<b>Kenya Police</b>	4	6	6	0	0
<b>Administration Police</b>	11	0	0	0	36

Notably there are no General Service Unit (GSU) installations and no army bases, implying that Vihiga is a relatively peaceful county, especially given its high population. The ratio of police officers to civilians is 1:1500, approximately the same as the national ratio.

The following security initiatives are being attempted:

1. Raids, foot patrols and motorized patrols
2. Community policing and nyumba kumi (Gesambai)
3. Peace Committees, especially in border areas
4. Security barazas (open-air meetings with community and security administration)
5. Roadblocks and vehicle inspections

County policing authorities are structures set to run in counties to monitor security, set security priorities, and to oversee community policing. They will be chaired by the governor and will comprise a high percentage of civilian representatives, as well as police and national government representatives from the county security committee which oversees day to day decisions on security. Legal provisions have been passed in January 2015, and the county looks

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<sup>30</sup> Interviews, Focus group discussions and a forum held with 34 people from civil society, faith based organizations, national government and the county government 8-9 January, 2015

<sup>31</sup> Vihiga County Fact-File 2014 (unpublished) provided by the County Commissioner's Office

forward to implementing this constitutional obligation.<sup>32</sup> The county has also outlined extensive plans to modernize and equip the police and legal sector with better buildings and facilities.<sup>33</sup> Lastly, Vihiga is amongst four county assemblies in western Kenya which are working on laws to allow them to form county policing units composed of local young people.<sup>34</sup>

## ***Other Stakeholders in Crime and Violence Prevention***

There are many civil society organizations in Vihiga whose activities are indirectly related to crime and violence, although none are known to have a specific focus in this area. Activities cover areas such as health, education, agriculture, governance, rural development, water and sanitation sub-sectors. Amongst these include Maendeleo ya Wanawake and USAID (which partners with several smaller organizations). Many churches, both indigenous and international denominations exist in Vihiga and are very active in community and development activities. The business sector is also important.

## ***Specific Aspects of Crime and Violence***

### **Gangs**

There are several gangs in Vihiga, but four in particular were identified.<sup>35</sup> The 15 Brothers are ethnically mixed and believed to come from Gesambai. They are responsible for violent burglaries armed with knives in Hamisi. Through Nyumba Kumi initiatives names have been gathered and submitted to the CID.<sup>36</sup> The 42 Brothers are in Emuhaya (also Ebukasami, Luanda and Maseno) and have been known for extortion, burglary, drugs, theft and violence including murder.<sup>37</sup> Like many gangs, they are also hired as private security.<sup>38</sup> Again, partnership between the national government administration, the security and the community has assisted in arresting several members, and rehabilitating other members through loans to enter the boda boda business. This stabilized the area and brought some peace.<sup>39</sup> However, it is feared that the gang may have re-grouped and involved itself in thefts of electronics from students in Maseno, exacerbating conflict between the students and the community.<sup>40</sup>

The *Saba Saba* are a pseudo-religious gang, armed with machetes, known for beating drums at night and attacking funerals to steal drums from churches or other groups that are hosting the funerals. The menace had been managed but had re-emerged in November 2014, with the

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<sup>32</sup> Security leaders in focus group, Mbale, 8 January, 2015

<sup>33</sup> Vihiga County, 2014

<sup>34</sup> Opolo (2013)

<sup>35</sup> Mbale Forum, 8 January 2015

<sup>36</sup> Interview, a deputy county commissioner, name withheld, Vihiga, 8 January, 2014

<sup>37</sup> NCRC (2012)

<sup>38</sup> NCRC (2012)

<sup>39</sup> A local chief from the area with several years of experience, Mbale forum

<sup>40</sup> Chief from the Emuhaya area, Mbale forum; Phone interview with one of the participants from the Mbale forum, 13 January, 2015

most recent occurrence at the time of writing being on 3<sup>rd</sup> January 2015.<sup>41</sup> The problem is often denied by the community. Some felt that Saba Saba was based on rivalries between indigenous church groups, while others felt it was only posing as a religious group as a cover for violent crime and that the drums were 'to mask the cries of victims'.<sup>42</sup> Lastly, the Pari Base group is located in West Bunyore, Itumbu sub-location at Askote centre. They are disguised as boda boda operators. The group is dreaded, akin to the Mungiki of central Kenya and Nairobi<sup>43</sup>.

A prominent member of the business community noted that businesses have been attacked by thugs, and that young people, in particular matatu touts known as *manambas* are involved in crime at a major junction known as the Chavakali junction.<sup>44</sup> A priest concurred that the border between Vihiga and Chavakali was a hotspot of violence, which had seen the murder of a chief who was 'cut into pieces'.<sup>45</sup>

### **Youths and unemployment**

An elder noted, 'Young men have become a big problem to society. They are usually apprehended but they are often released without explanation'.<sup>46</sup> Women's representatives commented that 'Unemployed youths attack people who are entering bars'.<sup>47</sup> Furthermore, many men are unemployed while women have work to do. Early school leaving may be a factor in unemployment, and polytechnics may offer a protective factor against crime.<sup>48</sup> The county Youth President noted that most leaders are not willing to support the youth, but that USAID had been doing some work on capacity building young people.<sup>49</sup> There are funds available through the Youth Enterprise Development Fund, but the county admit that the funds are insufficient to support the number of applications made.<sup>50</sup>

### **Drug and alcohol abuse**

Drug abuse is mostly *changaa* (home brew - often contaminated with methylated spirit), bhanghi and increasingly cocaine which is imported to the county from other places. It was noted that changaa is 'killing and finishing the youths'.<sup>51</sup> Some police officers are complicit in the crime, such that communities are not willing to report.<sup>52</sup> Bhanghi (marijuana) was noted to be a

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<sup>41</sup> Noted by participant from Hamisi, Mbale forum; Later discussed in more detail in phone interview, 13 January 2014

<sup>42</sup> Comment by a chief, Mbale forum

<sup>43</sup> See <https://www.facebook.com/nairobicrimealert1/posts/652112064839535>

<sup>44</sup> Businessman, Mbale forum

<sup>45</sup> Interview, parish priest, Mbale, 9 January, 2015

<sup>46</sup> Phone interview, Lomosi, 70 year old elder, January, 7, 2015

<sup>47</sup> Contribution by leader MYWO, Mbale forum

<sup>48</sup> Former chair MYWO, Emuhaya constituency, Mbale forum

<sup>49</sup> County Youth President, Mbale forum

<sup>50</sup> Vihiga County, 2014

<sup>51</sup> County Youth President, Mbale forum

<sup>52</sup> Civil society member, name withheld, Mbale forum



problem in Emuhaya, where efforts have been made to uproot the plant,<sup>53</sup> and also in schools in Mbale.<sup>54</sup>

Due to the illegality of brewing changaa (local brew) in Vihiga county (a law passed by the County Assembly), the transport of the drink from neighboring counties is lucrative. 8 cans may be transported by boda boda at a total value of around 5000 KShs, and often at great speed. Thus an elder stated, 'The law has substantially reduced brewing in Vihiga. It has closed doors but opened floodgates'.<sup>55</sup> It was noted that although this is illegal the police fail to back up the county law and may even collude with the criminals for bribes (as do some county administrators also). One criminal was fined 200,000 which she paid and was released. She went back to what was obviously a lucrative business.<sup>56</sup> The county has no law enforcement capacity of its own and cannot address the issue. This contradiction between the two supposedly complimentary forms of government is a concern.

### **Boda boda**



*Picture 1: Boda boda transport*

Boda boda (motorcycle or bicycle taxi) is a prominent industry in Vihiga as in all urban areas in Kenya. This is due to scarcity of employment opportunities in the formal sectors. The occupation pays relatively well, drivers making between 700-1000 Kshs per day, or at least 20,000 Kshs per month.<sup>57</sup> Many drivers belong to SACCOs, welfare organizations to which a monthly fee is paid, allowing one to get loans for bikes or houses and other support.

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<sup>53</sup> Deputy county commissioner, Mbale forum

<sup>54</sup> Interview, Catholic parish priest, Mbale, 9 January 2015

<sup>55</sup> Interview, elder from Kidinye village, Mbale, 8 January, 2015

<sup>56</sup> Local administrator from Hamisi, Mbale forum

<sup>57</sup> Focus group discussion, Mbale Boda Boda SACCO leaders and members, 9 January, 2015

Boda boda has a bad reputation however; the majority of traffic offences are carried out by the sector. This may reflect training needs or other factors. In terms of training, several sources, including the SACCO in Mbale noted that the training for drivers is rarely adequate, lasting only a few days, and very few (one source noted a quarter) have licenses.<sup>58</sup> Drivers are sometimes under the influence of alcohol, as an elder noted, 'Last week one carried me and he was smelling of alcohol, when I asked him he said he had only drunk 'kidogo' (a little)'.<sup>59</sup> Drivers were also observed to be carrying 3 adult passengers and 2 children on one bike. Working with SACCOs to regulate, train and license drivers as noted previously in a parliamentary debate, may be able to help these problems.

The boda boda industry is frequently associated with crime, either with or without the consent of the driver. Drivers may be targeted by bandits, for money or bikes,<sup>60</sup> or boda bodas may be used as getaway vehicles,<sup>61</sup> or for the transporting of illegal brew (as described previously). The Mbale SACCO raised the concern that boda boda drivers are vulnerable to being used by politicians for campaigns, and potentially for violent political conflict.<sup>62</sup> Motorcycle theft is also common and was noted by several interviewees. This may cause disputes and violence when stolen motorcycles are then sold on. Buying from genuine dealers is therefore important.<sup>63</sup>

### **Land and border disputes**

One type of land dispute described was at the family level, and is related to the general shortage of available land in Vihiga. It was noted that fathers fail to pass title deeds to sons, such that sons are squatters on the land and are then left in legal battles when the father has passed away.<sup>64</sup> A chief confirmed 'Youths are living as squatters...Old men are a problem.'<sup>65</sup>

A border conflict exists between Vihiga and Nyanza which is also linked to the theft of electronics from student residences in Maseno. A superadded problem is that of the '42 Brothers' gang described previously, which may be involved in these thefts.<sup>66</sup> There is also ongoing conflict between the border of Vihiga and Nandi since ethnic clashes in 1992-7. Lastly there is resentment by the Tiriki against the Maragoli whom they accuse of taking more than their fair share of the development funding. The Tiriki voice that they want their own people to be settled in Tiriki forest.<sup>67</sup>

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<sup>58</sup> Focus group discussion, Mbale Boda Boda SACCO leaders and members, 9 January, 2015; Assistant chief of Emuhaya, Mbale forum

<sup>59</sup> Interview, elder around 70 years from Kadenye village, Mbale, 8 January, 2015

<sup>60</sup> Focus group discussion, Mbale Boda Boda SACCO leaders, 9 January, 2015

<sup>61</sup> Focus group discussion, Mbale Boda Boda SACCO leaders, 9 January, 2015

<sup>62</sup> Focus group discussion, Mbale Boda Boda SACCO leaders, 9 January, 2015

<sup>63</sup> Contribution by MYWO, Mbale forum

<sup>64</sup> Chair MYWO Vihiga, Mbale forum

<sup>65</sup> Assistant chief, name withheld, Mbale forum

<sup>66</sup> Chief from Maseno, Mbale forum

<sup>67</sup> Email correspondence with a youth leader from Hamisi, 17 January

## **Cattle theft**

Cattle theft was described in Hamisi, which borders Nandi and Kisumu and Kegoye. A children's home in the same area lost cattle through theft.<sup>68</sup> It was noted that it is usually the Nandi stealing from the Luhya people in Hamisi, and is related to a deeply rooted belief amongst the Nandi that all cattle belong to them.<sup>69</sup> Some, however argue that Luhya youths are involved in working with the Nandi.<sup>70</sup> Unlike cattle rustling in pastoral areas in which entire herds may be stolen, two or three cattle are generally stolen with the use of crude weapons or sometimes guns, necessitating the keeping of cattle inside at night. It was noted that there is inadequate cooperation between administrators from the two counties to address the problem, and poor infrastructure makes it difficult to recover any of the stolen cattle.<sup>71</sup> The problem of cattle theft was also noted in Emuhaya by the local ward administrator who noted that this was particularly bad in October and November, but that partnership between ward administrator, chief and communities had helped to address it.<sup>72</sup>

## **Violence against women and children**

An incident was described from December 2014, of 3 girls aged between 10 and 14, on their way to collect soil to smear the house, when they were attacked by a gang and raped. Sexual violence in its various forms of rape, defilement and incest was a major focus and concern in all sectors interviewed for this survey. Statistics from health facilities in Vihiga help to indicate the prevalence of sexual violence, but may be considered to be the tip of the iceberg, given that sexual violence frequently goes unreported. Statistics are given below (see figures 3 and 4). These may be compared with statistics collected by Maendeleo ya Wanawake (MYWO) representatives at the village level (figure 5). However, these are still not representative of the true scale of the problem.<sup>73</sup>

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<sup>68</sup> Interview, Catholic parish priest, Mbale, 9 January, 2015

<sup>69</sup> Interview, national administrator based in Vihiga, Mbale, 8 January, 2015

<sup>70</sup> Former chief, Mbale forum

<sup>71</sup> Interview, national administrator based in Vihiga, Mbale, 8 January, 2015; Also noted by a former chief, Mbale forum

<sup>72</sup> Interview, ward administrator, Emuhanya, 36 years, Mbale forum

<sup>73</sup> MYWO (2014) report (unpublished)

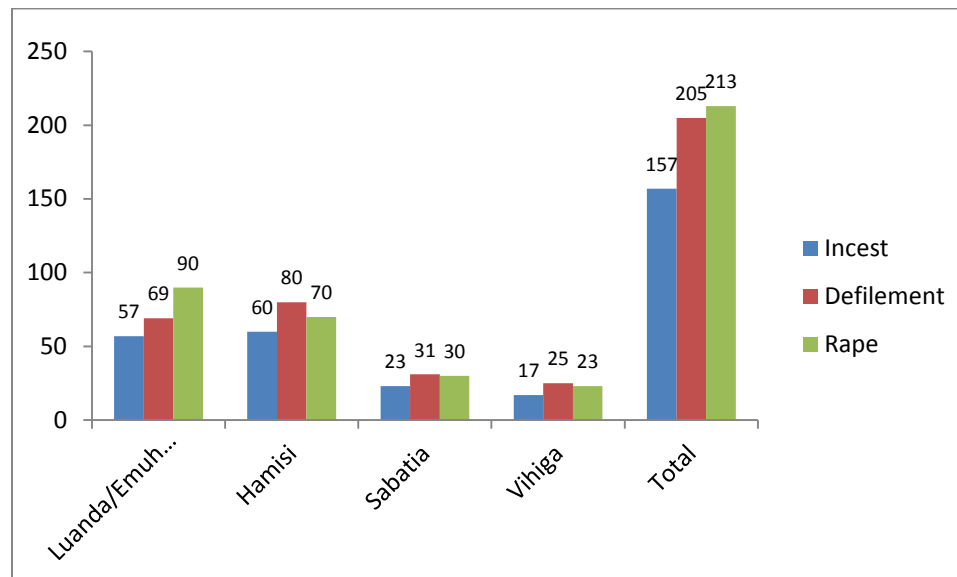
*Figure 3: Vihiga county hospital admissions for rape in 2014*



*Figure 4: Vihiga county hospital visits for attempted rape and sexual assault in 2014*



Figure 5: Cases of sexual violence handled by Maendeleo ya Wanawake in sub-counties of Vihiga county



MYWO representatives noted that of the incidents noted in Figure 5, some are now in court, some perpetrators, have been jailed, but some have been thrown out of court due to lack of evidence.<sup>74</sup>

Defilement (sex with a minor) is a problem in the county, related to poverty of the young victim who is enticed by money or gifts.<sup>75</sup> Incest was noted to be a common problem in Hamisi, Bunyore, Bungoma and more recently, Maragoli. Chiefs may be unwilling to act upon it, or may occasionally be culprits, making it difficult to address the problem as chiefs are the first contact for crime in rural areas.<sup>76</sup> Incest is difficult to define in Vihiga, as traditionally it is unacceptable to have relationships with even distant cousins. However, even according to the more usual definition of incest (that is, sex between first degree relatives) the practice is common in the county. A former chair for the women's organization Maendelao ya Wanawake described the events which may lead to incest. A breakdown in relationship between spouses, which may involve domestic violence, may lead to separation of the two within the same house, and separate rooms. Thus a sexually frustrated man may choose to force himself upon his own daughter.<sup>77</sup> Alternatively this may happen while mothers are absent at work.<sup>78</sup>

<sup>74</sup> Statistics provided by MYWO, (unpublished) January 2015

<sup>75</sup> Interview with 2 members of Quaker Church, Kaimosi, 8 January 2015; concurred by a religious leader from another church

<sup>76</sup> Phone interview, a deputy county commissioner, Vihiga, 10 January, 2015; This was also noted by in an interview with MYWO, women from the Vihiga county, Mbale, 8 January, 2015.

<sup>77</sup> Former chair of MYWO, Mbale forum, 8 January, 2015

<sup>78</sup> Interview, County Youth Leader, Mbale, 8 January, 2015

People noted that traditionally, incest was condemned and perpetrators banished from the community. Children born of incest were often left to die or given away to the neighboring Nandi tribe as they were considered to bring a curse on the family. Today it is not clear what usually happens although incidences of abandonment or killing of the babies were described. Some such children are taken by force from the mother and some may be given to children's homes.<sup>79</sup> The issue is often dealt with quietly so as to preserve the good name of the family, or peace with the clan, and even wives may choose not to report what is going on.<sup>80</sup> A chief noted that communities are in denial over its existence.<sup>81</sup> Tribal laws along with concerns about the fate of the children may also play a part in the under-reporting.<sup>82</sup>

Under-reporting of sexual violence is related to several factors. Shame and stigma, lack of knowledge of rights, and fear of not being believed are well understood but it was also noted that sometimes in cases of defilement, people are fearful of repercussions and unwilling to testify against the perpetrators who are often older men.<sup>83</sup> Alternatively people may try to protect culprits from harsh punishments. Lastly, culprits may pay compensation to families or victims without the law being officially involved. This may be a formal arrangement endorsed by community leaders,<sup>84</sup> or an informal arrangement or even a bribe.<sup>85</sup>

Factors in sexual and physical violence of various forms were suggested to include drug and alcohol abuse and unemployment of men together with the feeling of not being respected as the woman is the breadwinner.<sup>86</sup> Physical violence was also related to accusations of unfaithfulness, and the woman failing to cook food when a man returns to the house (often drunk), due to her heavy workload.<sup>87</sup>

Other concerns raised are that many girls are becoming barmaids, and through this, moving into commercial sex work. An organization has been created to combat this transition.<sup>88</sup> Child labor was also described by a chief who explained this by the fact that families are overburdened with large families.<sup>89</sup>

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<sup>79</sup> Phone interview, former chair MYWO, 10 January, 2015; A priest noted how he had managed to rescue a child who was going to be killed, and took the child to a children's home, Vihiga, 9 January, 2015

<sup>80</sup> Chair of MYWO in Vihiga, Mbale forum, 8 January, 2015; also an elder from Kidinye village, 9 January 2015; also concurred by a deputy county commissioner, Vihiga, 8 January, 2015

<sup>81</sup> Phone interview, an assistant chief in Maragoli, 13 January, 2015

<sup>82</sup> Interview, elder from Kidinye village, 9 January 2015

<sup>83</sup> Phone Interview, Bishop from Evangelical Alliance of Kenya, 14 January, 2015

<sup>84</sup> FIDA (2013) describe such traditional justice mechanisms for dealing with sexual violence, which tend to undermine the victims needs and rights.

<sup>85</sup> Security and administrators in focus discussion, Mbale, 15 January

<sup>86</sup> Interview, elder from Kidinye, Mbale, 9 January 2015

<sup>87</sup> Former chair of MYWO from Emuhaya, Mbale forum

<sup>88</sup> Assistant Chief of Emuhaya, Mbale forum

<sup>89</sup> Assistant Chief of Emuhaya, Mbale forum

The county has announced plans to place a one-stop gender-based violence clinic (providing health and legal assistance and trauma counselling) and a children's rescue center in each sub-county, which may assist victims to get the help they need.<sup>90</sup>

### **Religious conflict**

Several indigenous churches exist in Vihiga, including Israeli, African Pentecostal Assemblies of God (breakaway from PAG), African Divine Church, African Nineveh Church. Leadership wrangles have been a problem in some of these churches leading to conflicts which have been taken to court.<sup>91</sup>

Fighting erupts from August to December every 5 years among the Tiriki sub-tribe at the time for ritual circumcision. The original circumcisers known as 'Tiriki Mtisuni' (of the forest) carry out the rituals in the traditional fashion in the secrecy of the forest. The ritualized element has been largely discarded by a more modern method by circumcisers known as 'Tiriki Wasomi' in a clinic setting which satisfies the Christian Tiriki.<sup>92</sup> The traditional group are feared for coming with drums and finding uncircumcised young people in public places who would be then forcefully circumcised. Fighting between youths allied to different groups, incited by elders, may lead to raiding of homes at night, assaults, and destruction of property. A youth leader noted the need for civic education in preparation for this period of time, which is expected in 2015.<sup>93</sup>

### **Community-police relations**

Police and youths have a poor relationship in parts of Vihiga. Youths in Majengo rioted in October 2014, complaining that they are unfairly harassed by police, arrested arbitrarily and ordered to pay fines for their release of up to 20,000. Youths had earlier attacked 2 police officers in the own.<sup>94</sup> A chief concurred that the attack of state actors and police has been a rising trend in the county.<sup>95</sup>

There are many reports of police complicity in crime. Many people noted that the security personnel are linked to criminals, drug dealers and even changaa transporters, complicating efforts to deal with crime.<sup>96</sup> Security personnel noted that junior officers who are often accused of collecting bribes, are in fact sent by the seniors to collect money for them. In Tiriki at the notorious Chavakali junction an officer had been placed specifically to collect money, and had

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<sup>90</sup> Vihiga County (2014)

<sup>91</sup> Assistant chief in Hamisi, Mbale forum

<sup>92</sup> County Youth President Mbale forum; Security and administrators in focus group discussion, Mbale, 15 January 2015

<sup>93</sup> Interview, email correspondence with County Youth Presidential Vihiga and Assistant Organizing Secretary National Youth Bunge Association, 17 January 2015

<sup>94</sup> Dareel (2014)

<sup>95</sup> Local Bishop, Mbale forum; Confirmed by a chief in the same forum

<sup>96</sup> Civil society member, Mbale forum

even employed some of the *manambas* (touts) to harass matatu drivers to collect on his behalf.<sup>97</sup>

The link between changaa and the security has been previously noted. Security officers stated that since it is a bylaw created by the county, it is the county's responsibility to police the issue. However, the county does not have the capacity to police changaa, and thus there is corruption and lack of coordination, creating a loophole in the law.<sup>98</sup>

Further, it was noted that criminals are using guns rented from the security, for example, in Luanda a security officer has been interdicted for renting a gun to a youth which was used to commit a crime.<sup>99</sup> At Magada patrol base, it was alleged that some police officers who have been based there for over 10 years are linked with cattle theft. A butcher that was receiving and slaughtering stolen cattle was closed by the government, but has been opened again and the several security officers are given both a cut of the money and the meat.<sup>100</sup> It was noted that the police harass the citizen on the ground. A community leader noted 'when the community members see police they run away.'<sup>101</sup> Thus there is little trust in the state to provide security.

An elder described how he was the victim of violent armed robbery by a gang of young men with machetes. A citizens' arrest was made after he raised an alarm. After a year in court, only 4 of the 8 were convicted and sentenced for robbery with violence (a death sentence). Furthermore, after a year, these 4 were freed, one of whom was recently caught robbing a school.<sup>102</sup> He felt that corruption had been involved and noted that this dissuades people from reporting, particularly if the released criminal will come back to revenge. The same issue was recently raised by the MP for Vihiga, Chanzu, who said that the failure by police to deal properly with criminals was leading to mob justice, 'There is no need of handing a thug to the police who later releases him and he comes to steal again. The law of the jungle may have to help in these cases.'<sup>103</sup>

## ***Crime Prevention Activities***

### **Working with communities in crime and violence prevention**

It was noted that regular peace meetings have been organized by the sub-county commissioner in Emuhaya to assist in bringing peace between communities of Emuhaya and Nyanza since July 2009. Alcoholism and the use of *omusala* (a local name for bhang) which were a source of

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<sup>97</sup> Businessmen, local and people from near the area, Mbale forum; Also interviews with the same, 8 January, 2015

<sup>98</sup> Security officer, Mbale forum

<sup>99</sup> Interview a local who has links to the sister of the youth who rented the gun, 8 January, 2014.

<sup>100</sup> Interview, name withheld, Vihiga, 7 January, 2015

<sup>101</sup> Interview, community member, name withheld, Mbale, 9 January, 2015

<sup>102</sup> Interview, elder from Kadenye, Mbale, 9 January, 2015

<sup>103</sup> Lungai (2014)



violence have been successfully reduced.<sup>104</sup> According to security and administrators, provision of peace education to the local communities in villages is also a necessary part of conflict management, because, information from urban meetings may not otherwise filter down. The Government has allowed local leaders such as chiefs and MYWO to address the public at funerals and barazas on issues of crime and violence.<sup>105</sup> Lastly, county and national government officials like ward administrators and chiefs were noted to play prominent roles in conflict management.

### **The role of faith-based organizations**

The church in Vihiga is very highly attended and may provide a useful forum for assistance of youths and addressing certain insecurity problems at the grassroots. The Catholic parish priest of Mbale noted that the parish has a Justice and Peace Department which has been able to intervene in conflict affecting its members at the local level before it escalates to require intervention by the chief. The parish also aims to address issues of drugs and alcohol, and to engage young people. A protestant religious leader described the impact the church has had, 'Mhagada used to have major insecurity and people used to drink a lot of changaa. This was reduced through prayers.'<sup>106</sup> This feature of Vihiga is one which could be facilitated further for peace.

### **Meeting the needs of youths and women**

The county has instituted some valuable initiatives towards community safety, including the planned creation of a children's rescue centers and gender violence one-stop centers. Since 2011 USAID have sponsored youths in capacity building and mentorship trainings in various categories, and assisted in formation of over 700 village youth bunge (gatherings). Bunge in Vihiga are under one umbrella organization called Vihiga County Youth Bunge Forum which is linked to National Youth Bunge Association which acts like a parliament in representing youth interests. The county youth leader commented that to an extent youth are enlightened and some are socio-economically empowered. This may have contributed to peaceful campaigns before the 2013 election. USAID has also assisted a lot needy children from vulnerable families with school fees and have worked on HIV/AIDS with Pathfinder International's APHIAplus program.<sup>107</sup>

To assist young people in the boda boda industry, several organizations including the county government, Constituency Development Fund and NGOs have been assisting young people to

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<sup>104</sup> Security and administrators in focus group, Mbale, 8 January, 2015

<sup>105</sup> Interview, Chair of MYWO Vihiga, Mbale, 8 January, 2015

<sup>106</sup> Bishop from Vihiga, Mbale Forum, 8 January, 2015.

<sup>107</sup> E-mail correspondence with County Youth President Vihiga and Assistant Organizing Secretary National Youth Bunge Association, 17 January 2015

buy their own bikes. This is to create job security for those who are currently hiring bikes and could be fired at will.<sup>108</sup>

It was noted that people who are arrested are often released and continued to bring problems. Thus there is a need for effective rehabilitation. A chief noted how she counselled one such young man who claimed that he was 'neglected', and therefore committed crime. The chief managed to assist the young man to do farming, and successfully rehabilitated him.<sup>109</sup> The chief had clearly gone beyond the call of duty here, and many such efforts may be going on in the county that the survey has been unable to represent.

Maendeleo Ya Wanawake Organization (MYWO) describes itself as a non-profit voluntary women's organization with a mission to improve the quality of life of the rural communities especially women and youth in Kenya. The organization has representatives at the local level who are active in sensitizing the community, detecting and following up cases of sexual violence through the court process.<sup>110</sup> The Evangelical Alliance of Kenya are also involved in campaigns, civic education, counselling and rehabilitation of victims. They are also entering prisons to assist in the rehabilitation of offenders and facilitate their re-integration and acceptance by the community.<sup>111</sup>

In Kisumbai, as a response to increasing crime a *nyumba kumi*<sup>112</sup> initiative was started a year ago. A similar initiative was used in Hamisi to deal with a violent gang known as '15 brothers', collecting names which were submitted to the CID.<sup>113</sup> In Kidinye, due to insecurity, vigilante were employed by the community to do night patrols. Nyumba kumi, it was felt, had not got off the ground at all.<sup>114</sup>

## **Conclusion**

Vihiga is a busy populous and youthful county. It thrives on good rainfall making the area suitable for agriculture. Literacy and school enrollment rates are high, but high fertility rates and high unemployment make crime a concern both a present and future concern. In terms of formal security structures, the county has a typically low number of police per head (the same as national average). As well as the usual patrols, efforts have been made by the security to involve communities in security meetings and peace committees. Community policing activities are present in a few areas, but this may increase since the gazettelement of the legal provisions for county policing authorities in January 2015, which will allow the authorities to be formed

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<sup>108</sup> Luvega (2014)

<sup>109</sup> Assistant chief, Mahanga sub-location, Mbale forum

<sup>110</sup> Statistics provided by MYWO, (unpublished) January 2015

<sup>111</sup> Phone Interview, Bishop from Evangelical Alliance of Kenya, 14 January, 2015

<sup>112</sup> *Nyumba kumi* (10 houses) is a method of neighborhood watch which has been present in Tanzania since the 1970s, but has been proposed in Kenya since 2013 as a strategy to combat increasing terrorist threats.

<sup>113</sup> Deputy County Commissioner, Mbale forum

<sup>114</sup> Interview, elder from Kadenye, Mbale, 9 January, 2015

and choose their lay members, and begin one of their tasks of promoting and overseeing community policing activities. Stakeholders in security issues also include a number of non-governmental and civil society organizations with a general focus towards development, agricultural assistance and health whose work has direct or indirect relevance to crime and violence, and religious organizations (mainly churches).

Although the county is relatively peaceful overall, a variety of crimes were of concern to the official security, national and county administration, civil society and community members sampled. Land conflict was a particular problem owing in part to the high population pressure on the area. The county faces the usual challenges of youth and male unemployment leading to petty crime and gang activities, and crimes and offences surrounding the *boda boda* (motorbike taxi) industry. In particular, the survey brought out the issue of *changaa* transportation, which illustrates the need for coordination, both between neighboring county governments and between the county and national government, since the county do not have their own police to enforce the laws they make. This may be a growing issue in the years to come after devolution. Interventions to assist young people are already being made by a variety of civil society and non-governmental organizations, some of whom are working with government agencies.

The issue of sexual violence is an important one in Vihiga, with social breakdown for a number of reasons leading to an alarming number of cases of incest and defilement. The issue is often handled by civil society organizations. It illustrates very strongly the need for partnerships in crime prevention both for detection of cases, and also prevention through advocacy and capacity building and rehabilitation of offenders. Several crimes and violence in Vihiga are related to religious disputes, which again, stresses the need for religious organizations to be brought on board in crime and violence prevention. They also have a role to play in community interventions involving assistance to youths, supporting families and peace-building between communities.

As in other parts of the country, the relationship between police and community is often poor and clouded by mistrust and corruption.<sup>115</sup> Lack of evidence and other factors (bribery being among them) leads to release of arrested suspects and contributes to the problem of mob-justice. It can be seen that better relationships may lead to better information and more targeted effective arrests, hence improving the trust in the police and maintaining the relationship, but such a situation is currently evasive.

Vihiga county seems to offer good scope for a crime and violence prevention training. The survey was able to bring together a large number of representatives from various sectors who shared common concerns, thus suggesting there may be a readiness to work together. Partnerships are present but could be encouraged more, and the role of churches, which are very influential in the county, could be augmented. The *boda boda* industry is a particular area which has reached the level of national debate, and by working together, issues of training, and

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<sup>115</sup> Mkutu, Marani, and Ruteere (2014)

road traffic offences could be tackled, as well as the problem of changaa transportation. Building trust and understanding between the various sectors involved could assist with valuable information sharing, and tactical interventions.

The survey reveals that it is a prime time to bring crime prevention training to the local level in Vihiga. The issues identified in the survey are multifactorial, and require more than simply law-enforcement. County policing authorities will soon be set up and will be required to identify priorities. It is vital that the various sectors are aware of what they have to offer the county, and vital that their potential contribution is recognized by the formal security structures which are unable to manage the challenges on their own.

# NAKURU COUNTY

## *Overview of the County<sup>116</sup>*

Nakuru is a cosmopolitan county in the Rift Valley and home to Kenya's fourth urban center. It has an area of 7,495 sq km. It borders seven counties including Baringo county to the north, Laikipia to the north east, Nyandarua to the east, Kajiado to the south, Narok to the south west and Bomet and Kericho to the west. The country is situated within the Great Rift Valley region, at an altitude of 1859m, and as such, it attracts many tourists with its superb scenery such as lakes Naivasha, Nakuru, Elementaita and Bogoria, and Longonot and the Menengai mountains and craters, as well as Nakuru National Park. There is a suitable climate and landscape for horticulture (around Lake Naivasha) commercial agriculture (e.g. wheat, coffee, tea, kale, cabbage, maize, beans, peas, potatoes and pyrethrum), dairy farming and ranching. Nakuru has also been able to develop industries to process its various produce, such as wheat processing and flour milling factories and milk processing plants. Nakuru county is made up of 11 constituencies namely Molo, Njoro, Naivasha, Kuresoi North, Kuresoi South, Gilgil, Subukia, Rongai, Bahati, Nakuru Town West and Nakuru Town East.

The 2009 National Population and Housing Census notes that Nakuru had a population of 1,603,625 with an average population density of 214 persons per square km. It is estimated to have grown to around 1.8 million persons by 2014 and is projected to grow to 2.0 million persons by 2017.<sup>117</sup> It is a youthful population with 43% aged 0-14 years, although the majority household size is 0-3 persons.<sup>118</sup> Ethnic groups in Nakuru are many, including Kalenjin, Kikuyu, Luhya, Gusii, Luo, Meru, Kamba, Maasai, Turkana and Kenyans of Sudan origin. Nakuru also has a large population of Indian and European Kenyans and has historically been one of the wealthiest parts of Kenya. Nakuru was historically the cleanest and most well planned town in 1990s, and had a booming economy from 1997-2000.

Nakuru's County Development Index is 0.6039, (national figure 0.52045).<sup>119</sup> 55% of adults have completed primary education, while only 28% have completed secondary education. The HIV/AIDS rate is 5.3% (7.5% of females and 4.5% of males) as compared to the national average of 6.04%.<sup>120</sup>

## *Overview of Security Concerns*

Main security concerns raised in a forum attended by various stakeholders, as well as by individual interviewees are listed below.

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<sup>116</sup> Some of the information in this section comes from Nakuru County (2014) First County Integrated Development Plan, 2013-2017

<sup>117</sup> KNBS (2009)

<sup>118</sup> KNBS/SID (2013)

<sup>119</sup> CRA (2012)

<sup>120</sup> NACC (2014)

- Political conflict in 1991, 1992, 1997, and 2007-8
- IDPs and resettlement issues
- Land conflicts in MaiMaiu area (Masai and Kikuyu)
- Narok and Kajiado boundary conflicts
- Cattle rustling (armed)
- Small arms acquisition by many
- Unemployment and poor pay for workers
- The growth of informal settlements
- Illicit brew and bhang
- Illegal immigration
- Petty crime
- Violent robbery
- Car theft syndicates and carjacking
- 'Kata hema' cutting the tarpaulin covers on trailers and stealing the goods.
- Gangs
- Domestic violence
- Economic crimes
- Educational crimes

In 2013 a team under the County Peace Monitor (under the National Steering Committee) put together a list of key conflict issues in the county which overlaps to some extent with the above.

- Land disputes.
- Mau evictions.
- Political incitements.
- Cattle theft.
- Negative ethnicity.
- Squatters / IDP's resettlement.
- Conflicts over resource sharing.
- Food insecurity.
- Poverty.
- Unemployment.
- Illiteracy.
- Small business related conflicts.

## ***Overview of Security Provision***

Limited information was available on the police provision and strategies in the county.

*Figure 6: Security Installations in Nakuru County*

	<b>Divisions</b>	<b>Stations</b>	<b>Patrol Bases</b>	<b>Camps</b>	<b>Posts</b>
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<b>Kenya Police</b>	Information not available				
<b>Administration Police</b>	9		-	-	171

## ***Other Stakeholders in Crime and Violence Prevention***

A large number of players directly involved in crime and/or violence prevention were identified in the work including civil society and community-based organizations some of whom are working with youths to promote peace, and NGOs such as Saferworld and PeaceNet with peace building roles in areas of conflict surrounding land disputes or IDP resettlement. Faith-based organizations such as the Catholic Justice and Peace Commission, National Council of Churches Kenya and Supreme Council of Kenya Moslems are also actively involved in peace building. Players with a focus on development also include UNHabitat (IDP resettlement), several youth empowerment civil society organizations( since meeting the needs of youths goes hand in hand with peace building) and many others.

In Nakuru, a particularly active role is played by District Peace Committees (DPCs) in peace building and violence prevention. The National Steering Committee on Peacebuilding and Conflict Management (NSC) which oversees the DPCs, was established in 2001 within the Ministry of Interior and Coordination of National Government in the Office of the President. It describes itself as an interagency committee that seeks to strengthen, co-ordinate, and integrate various conflict management initiatives, the government and civil society organizations (CSOs). Peace Committees have been established in many districts of Kenya, and continue to be known for the most part as District Peace Committees despite the change to counties and sub-counties. The model began in Kenya in Wajir in the 1990s and was steadily replicated as needs dictated especially among pastoral communities, in Mandera, Garissa, Marsabit, Moyale, Turkana, Pokot, and Tana River and later after the inter-ethnic post-election violence of 2007-8.<sup>121</sup>

## ***Specific Aspects of Crime and Violence***

### **General crime**

Nakuru has experienced rising levels of violent crime in recent years such that in December, 2014 a police special force was sent to Nakuru town to deal with this trend. In Nakuru town, certain hotspots of crime were identified in a recent study. These are Pundamali, London, Manyani, Lake View and Msalaba, as well as parts of Bondeni (mentioned in section on gangs below).<sup>122</sup> Armed crime is a particular problem in the county.<sup>123</sup> In 2013, November a lecturer

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<sup>121</sup> See <http://www.nscpeace.go.ke/nsc/>

<sup>122</sup> SRIC (2014)

<sup>123</sup> Interviews, FGD with youths and women. Nakuru, 22-23 Januar 2015

was shot in the back attempting to run from his car which had got stuck in mud as he was being chased by armed gangsters.<sup>124</sup>

Some individual crimes were mentioned which are of interest. The poaching of donkeys has been noted in Nakuru town. A night worker mentioned that from 1am there were a number of people carrying loads, some on motorbikes. Notably this is the time when police patrols have ceased; therefore these loads are not being checked.<sup>125</sup> A large number of immigrants are living in Pipeline, who it was alleged are involved in the siphoning of fuel. Some police and local administration are said to be linked to the activity, such that the issue is not dealt with. Nine groups are said to contribute 5000 each per week towards a bribe.<sup>126</sup> A further rather mysterious crime was described by a chief who had himself been a victim of theft during the night, aided by the use of sedative sprays which put the homeowner into a drowsy state.<sup>127</sup>

## Gangs

There are many gangs active in Nakuru and this is not intended to be an exhaustive list, rather to provide some useful insights. A Catholic community worker noted that worryingly, even children are getting involved in gangs.<sup>128</sup> A report by SRIC (2014) noted the presence of 8 gangs in Bondeni informal settlement in Nakuru, which was considered more unsafe than Kibra (Nairobi's largest informal settlement). The gangs were: Makaveli, Backyard, Mtaro Base, Wajanja, Wazelendo, Gengejuu, Lumumba and Westside. Activities included muggings and pickpocketing, demanding protection fees, drug abuse and trafficking (Mtaro base) and kidnapping (Lumumba). Hotspots for crime in the settlement included Kamkunji, Msalaba (base for Makaveli gang), Makaburi, Barma, NYS, Shuleni Rd, and around the Seventh Day Adventist church/Mburu Gichuru Rd.<sup>129</sup> The study also noted that Bondeni had the highest youngest population, the highest population with the lowest levels of education and highest levels of unemployment which are likely to be connected to the high levels of crime.<sup>130</sup>

The Mungiki are said to be re-assembling in Nakuru<sup>131</sup> and have issued threatening leaflets warning other communities to leave. It was noted that Nakuru was the headquarters of Mungiki before they shifted to Subukia and the gang still manages matatu stages, contributing to crime and violence in the area.<sup>132</sup> A gang known as the 'Blue Boys' has been assembling in the forest area in Rongai, and has aspirations linked to land.<sup>133</sup>

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<sup>124</sup> Mkawale (2013)

<sup>125</sup> Taxi driver, Nakuru forum, Nakuru, 22 January, 2015

<sup>126</sup> Interview, elder from Nakuru, Nairobi, 3 February, 2015

<sup>127</sup> Reported by a chief and a member of MYWO in Nakuru forum

<sup>128</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>129</sup> SRIC (2014)

<sup>130</sup> SRIC (2014)

<sup>131</sup> Focus group with youths, Nakuru, 22 January, 2015

<sup>132</sup> Interview, name withheld, Nakuru, 23 January, 2015

<sup>133</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015



Kivumbini is troubled by a history of election violence and a high level of alcoholism and general crime.<sup>134</sup> One of the gangs in the area, known as ‘Confirmed Safaricom’ accesses peoples phone accounts to remove money, and attacks vendors and customers at MPesa places. The gang has been targeted by the police and some have themselves been victims of extrajudicial killings.<sup>135</sup>

## **Youths and unemployment**

Unemployment is high in Nakuru, particularly in the growing informal settlements and this leads youths into drugs, drinking and theft.<sup>136</sup> Indeed, unemployment is universally mentioned as a major contributor to crime and violence, even in the home. One community leader gave his opinion that young people have been trained in the classroom and are waiting for non-manual jobs which are few.<sup>137</sup> However in other areas such as Barut, early school leaving has led to underage labor in the quarry industry.<sup>138</sup> Another skill which is wanting is money management,<sup>139</sup> a proposed solution for this is ‘table banking’ (a simple form of banking and acquiring loans).<sup>140</sup> Further, there is a general lack of social amenities for children and youths in estates.<sup>141</sup>

## **Boda boda**

According to traffic police records from 2010, Nakuru town has more than 3,000 motorbike boda boda operators. However, another estimate gives the figure at around 6000, while the Chairman of Boda Boda operators for Nakuru town noted that the town alone has more than 8,500 operators and there are 25,000 operators in the county.<sup>142</sup> An exercise to evict hawkers from Nakuru town took place in 2014, due to their taking over of public space and roads, leading to congestion and insecurity. However, it was noted that the space was filled by boda bodas (including 3 wheeler tuk tuks) which is again causing congestion and noise. Decisions regarding whether or not to allow boda bodas into the CBD may be subject to politics (vote winning, as was evidenced in Kisumu).<sup>143</sup> A county tax is taken from operators, of 500 Kshs within the CBD, and 300 Kshs within the town but outside the CBD. This amounts to an income of at least 30 million per year from the boda bodas in the town.

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<sup>134</sup> Interview, a youth from Kivumbini, Nakuru, 22 January 2013

<sup>135</sup> Focus group with youths

<sup>136</sup> Youths from Barut Forest and Menengai, Nakuru forum

<sup>137</sup> Member of Residents Association in Nakuru, Nakuru forum

<sup>138</sup> Youth from Barut Forest, Peace Committee, Nakuru forum

<sup>139</sup> Member of Residents Association in Nakuru, Nakuru forum

<sup>140</sup> Interview, member of the senator’s office, name withheld, Nakuru, 23 January 2015

<sup>141</sup> Focus group with youths

<sup>142</sup> Kiplagat (2015)

<sup>143</sup> Mkutu, Marani and Ruteere (2014)

Boda bodas work from 5 am to around midnight. As in other counties, the mode of transport also lends itself to criminal activity and quick getaways.<sup>144</sup> Victims are shocked and confused as they find their bag snatched or cut from their arm and only see a boda boda disappear into the distance.<sup>145</sup> A police commander was reported saying, 'These motorbikes are giving us a lot of headache and are a threat to security in the town as many are operated by gangsters posing as boda boda operators.'<sup>146</sup> A report by SRIC (2014) was able to identify that boda boda operators may, in collusion with criminals, leave their customers to be mugged in certain places in Nakuru town, such as the NYS area along Mburu Gichuru Rd.<sup>147</sup>

As noted, injuries and deaths due to road traffic accidents are common amongst boda bodas. In January 2015 alone the traffic department had recorded 10 boda boda accidents.<sup>148</sup>



*Picture 2: Boda boda operators in Nakuru*

Boda boda operators riding non-motorized bicycles described how they have to struggle for a stage, since none are designated to them. They also face wrangles with county askaris who may harass them for a bribe. They noted that they have no legal representation in the event of being accused of crime.<sup>149</sup> Motorcycle boda boda operators described similar struggles, such as arguments at stages with matatu operators who see them as competition, harassment by the

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<sup>144</sup> *Standard Online (The)* (2014)

<sup>145</sup> Kulei (2014)

<sup>146</sup> Murethi (2010)

<sup>147</sup> SRIC (2014)

<sup>148</sup> Kiplagat (2015)

<sup>149</sup> FGD bicycle boda boda operators, Nakuru town, 23 January, 2015

regular police and administration police and arrests without wrongdoing, but the judiciary are in collusion with the police. Bribes of 5000 Kshs may be asked, which may constitute a week's earnings.<sup>150</sup> Boda boda in Nakuru have yet to organize themselves into an association such as exists in other parts of the country.

### **Violence against women and children**

The Gender Recovery Centre in Nakuru is a referral center for gender based violence, based in Nakuru National Hospital and has been assisted by the University of Liverpool in training staff. From January to December 2014, the center dealt with 2365 cases (free of charge in accordance with the law). Cases of sexual violence are given below (figure 7). These may be referred by other agencies, including the paralegal sector.<sup>151</sup> In addition to these, 1823 cases of non-sexual violence were dealt with. At the time of interview, in the preceding 4 days, the center had already dealt with 6 cases of defilement of girls aged between 12 and 15, 3 cases of rape of women (in their 20s) and 5 cases of physical violence against women.<sup>152</sup>

The Centre provides medical treatment, documentation and preservation of evidence, counselling advice and support. There are no overnight beds and those in need of inpatient medical treatment are referred to the main hospital. The Centre also carries out sensitization activities, through posters and talks in churches and schools, especially where a school has a record of sexual violence. In terms of partnership, the Centre works with the media, police, churches, private hospitals, human rights groups and social workers.<sup>153</sup>

A paralegal advisor concurred that violence against children has become a significant problem in the county.<sup>154</sup> Rape and incest are particularly high in Kaptembwa.<sup>155</sup> Family breakdown, drunkenness and unemployment as well as the problem of unsupervised children<sup>156</sup> were noted to be important factors in sexual violence. Cultural factors are also important, with female genital cutting taking place in December by Kisii and Kalenjin.<sup>157</sup>

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<sup>150</sup> FGD boda boda operators, Nakuru town, 23 January, 2015

<sup>151</sup> Interview, Director of NGBVC, Nakuru, 22 January, 2015.

<sup>152</sup> Interview, Counsellor at NGBVC, Nakuru, 22 January, 2015

<sup>153</sup> Interview, Director of NGBVC, Nakuru, 22 January, 2015

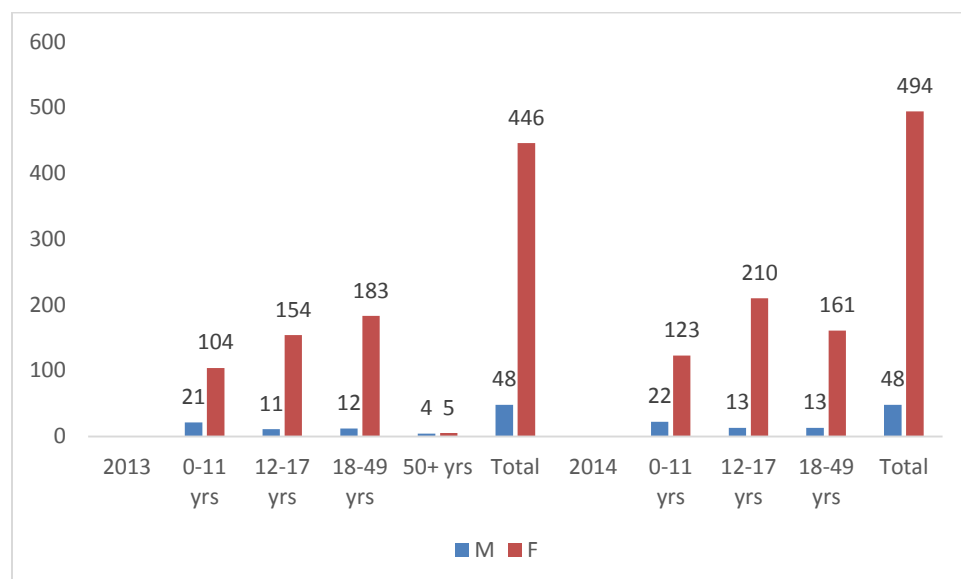
<sup>154</sup> Paralegal advisor, trained by COVAW, Nakuru Forum

<sup>155</sup> Interview, Director of NGBVC, Nakuru, 22 January, 2015.

<sup>156</sup> Interview, Counsellor at NGBVC, 22 January, 2015

<sup>157</sup> Paralegal advisor, Nakuru forum

*Figure 7: Nakuru county cases of rape seen by Gender Recovery Centre at Nakuru National Hospital*



The Director of the NGBVC noted a number of barriers to protecting a child. The first problem is under-reporting, and the difficulty of families attempting to protect a perpetrator when they are also a family member, or a lover of the mother. The gender desk at the central police was originally well planned with a playground, but it has become run down and the playground does not appear to be used as such. The obligatory P3 form filled out by the police is the only link between the center and the police, and following up cases with the police is difficult due to lack of capacity.

There is a lack of safe havens in the county and at times girls may sent home again, kept with older women, or worse, kept together with child offenders. Extricating a child to a children's home may be a lengthy legal procedure. Families may have no money for fare or food. Female officers may sometimes provide useful assistance, beyond the call of duty. At times male police officers may be insensitive to the issues and needs of victims and may even blame them for what has happened. Even more disturbing is the account was given of a 10 year old orphan victim of rape brought to the police station by her grandmother. When the grandmother had gone with a police officer to go and identify the perpetrator, the girl was left with another male police officer who took her to an empty room where he also proceeded to rape her.<sup>158</sup>

It was noted that the police has not historically been focused on the needs of women or children but that more could be done in terms of the design of stations and facilities provided to consider their needs.<sup>159</sup> Support services are also important. In Nakuru, FIDA may assist

<sup>158</sup> Interview, Director of NGBVC, Nakuru, 22 January, 2015.

<sup>159</sup> Interview, Director of NGBVC, Nakuru, 22 January, 2015

some cases providing pro-bono legal assistance,<sup>160</sup> and counselling and support are part of the services at the GBVC as noted.

### **Internally displaced persons (IDPs)**

There are a large number of IDPs in Nakuru following political violence, particularly to 2007-8 post-election violence. Government programs have attempted to compensate some IDPs while the government led 'Operation Rudi Nyumbani' resulted in the building of a large number of homes (assisted by UNHabitat). These programs have been fraught with problems however. While some IDPs have been living in camps, others became integrated into other communities or lived with families. Although the latter have lost property, they are not considered eligible for compensation or resettlement because their situation is not felt to be urgent. An example was given of a family from Katembwa, who moved to Pipeline due to conflict, which led to the torching of their property. They have not received compensation, but in response to this, along with others they have registered themselves as an organization and put their request to the national government.<sup>161</sup> It was also noted that in some cases people have chosen to rent out the homes, or sell the materials and land.<sup>162</sup> Further, there is a great deal of ill feeling towards 'bogus IDPs,' those who, it is claimed, did not actually lose their original land but who joined camps and are being resettled, therefore they have 'double'.<sup>163</sup> It is alleged that a great deal of corruption surrounded Operation Rudi Nyumbani,<sup>164</sup> and that certain communities have been left out of compensation.<sup>165</sup> Admittedly, in some cases, particularly those halfway through legal proceedings, the level of genuine need is difficult to assess. Thus the situation is extremely complex and prone to conflict. It was also noted that many IDPs remain traumatized and some would wish to revenge.<sup>166</sup>

Lastly, the lack of consultation with host communities, or even prior preparation has created great tension and some outbreaks of violence, with suspicions that on some occasions politicians are moving people in to create voting blocks.<sup>167</sup> There has been great tension a result of resettlement in Rongai and MaiMaiu,<sup>168</sup> with clashes in 2012 in Banita, Rongai leading to several admissions to hospital for injuries.

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<sup>160</sup> Member of Maendeleo ya Wanawake (MYWO), Nakuru, Nakuru forum, 22 January, 2015

<sup>161</sup> Interview, elder from Nakuru, Nairobi, 3 February, 2015

<sup>162</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>163</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>164</sup> Several interviewees noted this, including a prominent politician, Nakuru, 23 January, 2015

<sup>165</sup> Interview, elder from Nakuru, Nairobi, 3 February, 2015

<sup>166</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>167</sup> PeaceNet-Kenya/Saferworld (2012) Rapid Response Initiative Progress Report For Banita Location (Hot Spot) In Rongai District

<sup>168</sup> Interview, member of the senator's office, name withheld, Nakuru, 23 January 2015

## Land and resource disputes

The National Steering Committee on Peacebuilding and Conflict Management notes that Nakuru has been the epicenter of election-related violence since 1992. There has been longstanding conflict between the Kalenjin and the Kikuyu dating back to post-independence days surrounding the issues of settlements, political affiliation, identity and ownership of land. The other communities became affected by the conflict after the contested 2007 elections, in and around the major urban areas.<sup>169</sup>

In the land conflicts between Kikuyu and Kalenjin communities, the Kikuyu are accused of inappropriately being given/sold land in the region at independence at the expense of the indigenous communities (Masai, Kalenjin and others) while members of the Kalenjin are accused of inappropriately being allocated part of Mau Forest (formerly occupied by Maasai) as settlement areas. Barut area, at the periphery of Nakuru town is a particular hotspot of conflict and eviction. In MaiMahiu Kikuyus lay claim to the land in this area since they purchased the farms and own title deeds whereas the Maasai lay ancestral claim to the same land. Some communities have vacated their farms due to violence and the Maasai have occupied them especially in the area adjacent to the Narok border. Natural resources such as land, forest and river water have also been a major factor in violence in Njoro, Molo, Kuresoi, Rongai, Naivasha and Gilgil areas.<sup>170</sup> There is also tension between the Tugen and the Pokot in Baringo, with the latter feeling marginalized by the more numerous former. The Pokot, it was noted are armed however. The Tugen also community feel that the other communities are encroaching on their land.<sup>171</sup> It was also noted that women are frustrated by being unable to inherit land.<sup>172</sup>

The Mungiki have a stronghold over land allocation in some places in the county 'If you want a field you have to pay the Mungiki.'<sup>173</sup> This also applies to access by matatus and boda boda to bus/boda boda stages. This issue was briefly noted however, and requires further clarification.

Conflicts over land use and environmental damage are also a problem. In Kelewet, Barut, sand harvesting is causing conflict between communities and investors, with complaints of the quarry encroaching upon existing roads and community buildings, environmental degradation, and risks to human health and life through dust inhalation, falls and other accidents, especially since the site is not fenced. While acknowledging that some locals have been able to be employed in the quarry, communities claim that they feel that they cannot trust the government who have failed to enforce land laws and environmental laws correctly.<sup>174</sup>

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<sup>169</sup> NSC (2013)

<sup>170</sup> NSC (2013)

<sup>171</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>172</sup> Paralegal advisor from Kipkarus, Nakuru forum

<sup>173</sup> Focus group with youths, Nakuru town, 22 January 2015

<sup>174</sup> Integrated Development Towards Guided Parenthood (IDGP) (2014) Field Report: Sand Harvesting In Barut Division

## **Cattle theft**

Incidences of theft of small numbers of cattle are high in the county, especially in Njoro, Molo and Kuresoi, requiring people to bring cattle into their houses at night. On the border between Baringo and Lower Solai there is armed cattle rustling of large numbers of cattle (100 or more heads) which may result in loss of human lives. As in other places, raids have become commercially driven and cattle may be sold off on the black market. Land (border) conflict and politics are also involved; it was alleged that the raiding is carried out to force people back to their lands.<sup>175</sup>

## **Ethno-political tensions**

It was noted, ‘Everything is politicized in Nakuru’ and ethnic exclusion and nepotism are high. Tensions exist over allocations of jobs in the public sector, which are not ethnically balanced, raising questions of vote buying.<sup>176</sup> It was alleged that the governor is not willing to give people from other communities an audience.<sup>177</sup> Members of County Assemblies are infighting and the governor is in conflict with MCAs.<sup>178</sup> Smaller tribes are not represented, with two tribes dominating.<sup>179</sup> As noted by a member of the senator’s office, ‘The negative narratives are recycled every election time, and issues not dealt with’.<sup>180</sup> Most people commented that politicians are inciting the situation and that the evolving situation of the ICC trials of the nation’s leaders has continued to inflame tribal tensions.

Ethnic suspicions and prejudices are also a reality at the local level, In Kapkarus it was noted that the two major tribes are Kalenjin and Kisii, between whom there is suspicion, with the Kisii being accused of being ‘night runners’ (engaging in witchcraft which involves running naked at night through communities – a documented activity in Kisii itself) .<sup>181</sup>

## **Extremism<sup>182</sup>**

In a recent peace meeting in Nakuru County Commissioners Office, hosted by Supreme Council of Kenya Moslems (SUPKEM), participants identified that extremism has become an issue in Nakuru as in some other parts of Kenya. One factor was the interference in Moslem leadership by wealthy lay-people who build and then control mosques. The need for properly appointed leaders who are known to the county commissioner was suggested.

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<sup>175</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>176</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>177</sup> Interview, Elder from Nakuru, Nairobi, 3 February 2015; Concurred in a youth focus group discussion 23 January 2015

<sup>178</sup> Interview, member of the senator’s office, name withheld, Nakuru, 23 January 2015

<sup>179</sup> Paralegal advisor from Kipkarus, Nakuru forum

<sup>180</sup> Interview, member of the senator’s office, name withheld, Nakuru, 23 January 2015

<sup>181</sup> Focus group with youths, Nakuru town, 22 January, 2015

<sup>182</sup> Minutes from the Nakuru/Baringo county leaders forum on Countering Violent Extremism, held at Merica Hotel 15 January 2015

Jamia was identified as one mosque where there is a tendency to radical preaching, and where moderates are outnumbered and silenced. Expecting communities to report such matters however, is problematic. As with reporting other crimes, there is a poor relationship between police and community, such that those who report are not protected, rather information is handled carelessly, identities are leaked and reporters are threatened by perpetrators. A way around this are to report direct to national phone-based alert systems, or to the county commissioner.

An important point made was that youths may have few choices and that joining extremist groups may seem preferable to getting involved in drug or alcohol abuse which also readily absorbs many young people. Unemployment and lack of ID cards are important factors in the decision to join up. Furthermore, the interests of Moslems are not specifically considered in terms of bursaries, jobs and opportunities for young people, and Moslems are not well represented politically because they are dispersed and do not form a majority anywhere. Lastly, it was noted that extremism is not solely Islamic but even non-Moslems are involved.

### **Community-police relations**

People commented that police continue to ask for bribes, and criminals are often released through bribing. There is an alleged link between police and illicit brewers and drug dealers, such that dealers who are arrested may be later released, leading to fear amongst those who reported them. As an elder and community policing member noted 'You are not sure if the information you have given is safe.' Reflecting this mistrust, Bondeni police station is now colloquially referred to as 'Biashara' (business) police station. Thus the community have called for change, and have petitioned the Inspector General of Police directly to transfer the Officer in Charge of the Station (OCS), which took place in 2014.<sup>183</sup>

The police have also been implicated in violent criminal activity. In Naivasha in July 2013 three special security officers of the Flying Squad' were arrested for violent robbery, taking 868,000 Kshs from a businessman from South Sudan.<sup>184</sup>

## ***Crime Prevention Activities***

### **Partnership in fighting crime**

County and national government representatives are working together in partnership to map issues and put together strategies.<sup>185</sup> A woman commented that *Kabi* Somali had a high level of insecurity which had been managed through collaboration between county and national

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<sup>183</sup> Focus group with members of community policing groups, Nakuru town, 22 January 2015

<sup>184</sup> Gitonga (2013)

<sup>185</sup> Member of District Peace Committee, Nakuru Forum, 22 January, 2015



government.<sup>186</sup> Similarly in Kivumbini, collaboration between the two governments and patrols which engage community members, have addressed problems of illicit brew, armed gangs from within and outside and general crime.<sup>187</sup>

Nyumba kumi-style community policing activities are going on in some places with 5155 clusters in operation (source). In Kivumbini a community policing member described how community policing has been very active against burglary at night, teaching people to sleep with the phone near them, and upon hearing a potential intruder, not to make noise but to put the phone under the arm to hide the light, and send a text to the chair of the community policing, who mobilizes the 6 member team. This has assisted to reduce this crime.<sup>188</sup> Lastly, a community peace builder described how boda boda had been helpful in community policing initiatives, a refreshing change from the usual narrative of their involvement in crime.<sup>189</sup>

### **Coordination of security actors**

The new constitution has altered the security structures at the county level, through the requirement for civilian participation in security decision making, the indirect but important role of the county in the same, the rebranding of the former provincial administration, the restructuring of the police into county based units, and the merging of the Kenya Police and Administration Police under one head. County Policing Authorities are in the process of being set up with the County Public Sector board mandated to recruit six community representatives. However, one concern is that spokespersons for civil society and other interest groups have been fiercely critical of police and their operations, so it may be difficult for the board to choose such a person.

It was noted that the county Police Commander and Administration Police (AP) Commanders have a problem of coordination, with both leaders at the same rank, and no formal mechanism or meeting place for coordination. For example, during a hawker eviction exercise in 2014, the governor had given the orders, but the OCPD for Nakuru town had disagreed, due to the sensitivity of the issue. Ultimately, the OCPD and regular police were sidelined and at the request of the governor, the AP carried out the activity.

At the lower levels, AP officers may make arrests but have to hand suspects to the regular police. When the regular police are prone to take bribes and release suspects, the AP officer sees no point in handing them over, and would rather take the bribe himself, thus 'It's the police who will eat. So I eat and let you go.'

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<sup>186</sup> Participant, Nakuru Forum, 22 January, 2015

<sup>187</sup> Focus group with youth, Nakuru, 22 January, 2015

<sup>188</sup> Interview, Community policing member in Kivumbini, Nakuru, 22 January, 2015

<sup>189</sup> Interview, community leader and peace builder from Elementaita, 23 January 2015

## Peacebuilding activities

In Nakuru there is an active County Peace Secretariat at the Office of the County Commissioner, and a County Peace Monitor under the National Steering Committee (see background). The County Peace Monitor has been mandated to coordinate with SUPKEM to tackle the threat of radicalization and extremism among Moslem youths, and the negative stereotyping of Moslems in the community.<sup>190</sup> A number of interventions have been suggested by the County Peace Secretariat, such as the use of alternative dispute resolution (ADR) in land disputes, peace committees to address resource and land issues, and several considerations relating to IDP resettlement, in particular, the engagement of host communities who have previously been left out of resettlement exercises.<sup>191</sup>

District Peace Committees (now under the sub-counties) are very active in Nakuru and work with the NSC. Information on hotspots of conflict and other important matters is passed from grassroots level to the County Commissioner. All conflict issues raised by those who attended the forum in Nakuru, and interviewees for this survey were concurred in reports by the Peace Committees. Devolution has led to questions about the funding and the oversight of the DPCs.<sup>192</sup>

The Rift Valley Council of Elders is a non-profit civil society organization including elders from all communities in Nakuru. There are 9 divisions, with all members aged 45 and above. 2014 was the first year that women were invited to join. Its purpose is to promote peace and harmony between communities, particularly given the cosmopolitan nature of the county. The Council has played a role in attempting to pacify youths from the Mungiki sect and the Kalenjin community through dialogue and not simply criminalizing them. However, as noted by the chairman modernization is leading to a lack of consultation of elders.<sup>193</sup> One elder felt that dialogue between elders had kept relative peace in the county.<sup>194</sup>

To counter cattle-rustling activities, PeaceNet Nakuru County is involved in the facilitation of Community Accountability Meetings involving youths and elders, through Rongai district to reach out to communities living along Nakuru and Baringo County border. Cattle rustling zones within Koibatek, Mogotio and Marigat districts are particular targets of this approach.<sup>195</sup> PeaceNet along with Saferworld are also active in peace building in hotspots of land conflict and IDP resettlement conflict.

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<sup>190</sup> Nakuru/Baringo County Leaders Forum on Countering violent extremism held at Merica Hotel, 15<sup>th</sup> January, 2015.

<sup>191</sup> Minutes from consultative meeting, Nakuru County Peace And Conflict Profile, at Midland Hotel, Nakuru, 22 November 2013

<sup>192</sup> Interview, elder from Nakuru, Nairobi, 3 February, 2015

<sup>193</sup> Chairman of Rift Valley Council of Elders, Nakuru Forum, 22 January, 2015

<sup>194</sup> Elder from Pipeline, Rift Valley Council of Elders, Nakuru Forum,

<sup>195</sup> PeaceNet (2013) Field report 29 May

National Council of Churches of Kenya are coordinating community dialogue between local opinion leaders and interest groups in Nakuru in areas of conflict as well as training in conflict management skills in parishes. There is also a peacebuilding project known as *Pamoja Initiative*, in Baringo, Narok, and Kisii, sites of land clashes in the past few decades. NCCCK are concerned about radicalization and have released a national document on this. They are entering into dialogue with Moslem leaders, in the hope that youths of either faith will not use violence against the other. Currently, youths are acting as security guards to protect churches in Nakuru. The Catholic Justice and Peace Commission are attempting evangelism and a peace building program with Pokot and Turkana young people.<sup>196</sup>

### **Meeting the needs of youths**

Regarding the needs of youths, suggestions have been made by the County Peace Secretariat regarding better facilities and resources for youths, youth empowerment, and training through creation of technical institutions. Further, the need for improved secondary school attendance has been identified.<sup>197</sup>

A community member commented that leadership is required in dissuading young people from dividing along ethnic lines.<sup>198</sup> Youth forums and programs such as Integrating Development Towards Guided Parenthood (IDGP) with input from NGOs are involved in holistic programs of social action, empowering youths and promoting tolerance of ethnic diversity and peace in the county. Youth football initiatives have also been helpful in this regard, and social media has been promoted amongst the youth to communicate with one another and local security bosses about crime. This has helped reduce crime.<sup>199</sup>

Restoration Education program is a not-for-profit program, offering help to those who drop out of school between 8<sup>th</sup> grade and form 1, due to fees, or exam performance. Those assisted are usually vulnerable children or orphans. Many have been helped to retake their exams and move into form 1, while, it was noted, that they might otherwise have been considered as 'garbage'. Vocational training and counselling are part of the program, which costs parents 30 Kshs per day. More than 100 students are currently enrolled in the program. The program has assisted to reduce the number of young people taking drugs and dealing to earn a livelihood.<sup>200</sup>

### **Conclusion**

Nakuru, like Vihiga is a youthful county. It has a bad recent history of ethnic violence, and continues to suffer from ethnic tensions at both leadership and local levels. The tensions

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<sup>196</sup> Community mobilizer, Catholic Diocese of Nakuru Justice and Peace Commission, Nakuru, 22 January 2015

<sup>197</sup> Minutes from consultative meeting, Nakuru County Peace And Conflict Profile, at Midland Hotel, Nakuru, 22 November 2013

<sup>198</sup> Member of Residents Association in Nakuru, Nakuru forum

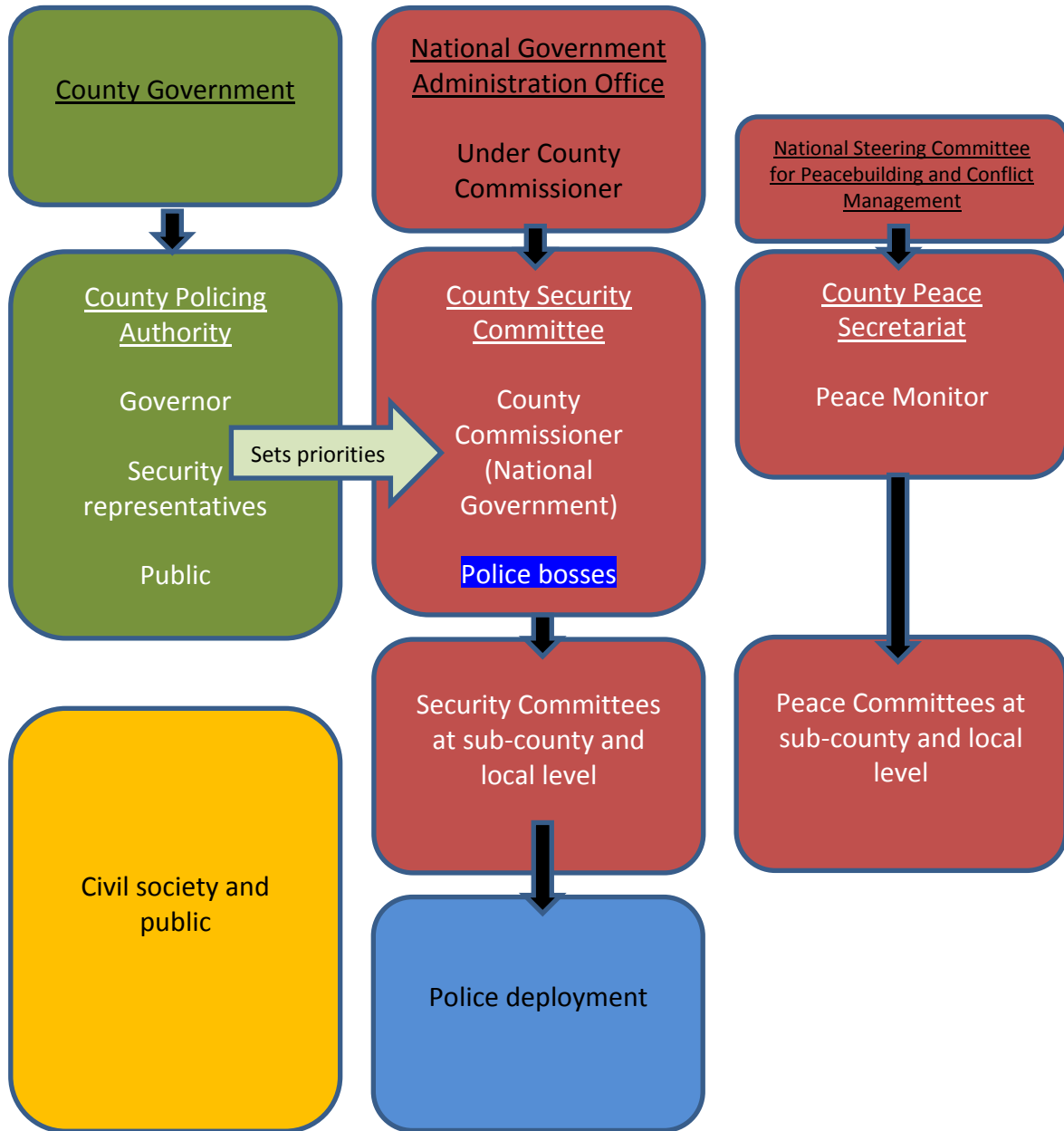
<sup>199</sup> Youth, Barut Forest, Nakuru forum

<sup>200</sup> Interview Wambui Ngigi, Restoration Education, Nakuru, 23 January, 2015

particularly focus around land ownership, and have been exacerbated by IDP resettlement exercises, which themselves have been tainted by allegations of injustice.

One new consideration that has been brought out in the Nakuru survey is the contribution of the Peace Committees and Peace Monitors (under the NSC), who have already mapped many of the issues in the county, particularly ethnic tensions, and are also working towards resolution. Here there seems to be some useful collaboration with the county. This adds to the picture of the various actors at county level who play a part in crime prevention activities.

*Figure 8: Security and Peace Actors at the County Level*



Partnership in peace building, and taking a holistic approach to conflict resolution is therefore a running theme in the county, although more could be done to ensure coordination between the players above.

In terms of crimes, Nakuru has witnessed the usual urban problems of rising crime, growing informal settlements and gangs, (whose allegiance may also be ethnically orientated), as well as hidden crimes of defilement and rape. Unemployment is a major factor in all of these, which should inform interventions and highlight the need for partnership between law-enforcement and development actors.

As in other parts of the country, the relationship between police and community is often poor and clouded by mistrust and corruption.<sup>201</sup> This is a particular problem when it comes to the boda boda operators, who are regularly harassed and asked for bribes. One useful intervention may be the creation of an umbrella organization for registration and regulation of boda boda. This would assist in creating a respectable front to earn the trust of the police and public, and a recognizable institution for liaising with police, government and judiciary. This is particularly important given Nakuru's ethno-political polarization, the links between boda boda and crime and the upcoming 2017 elections.

Thus there are many useful aspects of the crime prevention training which could assist Nakuru county in tackling its problems, not least, the networking of existing players (particularly the police with others), raising awareness about what is currently going on in the county in terms of crime and violence prevention, inspiring creativity in county-based interventions such as urban planning, community policing, provision of jobs and services for youth and alcohol regulation, all of which are directly relevant to building safer communities.

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<sup>201</sup> Mkutu, Marani and Ruteere (2014)

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## Appendices

### Appendix 1: Crime and Violence Prevention Baseline Survey Matrix

3 broad areas to be covered, namely, 1) Crime and violence in the county, 2) Current responses, and 3) Current crime and violence prevention activities and partnerships.

<u>POLICE</u>	<u>NATIONAL GOVERNMENT ADMIN.</u>	<u>COUNTY GOVERNMENT</u>	<u>CIVIL SOCIETY AND FAITH BASED</u>	<u>COMMUNITY</u>	<u>OTHER (BUSINESSES, HOSPITALS, SCHOOLS ETC)</u>
<b>1. Crimes and violence (and drivers) in the county</b>					
Annual Crime Report stats. Is it representative?  Types of c+v. Hidden c+v? Hot spots? Gangs? Resource and land conflict? Ethnic/religious conflict? Boda boda	Types of c+v  Drivers of c+v	Types of c+v  Drivers of c+v (Youth unemployment, inequality, borders, resources, under-development etc.)	Specific c+v seen,  Drivers of c+v observed (Conflict, youth employment, other)  Community safety, Protective and risk factors	Types of c+v  (Violence against women and children, petty crime, conflicts, boda boda)  Community safety Protective and risk factors	Violence against women and children (GBV statistics if available from hospitals)
<b>2. Responses to crime and violence</b>					
Current police strategies, effective? not effective?  Police-community relations	Current government strategies, effective? not effective?	Current government strategies, effective? not effective?	Experience of current strategies being used in county, effective? not effective?  Police-community relations	Experience of current strategies being used in county, effective? not effective?  Police-community relations	Experience of current strategies being used in county, effective? not effective?  Police-community relations

<b>3. Crime prevention activities and partnerships</b>					
Partnerships with other organisations?  Thoughts about the CPA  Thoughts about community policing/nyumba kumi  Vigilante bill?	Addressing development and drivers of crime and violence  Partnerships?  Thoughts about the CPA  Thoughts about community policing/ nyumba kumi	Addressing development and drivers of crime and violence  Partnerships?  Thoughts about the CPA  Thoughts about community policing/ nyumba kumi	Specific activities? (Peace building, advocacy, support, practical help etc.)  Partnering with police and government?  Effectiveness of partnerships?  Duplication?  NGO laws?	Specific activities?  Partnering, with police and government?	Specific activities?  Partnering with other organisations, police and government?
<b>4. Other important points, ideas etc.</b>					

Please add to the matrix the specific areas which need exploring with each group