

**COMMUNITY SERVICE ORDERS AND BEHAVIOUR MODIFICATION
OF OFFENDERS IN PROBATION DEPARTMENT IN MINISTRY
OF HOME AFFAIRS KAKAMEGA, KENYA**

BY

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**A RESEARCH REPORT SUBMITTED TO THE COLLEGE OF OPEN
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DECLARATION

I declare that this research proposal is my original personal work and it has been never presented anywhere for any institution.

Signature.....



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APPROVAL

This study has been submitted for examination with my approval as a University Supervisor.

Signature.....

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by several vertical and horizontal strokes, positioned over a dotted line.

Ssekajugo Derrick

DEDICATION

I dedicate this study to my beloved children Laura, Davidwayne and Sheldon.

ACKNOWLEDGEMENT

First and foremost my sincere thanks go to my supervisor Derick Ssekajugo for the undivided attention, commitment and professional guidance and counsel throughout the period of this research.

Secondly I thank my colleagues, the probation officers in Western province for accepting the role of research assistants and tirelessly gathering the data that enabled this study.

Lastly, I thank my children whose support and encouragement was unlimited.

ABBREVIATIONS/ACRONYMS

ACT	Statutes/Parliamentary Laws/Enacted laws
B.I	Borstal Institution
CAP	Chapter
C.J.S	Criminal Justice System
C.S.O	Community Service Orders
L.O.K	Laws of Kenya
N.I.C.J.S	National Investigations Criminal Justice System
P.O	Probation Officer
T.I.G.I	Community Service Orders in Rwanda (French Word)

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ABSTRACT

This study intended to establish the effectiveness of community service orders in behavior modification, rehabilitation, and crime prevention in Kakamega District, Western Province of Kenya. In the review of the related literature, all secondary sources viewed relevant to the study were revisited and helped to give the researcher a clear picture as well as a guidelines regarding the study which he had to undertake. The study employed both qualitative and quantitative paradigms since the variables entailed in the study were thoroughly explained and some, measured with numerals and analyzed with statistical procedures. Self administered questionnaires formed the cardinal tools for data collection and these were administered in a respectable manner. The findings from the field revealed that there delineation of community service orders into multiple aspects was helpful to the probation officers to systematically understand, analyze, and manage the modification of the behaviors of offenders. It was further revealed that individuals who are unprivileged, unemployed and those with indecent life styles may be exerting control over their own actions and environment by using self-serving attributions. Such individuals require assistance from the concerned authorities so as to cope with the environment. Individuals who are unprivileged, unemployed and those with indecent life styles may be exerting control over their own actions and environment by using self-serving attributions. Such individuals require assistance from the concerned authorities so as to cope with the environment.

CHAPTER ONE

INTRODUCTION

1.0 Background Information

Crime the world over has been identified as a set back to socio-economic and political development. While as a social construct assuming the universal standards, there is failure in explaining what constitutes to 'sin' or 'immoral' or deviant behavior, as a human construct therefore criminal/deviant behavior is coined to suit the socially attempted rules/laws of a given society. This as such defines quite a number of crimes in existence as per specific nations. The existence of many varied complex crimes there exist complex punishments that are meted to law breakers in society. Ref: James A. (Inciardi, 2003).

Kenya recognizes the United Nations standard minimum rules for non- custodial measures (Tokyo Rules) of 1990. The rules stress that prisoners be treated with respect due to their inherent dignity and value as human beings and advocate for the viability of non-custodial sentences as an alternative sentence hence the use of community service orders in behavior modification and rehabilitation of offenders.

The blessings of the Tokyo rules are observed by the global wisdom that petty and youthful offenders should be placed on community programmes/sentences that provide relatively effective behavior modification and rehabilitation while utilizing available resources within the community.

The country's blue print of the vision 2030-Kenya identifies the Tokyo rules and the rule of law and crime prevention as flagship initiatives that support overall state-building societal

development and social order. This can be achieved through effective offender reintegration and resettlement programmes that impress both the criminogenic factors and community reintegration factors that uphold public safety and harmony by reducing crime occurrence and therefore crime prevention in Kenyan society.

Community Service Orders programme in Kenya is offered by the Probation and Aftercare Service department. The department has comparative advantage to other law enforcers in the Criminal Justice System (CJS) in discharging the objectives of the programme. Hand in hand with the existing legal mandates and supportive organizational structure as a distinct discipline within the CJS, has operationalized the programme amidst problems. The department's mandate stems from the following laws as stipulated in the laws as stipulated in the laws of Kenya. The Pensions Act 90 L.K, The Children Act of 2001, the Penal Code CAP 63 L.K and the Criminal Procedure Act CAP 75 L.K.

The department with the belief that offenders can change in a supportive environment, they generate information to the judiciary and other penal institutions for dispensation of justice; supervise and rehabilitate offenders on community-based sentences, reintegrate and resettle the offenders on statutory license and promote crime prevention activities in the community. In achieving these objectives problems have been evident hence blurred the noble objectives of community service as a rehabilitation measure. For instance there has been a high rate of offenders serving on community service orders re-offending hence a major setback with 39% of the offenders re-offending in 2009 in Kakamega Central and 45% in 2008. Similarly within the same period the rate of absconding among offenders in the area stood at 63% 2008 and 67% 2009. This is a clear indication that the good intentions of the program are not observed. It has been argued that probably the problems

perpetrating further crime commission or omission by serving offenders include among others non clarity regarding the purpose of community service, poor management of CSO, performance among partners, anxiety and stress, power and authority which need to be addressed to have an effective community service order programme that will stimulate crime prevention (*Baloyi, 2006*).

Borrowing from community service order programme in Rwanda (T.I.G.I) Ref Personal visit July 2007, the programme implementation in Kenya appear handicapped with myriad problems to be addressed for it to achieve the objectives of the Tokyo rules and vision 2030 (Government printers Kenya).

1.1 Statement of the problem

Community Service Orders programme as an alternative sentence has been most preferred sentencing option of offenders in Kenya and as a crime prevention method in the criminal justice system. However, crime rate among Community Based Offenders (CBO) remain high hence its effectiveness questionable. Many supervisors fail to see CSO as the final step in the selection process, they lack the necessary training skills to administer the program, CSO periods are abused by the supervisors as they allow their personal feelings to influence them when assessing and supervising offenders, orientation is delayed until after attachment, CSO periods handled in perceived function, the periods can generate anxiety in offenders and in normal cases there are no benefits to offenders nor feedback of the value of the cost of their services. It is against such a background this study intends to establish the effectiveness of community service orders in behavior modification, rehabilitation, and crime prevention in the Kenya.

1.2 The purpose of the study

The study therefore intended to investigate the effectiveness of Community Service Order programme in the behavior modification, rehabilitation, and crime prevention in the Kenyan society as discharged by the Probation and Aftercare department in the Ministry of Home Affairs.

1.3 General Objective

The study was intended to establish the effectiveness of community Service Orders programme as a tool to offenders' behavior modification, rehabilitation and crime preventive measure in Kenya criminal justice system.

1.3.1 Specific objectives

The study was guided by the following objectives:

1. To determine the profile of the respondents in terms of: Age, gender, level of education, responsibility/position held and duration at the current responsibility/position held.
2. To establish the magnitude of offenses received in the probation department
3. To establish the relationship between Community Service Orders and crime prevention in Kenya.
4. To establish the challenges encountered in the implementation of Community Service Orders in Kenya.
5. To suggest measures to be undertaken in the attempt to improve community service orders.

1.4 Research questions

The study attempted to answer the following questions.

1. What is the profile of the respondents in terms of: Age, gender, level of education, responsibility/position held and duration at the current responsibility/position held?
2. What is magnitude offenses being received in the probation department?
3. What is the relationship between Community Service Orders and crime prevention in Kenya?
4. What challenges are being encountered in the implementation of Community Service Orders in Kenya?
5. What measures ought to be undertaken in the attempt to improve community service orders?

1.5 Scope of the study

Content scope

The study focused on; identifying and establishing the relationship between community service orders and behavior modification of offenders in probation department in ministry of home affairs in Kenya

Theoretical scope

This study was anchored on Skinner's Behavior modification (which is often referred to as b-mod. The theory emphasizes that one has to extinguish an undesirable behavior (by removing the reinforcer) and replace it with a desirable behavior by reinforcement.

Geographic scope

The study was carried out in Kakamega Probation department, Kakamega County, an administrative area in the Western Province of Kenya.

1.6 Significance of the study

The study findings were geared to helping law enforcers reach an agreement as far as supervision guidelines of offenders are concerned. The study would open avenues for policy makers to amend the CSO act and management process more especially on the type of work to be assigned. The study findings will enable the department to formulate a policy guideline appropriate to the supervisors, Probation Officers in the implementation process.

The findings would change community negative perspective towards crime and offenders encouraging use of non custodial forms of punishment hence minimize view of offenders suspicion by community, reduce stigma of offenders by community and provide the social support which would act as a framework to effective behavior change, rehabilitation, integration and resettlement of offenders.

Findings would provide room for effective rehabilitation and settlement empowerment plus capacity building of P.O, Police officers, judiciary officers.

1.7 Limitations and delimitations of the study

- The researcher was limited to information on only convicts/offenders serving on CSO and in the community for a period of between one month and three years hence a danger of limited information being gathered.

- The probation officer and supervisors' information was subject to bias and lack of openness.
- Time factor led to hurried information gathering.
- Limited literature in the area of study as is a new field in African countries hence limited comparisons.

1.8 Operational Definitions

Acts of crime as types of crime. They are offences against persons (assault, Manslaughter, rape) offences against property (Malicious damage, arson) and other offences (child neglect, careless driving, and possession of traditional liquor).

Behavior modification: Change of an offender's actions or way of life so that he/she does not repeat similar or other offences in future.

Community: A group of interacting people that is organized with common values and social cohesion within a shared geographical location in a unit larger than households.

Community Service Orders: Performing public free work in public Institution under a gazetted supervision after being sanctioned to do so by a court of law. There is time specification and rules to be observed.

Crime : Crime is referred to as rational/intentional conduct that violates the criminal law and is punishable under law ref: Adler/

Crime prevention: These are measures which are adapted by the authorities/community/individuals in order to stop crime occurrence.

Deterrence: Lesson learned from community similar acts.

Gacaca: A Rwandan local courts charged with trying the perpetrators of the 1994 genocide.

Rehabilitation: To restore to useful life through therapy or education therapy or education.

The assumption of rehabilitation is that people are not permanently criminal and is possible to restore them from their criminal life.

Criminogenic factors: The underlying factors that predispose a person to committing a crime other than the specified offence on the charge sheet.

Offenders: Are persons convicted under the Kenya laws and sentenced to serve on community service orders.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

The chapter presents the literature pertinent to this study. It is drawn from research findings of accredited scholars and experts in the field of study, the laws of Kenya, the new constitution Kenya (2010), international and local papers and declarations, the media, courts of law, records in probation departments and daily observations. The literature is guided by the objectives of the study.

Theoretical Review

This study is anchored on Skinner's Behavior modification which is often referred to as b-mod. The theory emphasizes that one has to extinguish an undesirable behavior (by removing the reinforcer) and replace it with a desirable behavior by reinforcement. This theory has been used on all sorts of psychological problems -- addictions, neuroses, shyness, autism, even schizophrenia -- and works particularly well with the youths.

There is an offshoot of b-mod called the **token economy**. This is used primarily in institutions such as psychiatric hospitals, juvenile halls, and prisons. Certain rules are made explicit in the institution, and behaving yourself appropriately is rewarded with tokens -- poker chips, tickets, funny money, recorded notes, etc. Certain poor behavior is also often followed by a withdrawal of these tokens. The tokens can be traded in for desirable things such as candy, cigarettes, games, movies, time out of the institution, and so on. This has been found to be very effective in maintaining order in these often difficult institutions.

2.1 Community service order sentence globally

The United Nations standard millennium rule for non-custodial measures otherwise referred to as the Tokyo Rules of 1990 hold that all pensioners be treated with respect due to their inherent dignity and value as human beings and advocate for the viability of non custodial sentences as an alternative to custodial sentences. The Kenyan government ratified these declarations and has as such put in place mechanisms that are geared to enforcing the rules. The mechanisms include preferring use of non-custodial sentences- CSO as alternative sentencing methods to improvement in crime prevention Ref: Christine Achieng Okoth Obondi "effective resettlement of offenders by strengthening" "community reintegration factors' Kenya's experience 2009.

The United States of America in efforts to combat crime in the century impressed the retribution measures which indeed have little fruits in crime prevention. As a result, the N.I.C.J.S which was communal based otherwise referred as community policing was introduced purposely to educate the community on crime issues. Involving the community in crime prevention proved useful in reducing crime rates. This fact stresses the need for community based programmes in behavior modification, rehabilitation, reintegration and resettlement of offenders I the community as a measure to crime prevention in Kenya. However, much care should be take to curb the problems that hinder effective service delivery. Ref: James A. Inciardi "criminal justice" 7th edition (2002) pg 33 and 42.

2.1.1 Crime prevention in Africa

Non-custodial sentences in South Africa otherwise referred to as probation for instance are compulsory in the public serviced are prescribed by legislation. Appointments are regulated by the public service Regulations No. 44/2001, the public service Act No 103 of 1994 and

amendments section 8 of the labor Relations Act of 2002. The labor relations Act 1995-8 provides for probationary period must be of a reasonable duration depending on the nature of the job, and the time it takes for the employer to determine the employees (offender's) suitability for continued employment. This ingredient is missing in the discharge of community service orders in Kenya. The administration of non-custodial sentence in South Africa has undergone tremendous amendments to be in line with the world declarations (Tokyo rules) Z. Baloyi A. Crafford "Human Resource Management' (2006)-4(1) pg.13-16-crafford @ telkomsa.net University of Johannesburg.

Community Service Orders as a sentencing option has been used in Africa. Since the Tokyo rules declarations in Africa Zimbabwe has the best system in place, Malawi, South Africa, Kenya government structures are more uniform and solely communal –based, adjustments are called for in effective use of CSO. We need tangible projects and the sentence should bear the tag of preventing crime in society. For instance in Rwanda' TIGI' for C.S.O is used by Gacaca courts in punishing the genocide perpetrators with a reconciliatory, development and reintegration and resettlement of Tigis as paramount. Ref: Rwanda experience July 2007 by J. Mandillah, J. Macharia Mrs. J. Mbao a Kenyan delegation from Kenya on a familiarization tour on CSO-Rwanda.

2.1.2 Crime prevention in Kenya

Community service orders as a measure with the global wisdom acknowledgement that patty and youthful offenders should be placed on community programs that provide relatively more effective rehabilitation while utilizing available resources within the community.

The country's vision 2030 identifies the rule of law and crime prevention as flagship initiatives that support overall state building, societal and social order. Ref: Vision 2030 2003- Kenya Government's blueprint. The development and social order can be achieved through effective reintegration and resettlement [programs that not only address criminogenic needs but also emphasize community reintegration factors that uphold public safety and harmony by reducing recidivism.

The CSO program in Kenya is managed by the probation department whose mandate is derived from Acts of parliament. They include: the probation of offenders Act CAP 64L. K, Community Service Orders Act 10/1998 L. K, The prisons Act CAP 90 L. K, The Borstal Institution Act CAP 92 L.K, The mental/Health Act CAP 248 L.K, The children's Act CAP of 2001; The penal code CAP 63 L.K; The criminal procedure Act CAP 75 L.K; coupled with the belief that offenders can change in a supportive environment, the operations of the programme have been accepted in the CJS. The implementation is guided by the following objectives: Generation of information to courts and penal institutions for dispensation of justice, Supervision and rehabilitation of offenders on communal-based sentences and Reintegration and resettlement of offenders on statutory penal licenses, Promotion of crime prevention activities in the community. Ref: Christine Achieng "effective Resettlement of offenders by strengthening "Community reintegration factors-Kenya experience (2009)

The existing statistics in the country indicate that indeed non custodial sentences have been used in the CJS and will be used. Ref: a study by probation officers in 117 stations between 2006-2009 "children on community service"

Year	No of court referrals	No of boys	No of girls
2006	604	208	42
2007	746	206	42
2008	610	172	38
2009	34	137	25

The above statistics is reflective of the high number of adults benefiting from the non-custodial (CSO) programmes in the country. It therefore calls for strengthening of the programme rather than elimination resulting from the challenges that hinder effective implementation.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This chapter focuses on the research design, sampling procedure, instruments to be used and validity and reliability of the instruments. It also examines data analysis and ethical considerations.

3.1 Research Design

The study employed both qualitative and quantitative paradigms since the variables entailed in the study were thoroughly explained and some, measured with numericals and analyzed with statistical procedures. The study adopted correlational and cross-sectional survey methods. It was be correlational since it involved relating community service order program aspects to behaviour modification of offenders in probation department in ministry of home affairs- Kenya. It was cross-sectional in a sense that data was collected from the selected respondents once and for all in the interest of time and a survey study since quite a large number of respondents was be used.

3.2 Research Population

The target population for this particular study constituted 88 respondents who in this case included 48 probation officers in their respective stations and 40 supervisors in their respective organizations.

3.4 Sample and Sampling Procedure

Systematic sampling was used to ensure that respondents meet the particular requirements needed for the study (Esterberg, 2002). 48 Probation Officers and 40 supervisors with experience on the job of one year and above were interviewed.

A total sample size of 88 respondents was considered to be adequate and representative. This sample was purposively selected in a way that it would help to capture possible and adequate data which was needed for this very study.

Table 1: Study Population and Sample size

Category	Parent population	Sample population	Sampling Method
Probation Officers	48	48	Purposive
Supervisors	40	40	Purposive
Total	88	88	

According to Slovic's formula of 1978

$$n = \frac{N}{1 + Ne^2}$$

Where n = the sample size

N = Parent Population

e = the confidence interval and this is 0.05.

Purposive sampling is based on the assumption that the researcher can use professional expertise to select groups whom the researcher presume to represent the population

3.5 Research Instruments

Questionnaires: These included both open ended and close-ended questionnaires. Open ended questions were used to help the respondents (i.e. both Probation Officers and Supervisors) to express their in depth views about their perception of the effectiveness of community service orders towards behaviour modification of offenders in probation department in ministry of home affairs.

3.6 Validity and Reliability of instruments

The reliability of any questionnaire is the consistency with which the same results are achieved. This always depends on the questionnaire and the person answering. Then the validity of a questionnaire relies on its reliability. If a questionnaire cannot be shown to be reliable, then there is no element of validity to be discussed. However validity and reliability are related in such a manner that a valid instrument is reliable but not vice versa. This was scrutinized by expert judges including the supervisor. Content Validity Index (CVI) of a questionnaire focuses on the extent to which the instrument corresponds to the theoretical content as designed to measure. Content validity refers to the degree to which the text actually measures the traits for which it was designed. The split half reliability or sub divided test was calculated to further ascertain the coefficient of internal consistency.

3.7 Data Gathering Procedures

Before going to the field the researcher obtained an introduction letter from office of the Director Distance Learning. This introduced the researcher as a student attempting to carry out an academic research. The researcher sought for permission from the concerned authorities to access the respondents. To ensure promptness and accuracy, some of the questionnaires were administered by the researcher and others administered by the research assistants whom the researcher had employed. Collected data was then sorted, coded and prepared for analysis.

3.8 Data Analysis

Collected data was then fed into the computer to have them summarized using trouble free and complex frequency tables or cross-tabulations using a Statistical Package for Social Scientists (SPSS)

3.9 Ethical Considerations

The main ethical consideration was voluntary participation, obtaining informed consent, ensuring confidentiality and privacy of the respondents. The rights and the welfare of the respondents were protected. The researcher also tried to minimize risks to the respondents as much as possible.

CHAPTER FOUR

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

This chapter focuses on presentation, analysis and interpretation of the data. The chapter examines the state of the profile of the respondents in terms of age, gender, level of education and responsibility held

Table 2: Profile of Teachers

Major Category	Subcategory Descriptions	Frequency analysis	Percent (%)
Age	Below 25	4	6
	26 – 34	10	14
	35 – 44	30	42
	45 – 54	27	38
	55 and above	0	0
	Total	71	100
Gender	Male	30	42
	Female	41	58
	Total	71	100
Responsibility held	Officer	34	48
	Supervisor	37	52
	Total	71	100
Level of education	Certificate	7	10
	Diploma	47	66
	Bachelors	17	24
	Total	71	100

Table 2 presents the profile of the respondents. Accordingly, the majority of the respondents were in the age range of 30- 40. The female constituted almost 60% of the total number and of the respondents while the male constituted approximately 42% of the respondents. Regarding the responsibilities of the respondents, the probation officers constituted 48% of the respondents and the supervision officers constituted 52%. Table 2 further conveys the level of education of the respondents where by the certificate holders constituted approximately 10%, Diploma holders were the majority with a 66% while degree holders were close to 25%.

Table 3: Magnitude of offences committed

Magnitude of offences	Frequency	Percentage
None a day	0	0
10- 20 cases a day	35	49
20-30 cases a day	15	21
30-40 cases a day	20	28
40 cases and above a day	1	2
Total	71	100

As clearly seen from the table, views of the respondents revealed that on average 10-20 cases were being received each by the probation office. This was knighted by a nearly 50%

response from the respondents. Those who concurred with 20-30 and 30-40 cases registered in a day were 21% and nearly 30% respectively.

Table 4 : Relationship between Community service orders and crime prevention in Kenya

Relationship	Mean	Interpretation	Rank
Community service orders have assisted in the reduction of crimes among the young in Kenya	4.08	Agree	1
Community service orders have assisted in the reduction of crimes among the youth in Kenya	3.88	Agree	2
Community service orders have assisted in the reduction of crimes among adults in Kenya	3.83	Agree	3
Community service orders have assisted in the re-shaping of offenders within various communities in Kenya	3.69	Agree	4
Community service orders have assisted in the reduction of crimes among the young in Kenya	3.61	Agree	5
Community service orders have assisted in the reduction of crimes among the youth in Kenya	3.58	Agree	6
Average Mean	3.78	Agree	

In view of table 4 the views of the respondents had an average mean of 3.78 which was interpreted as being agree where respondents reacted to the questions that the community

service orders had an impact on behavior modification offenders and crime prevention as well.

Table 5: Challenges encountered in the implementation of community

Service orders

Variable	Frequency	Percentage
Inadequate supervision by the staff	34	48
Abscondment from work	44	62
Poor motivation of the officials	57	80
Improper training	34	48
Unfriendly environments	44	62
Inadequate facilities	36	51
Poor community sensitization	55	75

Table 5 above presents the views of the respondents regarding the challenges being encountered in the implementation of community service orders. Close 50% presented that there was inadequate supervision, nearly 63% presented abscondment from work as the salient challenge, 80% revealed that motivation was poor on the side of staff, nearly 50% presented improper training, almost 50% presented

Figure 1: Suggested Measures on how schools can improve community service orders

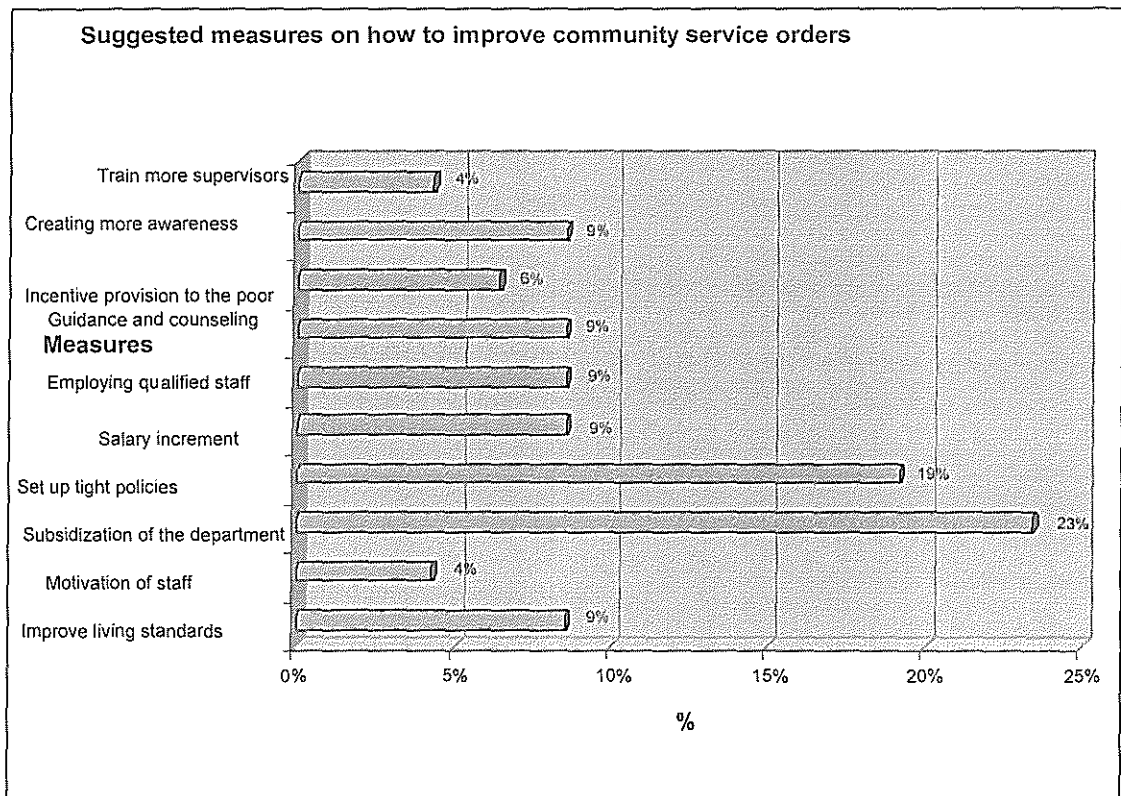


Figure 1 above shows the views of the respondents about measures which ought to be undertaken to improve community service orders in the area of study

Training of more supervisors

Figure 1 above reflects that out of the total responses given, 4 percent (4%) called for continued training of supervisors so as to boost the service offered and also match with the number of clients received.

Creating more awareness

Figure 1 above shows that out of the total responses given by the respondents, 9 percent (9%) called for more creation of awareness about community service orders to the public.

Offering of incentives to the poor

The respondents further suggested that there was need for incentive provision to the poor and this was represented by 6 percent (6%). This could help in narrowing the poverty gap and hence subject individuals to an improvement in the standards of living.

Guidance and Counseling Services

It has been known for long that a counselor in a given setting is regarded as a saviour. However, now days things have been changing time and again the most counselors have not been playing this role as expected of them. Figure 1 above shows that out of the total responses given, 9 percent (9%) called for proper guidance and counseling.

Employment of qualified staff

Figure 1 above still shows that out of the total responses given, 9 percent (9%) called for employment of qualified staff in the probation offices as this would help to improve on the academic performance of learners. There are many public offices bearing incompetent staff these days and that this is solely responsible for the poor service delivery in such offices.

Salary Increment

The cost of living has been changing time and again yet the salaries of civil servants are still low. Meeting the basics for the survival of people has always been an outstanding

challenge. Considering the views of the respondents, 9 percent (9%) of the total responses given suggested for increment in salaries.

Stringent measures

Figure 1 above reflects that out of the total responses given, 19 percent (19%) suggested that there was need for stringent measures in the running of probation department since such would help to wipe misconduct on the side of staff and the masses in the area of jurisdiction.

Subsidization of the probation department

It is widely accepted that if service delivery in any entity is to be effective, the working environment must be conducive in terms of office posture and work benefits. However, the reverse has always been the case within most public offices most especially in the country side. Figure 1 above shows that out of the total responses given, 23 percent (23%) called for improvement in office and other work related incentives both material and non material as this would help create a conducive working environment. This calls for government subsidization and funding of probation departments at district level nationwide.

Anchored on the above is the aspect motivation of staff and improvement of the living standards where by respondents' views on the same were represented by 4% and 9% respectively.

CHAPTER FIVE

FINDINGS, CONCLUSION AND RECOMMENDATIONS

Introduction

This chapter looks at the discussion of the findings of the research from the profile of the respondents as to age, gender, level of education and responsibility held, the magnitude of offences received in the probation department , the relationship between community service order and crime prevention in Kenya, the challenges encountered and measures to community service orders

FINDINGS

Delineation of community service orders into multiple aspects is helpful to the probation officers to systematically understand, analyze, and manage the modification of the behaviors of offenders in the area of study. Similar approaches can also be applied to the study of other types of organizations by researchers. This study addresses issues on how community service orders affect the modification of the behaviors of offenders in the probation department. Since the study was conducted from Kakamega District which is quite distanced from the urban areas which have access to the fringes, life in rural areas revolves around agrarian activities that make the standards of living to lag behind and this has a significant impact on the magnitude of offences committed. In the same regard, the inadequate supervision by the probation department staff, improper and/or inadequate training , unfriendly environments, poor follow ups together with poor sensitization to

mention make the entire work of the probation department a real challenge and instead increase the level of offences committed in the region. From the analysis in the preceding sections, the study has gained insights into which some of these experiences seem likely to have an effect on behavior modification of offenders. These results showed that as far as the behavior modification of offenders is concerned there were no opportunities for offenders to greatly improve in their behaviors.

CONCLUSION

Our perceptions affect our emotions and behaviors and our emotional and behavioral reactions also help shape our environments and skew our beliefs of those environments (Onyango,2011). A fundamental position of attribution theory is that we behave according to our perception and understandings. Attribution is part of our cognition of the environment, and is often used to feel a sense of control. We make attributions to make our world more manageable and predictable. One of our most important attributes is ability. Much of our performance is evaluated, by ourselves and by others, by assessing performance ability or competence. The attribution of high ability can be limiting, as it carries the obligation to perform at increasingly higher levels.

Individuals who are unprivileged, unemployed and those with indecent life styles may be exerting control over their own actions and environment by using self-serving attributions. Such individuals require assistance from the concerned authorities so as to cope with the environment.

One obvious limitation of this study is that it used only a small sample of probation officers and supervisors drawn from one region of the country. In order to further understand and document the nature and prevalence of these conceptions, additional studies using more qualitative measurement methods and larger representative samples need to be conducted. Data obtained from offenders, probation officers and/or supervisors belonging to different provinces should also be compared.

RECOMMENDATIONS

The following recommendations are hereby proffered based on the study findings;

- Probation officers should be given more skills on how to effect the program of community service orders.
- All the projects which have to be worked on have to identified at the introspect and strategies hence forth designed so as to effect such projects with less hurdles.
- Incentives in form of allowances to field supervisors should considered so as to allow the supervision work move on with less hurdles.
- Proper and thorough counseling of offenders should be done as this will help such people realize the right trend to be pursued.
- Sensitization of the public that is, all stakeholders should be done regarding the importance of community service orders.

Recommendations for Future Research

- This study should be replicated, using a different population to determine whether community service orders have an impact on the behavior modification of offenders.
- More research also might help to demonstrate a strong relationship that, in turn, allows findings to be generalized. Because of the limitations of the questionnaire instrument to assess some of the variables, extensive research is needed to examine the influence of such variables.
- Probation officers' attitudes toward the services and/or obligations of the probation department and the subsequent impact of such services on behavior modification of offenders are fodder for another important study that should be conducted. Such study would examine whether or not the community service orders have direct positive and negative effects on behavior modification of offenders and crime prevention as well.

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APPENDICIES

APPENDIX I

QUESTIONNAIRE FOR THE RESPONDENTS

Dear respondent,

This questionnaire is to help the researcher **Judith Mandillah** to gather information on: ***Community service orders and behaviour modification of offenders in probation department in ministry of home affairs Kenya.*** Your responses will be treated with highest degree of confidentiality. To ensure the same, do not write your name or any other form of identity anywhere on this form. Give your responses in the spaces provided as honestly as possible. Where alternative responses are given, mark your choice by putting a tick [✓] in the box next to the appropriate answer.

1.0 Section A: Profile of the Respondents

1.1 Age: Below 25 26 - 35-44

45- 54 55 and above

1.2 Gender: Male Female

1.3 Level of education

Certificate Diploma Bachelors

Master PhD

1.4 Responsibility/position held

Manager Supervisor Probation

Law enforcer

other (specify).....

1.5 Duration at the current responsibility/position held

1-3 years

3-6 years

6-9 years

9-12 years

12 and above

2.0 Section B: Magnitude of offenses received in the probation department

Your respective answers are to range from 1 = Strongly disagree; 2 = Disagree; 3 = Neither agree nor disagree 4 = Agree; 5 = Strongly Agree.

Cas e	Variables	1	2	3	4	5
2.1	None a day					
2.2	10- 20 cases a day					
2.3	20-30 cases a day					
2.4	30-40 cases a day					
2.5	40 cases and above a day					

3.0 Section C: Relationship between Community Service Orders and crime prevention in Kenya.

Your respective answers are to range from 1 = Strongly disagree; 2 = Disagree; 3 = Neither agree nor disagree
 4 = Agree; 5 = Strongly Agree.

Cas e	Variables	1	2	3	4	5
3.1	Community service orders have assisted in the reduction of crimes among the young in Kenya					
3.2	Community service orders have assisted in the reduction of crimes among the youth in Kenya					
3.3	Community service orders have assisted in the reduction of crimes among adults in Kenya					
3.4	Community service orders have assisted in the re-shaping of offenders within various communities in Kenya					

4.0 Section D: Challenges encountered in the implementation of Community

Service Orders Identify the Challenges encountered in the implementation of Community Service Orders in Kenya.

- i).....
- ii).....

iii).....

iv).....

v).....

Section E: Measures to improve community service orders.

Suggest measure to be undertaken so as to improve community service orders in Kenya.

i).....

ii).....

iii).....

iv).....

v).....

Thank you

APPENDIX II

TIME FRAMEWORK

Activity	April	May	June	July	Aug	Sept
Proposal Writing	XX					
Writing Literature		XX				
Gathering Data			XX			
Data Analysis				XX		
Writing Final Draft					XX	

Final presentation						XX
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APPENDIX III

BUDGET FRAMEWORK

ITEM	AMOUNT(Kshs)
1. Stationary a. Papers b. Pens c. Ruler d. Pencil e. White wash	3,000/=
2. Transport	8,000/=
3. Printing, Binding and Photocopying	4,000/=
Internet services and library fee	2,000/=
Airtime and consultation	7,000/=
Research Assistants	7,000/=
Miscellaneous	2,000/=
Grand Total	33,000