



UN-HABITAT



YOUTH AND CRIME IN NAIROBI

SOME EXPLORATORY ISSUES:

INTRODUCTION

As part of a crime survey conducted in Nairobi from April to July 2001, which indicated that youth delinquency is considered as a problem by the residents of Nairobi, a youth offender profile was carried out. The study aimed at identifying the family and social-economic backgrounds of young offenders, their personal characteristics, their experiences in crime, their reasons and motivations for being involved in crimes, their experiences with police and the justice system, their opinions and hopes for the future. The study has approached normal youths, ex-offenders, various corrective institutional managers, children's officers and probation officers. The study paves the way for a more in-depth analysis, both quantitative and qualitative - which should include an understanding on youth practices and their informal social networks/ institutions, and in particular, on traditional youth conflict resolution mechanisms. It should also inform the development of a demonstration project that seeks to involve the youth at risk in developing the citywide crime prevention strategy.

Approximately 1.2 million people live and work in Nairobi, the capital city of Kenya (UN Statistics Division, 2002). Most of those residents are children, with a significant percentage being young men and women or "the youth". Of the estimated population of 30.1 million, approximately 37% of all Kenyans age 15 and under.



(Population and Housing Census, 1999)

In order to understand what life is like for the youthful residents of Nairobi, it is important to provide some information about Kenya's economic, political and social realities. According to the United Nations Economic Commission for Africa,

You can't imagine the way my mother is tortured and beaten by my father every so often in front of us... even God will revenge one day. My mother is really abused and it is her who feeds us through hard work... we have no option but to assist her and that is why we join our friends and commit crimes for money.

- a Nairobi youth

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for example, Kenya was one of fourteen, emerging Sub-Saharan countries with "...a prospect of a sustainable take-off ..." (UNECA, 2001). UNECA claimed that Kenya, among others, had made progress towards removing macro-economic imbalances and relative price distortions including inflation, budget deficits, black market foreign exchange premiums and real exchange rate misalignment. UNECA said that Kenya, as one of the G14 countries, had come to exhibit greater political stability – a factor which was said to contribute to the implementation of sounder policies over the projection period (UNECA, 2001). Interestingly, McDormick and Pederson warned in 1998 that the changing nature of Kenyan exports and export markets combined with Kenya's ill-preparation to meet these challenges may have a further destabilising effect upon the economy. There would obviously be consequences for the labour force and levels of employment within the country.

Kenya, generally, and its capital city of Nairobi was widely acknowledged to be experiencing significant political turbulence in recent years. For example, in its *World Report 2002*, Human Rights Watch described the current situation in Kenya as follows:

"As rates of violent crime climbed, reports of police corruption, harassment, use of excessive force, and unlawful confinement were

routine".

Service delivery and governance were also said to be poor. The state of Kenya's criminal justice system has received some negative attention in the international media in recent years. Amnesty International, for example, focused on the conditions in many Kenyan prisons. It was suggested that hundreds of prisoners died annually from infectious diseases caused by severe overcrowding, unsanitary conditions, shortages of food, water, clothing, blankets and inadequate medical care. The state of Kenya's many prisons was described by one district commissioner as so harsh that prisons *"end up hardening criminals rather than rehabilitating them"* (*East African Standard*, 20 September 2000 cited in Amnesty International, 2001).

As a city, Nairobi has witnessed rapid levels of urbanisation, an influx of fleeing refugees and so-called "illegal aliens". But it has also borne witness to devastation of HIV/AIDS upon its citizens and social structures. Human Rights Watch in a recent publication on HIV/AIDS and children's rights in Kenya, pointed out that:

"[In] the countries now hardest hit by HIV/AIDS, the extended family has traditionally been the source of support and care for orphans and other children needing special protection. In country after country, it

has become clear that the extended family is now overextended and unable to provide its traditional level of protection and care for children deprived of a family environment. "In the body, HIV gets into the defensive system and knocks it out. It does that sociologically too. It gets into the extended family support system and decimates it," according to Geoff Foster, a pioneer in research on children affected by AIDS in Zimbabwe. As a researcher in Ethiopia has noted, the extended family, "a social safety net that accommodated orphaned children for centuries, is unravelling under the strain of AIDS" [Emphasis added]

Urban planning under such conditions of turbulence and transformation is not without challenge. Yet it has been suggested that urban planning in Nairobi has happened in an ad hoc, uncoordinated and poorly integrated way with the result that there are a few islands of well-organised and high income suburbs located within a vast sea of informal settlements which lack access to even the most basic of services. Many of Nairobi's children and young men and women live, work and study within these informal settlements.

All of these factors – globalisation, urbanisation, stalled constitutional reform, police harassment – impact on Nairobi's households and the families who live within

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those diverse households. Several observers have suggested that some of the most profound changes in Kenyan society are happening on the level of families. Domestic violence, absent parents, child-headed households and other such phenomena are reported to be on the increase (*The Nation*, 29 January 2002). In turn, those changes can be understood to impact directly upon the lives of young men and women living in the formal suburbs and informal settlements of Nairobi.

Under conditions of significant unemployment, deteriorating infrastructure, and an increasing number of migrants, Nairobi is experiencing an ever-widening divide between its "have" and "have-not" inhabitants. This is especially evident amongst Nairobi's youth, the overwhelming majority of whom fall under the "have-not" category. They come from impoverished households with high rates of school drop out, unemployment and incarceration. Ironically, the class divide does not exempt middle class youth from also exhibiting dysfunctional behaviours. Indeed, progressive, welfare practitioners and youth activists have suggested that middle class youth are increasingly being drawn into the ambit of the criminal underworld.

Youth activists, too, have reported that there are growing feelings of disempowerment and marginalisation from

mainstream, decision-making processes within Kenyan society. Within this complex context, the daily lives of Nairobi's youth are said to be characterised more and more by exposure to crime and participation in criminal activity. As part of a UN HABITAT-commissioned study on youth and crime in Nairobi, an attempt was made to explore youth and crime from a youth-centric perspective. In the next section, A description of the study and its methodology are provided.

THE STUDY AND METHODOLOGY

The relationship between youth and crime is a complex, often emotive one. Popular and mainstream media accounts suggest that youth involvement in crime has increased dramatically, particularly among youth resident in urban areas.

In an effort to empirically assess crime among young people in Nairobi, a Youth Offender Profile Tool (developed by the Safer Cities Programme of the United Nations Human Settlements Programme and used previously in South Africa and Tanzania) was used to collect data from a qualitative sample of youth respondents as part of 10,500 respondents interviewed in a city-wide victimisation survey in Nairobi conducted at the request of the Nairobi City Council. The study focused on youth attitudes, experiences and perceptions of crime in

Nairobi.

A qualitative methodology was implemented in the exploratory study. The decision to use qualitative methods, such as interviews and focus groups, was informed by several environmental factors:

- y The sensitive and personal nature of, and the potentially anxiety-provoking or painful reactions to, the issues raised. These factors demanded that the research team attend to how questions were asked and to the competence, professionalism and care with which such issues and reactions were handled;
- y The disclosure of personal information required attention to quality control over confidentiality and privacy of data collected, analysed and presented;
- y The need to recognise that youth are a heterogeneous group and have different experiences, attitudes and perceptions that reflect their own socio-demographic and economic diversity had to be recognised by not adopting a "one-size-fits-all" approach.

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Qualitative methodologies were argued to be better suited to the exploratory nature of the study and to efforts to provide a general exploration of the phenomena and issues of youth and crime in Nairobi. Initially, however, the methodology's sample focused on youth in remand homes, approved schools and juvenile remand prisons and intended using focus group discussion methods. The decision to use focus groups was based upon research conducted in South Africa and Tanzania. However, following input from stakeholders and youth within these institutions, it was evident that the decision to use focus groups had to be reviewed because:

- y Nairobi's juvenile justice institutions dealt largely with street children and less with young offenders and delinquents. As such, there were very few, genuine, youth offenders in these institutions;
- y Youth within these institutions were less able to engage in any detailed discussion about Nairobi's criminal justice system because they were "awaiting trial" or had yet to be exposed to the whole system;
- y All youth in these institutions were from impoverished backgrounds and most were school drop-outs. Such distribution would suggest that no young offenders were school-going or from

middle and upper class families but the research team rejected that as too simplistic an interpretation and an unacceptable bias for the exploratory study;

- y The use of focus group discussions (which had worked well in South Africa and Tanzania) was unsuitable in Kenya for overcoming a reluctance towards discussing personal demographic details and experiences (including family life and arrest history) in a group setting.

Consequently, the research team decided to include ex-offenders as a category of participant. The Nairobi City Council's social workers were asked to provide details of youth offenders who had either recently "been through the system" or were "known suspects" but had not been "touched by police and justice officials". Unfortunately, all ex-offenders identified were from poor families. The research team, in an effort to include middle class participants and by using a network of "informers", identified additional youth participants from schools in middle income suburbs of Nairobi.

After undertaking some revisions, the implemented methodology consisted of in-depth and one-on-one interviews and focus group discussions with a range of youth and stakeholder

participants. The former method provided detailed information while the latter provided general opinions and experiences of youth, crime and safety in Nairobi's households, informal settlements, and suburbs.

The methodology also included a series of open-ended interviews, which were conducted with managers of juvenile justice institutions and schools, probation officers and police officers.

One of a set of early challenges faced by the research team was a definitional one, which had implications for the study's sample. In Kenya, there is no common or standardised definition of a young offender. It was found that it was common to associate youth offenders with street children and youth from poor neighbourhoods. In the context of the lack of verifiable statistics and standardised definitions, the research team adopted the following definition of youth offenders, namely, that they:

- y Were either male or female, between the ages of 14 and 25;
- y Had committed and / or had been charged with a criminal offence; and
- y Were resident within Nairobi for at least a year before committing the offence.

The "sample" used in the exploratory study could be

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described as a convenience, non-probability sample, which was stratified to ensure at least three sub-categories of youth. The table (below) summarises, by category, the number of individuals who participated in the study by gender and age.

With regard to data coding, capturing and analysis, interviews were recorded and transcribed by the interviewers before being coded and captured, digitally, using a coding sheet developed organically and interactively from the transcriptions. Analysis was conducted using two analytic techniques namely:

- y Content analysis (Krippendorf, 1981) which permitted analysis of written and spoken texts for frequency and consistency of themes, ideas or opinions; and
- y Discourse analysis (Potter and Wetherell, 1987) which permitted analysis of discourse surrounding the responses made by participants as well as who spoke and about what issues.



Photo: Anthony Kinanjui

Table 1: Summarising stratification, by category, of the study's sample

<u>Status</u>	<u>Gender</u>	<u>Number</u>	<u>Age Range</u>
Ex-Offender Individual Interviews	Male and Female	20	16 to 25
Ex-Offender focus groups (2 groups)	Male and Female	20	16 to 25
Youth Gang Focus Group	Male only	6	14 to 17
Offender Individual Interviews	Male Only	11	17 to 20
School Individual Interviews	Male and Female	11	15 to 20
School focus groups	Male and Female	40	14 to 20

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RESULTS

A total of 65 youth participated in the study and some key demographic data about those participants is contained in the table below.

In the course of describing results emerging from the exploratory study, this paper will refer to specific groupings according to the above categorisations.

Relationships with fathers among all three categories of participants were found to be poor and if any relationship existed at all, it existed for financial reasons. Socialisation with fathers was limited and most fathers were reported to be absent from the household

and / or abusers of alcohol. The abuse of alcohol was identified as a catalyst for family disruption and physical abuse.

"My father is a perpetual drunkard. He knows that the family is barely surviving, yet he spends his every cent in the bar. Then when he comes home, fear looms. No one knows what he may do that night...probably kill my mother"

Relationships with mothers were described in terms of compassion and sympathy, particularly for perceived attempts by such women to maintain a family structure. Several offender and ex-offender participants justified

their criminal behaviour by describing them as a means of supplementing their mothers' incomes and as ways of ensuring that family members were fed and clothed.

Descriptions by the youth participants of their homes and families revealed that for ex-offender and offender participants, families were structures in transition moving towards a hybridised, nuclear family structure with some remnants of extended family structures still in place. Among the middle class, student participants, families were equated with parents and siblings and homes as places to go to everyday; safe places where one's needs were provided for; places in which one has been raised; and places to relax. Eighty two percent of all students claimed that their family lived together and fifty five percent claimed that there were fights in the family between parents with some fighting with siblings (18%), an aunt or uncle (9%) and "in-laws" (9%).

Ex-offender and offender participants reported that if they spent time with their families at all, then most of that time was spent with a sibling (23.3%) or mothers (13%). Most of this group indicated that they got on well with everyone in their families and 53% responded that no-one in their family disagreed while 17% indicated that fights were with and

Table 2: Summarising Participation, by category

Category	Male	Female	Number	Age
Ex-Offender individual interviews	14	5	19	16 to 25
Ex-offender focus groups	9	3	12	16 to 25
Offender individual interviews	11	0	11	17 to 20
School individual interviews	7	4	11	15 to 20
School focus groups	8	4	12	16 to 19

between parents.

Employment levels in families varied according to economic status. Ex-offender and offenders reported that mothers were more likely to be employed than fathers or siblings and approximately 17% said that no one in their family was employed. In contrast, 91% of student participants said that their mothers worked, 73% said their fathers worked, 55% said a sibling worked and 18% identified other family members (e.g. aunt, grandfather) as employed. The types of employment identified included police officer, car dealer, lawyer, banker, shop assistant, teacher, accountant, shop owner, kiosk owner and milkman.

Although a minority of respondents acknowledged an absent parent(s), the phenomenon may be far larger among urban families in Nairobi, both rich and poor. The current harsh economic situation may be driving this trend and forcing families and its members to moonlight to ensure a basic subsistence survival. In some instances, parents' response to work stress resulted in heavy alcohol abuse, long periods of absence from home and other social ills – sometimes aggravating the family social problems, including increased physical abuse between parents in front of the children. Respondents, particularly in the upmarket

schools, tended to be quite familiar with this phenomenon, either in their own families or in families of relatives and friends.

Social and recreational trends among participants revealed that for several youth, their peer groups were their second 'families' from whom they could find a sense of belonging and attention. Within these "new families", participants learnt norms and values and even acquired new dialects such as 'sheng', which is a mixture of English, Kiswahili and borrowed terms from local dialects – often pronounced with imitated accents particularly from key political figures and anti-social behaviours. Some participants acknowledged that their parents were worried that 'sheng' was leading them astray and making them adopt intolerant lifestyles.

In terms of offering descriptions of friends and peers, most participants described their friends as "badly behaved" (but 40% of participants chose not to respond to this question in the in-depth interview). Interestingly, 27% of participants claimed that they had been members of a gang while 53% said they had not. Twenty percent even said that they were still members of gangs. In almost all cases, the participants described gangs as criminal groupings.

A poignant finding was that 40% of all ex-offenders stated that youth were unhappier today

than youth of five years ago. Only 7% of all ex-offenders believed that Nairobi youth were happier. Fifty five percent of students thought that youth in Nairobi were unhappier today than in previous years. When asked about what saddened them, the responses reflected the increasing social and economic hardships facing Kenya. The most common responses were death, sickness, prison, family conflicts and poverty for offenders and ex-offenders while students identified arguments (55%), family conflict, poverty and unemployment.

Various coping mechanisms for dealing with sadness and stress were used. The student participants claimed that they coped by crying (18%) and equally (9% respectively) by seeking religious counsel, speaking to someone, fighting and drinking alcohol or using drugs. Among (ex)offenders, methods of coping including sleeping, talking to someone, seeking religious counsel, introspection and withdrawal, and drinking alcohol or using drugs.

Attitudes to, and perceptions of, gender power relations varied among the participants. Several of the male respondents regarded women as men's equals but the younger, male offenders and school going youths believed that men were physically more powerful than women and their "masters". As

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will be discussed later in this paper, the exploratory study did not explore gender, youth and crime issues in any detail as the number of girls and young women participating in the study was too low.

On the topic of unemployment, half of the offenders claimed that they had tried to find a job in Nairobi. Prior to imprisonment, 43% of the group claimed that they had worked either for money or food and had been employed as a casual labourer, hotel assistant, domestic worker, food attendant, and garbage collector, among others. Fifty seven percent of ex-offenders, claimed that they had worked for food or money subsequent to their rehabilitation and had worked as a porter, vegetable seller, farm labourer, casual labourer, mechanic, and bus station attendant, among others. All but one of the ex-offender participants believed that it was difficult or very difficult to find a job in Nairobi. Among the students, 18% had tried to find a job in Nairobi while 45% had not.

Substance use and abuse was discussed with participants. Most student participants claimed they did not smoke cigarettes (73%) but did use alcohol (55%) when socialising (67%) and reported that they had purchased alcohol from bars and night-clubs (100%). It was common to hear statements that youth from poor families used drugs to "kill

frustrations" while youth from rich families used drugs for "relaxation" and because they could afford to.

The types of drugs used by the student participants included some of the following: taptap (c o c c a i n e), c - t a b l e t (manufactured by Roche), mandrax, valium, marijuana, "miraa" and muguka. Drugs, it was said, were purchased from specific locations such as in the impoverished neighbourhoods of Eastleigh and Mathare (73%) with money provided from different sources including the participants' own families (27%), by working (9%), selling clothes (18%), friends (9%) and criminal activities (9%). None of the participants who admitted using drugs said that they had stolen money to purchase drugs (although 27% chose not to respond to this question). Some of the student participants claimed that Nairobi youth were using sex to obtain drugs, alcohol, food or clothes (36%).

Among offender participants, 40% stated that they still smoked cigarettes while 13% said that they had quit smoking. Typically, eight cigarettes were smoked per day and 57% claimed to have started smoking between the ages of 16 and 19 while 36% had started between the ages of 12 and 15. A handful claimed to have been smoking from ages as young as 8 years of age. With regard to use of alcohol, 43% said that they still

consumed alcohol, including local brews such as "kumi kumi" and "chang'aa", and did so on a daily basis (42%). Alcohol was said to be purchased from neighbours (37%), illicit shops (11%), friends (11%) and bars and night-clubs (11%). Forty three percent of offenders claimed that they used drugs and identified substances such as marijuana, "jet fuel", glue, C tablets, mandrax, valium, "muguka", "miraa" and "brown sugar". Drugs were purchased from prison wardens, friends and neighbours, in impoverished neighbourhoods (such as Kibera and Mathare), doctors and pharmacists, drug dealers and police officers. Most drug purchases were made with money from criminal activities (60%) and 30% said that they had performed sex to buy drugs, alcohol, food or clothes.

Given the focus of the study on crime, it was obvious that a significant amount of attention during the interviews and focus groups was directed at a range of delinquency, crime and punishment phenomena. Unfortunately, it is not possible to describe in detail all of the phenomena discussed and for that reason, a selection of results are described below.

Weapons were owned and used by several ex-offenders and offenders. Guns, swords, pangas and knives were the more popular weapons of choice. Owning and using

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weapons were most often associated with the purposes of criminal activity and self-defence. The student participants claimed that in Nairobi, popular weapons were, equally, guns and swords, pangas and knives and, to a lesser, extent clubs, hammers and metal bars. The students claimed that the two main reasons why people had weapons were self defence and crime.

When asked who were Nairobi's criminals, the offender participants stated that it was the poor and desperate who were criminals. A minority identified the youth and "people from Eastlands" and a few identified criminals as those who commit crime for pleasure and / or drug addicts. And most believed that crime was motivated by money (67%), family problems (20%) and equally, peer pressure and survival (13%, respectively). Although many of the students did not answer the question, an equal proportion identified the police and the poor and desperate as those who committed crime (followed by drug addicts and individuals who committed crime for pleasure).

Ex-offender and offender participants were asked to identify, from a list of possible crimes, which crimes were committed by youth. The table (below) summarises those responses.

Student participants claimed that youth were involved in all of the crimes provided on the list (see table below) but they argued that youth committed crime mostly for money (45%) and because of peer pressure (45%). Poverty was also considered to be a cause of

crime.

Fifty seven percent of offender participants claimed that they were victims of crime and the overwhelming majority had been mugged and robbed (82%). Slightly less than half had been beaten up once before while approximately 40% had

Table 3: Summarising offenders and ex-offenders' list of crimes committed by youth (multiple responses)

<u>Non-violent crimes</u>	<u>Percent</u>	<u>Violent Crimes</u>	<u>Percent</u>
Theft from houses	63.3	Sexual Offences	53.3
Snatching/Pick-pocketing	60.0	Assault or mugging with force	30.0
Robbery without force or threat of force	56.7	Car-jacking	23.3
Shoplifting	40.0		
Theft from or of vehicles	23.3		

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not experienced a beating. Of those who answered the question, none claimed to have been sexually harmed.

Forty five percent of the students participants said that they had been victims of crime while 27% had been threatened and 64% had been beaten (43% said by parents and 43% said by a gang). None said that they had been sexually harmed.

In terms of criminal history, most of the offenders reported that they did not have family members who had been arrested and sentenced (10% said that they did and identified an aunt, cousin and brother, respectively). For the same category of participants, 53% reported that they had close friends who had received a prison sentence for theft (38%), petty crimes (38%), drinking (13%) and manslaughter (13%). Sixty three percent of youth offenders had not been charged with other offences prior to their arrest compared with a third who had. Among the latter grouping, 60% had been charged with theft. Most offender participants claimed to have committed their first offence between the ages of 12 and 15 years of age (30%) or between 16 and 19 years (23%).

Theft was the most common crime for which youth, participating in the study, had been arrested followed by

assault (23%), drug possession (10%), mugging (10%) and manslaughter (7%). One participant had been arrested for defilement and rape and another claimed he was innocent of the crime. 30% stated that the crime was committed spontaneously while 23% claimed it was planned or premeditated (just less than half had discussed the crime beforehand with a friend or

family member) and that they were not drunk or using substances at the time (50%).

A common response among ex-offender and offender participants was a lack of trust in the Kenya Police. The youth offenders, overwhelmingly, claimed that the police had used unnecessary force during their arrests and 53% of these participants claimed that the

Table 4: Summarising offender and ex-offenders' descriptions of holding cells in which they were placed

<u>Description</u>	<u>Percent</u>	<u>Description</u>	<u>Percent</u>
Dirty/Unhygienic facilities	46.7	Poor ventilation/sunlight	16.7
Bad or insufficient food	43.3	Exposed to beatings	13.3
No blankets provided	36.7	Cold conditions	3.3
Had to sleep on the floor	26.7	No complaints about cells	3.3
Overcrowded	16.7		

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police officers had attempted to solicit a bribe or had threatened them. Most had not been informed of their rights (60%) compared with 13% who had and 57% had not been permitted to make a telephone call.

Forty three percent said that they had spent up to a week in the holding cells while 10% had spent between 7 and 10 weeks in the holding cells. All had been held with other arrestees. (Most reported that they were not threatened or beaten by the other arrestees). It was a common experience to be beaten by the police (53%) and to be threatened by the police (27%) while only one offender said he had been threatened in a sexual manner.

Fifty three percent of youth offenders claimed that most people believed that the courts were fair. Twenty percent said that they were appointed a lawyer by the court, 10% had paid for a lawyer, 23% said that no lawyer was present and 13% claimed that they had represented themselves. Only two participants claimed that they did not understand all that was said to them during their trials.

Just less than half (47%) thought that their sentences were fair while 20% said they were unfair and 17% claimed that the magistrate or judge was unfair towards them during their trials. Several of the participants said

that the courts seem to be tailored to adult crimes and not youth crime. They felt that they needed a better system, one that was less formal and one which would "allow them a chance to be heard".

Sixty percent of youth offenders claimed that officials who had handled them while checking them into institutions such as approved schools or remand homes had improperly treated them, threatened them or requested a bribe. It was significant that only 3.3% of the participants found the conditions acceptable.

During incarceration, most offenders claimed that they had not received counselling while incarcerated (13% did and 30% did not respond) nor did they receive skills training (43% while 50% did not respond). When asked how to restructure the rehabilitation process, the most common suggestion made as to allow offenders to see psychologists followed by providing skills training for offenders.

The majority of the ex-offenders and offenders believed that they would never commit a crime again while 33% stated that it would depend upon the circumstances in which they found themselves. The experience of imprisonment was one of the main reasons why youth offenders claimed that they would not re-offend. Financial stability was identified

as that which would make it easier not to commit crime in the future while poverty (40%) and alcohol or drugs (23%) were identified as that which would increase vulnerability to commit crime again. Only a few believed that if they did not find a good job would they turn to crime and among those who discussed the issue, none believed that they would be more successful or would not be apprehended if they committed crime in the future. Most of the student participants claimed that they would not commit a crime in the future (45%) while 18% said there was "a 50:50 chance" that they would. Poverty (55%), peer pressure (27%) and unemployment (18%) were circumstances that would make the participants vulnerable to committing crime in the future. 27% stated that if they did not find a good job there was a possibility that they would turn to crime.

Another important part of the interviews and discussions with the youth participants was the focus on the future. With regard to the future, ex-offender and offender participants overwhelmingly believed that they would be able to find or create a good job for themselves in the future. Being wealthy and reuniting with their families were identified as things that they wished to change in their futures. Significantly, only one participant expressed a wish to achieve a better

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education. Among the student participants, 73% believed that they would find or create a good job in the future.

DISCUSSION

Most of the youth participants in this study discussed their experiences, attitudes and perceptions of crime within a discourse of despair. Impoverishment and social, political and economic marginalisation which were common features of the lives of youth offenders and ex-offenders. Among the student participants, it was alarming to find that all of them wished to "go abroad" and almost half wished to emigrate, permanently, from Kenya.

While some of the participants tried to disguise associating themselves directly with criminal activities and opted instead to speak about "someone they knew", there was still evidence of a discourse of despair evident in how participants described the institutions within their society, and the criminal justice system in particular. Corruption was commonly mentioned, as was bribery, threats of physical violence and alleged beatings from police and correctional institutional officials. References were made to, not only the government's harsh treatment of dissent, but also the government's outright dismissal of youth. There was evidence that many youth participants in this study

believed that they could neither trust their neighbours nor the institutions that were supposed to defend their rights. The socio-political environment in Kenya was regarded as one in which human rights and community development advocacy carried real risk of arrest and police harassment. This exploratory study found that for the young men and women participating in this study, by the time they reached the age of 18, they had lost hope for their society and for themselves. (The finding of despair and hopelessness was found in a South African survey of youth conducted by a progressive, non-governmental research agency (Kimmie et al, 2001). The study's participants complained that they had no voice in Kenyan society. They said that they were not involved in any form of decision making even when it directly concerned them and their lives. The lack of participation and the lack of voice seemed to compound further feelings of despair and hopelessness.

It would be remiss not to refer to the fact that the study's participants displayed intelligence, knowledge, strength and considerable resilience in the face of severe difficulties and challenges. Again and again, several were eager to "find a role", "make a contribution" and "promote change" but there were some, particularly girls and young women from impoverished homes, who displayed low self-

esteem, lack of confidence and who believed that there would be no changes nor would they be able to make any difference to their families and to their society.

The lack of trust and solidarity among residents of Nairobi was commonly reported and potentially, this is a major hurdle in tackling crime and insecurity. Youth were convinced that "you can't trust anybody in Nairobi especially not the government and the police" and in some cases, "not even yourself". This perception, if not addressed, will seriously hamper community crime prevention and youth development initiatives.

Almost without exception, the study's participants believed poverty was the cause of crime in Nairobi. This claim had to be understood in the context of literature from other countries which found that poverty was not a cause of crime [provide references!]. When exploring in more detail how the participants viewed the causes of crime, it became evident that Nairobi's youthful residents perceived no-one was ready to care for or about them, especially not the government. This in turn appeared to be part of a cognitive response in which the individual refused to invest in, take care of and contribute towards Kenyan society or to play a citizenship role. Social exclusion and the experiences of a lack of solidarity, loss of traditional structures and social-

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economic hardships, were, however, contributing causes behind crime in Nairobi more so than mere poverty. Such attitudes and perceptions will pose risks to creating a youth-friendly and safe Nairobi. Without hope for the future, young men and women may continue to see in themselves, and in others, very little of value or worth to protect and nurture.

Some tentative recommendations and issues for further investigation can be highlighted from this exploratory study:

- y Indigenous and traditional peace and conflict resolution mechanisms should be studied to assess their feasibility as tools for dealing with juvenile justice, offender rehabilitation and reintegration;
- y Greater emphasis should be given to social aspects and social institutions within the juvenile justice process and the Social Services Department should play a greater, more proactive role in this regard;
- y Family, community and education systems should be seen as basic units for justice. Unfortunately, the present Kenyan approach to juvenile justice marginalises these important institutions – possibly even excludes them completely – from juvenile justice, offender reintegration and crime prevention;
- y Kenya’s criminal justice system is currently oriented towards punishment and repression and should be re-oriented towards rehabilitation, reintegration and prevention;
- y Community service, as alternative punishment, should be investigated empirically and the requisite change to laws on child labour associated with community service should be investigated;
- y The incarceration of street children and petty criminals should be prevented and reintegration and rehabilitation should be promoted through involving education systems, the family and the community;
- y Family support should be provided by the justice system and the City Council’s Social Workers should be responsible for assisting the criminal justice system with implementing family support;
- y Magistrates, police, prisons, probation and children’s officers should be trained in child and youth issues;
- y Sports activities should be explored as ways of diverting youth from potentially criminal activities and as alternatives to substance abuse, gang related activities and crime;
- y Ideally, a Ministry of Justice should be formed to concentrate, integrate and clarify responsibilities across the criminal justice system;
- y The courts should become child and youth friendly institutions that seek to engage children and youth in dialogue and there is substantial international literature detailing how this can be done;
- y Youth should be provided with free legal representation in court. In this context, the new initiative of the Law Society of Kenya to provide free legal services to youth and children suspects should be supported and institutionalised within the juvenile justice approach to youth and children suspects;
- y The Kenyan government should devolve and decentralise some responsibilities for criminal justice to local authorities and should set up mechanisms for local authorities to be actively involved in preventing youth crime and reintegrating offenders;
- y Community policing should be the responsibility of the city council and in turn, local government officials, police and justice officials should be trained and made aware of the social aspects and causes of crime;
- y Each local authority department should develop its own crime prevention strategy and should link up with all other departments within the council to offer an integrated, holistic crime

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- prevention plan for the city of Nairobi;
- y An Inter-Agency and Inter-Ministerial Committee on Crime Prevention, and Youth at Risk in particular, should be formed. Its members should represent all relevant stakeholders (e.g. the central, provincial and local government, police, justice, the community (families, civil society), the private sector and the education system. Its members should also be trained on issues relating to crime and safety. The Inter-Ministerial / Agency Committee should be positioned strategically within government structures to ensure its sustainability and effectiveness at all levels;
 - y A survey of Nairobi youth should be commissioned and properly resourced in order to describe, thoroughly, risk factors among different categories of youth and to identify areas of urgent attention within the city;
 - y The definition of what is meant by a youth offender should be standardised so that monitoring can be implemented and sentencing and charging can be more transparent than is currently the case;
 - y Access to and affordability of education should be improved for all youth and active effort needs to be made to curb youth school drop out and forced out rates;

and

- y It cannot be emphasised enough that the city's political and civil leadership needs to involve youth in decision making on issues that concern them. The infrastructure for youth councils and parliaments needs to be built.

With regard to the issues for further investigation, this exploratory study found that there was scope for several related studies. At a strategic level, such investigations would begin to build a baseline of information on youth, crime and justice in Nairobi – a baseline which is startlingly absent at present. Some of the investigations, which could contribute to that baseline, include the following: There is a need for a quantitative survey to be conducted among a more substantial sample survey and wider cross-section of Nairobi youth. In particular, girls' and young women's participation should be emphasised in that survey and related studies.

This exploratory study did not include sufficient female participants and as such, gender, youth and crime issues could not be explored in the detail they urgently deserve. A further issue for investigation relates to criminal activities within higher educational institutions located in Nairobi and among university students. At present, newspaper reports

and urban legend offer many accounts of criminal, anti-social and violent behaviour among university students in Nairobi. Such activities need to be empirically researched and understood. Another important investigation, which should be conducted, is a thorough audit of capacity for, governance of, performance in, skills for and attitudes towards youth, crime and juvenile justice among governmental officials, and police and justice system officials. That audit should also clearly highlight areas for reform and demand for training for all categories of officials.

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SAFER CITIES PROGRAMME UN-HABITAT

Crime does not happen spontaneously. It grows out of an unequal and exclusive society, and out of a lack of institutional and social control. An inadequate urban environmental and exclusion encourage crime and violence. Moreover, the criminal justice system, including police, courts and prisons, is poorly adapted to the rapidly changing urban environment, and is unable to respond to the concerns and needs of urban dwellers, particularly the poor.

The Safer Cities Programme was launched in 1996 at the request of African mayors who wanted to address urban violence by developing a prevention strategy at city level. The programme supports the implementation of the Habitat Agenda, which acknowledges the responsibility of local authorities in crime prevention.

The main objectives of the Safer Cities Programme are to build capacities at city level to adequately address urban insecurity; and thereby, contribute to the establishment of a culture of prevention.



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