



PERSPECTIVES OF YOUTH CRIMINALITY IN KENYA

2018

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OPERATIONAL DEFINITION OF TERMS

As used in this study:

Bystander	Refers to an individual who witnesses a crime incident but does not take part in it, intervene or report.
Crime	Means an act, attempt or omission that constitutes an offense as defined by the Kenyan Penal Code or any other Act(s) of Parliament and is punishable by law.
Juvenile	Denotes a person aged eleven years (11) or more and but has not attained eighteen (18) years.
Juvenile Delinquency	Refers to criminal behavior(s) or act(s) by juveniles.
Youth	Refers to a collectivity of individuals in the Republic of Kenya who have attained the age of eighteen (18) years but have not attained the age of thirty five (35) years.
Youth Crime	Implies criminal behavior(s) or act(s) by the youth.
Youth in Conflict with the Law	Denotes youth who get into contact with the criminal justice system as a result of being suspected or convicted of engaging in criminal activities or behavior.

ABBREVIATIONS AND ACCRONYMS

BCS	British Crime Survey
CCJS	Canadian Centre for Justice Statistics
CBT	Cognitive Behavioral Therapy
FPE	Free Primary Education
IEA	Institute of Economic Affairs
KNHRC	Kenya National Human Rights Commission
KNBS	Kenya National Bureau of Statistics
LRA	Lord's Resistance Army
NCIC	National Cohesion and Integration Commission
NCRC	National Crime Research Centre
NYS	National Youth Service
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
YEDF	Youth Enterprise Development Fund
NYESP	National Youth Empowerment Strategic Plan
SDGs	Sustainable Development Goals

CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

1.1.1 Global Context of Youth and Crime

In the recent years, youth issues have dominated the international agenda. On one hand, it is the youth who drive innovation, creativity, equality and justice in any society. They often participate in civic and political space through volunteerism, partaking in public participation forums, attending political rallies, taking part in community service and engaging in youth organizations. Some countries have even reserved membership for the youth in various public service dockets through which they shape and influence youth-related policy. Their contribution on the digital spaces – mass media, social media and print media, cannot also be overstated. On the other hand, however, they have been accused as the major perpetrators of crime and other acts of violence around the globe.

As world governments continue to grapple with the challenge of insecurity, there is a growing concern that the proportion, in terms of frequency and seriousness, of crimes committed by the young people is on the rise. Official statistics by the Economic and Social Policy in Latin America Initiative indicate that youth crime increased globally by 180 percent between 1997 and 2010 (UNDC and World Bank, 2011). Corroborating these statistics, self-report surveys such as the British Crime Survey (BCS) and Canadian Centre for Justice Statistics (CCJS) have equally exhibited a significant upsurge in youth delinquency in the past decade (UNDP, 2017; Munyo, 2013). This massive increase in the rate of crime by the youth has elicited a strong debate over how to deal with the problem.

Despite the spike of youth crime globally, there is compelling evidence that in the majority of crime incidences, the youth and sometimes adults are usually aware of the perpetrators' intentions or observe warning signs but fail to intervene or report (Vossekuil et al., 2002). As a result, the role of bystanders especially with regards to the perpetuation or reduction of youth violence and crime is a question that warrants scrutiny. Editorials and news reports, for example, have exhorted the youth to break the “code of silence” when friends and acquaintances threaten to engage in crime and/or violence. Consider the following opportunities for bystander involvement: youths who see a fight break and run out to watch; the adolescent who sees another youth with a knife or handgun in the bus; a neighbor who overhears a son or daughter threaten to beat up a parent. In each of these situations, there are one or more bystanders whose reactions affect the chain of events.

While extra caution must be taken against labelling youth as synonymous to crime, various analyses around the world have illustrated that among the various demographic categories, youth are the most vulnerable to indulgence in crime. According to the UN (2007), the youth constitutes 41% of the world's unemployed population. This, coupled with poverty, puts them at a higher risk of becoming involved in crime commission or omission as well as being victimized. It has been claimed that the history of youth is thoroughly mixed with delinquency and gangism (De Boeck & Honwana, 2005). Historical analyses have argued that youth as a distinct category emerged during the explosion of modern European cities and the industrial capitalism of the 19th century. Advancing this theory, Hebrige (in De Boeck & Honwana, 2005:5) claims that the youth first showed their criminal propensities across modern Britain 'in the delinquent crowds that gathered in manufacturing towns'. The initial documentation of youth in Europe, thus, describes an extremely problematic urban category, law breaking and nuisance to public order.

A joint study in the Caribbean by the UNODC and World Bank (2007) established that poverty and unemployment are not, by themselves, causes of crime perpetrated by the young people; but they become important factors when analyzed in the context of other triggers such as lack of opportunity, inequality, exclusion, easy access and availability of drugs and firearms, and a breakdown in the access to various forms of capital, justice and education. The survey also established a solid correlation between urbanization and violence in the cities with youth violence increasingly becoming an urban phenomenon. Rough estimates project that tens of millions of children residing in the populous cities of sub-Saharan Africa, India and Latin America have made their home on the streets (UNICEF, 2012). In such situations, they are more likely to engage in clandestine activities and other criminal undertakings or even being lured by the possibility of fast profits through crime commission and a need for recognition or approval from their peers, or even simple protection from violence committed by criminals or, in some cases, the very police who should be protecting them. As such, they graduate into youth-age with deep held pro-criminal dispositions.

1.1.2 African Context

In traditional Africa, the youth were regarded as the community's defense and bore myriads of positive labels. Again, emphasis was laid on the advancement of group culture and social stability as opposed to individualism (Otiende et al., 1992). Young people were introduced to a highly sanctioned moral education and ethics, which saw them uphold high moral standards as they grow up. Accordingly, youth were perceived as a transition from childhood to

adulthood. The energies and potentials of youth were tapped positively, bearing responsibility of providing security to the community, and slowly assuming responsibility over the community's assets, under mentorship of the older generations. Claim has been made that crime was extremely low and highly sanctioned, and that crimes such as theft, assault, rape, treachery were rare, and considered as attempts to create disharmony within families and the entire community. Persons engaging in crime received immediate punishment, and judicial proceedings were based on the principles of compensation and reconciliation rather than retribution; an aspect that strengthened social harmony (IEA, 2011). Consequently, youth crime was a very rare phenomenon.

The advent of colonization in Africa and subsequently Western civilization eroded the bond that held people together. Eshiwani (1993) laments that Western education and civilization only served to loosen the African traditional systems of discipline and, indeed, played a significant role in the eventual criminalization of youth that has persisted in Africa to date.

According to a study by Mo Ibrahim Foundation, in the next three generations, 41% of the world's youth will be African. This is testament to the fact that majority of Africa's population is young. Nonetheless, this segment of the population is unemployed and lives in abject poverty. That is why most young people of the continent get into violence than harnessing positive and real changes in their communities (Nandigiri, 2015). Nowadays, it is common to find that most African youth are drawn into gangs and other predatory activities.

Given the fact that Africa is young in democracy and its political institutions are not well established, the youth are excluded from important decision-making processes. Most often than not, governments and policy makers in Africa are reluctant to include the youth in the formal political systems. Nevertheless, a marginal improvement has been shown in Africa, partly because of the rising consciousness of states and the external pressures including globalization and democratizations, which give due emphasis for the youth participation in the political and economic spheres of influences (Kyamana, 2015).

Literature on youth crime trends and statistics in Africa is scanty. However, the limited available projections on youth crime portray youth crime as being generally on the rise in sub-Saharan Africa, particularly in the cities where two thirds of the populations are between the ages of 12 and 25. Most of these young people live in informal settlements without basic facilities, services and security (UN – Habitat, 2011).

In Africa, consistently youth are correlates of crime. Cases in point include: Sudan and South Sudan which have been facing continued civil war and ethnic militias; Uganda which has a history of organized crime and militia groups such as the Lord's Resistance Army (LRA); Somalia which for years has been at the mercy of terror group al-Shabaab; and Nigeria, which similarly continues with its own fight against Boko Haram. The majority of those fighting in such groups are young people, raising the question whether African governments are in control of their youth (Kyamana, 2015).

1.1.3 Kenyan Perspective

The problem of youth crime in Kenya can be traced back to the colonial period. The imposition of colonial rule was met with a lot of resistance from the Kenyan communities with the youth being at the forefront of this struggle. Consequently, the youth were labeled as “problematic and law breakers” by the colonial masters. The prominent type of crime reported to have been committed by the youth was the failure to carry identity cards (*Kipande*). As a response to this, the colonial government introduced Ministry of Community Development in Kenya in 1945 with its main mandate being “youth containment” (Institute of Economic Affairs Youth Compendium, 2011; Kyamana, 2015).

In order to tame the then increasing youth crime, a series of youth corrective institutions and approved schools were opened up in the 1950s and 1960s. They include Dagoretti Approved School, Mweru Approved School, Othaya Approved School, Kalimoni Children's Remand Home, Shimo la Tewa and Kirigiti. The Children and Young Persons' Act was passed in 1963 as the main legal instrument in the adjudication of juveniles and youthful offenders (Kyamana, 2015).

With the rapid population growth in the 1970s and 1980s, the youth in Kenya increasingly became a marginalized category. This was followed with a sharp increase in the number of youth convicted to prisons. For instance, the number of youth aged between 21-25 years serving prison sentences increased from 15,607 in 1971 to 21,904 in 1976. This surge in youth crime was carried forth to the new millennium. In 2007/2008 Fiscal Year, for example, 89,770 crimes were reported. Out of these, 48,710 (54 %) were committed by the youth aged between 16-25 years (IEA, 2011).

According to the Agha Khan University Report 2016, 80% of Kenya's population is below 35 years. Despite being the majority, concerns have been voiced that youths are often placed at the periphery of public sphere. Consequently, most young people in Kenya are unemployed,

underemployed or underpaid thus placing them squarely in the ever-growing ranks of Kenya's working poor. Apart from unemployment, the youth have cited a litany of other key challenges that continue to threaten their human dignity. They include non-responsive education and training befitting the prevailing market needs; weak institutions responsible for youth development; low involvement, participation and representation of the youth in decision making processes; and limited access to health facilities. This makes them vulnerable to indulgency in crime (Agha Khan University, 2016; IEA, 2011; UN Habitat, 20011).

The UN Habitat study on Youth and Crime in Nairobi revealed that young people in conflict with law are majorly arrested on the grounds of theft (45%), assault (23%), drug possession (10%), mugging (10%) and manslaughter (7%). The weapons commonly used in the commission of these crimes included guns, *pangas* (machetes) and knives. The main motive behind most of these crimes was to get money (UN Habitat, 2011). This is indicative of either the country's inability to avail legitimate means for its young people to meet their needs and/or financial obligations legally (in the broader context of Strain Theories of crime) or an emerging generation of a "criminal youth".

Various institutions are responsible for youth offenders in Kenya. These include the National Police Service, Judiciary, and Office of the Director of Public Prosecution, Prisons department and Probation and Aftercare Services. The police arrests and investigates youth suspected to be in conflict with the law and prosecuted in a court of law for hearing. If found guilty, they are committed to serve their sentences either in Prison, Youth Corrective Training Centres or in the community under the supervision of the Probation and Aftercare Services Department.

Article 55 of Kenya's Constitution 2010 states that the State shall take measures, including affirmative action programmes, to ensure that the youth access relevant education and training; have opportunities to associate, be represented and participate in political, social, economic and other spheres of life; access employment; are protected from harmful cultural practices and exploitation. In the spirit of this constitutional provision, the Government of Kenya (through its duty bearer agencies) has launched various policies and programmes geared towards ameliorating the challenges facing the youth. Key among them is the National Youth Empowerment Strategic Plan 2016-2021 that provides a legal policy framework defining government-youth engagement both at the national and at the county levels. Other interventions include the Free Primary Education (FPE), Free Maternal Healthcare Program,

Uwezo Fund, Youth Enterprise Development Fund (YEDF) and the establishment of the National Youth Service (NYS). Despite the above evident robust government measures and interventions, the issue of youth crime largely remains unsettled. Therefore, the adequacy and efficacy of the forenamed interventions is on strict reproach.

1.2 Problem Statement

According to the Institute of Economic Affairs Youth Compendium (2011), approximately 57% of crimes reported to the police in Kenya are committed by the youth. The number of youth dominated criminal gangs in the country is also on the rise (NCRC, 2012 and NCIC, 2017). Furthermore, mass media reports have equally highlighted an upsurge in crime and violence incidences perpetrated by the youth in all forty seven (47) counties in Kenya. This increased incidence of youth crime across the country is becoming a matter of grave concern among the general public and security agencies in particular.

The high rates of crime and violence perpetrated by the youth in the country has both direct and indirect effects on human welfare, economic growth and social development. Directly, it leads to higher expenditure in healthcare especially for those injured, and policing on the part of the government; while the resultant incarceration, maiming or death has led to loss of income. Indirectly, it discourages local and foreign investment. Evidently, if this trend goes unabated, then the country's trajectory towards the realization of its development agenda as defined along the Sustainable Development Goals (SDGs), Vision 2030 and the medium term plan 2018-2022, which the Government has prioritized in the Big Four Agenda stands impugned.

Recent trends in youth involvement in crime also reflect a departure in the dynamics of crime commission. Police reports indicate a sharp increase in use of weapons in the commission of crimes by the youth (NPS, 2016). A study on Youth and crime in Nairobi by the UN Habitat reveals that guns, swords, pangas and knives are the more popular weapons of choice by the youth (UN Habitat, 2011). The underlying reasons for this change of tact by youth offenders have not been empirically established.

Youths play a critical role in driving the development agenda of any country forward. Despite this role, some quarters feel that the rampant mutating crimes experienced in the country is heavily associated with the youths while other quarters feel that these is alleged and not factual. Therefore, the state of youth engagement in crimes remains contested.

The culmination of the above facts gave impetus to this study. It is against this background that this study systematically enquired on the dynamics surrounding youth crime in Kenya with a view to informing policy on crime prevention.

1.3 Objectives of the study

1.3.1 General Objective of the study

The general objective of the study was to examine the dynamics surrounding youth crime in Kenya with a view to informing policy on crime prevention.

1.3.2 Specific Objectives

The study was guided by the following specific objectives:

1. To ascertain the prevalence of criminal acts among the youth in Kenya.
2. To establish *modus operandi* used by the youth in conflict with the law in the commission of their crimes.
3. To determine the underlying factors motivating the youth into crime in Kenya.

1.4 Justification of the Study

This study was justified by a number of reasons. Firstly, security is a fundamental human right as enshrined in Article 29 of the Constitution of Kenya 2010. Therefore, any attempt aimed at assisting government agencies mandated with the fight against crime by way of researched interventions stand justified.

Secondly, the Government finds high potential in youth and has invested in their empowerment and crime prevention related programmes. However, the rate of youth crime continues to be on the rise. Therefore, the findings of this study will help the government, and in particular its duty bearer agencies, in refocusing their approach against youth crime. It will inform their programs and policies towards youth and crime.

Thirdly, youth constitute majority of the country's population. Therefore, being energetic and dynamic, they supposedly are the core of Kenya's development agenda; especially in the broader context of providing labor to manufacturing industries and providing a wide market for agricultural products which will trigger the savings and investment culture, consequently breaking the vicious cycle of poverty and crime hence the realization of Sustainable Development Goals and Vision 2030. The findings of this study will suggest appropriate policy solutions and recommendations towards mitigating on the factors propelling the youth into crime as opposed to nation building.

Finally, this study will add to the existing body of knowledge on the subject of youth and crime.

1.5 Assumptions of the Study

This study made the following assumptions; that:

1. The existing NCRC data would be adequate in guiding this study.

1.6 Scope of the Study

This study examined dynamics surrounding youth in conflict with the law in Kenya. In particular, it focused on: factors motivating the youth into crime in Kenya; prevalence of criminal acts among the youth in Kenya; *modus operandi* used by the youth in commission of crimes and factors that influences youths to commit crimes in Kenya.

1.7 Theoretical Framework

This study was anchored on Strain Theory, Differential Association Theory, Sub-Culture Theory and Foucault's Theory of Power and Resistance.

1.7.1 Strain Theory

After examining crime statistics by class, Merton realized that people from lower socioeconomic classes mostly engaged in crimes involving acquisition (for example, theft). To explain this phenomenon, he developed the Strain Theory of crime. According to Merton, crime and deviance are products of certain strain, referred to as *anomie*, which features prominent disparity between societal expectations and institutionalized means (Merton, 1964; Merton, 1968; Merton, 1969).

The thesis presented by this theory is that people resort to crime when the "legitimate means" of achieving laid-down goals are insufficient, leading to the option of illegitimate means. According to this theory, the society places the yoke of expectations (socially-approved goals such as economic success) on the individual, while the institutionalized means of attaining these expectations are often inadequate. Depending on the circumstances of the individual, he or she may adapt in any of the following ways. Firstly, through conformity. This denotes individuals who both accept the socially-approved goals and the institutionalized means (such as working hard) of attaining them. Secondly, through innovation. This is where the individual accepts the culturally-approved goals, but instead uses illegitimate or unconventional means to pursue them. Thirdly, ritualism. Here, the individual approves of the institutionalized means, but loses sight of the goals. Fourth, through retreatism. This explains

the situation where the individual rejects the goals as well as the legitimate means to obtain them. These individuals may retreat into drugs as a way of escaping from them. Lastly, through rebellion. This is where the individual disapproves of the goals and the institutionalized means by creating a parallel system of goals and means, often oppositional to that of the society (Merton, 1969).

In this theorization, youth in conflict with the law are either innovators, retreatists, or rebels. The society has placed a higher expectation on the youth in terms of socio-economic success but the available socially acceptable means of accessing them are scanty. Thus, crime commission can be blamed on the society's unjustified expectation of the youth without reference to the limited resources at their disposal. As innovators, young people who lack conventional means of pursuing the culturally-approved goals may "invent" new means such as theft, robbery and money laundry to attain them. As retreatists, they may decide to retreat into drugs. They may also decide to rebel by forming criminal gangs.

1.7.2 Differential Association Theory

Edwin Sutherland proposed differential Association Theory in 1939. The central argument presented in this theory is that, criminal behavior is learned in the same way law-abiding behavior is learned; and that, this learning is achieved through interactions (communication) with those who define law breaking as desirable. The higher the frequency of these interactions, the higher the chances of internalization of beliefs favorable to crime. In other words, people become criminals because they associated with and/or absorbed definitions favorable to crime. It can be deduced from this theory, therefore, that youth offenders learn criminal skills by way of association with groups where such skills are propagated (Sutherland and Cressey, 1955).

Sutherland opines that the critical part in the learning of any criminal behavior often occurs within intimate personal groups. The theory also presupposes that when criminal behavior is learned, the learning also includes the techniques of committing the crime (which are sometimes very complicated and sometimes simple); and the specific direction of motives, drives, rationalizations, and attitudes (Sutherland and Cressey, 1955). This can explain youth crime in the group context especially on how peer pressure and the existence of criminal gangs can drive a young person into crime.

As Sutherland will contend, the existing institutional arrangements for youth offender rehabilitation only serves to exacerbate their criminal dispositions. This is true because the

differential association facilitated by confinement sets forth a perfect platform for learning increased criminal behaviour from the “hardcore” criminals.

1.7.3 The Subcultural Theory

According to this theory, crime by the young people is as a result of an individual's conformity to values and norms of a social group to which they belong (Cohen, 1955). For instance, if one belongs to a social group whose norms differ from those of the main society, then he/she will become deviant.

Cohen (1968) observed that lower-working-class youth want to achieve success, which is valued by mainstream culture. But due to educational failure and the dead-end jobs that result from this, they have little chance of achieving these goals. This results to “status frustrations”. Here they reject the norms and values of mainstream society and instead turn to the norms and values of a delinquent sub-culture. In this subculture, these young people can achieve success because the social group has different norms and values from the rest of society. Here, high value is placed upon criminal acts such as stealing and vandalism, which are condemned by mainstream society.

There are three types of sub-culture that young people might enter into. The first one is criminal sub-cultures. These tend to emerge in areas where there is a lot of organized adult crime. In this case, there are criminal role models for young people from whom they can learn how to commit criminal acts. In these sub-cultures, the young people can climb up the professional criminal ladder by committing more crimes. Secondly, conflict subcultures. These tend to emerge in areas where there is little organized adult crime. As such, instead of learning how to commit serious monetary crimes, the young people instead focus on gaining respect through gang violence. Lastly, retreatist subcultures. These are youth who have failed both in the criminal sub-cultures and conflict subcultures. They are double failures. They tend to retreat to drugs and alcohol abuse to deal with the fact that they have been rejected from other subcultures (Cohen, 1955).

According to this theory, apart from people's failure to achieve success, crime also is a result of the fact that there is a lower-class subculture with different norms and values to the rest of the society. These norms include: toughness – people within the lower class subculture value toughness as an important trait and can manifest itself in assault and violence; smartness – here, people tend to outsmart others and will lead them to con, pickpocket or steal from each other in “clever” ways; and lastly, excitement – young people in this subculture derive

pleasure from such acts as gambling, alcohol and sexual adventures. Miller contends that these mix of norms/values can lead to a culture which accepts crime and deviance as normal (Cohen, 1972).

1.7.4 Foucault's Theory of Power and Resistance

In his 1982 work on "The Subject and Power" Michael Foucault presents a theory of Power and Resistance. The gist of this theory is that power relations as antagonistic strategies primarily shape human behavior. He starts by illustrating a series of oppositions, which have developed over time: 'opposition to the power of men over women, of parents over children...of administration over the ways people live' (p. 780). In this perspective, the human subject is at the middle of the power struggles linked to knowledge, competencies and qualifications.

There are three basic types of power struggles – against forms of domination (ethnic, social, and religious); against forms of exploitation which separate individuals from what they produce; or against that which ties the individual to himself and submits him to others in this way (struggles against subjection, against forms of subjectivity and submission) (Foucault, 1980). Violence, which is a form of crime, is essentially a product of these struggles.

Applying this view on the Kenyan scenario for instance, youth violence, which has prominently emerged as a widespread phenomenon during moments of political controversy and especially in times of elections (2007-2008, 2013 and lately 2017), are forms of resistance towards regimes, tribes and social classes perceived as oppression.

CHAPTER TWO: METHODOLOGY OF THE STUDY

2.1 Introduction

This chapter looks at the research design, methods and tools of data collection and management, data analysis and ethical considerations.

2.2 Research Design

This study applied descriptive survey design which, according to Churchill (1991), is appropriate where the study seeks to describe the characteristics of certain groups and make predictions. A combination of both qualitative and quantitative approaches will also be utilized to ensure complementarity in data capture as the weaknesses and strengths of each method will be combined to provide valid data.

2.3 Methods and Tools of Data Collection

2.3.1 Data Collection Methods

The study utilized secondary data collection methods. Secondary data will be collected through review of criminal justice data, reports and records about arrests and convictions of youth offenders.

2.4 Data Collection and Management

Secondary data was sourced from the past NCRC studies.

2.5 Methods of Data Analysis

Data set from NCRC studies were used in this study. The quantitative data was analyzed through descriptive statistics using SPSS software and presented in frequencies and percentiles and tables.

CHAPTER THREE: FINDINGS AND DISCUSSIONS

Broad Objective

To assess nature of youth criminality in Kenya

Specific Objectives of the Study

- i. To establish crimes committed by the youths in the country
- ii. To establish factors that contribute to youth criminality in Kenya
- iii. To identify the *modus operandi* of youth crimes
- iv. To appraise the consequences of youth crimes

3.1 Introduction

This chapter is organized into various sections to establish crimes committed by the youths in the country, to establish factors that contribute to youth criminality in Kenya, to identify the *modus operandi* of youth crimes and to appraise the consequences of youth crimes.

3.2 Crimes Committed by the Youths

The study sought to establish crimes committed by the youths using secondary data mined from NCRC reports. Table 3.1 below indicates crimes committed by the youth and stealing topped the list followed by possession of illicit brews; robbery; assault causing actual bodily harm; burglary and house breaking; drug trafficking; rape; stock theft (including cattle rustling); robbery with violence; murder; being drunk and disorderly; and defilement. The least perpetrated crime was infanticide; collusion with criminals; and being in the country unlawfully (illegal immigrant).

Table 3.1: Crimes committed by the youths

Crimes committed by the youths	Male	Female
Illegal abortion	17	17
Assault Causing Actual Bodily Harm	211	176
Burglary and House Breaking	189	122
Stock theft (including cattle rustling)	137	76
Child Abuse (including child neglect) other than sexual abuse	5	8
Defilement	106	69
Malicious damage to property	10	7
Gender Based Violence (including Domestic Violence)	8	2
Being drunk and disorderly	117	88
Corruption	5	7
Female Genital Mutilation (FGM)	1	1

Forgery	33	19
Gambling without a license	22	17
Infanticide	1	0
Kidnapping and abduction	8	6
Murder	124	111
Poaching	3	5
Possession of illicit brew	241	194
Robbery with Violence	127	86
Robbery	229	177
Stealing	531	386
Attempted suicide	8	4
Creating disturbance	16	12
Drug trafficking and smuggling	167	127
Carjacking/hijacking	19	8
Traffic offences	2	6
Loitering for prostitution	37	41
Terrorism	7	4
Human (especially child) trafficking	3	2
Land fraud (including grabbing)	5	1
Manslaughter	1	1
Collusion with criminals	1	0
Unnatural sexual acts (e.g. Homosexuality, Incest and Bestiality)	4	4
Cyber crime	2	2
Rape	154	105
Illegal possession of arms and weapons	6	8
Being in the country unlawfully (Illegal immigrant)	1	0
Hate Speech	2	3
Destruction of forest produce (logging)	2	3

Source: Crime Mapping (2016)

The above findings relates closely with the youthful responses in Boda boda Motorcycle Transport report (2018), whereby the most prevalent crimes committed by youthful riders included: assault (31.8%); robbery (29.9%); murder (29.0%); general stealing (23.4%); robbery with violence (22.9%); trafficking dangerous drugs (20.7%); defilement (17.8%); and rape (17.2%). Most of these offences were committed in the early nights between 7.00 p.m. to 11.59 a.m. Afternoon hours between 12.00 p.m. to 12.59 p.m. was also said to be prime hour for commission of offences but 28.8% of the respondents stated that there is no specific time of committing crime.

In the report of Probation Orders (2018), approximately 27.57% of the youth had committed general stealing while 17.65% committed assault causing actual bodily harm followed by possession of illicit/illegal brew and drugs (14.34%), malicious damage to property (8.82%)

and creating disturbance (7.72%). It is important to note that certain crimes highlighted in this report are commonly committed by the youth in various Counties as attested in other reports of Crime Mapping, Boda Boda and Borderland Crimes. The prevalent crimes includes general stealing, assault causing actual bodily harm, possession of illicit brew and drugs, being drunk and disorderly, child neglect and loitering.

Table 3.2 below shows various crimes committed by the youth in their percentages and the same youths were convicted to serve non-custodial Probation sentences in order to be rehabilitated within the community based on their criminogenic needs. Rehabilitation involves different approaches to change the offender’s behavior and offender’s voluntary willingness to change is paramount in order to bring desired change or reform. Counseling is one of the various approach which include family conferencing besides personal therapy because it is crucial to understand the environmental surrounding of the offender that may attribute to crime for purposes of informed proper planning to bring about reform.

Table 3.2: Offences committed by youthful probationers

Offence committed by youthful probationers	Percent
General stealing	27.57
Assault causing actual bodily harm	17.65
Possession of illicit/illegal brew and drugs	14.34
Malicious damage to property	8.82
Creating disturbance	7.72
Drunk and disorderly	5.51
Child neglect	3.31
Trespassing	3.31
Manslaughter	2.94
Loitering	2.21
Attempted defilement	1.84
Possession of stolen property	1.84
Traffic offences (including touting)	1.10
Gambling	0.74
Hawking	0.74
Witchcraft/possession of charms	0.37
Total	100

Source: Probation Orders report (2018)

From the findings of both National Crime Mapping (2016) and Probation Orders report (2018), it is clear that stealing is one of the crimes youths engaged in. This is a misdemeanor

and denotes that some youths may be engaging in these crimes as means of earning a livelihood. There is need therefore for the government to enhance the existing youth empowerment programs, inculcate the culture of innovativeness and self-reliance.

3.2.1 Crimes committed by youthful Boda boda riders

As regards crimes committed by youthful Boda boda riders', most youthful respondents cited causing death by dangerous driving/riding (79.54%). This was followed by driving/riding under influence of alcohol (52.73%), creating disturbance (49.04%), assault (31.88%) and usage of dangerous drugs (30.22%).

Table 3.3: Crimes committed by Boda boda riders

Crimes committed by Boda boda riders	Percent of Cases
Causing death by dangerous driving/ riding	79.54
Driving/riding under influence of alcohol	52.73
Creating disturbance	49.04
Assault	31.88
Usage of dangerous drugs	30.22
Robbery	29.98
Murder	29.07
Theft of motor cycle	25.40
Affray (fighting)	25.11
General stealing	23.47
Bribery	23.14
Robbery with violence	22.92
Handling dangerous drugs	21.40
Trafficking dangerous drugs	20.72
Stealing from person	20.68
Possession of dangerous drugs	19.33
Defilement	17.81
Robbery of motor cycle	17.44
Rape	17.21
Negligence acts	17.19
Theft of motor cycle parts	16.41
Kidnapping	16.11
Smuggling of goods across borders	15.90
Bag snatching	13.58
Handling stolen property	12.80
Motor cycle hijacking	10.38
Abduction	10.14
Tax evasion	10.11
Indecent assault	9.89

Malicious damage to property	8.64
Manslaughter	8.49
Stealing from a building	7.98
Theft of motor vehicle parts	7.47
False accounting	6.65
Theft of stock	5.70
House breaking	5.68
Stealing by employee/servant	5.60
Taking vehicle without lawful authority	5.29
Illegal possession of firearms and weapons	5.15
Smuggling of fire arms and weapons	4.75
Obtaining by false Pretense	4.33
Procuring of abortion	4.06
Illegal possession of contrabands/counterfeits	3.96
Burglary	3.94
Robbery of motor vehicle	3.78
Theft from motor vehicle	3.71
Carjacking	3.55
Arson	3.20
Human trafficking	3.04
Theft of motor vehicle	2.85
Smuggling of forest and wildlife products	2.52
Incest	2.03
Poaching	1.93
Cattle rustling	1.74
Other breaking	1.74
Illegal possession of forest and wildlife products	1.64
Infanticide (killing of a baby)	1.09
Currency forgery	1.09
Other fraud/forgery offences	1.03
Bestiality	0.84
Other offences against tourists	0.66
Other offences involving tourists	0.49
Un-natural offences (Sodomy)	0.45

Source: Boda Boda Motorcycle (2018)

The above findings infer that youth engage in violating laws that breach law and order which leads to criminal sanctions. Some of the offences committed have serious consequences at individual, family and societal levels.

It is relatively relevant to note that 47.7% of Boda boda youth respondents reported that all days of the week are prone to crime commission and only 29.2% said Saturdays are best days

of committing crimes taking advantage that they are market days and most people go outings for entertainment while 24.1% said Sundays and 8.6% were of opinion that there is no particular day of the week to commit crime but can be committed an opportune time or day.

3.2 Factors Contributing to Youths Criminality

This study sought to establish the factors that contribute to youth criminality in Kenya sourced from secondary data of Crime Mapping, (2016). Table 3.4 below shows factors that contribute to crimes as cited by the youths. The leading factors included unemployment that was cited by 795 and 572 men and women respectively; poverty 493 and 392; alcohol, drug and substance abuse 326 and 249 men and women respectively. Other factors included illiteracy and ignorance 229 and 162 men and women respectively and peer pressure/influence 132 and 88. The actual secondary data source from Crime Mapping, (2016) supported the findings and perceptions of youthful respondents from the field.

Table 3.4: Factors contributing to youth criminality in Kenya

Factors contributing to crime	Gender	
	Male	Female
Conflict over natural resources	62	37
Retrogressive cultural, religious beliefs and practices	67	39
Alcohol, drug and substance abuse	326	249
Proliferation of illicit arms and weapons	8	12
Greed for quick wealth	70	52
High cost of living	51	31
High rate of school drop out	20	21
Trafficking of illicit alcohol and drugs	39	24
Illiteracy and ignorance	229	162
Weak law enforcement	87	52
Marginalization and unequal distribution of resources	28	20
Peer pressure/influence	132	88
Political incitement	32	14
Poor parenting/upbringing and moral decadence	54	65
Poverty	493	392
Crime of passion factors (e.g., infidelity)	43	23
Stress and depression	6	17
Technological exposure	3	0
Negative ethnicity and nepotism	47	28
Unemployment	795	572
Hereditary factors	6	8
Revenge after crime factors	13	15

Radicalization	13	5
Corruption	27	38
Family/domestic disputes	20	20
Migration	4	4
Poor transport and communication infrastructure	10	12
Total	1176	872

Source: *Crime Mapping (2016)*

Kenya's population is mainly youthful and unemployed and therefore a good proportion of them are idle making them vulnerable to drug and substance use through peers who influence them negatively. The use of illicit drugs and other substances intoxicates their minds to commit crimes and owing to the ignorance of the laws they end up doing crimes without knowing the consequences or implications of their actions. Data set of crime mapping, (2016) and Boda Boda, (2018) reports showed that crime factors have been constant without change in the two years period (2016-2018).

Table 3.5: Prevalence of crimes committed by men

Crimes commonly committed by men	Male	Female
Illegal abortion	0	1
Assault Causing Actual Bodily Harm	223	166
Burglary and House Breaking	169	99
Stock theft (including cattle rustling)	162	110
Child Abuse (including child neglect) other than sexual abuse	11	24
Defilement	135	123
Malicious damage to property	14	4
Gender Based Violence (including Domestic Violence)	71	45
Being Drunk and Disorderly	85	62
Corruption	16	14
Female Genital Mutilation (FGM)	3	1
Forgery	40	25
Gambling without a license	3	2
Infanticide	0	1
Kidnapping and Abduction	7	3
Murder	192	157
Poaching	4	4
Possession of illicit brew	174	128
Robbery with Violence	140	83
Robbery	169	164
Stealing	423	315
Attempted Suicide	2	5
Creating Disturbance	15	10
Drug Trafficking/Smuggling	52	46

Carjacking/hijacking	28	7
Traffic Offences	4	3
Loitering for prostitution	17	14
Terrorism	6	8
Human (especially child) Trafficking	3	1
Land fraud (including grabbing)	27	13
Manslaughter	1	1
Collusion with Criminals	0	2
Unnatural Sexual acts (e.g. Homosexuality, Incest and Bestiality)	5	10
Cyber Crime	1	3
Bigamy	1	0
Rape	212	185
Illegal possession of arms and weapons	7	4
Hate Speech	4	4
Destruction of Forest Produce (Logging)	2	1

Source: Crime Mapping (2016)

The above findings showed that crimes mostly committed by males included; stealing; assault causing actual bodily harm; rape; murder; possession of illicit brew; robbery; burglary and house breaking; stock theft (including cattle rustling); robbery with violence; defilement; being drunk and disorderly; and gender based violence (including domestic violence). It is important to note that as much as above stated offences are mostly committed by men, women also commit similar offences in almost the same number as men, more so, the offence of robbery, defilement, rape, murder, being drunk and disorderly, gender based violence and being in possession of illicit brew. Women and girls have been known to be victims of rape and defilement; however in this report women have emerged to be perpetrators of rape and defilement in a significant number.

Notably, the youth age respondents in Boda Boda Motor cycle Transport report, (2018) indicated that similar offences were committed in the following percentages; assault (31.8%); robbery (29.9%); murder (29.0%); theft of motorcycles (25.4%); general stealing (23.14%); robbery with violence (22.9%); defilement (17.8%); rape (17.2%); house breaking (5.6%); and burglary (3.9%).

Table 3.6: Prevalence of crimes committed by Women

Types of crimes committed by women	Gender	
	Male	Female
Illegal abortion	74	57
Assault Causing Actual Bodily Harm	185	127
Burglary and house breaking	8	5
Stock theft (including cattle rustling)	11	8
Child abuse (including child neglect) other than sexual abuse	73	64
Defilement	12	7
Malicious damage to property	6	3
Gender Based Violence (including Domestic Violence)	36	37
Being drunk and disorderly	55	40
Corruption	6	7
Female Genital Mutilation (FGM)	39	14
Forgery	59	34
Gambling without a license	5	1
Infanticide	18	18
Kidnapping and abduction	5	6
Murder	43	30
Poaching	0	1
Possession of illicit brew	285	184
Robbery with Violence	11	5
Robbery	34	22
Stealing	167	142
Attempted suicide	5	2
Creating disturbance	13	12
Drug trafficking/smuggling	35	24
Carjacking/hijacking	5	0
Traffic offences	0	2
Loitering for prostitution	158	100
Terrorism	3	0
Human (especially child) trafficking	2	11
Land fraud (including grabbing)	9	3
Collusion with criminals	10	8
Cyber crime	0	1
Bigamy	19	13
Rape	7	3
Hate speech	7	4

Source: Crime Mapping (2016)

The results in Table 3.6 above shows that females are also perpetrators of crimes and the most prevalent crimes they committed included: possession of illicit brews; stealing; assault causing actual bodily harm; loitering for prostitution; child abuse (including child neglect)

other than sexual abuse; illegal abortion; and being drunk and disorderly. The interpretation of these findings contrariwise is that men committed similar offences in higher numbers than the females particularly being in possession of illicit brews; assault causing actual bodily harm; loitering for prostitution; and stealing. It can be deduced that women are in possession of illicit brew for sale in order to obtain money to support their families, inversely, the usage of the brew makes them drunk thus behaving in a disorderly manner thus susceptible to cause harm through assault. Women who are drunk may be taken advantage of by men into sexual acts leading to unplanned pregnancies that make them desire to terminate the conceptions. Loitering for prostitution are chiefly acts to solicit for money to support their children and sustain their livelihoods and by loitering they neglect their children at homes. Further, it can also be deduced in the above table that high numbers of men are in possession of illicit brew probably for personal consumption or for sale. The use of the illicit drinks can intoxicate their minds and make them prone to violence hence many of them end up causing assault that results in bodily harm. The act of stealing could be to get easy money to sustain their drinking habits or for support of their families since majority of them are unemployed. It has emerged in the above table that high number of men engages in loitering for prostitution unlike the old perception that only women engage in the vice.

3.4 Modus Operandi of Youth Crimes

This study further sought to identify the *modus operandi* of youth crimes. According to Borderland Related Crimes and Security Threats study of NCRC (2018), youths played a critical role in borderland related crimes. These roles included being main perpetrators of crimes (26%), cattle theft/stealing/robbery (13.7%), planning and executing crimes (11.5%), consumers of drugs e.g. cocaine (11.6%) and transportation of contrabands and or smuggled illegal goods across border (10.4%) (NCRC, 2018). This is illustrated in Table 3.7 below. The findings suggest that youths have been engaged in commission of crimes within and outside the borders of the country.

Table 3.7: Role of youth in borderland related crimes and security threats

Role of youths in borderland-related crimes and security threats	Frequency	Percent
Main perpetrators of crimes	601	26.0
Cattle theft/stealing/robbery	316	13.7
Planning and executing crimes	265	11.5
Consumers of drugs e.g. cocaine	267	11.6
Transportation of contrabands and or smuggled illegal goods across	239	10.4

border		
Main smugglers of illegal goods	204	8.8
Conducting raids/attacks with guns	153	6.6
They are drug peddlers/distributors	143	6.2
Conduct terror attacks and being radicalized	87	3.8
They give direction to the criminal friends	73	3.2
Consumers of illicit brew	70	3.0
Fish using illegal fishing tools and boats	65	2.8
Act as spy to the foreigners	59	2.6
Traders of smuggled products	56	2.4
Stealing of motorbikes & criminal activities and taking them across border	51	2.2
Used for fighting at the borderlands	42	1.8
Transport stolen animals across the border	38	1.7
Charcoal burners and sellers	31	1.3
They sell contrabands	30	1.3
Transport, smuggle illegal immigrants	26	1.1
Rape	15	0.7
Packers of illicit brew	2	0.1

Source: Borderland Crimes (2018)

Kenya's population is mainly youthful and unemployed and therefore a good proportion of them are idle and thus the influence towards each other to commit crimes in order to generate quick income to sustain their livelihoods.

Table 3.8: Offences committed by supervisees serving CSO sentences

Offences committed by Supervisees serving CSO sentences	Male	Female
Possession of illicit/illegal brew and drugs	115	80
Drunk and disorderly	164	72
Creating disturbance	72	26
Assault causing actual bodily harm	130	60
General stealing	140	51
Gambling	8	1
Destruction of property/forest produce	23	9
Possession of stolen property	5	0
Child neglect	4	8
Attempted defilement	14	3
Trespassing	21	6
Hawking	20	0

Loitering	31	12
Traffic offences (including touting)	8	2
Public health offences	0	2
Giving false information	1	1
Total	348	160

Source: *Community Based Sentences (2018)*

Table 3.8 above displays youth offenders who were convicted to serve non-custodial sentences of Community Service Orders. Prominent number of them committed offences of being drunk and disorderly at 164 and 72 men and women respectively; general stealing 140 and 51; assault causing actual bodily harm 130 and 60; possession of illicit brew and drugs 115 and 80; and creating disturbance 72 men and 26 women respectively. CSO convicts shown above are also serving sentences of being in possession of stolen property, child neglect and loitering offences that have been cited by Crime Mapping (2016), Boda boda Motorcycle (2018) and Borderland (2018) reports. The CSO male supervisees were 348 in total while females were 160, an indication that men are the most perpetrators of crime compared to women.

Table 3.9 below presents data on youths of 18-25 years serving custodial sentences in Prisons having been convicted of various crimes. According to these figures, majority of the prison population is composed of youths. In the year 2013, 49% of the prison population was comprised of persons between the ages of 18-25 years while in 2014, they accounted for 47.67%. There was an increase in number of youthful offenders in 2017 at 49.59% compared to 2016 which was at 46.88%. These imply that most of the prisons have a significant number of youthful inmates who are energetic.

Table 3.9: Youths of 18-25 years convicted of various offences in prisons

Years	Gender	Youths of 18-25 years convicted of various offences in prisons		Sub totals	Total number of convicted inmates admitted in the prison	Percentage representation of youthful population
		18-20	21-25			
2013	Male	13,814	20,252	34,066	68,874	49.00
	Female	1,115	2,420	3,535	7,862	
	Total	14,929	22,672	37,601	76,736	
2014	Male	18,002	29,662	47,664	98,115	47.67
	Female	1,448	2,632	4,080	10,370	

	Total	19,450	32,294	51,714	108,485	
2015	Male	14,779	22,984	37,763	75,767	48.20
	Female	1,735	2,974	4,709	12,348	
	Total	16,514	25,958	42,472	88,115	
2016	Male	12,040	22,444	34,484	71,789	46.88
	Female	1,343	2,818	4,161	10,644	
	Total	13,383	25,262	38,645	82,433	
2017	Male	11,886	24,559	36,445	72,400	49.59
	Female	865	2,560	3,425	8,004	
	Total	12,751	27,119	39,870	80,404	

Source: KNBS: 2018

Indications in above table also showed that majority of the male youthful inmates were convicted in the year 2014 in a total number of 47,664 while that of females was in the year 2015 at a total of 4,709. The accrual sum total of youthful inmates in prisons for the five years stood at 242,797 of which 190,422 were males while 52,375 were females. Maintaining such a number of youths besides other age set in prison can prove to be expensive as the state incurs a lot of expenditures which would have been channeled into other profitable projects or adding up into youthful enterprises funds to empower youths.

Table 3.10: Victims of Crimes

Victims of Crimes	Gender	
	Male	Female
Boda Boda operators	99	50
Business persons	363	272
Children	321	274
Disabled persons	9	7
Drunkards	13	8
Farmers	85	60
General Public	292	212
Men	274	223
Night Shift Workers	8	3
Parents	9	5
Students	25	16
Teenage girls	74	48
Elderly persons	91	61
Wealthy people	118	78
Non-locals	53	30
Widows	5	3
Wild animals	1	2
Women	530	444
Youth	244	174
Religious groups	1	2

Security officers	4	2
Witches/sorcerers	1	0
Poor persons	5	2
Ethnic groupings	2	1
Total	1184	880

Source: Crime Mapping (2016)

From findings portrayed on Table 3.10 above, there are various victims of crimes. Women are the leading victims owing to their vulnerability followed by business persons, children, general public, men, youth, wealthy people, Boda Boda operators, elderly persons, farmers, teenage girls and the non-locals. Interestingly, youth are also victims of their fellow youth who have opted to act in a criminal manner without due consideration of victim's age, gender, profession, ethnicity or status. Inversely, some Boda Boda operators have been known to perpetrate crimes or collude with criminals in committing crimes according to Boda Boda Transport report (2018), however, in the report of Crime Mapping they have been shown to be victims of crimes as well.

The gender of main victims in Boda boda Motorcycle related crimes are males at 79.2% while females constitute 16.8% as shown in Table 3.11 below. These percentages are proved in Crime Mapping Table 3.10 above which shows total number of male victims of crime being 1184 and women at 880.

Table 3.11: Gender of main victims of Boda boda Motorcycle related crimes

Gender of main victims of Boda boda motor cycle related crimes in this locality	Percent
Male	79.22
Female	16.82
Both	3.95

Source: Boda Boda Motorcycle (2018)

Table 3.12 below indicates the highest percentage of age victims being that of the youth (77.7%) followed by persons above youth age (11.50%), children (3.16%) and the elderly (3.16%). This is a reflection of Table 3.10 above which showed children, youth and elderly persons being the leading victims of crimes.

Table 3.12: Age of main victims of Boda boda Motorcycle related crimes

Age of main victims of Boda boda motor cycle related crimes in this locality	Percent
Children	3.16
Youth	77.69
Persons above youth age	11.50
Elderly	1.38
All	6.27

Source: Boda Boda Motorcycle (2018)

Table 3.13: Services offered to Victims of Crimes

Services offered to victims of crimes	Gender	
	Male	Female
Proper and timely investigation, arrest and prosecution of offenders	279	187
Proper victim assessment, treatment and medical care	183	189
Compensation and/or economic support	484	337
Guidance, counseling and rehabilitation of victims and offenders	279	244
Victim-friendly customer care services in all Police Stations	11	2
Educating the victim	73	56
Reconciliation of victims and offenders	23	17
Establishment and facilitation of victim support groups	10	16
Installation and facilitation of victim hotlines	11	4
Provision of Legal Aid	93	63
Recovery and restoration of lost property	71	51
Victim rescue centres & services (including victim & witness protection)	290	203
Total	1080	820

Source: Crime Mapping (2016)

There are various services offered to victims of crimes but the most featured services indicated in Table 3.13 above are compensation or economic support; victims being taken to rescue Centre's and some being placed under victim and witness protection program; guidance, counseling and rehabilitation of victims and offenders; proper and timely investigation, arrest and prosecution of offenders; proper victim assessment, treatment and medical care; provision of legal aid; educating victims; and recovery and restoration of lost property. The males' genders are the most beneficiaries of above stated services other than the

service of proper victim assessment, treatment and medical care whereby the female gender benefit more. This service is tendered to rape or defiled victims for proper assessment and treatment to gather evidence and substantiate the offender for purposes of trial in the law court as evidence required in criminal matters are demanded beyond probability of doubt.

3.3 Conclusion

Based on the findings of perspectives of youth criminality, it can be concluded that:

1. Youth are increasingly being involved in crimes in many parts of the country. The most common types of crimes they are involved in are general stealing, possession of illicit brews, robbery, assault causing actual bodily harm, burglary and house breaking, drug trafficking, rape, stock theft, robbery with violence, murder, being drunk and disorderly and defilement.
2. There are key factors contributing to youth crimes in Kenya. In order of prominence, these are: unemployment; poverty; alcohol, drug and substance abuse; illiteracy and ignorance; and peer pressure.
3. The modes of executing crimes are varied. The roles includes being perpetrators, cattle theft/stealing/robbery, planning and executing crimes, consumers of drugs such as cocaine and transportation of contrabands and or smuggled illegal goods across border.
4. Youth crimes are perpetrated to various victims who include: women, business persons, children, general public, men, youth, wealthy people, Boda boda operators, elderly persons, farmers, teenage girls and the non- locals.
5. There are best practices which could be adopted or enhanced for successful war against youth crimes. These include: economic empowerment programmes to the youth, conduct civic education programmes on crime prevention, deploying more security officers, Police patrols, disarmament initiatives, establishment of recreation facilities and activities to engage the youth, Community Policing and Nyumba Kumi initiatives, punishment of offenders, collaboration between security stakeholders and Corruption prevention initiatives.

Table 3.14: Recommendations

Recommendations	Gender	
	Male	Female
Granting amnesty to reformed offenders	3	1
Civic education programmes	233	152
Collaboration between security stakeholders	90	48
Community-based dispute resolution mechanisms	31	13
Crime reporting mechanisms within the Police	9	6
Economic empowerment programmes	384	283
Deployment of security officers	204	152
Equal distribution of public resources	15	10
Establishment of prison facilities and police posts	54	30
Establishment of recreation facilities and activities to engage the youth	136	74
Resourcing of National Police Service	70	39
Corruption prevention initiatives	88	72
Disarmament initiatives	163	134
Community Policing and Nyumba Kumi initiatives	94	70
Police patrols	179	126
Periodical transfer of police officers	66	45
Punishment of offenders	90	80
Community sensitization meetings (barazas)	34	20
Rehabilitation of offenders	60	57
Street lighting	66	53
Emphasis on social studies and family values	36	20
Religious advocacy against crime	14	9
Use of technology to fight/curb crime	27	12
Witness protection programmes	8	6
Campaigns against negative ethnicity	3	5
Improvement of transport and communication infrastructure	24	15
Fast tracking of administration of criminal justice	7	11
Total	1156	853

Source: Crime Mapping (2016)

The key recommendations given by youthful respondents in the report of Crime Mapping, 2016 in table 3.14 above to curb escalating crime rate are as follows:

- i. The department of Youth and Gender to provide economic empowerment programmes to the youth to start up viable activities or businesses to generate income for their sustainability.
- ii. The security agencies to conduct civic education programmes on crime prevention in order to make environment safe.

- iii. Deploying more security officers to crime prone areas.
- iv. Police officers to conduct regular patrols at hot spot places.
- v. National Police Service to initiate disarmament of unregistered firearms that are in wrong hands.
- vi. Establishment of recreation facilities and activities to engage the youth.
- vii. Community policing and Nyumba Kumi initiatives to be embraced and implemented.
- viii. Crime offenders to be punished accordingly as per the relevant statutes.
- ix. Security stakeholders to collaborate in curtailing crime.
- x. The Ethics and anti-corruption commission to be aggressive in following up reported corrupt matters.

REFERENCES

- Kenya National Bureau of Statistics. (2018). *Economic Survey report 2010*. Nairobi: Government Printers
- National Crime Research Centre. (2017b). *National Crime Mapping Survey, 2016*. Nairobi: NCRC.
- National Crime Research Centre. (2018a). *Borderland-Related Crimes and Security Threats in Kenya*. Nairobi, Kenya: The Jomo Kenyatta Foundation Publishers.
- National Crime Research Centre. (2018b). *Boda boda Motorcycle Transport and Security Challenges in Kenya*. Nairobi: The Jomo Kenyatta Foundation Publishers.
- National Crime Research Centre. (2018a). *The Delivery of Community-based Sentences in Kenya: The Case of Community Service Orders in Kenya*.
- National Crime Research Centre. (2018). *The Delivery of Community-based Sentences in Kenya: The Case of Probation Orders in Kenya*.
- Blatier, C. (2002). *Delinquency of Minors*. Presses. Paris: Universitaires de Grenoble.
- Business Daily. (2014). Kenya economy's profile suffers from insecurity setback. Retrieved on 26/11/2017 from: <http://www.businessdailyafrica.com/markets/Kenya-economy-suffers-insecurity-setback/539552-2334260-29s32h/index.html>
- Cohen, A. (1955). *Delinquent Boys: The Culture of the Gang*. Glencoe, IL: Free Press
- Cohen, A.K. (1968). *Deviance and Control*. Englewood Cliffs.
- Cohen, Albert K. (1955). *Delinquent Boys: The Culture of the Gang*. Glencoe, IL: Free Press.
- Cohen, P. (1972). *Sub-cultural Conflict and Working Class Community*. Working Papers in Cultural Studies. No.2. Birmingham: University of Birmingham.
- Clifford, W. (1966). *Crime and Culture: An African Study*. Canadian Journal of Corrections, 8.
- De Boeck. F. & Honwana, A. (2005). *Children and Youth in Africa. Agency, Identity and Place*. In Honwana A. And De Boeck F. (eds), *Makers and Breakers: Children and Youth in Postcolonial Africa*. Oxford: James Currey.

- Eshiwani, G.S. (1993). Education in Kenya since independence. Nairobi: East African Educational Publishers.
- Foucault, M. (1982). The Subject and Power. In *Critical Inquiry*, Vol. 8, No. 4 (pp 777-795). www.jstor.org/stable/1343197
- Foucault, M. (1982). The Subject and Power. In *Critical Inquiry*, Vol. 8, No. 4 (pp 777-795). www.jstor.org/stable/1343197.
- Gay, L. R. (1987) *Educational Research: Competencies for Analysis and Application*. (3rd ed.). London: Merrill Publishing.
- Gennaro, F. V., & Jeffrey R. M., & Ronald, M. H (2006). *Criminology: theory, research, and policy*. (2nd ed.). New York: Jones Barlett Publishers.
- Institute of Economic Affairs (2011). *Youth Research Compendium*. Nairobi
- Kenya National Bureau of Statistics. (2018). *Economic Survey Report*. Nairobi: Government Printers
- Kenya National Bureau of Statistics. (2017). *Economic Survey Report*. Nairobi: Government Printers
- Kenya National Commission of Human Rights. (2014). *Are we Under Siege? The State of Security in Kenya: An Occasional Report (2010-2014)*.
- KNCHR. (2014). *Are we under siege? The state of security in Kenya: An Occasional Report (2010-2014)*.
- Kyamana, S. (2015). *Factors Contributing to Crime among Male Urban Youth: A Case of Pumwani-Majengo Ward, Nairobi Kenya*. Nairobi: University of Nairobi
- Merton, R.K. (1968). *Social Theory and Social Structure*. New York: University Press
- Merton, R.K. 1964. Anomie and social interaction: contexts of deviant behaviour, in M.B. Clinard (ed). *Anomie and deviant behaviour. A discussion and critique*. New York: University Press.
- Mugo, J. K. (2011). *Crime: The Young and the Restless*. In *IEA Youth Compendium 2011*. Nairobi: IEA
- Munyo, M. (2013). *Youth Crime in Latin America: Key Determinants and Effective Public Policy Responses*: Washington, DC: Brookings

- Mushanga, T. M. (1976). *Crime and Deviance*. Nairobi: East African Literature Bureau.
- Nandigiri, R. (2015) *Standpoint: The politics of being young: is a youth category necessary for development*. Accessed on: December 4th, 2016.
- National Crime Research Centre. (2018). *Borderland-Related Crimes and Security Threats in Kenya*. Jomo Kenyatta Foundation. Nairobi, Kenya
- National Crime Research Centre. (2012). *A Study on Criminal Gangs in Kenya*. Nairobi: NCRC
- National Crime Research Centre. (2016). *Election Crimes and Offenses in Kenya*. Nairobi: NCRC
- National Crime Research Centre. (2018). *A Baseline Survey on the Delivery of Community Based Sentences: The Case of Probation Orders Sentence in Kenya*. Nairobi: NCRC
- Otiende, J. E., Wamahium, S. & Karagan, A.M. (1992). *Education and development in Kenya. A historical perspective*. Nairobi: Oxford University Press.
- Sutherland, E.H., Cressey, D.R. (1955). *Principles of Criminology (5)*. Chicago: University Press
- The Standard. (2016). *Wave of crime among youth is worrying*. Retrieved on 26/11/2017 from <https://www.standardmedia.co.ke/article/2000195150/wave-of-crime-among-youth-is-worrying>
- UN Habitat. (2011). *Youth and Crime in Nairobi*. Nairobi: UN
- UNDP (2014) *Regional overview: Youth in Africa, International Year of Youth August 2010-2011, Dialogue, and Mutual Understanding*. Nairobi: UN
- UNDP (2017). "Journey to extremism in Africa: drivers, incentives and the tipping point for recruitment." United Nations Development Program, New York
- UNICEF. (2012). *The State of the World's Children 2012: Children in an Urban World*. Retrieved from https://www.unicef.org/sowc2013/files/SOWC_2012-Executive_Summary_En.pdf

UNODC & World Bank. (2007). Crime, Violence and Development: Trends, Costs, and Policy Options in the Caribbean. Retrieved on 26/06/2018 from [https://www.unodc.org/pdf/research/Cr and Vio car E.pdf](https://www.unodc.org/pdf/research/Cr_and_Vio_car_E.pdf)

UNODC. (2005). Transnational Crime in the West African Region. New York: UN