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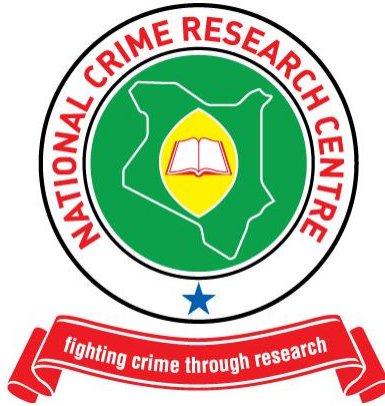


BODA BODA MOTORCYCLE TRANSPORT AND SECURITY CHALLENGES IN KENYA



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SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

Introduction

This study sought to: establish the prevalence of boda boda motorcycle related crimes; identify the root causes of boda boda related crimes; identify the perpetrators and victims of boda boda related crimes; identify the mode of operation of perpetrators of boda boda motorcycle related crimes; examine the consequences of boda boda motorcycle related crimes; identify the existing control measures and their effectiveness in addressing boda boda related crimes; and identify challenges and make recommendations to address boda boda related crimes.

Summary of Major Findings

The boda boda transport sub-sector is dominated by a majority of youthful population of males with family obligations and responsibilities. Majority have lower levels of academic achievements of education with majority at primary and secondary levels. Boda boda also employ minors with serious implications for the development trajectory and safety of children. The sub-sector further employ people with university level education – speaking to the realities and pervasiveness of unemployment in Kenya. The following are summaries of the major findings of this study:

Understanding Boda boda riders/operators

Majority of the boda boda riders or operators were males (97.4%) while female riders constituted (2.6%). On age, (38.2%) of the riders were in the age range of 26-33 years; with (30.0%) falling within the 18-25years age cohort; (20.0%) were aged 34-41 years; (7.3%) were between 42-49 years; (2.4%) were aged 50-57years. Notably (1.1%) of riders were aged 10-17 years. On marital status, (71.0%) of the riders were married, (25.5%) were single/never married; (1.7%) was separated and (1.6%) divorced. On education, (43.7%) had primary education; (42.5%) had secondary; (5.7%) had middle level college education; (6.3%) had no education. On religion, (75.0%) were Christians while (23.7%) were Muslims.

Prevalence of boda boda related crimes

The most prevalent boda boda motorcycle related crimes committed by the boda boda riders were: causing death by dangerous riding (79.5%); general Stealing (76.7%); creating disturbance (66.2%); theft of motor cycle and motorcycle parts (62.9%); assault 57.0%; robbery and robbery with violence (52.9%); riding under influence of alcohol (52.7%); possession and usage of dangerous drugs 49.5%; handling and trafficking of dangerous drugs (42.1%); murder (38.7%); kidnapping and abduction (26.2%); bribery (23.1%); defilement (17.8%); rape (17.2%); smuggling of goods across borders (15.9%); theft of Motor Vehicle and motor vehicle parts (14.2%); fraud and forgery Offences (13.0%); handling Stolen Property (12.8%); burglary (11.3%); motorcycle hijackings (10.4%).

Prevalent crimes committed against boda boda motorcycle riders were: theft of motorcycle and motor cycle parts (86.5%); robbery and robbery with violence (85.2%); murder (62.2%); general stealing (49.2%); motorist causing death by dangerous driving (29.3%); assault 28.9%; kidnapping and abduction (28.0%); mob justice (21.5%); fraud and forgery (16.9%); fighting (16.1%); handling stolen property (7.1%); indecent assault (7.1%); malicious damage to property (6.2%); burglary (5.5%); rape (2.1%); and sodomy (1.0%).

Root causes of boda boda related crimes

The main root causes of boda boda motorcycle related crimes were: pervasive unemployment and idleness (48.3%); poverty (24.9%); drug and substance abuse (17.5%); lack of/weak regulation of the boda boda sub-sector (12.8%); greed and desire for quick money (10.6%); weak law enforcement by the police and other enforcement agencies (10.4%); peer pressure factors (7.6%); high levels of illiteracy (6.3%); criminal mindset and tendencies (5.3%); insecurity across the country due to absence of adequate security personnel (3.2%); poor transport infrastructure (3.0%); high cost of living (1.8%); corruption among law enforcers (1.7%); ease of access to firearms through the porous Kenyan borders (1.6%).

Perpetrators and victims of boda boda related crimes

The main perpetrators of boda boda motorcycle related crimes were: boda boda riders hired as casuals or on commission basis (71.9%); riders who hire motorcycles from owners (66.5%); passengers (61.6%); members of the public (33.7%); boda boda motorcycle owners

(33.6%); some/sections of traffic police officers (15.8%); County government inspectorate and enforcement officers (2.6%); National Transport and Safety Authority officers (1.1%) and matatu drivers (1.1%).

The main victims of boda boda crimes were: boda boda pillion passengers (75.3%); riders employed by motor cycle owners as casuals or on commission (71.0%); riders who hire motor cycles from owners (57.5%); boda boda motorcycle owners (47.5%); general members of the public (45.3%); and police officers (2.5%).

Consequences of boda boda related crimes

The consequences of boda boda related crimes were: boda boda crimes and accident-related deaths (52.9%); loss of property (23.8%); health related problems (21.2%); increased insecurity in the country (17.4%); increased motorcycle related accidents (10.7%); increased teenage pregnancies and school drop outs (9.8%); increase in poverty levels (8.1%); loss of jobs (7.7%); loss of public confidence and trust in boda boda as a means of transport (6.5%); smuggling of contrabands and illegal goods into Kenya's economy (5.5%), family disintegration (2.6%); increase in drug and substance abuse (1.9%); and increasing incidences of mob justice (1.5%).

Measures put in place to address boda boda related crimes

The measures put in place to address boda boda motorcycle related crimes included: regulation by boda boda SACCOs and Associations (20.1%); police road blocks, checks and patrols (16.1%); community policing and nyumba kumi initiatives (12.5%); sensitization of riders on safety by stakeholders (4.5%) raft of measures, rules and regulations put in place to govern boda boda (3.6%); limiting hours of boda boda operations at night (3.5%); increased presence of security personnel (2.6%); inspections by NTSA (2.1%); street lighting (1.7%); crackdowns on boda bodas violating laws (1.4%) issuance of safety gear e.g reflector jackets, helmets (1.3%); and building of boda boda sheds (1.2%).

Challenges faced in addressing boda boda related crimes

The challenges faced in addressing boda boda crimes were: weak law enforcement and regulation of the boda boda sub-sector (32.6%); corruption among sections of security and other enforcement agencies (16.6%); culture of impunity among boda boda operators (14.8%); untrained boda boda riders (11.7%); anonymity of the boda boda industry making it

difficult to trace criminals (9.3%); unemployment challenges (7.1%); fear of victimization from boda boda operators (6.6%), insecurity concerns (6.0%); poor roads infrastructure (5.0%); drug and substance abuse (4.6%); unregistered motorcycles (3.9%); inadequate security officers to handle the boda boda sub sector and related crimes (2.8%); harassment of boda boda operators by security and other law enforcement apparatus and other road users (2.7%).

Conclusion

The explosion of motorcycles in Kenya is projected to escalate to new levels as boda bodas are increasingly becoming a popular means of transport for many rural and urban dwellers.

However, in the context of the rising popularity, the boda boda transport sub-sector is largely operating with minimal regulation and control. The seemingly ineffective governance of the sector has occasioned increasing cases of boda boda related crimes and accidents with significant costs to public safety. Boda boda operators are also gradually turning into the new face of crime and impunity. Boda boda riders have become lynch mobs. Complaints of criminals on motorcycles attacking people are common occurrences across Kenya. It is against this background that regulating the boda boda transport sub-sector is essential in ensuring a secure, orderly and reliable part of public transport in Kenya. There is therefore urgent need to put in place a policy framework to register, regulate, monitor and govern the boda boda sub-sector in the country.

Recommendations

Stakeholders in the transport industry and security sector need to pay particular attention to the evolving boda boda sub-sector in light of the alarming increase in boda boda related crimes, accidents and impunity. This study does not advocate for banning of boda boda operations and other penal approaches of arresting and prosecuting operators as this is not sustainable in the long run for a developing economy like Kenya where bodas bodas are also making significant contributions to livelihoods. Arising from the findings and conclusions of this study, the following recommendations seek to inform policy in addressing boda boda related security challenges, accidents and impunity in the country.

1. Undertake registration of all operators and refresher training, testing for effective oversight of the boda boda sub-sector

The boda boda industry in Kenya has evolved without a coherent and comprehensive legal framework to govern it. Lack of a data base of all boda boda operators in Kenya is a major policy gap and a serious threat to national security. There are serious concerns for an industry dominated by a fairly youthful population of men who are not professionally trained, less educated and of lower socio-economic standing - operating in a context of weak policing, regulation and oversight.

The government should come up with programmes for registration, refresher training and testing of operators before issuing them with rider licences. Registration and refresher training initiatives will go a long way in building a data base of all operators, thereby helping in the management and regulation of the sub-sector to curb crimes, impunity and road accidents. The entry point could be partnering with existing boda boda associations. Government sponsored motorcycle rider trainings to operators could also be incentives to the registration and development of a data base of boda boda operators in Kenya.

2. Address government policy oversights in the boda boda sub-sector

There is inherent government policy oversight in the boda boda debacle. The 2008 government policy zero-rating motorcycles of up to 250cc was a noble effort to create jobs and spur development in the country. This policy led to a significant decrease in motorcycle prices with the net effect of explosion of motorcycles into the economy without an attendant counter policy framework regarding their registration, regulation, monitoring and use as Public Service Vehicle (PSVs). State Department for Transport and other stakeholders can address this lacuna through the transport policy management through the Transport Licensing Board (TLB). This can be achieved by expanding mandate of the TLB to also include the registration of motorcycles as PSV's and designation of specific routes akin to what TLB does in the *matatu* industry in Kenya.

3. Address unemployment and poverty found to be the major root causes of boda boda related crimes

The government should put in place programmes and modalities to address poverty and wide spread unemployment especially among the youth which were pointed out by the study respondents as the push factors for young people venturing in boda boda trade and partly the

key root causes of some boda boda related crimes. Empirical evidence asserts that unemployment and poverty induces people to adopt high-risk behaviours like involvement in crime, violence and young people are found to be the majority in boda boda trade.

4. Subsidize the cost of motorcycle riders' training and establish motor-cycle specific riding schools

Stakeholders in the boda boda sub-sector need to recognize the necessity for a paradigm shift in policy for targeted support to the boda boda sub-sector. There is need to explore modalities to subsidize the cost of motorcycle riders training programmes in Kenya. Many riders interviewed in this study aver that fees currently being charged by motor vehicle driving schools are very expensive for poor riders and jobless youth who dominate the sub sector. Another important observation during the survey was the lack of motorcycle specific riding schools across Kenya. The current practice is that one enrolls into a motor vehicle driving school, gets a motor vehicle driver's license and thereafter has it stamped for motorcycle. This arrangement is a costly venture for many poor youth, who in most cases are unable to raise the higher fees required for training as motor vehicle drivers. This is a major disincentive to formal motorcycle rider training and the acquisition of riding licenses by boda boda operators in Kenya.

5. Effectively implement the National Transport and Safety Authority (NTSA) Regulations (Operation of Motorcycles) 2014

The boda boda sub-sector in Kenya has largely operated without proper regulation and control. The seemingly ineffective governance of the sector has occasioned increasing cases of boda boda related accidents, crimes and impunity. These regulations provides effective and comprehensive legal framework that if implemented, will be the turning point in addressing most of the challenges bedeviling the boda boda sub-sector in Kenya. However, there seems to be challenges in effective implementation of provisions of these regulations. If fully implemented, the chaotic boda boda transport sub-sector will be brought under control.

6. Recommendations to the National Police Service and other law enforcement agencies

In order to effectively deal with boda boda motorcycle and related crimes, it is recommended that the National Police Service should undertake intelligence led policing in gathering information and profiling of criminals within the trade to eliminate rogue operators or

criminals masquerading as boda boda operators. Given the findings on the time of the day, week, month and year when boda boda related crimes are likely to occur, police patrols should be upscaled around neighbourhoods and major areas of operation of boda boda at nights, weekends, end month, public holidays and the month of December. The police service and other enforcement agencies should also strictly enforce laws and regulations meant to ensure public safety on the roads like wearing of helmets, reflector jackets; carrying only one passenger to ensure strict observance of traffic rules by boda boda riders. Security and law enforcement agencies must also uphold integrity and shift focus from the lackluster handling of boda boda sub-sector that has partly been blamed for lawlessness and impunity in the sub sector in Kenya.

7. Recommendations to the National Transport and Safety Authority

The objective of forming NTSA was to harmonize operations of the key road transport departments and help in effectively managing the road transport sector to minimize loss of lives through road traffic accidents.

NTSA in conjunction with the police service should carry out compliance and inspections crack downs on riders who violate traffic rules including motorcycles operating without insurance cover, overloading, over-speeding, operating unregistered motorbikes, riders without licences, riding under the influence of drugs and alcohol.

NTSA in conjunction with the County Transport and Safety Committees could also designate specific zones of operation for boda bodas in the counties.

The NTSA in partnership with the national police service, county governments, boda boda associations, SACCOs and other stakeholders should undertake concerted civic education and public awareness campaigns on road safety and crime prevention to boda boda operators in all counties.

8. Recommendations to the County Governments

The County governments should formulate relevant by-laws and policies to govern and regulate operations of the boda boda sector in their areas of jurisdiction. Such policies could include designating specific zones of operations for boda boda. The County governments and other partners should also purpose through policy to offer targeted support to the boda boda

transport sub-sector in formation of Savings and Credit Cooperatives Organizations (SACCOs), sponsoring rider trainings and public awareness campaigns. Indeed, the formation of SACCOs in the matatu sector brought back sanity to the once ungovernable public transport industry.

County Governments should also install street lights and CCTV cameras in their jurisdictions to reduce the confidence of boda boda criminals since this study established that most boda crimes occur at night.

The County Governments should also assist the sub-sector by constructing sheds for operators that can also act as points of revenue collection from operators. The commercial boda boda transport sector's potential is not yet fully exploited as a major source of revenue for County governments.

9. Recommendations to Motor Cycle Dealers and Sellers

Motor cycle dealers and sellers have a critical contribution in terms of selling genuine motorcycles with standard basic safety gears of two helmets, reflector jackets as prescribed in law. They should also ensure buyers of new motorcycles undertake statutory registration with Kenya Revenue Authority/National Transport and Safety Authority to help address the issue of unregistered motorcycles that are often used in committing crimes and wanton impunity on Kenyan roads.

10. Recommendations to Boda boda Owners

Boda boda motorcycle owners can help in addressing challenges in the sub-sector by undertaking insurance policy cover for their motorcycles; employing professionally trained and certified riders; vetting and undertaking criminal background checks on riders they employ. They could further assist the trade by installing tracking devices on their motorcycles; ensuring all the statutory documents for ownership of the motorbike and riders are in place. Boda boda owners can also help by registering their motorcycles in SACCO's and associations.

11. Recommendations to Boda boda Riders' Associations and SACCOs

Boda boda riders association can help by encouraging voluntary registration of their members and undertaking sensitization campaigns on road safety and concerns around crime

affecting the trade. Boda boda Associations can also formulate and enforce rules of operation for their members in their jurisdictions. The association should monitor operations of their members and collaborate with security agencies in reporting criminal elements in the sub-sector. The associations can also champion legal representation and welfare of members by working closely with the government. Strong associations and SACCOs will encourage self-regulation and hold accountable representatives and members; ensuring only qualified, licensed riders and Public Service Vehicle (PSV) boda bodas operate on our roads.

12. Recommendations to Boda boda Motorcycle Riders

It is recommended that all boda boda motor cycle riders should acquire requisite motor cycle rider trainings, licenses, and safety gears before venturing on the roads. Law abiding individual riders also have an obligation to collaborate with security agencies and other enforcement authorities to report operators who masquerade or engage in criminal activities and violations of the laws. Additionally, riders must strictly observe and adhere to road traffic rules to curb accidents on the roads.

13. Recommendations to Passengers and the General Public

In order to address boda boda related crimes and accidents, persons patronizing boda bodas as passengers must ensure their safety by wearing safety gears of helmets, reflector jackets.. Passengers should take precaution when using the services of boda boda late into the nights as this study established higher incidences of victimization with regards to boda boda crimes late nights. The general public should also champion community policing and nyumba kumi initiatives and report boda boda crimes to the authorities.